CONGRESSIONAL RECORD:

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CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-FIFTH CONGRESS, SECOND SESSION.

VOLUME XXXI.

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CONGRESSIONAL RECORD,

FIFTY-FIFTH CONGRESS, SECOND SESSION.

the Cavalry Baptist Church, the Advent Christian Church, and the First Congregational Church, all of Torrington, and of the Young Woman's Christian Temperance Union of South Norwalk, all in the State of Connecticut, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Third Congregational Church, the First Methodist Church, the Congregational Church, the Cavalry Baptist Church, the Advent Christian Church, and the First Congregational Church, all of Torrington, and of the Young Woman's Christian Temperance Union of South Norwalk, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the Third Congregational Church, the First Methodist Episcopal Church, the Second Congregational Church, the Cavalry Baptist Church, the Advent Christian Church, and the First Congregational Church, all of Torrington, and a petition of the Young Woman's Christian Temperance Union of South Norwalk, all in the State of Connecticut, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were referred to the Committee on the District of Columbia.

Mr. WOLCOTT presented a petition of the Woman's Christian Temperance Union of Wray, Colo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Northside Woman's Christian Temperance Union, of Denver, Colo., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter; which was referred to the Committee on the Judiciary.

He also presented a petition of the Northside Woman's Christian Temperance Union, of Denver, Colo., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Northside Woman's Christian Temperance Union, of Denver, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the Ouray Miners' Union, No. 15, of Ouray, Colo., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. CULLOM presented the memorial of Dr. John Wills, of Beecher City, Ill., remonstrating against the passage of Senate bill No. 1063, for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

He also presented a petition of Our Young People's Society of the United Presbyterian Church of Rock Island, Ill., and a petition of the Unity League, of Moline, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry pensioners of the United States residing in Marion County, Ill., praying for the enactment of legislation providing that where a soldier received gunshot wounds sufficient to make his disability equivalent to the loss of an arm or a leg he shall be entitled to the same rating; which was referred to the Committee on Pensions.

He also presented a petition of Buckhart Grange, No. 1687, Patrons of Husbandry, of Illinois, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Buckhart Grange, No. 1687, Patrons of Husbandry, of Illinois, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Buckhart Grange, No. 1687, Patrons of Husbandry, of Illinois, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of E. P. Bacon, of Chicago, Ill., and a petition of the Freight Bureau of Memphis, Tenn., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Travelers' Protective Association of Pennsylvania, Division of Philadelphia, Pa., and a petition of the Board of Trade of Canandaigua, N. Y., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PETTIGREW presented sundry petitions of citizens of Pierre, Rapid City, Huron, and Chamberlain, all in the State of South Dakota, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. HAWLEY presented petitions of the Woman's Christian Temperance unions of Deepriver and Pawcatuc; of the congregations of the Second Congregational Church of Norwich, the Baptist Church of Groton Heights; of the Epworth League of the Methodist Episcopal Church of New Britain, and of sundry citizens, all in the State of Connecticut, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the congregation of the Methodist Episcopal Church of Mystic; of sundry citizens of Mystic, and of the Woman's Christian Temperance unions of New Britain, Berlin, Newington, East Berlin, Plantville, and Warehouse Point, all in the State of Connecticut, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Deepriver, New Britain, Berlin, Newington, East Berlin, Plantville, and Warehouse Point; of the congregations of the First Baptist Church of Shelton and the Congregational Church of Shelton; of sundry churches of Stratford; of the Methodist Episcopal Church of Shelton; of the Epworth League of the Methodist Episcopal Church of New London; of the Second Congregational Church of Norwich; of the Epworth League and the Christian Endeavor Society of the Methodist Episcopal and Congregational churches of Eastford; of the congregation of the Baptist Church of Groton Heights, and of the congregation of the Baptist Church of Mystic, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Deep River and Shelton; of sundry citizens of Mystic; of the congregations of the First Baptist Church of Shelton, of sundry churches of Stratford, and of the First Congregational Church of Shelton; of the congregation of the Methodist Episcopal Church of Shelton; of the Epworth League of the Methodist Episcopal Church of New London; of the Christian Endeavor Society of the Congregational Church and the Epworth League of the Methodist Episcopal Church of Eastford; of the congregation of the Baptist Church of Groton Heights, and of the congregation of the Union Baptist Church, of Mystic, all in the State of Connecticut, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of Killingworth Grange, No. 66, Patrons of Husbandry, of Connecticut, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Killingworth Grange, No. 66, Patrons of Husbandry, of Connecticut, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Killingworth Grange, No. 66, Patrons of Husbandry, of Connecticut, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. GRAY presented a petition of the Woman's Christian Temperance Union of Nassau, Del., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Nassau, Del., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Nassau, Del., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall

become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. VEST presented a petition of sundry citizens of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Westminster Presbyterian Church, of St. Louis, Mo., and a petition of the Memorial Tabernacle Ladies' Society, of St. Louis, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. MASON presented a petition of the congregations of the Methodist Episcopal churches of Onarga and Galesburg, in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Methodist Episcopal churches of Onarga and Galesburg, in the State of Illinois, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Young Men's Christian Association of Northwestern College, of Naperville, and a petition of the congregations of the Methodist Episcopal churches of Onarga and Galesburg, all in the State of Illinois, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry members of the fire department of Charleston, Ill., remonstrating against the enactment of legislation to establish a division in the Treasury Department to regulate insurance companies; which was referred to the Committee on Interstate Commerce.

He also presented sundry petitions of citizens of Chicago, Bloomington, and Mount Carroll, all in the State of Illinois, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. BAKER presented a petition of sundry citizens of Doniphan County, Kans., praying for the annexation of the Hawaiian Islands; which was ordered to lie on the table.

He also presented petitions of the congregations of the Methodist Episcopal, the Baptist, and the Christian churches of Girard, of the Baptist and United Brethren churches of McLouth, of the Presbyterian churches of Baldwin and Black Jack, and of the Sunday school and the Young People's Society of Christian Endeavor of the Methodist Episcopal Church of Shawnee, all in the State of Kansas, praying for the enactment of legislation to prohibit the sending of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Presbyterian, the Methodist, the First Baptist, and the Christian churches, of Girard; of the Baptist Church of Chanute; of the Baptist and United Brethren churches, of McLouth, and of the Sunday school and the Young People's Society of the Methodist Episcopal Church, of Shawnee, all in the State of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Methodist, the Baptist, and the Christian churches, of Girard; of the Presbyterian churches of Baldwin and Black Jack, and of the Baptist and United Brethren churches, of McLouth, all in the State of Kansas, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the congregations of the First Methodist Episcopal Church, the Congregational Church, the First Christian Church, the First Baptist Church, and the Second Methodist Episcopal Church, all of Manhattan; of the Sunday school of the Methodist Episcopal Church of Merriam; of the Baptist and United Brethren churches, of McLouth, and of the Presbyterian, the Methodist Episcopal, the First Baptist, and the Christian churches, of Girard, all in the State of Kansas, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. NELSON presented petitions of the Young Woman's Christian Temperance Union, of the congregation of the Bethel Church, of the Epworth League, of the congregation of the First Baptist Church, of the Young People's Christian Union of the Universalist Church, of the Young People's Society of Christian Endeavor of the Baptist Church, of the Young People's Society of the Lutheran Church, of the congregation of the Swedish Lutheran Church, of the Woman's Christian Temperance Union, of the congregation of the First Congregational Church, and of the congregation of the Methodist Episcopal Church, all of Anoka, in the State of Minnesota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the Methodist Episcopal Church, of the First Congregational Church, of the Young People's Christian Union of the Universalist Church, of the Epworth League, of the Young People's Society of the Lutheran Church, of the congregation of the First Baptist Church, of the Young People's Society of Christian Endeavor of the Baptist Church, of the congregation of the Swedish Lutheran Church, of the congregation of the Bethel Church, of the Woman's Christian Temperance Union, and of the Young Woman's Christian Union, all of Anoka, and of the Woman's Christian Temperance Union of Chatfield, all in the State of Minnesota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Young Woman's Christian Temperance Union, of the Epworth League, of the congregation of the First Baptist Church, of the Young People's Society of Christian Endeavor of the Baptist Church, of the Young People's Society of the Lutheran Church, of the congregation of the Bethel Church, of the congregation of the Swedish Lutheran Church, of the First Congregational Church, and of the Methodist Episcopal Church, all of Anoka, in the State of Minnesota, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Minneapolis, Minn., and a petition of Waseca Division, No. 90, Order of Railway Conductors, of Waseca, Minn., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the officers and members of Company F, First Regiment of Infantry, National Guard, State of Minnesota, praying that House bill No. 2876, to promote the efficiency of the militia, be so amended that the annual appropriation for the National Guard shall be not less than $1,000,000; which was referred to the Committee on Military Affairs.

He also presented a petition of the Military Order of the Loyal Legion of the United States, Commandery of the State of Minnesota, praying for the enactment of legislation providing for the marking of the position of the regular troops on the battlefield of Gettysburg by suitable monuments; which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Trade of Mankato, Minn., praying for the passage of a bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the board of managers of the Trades League of Philadelphia, Pa., and a petition of the Board of Trade of Minneapolis, Minn., praying for the enactment of legislation providing for the holding of an international exposition of American products and manufactures in the city of Philadelphia, Pa.; which were ordered to lie on the table.

He also presented a petition of the board of managers of the Trades League of Philadelphia, Pa., praying for the adoption of an amendment to House bill No. 8057, relating to train wrecking and robbing; which was referred to the Committee on Interstate Commerce.

MONITORS VS. BATTLE SHIPS.

Mr. STEWART. I ask leave to have printed as a document a very interesting paper by Captain Stuyvesant, a retired naval officer, on the subject of battle ships and monitors. I think it contains some very valuable information. I move that it be printed as a document and referred to the Committee on Naval Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1330) to regulate the practice of pharmacy in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. McLAURIN, from the Committee on Indian Affairs, to whom was referred the bill (S. 3720) authorizing cities and towns in the Indian Territory to secure, by condemnation or otherwise, lands necessary for public improvements, reported it without amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on Privileges and Elections, to whom was referred the joint resolution (S. R. 83) proposing an amendment to the Constitution of the United States, reported it with an amendment.

Mr. PROCTOR, from the Committee on the District of Columbia, to whom was referred the bill (S. 3745) authorizing the Commissioners of the District of Columbia to grant permits to the Batcheller Pneumatic Tube Company, of the District of Columbia, reported it with amendments.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 4043) for the relief of Isaac McConnaughay, private Company H, Fortieth Iowa Infantry Volunteers, reported it without amendment, and submitted a report thereon.

Mr. CANNON, from the Committee on Pensions, to whom was referred the bill (S. 2336) granting an increase of pension to David B. Stover, reported it without amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Public Lands, to whom was referred the bill (H. R. 5489) extending the right of commutation to certain homestead settlers on lands in Oklahoma Territory opened to settlement under the provisions of the act entitled "An act to ratify and confirm the agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect," reported it without amendment, and submitted a report thereon.

DISTRICT CHARITIES AND REFORMATORY INSTITUTIONS.

Mr. FAULKNER. On behalf of the chairman [Mr. McMILLAN] I desire to submit a report from the Joint Select Committee to Investigate the Charities and Reformatory Institutions in the District of Columbia. I move that, in addition to the usual number, 2,000 copies of the report be printed for the use of the joint committee, and that of this number 500 be bound in cloth. I would state that upon an ascertainment of the cost of printing the report it is not necessary to refer the motion to the Committee on Printing, as the cost will be within the provisions of the rule.

The motion was agreed to.

EXECUTOR OF LEWIS M'KENZIE.

Mr. TURLEY. I am instructed by the Committee on Privileges and Elections, to whom was referred the bill (H. R. 4698) for the relief of W. E. Judkins, executor of Lewis McKenzie, to report it favorably without amendment. I ask unanimous consent that the bill may be considered at this time. It is a short bill, providing for the payment of expenses incurred in the prosecution of a contested-election case in the House of Representatives, which has been passed by the House.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to W. E. Judkins, executor of Lewis McKenzie, $2,098.95, that being the amount expended by him in the contested-election cases in the Forty-first and Forty-second Congresses from the Seventh district of Virginia.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 4169) granting an increase of pension to Simeon Stevens; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 4170) for the relief of Jeronemus S. Underhill; which was read twice by its title, and referred to the Committee on Claims.

Mr. PROCTOR introduced a bill (S. 4171) to pension Gratia H. Martin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 4172) for the relief of certain citizens of Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4173) for the relief of Louis Weber; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BURROWS introduced a bill (S. 4174) granting an increase of pension to William H. Briminstool; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAKER introduced a bill (S. 4175) for the relief of William D. Matthews; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 4176) to carry out the findings of the Court of Claims in the case of the estate of Anton Semner, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4177) granting an increase of pension to John D. C. Herriman, of Girard, Kans.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 4178) removing the charge of desertion from the name of John Brinkworth, of Fort Worth, Tex.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. TURPIE introduced a bill (S. 4179) granting a pension to Jemima E. Johnson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 4180) granting a pension to Mary E. Fenn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WOLCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4181) granting a pension to Albert Flanders; and

A bill (S. 4182) granting a pension to Abraham Rhoades.

Mr. PROCTOR introduced a bill (S. 4183) for the relief of Leonard I. Brownson, late first lieutenant Company K, Fifth Vermont Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DEBOE introduced a bill (S. 4184) for the relief of W. J. Tapp & Co.; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4185) granting an increase of pension to Edward Thompson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL. I present the petition of Charles Jones, praying for a pension, and to accompany the petition I introduce a bill.

The bill (S. 4186) granting a pension to Charles Jones was read twice by its title, and, with the accompanying petition, referred to the Committee on Pensions.

Mr. COCKRELL. I present the petition of John H. Herod, together with an affidavit of O. V. McCullough and John C. Cowan and an affidavit of Dr. W. H. Horton. I introduce a bill, which I ask to be referred, with the accompanying papers, to the Committee on Pensions.

The bill (S. 4187) granting an increase of pension to John H. Herod was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 4188) for the relief of F. J. Bissell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4189) for the relief of George Isenstein; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

ANNEXATION OF HAWAII.

Mr. BACON. I submit an amendment which I intend to propose to the joint resolution (S. R. 127) to provide for annexing the Hawaiian Islands to the United States. I ask that the amendment may be read, and as the joint resolution to which the amendment is intended to be proposed has been reported, I ask that after being read it may lie on the table.

The VICE-PRESIDENT. The Secretary will read the amendment.

The amendment was read and ordered to lie on the table, as follows:

Amendment intended to be proposed by Mr. BACON to the joint resolution (S. R. 127) to provide for annexing the Hawaiian Islands to the United States, viz: Insert the following:

"That this resolution shall not be operative and of binding effect upon either the United States of America or the Republic of Hawaii until the same shall have been consented to and approved by the majority of the voters voting at an election to be held in the Hawaiian Islands, at which election all male natives of said islands of the age of 21 years and all naturalized male persons in said islands of the age of 21 years shall be duly qualified voters. The said election shall be held at a time and in the manner and under regulations to be prescribed by the President of the United States."

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. QUAY. I submit an amendment intended to be proposed by me to the sundry civil appropriation bill. That bill is now pending before the subcommittee of the Committee on Appropriations. I move that the amendment be referred to the Committee on Public Buildings and Grounds.

The motion was agreed to.

Mr. QUAY subsequently, from the Committee on Public Buildings and Grounds, reported the above amendment favorably, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. BERRY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TURLEY submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. McBRIDE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MORGAN submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

QUARANTINE REGULATIONS.

Mr. SPOONER submitted an amendment intended to be proposed by him to the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893; which was ordered to lie on the table, and to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. FAULKNER, it was

Ordered, That the St. John's Catholic Church, of Summerville, Nicholas County, W. Va., be, and it is hereby, authorized to withdraw from the files of the Senate the papers heretofore filed by it, under the limitations of the rules of the Senate.

SAGINAW RIVER IMPROVEMENT.

Mr. BURROWS submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is hereby directed to inform the Senate as to the cost of improving the Saginaw River from its head to a point in Saginaw Bay, with a view of securing a channel 150 feet wide and an increase of depth to 16 feet from the head of the river to the Third Street Bridge, in Bay City; thence a channel 200 feet in width to the Saginaw Bay, with an increase of depth of the channel to 16 feet, said estimate to be based on the survey made pursuant to the river and harbor act of 1896.

SUPERVISING SURGEON-GENERAL'S REPORT.

Mr. WALTHALL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate a copy of the last annual report of the Supervising Surgeon-General of the Marine-Hospital Service, which is referred to in the Secretary's last annual report in his discussion of "Marine-Hospital Service," "The recent epidemic of yellow fever," and "National quarantine law."

PENSION STATISTICS.

Mr. ALLEN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to send to the Senate the following information: The number of widows of Revolutionary soldiers drawing pensions, the number of daughters of Revolutionary soldiers drawing pensions, the number of survivors of the war of 1812 drawing pensions, the number of widows of survivors of the war of 1812 drawing pensions, the number of surviving soldiers of Indian wars from 1832 to 1842 drawing pensions, the number of widows of soldiers of Indian wars from 1832 to 1842 drawing pensions, the number of survivors of the Mexican war drawing pensions, the number of widows of survivors of the Mexican war drawing pensions, Army invalids of the war of 1861 to 1865 drawing pensions, widows of the same drawing pensions, Navy invalids of the war from 1861 to 1865 drawing pensions, widows of the same drawing pensions, Army nurses drawing pensions, number of ex-soldiers drawing pensions under the act of June 27, 1890, number of widows of invalid soldiers of the war from 1861 to 1865 drawing pensions under the act of June 27, 1890, Navy invalids drawing pensions under the same act, widows of Navy invalids drawing pensions under said act, number of persons drawing pensions under special acts of Congress, and what percentage of men, on the one hand, and women and children, on the other, are drawing pensions by special acts of Congress.

REPORT ON THE WHISKY TRUST.

Mr. TILLMAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate document room 500 copies of House Report No. 2601, second session Fifty-second Congress, being the report of the House Committee on Judiciary on the whisky trust investigation.

ANN M. SPENCER.

Mr. SPOONER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay Ann M. Spencer, mother of William Ensor Spencer, deceased, late Minute and Journal Clerk of the Senate, a sum equal to one year's salary at the rate allowed by law to said Minute and Journal Clerk, out of the "miscellaneous items" of the contingent fund of the Senate; said payment to be considered as in lieu of all funeral expenses or other allowances.

GLEN ECHO RAILROAD COMPANY.

Mr. GORMAN. At the last session of the Senate, the Senate concurred in the amendments of the House of Representatives to the bill (S. 924) to authorize the Glen Echo Railroad Company to obtain a right of way and construct tracks in the District of Columbia 600 feet. I move to reconsider the vote by which the amendments were concurred in, with a view of nonconcurring in the amendments and obtaining a conference on the disagreeing votes of the two Houses.

The motion to reconsider was agreed to.

Mr. GORMAN. I move that the Senate nonconcur in the amendments and request a conference with the House of Representatives.

The motion was agreed to.

The VICE-PRESIDENT. The Chair is informed that the resolution announcing the concurrence of the Senate in the amendments has been sent to the other House. Will the Senator make a motion that the resolution be returned to the Senate?

Mr. GORMAN. I was informed that it had not been sent to the other House, but I will enter the motion if necessary. I move that the House be requested to return the message announcing the action of the Senate.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. MCMILLAN, Mr. GALLINGER, and Mr. GORMAN were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6351) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1899.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 7271) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896;

A bill (H. R. 8738) for the survey of the pass leading from the Gulf of Mexico into Horn Island Harbor, Mississippi, and a survey of said harbor;

A bill (H. R. 9008) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899, and

A joint resolution (H. Res. 182) providing for the temporary admission, free of duty, of naval and military supplies secured abroad.

The message further announced that the House had passed a concurrent resolution directing the Secretary of War to furnish and report a plan for the improvement of the Homochitto River, in the State of Mississippi, from and including its mouth to the Yazoo and Mississippi Valley Railroad, etc.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 101) to correct the naval record and grant an honorable discharge to Thomas H. Holden, of Pawtucket, R. I.;

A bill (H. R. 2477) to relieve John McCarthy from the charge of desertion;

A bill (H. R. 6079) to amend an act entitled "An act to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes;"

A bill (H. R. 6351) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1899;

A bill (H. R. 6358) authorizing the Nebraska, Kansas and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes;

A bill (H. R. 7344) granting a right of way through the naval station, New London, in the State of Connecticut, to the Norwich and Worcester Railroad Company; and

A bill (H. R. 7541) to require certain writs to be directed to and executed by the marshal of the District of Columbia.

ST. FRANCIS RIVER BRIDGE.

Mr. JONES of Arkansas. I ask unanimous consent to call up the bill (H. R. 5030) to authorize the construction of a bridge across St. Francis River, in the State of Arkansas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 1, line 3, after the word "that," to strike out the words—

J. T. Hopkins and P. S. Black, under the firm name of Hopkins & Black, their successors, heirs, and assigns, are;

and in lieu thereof to insert:

The St. Francois Bridge and Plank Company, of Paragould, Ark., incorporated under the laws of said State, is.

Mr. JONES of Arkansas. I move to amend the amendment reported by the committee by inserting the word "Road" after the word "Plank." There was an omission, and it should be amended so as to read "The St. Francois Bridge and Plank Road Company."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE W. M'CRAY.

Mr. FAIRBANKS. I ask unanimous consent for the present consideration of the bill (S. 3618) appropriating money for the payment of the claim of George W. McCray.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $1,537.28 for the payment of the claim of George W. McCray for improving Hanna street by grading and graveling the same, and the sidewalk thereof, from the north line of Michigan street to the south line of Clifford avenue, in front of and adjacent to the United States arsenal in Indianapolis, Ind.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SUITS IN EQUITY IN CIRCUIT COURTS.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (S. 2700) to confer jurisdiction upon the circuit courts in certain cases.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment.

The bill provides:

That the several circuit courts of the United States shall have jurisdiction of suits in equity brought by any tenant in common or joint tenant for the partition of lands in cases where the United States is one of such tenants in common or joint tenants, such suit to be brought in the circuit court of the district in which such land is situate.

The amendment of the Committee on the Judiciary was to add, after the word "persons," in line 21, the following:

Whenever in such suit the court shall order a sale of the property or any part thereof, the Attorney-General of the United States may, in his discretion, bid for the same in behalf of the United States. If the United States shall be the purchaser, the amount of the purchase money shall be paid from the Treasury of the United States upon a warrant drawn by the Secretary of the Treasury on the requisition of the Attorney-General.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT HEALTH ORDINANCES.

Mr. GALLINGER. I ask unanimous consent for the consideration of the joint resolution (S. R. 34) authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It authorizes the Commissioners of the District of Columbia, in making regulations under the authority conferred by Congress, to alter, amend, or repeal any of the ordinances of the late board of health of the District which were legalized by joint resolution approved April 24, 1880, whenever in their judgment the public interest requires it.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RIGHT OF WAY THROUGH COLVILLE INDIAN RESERVATION.

Mr. WILSON. I ask leave to call up the bill (S. 4108) granting to the Washington Improvement and Development Company a right of way through the Colville Indian Reservation, in the State of Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. I move to amend the bill by adding the following as an additional section:

SEC. 6. That Congress reserves the right to alter, amend, or repeal this act in whole or in part.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from Missouri.

The amendment was agreed to.

Mr. COCKRELL. I should like to ask whether this is a reservation where the Indians own the land or is it simply a reservation by permission?

Mr. WILSON. A reservation by permission—an Executive-order reservation.

Mr. COCKRELL. So that the Indians would not be entitled to compensation for lands taken in the right of way?

Mr. WILSON. The Senator is correct.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELDRED G. DAVIS.

Mr. GORMAN. I ask unanimous consent for the consideration at this time of the bill (H. R. 6542) for the relief of Eldred G. Davis.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Eldred G. Davis $634.33, that being the amount paid by him into the Treasury of the United States to make good the loss occasioned by the larceny from the office of the collector of the District of Columbia of the like sum.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK J. BURROWS.

Mr. QUAY. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 1515) for the relief of Frank J. Burrows.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Postmaster-General to cause the account of Frank J. Burrows, late postmaster at Williamsport, Pa., to be credited with $4,022, and provides that he cause said credit to be certified to the Auditor of the Treasury for the Post-Office Department, being on account of loss of $3,500 in postage stamps and $522 in postal funds by robbery of the post-office on the 30th of August, 1884, it appearing that the loss was without fault or negligence on the part of the late postmaster, and appropriates $4,022 to pay the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IMPROVEMENT OF HOMOCHITTO RIVER.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, directed to furnish and report a plan for the improvement of the Homochitto River, in the State of Mississippi, from and including its mouth to the Yazoo and Mississippi Valley Railroad, together with estimates of the cost of making such improvement in accordance with said plans.

Mr. WALTHALL. I move that the Senate concur in the resolution.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bill and joint resolution were severally read twice by their titles and referred to the Committee on Finance:

A bill (H. R. 7271) amending the act entitled "An act to allow the return free of duty of certain articles exported from the United States for exhibition purposes," approved May 18, 1896; and

A joint resolution (H. Res. 182) providing for the temporary admission free of duty of naval and military supplies secured abroad.

The bill (H. R. 8738) for the survey of the pass leading from the Gulf of Mexico into Horn Island Harbor, Mississippi, and a survey of said harbor, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 9008) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1899, was read twice by its title, and referred to the Committee on Appropriations.

ESTATE OF ELIZA BRACKENRIDGE.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 2832) for the relief of the estate of Eliza Breckenridge, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, in line 4, after the name "James," to strike out "Breckenridge" and insert "Brackenridge;" in line 5, after the name "Eliza," to strike out "Breckenridge" and insert "Brackenridge;" in line 17, after the word "January," to strike out "twenty-first" and insert "twentieth;" in line 19, after the date "1907," to insert "said bonds having been stolen February 7, 1896;" in line 21, after the name "James," to strike out "Breckinridge" and insert "Brackenridge;" and in line 25, before the word "bonds," to insert "stolen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and hereby is, authorized and directed to issue and deliver to James Brackenridge, administrator of the estate of Eliza Brackenridge, deceased, late of Andrew County, Mo., duplicates of the United States 4 per cent coupon bonds Nos. 114191, 120734, 120736, 120741, 120742, and 120743, including the unpaid coupons, each of said bonds being for the sum of $1,000, issued under the laws of July 14, 1870, and January 20, 1871, and known as the funded loan of 1907, said bonds having been stolen February 7, 1896: *Provided*, That said James Brackenridge shall first file with the Secretary of the Treasury a bond, with securities to be approved by him, in a sum sufficient to indemnify the United States against all liability for said stolen bonds, and each of them, and the coupons thereon.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of Eliza Brackenridge, deceased."

CONSIDERATION OF THE CALENDAR.

The VICE-PRESIDENT. The Calendar under Rule VIII is in order.

Mr. COCKRELL. Regular order, Mr. President.

The VICE-PRESIDENT. The Secretary will state the first bill on the Calendar.

DISTRICT FREE PUBLIC LIBRARY.

The bill (S. 917) to provide for the maintenance of the Free Public Library of the District of Columbia was announced as first in order on the Calendar; and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the District of Columbia with an amendment, in line 3, before the word "dollars,"

to strike out "six thousand seven hundred and twenty" and insert "eight thousand;" so as to make the bill read:

Be it enacted, etc., That the sum of $8,000 be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated (one-half to be paid from the revenues of the District of Columbia), to be expended under the direction of the Commissioners of the said District, for rent, fuel, light, fitting up rooms, salaries of librarian and assistant librarians, and contingent expenses of the Free Public Library of the District of Columbia, established by act of Congress approved June 3, 1896.

The amendment was agreed to.

Mr. GRAY. I do not see in the Chamber the Senator from Rhode Island [Mr. WETMORE], whose name is on the Calendar as having reported this bill from the Committee on the District of Columbia, but I hope that some other member of that committee or some Senator interested in the bill will give us some explanation of it. I should like to know what is the scope and intent of the measure.

The VICE-PRESIDENT. The Chair hears no response.

Mr. COCKRELL. Let the bill go over.

Mr. GRAY. I hope the bill will go over without losing its place, if there is no one interested present to explain it.

The VICE-PRESIDENT. The bill will be passed over.

IMPROVEMENT OF ANACOSTIA RIVER.

The joint resolution (S. R. 28) making an appropriation for the improvement of the Anacostia River and the reclamation of its flats was considered as in Committee of the Whole.

The joint resolution was reported from the Committee on the District of Columbia with amendments, in line 4, after the word "Congress," to strike out "on the first Monday in December, 1897," and insert "forthwith;" and in line 12, before the word "thousand," to strike out "ten," and insert "two;" so as to make the joint resolution read:

Resolved, etc., That the Secretary of War be, and he is hereby, directed to prepare and submit to Congress forthwith a project for the improvement of the Anacostia River and the reclamation of its flats from the line of the District of Columbia to the mouth of said river, with an estimate of the cost of the same, and a report on the area and ownership of the land to be reclaimed, and if any portion of said land is vested in private persons an estimate of the cost of acquiring the same; and the sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated to pay the cost of surveys and the other expenses in the premises.

The amendments were agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

PURCHASE OF KANSAS PACIFIC DIVISION.

The bill (S. 3203) to authorize the Secretary of the Treasury, under certain conditions, to purchase the Kansas Pacific Division of the Union Pacific Railroad was announced as next in order.

Mr. FORAKER. Let that bill be passed over, Mr. President.

The VICE-PRESIDENT. At the suggestion of the Senator from Ohio, the bill will be passed over without prejudice.

UNION IRON WORKS, OF SAN FRANCISCO.

The bill (S. 2399) for the relief of the Union Iron Works, of San Francisco, Cal., was considered as in Committee of the Whole. It authorizes the Secretary of the Navy, as recommended by his Department, to remit to the Union Iron Works, of San Francisco, Cal., the horsepower penalty imposed under the contract for the armored coast-defense vessel *Monterey*, and appropriates $32,823 for that purpose.

Mr. COCKRELL. Let the report be read in that case, Mr. President.

The VICE-PRESIDENT. The Secretary will read the report accompanying the bill.

The Secretary read the report submitted by Mr. STEWART January 17, 1898, as follows:

The Committee on Claims, to whom was referred the bill (S. 2399) "for the relief of the Union Iron Works of San Francisco, Cal.," submit the following report:

This case arises out of the technical failure of the Union Iron Works of San Francisco, Cal., to maintain the horsepower required by their contract for the *Monterey* during the official trial. The contract requirement was that an indicated horsepower of propelling engines, air pump, and circulating pump engines of 5,400 should be maintained for four consecutive hours. The total horsepower developed by these engines during the trial aforesaid was only 5,071.77, though for an hour and three-quarters the power was maintained above that required, and then fell off, owing to inefficient firing of the boilers. By reason of the deficiency in horsepower of 328.23 a deduction of $32,823 was made from the amount paid the contractors, on the basis, as provided in contract, of $100 per indicated horsepower which the contractor should fall short of the required 5,400.

The evidence shows that this failure to develop the full horsepower during the contract trial was due, not to any lack of power of the engines, which the contractors claim are fully capable of developing the 5,400 horsepower and more, but that such failure was due to inefficient firing and attendance upon the machinery. The Navy Department admits the correctness of this claim. The Bureaus of Construction and Repair, and Steam Engineering, in a joint report on the trial and acceptance of the *Monterey*, dated February 2, 1893, say:

"From a careful study of the data received from the trial board and the note books of the assistants engaged, we are of the opinion that with proper firing and attendance on the machinery a sustained power of at least 5,400 indicated horsepower can easily be maintained for four hours." * * *

Under the terms of the *Monterey* contract the Secretary of the Navy had no authority to consider the equities of the contractors, and the full amount of penalty, $32,823, was deducted from their final payments.

The Chief of the Bureau of Steam Engineering, in his annual report dated September 29, 1893 (see pages 438, 439, Annual Report, Secretary of the Navy, 1893), referring to the trial of the *Monterey*, says:

"That the horsepower was not steadily maintained was due to inefficient firing, the officer who was on duty in the fire room remarking, 'It is my opinion that the firing was not such as to accomplish the best results; there appeared to be little personal interest among the firemen as to success or failure.' The power was maintained above that required for about an hour and three-quarters, and then fell off.

"It is to be noted that the supply of firemen on the Pacific Coast is limited, and few of them have experience with forced draft. There can be no doubt that with men of greater experience the trial would have been a success in every way."

A bill similar to the one now under consideration was introduced during the last session and referred to the Secretary of the Navy for his opinion and recommendation. The Assistant Secretary, Hon. William McAdoo, returned the bill with the following recommendation:

"NAVY DEPARTMENT, *Washington, February 13, 1897.*

"SIR: Referring to the committee's letter of the 16th instant, inclosing a copy of the amendment intended to be proposed by Mr. WHITE to the naval appropriation bill, authorizing the remission to the Union Iron Works of the horsepower penalty, in the sum of $32,823, imposed under the contract for the construction of the armored coast-defense vessel *Monterey* and requesting the views of the Department with regard thereto, I have the honor to state that after a careful perusal of the contract for said vessel and of the report dated January 19, 1893, of the board appointed to witness her official trial, the indorsement and recommendation thereon dated February 2, 1893, of the Bureaus of Construction and Repair and Steam Engineering and the decision of February 6 of the then Secretary of the Navy, the whole matter having been settled under the contract prior to the beginning of this Administration, I am convinced that the equities of the contractors are strong, they having evidently endeavored to carry out the requirements of the Department to the fullest extent in the construction of the vessel, and having succeeded, as shown by the reports of the board and the bureaus, in furnishing her with excellent machinery capable of meeting satisfactorily every demand that may be made upon it, and the proposed measure for their relief is therefore recommended to the favorable consideration of the committee."

The bill of the present session now before your committee was referred to the present Secretary of the Navy for his opinion and report, who returned the bill with the following recommendation:

"NAVY DEPARTMENT, *Washington, November 11, 1897.*

"SIR: Referring to your letter of the 10th instant, inclosing a bill (S. 2399) for the relief of the Union Iron Works from the penalty imposed under the contract for the construction of the *Monterey* on account of the failure of that vessel's machinery to develop, on trial, the horsepower required, I have the honor to state that in view of the matters mentioned in the communication addressed by the Department to the chairman of the Senate Committee on Naval Affairs, under date of the 18th of February last, a copy of which accompanies your letter, and of the facts stated in the reports therein referred to (copies transmitted therewith), the petition of the contractors for remission of the penalty exacted, as stated above, seems to be founded on equitable considerations.

I concur, therefore, in the Department's previous action recommending this measure to the favorable consideration of the Committee on Naval Affairs of the Senate.

The inclosures of your communication are herewith returned as requested.

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. WILLIAM M. STEWART,
Subcommittee Committee on Claims, United States Senate.

Your committee is satisfied from the evidence, including the findings of the Construction and Steam Engineering Bureaus of the Navy Department, having direct control of the trial and acceptance of the *Monterey*, that her engines are fully capable of developing the maximum horsepower of 5,400 required by the contract, and that their failure to sustain this maximum horsepower for the full contract period of four hours was a technical failure, due to inefficient attendance.

It would therefore be harsh, inequitable, and oppressive to refuse this application for remission and to punish the contractors for a mere technical failure of the contract requirements, especially as the present Secretary of the Navy and his predecessor have both recommended the remission.

Congress has in all such cases remitted penalties imposed under contracts for Government vessels where it has been shown that the Government has sustained no loss and the contract or was equitably entitled to relief. The following is a list of some of the cases where Congress has granted relief:

Petrel, built by Columbian Iron Works, Baltimore, Md. Penalties amounting to $56,450 remitted by Fifty-first Congress at first session. (See volume 26, page 1308, Statutes at Large.)

Pansey, built for Light-House Service, by Baird, Houston & Co. Penalties amounting to $1,250 remitted by Fifty-second Congress at second session. (See volume 27, Statutes at Large, page 421.)

Vesuvius, built by William Cramp & Sons, Philadelphia, Pa. Penalties amounting to $39,700 remitted by Fifty-third Congress at second session. (See Statutes at Large, volume 28, page 141.)

Yorktown	$7,575	Built by William Cramp & Sons, Philadelphia, Pa. Penalties amounting to $40,350 remitted by act of March 2, 1895, third session Fifty-third Congress.
Baltimore	7,625	
Philadelphia	19,100	
Newark	6,050	
	40,350	

Concord and *Bennington*, built by N. F. Palmer & Co. Penalties remitted by act of March 2, 1895, third session Fifty-third Congress.

In view of the strong equities of the contractors and of the precedents already established in similar cases, your committee agrees with the Secretary of the Navy that the penalties should be remitted, and report the bill favorably with the recommendation that it pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTRA EXPENSES IN CONSTRUCTING THE MONTEREY.

The bill (S. 2398) to pay the Union Iron Works, of San Francisco, Cal., for extra work on the *Monterey* was considered as in Committee of the Whole. It proposes to pay the Union Iron Works, of San Francisco $14,742.58 for extra work and expenses in constructing the *Monterey*, to be in full settlement of the amount claimed by the company.

Mr. COCKRELL. Let the report in the case be read.

The Secretary read the report submitted by Mr. STEWART January 17, 1898, as follows:

The Committee on Claims, having under consideration the bill (S. 2398) "to pay the Union Iron Works of San Francisco, Cal., for extra work on the *Monterey*," report the same as follows:

The committee finds that during the second session of the Fifty-fourth Congress the Secretary of the Navy, Hon. H. A. Herbert, recommended that this claim be paid in the following letter to Congress, which is printed in Senate Document No. 89, Fifty-fourth Congress, second session:

NAVY DEPARTMENT, *Washington, January 23, 1897.*

To the Senate and House of Representatives in Congress assembled:

The act making appropriations for the naval service for the fiscal year ending June 30, 1897, contains the following provision:

"The Secretary of the Navy is hereby authorized and directed to examine claims against the Government which may be presented to him by contractors for the building of the hulls or machinery of naval vessels under contracts completed since January 1, 1891, where it is alleged that such contractors have been subjected to loss and damage through delays in the work under said contracts which were not the fault of said contractors, but were due to the action of the Government, and to report to the next session of Congress the result of said investigation, and whether said claims are, in his opinion, subjects for the jurisdiction of the Court of Claims or for the action of Congress upon the same."

Under authority of this law the Union Iron Works has presented a claim against the Government for loss and damage due to delays alleged to have been caused by the Department in the construction of the armored coast-defense vessel *Monterey*. A copy of said claim is transmitted herewith, and it will be observed that the grounds for the same are set forth in a letter addressed to the Department by the contractors under date of June 18, 1892, and certain indorsements thereon by the Secretary of the Navy, and a letter dated February 11, 1893, relative thereto, by the Judge-Advocate-General.

The whole amount stated in the claim is $30,839.89, of which $17,339 89 represents actual outlay alleged to be due to the delay caused by the failure of the Department to deliver the armor and its accessories as required by the contract for the construction of the vessel, while the remainder, $13,500, represents interest on the mean deferred payment of $300,000 for nine months at 6 per cent a year, the amounts claimed on account of the several items having been furnished in a statement dated January 30, 1893, after the completion of the vessel.

This claim, unlike those transmitted to the Congress with the Department's letters of the 8th of December last, was, very soon after being presented to the Department, viz, on the 16th of February, 1893, and only ten days after the preliminary acceptance of the *Monterey*, submitted to a board of naval officers for audit, and said board made its report under date of the 20th of said month (copy inclosed herewith), by which it appears that, in its opinion, the contractors were entitled to reimbursement of the expenses incurred by them on account of the matters mentioned in their letter of the 18th of June, 1892, and that the board found that the Government was fairly and properly indebted to the contractors in the sum of $14,742.58, the difference between this sum and the amount claimed being due to the allowance by the board of smaller sums than were claimed on several of the items, and the disallowance of the $13,500 interest claimed on deferred payments.

The Bureau of Construction and Repair approved said report in its indorsement thereon, dated March 2, 1893 (copy herewith), subject to the Department's decision as to whether the amounts allowed by the board on certain of the items could be paid under the terms of the contract, but the Department, on the 3d of said month, by indorsement (copy herewith), declined to authorize payment of the amount found due by the board on the ground that it was not within its power to do so, in view of the terms of the contract for the construction of the vessel.

Should the contractors be content to accept as settlement in full the amount found by the board above mentioned from its examination of the circumstances of the case, practically at the time of their occurrence, the members of the board, as the board on changes on said vessel during her construction, having been familiar with the matters considered by them, and the Department having, in its indorsement of the 3d of March, 1893, expressed the opinion that the claim was to said extent meritorious, it would seem that such amount might properly be appropriated for payment thereof; but if, as appears from the papers submitted, they claim the entire amount set forth in their itemized statement of January 30, 1893, it is recommended that the whole matter be referred to the Court of Claims for determination.

Very respectfully,

H. A. HERBERT, *Secretary.*

The bill now under consideration (S. 2398) was referred to the present Secretary of the Navy for his opinion, and the following is his reply:

NAVY DEPARTMENT, *Washington, October 11, 1897.*

SIR: The Department has the honor to acknowledge the receipt of your communication of the 9th instant, inclosing copies of the bill (S. 2398) to pay the Union Iron Works, of San Francisco, Cal., for extra work on the *Monterey*, and of Senate Document No. 89, Fifty-fourth Congress, second session, and requesting its recommendation and views in regard to the passage of said bill.

In reply I have to state that it appears from an examination of the matter above mentioned that the amount proposed by the bill in question to be paid to the Union Iron Works on account of extra work and expenses in constructing the U. S. S. *Monterey* was found by a board duly appointed by this Department to be due said company, and that the report of said board was approved by the Bureau of Construction and Repair; that Mr. Secretary Tracy, in his action of March 3, 1893, upon said report, stated that the items of expense allowed by the board were equitably due the contractors, and that he could not direct their payment because they were not provided for in the contract for the construction of the vessel, and also because the contract time for her completion had already expired and the vessel had been preliminarily accepted, and that in a letter on this subject to the Congress, dated January 23, 1897, Mr. Secretary Herbert stated that should the contractors be content to accept as settlement in full the amount found by the board to be due them, it would seem that such amount might properly be appropriated for the payment of their claim.

In view of all the foregoing, the bill in question is recommended to the favorable consideration of the Committee on Claims.

The inclosures of your communication are herewith returned, as requested by you.

Very respectfully,

JOHN D. LONG,
Secretary.

Hon. WILLIAM M. STEWART,
Committee on Claims, United States Senate.

The following clause passed both Houses in the general deficiency bill, H. R. 10329 (Calendar No. 1713), Fifty-fourth Congress, second session:

"For payment in full to the Union Iron Works, of San Francisco, the amount found due said company by the Department for extra work and expenses in constructing the *Monterey*, $14,742.58."

The bill failed to receive the signature of the President, owing to lack of time for its examination before the adjournment of Congress.

Your committee report back the bill and recommend its passage.

Mr. COCKRELL. The reason why I wanted the report read was to ascertain in regard to the question of interest. I see the interest was claimed at $13,500, which made the total claim $30,839.89. The board reported in favor of $14,742.58, "the difference between this sum and the amount claimed," which was $30,000, "being due to the allowance by the board of smaller sums than were claimed on several of the items and the disallowance of the $13,500 interest claimed on deferred payments." As I understand, the amount of interest is absolutely excluded.

Mr. PERKINS. So I understand. The amount proposed to be appropriated by the bill is $14,742.58, that "being the amount audited and found due and recommended to be paid to said company by the Secretary of the Navy." It does not include any interest. It is simply for the principal cost of the work done.

Mr. COCKRELL. I so understand the report. I merely wanted to be certain. I did not want to misunderstand it. The question of interest is a very material one, and it is never allowed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

YELLOWSTONE NATIONAL PARK.

The bill (S. 3140) to reimburse the State of Wyoming for money expended by the Territory of Wyoming in protecting and preserving the Yellowstone National Park during the years 1884, 1885, and 1886 was announced as the next business in order on the Calendar.

Mr. COCKRELL. I observe that the Senator who reported the bill is not present; and as there is no written report accompanying the bill, I ask that it may be passed over, retaining its place on the Calendar.

The VICE-PRESIDENT. There being no objection, that will be the order.

CAPT. WILLIAM N. TISDALL.

The bill (S. 399) to provide for promoting Capt. William N. Tisdall, United States Army, now on the retired list, to the rank of major was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in the case be read.

The VICE-PRESIDENT. The Secretary will read the report accompanying the bill.

The Secretary read the report submitted by Mr. HAWLEY January 17, 1898, as follows:

The Committee on Military Affairs, after the consideration of the bill (S. 399) "to provide for promoting Capt. William N. Tisdall, United States Army, now on the retired list, to the rank of major," recommend its passage.

A similar bill (S. 1427) was favorably reported by the committee and passed the Senate in the Fifty-fourth Congress. The report (1202) heretofore made is adopted as a part of this report as follows:

"The Committee on Military Affairs, to whom was referred the bill (S. 1427) to provide for promoting Capt. William N. Tisdall, United States Army, now on the retired list, to the rank of major, have had the same under consideration, and report as follows:

"This case is one of unusual hardship. On the eve of promotion to the rank of major, being virtually within two files of that grade, Captain Tisdall was retired for age April 6, 1895. In thirty-six days he would have reached a majority.

"Captain Tisdall's brief presents a striking illustration of the unequal working of the system of regimental promotion, as he was appointed second lieutenant in the Regular Army October 24, 1861; promoted first lieutenant July 2, 1865, and captain January 13, 1869; at the date of retirement being in his thirty-fourth year of continuous service and in his twenty-seventh year as captain. The brief also shows thirty-seven officers (majors and lieutenant-colonels) on the present active list of the infantry corps, all of whom, with the exception of four lieutenant-colonels (who were appointed second lieutenants on the same date he was), entered the service at various periods after he did. His advancement was retarded by this system, as, had promotion been lineal, as it eventually will be by the act of Congress of 1890, he would have been retired with the rank of lieutenant-colonel.

"Several years ago, when Congress was endeavoring to correct this injustice, a list was prepared showing the readjustment by relative rank that would result from the passage of the bill then pending. This list comprised 144 captains of infantry, not taking cognizance of majors and lieutenant-colonels, who had been advanced over their seniors. Upon this list Captain Tisdall stood No. 2.

"Congress has recognized the justice of promoting officers on the retired list by the acts approved September 29 and October 1, 1890. Under the operation of these laws several officers were promoted on the retired list. A few precedents, from the many cited from the Army Register, 1893 (pages 243, 179, 182, 195, 196, respectively), are herewith submitted:

"'Capt. Joseph Conrad, Eleventh Infantry; retired with the rank of colonel, October 23, 1882. (Act August 7, 1882.)'

"'Maj. Lewis Merrill, Seventh Cavalry; retired with the rank of lieutenant-colonel, January 21, 1891. (Act September 27, 1890.)'

"'Capt. George M. Wheeler, Engineer Corps; retired with the rank of major, October 2, 1890. (Act September 27, 1890.) Entered the Army after the close of the late war. (See Senate report No. 923, Fifty-first Congress.)'

"'First Lieut. Thomas W. Lord, Twentieth Infantry; retired with the rank of captain, January 28, 1890. (Act August 11, 1888.)'

"'First Lieut. George W. Kingsbury, Twelfth Infantry; retired with the rank of captain, October 2, 1890. (Act September 27, 1890.)'

"'First Lieut. Henry H. Bellas, Fourth Cavalry; retired with the rank of captain, October 3, 1890. (Act September 27, 1890.) Entered the Army October 1, 1873. No war record.'"

In view of the above facts your committee recommend that the bill be passed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PETER BUCKLEY.

The bill (S. 3105) to correct the military record of Peter Buckley was considered as in Committee of the Whole. It directs the Secretary of War to remove the charge of desertion from the military record of Peter Buckley, late a member of Company E of the Eleventh Regiment of New York Volunteers, and grant to him an honorable discharge.

Mr. COCKRELL. Before the word "or," in line 10, I move to insert "pay;" so as to read "without pension, pay, or other allowances."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEDICAL CORPS OF THE NAVY.

The bill (S. 2872) to amend section 1370 of the Revised Statutes of the United States relating to the Medical Corps of the Navy was considered as in Committee of the Whole. It proposes to amend the section so as to read:

No person shall be appointed assistant surgeon until he has been examined and approved by a board of naval surgeons designated by the Secretary of the Navy, nor who is under 21 or over 30 years of age.

Mr. COCKRELL. Let the report be read.

The Secretary read the report submitted by Mr. HALE January 19, 1898, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 2872) to amend section 1370 of the Revised Statutes of the United States, relating to the Medical Corps of the Navy, having had the same under consideration, beg leave to report it back and recommend its passage.

The committee append the views of the Department upon the measure, as follows:

NAVY DEPARTMENT, *Washington, December 13, 1897.*

SIR: I have the honor to inclose herewith, for the consideration of the Committee on Naval Affairs, a draft of a bill for the amendment of section 1370 of the Revised Statutes of the United States.

From the report of the Surgeon-General of the Navy for the fiscal year ending June 30, 1897, it is noted that permits to appear before the naval medical examining board for examination for admission into the Medical Corps of the Navy were issued to 43 candidates, and of the 35 who appeared for examination 8 were rejected physically, 19 professionally, and 9 qualified for admission; and that within the past year the number of vacancies in the corps has increased, there being at the time of making said report 15 vacancies.

In my annual report to the President I commented upon this matter as follows:

"There are 17 vacancies in the Medical Corps, and for these there are practically no candidates who are within the age limit, which is from 21 to 26. With the increase of naval vessels, action should be taken at once to insure the filling of these vacancies. It is strongly recommended that the limit of age for entrance into the Medical Corps of the Navy be raised to 30 years. At 26, the present limit, the graduates of our medical schools, in which the standards of training are steadily rising, are often not yet ready to begin practice. This demand is urgent."

In view of the foregoing, I respectfully recommend that the inclosed bill may receive the favorable consideration of the committee.

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. EUGENE HALE,
Chairman of the Committee on Naval Affairs,
United States Senate.

Mr. HAWLEY. I do not remember whether provision is made in the bill for hiring acting assistant surgeons.

Mr. COCKRELL. No. It merely authorizes the appointment of surgeons between 21 and 30 years of age. It changes the law which now only permits the appointment of surgeons between 21 and 26.

Mr. HAWLEY. I have heard some leading officers of the Navy speak of the necessity of renewing that old class of officers, acting assistant surgeons, employing them from civil life to fill out.

Mr. COCKRELL. They are not acting assistant surgeons. They are contract surgeons, pure and simple.

Mr. HAWLEY. Contract surgeons, then.

Mr. COCKRELL. They must not go under any other designation. They have the right to do that now.

Mr. HAWLEY. Does the Senator think so?

Mr. COCKRELL. I think so. Whenever you designate them as acting assistant surgeons, they come in for pensions, pay, allowances, and retirement. Their services are contracted for just like those of any other individual, they are paid full compensation, and they are entitled to nothing after it is over.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL COURTS.

The bill (S. 3011) to authorize the use of depositions before naval courts in certain cases was considered as in Committee of the Whole. It provides that the depositions of witnesses stationed or residing at such a distance from the place at which a naval court is ordered to sit, or who are under orders and about to go to such a distance that it is not practicable to secure their personal attendance without incurring great expense or serious loss of time, if taken on reasonable notice to the opposite party and duly authenticated, may be put in evidence before such court in cases not capital.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE F. MILLER.

Mr. KENNEY. I ask unanimous consent for the present consideration of the bill (S. 1773) to amend the military record of George F. Miller.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Delaware?

Mr. COCKRELL. Let the bill be read for information.

The VICE-PRESIDENT. The bill will be read for information.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to amend the record of George F. Miller, who enlisted under the name of George F. Young on the 10th day of May, 1861, in Company G, Seventy-first Regiment New York Volunteers, and to grant him an honorable discharge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FORT OMAHA MILITARY RESERVATION.

The bill (S. 192) to provide for the transfer of Fort Omaha Military Reservation to the State of Nebraska was announced as the next business in order on the Calendar.

Mr. COCKRELL. Let the bill be passed over without prejudice, retaining its place on the Calendar.

The VICE-PRESIDENT. It will be passed over.

BRIDGE ACROSS PORTAGE LAKE, MICHIGAN.

The bill (S. 3154) to amend an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the villages of Houghton and Hancock," approved March 3, 1891, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

The bill (S. 3365) relating to the Eckington and Soldiers' Home Railway Company was considered as in Committee of the Whole. It authorizes the Eckington and Soldiers' Home Railway Company to purchase or lease the Belt Railway Company, and the lines of the Maryland and Washington Railway Company in the District of Columbia, and of the Columbia and Maryland Railway Company, organized under the laws of the State of Maryland, and connecting with the Maryland and Washington Railway Company, and upon the completion of such purchase or lease to change its name to "The City and Suburban Railway Company."

Mr. COCKRELL. I think the right should be reserved to alter, amend, or repeal the proposed act. I move to add as a new section the following:

SEC. —. That Congress reserves the right to alter, amend, or repeal this act in whole or in part.

Mr. PETTIGREW. I desire to offer an amendment to the bill.

The VICE-PRESIDENT. The Senator from Missouri has offered an amendment to the bill, which is pending.

Mr. PETTIGREW. I desire to have the bill go over until to-morrow.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Missouri.

The amendment was agreed to.

The VICE-PRESIDENT. The bill will go over under objection from the Senator from South Dakota.

EXECUTIVE SESSION.

Mr. HOAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 1 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 22, 1898, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 21, 1898.

CONSUL.

Perry Glascock, of Indiana, to be consul of the United States at Baracoa, Cuba.

TERRITORIAL CHIEF JUSTICE.

Webster Street, of Arizona Territory, to be chief justice of the supreme court of the Territory of Arizona.

PROMOTIONS IN THE ARMY.

Subsistence Department.

First Lieut. Albert Decatur Niskern, Second Infantry, to be commissary of subsistence.

Lieut. Col. Charles Patrick Eagan, assistant commissary-general of subsistence, to be assistant commissary-general of subsistence with the rank of colonel.

Maj. John James Clague, commissary of subsistence, to be assistant commissary-general of subsistence with the rank of lieutenant-colonel.

Capt. Abiel Leonard Smith, commissary of subsistence, to be commissary of subsistence with the rank of major.

COLLECTOR OF CUSTOMS.

John Daland, of Massachusetts, to be collector of customs for the district of Salem and Beverly, in the State of Massachusetts.

APPOINTMENTS IN THE REVENUE-CUTTER SERVICE.

Henry Ulke, jr., of the District of Columbia, to be a third lieutenant.

John V. Wild, of Virginia, to be a third lieutenant.

Walter A. Wiley, of Ohio, to be a third lieutenant.

William G. Blasdel, of California, to be a third lieutenant.

Henry G. Fisher, of the District of Columbia, to be a third lieutenant.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer Eugene P. Webber, of Maryland, to be a chief engineer.

Second Asst. Engineer John Q. Walton, of New Jersey, to be a first assistant engineer.

POSTMASTERS.

William L'H. Silliman, to be postmaster at Clarksville, in the county of Pike and State of Missouri.

George F. Robinson, to be postmaster at Jefferson City, in the county of Cole and State of Missouri.

William F. Bloebaum, to be postmaster at St. Charles, in the county of St. Charles and State of Missouri.

William H. Vasser, to be postmaster at Aberdeen, in the county of Monroe and State of Mississippi.

Robert W. Warner, to be postmaster at Ilion, in the county of Herkimer and State of New York.

Jacob M. Alexander, to be postmaster at Dawson, in the county of Terrell and State of Georgia.

Thomas Diller, to be postmaster at Sterling, in the county of Whiteside and State of Illinois.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 21, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal was read.

CORRECTION.

Mr. ROBB. Mr. Speaker, I desire to correct the RECORD. I am reported in the proceedings of Saturday last as not having voted on the Post-Office appropriation bill. I was in my seat, and voted "no." I desire to be recorded as voting against the bill.

The SPEAKER. The gentleman is recorded in the Journal as not voting. Without objection, the correction will be made in the Journal and the RECORD.

The Journal as corrected was approved.

Mr. SWANSON. Mr. Speaker, I desire to correct the RECORD. I am reported as having said, during the course of the proceedings of Saturday last, "I want to yield three minutes to the gentleman from Virginia [Mr. OTEY]; but I see he is not here."

I wish to say that Mr. OTEY was present at that time, but stated to me that he did not wish to use so little time as three minutes; consequently he gave the time back to me. I wish to correct my remark so as to read:

I wanted to yield three minutes to the gentleman from Virginia; but as the gentleman does not wish to use the three minutes, it being so little time, he yields the time back to me.

Mr. HULL. On page 3348 of the RECORD, in a remark of mine as Chairman of the Committee of the Whole, I am reported as saying: "The Chair is inclined to sustain it"—that is, the point of order then raised. The word "not" should be inserted, so as to make the language read: "The Chair is not inclined to sustain it."

Mr. CASTLE. Mr. Speaker, I desire to correct the RECORD. On page 3328, in the response made by the chairman of the Committee on Post-Offices and Post-Roads [Mr. LOUD] to some remarks which I made here on Saturday, I find the following:

If I had a boy 8 years old that could not solve that problem, I think I would be tempted to drown him for the benefit of coming generations. I do not think it would be beneficial to mankind to have such a fool live.

Mr. Speaker, the correction I wish to have made is to insert the identical language which the gentleman from California used. His phrase was "damned fool." I see the word "damned" has been stricken out of the RECORD; but that was the word which he used in this House.

The SPEAKER. The Chair thinks perhaps the matter in the RECORD is just as well as it now stands. [Laughter.]

Mr. LOUD. If my language as it appears is not emphatic enough, I think it ought to be corrected.

Mr. CASTLE. I desire that correction made.

The SPEAKER. If the gentleman desires to correct any expression of his own, the Chair has no doubt the House will permit him to do so.

PONTOON BRIDGE AT PRAIRIE DU CHIEN, WIS.

Mr. BOUTELLE of Maine obtained the floor.

Mr. BABCOCK. I ask the gentleman from Maine to yield to me for a few moments.

Mr. BOUTELLE of Maine. Will the gentleman's matter lead to any debate?

Mr. BABCOCK. I think not. I do not believe it will occupy more than three minutes.

Mr. BOUTELLE of Maine. Very well.

Mr. BABCOCK. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (S. 3873) to authorize the relocation and rebuilding of a pontoon bridge across the Mississippi River at Prairie du Chien, Wis.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the railway pontoon bridge across the Mississippi River and an island therein, between Prairie du Chien, Wis., and North McGregor, Iowa, legalized and established by the act of Congress approved June 6, 1874, may be relocated and rebuilt by the Chicago, Milwaukee and St. Paul Railway Company, the present owner of the bridge, in accordance with such plans and at such location as may be approved by the Secretary of War and subject to the same limitations and requirements, except as to the changes in structure approved by the Secretary of War, as are provided in the act of Congress approved June 6, 1874, hereinbefore named: *Provided*, That the length of channel spans of the new structure shall not be less than the length of such spans in the existing bridge.

Mr. BABCOCK. Mr. Speaker, this is a Senate bill which has been recommended by the War Department and approved by the House committee. It merely authorizes a change of location.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the last vote was laid on the table.

RELIEF OF SUFFERERS BY THE DESTRUCTION OF THE MAINE.

Mr. BOUTELLE of Maine. I call up House bill No. 8618, for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Habana, Cuba.

Mr. WHEELER of Alabama. If the gentleman will permit, I wish to offer a resolution before that bill is called up.

Mr. BOUTELLE of Maine. I think I shall have to insist on the special order.

The SPEAKER. The Clerk will read the bill which the gentleman from Maine calls up.

The bill, with the amendments reported by the committee, was read.

Mr. BOUTELLE of Maine. Mr. Speaker, it is suggested that this bill may be passed without any debate. So far as I am concerned, if members of the House have advised themselves of the nature and provisions of the bill and wish to dispose of it without occupying time in debate, I shall be very glad to have that course pursued. Under the provisions of the special order, as I remember them, the bill is now before the House as in Committee of the Whole under the five-minute rule, so that if any gentleman desires to debate the measure of course it will be his privilege to do so; and I should be glad to make some arrangement for what I hope would be a very limited debate.

But I should be very glad myself to forego even an explanation of the provisions of the bill, which are very clear and plain, if I could feel that members of the House are ready to join with me in speedily passing the bill without one word of discussion. [Applause.]

Mr. BAILEY. Mr. Speaker, I think there is no disposition on this side of the House to debate this particular bill. Such matters as we desire to speak about we are perfectly willing to reserve for the naval appropriation bill. I will say to the gentleman from Maine, however, that there is at least one amendment that I think ought to be made to this bill.

Mr. BOUTELLE of Maine. Will the gentleman permit me right there to say that the bill as now read contains a few amendments which the committee have reported, and which will, of course, be read and acted upon? We are ready to act upon any amendment that may be offered.

Mr. BAILEY. I am perfectly willing that the previous question shall be ordered after I submit an amendment to section 2.

Mr. HOPKINS. You would not want to call the previous question, would you, until the bill is read under the five-minute rule, section by section? Then, if there is no amendment to be made to the sections, the previous question might be ordered.

Mr. BAILEY. My understanding was that it was desired to dispose of it immediately, and without any delay.

Mr. HOPKINS. I think there may be gentlemen on this side who desire to offer amendments. I do not know how that may

be, but the order is that we are to consider it under the five-minute rule.

Mr. BOUTELLE of Maine. I would suggest, Mr. Speaker, that gentlemen on this side follow the example of the gentleman from Texas [Mr. BAILEY] and send their amendments up to the Speaker's desk.

Mr. BAILEY. If there are some amendments to be offered on the other side, I am willing that general debate on the bill shall be closed, and that we proceed under the five-minute rule.

The SPEAKER. The Clerk will read the first section.

The Clerk read as follows:

Be it enacted, etc., That to reimburse the survivors of the officers and crew of the U. S. S. *Maine*, destroyed by an explosion in the harbor of Habana, Cuba, on the 15th day of February, 1898, for losses incurred by them, respectively, in the destruction of said vessel, there shall be paid to each of said survivors, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the losses so sustained by them: *Provided*, That the accounting officers of the Treasury shall in all cases require a schedule and affidavit from each person making a claim under this act, such schedule to be approved by the Secretary of the Navy; and reimbursement shall be made for such articles of clothing, outfit, and for such personal effects only as are of a character and value and in quantity suitable and appropriate to the rank or rating and duty of the person by whom the claim is made: *Provided further*, That in no case shall the aggregate sum allowed for such losses exceed the amount of twelve months' sea pay of the grade or rating held by such person at the time the losses were incurred.

The SPEAKER. Is there any amendment to the first section?

Mr. CANNON. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

Mr. PAYNE. There appears to be an amendment offered by the committee.

The SPEAKER. The Chair understands that there is an amendment offered by the committee, and that would be first presented to the House. The Clerk will read the amendment proposed by the committee.

The amendment proposed by the committee was read, as follows:

Insert in line 20, on page 2, after the word "pay," the words "without rations."

The amendment was agreed to.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] presents an amendment.

The amendment offered by Mr. CANNON was read, as follows:

In line 10, page 1, strike out the words "the losses so sustained by them" and insert "twelve months' sea pay, without rations, of the grade or rating held by such person at the time the losses were incurred."

Mr. CANNON. I should like the attention of the gentleman from Maine [Mr. BOUTELLE] to this amendment. If he did not catch the wording of it, I will ask that it be reported again.

Mr. BOUTELLE of Maine. I did not understand the exact purport of it.

The SPEAKER. The amendment will be again reported.

The amendment was again read.

Mr. CANNON. I will say to the gentleman from Maine [Mr. BOUTELLE] that the object of this amendment is to give one year's sea pay without rations to the officers and men who are survivors. It would cost for the 24 officers an aggregate of $47,800. It would cost for the 70 enlisted men an aggregatte of $18,324. As shown by the statement which I have from the Secretary of the Navy, that is the maximum that they could receive under the bill as reported, and my object in offering this amendment for the consideration of the House is that we give to these survivors the absolute year's sea pay without asking them to file a list of their losses. I do it from a sense of duty.

We passed a bill somewhat similar to this to indemnify the officers and men at the time of the Samoan disaster. I have in my hand a letter from the Auditor for the Navy Department, which reads as follows:

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR THE NAVY DEPARTMENT,
Washington, D. C., March 17, 1898.

SIR: I have the honor to hand you herewith a list of the claims allowed by the accounting officers under the act of February 19, 1890, for losses sustained by the officers and men of the U. S. S. *Trenton*, *Vandalia*, and the stranding of the *Nipsic* at the Samoan Islands, March 16, 1889. It appears that the officers did not apply for the allowance under section 200 of the Revised Statutes, but most of the men did and were paid the amount claimed, under section 288 of the Revised Statutes. In addition they were allowed for losses under the act of February 19, 1890.

You will observe that the amount allowed in nearly all the claims was equal to or nearly one year's sea pay of the rank or grade of the claimants.

Very respectfully,

JOHN M. EWING, *Acting Auditor.*

Hon. JOSEPH G. CANNON,
House of Representatives.

Mr. SAYERS. Mr. Speaker, will the gentleman allow me?

Mr. CANNON. In a moment; yes.

Mr. SAYERS. Will not the gentleman state to the House that under that act of Congress indemnifying the sufferers at Samoa the grossest frauds were perpetrated upon the Treasury?

Mr. CANNON. I want to say in reply to that that no man can examine the papers that were filed by the claimants under the Samoan disaster act without saying that that clause of the Lord's Prayer was an eminently proper and great one, having a complete knowledge of human nature, when He taught us to pray, "Lead us not into temptation."

Now, when you say that a schedule shall be filed by the officers and men under this act, as under that act, it is equivalent to saying that they will get substantially a year's sea pay. Once in a while one will not, from some reason or other, and it is not claimed but that one should be upon all fours with another—that those who do not should be upon a footing with those who do.

And now, while we act with a generous sympathy, in accord with the sympathy throughout the country, to the stricken men and officers who are survivors of the *Maine* disaster, let us not put even the shadow of temptation in the way of anybody, but while we are doing a generous thing and an apt thing, let us give them, as this amendment proposes, the full year's sea pay without rations.

It comes to that substantially, and let us do away with attorneys and delay, and let us do practically and directly to-day what it would take us three months to do, and which, I fear, in some instances would lead to a stretching, perhaps, of conscience, or at least would place temptation there.

Mr. BAILEY. Will the gentleman from Illinois permit me to ask him a question?

Mr. CANNON. Certainly.

Mr. BAILEY. I very much sympathize with the effort to make every matter of this kind certain; but the bill as it stands, I discover, provides that this allowance shall in no case exceed twelve months' pay.

Mr. CANNON. Precisely.

Mr. BAILEY. Now, it occurs to me that under the amendment of the gentleman from Illinois [Mr. CANNON] the Government will be compelled to pay the twelve months' pay whether that be more or less than the loss.

Mr. CANNON. Certainly.

Mr. BAILEY. Whereas under the bill as it comes from the committee, if a man's losses amount to less than a year's pay, the Government would only pay him what his losses actually were, and so the bill is a saving over the amendment.

Mr. CANNON. Well, practically not; but I want to say this——

Mr. BAILEY. Now, I want to ask the gentleman one other question.

Mr. CANNON. Yes.

Mr. BAILEY. Will the gentleman tell the House whether the allowances under the Samoan disaster exceeded what they would have been if that bill had adopted his policy and allowed a year's pay?

Mr. BOUTELLE of Maine. They only averaged $249 apiece.

Mr. BAILEY. What would a year's pay have averaged?

Mr. BOUTELLE of Maine. A great deal more.

Mr. CANNON. Very slightly more, says the Auditor in this letter. I want to say to the gentleman that in my judgment the papers in the Samoan disaster show that Congress ought not to put temptation in the way of people to magnify claims. Therefore, to treat all alike, my proposition is to give them a year's sea pay absolutely.

The SPEAKER. The time of the gentleman has expired.

Mr. BOUTELLE of Maine. Mr. Speaker, as it is manifest that the bill is to be debated, I ask unanimous consent that I may briefly state the provisions of the bill and the considerations which led to their presentation. I will be very brief, but I should like a little beyond five minutes.

The SPEAKER. The gentleman desires unanimous consent of the House to make a statement in the nature of general debate. Is there objection?

There was no objection.

Mr. BOUTELLE of Maine. Mr. Speaker, on the 19th of February I received a communication from the Secretary of the Navy, requesting that a resolution might be adopted by the House extending the allotments made by certain persons on board the steamer *Maine* in favor of their families and dependents at home. My committee deemed it to be wise, and that it would form a proper response to manifest public sentiment, for us to frame a measure that should combine the extension of these allotments, which affected only about thirty of these people, with a general measure of relief to reimburse the survivors for their losses and to provide a relief fund for the surviving immediate relatives of those who were hurled into eternity by that great disaster.

In performing that duty the first question that confronted us was whether the Government ought to do anything for these dependents and these survivors. We answered that unhesitatingly in the affirmative. The next question with us was how much or how far in that direction we should go; and the answer seemed to be as clear—at least as much as the Government has ever done in recognizing sufferers by similar disasters; and so we turned to the precedents of the Congress and found a line of enactments extending back many years, and following substantially the same provisions which were adopted in the case of Samoan disaster, as the last of the instances, provided for reimbursing the survivors,

because the survivors are still kept in the service and are still on pay.

For the wounded or injured, they are cared for by the service, and all that they have ever asked, all that they will ask to-day, is to be reimbursed for the actual losses of effects that they have sustained by this disaster. In regard to the measure of relief of the families and other immediate relatives we felt that they should be dealt with as liberally as on former occasions which have arisen, not of the magnitude of this calamity, and so we prepared a bill on the line of the bill enacted in the case of the Samoan disaster.

We shortly learned, while engaged in the preparation of the bill, that there had arisen certain disputes and that certain claims had been presented which had been regarded by the Treasury officers as of a questionable character under the Samoan Act. The Samoan Act was very liberal, and might be criticised on other lines. It provided that the accounting officers of the Treasury shall require a certificate and affidavit from each person making a claim under the act, and there was no other limitation beyond that, except that it should not exceed twelve months' pay.

Under that a number of claims were filed by the men for losses, some of which were distrusted more or less by Treasury officials, and some of them were questioned and referred to a tribunal and tried by the Court of Claims. It was held by the court that under the wording of the act it was mandatory to pay for all losses that were recited in this certificate to which the affidavit was made. Now, the committee thought that they would strengthen the act in that regard. We felt that we had no right to bring in here and subject to discussion the nature of things that had occurred in regard to the former act that might reflect forward a shadow upon the possible integrity of the people to be relieved under this law.

But our committee, looking to what would be required to be done, and looking at the victims of the disaster as entitled to a liberal and a generous treatment of a great Government, thought we should quietly put into our bill such safeguards as we believed would absolutely secure the interests of the public Treasury, and remove any influence to what my friend from Illinois has referred to as temptation, and we provided it in these words.

Provided, That the accounting officers of the Treasury shall in all cases require a schedule and affidavit from each person making a claim under this act, such schedule to be approved by the Secretary of the Navy; and reimbursement shall be made for such articles of clothing, outfit, and for such personal effects only as are of a character and value and in quantity suitable and appropriate to the rank or rating and duty of the person by whom the claim is made.

Mr. HOPKINS. Would it disturb the gentleman to be interrupted there? Now, as I understand, the victims of the Samoan disaster, many of them, owing to the action of the accounting officers of the Treasury, were compelled to go into the Court of Claims to get this bounty that was intended for them by Congress, and were thereby compelled to pay out sums of money that they think were unjustly exacted from them. Is this bill so drawn that we will not have a repetition of that?

Mr. BOUTELLE of Maine. I will answer that in a word. It is. There was only one case that went to the Court of Claims, and that is not the line in which this bill is drawn.

Mr. RAY of New York. I want to ask the gentleman one question—why one limitation has been placed in this bill. I notice, in section 2, that you provide that wherever the widow——

Mr. BOUTELLE of Maine. We are now considering section 1. We have not reached the other yet.

Mr. RAY of New York. I beg your pardon. Then I will call attention to it when we reach that section.

Mr. BOUTELLE of Maine. When we had put this provision in and we had drawn that, with the other sections of the bill, I undertook to get this bill before the House. We thought it ought to pass as speedily as possible. But at that time an appropriation bill was pending in the House—I think it was the sundry civil bill—and it was impossible for us, as a matter of course, to get recognition while that bill held the floor; and I consulted with the chairman of the Committee on Appropriations [Mr. CANNON] in my desire to obtain a day to pass the bill.

The gentleman objected giving that permission on several grounds. Among them was the ground that he had not had time to examine the bill, which of course he was afforded. He then objected that this bill was unnecessary, because there was a general law, to which he called my attention, and to which my attention had been previously called, of course, which he thought would supply all the needed legislation.

There was an act passed in 1895, to which my attention had never been called until quite recently, evidently for the purpose of providing against the occurrences that came up under the Samoan act, but which proved to be very loosely drawn. It did not supply the place of the measure we have reported, because, in the first place, it was confined absolutely to the reimbursement for personal effects, and provided no relief whatever to the relatives or dependents of the dead.

It also had this other provision to which my committee strongly objected as being applied to this case, that the accounting officers of the Treasury should investigate and determine the amount of losses; that the Secretary of the Navy thereupon should report to Congress at its next session, which in this case would be next December, and the amount of such losses Congress should then appropriate for, if it saw fit, the sufferers in the meantime going without relief.

Mr. WALKER of Massachusetts. That is how not to do it.

Mr. BOUTELLE of Maine. We did not think that would fit this case and would not be what Congress would desire to have done.

There was another provision in the bill which the chairman of the Committee on Appropriations [Mr. CANNON] thought would cover this case, which I did not agree to, and that was the provision in the statute that the liability of the Government under this act shall be limited to such articles of personal property as are required by the United States naval regulations in force at the time of such loss or destruction.

I knew that the United States naval regulations, which is a compilation as specific as the Revised Statutes of the United States, do not provide for anything except the uniform clothes of the officers of the Navy; they do not pretend to prescribe the various articles of clothing which an officer of the Navy, or any other citizen, requires, for traveling or journeying, or on shipboard. I knew that the provision would not suffice under the strict application of it. These men could not be reimbursed for actual losses; they could not be reimbursed for outside clothing that they were entitled to have, because the naval regulations are confined to the uniform suits.

A naval officer is a gentleman, a citizen of the United States; he is expected to go on shore otherwise than on duty, and he is prohibited by the regulations of the Navy from visiting the shore or leaving his ship under certain conditions in uniform, or, if wearing uniform at certain places, he has, as a rule, an outfit of citizen's clothes. I think the Government of the United States and the House of Representatives, if we are going to reimburse these men, want to reimburse them for the clothing they properly had with them, and so we did not think that act would suffice.

The gentleman from Illinois [Mr. CANNON] also objected that the Government was not properly guarded under this bill; that there was liability that lists might be made out in excess of what these men were entitled to receive, and therefore objected to the bill. Now he comes here and makes a sweeping proposition to grant a great deal more than the committee asks, and a great deal more than any claimant has asked or is likely to ask. These men are not asking a bonus, and they will not ask a bonus. They will ask Congress to give them an opportunity to be reimbursed.

Mr. STEWART of New Jersey. Will the gentleman from Maine permit me to ask him a question?

Mr. BOUTELLE of Maine. Yes.

Mr. STEWART of New Jersey. I understand, according to the terms of your bill, the officers have to furnish a schedule or an affidavit, and you vest in the Secretary of the Navy judicial power to ignore this affidavit and schedule and pay them nothing.

Mr. BOUTELLE of Maine. Oh, no, no.

Mr. STEWART of New Jersey. You vest in the Secretary of the Navy judicial power——

Mr. BOUTELLE of Maine. We vest in the Secretary of the Navy just the same authority that we do in regard to other payments on account of the Navy Department. It is simply the power to visé the lists or accounts.

Mr. STEWART of New Jersey. If the Secretary of the Navy does not see fit to give it his approval, the officer or the seaman, notwithstanding the affidavit, can not be paid.

Mr. BOUTELLE of Maine. They could not. It is not to be conceived, it is beyond conception, that the Secretary of the Navy will refuse to approve any list that these men properly make out.

Mr. STEWART of New Jersey. Why, then, provide for the approval by the Secretary of the Navy?

Mr. BOUTELLE of Maine. Because the chairman of the Committee on Appropriations [Mr. CANNON] and other gentlemen are insisting that this other law was loose, and that there were claims made before for articles regarded in excess of what was proper to provide for. In other words, it enables the Secretary of the Navy, instead of the accounting officers of the Department, to say what class of articles are suitable and ought to be included in the list for reimbursement by the Congress of the United States.

Mr. STEWART of New Jersey. The gentleman says that the Secretary of the Navy will not exercise the power. Then why give it to him?

Mr. BOUTELLE of Maine. The gentleman is a lawyer, I presume?

Mr. STEWART of New Jersey. I have read law.

Mr. BOUTELLE of Maine. I was about to say that all governments and all judicial proceedings are and must be based upon the presumption that a public officer is inclined to perform his duties in a reasonable and respectable way.

The jurisdiction of the Secretary of the Navy would extend just this far: If some officer or sailor should include in his claim some article manifestly improper for him to have or manifestly improper as a subject for reimbursement, an article which he had no business to have on board the ship, or if he should ask reimbursement for a list of articles absurdly in excess of his possible or reasonable use, the suggestion would be made to him that he revise his list in accordance with the proprieties of the case.

Mr. BAILEY. Will the gentleman permit a question?

Mr. BOUTELLE of Maine. Yes, sir.

Mr. BAILEY. Can the gentleman tell the House what is the highest salary drawn by any of the surviving officers or crew?

Mr. BOUTELLE of Maine. Captain Sigsbee receives $4,500.

Mr. BAILEY. Then, under the amendment, without any question as to how much property he had lost, that officer would receive $4,500.

Mr. BOUTELLE of Maine. Unquestionably. My committee did not think that was the proper thing to ask or grant.

Mr. BAILEY. Now, will the gentleman be good enough to tell the House what was the largest allowance made to any officer for losses arising out of the Samoan disaster?

Mr. BOUTELLE of Maine. I have not at hand the figures to enable me to answer with precise accuracy.

Mr. BAILEY. I would suppose it reasonably certain that no man received as much as $4,500.

Mr. BOUTELLE of Maine. Not at all. I think the largest amount paid under the Samoan bill was something like $2,000, and very few received that much.

Mr. BARROWS. I should like to ask whether any distinction is made in this bill between citizens of the United States and aliens who were on this vessel?

Mr. BOUTELLE of Maine. All who were on the vessel are assumed to have been citizens of the United States.

Mr. BARROWS. They were not all citizens of the United States in fact, were they?

Mr. BOUTELLE of Maine. Any man who was blown up on an American ship under our flag is enough of an American citizen to be recognized by this Government.

Mr. BARROWS. I observe in the second section——

Mr. BOUTELLE of Maine. I hope the gentleman will confine his remarks to the first section, which is now under consideration.

Mr. BARROWS. I want to show that there is a difference in the wording of the first and second sections.

Mr. BOUTELLE of Maine. They relate to different things entirely.

Mr. BARROWS. In the first section the language is, "That to reimburse the survivors of the officers and crew." Then in the second section the language reads, "officers, enlisted men, and others."

Mr. BOUTELLE of Maine. One section provides for reimbursement for losses; the other section makes provision for the families of those who lost their lives.

Mr. BARROWS. I am speaking, however, of the persons included under the two sections.

Mr. BOUTELLE of Maine. One section provides for the living; the other for the dead.

Mr. BARROWS. But the first section refers to "the officers and crew;" the second section refers to "officers, enlisted men, and others."

Mr. BOUTELLE of Maine. The gentleman raises no material distinction.

Mr. BARROWS. Were there not some servants on board that vessel?

Mr. BOUTELLE of Maine. They were probably enlisted men; they must be.

Mr. BARROWS. I only wondered why the two sections should use different phraseology in this respect.

Mr. BOUTELLE of Maine. The terms to which the gentleman refers cover the same classes. One or another clause of this bill covers everybody on board the ship.

Now, Mr. Speaker, I hasten on as rapidly as I can, for I do not want to detain the House.

Under the Samoan act 646 claimants were settled with. There were on the lost vessels 850 officers and men who would be entitled to indemnity under that act. It will thus be seen that 204 of the enlisted men have not yet been settled with; or, rather, have not yet made application. Some few applications, I think, are pending; but there are about 200 of those men who have never made application at all.

Now, in drawing this bill it never occurred to the committee, and it never occurred even to me, that it would be appropriate to seek any temporary applause for liberality by coming in here and asking twelve months' sea pay as reimbursement for officers or men, when such a measure would carry $4,500 for the commanding officer while he would be receiving $4,500 a year as his regular salary. I do not apprehend that Captain Sigsbee would ever dream of asking or expecting the Government to do that. When I was drafting this bill, which I intended to be just and liberal and generous to those men, such a thing never occurred to me, even with all my sympathies for that gallant officer, Richard Wainwright, the executive officer of the *Maine*, as that he would want me to ask that he be permitted to draw from the Government $2,800 without regard to whether his actual losses reached that amount or not.

Every bill of this kind that has ever been passed has been based upon the idea of making good the losses of the men in the disaster. And that is what we have tried to do here. But for objections and criticisms which have been leveled at this bill—every one proceeding on the line of its being too loose, allowing too much latitude for the expenditure of money, or for the Government being taken advantage of—I would have had the bill before the House three weeks ago. I now bring it here as we have prepared it; and I have explained, so far as this section is concerned.

I am as devoid of pride of opinion about the phraseology of this bill as I could possibly be about anything under the sun. I think I manifested that when I offered to submit it to the unbiased judgment of this House without a word of debate. I want this relief to be granted. I want these allotments that have been stopped under the law to be paid to the widows and mothers and children. I want the relief given that is being demanded by the people of this country in public meetings, by the raising of subscriptions, by the holding of benefit performances to supply something for the subsistence of the wives and children of these men, some of whom have never been given the privilege of Christian burial, because their shattered and torn remains have never been rescued from the fragments of that ill-fated ship. I want relief to go to them. I want it to go promptly. I want it to go ungrudgingly, and I hope that this House will grant it in that spirit.

Under the Samoan act, when all those ships met with that disaster, the Government up to date has paid out $161,000. Does any man begrudge it? Is there a citizen of this country who would make it one dollar less? Is the Congress of the United States inclined to haggle about meeting this crisis as liberally and as generously?

Twelve months' sea pay of all the people on board of the *Maine* at the time of her disaster, who were connected with her, would amount to a little over $161,000. My committee thought the Government could afford to pay the whole of that, if needed. This bill will not carry the whole of that amount. These officers and men can be settled with liberally and generously for their losses, and that is all they ask. The year's pay can be granted to the people to whom these gallant sailors would have asked their country to send it if they had known they were going to die.

Yet we shall be well within the limits I have stated. Now, if the House desires to change the phraseology of this bill, if the House desires to grant a year's sea pay to the survivors in addition to their pay, which goes on, under the name of reimbursing them for losses, why of course I shall not object to it, but that was not what this bill purported to be, and it was not for that purpose that it was brought into the House. I do not know that I care to say anything more about section 1. [Applause.]

Mr. CANNON. I should like, I think, not over five minutes; but if so, I shall crave the indulgence of the House. I should not have taken the time of the committee further had it not been that the gentleman from Maine [Mr. BOUTELLE] has seen proper to pay his respects to me as a Representative. That is his privilege. He has seen proper to detail matters of conversation between himself and myself as Representatives. That is his privilege.

Mr. BOUTELLE of Maine. Will the gentleman pardon me for one moment right there?

Mr. CANNON. Certainly.

Mr. BOUTELLE of Maine. The statements that I made here today I informed the gentleman from Illinois weeks ago I should be constrained to make, to advise the public why I had not brought this bill before the House before.

Mr. CANNON. Very well. The gentleman has gone a step further, and has seen proper, directly and indirectly, to criticise my position. I am responsible for my position as a Representative to my constituency and to the general public sentiment of the country. If I merit confidence from those I represent, that is as far as I can go. God has not endowed me nor any other man that walks the earth with the ability to merit the approbation of the gentleman from Maine. [Laughter.] There is but one man who merits that approbation, and that is the gentleman from Maine himself. [Laughter.]

Now, so much for that.

If I can have the attention of the House for a brief space, I will tell the House what I think about this whole matter.

Prior to 1890, section 288 and section 290 of the Revised Statutes gave to each officer and man, in case of naval disaster, a month's sea pay to reimburse him for losses. That was all the legislation that had ever been had up to the Samoan disaster. That wonderful disaster known as the Samoan disaster came, and Congress, with the great, sympathetic heart of the country touched, thought

proper to legislate and make special provision for the people who lost their personal effects, and the survivors of those who lost their lives in that disaster.

We did so. We gave not exceeding a year's pay to each man and officer for personal belongings. Now, that was creditable to the United States. It was creditable to the country. What happened under that Samoan act? Many enlisted men took a month's sea pay and took substantially the maximum or a year's sea pay besides. How? That law provided that the claimant should make out a list of his belongings and file it with the Treasury.

The Treasury had no discretion. Well, now, what was the result? I read you the letter of the Auditor a little while ago, and I have the list here. The Auditor's letter states that the claimants substantially took up to the maximum. Now, substantially did they lose to the maximum? Some did, and some did not. Why, I hold in my hand here a letter that I will not read to the House, which I will not put upon the record. Gentleman can see it.

It is a letter from a blacksmith on the *Nipsic*, written to a shipmate, which the shipmate never received, and which was sent back to the United States consul, the shipmate dying in foreign waters, in which letter the blacksmith said in substance, omitting the objectionable parts, that he did not lose anything and was not going to make any claim, but he found it was in the air, and that he went to work and made a claim substantially for $740 or $750, congratulating himself upon his Yankee shrewdness. He says that in ten days he got it, and after a month he found there was $50 more, up to his sea pay, and he filed a supplemental claim, and he got that.

Then he went on to tell how he got $800 for another shipmate, and got $100 as compensation therefor, and congratulated himself that he had cut some shyster lawyer out of that $100. Well, now, this letter was sent back to the State Department and the State Department filed it with the officers of the Treasury. I went down and looked through those claims. Let me call your attention to how this runs.

Mr. BRUMM. Mr. Speaker, a parliamentary inquiry. Are we not proceeding under the five-minute rule?

The SPEAKER. We are.

Mr. BRUMM. The gentleman has certainly occupied more than five minutes.

The SPEAKER. The Clerk informs the Chair that the time of the gentleman has just expired, and the Chair was about to inform the gentleman from Illinois of that fact.

Mr. CANNON. I should like the indulgence of the House.

Mr. BLAND. I hope the gentleman will be allowed to proceed for five minutes longer.

Mr. CANNON. Well, I will be very brief, but I should like——

Mr. LOVE. I ask that the gentleman be allowed to proceed.

Mr. WALKER of Massachusetts. To conclude his remarks.

Mr. BRUMM. We do not want our day taken up by this other matter.

Mr. CANNON. Oh, I will be exceedingly brief.

The SPEAKER. Unanimous consent is asked that the gentleman from Illinois be allowed to conclude his remarks. Is there objection?

There was no objection.

Mr. CANNON. Now, the Auditor states that, in the main, the claimants in the Samoan disaster took up to the maximum. What was the value of a seaman's outfit under the regulation? Sixty-six dollars! Well, now, Americans, Chinamen, and others in various positions on those vessels took up to the maximum. Take the case of Ah Fat. His pay was $540 a year; and on his schedule, and which was the only evidence, he received $440.

Take Ah Jim. His pay was $480, and his claim for personal belongings, which was allowed, was $415. Take Ah Foo. His pay was $300, and his personal belongings under the schedule, which was allowed, amounted to $300. So I might run clear through.

Now, I am not abusing these claimants. Let me tell you who is responsible for that. Let me tell you who is responsible for the action of this man Earle, whose letter I have here, which I will not spread upon the record. That legislation which said for their personal belongings they should have not exceeding a year's sea pay was a temptation to every claimant. I am not saying that they are better or worse than you or I would be. Once in a while one did not claim, and he did not get it. Once in a while one claimed a much smaller amount, and he only got what he claimed. But where the claim was made and the schedule was filed, they got it.

Now, when we discovered that, I thought it was my duty, having voted for the Samoan act, not again to enact anything that was similar. That was all. If I do it a second time, then a second time, and knowingly, I place temptation in the way of men; and after consultation with the accounting officers of the Treasury, measuring my words, I have no doubt that this legislation, if enacted as reported from that committee, will substantially give a year's sea pay to the claimants. Now, if we want to do that, well and good. Let us do it, but let us do it by giving the year's sea pay absolutely, and not going through the form of whipping around the stump.

Mr. SOUTHARD. Will the gentleman yield for a question?

Mr. CANNON. With pleasure.

Mr. SOUTHARD. The same men would have got even more than they did get if the year's pay had been awarded them in the case of the Samoan disaster.

Mr. CANNON. Not at all. Earle got his full year's pay, and took a second inventory for it.

Mr. HILBORN. Is not he the only man who did it?

Mr. CANNON. No.

Mr. HILBORN. How many others are there?

Mr. CANNON. Here is the list. Many of them got it.

Mr. HILBORN. How many men besides that one?

Mr. CANNON. Why, Ah Fat got $300. Ah Sin got $299, or within $1 of it.

Mr. HILBORN. But are there more than a dozen of the whole crew?

Mr. CANNON. Oh, yes; the rule is that they got it, substantially.

Mr. HILBORN. Oh, no; that is not so.

Mr. CANNON. Then you and the Auditor of the Treasury Department for it. I have just read his letter, and it will go into the RECORD. Now, then, I am telling you what I think, gentlemen, happened; but I am not here saying that it will be done. When the Samoan disaster happened; these abuses begot legislation. What was it? That in disaster and losses the officers and men should be paid for their personal belongings, but under the Naval Regulations.

That is the law to-day; and as to the *Tallapoosa* and *Kearsarge*, I believe, and others, where there were mishaps, indemnity was given under that law. Now, the gentleman said it is not liberal enough. If that is so, let us make it more liberal; and I do not propose, as the gentleman supposes, to measure my corn in his half bushel, for effect, but I propose in good faith to do as it seems to me right to do, directly that which we are indirectly doing by the provisions of this bill.

Mr. SIMS. Will the gentleman allow me to ask him a question?

Mr. CANNON. Certainly.

Mr. SIMS. Do you think that these men, the survivors or those provided for in this bill, are men whose personal belongings will amount to a year's sea pay?

Mr. CANNON. Oh, my judgment is that they will not.

Mr. SIMS. Do you think it dishonesty, if they claim that?

Mr. CANNON. I do not want to accuse anybody of dishonesty. I say this—I say, as shown in the Samoan disaster, that when you allow claimants to state the amount, they having the knowledge and substantially the only knowledge of their personal belongings, there is a temptation to make the claim up to what the compensation might be; and in the case of the Samoan disaster, if any man will examine the records, he will see that in the main they did substantially pursue that course.

Mr. SIMS. That they did act dishonestly.

Mr. STEELE. They are no purer than the Methodist Book Concern.

Mr. JOHNSON of Indiana. I am afraid that in talking about this subject in the way the gentleman is doing he is not just to the victims of the Maine disaster.

Mr. CANNON. I propose to do justice to them; and I am going to vote for this bill and to vote for it from the standpoint of sympathy—public sympathy and my own sympathy. I am for giving these survivors the equivalent of a year's sea pay, but I want to give it without a statement from the survivors.

Mr. JOHNSON of Indiana. I only wish to say that I am sorry the gentleman did not put his views in a little more delicate and fortunate language. I suggest to the gentleman that from his remarks it would look like his assent came a little grudgingly.

Mr. CANNON. Not at all. I grudge nothing. I am only performing my duty as a Representative.

Mr. JOHNSON of Indiana. You are assuming, however, that these survivors of the disaster will be dishonest?

Mr. CANNON. I am not assuming that. I say I would not place temptation before men by legislation.

Mr. JOHNSON of Indiana. Your position, as indicated by your remarks, seems to be that you would give them the limit of the amount that they could steal. I think it a little unfortunate that the gentleman in his remarks resorts to this sort of logic.

Mr. CANNON. I am assuming nothing. I am speaking here in harmony with the project of giving these men relief.

Mr. JOHNSON of Indiana. I would prefer that you did it in kinder words.

Mr. CANNON. I am not at heart or otherwise, directly or indirectly, seeking to impugn the motives or honor or honesty of any man living, but I am speaking as a practical legislator of what seems to me to be the proper course.

Mr. JOHNSON of Indiana. I am very glad to hear the gentleman make that general statement, and I hope the public will take it in connection with his other statements.

Mr. BOUTELLE of Maine. I ask that we may have order, Mr. Speaker.

Mr. BAILEY. Mr. Speaker, when my attention was called to the amendment proposed by the gentleman from Illinois, I was inclined to support it, upon the theory that it rendered the allowance to the survivors of this unfortunate disaster certain. I knew something about the scandal of the Samoan affair, and I thought it desirable to avoid a repetition of that, if such a disgraceful thing could be repeated in this country. But on examining the bill itself it seems to me that the bill is more desirable than the amendment, because the bill itself limits the allowance to a year's pay, still leaving the question of loss to be settled according to the value of articles which have been lost.

Now, the gentleman from Illinois proposes to remove all temptation from these survivors by allowing them more out of the Treasury than any one of them would probably ask. I have long believed that the best part of the Lord's prayer is that which says: "Lead us not into temptation;" but I would hardly ask for our people to be saved from temptation by giving the honest more than the dishonest could ask.

The gentleman removes the temptation to dishonesty by giving the honest ones even more than the dishonest ones would claim. Now, personally that might be a very good way to deal with a question of this kind, but dealing with it as a public servant, and dispensing, as we do, the public funds, it seems to me the establishing of a bad principle. We intend to reimburse the survivors for their losses. Now, do not allow them to speculate on their misfortune by allowing every one of them to take from the Treasury more than they would be willing to certify that they had lost.

The captain of this ill-fated man-of-war draws $4,500 a year. Under the provisions of this amendment he would draw $4,500 to reimburse him for the loss he has sustained. Yet I venture to say that under the most liberal account which the captain of the *Maine* will file against the Government his losses will not aggregate one-half of $4,500. It seems to me preferable that we should leave these men to specify under proper limitation their losses, that the Navy Department shall inspect the lists which they have filed, and allow their losses, and no more.

That some of them will file lists embracing articles they did not lose, that some of them will probably give fictitious prices to articles which they did lose, no doubt will be true, because, as the gentleman from Illinois [Mr. CANNON] says, this is the weakness of human nature. But I venture to say that very few of the survivors of that disaster will attempt to speculate upon the generosity of the Government [applause], and I desire to say now that if there is any man commissioned to defend the American flag who would abuse the generosity of the Government, the sooner you can tear our uniform from him the better it will be for the security of this nation. [Applause.]

Mr. HILBORN. Mr. Speaker, during the debate the gentleman from Illinois [Mr. CANNON] broadly said that those who claimed as survivors of the Samoan disaster presented their claims for all they had authority to claim. I challenged that statement, and he reiterated what he said. I hold in my hand a statement prepared by the officers of the Navy Department, which I will read:

Mullen, commander, salary $3,000, claimed $1,834.60; Hawley, lieutenant, salary $2,600, claimed $793.25; Derr, surgeon, salary $2,800, claimed $127; Corwine, past assistant paymaster, salary $2,000, claimed $391.50; Shearman, lieutenant, salary $2,000, claimed $23.50; Purcell, ensign, salary $1,400, claimed nothing; Brown, pay clerk, salary $1,000, claimed $439.25; White, ensign, salary $1,400, claimed nothing; Davenport, lieutenant, pay $2,600, claimed $250; Jones, ensign, pay $1,200, claimed nothing; Field, ensign, pay $1,200, claimed $58.50; Frick, past assistant engineer, pay $2,200, claimed $394.40; Hall, chief engineer, pay $2,800, claimed nothing; Fillette, first lieutenant, pay $1,650, claimed $503.

Now, that is all the officers, and those are their salaries and what they claimed.

Mr. CANNON. Will my friend from California allow me? He does not want to do an injustice?

Mr. HILBORN. Certainly not.

Mr. CANNON. The Auditor states that there are over 250 that have not filed claims; that many of them are still filing their claims, and that there are many undisposed of. The gentleman has said that those are all the officers. There are three sets of officers. Here are a few in another set: Carlin, lieutenant, pay $2,600, amount allowed, $2,300.24; Wilson, lieutenant, pay $2,600, allowed, $2,142; Gibbons, ensign, pay $1,400, allowed, $1,400.

Mr. HILBORN. Oh, of course there were some of them that were allowed the full amount or near it.

Mr. CANNON. Well, the gentleman said that was all of the officers. Now, then, I stand here upon the information comprised in the letter of the Auditor of the Treasury Department which gives the full record and which verifies my statement.

Mr. DOCKERY. Will the gentleman from Illinois allow me?

Mr. CANNON. Yes, sir.

Mr. DOCKERY. I am in hearty sympathy with the purpose of this bill, but it seems to me the discussion has developed the unwisdom of the first section of the bill. I will not discuss the Samoan scandal, but will say that as the result of the experience of the Government in connection with naval disasters there was crystallized into law by the act of March 2, 1895, a measure which it was thought would rid us of trouble in connection with claims of seamen and officers shipwrecked at sea.

Mr. BOUTELLE of Maine. Will the gentleman allow me at this point?

Mr. DOCKERY. Certainly.

Mr. BOUTELLE of Maine. Of course the gentleman is familiar with the fact, I presume, that under the adjudication of the courts it was decided that that act did not permit an officer to recover for anything except what was prescribed in the United States naval regulations in force at the time of the disaster, and the United States naval regulations do not provide for personal effects of officers which are absolutely necessary, except their uniforms.

Mr. DOCKERY. I was about to state the law the gentleman has cited. As a result of experience, Congress thought it wise to limit the payment to losses on account of clothing and other effects to which officers and seamen are entitled under naval regulations, and of the value ascertained at the time of the disaster.

Mr. BOUTELLE of Maine. There is no such provision——

Mr. DOCKERY. I have no doubt the gentleman is more familiar with this question than I am, but having had something to do with the preparation of the act, and understanding as I do that both the Navy and Treasury Departments approved of the act of March 2, 1895——

Mr. BOUTELLE of Maine. It does not so show anywhere.

Mr. DOCKERY (continuing). I supposed that was a settlement of the whole matter, so that if an American man-of-war should thereafter be wrecked the officers and seamen would have the benefit of the general statute, to which they could at once apply without coming to Congress for relief by special act, as had been the custom. I will not offer any amendment to the first section of the bill. I believe, however, that this particular class of losses should be left to the provision of the general law. I would amend the general law only in one respect so far as it relates to the disaster which occurred in the harbor of Habana. I would appropriate a sufficient amount of money to pay the losses at once instead of requiring the claimants to wait until the next session of Congress.

Mr. BOUTELLE of Maine. The gentleman recognizes that as a serious objection to putting this case under that act?

Mr. DOCKERY. I do. I would make a sufficient appropriation so that the claimants could go at once to the Treasury and get their money without waiting until the next session of Congress.

Mr. BOUTELLE of Maine. They could not do so under the general law.

Mr. DOCKERY. I admit that an immediate appropriation is necessary; otherwise the claimants would have to wait until the next session of Congress in order to secure their allowances. The act of March 2, 1895, requires audited claims of this character to be certified to Congress for "consideration." In that respect I would amend the act so as to allow claimants the benefit of their audited allowances without the delays incident to the operation of the law.

But I had hoped my friend from Maine would consent that the first section of this bill be stricken out, so as to allow the general law to apply, carrying, however, in this bill a provision that the appropriation be made immediately available. Then, with one or two amendments to the second section, I think the bill would be entitled to hearty and favorable consideration. I shall support the bill as reported, even though it should not be amended as I have suggested.

Mr. BOUTELLE of Maine. Mr. Speaker, I do not think it necessary to make any argument in this House to excuse the judgment of the Committee on Naval Affairs in assuming that such a phenomenal disaster as that which shocked the civilized world a few weeks ago in the harbor of Habana is entitled to be considered in a special way on its merits by the Congress of the United States; and when I superadd to that the admission of the gentleman from Missouri that the general statute to which he refers would not furnish the people relief until some time next year, and the further fact that the general statute itself applies only to one portion of the objects contemplated by the bill, I think we are fully justified in bringing the measure here, as we have done, in accordance with the uniform precedents of the Government.

Of course I ought to be grateful, and I shall try to be duly so, for the knowledge that has come to me so tardily, that all the delays to which this bill has been subjected while resting in my hands by the gentleman from Illinois has been due to a desire on

his part to get up something more generous toward these people than I had designed. I recognize that very fully, but at the same time it seems to me that the greatest generosity we can show is to act on this measure with as little debate as possible and allow these people to get the benefit of this act as soon as may be.

There are some men—and we must be indulgent, because we are all human—there are some men so constituted that they would make a point of order on a funeral procession if they could not be permitted to drive the hearse. [Laughter and applause.]

Mr. Speaker, I ask for a vote on the first section.

Mr. COUSINS obtained the floor.

Mr. WHEELER of Alabama. Mr. Speaker, I claim the floor for five minutes. The other side has occupied an hour and a half.

The SPEAKER. The gentleman from Iowa [Mr. COUSINS] has been recognized.

Mr. COUSINS. Mr. Speaker, whether this measure shall prevail, either in the form in which it has come from the committee or in the form as proposed in the amendment, it is both appropriate and just; but hardly is it mentionable in contemplation of the great calamity to which it appertains. It will be an incidental legislative footnote to a page of history that shall be open to the eyes of this Republic and of the world for all time to come. No human speech can add anything to the silent gratitude, the speechless reverence, already given by a great and grateful nation to its dead defenders and to their living kin. No act of Congress providing for their needs can ke a restmaitution for their sacrifice. Human nature does, in human ways, its best, and still feels deep in debt.

Expressions of condolence have come from every country and from every clime, and every nerve of steel and ocean cable has carried on electric breath the sweetest, tenderest words of sympathy for that gallant crew who manned the *Maine*. But no human recompense can reach them. Humanity and time remain their everlasting debtors.

It was a brave and strong and splendid crew. They were a part of the blood and bone and sinew of our land. Two of them were from my native State of Iowa. Some were only recently at the United States Naval Academy, where they had so often heard the morning and the evening salutation to the flag—that flag which had been interwoven with the dearest memories of their lives, that had colored all their friendships with the lasting blue of true fidelity. But whether they came from naval school or civil life, from one State or another, they called each other comrade—that gem of human language which sometimes means but a little less than love and a little more than friendship, that gentle salutation of the human heart which lives in all the languages of man, that winds and turns and runs through all the joys and sorrows of the human race, through deed and thought and dream, through song and toil and battlefield.

No foe had ever challenged them. The world can never know how brave they were. They never knew defeat; they never shall. While at their posts of duty sleep lured them into the abyss; then death unlocked their slumbering eyes but for an instant to behold its dreadful carnival, most of them just when life was full of hope and all its tides were at their highest, grandest flow; just when the early sunbeams were falling on the steeps of fame and flooding all life's landscape far out into the dreamy, distant horizon; just at that age when all the nymphs were making diadems and garlands, waving laurel wreaths before the eyes of young and eager nature—just then, when death seemed most unnatural.

Hovering above the dark waters of that mysterious harbor of Habana, the black-winged vulture watches for the dead, while over it and over all there is the eagle's piercing eye sternly watching for the truth. [Applause.]

Whether the appropriation carried by this resolution shall be ultimately charged to fate or to some foe shall soon appear. Meanwhile a patient and a patriotic people, enlightened by the lessons of our history, remembering the woes of war, both to the vanquished and victorious, are ready for the truth and ready for their duty.

The tumult and the shouting dies—
The captains and the kings depart—
Still stands thine ancient sacrifice,
An humble and a contrite heart.
Lord God of Hosts, be with us yet,
Lest we forgot—lest we forget.

[Loud and long-continued applause.]

Mr. WHEELER of Alabama. Mr. Speaker, the beautiful words which fell from the lips of the gentleman from Iowa [Mr. COUSINS] will touch the hearts of all Americans who love liberty. They admonish us, the representatives of a great people, that we have a sacred duty to perform. This meager recompense to the families of the dead is little more than laying a garland upon the tombs of American heroes. The gentleman from Illinois [Mr. CANNON] and others who have spoken this morning repeated the words from the Lord's Prayer:

Lead us not into temptation.

There are other words in that beautiful prayer which are specially appropriate for us to contemplate at this time:

Thy will be done on earth as it is in heaven.

It is the will of God that the atrocities which for three years Spanish officials have perpetrated in Cuba shall cease; it is God's will that humanity should prevail throughout the world, and when He created this great Christian Republic He imposed upon it the duty of obeying this admonition. We can not neglect this duty any longer. If we do so, we will lose all of that great prestige which we now enjoy throughout the world, and I very much fear that some disaster may come to punish a people recreant to so sacred a duty. [Applause.]

For three years we have listened to the sound of wails from Cuba. We have had constant repetitions of evidence that Americans and American interests in Cuba have not only failed to receive protection, but they have been treated with abuse and contempt, and we have also received uncontradicted evidence that for two years or more peaceful citizens, men, women, and children, have been driven by Weyler's orders into towns to meet the dreadful fate of death by starvation.

We now have positive evidence that as many as 200,000 peaceful citizens have met this dreadful death.

These people, driven from their homes, corralled, and starved in Spanish towns, are not insurgents, but General Weyler's order states that if caught outside the towns they shall be treated as such, which means they shall be massacred.

The SPEAKER. The Chair hopes the gentleman will confine himself to the topic under discussion.

Mr. WHEELER of Alabama. The bill now under consideration was amended four times in the Committee on Naval Affairs, and five or six amendments to the bill are now pending in the House. This develops the necessity of the special committee provided for in the resolution I introduced at the opening of to-day's session. It is as follows:

Resolved, etc., That a joint committee, consisting of seven members of the Senate, to be appointed by the Vice-President, and seven members of the House, to be appointed by the Speaker, be created to consider the question of our relations with Spain growing out of the Cuban question. That all messages heretofore received or which may hereafter be received from the President referring to this question be referred to said committee. That such committee be authorized to send for persons and papers, to take evidence, and to administer oaths to witnesses. That said committe be authorized to employ a clerk and one assistant, a stenographer and messenger, and that said committee report with as little delay as possible the true conditions which prevail in Cuba, what part of the Spanish debt is a burden to the revenues collected therein, the protection given to Americans and American interests in that island by the Spanish Government, the truth regarding the inhumanities and atrocities which have come to the knowledge of this body through semiofficial and other sources, and any other facts relating to this matter which, in the judgment of the committee, should be considered by Congress.

The committee will, with as little delay as practicable, recommend to Congress what action should be taken by this body. The committee shall have authority to report at any time.

It is very evident that Congress will soon receive communications from the President on the Cuban question, and I think every member of the House will agree that these communications should have calm and dispassionate and prompt consideration.

To accomplish this I think this joint committee of the Senate and House should be immediately appointed to investigate and report upon these important questions.

It is due to Congress and to the country that a committee should investigate and inform the House and Senate accurately upon this subject. We are informed that more than $400,000,000 of bonds have been issued by Spain, the interest and principal depending upon the revenues Spain can draw from Cuba. We are informed that the owners of these bonds are the principal force behind what is called "the conservative policy of the United States," which has prevented action on the part of this Government. The truth or falsity of these statements should be investigated and made known to Congress and to the country.

Let the committee be appointed; let us throw off the lethargy which has so long characterized Congress; let us, the representatives of a great people, realize our duty to Christianity and humanity, and let us proclaim our purpose in tones of thunder which will resound throughout the world.

It is my earnest hope that Spain will not force war upon us, but the action of that Government may finally create a condition making it necessary for Congress to act and say whether or not this condition is one of war.

The rules of the House provide that all proposed legislation—

relating to the military establishment and public defense shall be referred to the Committee on Military Affairs.

That legislation referring—

to the relations of the United States with foreign nations shall be referred to the Committee on Foreign Affairs.

Therefore each committee might claim that matters which refer to the impending controversy with Spain might be referred to either committee.

The joint committee from the Senate and House which I propose could act with the utmost promptitude, and prompt action might be a matter of great importance.

On June 1, 1812, the President's message recommending a declaration of war was received by the House. It was read and referred to the Committee on Foreign Relations. It was reported back to the House by Mr. Calhoun on June 3, 1812.

On June 18 the House received notice that the Senate had passed the bill, entitled:

An act declaring war between Great Britain and her dependencies and the United States and their Territories.

The House passed the bill the same day, and it was immediately approved by the President.

With regard to the Mexican war I find the following:

HOUSE OF REPRESENTATIVES, *January 27, 1846.*

Mr. Haralson, from the Committee on Military Affairs, reported a bill (No. 145) to authorize the President of the United States, under certain circumstances therein mentioned, to accept the services of volunteers, and for other purposes; which bill was read a first and second time, and committed to the Committee of the Whole House on the state of the Union.

On May 11, 1846, the President's message having been received, the bill was considered, amended, and passed, as follows:

MAY *11, 1846.*

"Whereas, by the act of the Republic of Mexico, a state of war exists between that Government and the United States:

"*Be it enacted by the Senate and House of Representatives of America in Congress assembled*, That for the purpose of enabling the Government of the United States to prosecute said war to a speedy and successful termination, the President be, and he is hereby, authorized to employ the militia, naval, and military forces of the United States, and to call for and accept the services of any number of volunteers, not exceeding 50,000, who may offer their services, either as cavalry, artillery, infantry, or riflemen, to serve twelve months after they shall have arrived at the place of rendezvous or to the end of the war unless sooner discharged; and that the sum of $10,000,000, out of any moneys in the Treasury or to come into the Treasury not otherwise appropriated, be, and the same is hereby, appropriated for the purpose of carrying the provisions of this act into effect."

It was decided in the affirmative—yeas 123, nays 67.

On July 15, 1861, Mr. John A. McClernand, of Illinois, then a member of the Committee on Ways and Means, and afterwards a major-general of the Army, introduced a resolution:

That this House hereby pledges itself to vote for any amount of money and any number of men which may be necessary to insure a speedy, etc.

This was, I believe, regarded as a resolution recognizing the existence of war. I also believe the Declaration of Independence was recognized as the act of the Colonial Congress, which gave the world to understand that war existed between the Colonies and Great Britain, though war had actually existed from April 19, 1775, the date of the battles of Lexington and Concord.

[Here the hammer fell.]

Mr. BOUTELLE of Maine. I move that debate on this section be closed.

Mr. CANNON. I desire to modify my amendment, and hope we may have a vote.

The SPEAKER. The gentleman can ask for the previous question at any time. The Clerk will report the amendment as now offered by the gentleman from Illinois [Mr. CANNON].

The Clerk read as follows:

Strike out all of section 1, after the word "to," in line 10, and insert in lieu thereof the words "twelve months' sea pay, without rations, of the grade or rating held by such person at the time the losses were incurred."

Mr. BOUTELLE of Maine. Mr. Speaker, I ask for a vote on the amendment.

The amendment was rejected.

Mr. BOUTELLE of Maine. With the view to expediting the action on this bill, as other business is waiting, I ask unanimous consent that any gentleman who desires to offer an amendment to the bill send it up and let it be voted on without further debate.

The SPEAKER. The gentleman asks unanimous consent that all amendments hereafter offered be voted upon without debate. Is there objection?

There was no objection.

The SPEAKER. The gentleman also asks that any amendment to be offered be sent up. Without objection, that will be done.

Mr. BOUTELLE of Maine. I suggest, Mr. Speaker, that the Clerk proceed with the reading of the bill.

Mr. LOUD. I move to amend section 2.

The SPEAKER. The Clerk will read section 2.

The Clerk read as follows:

SEC. 2. That the widow, child, or children, and in case there be not such, that the parent or parents, and if there be no parent, the brothers and sisters of the officers, enlisted men, and others who were lost in the destruction of said vessel, or who have died within one year from date of the disaster in consequence of injuries received in the destruction of said vessel, shall be entitled to and shall receive out of any money in the Treasury of the United States not otherwise appropriated, to wit, the relative, in the order named, of the persons heretofore referred to, a sum equal to twelve months' sea pay of the grade or rating of each person deceased as aforesaid: *Provided*, That the legal representatives of the deceased persons hereinbefore referred to shall also be paid from the Treasury of the United States any arrears of pay due the deceased at the time of their death.

The following amendments were recommended by the committee:

In line 5, after the word "died," insert the words "or who may die."

In line 15, after the word "death," insert the following:

"*Provided further*, That if any person who shall receive reimbursement under this act for losses incurred in said disaster shall die within the year in consequence of injuries incurred in the destruction of said vessel, the amount so paid shall be deducted from the amount of twelve months' sea pay (without rations) allowed to such beneficiary by virtue of this act of relief."

The SPEAKER. Without objection, unless a separate vote is desired, the Chair will put the question on the two amendments of the committee which have been reported to the House.

The amendments were agreed to.

Mr. BAILEY. Mr. Speaker, I desire to offer an amendment, to insert the word "dependent" before the word "parent," in line 2, of page 2, and also to insert the word "dependent" before "brothers," in line 3, section 2.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

In page 2, line 2, before the word "parent," insert the word "dependent;" and in line 3, before the word "brothers," insert the word "dependent."

Mr. BOUTELLE of Maine. That will embarrass the operations——

Mr. LOUD. Oh, well, if we are going to have debate on this, we must have it on both sides.

Mr. BOUTELLE of Maine. Thank you.

The question was taken on the amendment of Mr. BAILEY; and the Speaker announced that the noes appeared to have it.

Mr. BAILEY. I do not like to have a division on a question of this kind, but we must have it on that. I demand a division.

The House divided; and there were—ayes 60, noes 106.

Accordingly the amendment of Mr. BAILEY was rejected.

Mr. LOUD. I move to strike out, on page 2, section 2, line 2, after the word "parents," the words "and if there be no parents, the brothers and sisters."

Mr. BOUTELLE of Maine. The bill follows all precedent.

Mr. LOUD. Regular order!

The SPEAKER. The Clerk will report the amendment.

The amendment was read, as follows:

On page 2, line 2, after the word "parents," strike out the words "and if there be no parents, the brothers and sisters."

The question being taken, on a division (demanded by Mr. BAILEY) there were—ayes 58, noes 97.

Accordingly the amendment was rejected.

The SPEAKER. The Clerk will read.

Mr. BOUTELLE of Maine. Mr. Speaker, a parliamentary inquiry. Has the amendment at the bottom of page 2 been voted upon?

The SPEAKER. That has been adopted by the House. If there is no further amendment to section 2, the Clerk will read.

The Clerk read as follows:

SEC. 3. That the accounting officers of the Treasury be, and they are hereby, authorized to continue for a period of three months any allotments which may have been made in favor of any relatives of the degrees hereinbefore enumerated by any of the officers and men attached to the U. S. S. *Maine* who lost their lives in or in consequence of the disaster to that vessel: *Provided*, That the amount of the allotments so continued shall be deducted from the amount of twelve months' sea pay allowed to such beneficiaries by virtue of this act for their relief.

SEC. 4. That the relief granted by the provisions of this act shall be deemed and taken to be in full compensation for and in satisfaction of any and all claims whatsoever on account of losses or death by the destruction of the U. S. S. *Maine* on the part of the beneficiaries hereinbefore designated, except as to any rights of pension under existing law; and the methods of presenting and establishing said claims hereinbefore prescribed shall be followed in lieu of those prescribed by the acts or parts of acts heretofore enacted relating to the presentation of similar claims.

Mr. BOUTELLE of Maine. It is moved by the committee to strike out all that has been read of section 4, and insert.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all of lines 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, of section 4, and insert the following:

That the relief granted by the provisions of this act shall be in full satisfaction of any and all claims whatever on account of losses or death by the destruction of the U. S. S. *Maine;* and any claim which shall be presented and acted upon under the authority of this act shall be held to be finally determined and shall not in any manner thereafter be reopened, reconsidered, supplemented, nor be subject to appeal in any form; and the method of presenting and establishing said claims hereinbefore presented shall be followed in lieu of those prescribed by acts or parts of acts heretofore enacted relating to the presentation and allowance of similar claims: *Provided*, That nothing herein shall affect the right of any of the beneficiaries under this act to any pension to which they may be entitled under existing law after the expiration of one year from said 15th day of February, 1898.

Mr. HANDY. Mr. Speaker, I desire to offer an amendment to the amendment.

The amendment of Mr. HANDY to the amendment was read, as follows:

Insert in line 12, page 4, after the word "whatever," the words "against the United States."

Mr. BOUTELLE of Maine. On behalf of the committee, that amendment is accepted.

Mr. CANNON. Is that on the amendment to the amendment?

The SPEAKER. It proposes to amend the portion proposed to be inserted, in lieu of what is proposed to be stricken out. The Clerk will report the amendment proposed by the gentleman from Delaware.

The Clerk read as follows:

On page 4, line 12, after the word "whatever," insert the words "against the United States."

The amendment to the amendment was agreed to.

Mr. HANDY. Now, Mr. Speaker, I offer another amendment, to make that amendment consistent.

The Clerk read as follows:

In line 14, page 4, after the word "claim," insert the words "against the United States."

Mr. BOUTELLE of Maine. I accept the amendment.

The SPEAKER. The question is on agreeing to the amendment of the gentleman from Delaware.

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed and concluded.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONTESTED ELECTION—RICHARD A. WISE AGAINST WILLIAM A. YOUNG.

Mr. MESICK. Mr. Speaker, I desire to submit the report from the Committee on Elections No. 3 in the contested-election case of Richard A. Wise against William A. Young. I also wish to say that it is agreed by the members of the committee that the minority have leave to file their views in ten days.

The SPEAKER. The gentleman presents the report of the committee, the title of which will be read to the House.

The Clerk read as follows:

Contested-election case of Richard A. Wise against William A. Young.

The SPEAKER. The gentleman asks that the views of the minority may be filed within ten days. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. BRUMM. I move that the House resolve itself into Committee of the Whole.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House for the purpose of considering bills reported from the Committee on Claims.

Mr. UPDEGRAFF. I think, Mr. Speaker, unfinished business is next in order. I think there is nothing changing the order of business.

The SPEAKER. This is a special arrangement by the House that bills should be taken up which are reported from the Committee on Claims.

Mr. UPDEGRAFF. I think the order was simply that the business from the Committee on Claims should have precedence over business from the Committee on War Claims.

Mr. DALZELL. Oh, no.

Mr. UPDEGRAFF. There is nothing in the order that changes the ordinary order of business, and the motion to go into Committee of the Whole on Friday is only in order after disposing of unfinished business.

Mr. DALZELL. Mr. Speaker, the gentleman from Iowa is confusing two orders.

Mr. UPDEGRAFF. I think not.

Mr. DALZELL. There was an order made on Thursday that Monday be substituted for Friday, even to the extent of the Friday-night session.

Mr. BRUMM. That is correct.

Mr. UPDEGRAFF. That is all very true. There is nothing in the order, however, that changes the order of business.

Mr. BRUMM. Mr. Speaker, I understand that there is an unfinished matter, which was passed in the Committee of the Whole, on which the previous question is agreed to be asked for. It will take less time to dispose of it in that way than to discuss it.

The SPEAKER. Does the gentleman withdraw his motion?

Mr. BRUMM. No, Mr. Speaker; I am simply saying that I do not desire to antagonize the gentleman's position. It will take more time to do that than to acquiesce in it.

The SPEAKER. The Chair thinks the intention of the House was to give alternate Fridays for the consideration of reports from the different committees; but the Chair will hear the gentleman.

Mr. UPDEGRAFF. The regular order of business would be the unfinished business; that is, the unfinished business of the House, not the unfinished business of the Committee of the Whole. There is one bill that has been acted on in Committee of the Whole and has been put on the Calendar of Unfinished Business, and that is the unfinished business that the rule speaks of. The rule provides, if I quote it correctly, and I think I can, that after the unfinished business shall be disposed of on Friday it shall then be in order to entertain a motion to go into Committee of the Whole on the Private Calendar. There is nothing that has changed the rule in the order that was made. The order that was made in respect to the two Claims Committees simply assigned each of them a particular day.

Mr. DOCKERY. Let me suggest to my friend that any other construction by the Speaker would forbid the possibility of concluding unfinished business on every Friday.

Mr. UPDEGRAFF. I think there is not a particle of doubt about it.

Mr. LOUD. I do not think there is any doubt about what was the intent of the House when consent was given. I think, so far as I am concerned, gentlemen around me thought that each alternate Friday was to be given to the Committee on Claims; and if the unfinished business were to come over from the War Claims Committee, it could readily take up the whole day of the Committee on Claims.

The SPEAKER. The difficulty about the matter arises from the fact that the language used in the resolution only contemplates two different kinds of private bills which are to be considered by the House and by the committee, namely, those of war claims and other claims of a private nature.

Mr. WALKER of Massachusetts. General claims.

The SPEAKER. General claims. It takes no account of pensions or of bills from the Committee on Military Affairs, and simply provides how these reports shall have precedence. The reports from the Committee on Private Claims shall have precedence on certain days over war claims, and war claims over private claims on certain other days. Hence it must refer to action in committee; otherwise we are in no way enabled to take up pension claims all through the day. That seems to the Chair to be the crucial test, although the first impression was the other way. Therefore the Clerk will report the bills.

CLAIMS REPORTED BY ACCOUNTING OFFICERS.

The Clerk read House bill 1969, a bill for the allowance of certain claims reported by the accounting officers of the United States Treasury Department, which has previously been printed.

Mr. EVANS. Mr. Speaker, I ask for the previous question.

The previous question was ordered.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. EVANS, a motion to reconsider the vote by which the bill was passed was laid on the table.

STERLING P. AUSTIN.

The next unfinished business was Senate bill 1232, an act for the relief of the heirs of Sterling P. Austin, deceased.

The bill, which has previously been printed, was read by the Clerk.

Mr. UPDEGRAFF. Mr. Speaker, I ask for the previous question.

The previous question was ordered.

The bill was ordered to be read a third time; and being read a third time, was passed.

On motion of Mr. UPDEGRAFF, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. BRUMM. Mr. Speaker, I now renew my motion that the House go into Committee of the Whole House for the consideration of bills reported by the Committee on Claims.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. PAYNE in the chair) for the purpose of considering bills reported from the Committee on Claims.

The CHAIRMAN. The House is now in Committee of the Whole House for the purpose of considering bills reported from the Committee on Claims. The Clerk will report the first bill.

ISAAC P. TICE.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to retry and determine according to law and in equity the case of the administrators of Isaac P. Tice, deceased, against the United States, decided by the Supreme Court at the October term, 1873, and also to try and determine according to law and in equity the claims of said Tice and others for money collected on account of the Tice meters, but not paid over to him or them under the regulations of the Treasury, or based on contract with the United States; and that in said retrial and trials the statute of limitations shall not be available to the United States against the rights and claims of the estate of said Tice and others: *Provided, however*, That on the retrials or trials of said cases the United States or the claimant or claimants may offer in evidence any evidence given and filed in the prior trial, including the depositions of witnesses now on file in the Court of Claims or on the files of any of the committees of Congress in relation to the aforesaid matter, which

may be introduced as evidence in case of the death or disability of the deponents, together with such other material evidence as the United States or the claimant or claimants may wish to introduce; and the court shall render its judgment in favor of the administrators of said Tice, or in favor of the other persons or their estates, for such sums as may be found to be due and unpaid to said Tice or others on any of said accounts; and the amount of money necessary to pay any judgment or judgments that may be so rendered is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated: *Provided further*, That either party may appeal to the Supreme Court of the United States from the judgment of the said court.

The committee amendments were read, as follows:

On line 4, after the word "and," strike out the word "in."
On line 8, after the word "and," strike out the word "in."
On lines 17 and 18 strike out the word "including" and insert in lieu thereof the words "and also."
On line 23, after the word "introduce," insert the following:
"*Provided, however*, That all such evidence and depositions, allowed as aforesaid, shall be subject to all other legal objections."
Strike out, after the word "accounts," on line 27, the words "and the amount of money necessary to pay any judgment or judgments that may be so rendered is hereby appropriated out of any moneys in the Treasury not otherwise appropriated."

Mr. BRUMM. Mr. Chairman, the report is quite lengthy, and as my colleague, Mr. GRAFF, made the report, I surrender charge of the time to him.

Mr. GRAFF. Mr. Chairman, the facts of this case are these: Mr. Tice, now deceased, was the patentee of a meter for the purpose of gauging spirits and enabling the Government to collect the revenue tax for the manufacture of spirituous liquors. On March 18, 1867, Congress passed an act to authorize the Secretary of the Treasury to select and procure proper meters for the purpose of measuring spirits, and he was authorized by this law of 1867 to contract for such meters so selected by him and compel distillers to use these meters.

The facts show that the Tice meter was the best known at that time; that it was an automatic instrument which measured correctly both the proof and the quantity of spirits manufactured; that in pursuance of the act of March 18, 1867, on April 17, 1867, the Secretary of the Treasury entered into a contract with Isaac P. Tice by which he was authorized to manufacture these meters for the use of distillers, and in that contract it was provided that the Secretary of the Treasury could at any time abrogate the contract, and at the time he did so the Government should pay Mr. Tice the price of the meters then on hand, not exceeding twenty in number.

The contract went on until February 3, 1868, when Congress passed a resolution changing the law of 1867 by authorizing the Commissioner of Internal Revenue to make these contracts instead of the Secretary of the Treasury. Under the contract of 1867, the first contract made, it was provided that instead of the distillers, who were compelled to use the meters, paying Mr. Tice, they were compelled to deposit the price of the meter with the various collectors of internal revenue throughout the United States.

When the resolution of 1868 was passed, changing the party who represented the United States authorized to make the contract from the Secretary of the Treasury to the Commissioner of Internal Revenue, the provisions of the contract were changed in this respect only in that the price of the meters was to be deposited by the distiller with the Commissioner of Internal Revenue instead of the collectors of the various revenue districts; but the provision remained the same in the contract made in 1868 by the Commissioner of Internal Revenue as it did in the contracts of 1867 so far as it appertained to the Government being obliged, when they abrogated the contract, to pay to Tice for the meters then on hand not exceeding twenty.

June 8, 1870, the Commissioner of Internal Revenue, under the authority which he had under the contract, suspended the contract, but continued afterwards to use the meters to some extent. In 1871 he not only suspended the contract, but totally abrogated it, so it ceased to be in operation. After that, in 1873, two years after the final abrogation of the contract, Mr. Tice died. He had his claim in the hands of a well-known New York lawyer, who had in hand the evidence in the claim, but who about this time reached such a mental condition that he was incapable of acting as attorney for the claimant. He was taken to a sanitarium, and in the meantime an administrator was appointed for the estate of Isaac Tice.

The claim was presented in the Court of Claims against the Government by the estate of Tice. At the time this claim was presented the members of the House will remember that the attorney in whose hands the claims were and who had the special knowledge alone was is such a condition that he could give no information as to the proper evidence for the claimant to introduce in the Court of Claims. The widow of Tice did the best she could, and went before the Court of Claims, and the Court of Claims held that the act of 1868 repealed the law of 1867 and abrogated the contract made in 1867 and failed to give the Commissioner of Internal Revenue the authority to make a new contract.

In other words, they held that the last contract for meters made by the Commissioner of Internal Revenue was without authority, and therefore that the estate of Isaac P. Tice had no claim in law to recover a judgment for the meters then on hand. An appeal was taken to the Supreme Court of the United States. I have here both the decision of the Court of Claims and the decision of the Supreme Court.

The Supreme Court overruled the decision of the Court of Claims as to the law, holding that the act of 1868, changing the law of 1867, gave to the Commissioner of Internal Revenue full authority to make another contract; that the contract which the Commissioner made, continuing the old contract of 1867, was practically in full effect; but the Supreme Court also held that the showing of the claimants that there were fourteen of the meters in use on the 8th of June, 1871, was not sufficient evidence to enable them to recover a judgment on the contract, because the suspension of the contract in June, 1870, made it obligatory upon the claimants to show that the meters were on hand on the 8th of June, 1870, instead of June 8, 1871.

As will thus be seen, the Supreme Court of the United States held with the claimants so far as their right to recover under the law was concerned, but held also that the evidence was not sufficient to enable them to recover at that time for meters on hand.

The claimants then proceeded before Congress and obtained a favorable report from the Committee on Claims in the Forty-seventh Congress; also the same committee in the Fiftieth, the Fifty-first, the Fifty-fourth, and the Fifty-fifth Congresses reported favorably, and a number of committees in the Senate have also reported favorably on the bill.

The provisions of the bill simply provide for re-referring this case to the Court of Claims, enabling the court not only to decide whether the estate of Isaac P. Tice shall be entitled to damages under these contracts, but also enabling the court to find out who is legally entitled to the moneys now in the hands of the Government which have been collected for these various meters from the distilleries and which have not been disbursed; and also enabling the court, if the evidence should justify it, to give to the estate of Isaac P. Tice, or any others entitled thereto, damages equivalent to the price of the meters on hand June 8, 1870.

The bill also provides that the evidence which was heard before by the Court of Claims may be reheard upon the new trial, subject to all other legal objections. It enables the claimants to go before this court and prove their claim, if they are able to prove it. Those are the facts of the case in a nutshell.

Mr. DINGLEY. This, as I understand, is a claim under a contract?

Mr. GRAFF. Yes, sir.

Mr. DINGLEY. Therefore the claimant could have brought his suit in the Court of Claims?

Mr. GRAFF. Yes, sir.

Mr. DINGLEY. And he has so brought suit?

Mr. GRAFF. Yes, sir.

Mr. DINGLEY. And the court has held against him?

Mr. GRAFF. No, sir. The Court of Claims held that the claimants had no legal right under the contract; but the Supreme Court held that the contract was in full force and effect.

Mr. DINGLEY. He did not prove his claim.

Mr. GRAFF. He did not prove his claim, because there was a technical difficulty about proving that the meters were on hand at a certain date. For instance, the fact was established that a certain number of meters were on hand on the 8th of June, 1871, when the contract was finally abrogated; but the Supreme Court held that the claimants would be compelled to show that the meters were on hand on the 8th of June, 1870—a year before. This bill provides by its terms that these claimants shall have only the right to go before the Court of Claims and recover under the provisions of the law as laid down as the decision of the Supreme Court.

Mr. DINGLEY. What I do not quite understand is this: This being a claim against the Government of the United States under a contract, and the courts being open to the claimant, I do not understand why the court has not determined the claim, and why, there having been an appeal to the Supreme Court, the decision of the Supreme Court has not settled the matter.

Mr. GRAFF. The difficulty was not because of any invalidity in the contract, but because of difficulties placed in the way of the claimants at that time, with Isaac P. Tice just dead, and the attorney who had the papers in his possession being in such a state of mind and body that he could render the claimants no assistance.

Mr. DINGLEY. Is there any communication from the Commissioner of Internal Revenue showing the facts?

Mr. GRAFF. Yes, sir; that is embraced in the report.

Mr. DINGLEY. He raises no question as to the facts?

Mr. GRAFF. No, sir; and so far as the facts are concerned, it will be necessary for the claimants to establish them or they will not be able to recover. So far as the validity of the contract is concerned, that has been already determined by the Supreme Court of the United States.

It went before the Court of Claims just after the death of the

claimant himself. The claimant had no relatives except his widow. She was the administratrix of the estate. The lawyer who had charge of her claim had suddenly gotten into such a condition that he had to be taken to a sanitarium, and the papers in the case were not then obtainable by the parties whom she was compelled suddenly to employ for the purpose of attempting to protect her rights. Since that time the lawyer has entirely recovered, and he has now placed in her hands the evidence with which she thinks she can successfully prosecute her claim.

The Supreme Court overruled the decision of the Court of Claims as to the validity of the contract. That was the principal thing in the discussion before the Court of Claims, but the Supreme Court held that the evidence of the claimant, which showed conclusively that there were fourteen meters on hand June 8, 1871, was not sufficient, because they held that while the contract was suspended on June 8, 1870, and abrogated in 1871, the vital question was, What was the number of meters on hand the year previous, on June 8, 1870? Now, this bill provides that this case shall be tried in pursuance of the principles laid down by that Supreme Court decision, and refers to it.

Mr. EVANS. May I ask the gentleman a question?

Mr. GRAFF. Yes.

Mr. EVANS. What was the value of the meters on hand?

Mr. GRAFF. The meters differed in value. They ranged from $500 to $800. I will say further, with regard to the merits of these meters, that they increased the revenues of the Government very materially.

Mr. EVANS. That is a very grave question. They were not regarded as a success.

Mr. GRAFF. I will say that I think the gentleman from Kentucky will admit that meters could not be purchased except by buying the meters. They could not be bribed; and at that time, you know, the internal-revenue laws were not perfected as they are now.

Mr. EVANS. If I understand this bill, it has two objects—first, to have a readjudication of these questions, so far as they grew out of money paid by distillers to the United States for the benefit of the patentee——

Mr. GRAFF. Yes; and money now in the hands of the Government.

Mr. EVANS. Have you any idea how much money that is?

Mr. GRAFF. I can not say.

Mr. EVANS. And then, secondly——

Mr. GRAFF. It is certain that we can not recover any more than we can prove, and the Government has in its own possession what we have not. The Government has, to a cent, an account of every dollar that has ever been paid in which has not been paid out again to Mr. Tice and his representatives.

Mr. EVANS. I was about to say the bill has two objects. First, it gives jurisdiction to the Court of Claims to pass on the questions that grew out of the collection by the United States of money for the benefit of the patentee.

Mr. GRAFF. Yes.

Mr. EVANS. And then in addition to that——

Mr. GRAFF. The number of meters on hand in pursuance of the contract.

Mr. EVANS. And in addition to that it gives the Court of Claims jurisdiction to try the question, as based on contract with the United States.

Mr. GRAFF. Yes.

Mr. EVANS. Now, if I understand you, the Court of Claims took one view of the contract rights of the parties and the Supreme Court took another.

Mr. GRAFF. Yes.

Mr. EVANS. But that the patentee has in fact had his day in court.

Mr. GRAFF. He had his day in court——

Mr. EVANS. But by reason of this unavoidable accident to his attorney——

Mr. GRAFF. The claimant had died, and there was no one there except his widow. Her lawyer had been unfortunate, and she was in a position where she could not make the proof.

If no other gentleman desires to ask a question, I move that the bill be laid aside to be reported to the House with a favorable recommendation as amended.

The CHAIRMAN. The first question is on agreeing to the amendments reported from the committee.

The amendments recommended by the committee were agreed to.

Mr. DINGLEY. I understand this motion covers all the amendments recommended by the committee.

The CHAIRMAN. Yes. The amendments are agreed to. The question now is upon laying the bill aside to be reported to the House with a favorable recommendation as amended.

The motion was agreed to.

Accordingly the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HEIRS OF JOHN ROACH, DECEASED.

The next business was the bill (H. R. 628) to pay the heirs of the late John Roach, deceased, $330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*.

The bill was read, as follows:

Be it enacted, etc., That to carry out the provisions of the act making appropriations for the naval service for the fiscal year ending June 30, 1884 (22 Statutes, page 477), to pay to the legal representatives of John Roach, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $330,151.42, for labor and material and dockage furnished by said Roach, and detention and occupation of his yards and shops by the United States for the gunboats *Chicago*, *Boston*, and *Atlanta*, which sum is in full and final settlement of all claims and damages between the United States and said legal representatives of John Roach, deceased, growing out of the construction of said vessels.

The Committee on Claims recommended the following amendment:

In line 6, after the word "seventy-seven," insert "the Secretary of the Treasury be, and he is hereby, authorized and directed."

Mr. BRUMM. Mr. Chairman, I move to substitute the Senate bill, which is identical with this with the exception of the amendment just read.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BRUMM] asks unanimous consent to substitute the Senate bill.

Mr. BARTLETT. I object.

The CHAIRMAN. Objection is made.

Mr. BRUMM. I think I have the right to make that motion. Why does the gentleman object?

Mr. BARTLETT. I exercise my right as a member to object. I do not think this claim ought to be paid, and I am going to exercise all the rights I have to object to it.

Mr. STURTEVANT. Gentlemen have got their claim for Nashville, and they do not care about other honest claims.

Mr. RICHARDSON. The gentleman from Georgia [Mr. BARTLETT] does not live in Tennessee, or as near Tennessee as the gentleman from Pennsylvania.

Mr. BARTLETT. And I repel any such insinuation. I have no claim, and if I had, that suggestion is unworthy to be made upon this floor by any gentleman, and I repel it. It is absolutely without foundation and absolutely false. I would not do that.

Mr. BRUMM. I have made the motion to substitute.

Mr. COX. I think the gentleman has a right to do that.

The CHAIRMAN. The difficulty is whether it is not necessary to dispose of the House bill first.

Mr. GROSVENOR. Why not move to postpone the consideration of it?

Mr. BRUMM. I withdraw my former motion and move to postpone the consideration of the House bill.

Mr. COX. Has not the gentleman from Pennsylvania an absolute right to move to substitute the Senate bill in place of the House bill?

The CHAIRMAN. The Chair thinks not.

Mr. COX. I mean to move to take it up in lieu of the House bill.

The CHAIRMAN. This bill having been called up for consideration, the Chair thinks it must be disposed of.

Mr. BARTLETT. I call for the reading of the report on this bill.

Mr. BRUMM. I move to postpone the consideration of this bill for one week.

Mr. BARTLETT. I rise to a point of order. This bill having been read and being under consideration, I ask that the report of the committee be now read.

The CHAIRMAN. There is a prior motion. The gentleman from Pennsylvania [Mr. BRUMM] has moved that the consideration of this bill be postponed for one week.

Mr. BRUMM. I will make the motion that it be postponed until one week from next Friday.

The motion was agreed to.

Mr. BRUMM. Now I move that we take up the bill S. 1116.

Mr. BARTLETT. Can that be done except by unanimous consent?

The CHAIRMAN. Oh, yes; that can be done.

Mr. BRUMM. You did it in the Methodist book bill case.

Mr. BARTLETT. All right. I had nothing to do with the Methodist book case.

Mr. BRUMM. I am citing the precedent to you.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania.

The question being taken, Mr. BARTLETT demanded a division.

The committee divided; and there were—ayes 56, noes 2.

Mr. BARTLETT. I raise the point of no quorum.

Mr. BARTLETT subsequently withdrew the point.

Accordingly the motion to take up Senate bill 1116 was agreed to.

The bill was read, as follows:

Be it enacted, etc., That to carry out the provisions of the act making appropriations for the naval service for the fiscal year ending June 30, 1884 (22

Statutes, page 477), to pay to the legal representatives of John Roach, deceased, out of any money in the Treasury not otherwise appropriated, the sum of $330,151.42 for labor and material and dockage furnished by said Roach and detention and occupation of his yards and shops by the United States for the gunboats *Chicago*, *Boston*, and *Atlanta*, which sum is in full and final settlement of all claims and damages between the United States and said legal representatives of John Roach, deceased, growing out of the construction of said vessels.

Mr. MINOR. The gentleman from Missouri is a member of the committee and desires now to submit a statement to the House.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. ROBB. Mr. Chairman, I desire to call for the reading of the report, and in doing so to state that, while there is no minority report, the committee is not unanimous in favor of this bill.

The CHAIRMAN. The Chair understands that there is a House bill and a Senate bill. The report of the Senate bill is very brief. Is it that which the gentleman desires to have read, or the report on the House bill?

Mr. ROBB. The report of the House committee.

Mr. BRUMM. I think the House report ought to be read.

Mr. MINOR. The Senate bill is being considered. Is it not proper that the Senate report should be considered with it, and that that report be read to the House instead of the House report?

The CHAIRMAN. Just whatever the gentleman from Missouri calls for in his time. The Clerk will read the report.

The report (by Mr. MINOR) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 628) for the relief of the heirs of the late John Roach, deceased, for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*, have had the same under consideration and submit the following report:

Your committee are of opinion that the facts set forth in Senate Report No. 96, Fifty-fifth Congress, first session, are correctly stated, and adopt the same as their report, and recommend that the said bill be amended by adding in line 6, after the word "seventy-seven," the words "the Secretary of the Treasury be, and he is hereby, authorized and directed," and as amended the bill do pass.

[Senate Report No. 96, Fifty-fifth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1116) to pay to the heirs of the late John Roach, deceased, $330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*, having considered the same, submit the following report:

This claim was favorably reported by the Committee on Claims during the first session of the Fifty-fourth Congress, and passed the Senate during the second session. The report of that Congress (Senate Report No. 754) fully sets forth the facts in the claim, and your committee adopt that report and recommend the passage of the bill.

[Senate Report No. 754, Fifty-fourth Congress, first session.]

Mr. BURROWS, from the Committee on Claims, submitted the following report, to accompany S. 1181:

The Committee on Claims, to whom was referred Senate bill 1181, have considered the same and respectfully report as follows:

John Roach, on the 23d day of July, 1883, entered into three several contracts with the United States, represented by William E. Chandler, Secretary of the Navy, for the construction of three steam cruisers, the *Atlanta* and *Boston*, 3,000 tons displacement each, and the *Chicago*, 4,500 tons, to be completed and ready for inspection and delivery on or before the expiration of eighteen months from the date of said contracts, copies of which are to be found in Senate Executive Document No. 153, Forty-ninth Congress, first session, at pages 144–157.

Under and pursuant to the said contracts John Roach duly and promptly commenced the construction of each of the said three cruisers at the shipyard of the Delaware River Iron Shipbuilding and Engine Works, whereof he was the substantial owner, at Chester, in the State of Pennsylvania, and thereafter, and until the 18th day of July, 1885, faithfully prosecuted the construction of each of the said cruisers according to contract.

The construction of the said cruiser *Atlanta* had practically been completed before the said 18th day of July, 1885, except the fittings and machinery thereof, and she had on the 17th of November, 1884, been sent to New York to be completed at the shipyard and machine shop owned by John Roach, known as the Morgan Iron Works, in the city of New York, and she was on the said 18th day of July, 1885, in all respects as to machinery and otherwise, nearly completed and ready for delivery.

On that day the cruisers *Boston* and *Chicago* were still unfinished at the Chester shipyard, the *Boston* being much further advanced toward completion than the *Chicago*.

Each and all of the said cruisers would have been duly and properly completed by John Roach within the time limited by the contracts, to wit, January 23, 1885; but various changes in the plans and in the construction of each of the said cruisers and its machinery and equipments and fittings were made by the United States, and a large amount of extra work was required of the contractor in respect to each of them, which necessarily delayed the completion thereof beyond the said 18th day of July, 1885, without any fault or neglect on the part of John Roach.

The *Atlanta* was completed and removed from the Morgan Iron Works, New York, on June 28, 1886.

The *Boston* was completed and removed from the shipyard at Chester on August 28, 1886.

The *Chicago* was completed and removed from the shipyard at Chester June 21, 1887.

ATLANTA.

The time consumed in completing the *Atlanta* at the Morgan Iron Works by the Government was ten months and twenty-two days (from August 6, 1885, to June 28, 1886). Quintard and Weed, in their affidavits, state that this vessel could and should have been completed in four months, leaving for occupation of premises by *Atlanta* six months and twenty-two days.

The charge, as made by the executors of John Roach, for occupation by the *Atlanta* is five months instead of six months and twenty-days.

CHICAGO.

The time consumed in completing the *Chicago* at the Delaware Iron Shipbuilding and Engine Works by the Government was twenty-two months and fourteen days (from August 6, 1885, to June 21, 1887). Quintard and Weed, in their affidavits, state that this vessel could and should have been completed in seven months, leaving for occupation of premises by the *Chicago* fifteen months and fourteen days.

The charge, as made by the executors of John Roach, for occupation by the *Chicago* is thirteen months, instead of fifteen months and twenty-two days.

BOSTON.

The time consumed in completing the *Boston* at the Delaware Iron Shipbuilding and Engine Works by the Government was twelve months and twenty-two days (from August 6, 1885, to August 28, 1886). Quintard and Weed, in their affidavits, state that this vessel could and should have been completed in four months, leaving for occupation of premises by the *Boston* eight months and twenty-two days.

The charge of thirteen months for the *Boston* for occupation of the yard is made because the whole yard was occupied by the *Chicago*, and by this the expense is divided equally between the two vessels.

On the 30th of June, 1885 (see Annual Report of Secretary of the Navy, December, 1885, page 318), the Attorney-General rendered to the Secretary of the Navy his opinion that the contract with John Roach for the construction of the dispatch boat *Dolphin* was null and void (although at that date Roach had substantially completed her), on the ground that the contractor was not required by the contract to furnish a speed of 15 knots irrespective of the drawings furnished by the United States; and further, that suit should be brought to recover from him the installments, $315,000, received by him from time to time on the *Dolphin*.

The gist of this opinion was that he was bound to furnish a certain speed and at the same time to comply with drawings which he neither furnished nor controlled. Because this contract provided relief for the contractor from the speed provisions in case the defect was in the drawings, because the contract did not impose upon the contractor the penalty for the failures of the United States, the Attorney-General thought the contract was void from the beginning.

The promulgation of this opinion on the 12th of July, 1885, impaired and destroyed John Roach's financial credit, and inflicted on him such financial embarrassment that he became unable to continue and complete the cruisers *Atlanta*, *Boston*, and *Chicago*.

And on this account John Roach made an assignment to George W. Quintard and George E. Weed for the benefit of his creditors on the 18th of July, 1885. The works at New York employed 1,500 men, the shipyard at Chester 3,000 men, and the rolling mills and furnaces connected with these works employed 800 men. All of these vast works were closed for over four months by the enforced idleness caused by the action of the Government.

The works at Chester were capable of producing ten large-class steamers per year, or over 28,000 tons per year, and were valued at $1,000,000, and the furnaces alone for making the iron for the ships cost $250,000. (See United States Census Report for 1880.)

The Morgan Iron Works at New York were valued at $702,000, and they were all kept in enforced idleness by the Government.

John Roach died in the city of New York on the 10th day of January, 1887.

The said Quintard and Weed, as assignees as aforesaid, have practically executed and completed the trusts vested in them by the said general assignment, and have heretofore duly transferred and conveyed to the executors the assigned estate of the said John Roach, deceased, including the claim and demand herein set forth, and the executors aforesaid are now the lawful owners and holders thereof.

After the execution of the assignment for the benefit of creditors above mentioned, and on or about the 6th day of August, 1885, the Secretary of the Navy declared each one of the said three contracts forfeited, and declared that the rights of the United States under each of the same, and especially under the eleventh, twelfth, and thirteenth clauses of each of the said contracts, were operative, and gave notice of their intention in respect to the cruiser referred to therein to proceed to complete the same, and took charge of each of the said three cruisers and their machinery, with the materials and fittings constructed, furnished, or on hand for the purpose of their construction, and required and received from the said John Roach the surrender of the same and of the said two shipyards, and all their appliances and appurtenances, including the entire plant, as well at Chester, in the State of Pennsylvania, as in the city of New York, and all machinery, tools, and appliances appertaining thereto at each of the said places.

From the time of this forfeiture, August 6, 1885, until the 21st of June, 1887, the Morgan Iron Works at New York, its machine shop and wharves, remained under the control and custody of the Government, and the assignees were not allowed to take any other work.

Similarly from the 6th of August, 1885, until the 21st of June, 1887, the shipyard at Chester, with its whole plant, machinery, tools, wharves and dock, and appliances, remained in the custody and control of the United States until June 21, 1887.

But from and after this forfeiture and this declaration that the Government would complete the work, to wit, August 6, 1885, until November 9, 1885, no work was done or attempted by the Government, and no allowance for this delay is included in this bill.

These works were barred from taking any other work, and were conducted and run solely for the benefit of the United States.

By the terms of each of the contracts (clause 13) it was provided that in case the Secretary of the Navy should proceed under the twelfth clause of said contract to complete the work, such procedure should be without unnecessary delay; but, although the said Secretary of the Navy did proceed to complete the work, such procedure was not without unnecessary delay, but, on the contrary, was accompanied by great and unnecessary delay in the completion of said work, caused wholly by the fault of the United States.

On the 10th of November, 1885, Commander Robeson, acting under the instructions of the Secretary of the Navy, received the *Dolphin* at the Brooklyn Navy-Yard, and never again was the destructive opinion of the Attorney-General cited by any officer of the United States either as an exposition of law or as a ground for either action or inaction on the part of the United States. Concerning the general excellence of the *Dolphin* the Secretary of the Navy said, in his report of November 30, 1889 (pages 6 and 7):

"The record of the *Dolphin*, which vessel began with a speed of 15.11 knots on her contract trial, and which has recently returned from a cruise around the world, is not less satisfactory. The results of the inspection of the vessel, after she has been three years and nine months in commission, are reported by the board of inspection, under date of October 2, 1889, as follows:

"'The material used in the construction of this vessel and the workmanship speak well for the designers and the builders. Aside from the slight repairs to her bearings, she is ready for another cruise. By the most liberal estimates the work in the construction department can be done inside of a month. This, the first of the new Navy, makes a splendid showing for structural strength, fine material, and good care.'

"Her captain reports that she can average 14 knots an hour for any length of time, and under favorable circumstances she can run 16 at sea.

"In the course of her cruise the *Dolphin* has run 58,000 miles in twenty months, and has been under steam nine thousand hours. In this prolonged run she has been stopped for repairs but once, and then for only two hours. This performance is probably without a parallel in the history of naval vessels, and bears conclusive testimony to the high skill of American artisans and the excellence of their work. Nor is it the less remarkable, in view of the confident predictions with which, at the outset of her career, the official

condemnation of the vessel was somewhat prematurely pronounced by expert and inexpert judges.

"It is therefore proved by the test of actual cruising that the first modern experiments of the Department have come close to the highest standard of speed which had been reached at the date of their design, and that in structural strength, endurance, and workmanship they are not inferior to anything now afloat."

The cruiser *Atlanta* could and should, without unnecessary delay, have been completed by the United States on the 28th day of January, 1886, but in fact, by reason of the unnecessary delay on the part of the United States in the doing of said work, the same was not finished by the Government nor the cruiser taken from the yard by the Government until the 28th day of June, 1886.

The cruiser *Boston* could and should, without unnecessary delay, have been completed by the United States on the 1st day of April, 1886, but in fact, by reason of the unnecessary delay on the part of the United States in the doing of said work, the same was not finished by the Government nor the cruiser taken from the yard by the Government until the 28th day of August, 1886.

And the cruiser *Chicago* could and should, without unnecessary delay, have been completed by the United States on the 20th day of May, 1886, but in fact, by reason of the unnecessary delay on the part of the United States in the doing of said work, the same was not finished by the Government nor the cruiser taken by the Government until the 21st day of June, 1887.

During all of the time of said unnecessary delay the United States kept possession of the shipyard at Chester, which was, at that time, one of the largest and best equipped shipyards in the country, and embraced within it a foundry, machine shop, boiler shop, pattern shop, blacksmith shop, and joiner shop, and all the usual offices, store buildings, riggers' lofts, etc., requisite for a first-class shipyard, and the same was a complete and thoroughly furnished shipyard in every particular, and had the best modern appliances for every branch of its work, and the possession by the Government was absolute and complete during the whole of the time of said unnecessary delay.

The use of the plant and yard at Chester, with its tools, machinery, and equipment, together with the furnace and rolling mill, of which the Government so took and held possession, was worth the sum of $16,505.20 per month, and for the time of said unnecessary delay, to wit, from May 20, 1886, to June 21, 1887, the reasonable value of the use and occupation by the Government was at least the sum of $214,567.60.

The *Boston* and *Chicago* occupied the machine shop, boiler shop, plate shop, foundry, joiner shop, wharves, docks, shears, and storehouses, also the use of steam engines and boilers to run the boiler shop, foundry, machine shop, joiner shop, and shears, and coal consumed to run the various engines, engineers included, at Chester, during the unnecessary delay of enforced idleness by the acts of the Government. Seventeen tons of coal were consumed per day by the various engines in the yard.

The plant was one of the largest and best equipped in the United States, and embraced within it a machine shop equipped with the best and most modern appliances and tools that could be bought to build and equip a ship, from the pig iron to the smallest piece of material that is required in their construction. The machine shop was filled with the most costly tools skill could devise to build the engines, with the vast derricks and appliances, which cost hundreds of thousands of dollars.

The shipyard was capable of constructing 8 large ships at one time, with the boilers and engines to run the various tools.

The docking and wharf facilities were sufficient to accommodate 8 ships at a time, with the vast shears and derricks to put the boilers and machinery on board.

There was a large rolling mill near the premises, which was owned by Mr. Roach, where he made the largest steel and iron plates in the world.

At the Chester Works alone there were 18 engines of various sizes running and consuming coal, during the enforced idleness by the Government's not completing these vessels, as follows:

	Engines.
Machine shop	1
Joiner shop	1
Iron and brass foundry	1
Boiler shop	2
Riggers	3
Boat yard	3
Beam shop	1
Portable engines	2
Steamfitter's engine	1
Electric-light engines	3
Total	18

The shipyard and machine shop of John Roach, known as the Morgan Iron Works of New York, occupied about one and one-half blocks of land, extending from Avenue D east, to Ninth and Tenth streets, in the city of New York, with certain valuable wharfage privileges on the East River, and there were upon the premises a thoroughly equipped engine and machine shop, with a large forge, having capacity to do the largest work, such as propeller shafts and crank shafts, together with a fully equipped machine shop, boiler shop, pattern shop, foundries, office buildings, and stores, and had all needful conveniences for handling heavy machinery, and the cranes and derricks needful for putting the heaviest machinery into vessels.

The use of the plant and yard at New York, with its tools, machinery, and equipment, of which the Government so took and held possession for the *Atlanta*, was worth $6,602.08 per month, and for the whole time of said unnecessary delay, to wit, January 28, 1886, to June 28, 1886, the reasonable value of the use and occupation by the Government was at least the sum of $33,010.40.

For the completion of the said cruisers two corps of men were necessarily organized and employed as an office staff, one at the said shipyard at Chester, and one other at the said contractor's yard and machine shop in the city of New York, known as the Morgan Iron Works.

The compensation paid as wages to this corps of men at the said Morgan Iron Works amounted to the sum of $3,721.64 for each month, and for the whole time of the unnecessary delay, to wit, January 28, 1886, to June 28, 1886, $18,608.20.

The compensation paid as wages to the corps of men at Chester amounted to the sum of $4,061.64 for each month, and for the whole time of the unnecessary delay, to wit, May 20, 1886, to June 21, 1887, $32,801.32.

By each of the said contracts it was provided by the eighth clause thereof, which is identical in each of them, that the hull, machinery, and fittings embraced in the contract, and all materials and appliances provided for or to be used in the construction thereof, should be kept duly insured, which insurance should be renewed and increased from time to time by and at the expense of the contractor in an amount sufficient to cover all advance payments made under the contract, the loss, if any, to be stated in the policies as payable to the United States, and the insurance to be effected in such manner and in such companies as should be approved by the Secretary of the Navy.

During the unnecessary delay in completing the said cruiser *Atlanta*, to wit, from the 28th day of January to the 28th day of June, 1886, the sum of $1,417.50 was paid and expended for such insurance; and that during the unnecessary delay in completing the said cruiser *Boston*, to wit, from the 28th day of March, 1886, to the 28th day of August, 1886, the sum of $2,588.50 was paid and expended for such insurance; and that during the unnecessary delay in completing the said cruiser *Chicago*, to wit, from the 20th day of May, 1886, to the 21st day of June, 1887, the sum of $7,157.19 was paid and expended for such insurance.

The said several sums paid for insurance amount in all to $11,163.19, and the said last-mentioned sum was paid by the United States and claimed by it as a proper charge against the said cruisers, and the same was withheld and retained by the United States from the executors upon the settlement of accounts respecting the same as hereinafter mentioned.

No action has been had upon this claim, or upon any part thereof, by Congress or by any of the Departments of the United States Government.

The several claims embraced herein were presented to the Secretary of the Navy upon the settlement of the accounts concerning the three cruisers, *Atlanta*, *Boston*, and *Chicago*, hereinbefore mentioned; but he declined to take any cognizance thereof, or any part of the same, for the reason that he was not, in his judgment, authorized to pass upon or adjudicate such claims, and he settled and adjusted all the other matters in difference save those hereinabove mentioned concerning said accounts without prejudice to the right of the estate of John Roach "to apply for and receive such sum or sums as Congress or other proper tribunal might award or authorize to be paid on account of such claims."

By reason of the facts aforesaid the estate of John Roach has suffered damages as follows, to wit:

For withholding and detention of the said shipyard plant and its appurtenances at New York during the unnecessary delay in completing said cruiser *Atlanta*, the sum of	$33,010.40
For the amount of wages of the corps of men employed at New York on said last-named cruiser	18,608.20
For the amount of insurance premiums paid during the same delay on said cruiser *Atlanta*, the sum of	1,417.50
Total	53,036.10
For the withholding and detention aforesaid of the said shipyard plant and appurtenances at Chester during the unnecessary delay in completing the cruisers *Boston* and *Chicago*, the sum of	214,567.60
For the amount of wages of the corps of men employed at said Chester on said cruisers last named during said unnecessary delay, the sum of	52,801.32
For the amount of insurance premiums paid during the same delay on said cruisers *Boston* and *Chicago*, the sum of	9,745.69
Said last-named three sums amounting to	277,114.61

This outlay of $277,114.61 is divided between the *Boston* and *Chicago* as follows:

From the 2d of May, 1886, to the 28th of August, 1886 (three and a quarter months), the monthly expenditures of $16,505.20 for the shipyard and $4,061.64 for the clerical corps were expended on both the *Boston* and *Chicago*, and should be apportioned thus:

To the *Boston*		$33,421.11
To the *Chicago*		33,421.11
For the remaining nine and three-fourths months, from August 28, 1886, to June 21, 1887, to the *Chicago* alone, $20,566.84 per month		200,526.69
Three and one-fourth months		33,421.11
Insurance on the *Chicago*, thirteen months		7,157.19
		241,104.99
Boston	$33,421.11	
Boston, insurance	2,588.50	
		36,009.61
Total		277,114.60

RÉSUMÉ.

On the *Atlanta*	53,036.10
On the *Boston*	36,009.61
On the *Chicago*	241,104.99
In all	330,150.71

And the United States, under the terms of the several contracts, are lawfully indebted to the estate of John Roach in the several sums hereinbefore mentioned, amounting in all to the sum of $330,150.71.

In August, 1890, a settlement was effected between the assignees of John Roach on the one hand and the Secretary of the Navy on the other of all matters of difference between the parties except the claim of the assignees for the prolonged use of the yards and shops of the contractor, the claim for the necessary outlay for the staff at each yard during the prolonged term, and the insurance for the same period; and the Secretary of the Navy deciding that he was without jurisdiction to pass upon and adjust said matters of difference, it was expressly stipulated that—

"Nothing in this release contained shall be construed to prejudice the right of said assignees or of the estate of the party of the first part to apply for and receive such sum or sums of money as Congress or the Court of Claims or other proper tribunal may award or may authorize to be paid on account of such claims."

The Richmond Locomotive Works, of Richmond, Va., filed a claim in the Navy Department for losses on account of delay, caused by the acts of the Government, in building the engines of the *Texas*, and the Department has awarded them $80,049.35, which amounted to $157 per day. In this allowance they have allowed $8,740.24 for interest.

The Committee on Naval Affairs have passed on the allowance and recommended an appropriation in the deficiency bill for its payment. The proprietors of the locomotive works filed affidavits in the Department setting forth their loss. (See House Document No. 92, Fifty-fourth Congress, first session.)

Wherefore your committee recommend the passage of the bill.

Your committee beg leave to submit herewith the memorial of John B. Roach and William F. McPherson, executors, etc., and also the affidavits of George E. Weed and George W. Quintard, to which reference is made in connection with and as a part of this report.

—

MEMORIAL OF JOHN B. ROACH AND WILLIAM F. M'PHERSON.

To the Senate and House of Representatives
of the United States of America in Congress assembled:

The memorial of John Baker Roach and William Futhey McPherson, executors of the last will and testament of John Roach, deceased, respectfully represents:

That John Roach, on the 23d day of July, 1883, entered into three several

contracts with the United States, represented by William E. Chandler, Secretary of the Navy, for the construction of three steam cruisers to be completed and ready for inspection and delivery on or before the expiration of eighteen months from the date of said contracts, copies of which are to be found in Senate Executive Document No. 153, Forty-ninth Congress, first session, at pages 144 to 157.

These cruisers were named, respectively, the *Atlanta*, *Boston*, and *Chicago*. The *Atlanta* and *Boston* were to have a displacement of 3,000 tons and the *Chicago* a displacement of 4,500 tons.

Under and pursuant to the said contracts John Roach duly and promptly commenced the construction of each of the said three cruisers at the shipyards of the Delaware River Iron Shipbuilding and Engine Works, whereof he was the substantial owner, at Chester, in the State of Pennsylvania, and thereafter and until the 18th day of July, 1885, faithfully prosecuted the construction of each of the said cruisers pursuant to the terms of the several contracts respecting the same.

The construction of the said cruiser *Atlanta* had practically been completed before the said 18th day of July, 1885, except the fittings and machinery thereof, and she had on the 17th of November, 1884, been sent to New York to be completed at the shipyard and machine shop owned by John Roach, known as the Morgan Iron Works, in the city of New York, and she was on the said 18th day of July, 1885, in all respects, as to machinery and otherwise, nearly completed and ready for delivery.

On that day the cruisers *Boston* and *Chicago* were still unfinished at the Chester shipyard, the cruiser *Boston* being much further advanced toward completion than the cruiser *Chicago*.

(2) Each and all of the said cruisers would have been duly and properly completed by John Roach within the time limited by the contracts, to wit, January 23, 1885, but various changes in the plans and in the construction of each of the said cruisers, and its machinery and equipments and fittings, were made by the United States, and a large amount of extra work was required of the contractor in respect to each of them, which necessarily delayed the completion thereof beyond the said 18th day of July, 1885, without any fault or neglect on the part of John Roach.

(3) On the 30th of June, 1885 (see Annual Report of Secretary of the Navy, December, 1885, page 318), the Attorney-General rendered to the Secretary of the Navy his opinion that the contract with John Roach for the construction of the dispatch boat *Dolphin* was null and void (although at that date Roach had substantially completed her), on the ground that the contractor was not required by the contract to furnish a speed of 15 knots, irrespective of the drawings furnished by the United States; and further, that suit should be brought to recover from him the installments, $315,000, received by him from time to time on the *Dolphin*.

The gist of this opinion was that he was bound to furnish a certain speed and at the same time to comply with drawings which he neither furnished nor controlled. Because this contract provided relief for the contractor from the speed provisions, in case the defect was in the drawings; because the contract did not impose upon the contractor the penalty for the failures of the United States, the Attorney-General thought the contract was void from the beginning.

The promulgation of this opinion on the 12th of July, 1885, impaired and destroyed John Roach's financial credit, and inflicted on him such financial embarrassment that he became unable to continue and complete the cruisers *Atlanta*, *Boston*, and *Chicago*.

(4) On the 18th day of July, 1885, John Roach, who was carrying on business at said Chester, in the State of Pennsylvania, and also in the city of New York, in the State of New York, by reason of said financial embarrassment made a general assignment in due form of law for the benefit of creditors of all of his property and rights to George W. Quintard and George E. Weed, and the said assignment was thereafter duly recorded, and the said Quintard and Weed, as well in the State of New York as in the State of Pennsylvania, were duly and lawfully vested with all the rights and interests of the said John Roach, in and under the said contracts and each of them.

(5) John Roach thereafter, and on the 10th day of January, 1887, died in the city of New York, having by his last will and testament, dated the 20th day of November, 1886, appointed John B. Roach and William F. McPherson and George E. Weed and Garrett Roach executors, and the said will was duly admitted to probate by the surrogate of the city and county of New York, and thereafter, and on the 21st day of June, 1888, said John B. Roach and William F. McPherson duly qualified as executors as aforesaid, and from thenceforward continued to act and are now acting as the only executors of the said last will and testament. George E. Weed did not qualify as such executor, nor has he acted or assumed to act as such, and said Garrett Roach died before the said will was admitted to probate.

(6) The said Quintard and Weed, as assignees as aforesaid, have practically executed and completed the trusts vested in them by the said general assignment, and have heretofore duly transferred and conveyed to your memorialists the assigned estate of the said John Roach, deceased, including the claim and demand set forth in this memorial, and your memorialists, as executors as aforesaid, are now the lawful owners and holders thereof.

(7) After the execution of the assignment for the benefit of creditors above mentioned, and on or about the 6th day of August, 1885, the Secretary of the Navy declared each one of the said three contracts forfeited, and declared that the rights of the United States under each of the same, and especially under the eleventh, twelfth, and thirteenth clauses of each of the said contracts, were operative and gave notice of their intention in respect to the cruiser referred to therein to proceed to complete the same, and took charge of each of the said three cruisers and their machinery, with the materials and fittings constructed, furnished, or on hand for the purposes of their construction, and required and received from the said John Roach the surrender of the same and of the said two shipyards and all their appliances and appurtenances, including the entire plant, as well at Chester, in the State of Pennsylvania, as in the city of New York, and all machinery, tools, and appliances appertaining thereto at each of said places.

(8) After taking possession of said yard and machine shop at New York, the Secretary of the Navy proceeded to the completion of the work upon the said cruiser *Atlanta*, and for that purpose took and held possession of the yard, plant, machinery, tools, and appliances appertaining thereto, at said city of New York, until the 28th day of June, 1886.

The Secretary of the Navy, after taking possession as aforesaid, proceeded to the completion of the work upon each of said cruisers *Boston* and *Chicago*, and for that purpose took and held possession of said yard, plant, machinery, tools, and appliances appertaining thereto, at said Chester (and said New York City), until the 21st day of June, 1887.

(9) By the terms of each of the contracts, as expressed in the thirteenth clause of each of the same, it was provided that in case the Secretary of the Navy should proceed under the twelfth clause of said contract (which is identical in each of said contracts) to complete the work, such procedure should be without unnecessary delay; but although the said Secretary of the Navy did proceed to complete the work, such procedure was not without unnecessary delay, but, on the contrary, was accompanied by great and unnecessary delay in the completion of said work, caused wholly by the fault of the United States.

On the 10th of November, 1885, Commander Robeson, acting under the instructions of the Secretary of the Navy, received the *Dolphin* at the Brooklyn Navy-Yard, and never again was the destructive opinion of the Attorney-General cited by any officer of the United States, either as an exposition of law or as a ground for either action or inaction on the part of the United States. Concerning the general excellence of the *Dolphin*, the Secretary of the Navy said, in his report of November 30, 1889 (pages 6 and 7):

The record of the *Dolphin*, which vessel began with a speed of 15.11 knots on her contract trial, and which has recently returned from a cruise around the world, is not less satisfactory. The results of the inspection of the vessel, after she has been three years and nine months in commission, are reported by the board of inspection, under date of October 2, 1889, as follows:

"The material used in the construction of this vessel and the workmanship speak well for the designers and the builders. Aside from the slight repairs to her bearings, she is ready for another cruise. By the most liberal estimates the work in the construction department can be done inside of a month. This, the first of the new Navy, makes a splendid showing for structural strength, fine material, and good care.

"Her captain reports that she can average 14 knots an hour for any length of time, and, under favorable circumstances, she can run 16 at sea.

"In the course of her cruise the *Dolphin* has run 58,000 miles in twenty months, and has been under steam nine thousand hours. In this prolonged run she has been stopped for repairs but once, and then for only two hours. This performance is probably without a parallel in the history of naval vessels and bears conclusive testimony to the high skill of American artisans and the excellence of their work. Nor is it the less remarkable in view of the confident predictions with which, at the outset of her career, the official condemnation of the vessel was somewhat prematurely pronounced by expert and inexpert judges.

"It is therefore proved by the test of actual cruising that the first modern experiments of the Department have come close to the highest standard of speed which had been reached at the date of their design, and that in structural strength, endurance, and workmanship they are not inferior to anything now afloat."

(10) Your memorialists are informed and believe that the cruiser *Atlanta* could and should, without unnecessary delay, have been completed by the United States on or about the 28th day of January, 1886, but that in fact, by reason of the unnecessary delay on the part of the United States in the doing of said work, the same was not finished nor the cruiser taken by the Government until on or about the 28th day of June, 1886.

(11) Your memorialists are informed and believe that the cruiser *Boston* could and should, without unnecessary delay, have been completed by the United States on or about the 1st day of April, 1886, but that in fact, by reason of the unnecessary delay on the part of the United States in the doing of said work, the same was not finished nor the cruiser taken by the Government until on or about the 28th day of August, 1886.

(12) And, as your memorialists are informed and believe, that the cruiser *Chicago* could and should, without unnecessary delay, have been completed by the United States on or about the 20th day of May, 1886, but that in fact, by reason of the unnecessary delay on the part of the United States in the doing of said work, the same was not finished nor the cruiser taken by the Government until on or about the 21st day of June, 1887.

(13) During all of the time of said unnecessary delay the United States kept possession of the shipyard at Chester, which was at that time one of the largest and best-equipped shipyards in the country, and embraced within it a foundry, machine shop, boiler shop, pattern shop, blacksmith shop, and joiner shop, and all the usual offices, store buildings, riggers' lofts, etc., requisite for a first-class shipyard, and the same was a complete and thoroughly furnished shipyard in every particular and had the best modern appliances for every branch of its work, and that the possession by the Government was absolute and complete during the whole of the time of said unnecessary delay.

(14) The use of the plant and yard at Chester, with its tools, machinery, and equipment, of which the Government so took and held possession, was worth the sum of $16,505.20 per month, and for the whole time of said unnecessary delay, to wit, from May 20, 1886, to June 21, 1887, the reasonable value of the use and occupation by the Government was at least the sum of $214,567.60.

The *Boston* and *Chicago* occupied the machine shop, boiler shop, plate shop, foundry, joiner shop, wharves, docks, shears, and storehouses, also the use of steam engines and boilers to run the boiler shop, foundry, machine shop, joiner shop, and shears, and coal consumed to run the various engines, engineers included, at Chester, during the unnecessary delay of enforced idleness by the acts of the Government.

The plant was one of the largest and best equipped in the United States, and embraced within it a machine shop equipped with the best and most modern appliances and tools that could be bought to build and equip a ship, from the pig iron to the smallest piece of material that is required in their construction. The machine shop was filled with the most costly tools skill could devise to build the engines, with the vast derricks and appliances, which cost hundreds of thousands of dollars.

There was a large foundry equipped with cranes, blast furnaces, ovens, and all appliances to make the largest castings used for constructing the engines and machinery for the vast establishment.

Blacksmith shop with trip hammers, furnaces, and forges of all classes, where the heaviest and lightest forgings were made for the various parts of the engines as well as the hull and rigging of the ships.

The joiner shop, where all the cabins are prepared and completed before they are put together on the ships, were large and commodious and contained many of the most costly woodworking tools in the United States.

In the rigging lofts, where all the rigging for the ships is fitted before it is put on the ships, there were many costly appliances for the various kinds of work of this class.

The pattern shop and mold loft were equipped with all modern devices, so that the molds for the hulls of the ships and the patterns for the engines as well as the hulls could be all made before the vessels were commenced in the shop and shipyard.

The shipyard was capable of constructing eight large ships at one time, with the boilers and engines to run the various tools.

The docking and wharf facilities were sufficient to accommodate eight ships at a time, with the vast shears and derricks to put the boilers and machinery on board.

There were large furnaces in the yard, used for heating the frames and plates; plating and bending machines, used for frames and plating; and a great part of it was covered with buildings fitted with punches, shears, drills, rolls, bending machines of the most modern design, as well as engines and boilers to run the machinery and the various tools.

The storehouses and offices of the works were constantly used by the Government in completing these ships.

The shipyard and all its appliances were complete and of modern design, so that every branch of the work could be done in one yard.

There was a large rolling mill near the premises, which was owned by Mr Roach, where he made the largest steel and iron plates in the world.

All those shops, with all their appliances, were in the possession of the Government during all this time of enforced idleness and delay by the arbitrary and unjust acts of the Navy Department.

At the Chester works alone there were eighteen engines of various sizes

running and consuming coal during the enforced idleness by the Government's not completing these vessels, as follows:

	Engines.
Machine shop	1
Joiner shop	1
Iron and brass foundry	1
Boiler shop	2
Riggers	3
Boat yard	3
Beam shop	1
Portable engines	2
Steam-fitter's engines	1
Electric-light engines	3
Total	18

With the usual number of engineers and firemen in charge of the same.

These engines consumed 17 tons of coal per day, or 5,000 tons a year, which amounted to about $25,000 per annum, or over $2,000 per month for coal alone.

The valuation of the shipyard and appurtenances at Chester, by the assignees, was $750,000.

There were 41.08 acres of land, including docks and wharves, in the shipyard alone, or 1,800,000 square feet.

The valuation of the Morgan Iron Works, at New York, and appurtenances, by the assignees, was $702,000.60.

Description.—The United States Census Report of 1880 contained the following description of this establishment of John Roach's works at Chester, Pa., and the number of tons of ships he constructed at his yard per year, as follows:

"At Chester, Pa., there is one large yard, the property of John Roach & Son, of New York. In 1868 the founder of this business, after a long experience as a boiler and machine builder in New York, had bought the Morgan Iron Works of that city, a large establishment at the foot of Ninth street, on the East River, in which most of his machinery has since been built. In 1872 Mr. Roach bought a large property at Chester and developed there a great iron shipyard, his first vessel being launched in 1873. It has always been a busy yard, producing regularly not less than four and sometimes as many as ten large-class steamers a year. The largest American steamships afloat came from these works. The yard itself is the most important one in the United States.

"The plant at Chester is elaborate, complete, and of the very first order, and represents an investment of about $1,000,000. The works cover about 70 acres of ground, and have a front of 2,500 feet on the Delaware River. The river is over a mile wide at this point, with depth enough to float the largest steamer of the present day. Building slips have been substantially constructed on heavy piling, making accommodations for the building of ten large vessels at once, and the docks and wharves have been furnished with shears and hoisting engines for masting vessels and putting aboard the boilers and machinery. A short distance below the shipyard proper, and located on the river bank, are the Chester rolling and steel mills and a blast furnace, the latter with a capacity of 700 tons per week. The furnace alone cost $250,000.

"These works are owned by the proprietors of the shipyard, cover about 30 acres, and employ 800 men; and it is not too much to say that they constitute the best plant in the United States for making plates and armor of iron and steel and steel castings. It is an interesting fact that at these two establishments, owned by one firm, iron and steel ships can be created, beginning with the ore itself and ending with the finished steamer completely equipped for sea. Every part of the work is done by the one firm, and it is believed that this is the only establishment in the world possessing such complete facilities.

"In the ten years from 1873 to 1882, both inclusive, the total tonnage built by John Roach & Son aggregated about 148,000 tons, the average being 14,800 per year; the largest product in any one year 28,190 tons.

"The success of this yard has been due to qualities on the part of its founder which have characterized the leading shipbuilders of America in a marked degree—energy, a fertile mind, and remarkable ingenuity in adapting vessels to the trade in which they were to be employed.

"A special study would be made of the kinds of cargoes carried by the vessels in a particular coasting route, and an idea would be framed of a ship which would carry more of the given varieties of goods on a lighter draft of water and at a faster rate of speed than the vessels already in the trade. This idea would be worked out in a ship in which the builder would take perhaps a quarter interest, in order to show his confidence in it. His operations have been in the main successful, and the two establishments have at times been employed to their full capacity.

"Fifteen hundred men can be employed in the works at New York and about 3,000 at Chester. It is one feature of the operations of the firm that measures are taken to secure willing work from the men. They are encouraged to be inventive by a system of rewards and promotions. Furthermore, the personnel of the shipyard is kept at a high grade of character by the constant recruiting of young men of mechanical education who are fresh from school and are given a chance to go into the yard and rise."

(15) The shipyard and machine shop of John Roach known as the Morgan Iron Works, of New York, occupied about one and a half blocks of land, extending from Avenue D east to Ninth and Tenth streets, in the city of New York, with certain valuable wharfage privileges on the East River, and there were upon the premises a thoroughly equipped engine and machine shop, with a large forge, having capacity to do the largest work, such as propeller shafts and crank shafts, together with a fully equipped machine shop, boiler shop, pattern shop, foundries, office buildings, and stores, and had all needful conveniences for handling heavy machinery, and the cranes and derricks needful for putting the heaviest machinery into vessels.

(16) The use of the plant and yard at New York, with its tools, machinery, and equipment, of which the Government so took and held possession for the *Atlanta* was worth $6,602.08 per month, and for the whole time of said unnecessary delay, to wit, January 28, 1886, to June 28, 1886, the reasonable value of the use and occupation by the Government was at least the sum of $33,010.40.

(17) As your memorialists are informed and believe, for the completion of the said cruisers, two corps of men were necessarily organized and employed as an office staff, one at the said shipyard at Chester and one other at the said contractor's yard and machine shop in the city of New York, known as the Morgan Iron Works.

The corps of men employed at the said Morgan Iron Works consisted of the following, to wit:

	Per month.
1 general superintendent and draftsman	$400
1 superintendent of machinery	400
1 chief accountant	400
1 assistant accountant	250
1 time clerk	140
1 foreman machine shop	240
1 foreman pattern shop	180
1 foreman boiler maker	220
1 foreman blacksmith	220
1 foreman coppersmith	225
1 foreman joiner	220
1 foreman of riggers and laborers	220
1 draftsman	240
A writer	150
A store man and messenger	87

The compensation paid as wages to this corps of men at the said Morgan Iron Works amounted to the sum of $3,721.64 for each month, and for the whole time of the unnecessary delay, to wit, January 28, 1886, to June 28, 1886, $18,608.20.

At the Chester yard the corps consisted of:

	Per month.
General superintendent	$400
Assistant superintendent	250
Master shipwright	265
Chief accountant	400
Assistant accountant	250
Another assistant accountant	150
Timekeeper	140
A writer	150
Foreman machine shop	220
Foreman blacksmith	220
Foreman coppersmith	220
Foreman carpenter	220
Foreman joiner	220
Foreman mold loft	220
Foreman of riggers and laborers	220
Foreman foundry	220
Foreman boat yard and plate shop	220
Store man and messenger	87

As well as laborers, teams, and all the appliances of the vast establishment and their uses.

The compensation paid as wages to this corps of men at the said Chester works amounted to the sum of $4,061.64 for each month, and for the whole time for the unnecessary delay, to wit, May 20, 1886, to June 21, 1897, $52,801.32.

(18) By reason of the delay in completing the work upon the said cruiser *Atlanta* the employment of the said corps above mentioned at the New York yard was continued to the 28th day of June, 1886, and for at least five months beyond the time necessary to complete the said *Atlanta* at said New York shipyard, and the same was charged against and withheld from your memorialists by the United States, the same being claimed by it as a portion of the expense needful for the completion of the said cruiser, and the total outlay so imposed upon the contractor by the United States was the sum of $18,608.20.

(19) By reason of the delay in completing the work upon the said cruisers *Boston* and *Chicago*, the employment of the said corps above mentioned at the Chester yard was continued until the 21st day of June, 1887, and for at least thirteen months beyond the time necessary to complete the said *Boston* and *Chicago* at said Chester shipyard, and the same was charged against and withheld from your memorialists by the United States, the same being claimed by it as a portion of the expenses needful for the completion of the said cruisers, and the total outlay imposed upon the contractor by the United States was the sum of $52,801.32.

(20) By each of the said contracts it was provided by the eighth clause thereof, which is identical in each of them, that the hull, machinery, and fittings embraced in the contract, and all materials and appliances provided for or to be used in the construction thereof, should be kept duly insured, which insurance should be renewed and increased from time to time by and at the expense of the contractor in an amount sufficient to cover all advance payments made under the contract, the loss, if any, to be stated in the policies as payable to the United States, and the insurance to be effected in such manner and in such companies as should be approved by the Secretary of the Navy.

During the unnecessary delay in completing the said cruiser *Atlanta*, to wit, from the 28th day of January to the 28th day of June, 1886, the sum of $1,417.50 was paid and expended for such insurance; and that during the unnecessary delay in completing the said cruiser *Boston*, to wit, from the 28th day of March, 1886, to the 28th day of August, 1886, the sum of $2,588.50 was paid and expended for such insurance; and that during the unnecessary delay in completing the said cruiser *Chicago*, to wit, from the 20th day of May, 1886, to the 21st day of June, 1887, the sum of $7,157.19 was paid and expended for such insurance.

The said several sums paid for insurance amount in all to $11,163.19, and the said last-mentioned sum was paid by the United States and claimed by it as a proper charge against the said cruisers, and the same was withheld and retained by the United States from your memorialists upon the settlement of accounts respecting the same, as hereinafter mentioned.

(21) No action has been had upon this claim, or upon any part thereof, by Congress or by any of the Departments of the United States Government.

The several claims embraced herein were presented to the Secretary of the Navy upon the settlement of the accounts concerning the three cruisers, *Atlanta*, *Boston*, and *Chicago*, hereinbefore mentioned, but he declined to take any cognizance thereof, or any part of the same, for the reason that he was not, in his judgment, authorized to pass upon or adjudicate such claims; and he settled and adjusted all the other matters in difference, save those hereinabove mentioned concerning said accounts, without prejudice to the right of your memorialists above mentioned, or the estate of the said John Roach, to apply for and receive such sum or sums as Congress or other proper tribunal might award or authorize to be paid on account of such claims.

(22) Your memorialists herein, to wit, the said John B. Roach and William F. McPherson, as executors of the last will and testament of said John Roach, deceased, are the owners of the said claims and the only persons interested therein, and that the said executors became interested therein by virtue of the last will and testament of said John Roach, deceased, hereinbefore mentioned, and of their appointment and qualification as executors and of the assignments aforesaid.

No assignment or transfer of said claims, or of any part thereof, or of any interest therein, has been made except as stated in this memorial.

Your memorialists are justly entitled to the amount herein claimed from the United States after allowing all just credits and offsets.

(23) By reason of the facts aforesaid your memorialists have suffered damages as follows, to wit:

For withholding and detention of the said shipyard plant and its appurtenances at New York during the unnecessary delay in completing said cruiser *Atlanta*, the sum of	$33,010.40
For the amount of wages of the corps of men employed at New York on said last-named cruiser	18,608.20
For the amount of insurance premiums paid during the same delay on said cruiser *Atlanta*, the sum of	1,417.50
Total	53,036.10

For the withholding and detention aforesaid of the said shipyard plant and appurtenances at Chester during the unnecessary delay in completing the cruisers *Boston* and *Chicago*, the sum of	$214,567.60
For the amount of wages of the corps of men employed at said Chester on said cruisers last named during said unnecessary delay, the sum of	52,801.32
For the amount of insurance premiums paid during the same delay on said cruisers *Boston* and *Chicago*, the sum of	9,745.69
Said last-named three sums amounting to	277,114.61

This outlay of $277,114.61 is divided between the *Boston* and *Chicago*, as follows:

From the 2d of May, 1886, to the 28th of August, 1886 (three and one-fourth months), the monthly expenditures of $16,505.20 for the shipyard and $4,061.64 for the clerical corps was expended on both the *Boston* and *Chicago*, and should be apportioned thus:

To the *Boston*	$33,421.11
To the *Chicago*	33,421.11
For the remaining nine and three-fourths months, from August 28, 1886, to June 21, 1887, to the *Chicago* alone, $20,566.84 per month	200,526.60
Three and one-fourth months	33,421.11
Insurance on the *Chicago*, thirteen months	7,157.10
	241,104.99
Boston	$33,421.11
Insurance	2,588.50
	36,009.61
Total	277,114.60

RÉSUMÉ.

On the *Atlanta*	53,036.10
On the *Boston*	36,009.61
On the *Chicago*	241,104.90
In all	330,150.70

And your memorialists claim that under the terms of the three several contracts hereinbefore mentioned the United States are lawfully indebted to your memorialists in the several items of damages last mentioned, amounting in all to the sum of $330,150.71.

(24) In August, 1890, a settlement was effected between the assignees of John Roach on the one hand and the Secretary of the Navy on the other, of all matters of differences between the parties except the claim of the assignees for the prolonged use of the yards and shops of the contractor, the claim for the necessary outlay for the staff at each yard during the prolonged term, and the insurance for the same period; and the Secretary of the Navy deciding that he was without jurisdiction to pass upon and adjust said matters of difference, it was expressly stipulated that "nothing in this release contained shall be construed to prejudice the right of said assignees or of the estate of the party of the first part to apply for and receive such sum or sums of money as Congress or the Court of Claims or other proper tribunal may award or may authorize to be paid on account of such claims."

JOHN BAKER ROACH, *Executor.*
WILLIAM FUTHEY McPHERSON, *Executor.*

STATE OF PENNSYLVANIA, *County of Delaware, ss:*

Before me, a notary public in and for the aforesaid State and county, personally came John Baker Roach, who, being by me duly sworn, says that the statements contained in the foregoing memorial are just and true, to the best of his knowledge and belief.

Given under my hand and seal this 22d day of January, A. D. 1896.

[SEAL.] WM. B. HARVEY, *Notary Public.*

STATE OF NEW YORK, *County of New York, ss:*

Before me, a notary public in and for the aforesaid State and county, personally came William Futhey McPherson, who, being duly sworn, says that the statements contained in the foregoing memorial are just and true, to the best of his knowledge and belief.

Given under my hand and seal this 27th day of January, A. D. 1896.

[SEAL.] HENRY D. WINANS,
Notary Public, New York County.

AFFIDAVIT OF GEORGE E. WEED.

STATE OF NEW YORK, *County of New York, ss:*

Before me, a notary public in and for the city of New York and county of New York, personally came George E. Weed, who, being by me duly sworn, saith:

I have been in the business of engine and ship building for thirty years. I was familiar with the condition of the steel cruisers *Atlanta*, *Boston*, and *Chicago* at the time John Roach made his assignment, and, in my opinion, these vessels could have been completed in much less time and at much less expense than they were.

The *Atlanta* and *Boston* were nearly completed when the Government took charge, and, in my judgment, with the facilities that were at the disposal of the Government, these vessels should have been completed in four months each. I have visited the Delaware River Iron Ship Building and Engine Works, where these vessels were under construction, and where the *Boston* and *Chicago* were completed, and am very familiar with their extent and capacity as well as their value.

I have also visited the Morgan Iron Works, at the foot of Ninth street, East River, New York City, and in my opinion a fair and reasonable rental for the Morgan Iron Works, with their machinery, wharves, derricks, and appliances, during the years 1885 and 1886, at the time the *Atlanta* was being completed at said works, was at least $167 per day. In my judgment a similar rental of the Delaware River Iron Ship Building and Engine Works was at least $400 per day during the years the *Boston* and *Chicago* were being completed there by the Government, for both vessels.

During the completion of these vessels by the Government there were certain fixed charges which remained the same whether the work was diligently pushed or not. This we would call the permanent staff, and their pay would continue on days when no work was done or when one-third or one-half of the necessary workmen were employed. During the prolonged term for the completion of these vessels, rendered necessary by the delays of the Government, the daily and monthly cost of a staff was incurred at each of the yards and its cost was charged against John Roach. In my judgment, the cost of this organization at the Morgan Iron Works during the prolonged period was $90.19 per day, and at the Delaware River Iron Ship Building and Engine Works it was $98.43 per day.

I have no interest, direct or indirect, in the claim of the executors of John Roach, deceased, against the United States on account of the cruisers *Atlanta*, *Boston*, and *Chicago*.

GEO. E. WEED.

In testimony whereof I hereunto set my hand and notarial seal this 25th day of February, A. D. 1896.

[SEAL.] JOE W. SWAINE, *Notary Public.*

(Certificate filed in New York County.)

AFFIDAVIT OF GEORGE W. QUINTARD.

STATE OF NEW YORK, *County of New York, ss:*

Before me, a notary public in and for the city and county of New York, personally came George W. Quintard, who, being by me duly sworn, saith:

I have been in the business of constructing engines and building ships for over forty years; for about twenty years I was owner and proprietor of the Morgan Iron Works, on the East River, at the foot of Ninth street, in the city of New York, until they were sold to the late John Roach.

I was familiar with the condition of the steel cruisers *Atlanta*, *Boston*, and *Chicago* at the time John Roach made his assignment, and together with George E. Weed, my coassignee, I supervised their completion by the Government of the United States. In my opinion, these vessels could have been completed in much less time and at much less expense than they were. The *Atlanta* and *Boston* were nearly completed when the Government took charge, and in my judgment, with the facilities that were at the disposal of the Government, these vessels should have been completed in four months each. I have visited the Delaware River Iron Ship Building and Engine Works, where these vessels were under construction and where the *Boston* and *Chicago* were completed, many times, and am very familiar with their extent and capacity as well as their value.

I am familiar with most of the shipyards in the country and know their value. In my opinion a fair and reasonable rental for the Morgan Iron Works, with their machinery, wharves, derricks, and appliances, during the years 1885 and 1886—at the time the *Atlanta* was being completed at said works—was at least $167 per day. In my judgment, a similar rental of the Delaware River Iron Ship Building and Engine Works was at least $400 per day during the years the *Boston* and *Chicago* were being completed there by the Government, this price being for both vessels.

During the completion of these vessels by the Government there were certain fixed charges which remained the same, whether the work was diligently pushed or not. This we would call the permanent staff, and their pay would continue on days when no work was done or when one-third or one-half of the necessary workmen were employed. During the prolonged term for the completion of these vessels, rendered necessary by the delays of the Government, the daily and monthly cost of a staff was incurred at each of the yards and its cost was charged against John Roach.

In my judgment, the cost of this organization at the Morgan Iron Works during the prolonged period was $90.19 per day, and at the Delaware River Iron Ship Building and Engine Works it was $98.43 per day.

I have no interest, direct or indirect, in the claim of the executors of John Roach (deceased) against the United States on account of the cruisers *Atlanta*, *Boston*, and *Chicago*.

GEO. W. QUINTARD.

In testimony whereof I hereunto set my hand and notarial seal this 25th day of February, A. D. 1896.

[SEAL.] JOE W. SWAINE, *Notary Public.*

(Certificate filed in New York County.)

STATE OF NEW YORK, *County of New York, ss:*

Before me, a notary public in and for the city of New York and county of New York, personally came George E. Weed and George W. Quintard, who, being by me duly sworn, say:

We were perfectly familiar with the condition of the steel cruiser *Chicago* at the time John Roach made his assignment and at the time the Government took charge to complete the same, and in our judgment, with the facilities that were at the disposal of the Government, this vessel could have been completed in seven months from the time the Government so took charge.

GEO. W. QUINTARD.
GEO. E. WEED.

In testimony whereof I hereunto set my hand and notarial seal this 10th day of March, A. D. 1896.

[SEAL.] JOE W. SWAINE, *Notary Public.*

Mr. BRUMM. I have an amendment which I wish to have read and considered pending conforming the Senate bill to the House bill just as it was passed in the committee.

The Clerk read as follows:

Insert in line 6, after the word "seven," the following:

"That the Secretary of the Treasury be, and is hereby, authorized and directed;" so that it will be "directed to pay to the legal representatives," etc.

Mr. BRUMM. Mr. Chairman, I surrender as much time to the gentleman from Tennessee [Mr. COX] as he wishes to consume in reference to this bill.

Mr. COX. Mr. Chairman, I have no knowledge or acquaintance with anybody connected with this bill, and all the information I have is from a thorough investigation of the matter when I was a member of the Committee on Claims. To go into the details as set out in the report would consume much more time than I desire to take, and indeed I do not think it would be of any profit to the House. The whole case can be summed up about this way: When these contracts were made with Mr. Roach to build these several vessels, there was that ironclad statement inside the contracts, usually inserted in all these contracts. Time was required in which to complete the building of the vessel.

Mr. Roach went to work with an immense outlay for his machinery and his yard and the necessary instruments to complete the work (and they were immense), and change after change was made by the Government in altering the construction of these vessels, and not only in executing or carrying out the changes was delay caused, but in making and arranging these changes in the vessels necessary time was consumed. There arose in the country some sort of claim that you older members on the floor will remember, and a kind of scandal grew out of the transaction. The Government seized the man's property, took it into its possession, and proceeded to complete the vessels that he had made a contract to build.

Now, one of the vessels, the *Dolphin*, though I have not read the report since I made it in a preceding Congress, was completed substantially when they took charge of his work. That vessel, as shown by every naval officer who has spoken of the matter, is probably one of the most successful and best vessels that we have. Her record is not surpassed in naval history. So the whole question worked itself down to this: Should the Government be permitted to take charge of the property of a private citizen in the execution of contracts? Put it as strong as you please. Assume, if you want to, that Mr. Roach had forfeited his contract legally; the only thing the Government had the right to do was to declare the contracts forfeited and proceed upon its obligation to collect from the builder any damage the Government had sustained. I submit that legal proposition to any lawyer who will reflect one moment. But that is not what the Government did.

Mr. ROBB. Will the gentleman allow me to ask him a question?

Mr. COX. Certainly.

Mr. ROBB. Do I understand the gentleman to take the position that in the contracts the Government had for the building of these ships, upon failure of Roach or his representatives to complete the ships within the time specified, the Government was not authorized to take possession of and complete the ships?

Mr. COX. Do I understand the purport of the question to mean that because a man forfeits his contract with the United States, that confers upon the United States the power to confiscate private property without compensation? Is not that the purport of the question? Why, I have said in effect before that because a man forfeits a contract to the United States he does not become an outlaw.

Mr. BRUCKER. I would like to ask the gentleman this question. I have not read the contract, and the report does not give the terms of the contract.

Mr. COX. The contract is a part of the report.

Mr. BRUCKER. The contracts provided, did they not, that in case of forfeiture the Government would have the right to take possession? That is the practice usually between the party and the Government.

Mr. COX. Not so strong as that. If I remember the contract——

Mr. BRUCKER. You are familiar with the terms of the contract.

Mr. COX. I said that I had not read that for two or three years; but suppose you are right. We will never have any trouble about a point when we agree upon it on either assumption. Now, suppose the contract did provide that unless the vessels were completed within a certain time, the Government should have the right to take possession of private property and complete the vessel. Would you, as a lawyer, say that the Government had a right under any contract to seize the property and use it without compensation?

Mr. BRUCKER. I will answer the gentleman's question. I will answer it in this way: I will ask you whether or not you are familiar enough with the terms of the contract to state whether upon forfeiture the Government had the right to take possession of the property for completing the vessels? If the contract is broad enough to give them that right, I would answer your question yes, because that was a part of the contract relations between the parties.

Mr. COX. I understand the gentleman to mean that if A contracts with the Government that unless he does a certain thing, a certain piece of work, at an exact time, the Government may take charge of his property. What does that mean in law? It means the surrender of the property to the Government for the completion of the contract; but does it mean that the Government may seize and take his property without compensation?

Mr. RIXEY. Will the gentleman allow me to ask him a question?

Mr. COX. Yes.

Mr. RIXEY. As I understand, the contract provided that if the shipbuilder, Mr. Roach, was unable to complete these contracts, the Government had the right to take possession of his yard and go on and complete the contract, and then to pay him for building the ships. On the 18th of July, 1885, John Roach made an assignment, and in that way it became apparent that he could not complete the building of the ships.

Mr. COX. That occurred after they took possession of the shipyards.

Mr. BRUMM. After the trouble had arisen and the loss had been sustained.

Mr. RIXEY. Allow me to complete my question.

Mr. COX. Is it a question or is it an argument?

Mr. RIXEY. I am asking you a question. John Roach made an assignment on the 18th of July, and it became apparent that he could not complete these ships. Now, I say it was for the interest of John Roach that the Government should take possession of the shipyard and complete the ships so John Roach could get his money. The contract so provided. Now, I would like to hear from the gentleman from Tennessee whether that is a confiscation of property?

Mr. COX. That would be very well if they had paid Roach for the use of his property,

Mr. RIXEY. They did pay him every dollar of the contract price for building the ships.

Mr. BRUCKER. Did not they give him credit for the contract price of the ships, and charge him with the cost of completing the ships?

Mr. COX. No; that is not it.

Mr. BRUMM. Yes; that is right, in terms.

Mr. COX. One part of it is right, and in the other it is wrong.

Mr. RIXEY. The trouble is that the gentleman [Mr. COX] has not read the facts of the case.

Mr. COX. The trouble with the gentleman from Virginia [Mr. RIXEY] is that he does not understand the facts after he does read them. Suppose the Government did seize the works, and suppose they occupied them in completing the ships and then paid Roach for the construction of the vessels the full contract price. That is putting the question of the gentleman from Virginia as strong as it can be. Is not that all you can ask [to Mr. RIXEY]?

Mr. RIXEY. Is not that all anyone can ask?

Mr. COX. They seized the property and kept it beyond a reasonable time in which the ships could be completed.

Several MEMBERS. That is right.

Mr. RIXEY. I think the gentleman is mistaken about the seizing of the property. The Government called for a surrender of the property under the contract. Roach surrendered it, and the Government went on and completed these ships and then paid John Roach every dollar of the contract price. This claim is on the Government because the Government did not use expedition in completing the ships, and they claim compensation for the use of the yard longer than the Government ought to have consumed in completing the vessel.

Mr. COX. That is what I said. I ask you if that is true, that they seized the property and completed the ships, if Roach did get the contract price that he was to receive, would you insist that they could hold that man's property for an unnecessary length of time? If they could do it, they could hold it forever.

Mr. BRUMM. They held it seventeen months and ten days.

Mr. COX. Yes, over and above the time the Government contends was necessary for the completion of the vessel.

Mr. RIXEY. What is the evidence that they held the property longer than they ought to have held it?

Mr. COX. You can get the evidence from any naval report that you read. Here it is here; I will hand it to you.

Mr. BRUMM. The gentleman from Virginia has read it.

Mr. RIXEY. Yes; I have read that letter; I understand it, and the evidence depends on that of two gentlemen who are the assignees of John Roach's estate.

Mr. COX. Oh, no.

Mr. RIXEY (continuing). And in their opinion these ships ought to have been completed in less time, and that is the whole foundation of the claim.

Mr. BRUMM. The ships were complete within about 10 or 12 per cent, and yet the Government took to finish the ships a number of months more than Mr. Roach agreed to build the ships in the beginning.

Mr. RIXEY. Let me ask the gentleman a question.

Mr. COX. You are taking up my time.

Mr. BURKE. I want to ask the gentleman one question. How long has this claim been pending?

Mr. COX. Ever since the transaction occurred; passed from one Congress to another.

Mr. BURKE. I see it says on page 7 of the report that no action upon this claim has ever been taken by Congress.

Mr. COX. That means that Congress has never voted to allow it. It has passed the Senate two or three times. It has been up every Congress, but the claim was not reached.

Mr. BURKE. What facts are presented to the House, that they should vote away $300,000 upon this claim? I will ask the chairman, in justice to the committee, to state them.

Mr. BRUMM. I propose to do that in my own time. I do not want to take up the time of the gentleman from Tennessee [Mr. COX].

Mr. COX. I will give way to anybody that can talk so much better than I can. Here is the whole point. You may talk about it from now until to-morrow night, but it will come down to this: The Government seized the property. They took possession of these very valuable works—as the evidence showed, probably no such valuable works in the United States—and when they took possession of the property, if they had completed the ships and turned the property back to the owner of it, there would have been some plausibility in the argument against the allowance of this claim.

The evidence in this case, if gentlemen will examine it, shows that the Government held this property for seventeen months,

when there was no necessity for holding it, during the completion of these ships. There is the point in this case.

Mr. RIXEY. That is the very thing that we deny.

Mr. COX. I am not responsible for the gentleman's denial. That is the point I make. The evidence is here.

Mr. LOW. Allow me to make this suggestion: The very moment the Government took charge of that shipyard, it ceased to be a private yard and became a Government yard, the employees working only eight hours a day, while in a private yard they would work ten hours a day.

Mr. BRUCKER. Did not Mr. Roach, when he entered into this contract with the Government, take into view the probability that if he should fail in carrying out his contract, the Government would assume control of the work and that the working time of the employees would be limited to eight hours a day?

Mr. COX. If gentlemen will allow me to occupy the floor a little longer, they can then have it as long as they please.

Now, let me make another supposition—I can not stop to read the evidence: Suppose, when this contract had been made and the specifications filed, the parties agreed that the Government might change the plans of construction, so that the work could not be completed within the time specified in the contract by reason of the delays resulting from these changes. In that case, who was responsible? Mr. Roach? Will any lawyer say that he was? I say the Government was responsible. And when Mr. Roach did substantially complete one of the vessels and turn it over to the Government, there was not a word of complaint about it. That vessel, as I said a moment ago, has proved one of the best vessels we have in the Navy.

I am willing to leave this question with any gentleman who will reflect a moment. I know that some of us are in the habit of getting up here sometimes and fighting these claims. I have been accused of fighting very earnestly for a claim the other day. But I do not mind any charge of that sort. In my view the payment of a claim should depend upon whether it is right or not, I do not care where it may come from. I think the claim bill which we passed the other day was right. I think this claim is right, in whatever view you may take of it. Whatever delay occurred as to completing these ships within the time specified in the contract was because the Government changed the plans of construction; and when delay had thus occurred by an act of the Government itself, it seized this man's property and completed the vessels itself, holding the property seventeen months unnecessarily and without one word of justification.

Mr. BRUCKER. I should like to ask the gentleman a question. I notice that the report speaks about——

Mr. COX. Did the gentleman ever read the report?

Mr. BRUCKER. I listened very carefully to the reading of it. I undertook to obtain a copy of the report, but I find that the copies at the document room are exhausted.

The question I was about to ask is this: This report speaks about extra work put upon these vessels. I understand that all of this extra work was settled for, that the assignees were compensated by the Department. Can the gentleman tell us how much the Government paid for that extra work?

Mr. COX. I do not think it will be found that any compensation paid included a single item as to the delay which had been caused by the Government in this matter.

Mr. BRUCKER. That is not my question.

Mr. COX. The gist of this complaint does not lie in that; the important fact is that when the Government took possession of this property it detained it seventeen months unnecessarily.

Now, what does it propose to do? To go back on Mr. Roach and enforce all the penalties against him because of the delay; it is proposed to make him responsible for all that delay. And when some consideration is asked for Mr. Roach on account of the delay which the Government caused, the answer is made that the Government had a right to delay the work as long as it chose. [Applause.]

Mr. BRUCKER. Will the gentleman answer my question?

Mr. COX. I will if I can.

Mr. BRUCKER. The question I asked was this: How much did the Government pay Roach or his assignees over and above the contract price for extra work?

Mr. COX. Suppose they paid him everything that could be claimed?

Mr. BRUCKER. I am asking how much?

Mr. COX. I do not remember. I do not know whether anything was paid.

Mr. RIXEY. The gentleman said just now that the Government had enforced penalties against Mr. Roach.

Mr. COX. It did.

Mr. RIXEY. I should like the gentleman to state when, where, and to what amount.

Mr. COX. Did not the Government enforce the penalty against Mr. Roach when he could not complete the ships in time, and when it took possession of the property?

Mr. BRUMM. Allow me to say that the penalty imposed with reference to the *Dolphin* is not paid yet.

Mr. RIXEY. Let me say in reply——

Mr. COX. Well, Mr. Chairman, I did believe that I had the floor, but other gentlemen seem to think differently, so I yield to the gentleman from Virginia any time I have left, in order that he may make his own speech.

Mr. BRUMM. I yield to the gentleman from Wisconsin [Mr. MINOR] a member of the committee.

Mr. MINOR. Mr. Chairman, in this case I have done something I never did before in my life. I have committed what I have to say to writing. But permit me to say this is a claim that ran over a period of some three or four years and involves several million of dollars. This was an historical case. I think there were very few people in the United States who did not at the time take an interest in what was considered an unfortunate affair, a calamity for this country. By preparing this argument as I have I believed I could give a fairly complete history of the case in a concise manner and preserve a continuity that seems desirable for the purposes of this claim.

I have attempted in collating the evidence here to establish the claim, not upon the testimony of the claimant, but upon the records in the Navy Department. And when I get through with this case I shall ask this House, if I have established it to their satisfaction, to vote to concur in this bill.

I reported this claim to the Fifty-fourth Congress. I again reported it to this Congress, and I have become so much interested in it, believing as I do that it is absolutely meritorious, that I should dislike very much to see it defeated. It is a case that appeals to the hearts and the consciences of all honest, fair-minded people in this country, and I am glad, Mr. Chairman, that we can approach this claim divested of all partisanship, and that that political aisle may not divide us when our votes are recorded for or against this claim.

It will be necessary for me, in order to establish the basis for this claim, to discuss those unfortunate occurrences that led up to it. I shall therefore briefly refer to the dispatch boat *Dolphin*, and I shall take that matter up from the time the Government entered in the contract with Roach and discuss it in such a manner that I believe every member who listens to my voice will agree that John Roach was unjustly treated by this Government of ours.

COMPENSATION TO ROACH'S HEIRS FOR DELAYS BY THE GOVERNMENT.

The bill pending before the committee is one to compensate the legal representatives of Roach for the labor furnished and the use and occupation of his yards and shops in the completion of the three cruisers, the *Atlanta*, *Boston*, and *Chicago*, during the delays by the Government. In the consideration of this case there is no question except the prolonged use of his yards and docks and the continued expense to Roach of what are called the fixed charges, including insurance.

Mr. Roach found it necessary July 18, 1885, to make an assignment for the benefit of his creditors. This resulted from obstacles which he encountered in the construction of the dispatch boat *Dolphin*, for which obstacles he was in no wise responsible.

I know, Mr. Chairman, that the question will naturally be asked by members of this House, Why did John Roach make this assignment and where did his embarrassment find birth? I have implicit faith in the cause I represent, and the faith that is in me prompts me to see to it that all the facts in this case be laid bare to the members of this body. Therefore I propose to give a brief history of the unfortunate events that transpired during the time John Roach was engaged in the construction of the dispatch boat *Dolphin*.

A contract with John Roach for the construction of the *Dolphin* was made on the 23d day of July, 1883, after provision of law of March 3 had been complied with so far as inviting proposals was concerned.

This contract was entered into by John Roach for $315,000, instead of $400,000, as had been estimated by the advisory board, a saving of $85,000 over the estimate of this board and $65,000 below the next lowest bidder.

Mr. Roach proceeded at once to build this dispatch boat in accordance with the contract. As evidence of the inefficiency of the Navy Department at that date and the impractical and crude notions of what constituted a modern ship such as was desired, there were thirty-six changes made in the original plan of the hull and thirty-eight changes were made in the machinery of this vessel. Besides these thirty-six changes in the hull and thirty-eight changes in the machinery, numerous changes were made from time to time during the construction of the boat.

But not a single change was made either in hull or machinery that was not suggested or approved of by the Naval Advisory Board and the Secretary of the Navy. The act of Congress approved March 3, 1883, making appropriations for the construction of the *Dolphin*, also created "a Naval Advisory Board," something entirely new in naval architecture, an experiment that was then entered upon by that Congress. The peculiar wording of

this act transferred from the Secretary of the Navy much of the power, discretionary and otherwise, that theretofore had vested in this official. In fact, so far as the construction of ships was concerned, the board had really more power than the Secretary of the Navy.

It had more power than the Secretary of the Navy, because the board was created to advise with the Secretary of the Navy and to supervise construction, inspect material, and to prevent any metal from entering into the construction of this boat until it had passed under their eye and met with their approval. Not only that, but the Secretary of War absolutely could not conclude a contract with a private citizen of this country without the approval of that advisory board. So that practically the hands of the Secretary of the Navy were tied by this board.

At this point I desire to emphasize the fact that not a pound of metal entering into the construction of the *Dolphin* was used by Roach till it had been inspected and passed by this board; not a single rivet was driven, except under their eye; not a particle of material was put in position and fastened there that did not in all respects meet the requirements of the contract and the approval of this board. The Naval Advisory Board was supreme and all powerful. Roach, the contractor, was its servant, made so by conditions in the contract.

And I want to reenforce this point, that the board was continually there and they had supreme authority, and that Roach was bound by the contract to abide their judgment and obey their orders. Let no officer of this Government or citizen thereof say that there is anything wrong with the dispatch boat *Dolphin* and that Roach, the contractor, was responsible for that defect, and in the same breath exonerate the representatives of the Navy Department, who were at that time on the ground and in full charge and supervision of this work.

It is a well-known fact that at this time this country was entering upon a new policy involving the construction of modern, powerful ships of war, that would be equal in efficiency, if not better, than any ships theretofore constructed by any maritime power in the world. But there was much to learn in order to reach the desired perfection in the construction of these ships. We all felt that we must necessarily pass through an experimental, as well as educational, stage in order to obtain the best results. We believe that our Naval Department and our naval officers were as efficient as any to be found in any other part of the world, but there is no question but what our naval officers know a great many things now in reference to the construction of great modern ships of war that they have learned by actual experience since 1882.

Mr. Roach was unfortunate in this, that he was compelled to deal with the chosen representatives of this Government at a period of time when this great evolution in the construction of our naval ships was going on. That period in our naval history is now happily passed.

The Naval Department can now prepare plans and specifications and supervise in a proper manner the construction and equipment of the grandest ships that the world has ever seen, but it has cost many a contractor very dearly to educate this Department of our Government up to its present condition of efficiency. It is unfortunate that private individuals who entered into contracts with the Government to construct ships should have been required to bear the expense of educating naval officers up to their present high standard. It is not altogether to the credit of this Government that many of its citizens have been crushed and ruined by the mistakes and incompetency of the chosen representatives of a rich and powerful nation.

John Roach prosecuted the work on the *Dolphin* with all the dispatch possible in view of the constant changes in material, hull, and machinery construction; every change ordered by the advisory board brought its annoyances and delays, and these changes were constant and never-ending.

Roach had but twelve months in which to complete this vessel, so that the annoyances and delays that were constantly consuming time were bringing him dangerously near to the point where delay in the completion of the contract might have been taken advantage of by the Secretary of the Navy, as provided for in the eleventh and twelfth clauses of the contract.

Notwithstanding all the annoyances, delays, and prejudices on the part of representatives of the Navy Department, this vessel was substantially finished, and was ready for its trial trip, and did make its first official trial trip, on the 20th day of November, 1884.

On this trip the steel shaft broke, and the vessel was compelled to return to her dock in order that an iron shaft could be put in the boat—just what Roach had insisted on from the beginning.

The breaking of this steel shaft was just what Roach feared; but it was put there by the Department over his protest.

On the trial trip of November 20, 1884, the Naval Advisory Board in their report stated that except for the breaking of the shaft the vessel would have been recommended for acceptance. And by fair dealing the vessel should have been accepted and full payment made, as provided for in the contract.

The advisory board was always present during the progress of the work on the *Dolphin*. There was also present a corps of inspectors, so that not a blow was struck, not a bolt driven, a rivet headed, or a movement made except under the eye of a representative of the Government. Every plan and all specifications were prepared or approved by the Government. Every piece of material entering into the construction of this hull or its machinery was there, as provided in the specifications, not a thing wanting to meet the plans and specifications as prepared by naval officers, and yet, strange to say, advisory board No. 2 found the ship structurally weak.

Mr. Whitney, it will be remembered, did not act upon the decisions of the advisory board that was created by statute, and which had from the beginning supervision over the construction of this ship, but on his own account he appointed the second board not only to pass upon the *Dolphin*, but to also pass upon the efficiency of the legal board.

No wonder we have a disagreement; the contest was not so much between Roach and the Government as it was between the two boards.

Let us now look into the matter of structural weakness found by board No. 2, and see what there is to it.

We find in the annual report of the Secretary of the Navy, October, 1889, the following statement relative to the *Dolphin*:

The record of the *Dolphin*, which vessel began with a speed of 15.11 knots on her contract trial, and which has recently returned from a cruise around the world, is not less satisfactory. The results of the inspection of the vessel, after she has been three years and nine months in commission, are reported by the board of inspection, under date of October 2, 1889, as follows:

"The material used in the construction of this vessel and the workmanship speak well for the designers and the builders. Aside from the slight repairs to her bearings she is ready for another cruise. By the most liberal estimates the work in the construction department can be done inside of a month. This, the first of the new Navy, makes a splendid showing for structural strength, fine material, and good care.

"Her captain reports that she can average 14 knots an hour for any length of time, and under favorable circumstances she can run 16 at sea.

"In the course of her cruise the *Dolphin* has run 58,000 miles in twenty months, and has been under steam nine thousand hours. In this prolonged run she has been stopped for repairs but once, and then for only two hours. This performance is probably without a parallel in the history of naval vessels, and bears conclusive testimony to the high skill of American artisans and the excellence of their work. Nor is it the less remarkable in view of the confident predictions with which, at the outset of her career, the official condemnation of the vessel was somewhat prematurely pronounced by expert and by inexpert judges.

"It is therefore proved by the test of actual cruising that the first modern experiments of the Department have come close to the highest standard of speed which had been reached at the date of their design, and that in structural strength, endurance, and workmanship they are not inferior to anything now afloat."

The record of the *Dolphin* since November 30, 1889, when the above was written, has been equally good.

There is your structural weakness; and let me say at this point that not one dollar was expended in strengthening this vessel from the time it left the hands of the builders up to the present date, chiefly because no additional strength was required. John Roach had attended to that.

NAVAL CONSTRUCTOR'S OFFICE,
UNITED STATES NAVY-YARD,
Norfolk, Va., October 14, 1893.

SIR: In reply to the letter of the Bureau of Construction and Repair, No. 7356-93, of the 11th instant, I would respectfully forward herewith a memorandum of all work done in this department on the U. S. S. *Dolphin* while at this navy-yard from January, 1886, until her departure in January, 1887.

After a careful examination of this list and of the orders under which the work was executed, it does not appear that any items were for the purpose of making the vessel conform to the contract under which she was built or for the purpose of increasing her structural strength. The work seems to have been of the character usual and customary in fitting out new ships and mounting their battery, including minor additions and improvements to accommodate the officers and crew.

Very respectfully,
FRANCIS T. BOWLES,
Naval Constructor, United States Navy.

The COMMANDANT,
Navy-Yard, Norfolk, Va.

The official trial trip was made November 24, 1884. Rear Admiral Simpson was president of the board. He reported the results of that trip to the Secretary of the Navy, as follows:

NAVAL ADVISORY BOARD, NAVY DEPARTMENT,
Washington City, November 24, 1884.

SIR: The board would respectfully report that it was notified by the contractor, Mr. John Roach, that the *Dolphin* would be ready on the 20th instant for the preliminary trial to test the machinery, engines, boilers, and appurtenances, as required by the ninth clause of the contract. This trial was to be made, as recommended by the board in its letter to the Department of September 11, in Long Island Sound, and the data to be recorded as required by the United States steam log, and as approved by the Department in a letter to the board of October 25.

The contract conditions were as follows:

(2) That the collective indicated horsepower developed by said engines under the prescribed conditions shall be 2,300, and maintained successfully for six consecutive hours; provided that in case of the failure of the development of this power, the vessel shall be accepted if it can be shown to the satisfaction of the Naval Advisory Board and the Secretary of the Navy that this failure was due neither to defective workmanship nor materials.

The board assembled on board the *Dolphin* at 8 a. m. on the 20th instant, at the dock in East River at the foot of Eighth street.

The ship left the dock at 9.15 a. m., and proceeded at two-thirds power into the Sound. At 10.46 a. m. she passed Execution Rock light at full speed; the agreement being to run as nearly as possible a straight course at full speed to the Middle Ground light, 30¼ miles distant, and as far beyond as necessary

to occupy a time of three hours, in order that six hours might expire on the return to Execution Rock light.

At 12 h. 40 m. 10 s. the engine slowed down for twenty minutes to examine a bearing; with this exception the engines worked continuously, the boilers furnished ample steam, the fire-room blowers furnishing excellent draft until 2.36 p. m., when, the vessel having fallen off four points while turning at full speed to return, the thrust-length of the main shaft broke just at the neck of the coupling abaft the main bearing.

No damage, further than a slight injury to the bearings of the broken length of shaft, was done to the machinery, and the vessel then came to anchor, lying 4 miles southeast of Falkner's Island light, and assistance was sent for.

The board is gratified to state that, except for this accident, the vessel would have been recommended for acceptance, as the average collective indicated horsepower of the engines was 1,954 and the maximum 2,151; the average over the ground for the whole distance of 55.7 nautical miles run was, approximately, 15.3 knots per hour.

The board estimates that the speed through the water for one hour, for which more accurate observations were obtained, was at the rate of 16 to 16½ knots.

The trial was sufficient to convince the board that the vessel will fully meet the estimates of her design when a continuous trial is obtained after the shaft is replaced.

After further investigation the board will inform the Department in regard to the probable cause of the failure of this shaft, which, under the terms of the contract, is to be made good by the contractor.

Very respectfully,

E. SIMPSON,
Rear-Admiral, U. S. N., President of the Board.

Hon. W. E. CHANDLER,
Secretary of the Navy.

The Navy Department, not being content with having perplexed and annoyed John Roach beyond all measure, had still a more bitter dose for him, one that was finally to crush his business, ruin his reputation, and break his heart. On the 30th day of June, 1885, the then Attorney-General, Mr. Garland, delivered an opinion that the contract for the construction of the *Dolphin* was null and void.

Think of it, will you—the contract for the construction of the *Dolphin* null and void. This opinion was rendered on the ground that no speed clause was incorporated in the contract. What are the facts? The facts are that seven months prior to the rendering of this opinion the *Dolphin* had made her official trial trip and the board had reported that the trial was in all respects satisfactory, and save for the breaking of her shaft, that was in no wise chargeable to her builder, the board would have recommended the acceptance of the boat.

The *Dolphin* had met all the requirements of the Government, both as to speed and structural strength, seven months before the Attorney-General had even been called on to render this unprecedented opinion.

On page 336, Secretary of Navy's report for 1885, in the report of the Naval Advisory Board, they say:

> The speed, being entirely dependent upon the design of the vessel, was not included in any stipulations of the contract, and the whole responsibility for it rests on the designers.

Again, in the very report of the board of examination on which the opinion of the Attorney-General was based, it is said:

> In justice to the contractor it is proper to state that the plans exhibited to the board and those furnished the contractor are very meager, and by no means provide for a vessel of adequate strength for the uses for which the *Dolphin* was intended. (See Secretary of Navy Report, 1885, page 303.)

And again, in the report of Captain Meade, made after the acceptance of the *Dolphin* by the Government, under date of March 20, 1886, is found the following:

> To sum up, I consider the *Dolphin* reasonably strong and her machinery reliable. As to the latter, there is too much of it. It occupies too much space, and seems to have been carefully designed to employ as many men as possible. The general plan of the ship and machinery is unsatisfactory. In my judgment, a vessel like the *Dolphin* is wholly unsuited to the needs of our Navy. The internal arrangement has many absurd features to the eye of a practical seaman, but on the whole, except as to rough work, my criticism of this vessel concerns the designer rather than the builder. (See Senate Document 153, page 72.)

But, Mr. Chairman, this opinion of the Attorney-General, declaring the contract for the construction of the *Dolphin* null and void, rendered seven months after the vessel had been completed to the satisfaction of the Government, caused the downfall of old honest John Roach.

A burden was thus placed on John Roach that proved too great for him. It not only ruined his business, but it killed him. He died with a broken heart. The death blow was struck by the representatives of a Government he tried so faithfully to serve, a Government he loved so well.

John Roach died, as we believe, of a broken heart, on the 10th day of January, 1887, at New York, eighteen months from the time this opinion of the Attorney-General was delivered. His death was a national calamity. The maritime interests of a civilized world mourned at his bier. The American people felt that they had parted with a master mind, a brave heart, a noble, honest soul, and a loyal citizen of this Republic. [Applause.]

This opinion of the Attorney-General came like a clap of thunder out of a clear sky. It startled the country and crushed the greatest of America's shipbuilders. The opinion, among other things considered, reached the conclusion that it was the duty of the Secretary of the Navy to proceed against John Roach for the recovery of all advance payments made to him on account of the construction of this dispatch boat; also for damages amounting in the aggregate to nearly $400,000. As a result of this proposed procedure by the Government, Roach found himself no longer able to stem the current that had been so long running against him, and as a sensible and business-like procedure, he made an assignment and selected Quintard and Weed, men of known ability and reputation, as assignees.

To all fair-minded men who knew the personal worth and excellent character and great ability of John Roach the said Quintard and Weed needed no further indorsement than the fact that they had been named by Roach.

It should be borne in mind that John Roach entered into a contract on the 23d day of July, 1883, not only to build the *Dolphin*, but on the same day he signed a contract to construct the *Boston*, of 3,000 tons displacement, and for the sum of $619,000, and also to build the *Atlanta*, of 3,000 tons, and for $617,000, and three days thereafter—to wit, on the 26th day of July—he signed still another contract for the construction of the *Chicago*, of 4,500 tons, to cost $889,000, so that at the time of his assignment he had on his hands and in course of construction four ships, as follows:

	Tons.	Price.
The Dolphin	1,500	$315,000
The Boston	3,000	619,000
The Atlanta	3,000	617,000
The Chicago	4,500	889,000
Total	12,000	2,440,000

RECAPITULATION.

	Chicago.	Boston.	Atlanta.	Dolphin.
Contract cost	$889,000.00	$619,000.00	$617,000.00	$315,000.00
Cost of changes and additions to date	81,550.50	20,955.75	21,901.93	15,880.97
Approximate percentage of contract cost for changes and additions	8¼	3½	3½	5

That House bill No. 628 or Senate bill 1116 are just and meritorious bills can not be doubted. That this Government is justly indebted to the legal representatives of John Roach can not be successfully controverted. But it has been impossible in the consideration of this claim to go at once to the merits of these bills without first considering the underlying misfortunes that led up to the downfall of Roach, and this could only be done by a full and fair consideration of the history of the construction of the dispatch boat *Dolphin*, because out of the construction of this boat arises the claim that I present to this House here and now.

The hindrances—difference in opinions, constant changes being ordered by the advisory board, the lack of experience and perhaps jealousy among officers chosen by the Secretary of the Navy to supervise the construction of this boat, the breaking of a steel shaft, against which John Roach had filed his protest—all these difficulties resulted in deferring payments that would otherwise have been due and paid, and, finally, in addition to this assemblage of annoyances, came the crushing and final blow of the Attorney-General's opinion.

Then followed the assignment of John Roach.

You may now readily see, gentlemen, how it is that a builder and contractor may be annoyed by these eternal and interminable changes thus ordered. Every one of these changes consisted of matters that had not been theretofore proposed. It changed the deck, changed the strength, changed the internal and external arrangements of the ship, and it took time, and time is what killed John Roach in the end.

The immediate and unavoidable consequence of that assignment was a discontinuation of his ability to obtain money from the various banks to continue the work on the cruisers, and he notified the Government of the United States July 20, 1885, that work had stopped on the *Atlanta*, *Boston*, and *Chicago*. Sixteen days after this notice, to wit, August 6, the Secretary of the Navy took possession of the vessels. This the Secretary had a right to do, and it was his duty to do it. Without any particular phraseology to be found in the contract, the obvious steps for the Government to pursue was to go on and finish the vessels, and on their completion adjust the accounts with Mr. Roach.

The contracts for the construction of these vessels were very explicit upon that point, and no one questions the authority and the duty of the Secretary to go on, "without unnecessary delay," clause 13; but it has been insisted ever since the 20th of July, 1885, by Mr. Roach, by his assignees, and now by his executors, that the Government exercised their right to complete these vessels in a manner which imposed upon Mr. Roach and his estate a very large expenditure of money which would have been unnecessary

if the Government had acted with the promptness demanded by due consideration of his interests.

It appears from the report of the committee that the *Atlanta* was not completed until June 28, 1886, nearly eleven months after the right accrued to the Government to complete the vessel.

The *Boston* was not completed until August 28, 1886, more than thirteen months after the Government's right to complete, and the *Chicago* was not completed until June 21, 1887, which was twenty-three months and one day after the right of the United States to complete the vessels accrued. Now, the affidavits of Mr. Weed and Mr. Quintard, both gentlemen well known in the shipbuilding trade and perfectly familiar with the history of these vessels and with the obstacles to be encountered in the construction of all vessels, say that at the date of the assumption by the Government of this work there remained to be done upon these vessels work, and there remained materials to be furnished, which reasonably would not have consumed more than four months for the *Atlanta*, four months for the *Boston*, and seven months for the *Chicago*.

It is well known by all persons familiar with naval architecture that the art of building war vessels has bearing upon it at all hours and on all days the concentrated attention of the brightest minds in every nation that maintains a navy. Consequently those charged with the construction of these vessels desire every week, indeed every day, to embody in vessels under construction the improvements which are suggested from all quarters of the globe, either by experience with vessels afloat or by the students of naval architecture engaged in the development of the art. Hence it was that the *Chicago*, instead of being completed in seven months, was completed in twenty-three months, and the *Atlanta* required eleven months and the *Boston* thirteen months, respectively, instead of four months.

The precise condition of these vessels at the time the work stopped, on the 20th of July, 1885, is set out with unusual clearness in Senate Executive Document No. 153, Forty-ninth Congress, first session, at pages 204 and 205; in fact, pages 185 to 253 of that document contain nothing but inventories and appraisals of these unfinished cruisers at the date when John Roach abandoned their further construction; but the result of these reports are collected in the official communication of the Naval Advisory Board to the Secretary of the Navy of October 9, 1885, page 204.

The contract price for the *Atlanta*, including extras, was $661,978.16, which the board divides into $620,387, as the value of the work already done, and $41,591.15, as the expenditures necessary to complete, showing on the *Atlanta* that about 93 per cent of that contract had been completed and not quite 7 per cent remained to be done.

For the *Boston* the contract price was $660,218.74, which they divide into $610,023.44 as completed and $50,195.30 work to do done, making about 92 per cent completed and 8 per cent to complete.

For the *Chicago*, the total contract price, $933,692.11, as a total contract, divided into $727,646.71 as done, with $206,045.40 to complete. In this case the percentage was 65 per cent completed and 35 per cent remained to be done. Inasmuch as the contracts required these vessels to be completed in eighteen months, and as both parties assumed that that was sufficient time to complete them, it will readily be seen that by any statement of calculation, such as business men use for the conduct of their business enterprises, the estimates of Mr. Quintard and Mr. Weed are very liberal indeed, as toward the Government, as to the length of time necessary.

Although the work stopped on the 18th of July, 1885, and the Government took possession of the vessels on the 6th of August, 1885, the actual work of completion, which the Government by this contract with Mr. Roach had agreed that it would perform in case of his failure, did not commence until the 9th of November. From the 18th of July until the 9th of November (113 days) Mr. Roach's yards and shops were absolutely idle—no steam in the boilers, no fire in the furnaces, and no workmen doing any work. Thus the time consumed by the Government in getting started would seem to the ordinary observer as very unnecessary indeed.

Mr. ROBB. I should like to ask the gentleman if the contract between Roach and the Government did not require the Government, if it took charge of the property, to make an inventory and appraisement before entering upon the work and completing the building, and if the Government during the time you speak of was not engaged in making that inventory and appraisement?

Mr. MINOR. I want to say in reply to the gentleman that that matter under the contract is indefinite. No specific method for taking the inventory is prescribed. They could proceed upon any theory they desired, so long as the inventory was taken, but I want to suggest to the gentleman that if that Naval Advisory Board had had the interest of Mr. Roach at heart they would have commenced work on the ship the same day they commenced the inventory, because every pound of metal was weighed and every rivet counted, and there are 65 pages of Executive Document No. 153, Forty-ninth Congress, of weights and measures. I say to the gentleman that this material could just as well have been weighed and counted at the time they were being put in the vessels, and the work in that way be expedited, as to have the work stop and the vessels lie there until the inventory was completed.

Mr. ROBB. Now, I desire to ask the gentleman, further, if the law under which these contracts were made and the contracts themselves did not provide for persons other than the advisory board to make this appraisement and inventory, and if it was not necessary for them to make that before the Government could go ahead in the completion of the contracts?

Mr. MINOR. No; that is not so. The fact is, parties who were appointed to assist in this inventory were parties who loved their job, and the longer they could hold it the better it suited their purpose. [Applause on the Republican side.]

Mr. ROBB. Where is there any evidence of that?

Mr. MINOR. It lies in the fact that the yards were idle one hundred and thirteen days. By the way, let me remind you, we do not charge a cent for that in this bill.

Mr. BRUMM. That is the fact.

Mr. MINOR. Mr. Roach's assignees, on the 17th day of October, complained, as appears in the document already alluded to, as follows:

MORGAN IRON WORKS, *New York, October 17, 1885.*

SIR: We beg to call your attention to the fact that while your letters of July 25 and August 11 indicated the course you intended to pursue in completing the *Atlanta*, *Boston*, and *Chicago*, nearly three months have been consumed in taking the inventory and making the appraisal provided for in the contract, although under the conditions upon which you proposed completing the work this action is but a formal one——

Mr. BRUMM. The report of your own board.

Mr. MINOR (continuing)—

as the amount expended is to be deducted from the sum due upon final settlement. We are, in the meantime, compelled to pay large amounts for insurance and other expenses on the vessel. The best season of the year is passing for doing the work, and the workmen who might be employed are suffering for the means of subsistence.

Mr. ROBB. I would like to ask the gentleman a question.

Mr. MINOR. I do not care to be interrupted any further.

Mr. ROBB. There is a dispute between the gentleman from Pennsylvania, the chairman of the committee, and myself. I want to know if you read that as the report of the Naval Advisory Board?

Mr. MINOR. No, I did not.

Mr. BRUMM. That matter that was merely formal is the report.

Mr. MINOR. That matter that is merely formal is the report.

Mr. ROBB. And what you are reading is what Quintard and Weed had to say?

Mr. MINOR. Not the formal part. The matter that was merely formal is in the report.

It appears to us that the time occupied in making the inventory and appraisal has been unreasonably long, even were the conditions such that an absolute settlement was to be had based upon the result.

We would respectfully ask if you can not consistently expedite this matter, especially as the engine and boilers for the *Chicago*, which are in New York and require about six weeks' labor to be made ready for shipment to Chester, where the hull is, can not be sent through the canal—the most feasible way of shipment—after about the 10th of December.

Yours, respectfully,

GEO. W. QUINTARD,
GEO. E. WEED,
Assignees.

Hon. W. C. WHITNEY,
Secretary of the Navy, Washington, D. C.

The bill before the House makes no allowance for this unduly prolonged period of idleness. The injury done to Mr. Roach throughout his vast yards and in his extended business can not be estimated in dollars and cents, and the claim presented contains nothing for these three months, although 5,300 men had been thrown out of employment and $2,000,000 worth of plant was idle.

Between the time that the work commenced, November 9, 1885, and the respective dates of completion of these vessels are the periods for which compensation was asked in this bill—that is to say, for so much of each period as is in excess of the time reasonably allowed by Messrs. Quintard and Weed in their affidavits. As I have already pointed out, this time allowed by them is far in excess of an arithmetical computation of the work that was to be done.

When these vessels were completed and adjustment made between the United States and Mr. Roach, by which he was charged with the additional expense of completing the vessels, his claims for insurance, for the occupation of the yard and machine shops, and for the running expenses of the permanent staff during that portion of the time which was exacted by the Government for its own purposes were presented to the Secretary of the Navy, but were not considered by him, on the ground that he had no jurisdiction to pass upon them. A settlement was effected, however, between Roach's representatives and the United States of everything except these items, and it was, as appears by the report of the committee, expressly stipulated that these matters should remain open between the parties to be adjusted by Congress.

His claim is now before the ultimate tribunal which passes upon controversies of this kind. Congress has before it all the evidence that can be available, and the report of the committee, excluding, as it does, all claims for the period between the 18th of July and the 9th of November, presents a very small portion of what would be necessary to make Mr. Roach and his representatives whole for the delays of the United States in the completion of these three cruisers. The report of the Committee on Claims shows the items of claim and the evidence to sustain them, to wit:

Occupation of shipyards and plant	$247,578.00
Insurance paid out	11,163.19
Wages for permanent staff	71,409.52
Total	330,151.71

Mr. Chairman, we concede the right of the Secretary of the Navy to do just what he did under the circumstances, namely, to enter upon and take charge of this property for the purpose of completing these ships.

We say that in doing this he was exercising a wise discretion within the authority vested in him by virtue of clauses 11 and 12 of this contract. But, sir, while we are willing to concede his right to do this, we insist on Roach's rights under clause 13 of that same contract. We protest here and now against the right of this Government to use one portion of this contract to insure it against loss, and then to turn around and absolutely ignore and disregard the only clause in the same contract that contained the smallest measure of protection for Roach. I refer to clause 13, that reads as follows:

Clause 13. In case the Secretary of the Navy shall proceed, under the foregoing clause, to complete the work, such procedure shall be without unnecessary delay, etc.

I challenge any officer of this Government, or any member of this House, to successfully maintain that clause 13 of this contract was not violated. It was violated, and on this indisputable violation rests the justice of this claim. Think of it! From the 18th of July until the 9th of November not a blow struck; all was idleness, still as death, where so recently 5,000 men found employment; one hundred and thirteen days of idleness, all as silent as a tomb, and then for a moment consider the unnecessary delay in completing these ships after the Government had resumed work on them.

The *Chicago*, instead of being completed in seven months, was not completed till twenty-three months had passed. The *Atlanta* required eleven months and the *Boston* thirteen months, respectively, instead of four months.

Now, who will rise and say that clause 13, requiring that this work be prosecuted by the Government, has not been violated?

I say here is a plain, palpable, and unnecessary violation of contract; and on that proposition I am willing to rest this case.

And in addition to that I desire to say that if it became necessary for private corporations owning shipyards in this country to turn them into kindergartens to teach naval officers, they ought to be entitled to a tuition fee. [Applause.]

In closing these remarks, Mr. Chairman, I am glad to believe that there is no basis for making this a political question.

Mr. Whitney came to the Navy Department without previous experience in marine architecture, but ardent in his desires to carry on the policy of building up our Navy.

A new policy had been entered upon, and the responsibilities resting upon the Navy Department were grave and weighty.

He assumed these responsibilities fearlessly, depending, of course, on the officers of the Navy and a patriotic people to sustain him. I believe he did the best he could with the light he had on the subject.

Mr. Whitney is a loyal, progressive American citizen, one in whom may be found the higher qualities of citizenship. That he was deceived and led into byways that ought not to have been trod by him is true; but, Mr. Chairman, let us be charitable and say that on the whole he served his country well.

Mr. Chairman, a word in behalf of the greatest American shipbuilder of his time—John Roach. He began the art of shipbuilding in his youth, without wealth, and among strangers; but, sir, his was a noble spirit. He possessed in a large measure those sterling qualities that are met with in no country so often as in our own America, qualities that have so freely contributed to the progress of our people and the upbuilding of this Republic.

John Roach with rapid strides mounted to the head of his profession. He became the proprietor of works valued at $2,000,000. He built 120 of the finest ships that had ever been launched. These ships aggregated 196,500 tons, and were justly regarded as the highest types of marine architecture.

These ships carried our flag in every clime and to every port on the globe. The beauty and symmetry of these ships found words of praise on every lip, and while expressions of commendation were being lavished on the ships, the eye would glide aloft and there behold the starry banner of this Republic, and then unconsciously came the thought, "This is American." John Roach was an honest man. He died with every debt paid, and his obligations to the world were honestly discharged.

John Roach was a patriot; he loved his country and respected its laws; he gloried in American progress, and with a generous hand he contributed to every laudable enterprise; he carried the burdens of citizenship cheerfully; he assumed the cares and perplexities of life like a philosopher. But, sir, when the misguided but heavy hand of this Government was laid upon him he went down to his grave.

But, sir, the last breath he breathed was an American breath; the last words he uttered were words of love for his country and its flag. [Loud applause.]

I desire to append to my remarks the following appropriate and just tribute to Mr. Roach by one who knew him well:

A FEW WORDS IN MEMORY AND IN HONOR OF THE LATE JOHN ROACH, WHO DIED ON JANUARY 10, 1887, IN NEW YORK CITY.

[By Nathaniel McKay.]

The visits of kings are announced by royal proclamation and by the pomp and trappings of princely splendor, the fame that hedges the accident of birth, and the groveling horde of fawning sycophants that thrive and fatten in the sunshine and smiles of imperial patronage.

Emperors who travel to foreign lands are heralded by flunkeys and couriers, have their arrival welcomed by courtly presence, by the blare of trumpets, and the grand reviews of tinseled guards and feathered captains, who bow low and obsequiously to do them homage.

Kings and princes, nobles and potentates, come to view as nations pass in panorama, and sink to obscurity and are forgotten; but the fire of genius ne'er pales on the page of history.

Dotted along the pathway of national life like milestones upon the highway, men of great intellectual power, richly endowed by nature with rare sagacity and foresight, with prophetic vision of future needs, who comprehend the present and discount the drafts of time, invariably attract the attention of mankind and impress the world by the splendor of their achievements.

There came to this country from the "Emerald Isle," the garden spot of genius, unnoticed, unheralded, and utterly unknown, Mr. John Roach, at the age of 14 years, who, by the inherent force of mental power, tireless energy, and ceaseless toil, has left an imperishable name engraved high upon the roll of honor, written upon ships waving the Stars and Stripes, which have been tossed by the billows of every sea, and emblazoned upon the pages of the naval archives of this great Republic. These great ships, built in America, advertised the name, skill, and wealth of America in every land and on every sea.

The brilliant and unequaled services of Mr. Roach to mankind in the advancement, development, and expansion of civilization and extension of commerce outweigh the worthless and useless lives of a hundred kings.

It seems almost incredible that a mere lad, without money, without friends, and without a technical knowledge of the art of shipbuilding, coming to this country a perfect stranger, could have achieved such stupendous results as crowned his efforts in the brief period allotted to man's activities.

He possessed mechanical abilities of the very highest order; in the department of pure mechanics he probably never had a superior. In original designs, form, and fashion of vessels, embodying strength, economy, durability, speed, and safety, he was simply peerless.

He was the champion of iron-ship building in this country, and always maintained his supremacy in that modern method of marine architecture. His advanced ideas and his practical demonstration in the construction of iron ships aroused the greatest apprehension and awakened the deepest interest in the Scotch and English shipyards—a fact that stimulated Mr. Roach to the grandest and proudest triumphs of his life. His contracts with private parties and with the United States Government were uniformly marked by a thorough and complete knowledge of the science of shipbuilding in its minutest detail, and he invariably carried out his promises and agreements with the strictest integrity and a punctilious regard for the letter, intent, and spirit of his contract.

His ships are to-day models for inferior mechanics to imitate, as they have won the admiration and praise in every port of the world where high-class skill in shipbuilding is understood and appreciated. He drew his plans and specifications with mathematical accuracy; directed and guided his foremen with unerring knowledge, showing in every part of a ship's construction the touch and skill of a master's hand.

He evinced in every department of his immense business the highest type of an able mechanic; he could instantly detect a fault in any part of a ship, and the slightest departure from his plans or specifications which had escaped his foremen he seemed to discern by clairvoyant vision. He possessed in an eminent degree every quality of a great manager. His order, punctuality, kindness to employees, gentleness, and dignity of demeanor to all classes of citizens, sympathy for those who were unfortunate, generosity, and the nobility of his nature won for him the admiration and homage of all who had the pleasure of his acquaintance.

Mr. Roach's vigilance and energy, as well as his executive capacity, have been so strikingly demonstrated that anything more than a simple reminder is now needless. He has obtained by personal exertions contracts from individuals and corporations throughout the Union, and has justified the judgment in his favor by meritorious fulfillment. He has given an enviable character to his works by skill and excellence in execution, and has made America famous on land and water by a thoroughness and fidelity that rendered his manufacture a valued one on nearly every ocean on the globe.

In the employment of large bodies of men he has benefited hundreds of families, advanced the prosperity and marvelous thrift of Chester and New York, and, in his successful season, dispensed a judicious charity that can not be too highly praised, and it is also kept in grateful remembrance. In his death we are deprived of an example of enterprise and of productive and well-organized work that is not so commonly presented as to reconcile us to his loss.

To the workingmen his presence was most directly beneficial, until overwhelmed by reverses which no ability could avert; the encouragement to skilled labor he was able to offer and the emulative character infused into all the establishments were benefits valuable in other senses than a pecuniary one merely.

As the head of a great and important establishment, the largest in the Western Hemisphere, he was emphatically without a rival and without a peer. To the poor he was always generous, without counting the thousands he gave; his sympathy and heart were as generous as those of a child to the needy.

I will not undertake the task of enumerating the vast fleet of ships which the pressing energy and indomitable will of Mr. Roach set afloat upon every sea. The *City of Tokio*, the *City of Pekin*, *City of Rio de Janeiro*, *City of Para*,

and the *Pilgrim* and 118 other ships, aggregating a tonnage of 190,550 tons, were justly regarded, when completed, as the grandest triumphs of marine architecture. General Grant, when in the midst of his glory, admired these ships as the masterpieces of American workmanship and skill. He visited them all, and made passage in one to Boston with Mr. Roach. He always sought the advice of Mr. Roach in recommending the American marine, as well as building up the Navy.

The *Puritan*, *Miantonomoh*, and the White Squadron were superior to anything afloat in Western waters, and are to-day splendid specimens of the shipbuilder's art. The U. S. cruisers *Chicago*, *Boston*, and *Atlanta* were built by Mr. Roach, and when inspected by the most competent naval architects and others skilled in shipbuilding were admitted to be far better in workmanship, form, lines, and beauty of model than anything that had hitherto been produced in the country; and those wonderful ships placed him easily, and deservedly, in the front rank of American shipbuilders.

But calamities follow genius; adversity shadowed his path, and misfortunes and disappointments often crush the heart that beats in unison with honor and throbs synchronously with his country's pulse. He aspired to the highest perfection and grandest achievements in the line that has made his name famous and honored in both hemispheres.

The great calamity that overshadowed Mr. Roach was on July 18, 1885, when he made an assignment for the benefit of his creditors on the condemnation of the *Dolphin* and the uncalled-for opinion of the Attorney-General. At that time there were but two days' wages due the employees of the works, and the following notice was posted on one of the large doors: "Closed until further notice. Wages for Friday and Saturday will be paid by James Mooney at 5 p. m. Monday."

It was the pride of his life to fulfill every obligation that he made, and by the efficient management of the assignees, George W. Quintard and George E. Weed, whom Mr. Roach appointed himself, they have all been honored and paid in full with the same care as if they had been carried out under his supervision, or even executed with his own hand. While he was fighting the battle of life for existence, he wrote me to come and see him; I did so, and he expressed at that time his great anxiety that his shipyard in Chester should continue in operation, and thus add to the success and triumph of American commerce, which he had devoted so much time and energy to accomplish.

In fulfillment of this desire, since his death, it has been in full operation under the able management of his son, John B. Roach, and George E. Weed, and I am gratified to say that his desires have been accomplished far beyond his expectation. At his death he left his bereaved and devoted widow and children a handsome estate.

These thoughts are painful and full of sorrow. Mr. Roach, under a contract with the Secretary of the Navy, built the beautiful and historic *Dolphin;* after many trials, in which she fully vindicated every claim, and sustained every provision and paragraph relating to speed, strength, and capacity, as set forth in the contract, she was rejected by the Secretary of the Navy for alleged structural weakness, though upon a careful and critical examination the weakness was found to be in the peculiar methods and manipulations of the distinguished board of experts that examined her, and the designing Attorney-General of Cleveland's Administration, who gave an opinion that the contracts for the *Chicago*, *Boston*, *Atlanta*, and *Dolphin* were null and void.

This broke the heart of the greatest American shipbuilder the world ever produced. It was made by the order of Grover Cleveland to break down this American industry and ruin Mr. Roach, which it did. A great Government making contracts, vast in their amounts—$2,440,000—and in the midst of their fulfillment the head law officer of the Government endeavors to convince the country that the contracts were not legal. Such an uncalled-for opinion would ruin the best and strongest national bank in the United States; but the public press of the country scorned with contempt its wording, and it had no force or effect, but at the time ruined Mr. Roach's credit. I here quote from that infamous opinion, as follows:

"The obvious intention of this was to relieve the contractor of all duty and responsibility as to the speed and power of the ship, and make it feasible to force upon the United States a ship wanting in the prime quality of speed and fundamentality different from what Congress authorized and was desirous to secure. It needs no further discussion to show that what was thus attempted was wholly out of the question.

"NATURE OF THE CONTRACT.

"But the contract is an entirety, and does not admit of being broken up into fragments so as that what is good may be enforced and what is bad rejected. The stipulation which was intended to relieve the contractor of responsibility for the power of the engines, and, as a necessary consequence, for the speed of the ship, forms a large and most important part of the consideration coming to him from the Government. It is impossible to say what was its bearings on the whole contract, nor is it material to do so, inasmuch as it and the other covenants of the Government constitute one entire and individual consideration, the invalidity or illegality of any element of which must necessarily vitiate the whole and abrogate the contract.

* * * "It follows then that no contract exists between Mr. Roach and the United States, and that the large sums of money which have been paid Mr. Roach have passed into his hands without authority of law and are held by him as so much money had and received to the use of the United States and may be recovered from him. And not only so, but the money thus paid him by officials holding a fiduciary relation to the Government having gone into the ship *Dolphin*, a court of equity will follow it there, and for that purpose entertain a proceeding against the ship itself. * * *

"I have the honor to be, sir, your obedient servant,

"A. H. GARLAND,
"*Attorney-General.*

"The SECRETARY OF THE NAVY."

Senator BURROWS, in his report on the bill (S. 754) for the relief of the heirs of John Roach, Fifty-fourth Congress, first session, made the following statement with reference to the contract:

"On the 30th of June, 1885 (see Annual Report of Secretary of the Navy, December, 1885, page 318), the Attorney-General rendered to the Secretary of the Navy his opinion that the contract with John Roach for the construction of the dispatch boat *Dolphin* was null and void (although at that date Roach had substantially completed her), on the ground that the contractor was not required by the contract to furnish a speed of 15 knots irrespective of the drawings furnished by the United States; and, further, that suit should be brought to recover from him the installments, $315,000, received by him from time to time on the *Dolphin*.

"The gist of this opinion was, that he was bound to furnish a certain speed and at the same time to comply with drawings which he neither furnished nor controlled. Because this contract provided relief for the contractor from the speed provisions in case the defect was in the drawings; because the contract did not impose upon the contractor the penalty for the failures of the United States, the Attorney-General thought the contract was void from the beginning.

"The promulgation of this opinion on the 12th of July, 1885, impaired and destroyed John Roach's financial credit, and inflicted on him such financial embarrassment that he became unable to continue and complete the cruisers *Atlanta*, *Boston*, and *Chicago*.

"And on this account John Roach made an assignment to George W. Quintard and George E. Weed for the benefit of his creditors on the 18th of July, 1885. The works at New York employed 1,500 men, the shipyard at Chester 3,000 men, and the rolling mills and furnaces connected with these works employed 800 men. All of these vast works were closed for over four months by the enforced idleness caused by the action of the Government.

"On the 10th of November, 1885, Commander Robeson, acting under the instructions of the Secretary of the Navy, received the *Dolphin* at the Brooklyn Navy-Yard, and never again was the destructive opinion of the Attorney-General cited by any officer of the United States either as an exposition of law or as a ground for either action or inaction on the part of the United States. Concerning the general excellence of the *Dolphin* the Secretary of the Navy said, in his report of November 30, 1889 (pages 6, 7):

"'The record of the *Dolphin*, which vessel began with a speed of 15.11 knots on her contract trial, and which has recently returned from a cruise around the world, is not less satisfactory. The results of the inspection of the vessel, after she had been three years and nine months in commission, are reported by the board of inspection, under date of October 2, 1889, as follows:

"'The material used in the construction of this vessel and the workmanship speak well for the designers and the builders. Aside from the slight repairs to her bearings, she is ready for another cruise. By the most liberal estimates the work in the construction department can be done inside of a month. This, the first of the new navy, makes a splendid showing for structural strength, fine material, and good care.'

"'Her captain reports that she can average 14 knots an hour for any length of time, and under favorable circumstances she can run 16 at sea.

"'In the course of her cruise the *Dolphin* has run 58,000 miles in twenty months, and has been under steam nine thousand hours. In this prolonged run she has been stopped for repairs but once, and then for only two hours. This performance is probably without a parallel in the history of naval vessels, and bears conclusive testimony to the high skill of American artisans and the excellence of their work. Nor is it the less remarkable, in view of the confident predictions with which, at the outset of her career, the official condemnation of the vessel was somewhat prematurely pronounced by expert and inexpert judges.

"'It is therefore proved by the test of actual cruising that the first modern experiments of the Department have come close to the highest standard of speed which had been reached at the date of their design, and that in structural strength, endurance, and workmanship they are not inferior to anything now afloat.'

"The works at Chester were capable of producing ten large-class steamers per year, or over 28,000 tons per year, and were valued at $1,000,000, and the furnaces alone for making the iron for the ships cost $250,000. (See United States Census Report for 1880.)

"The Morgan Iron Works at New York were valued at $702,000, and they were all kept in enforced idleness by the Government.

"John Roach died in the city of New York on the 10th day of January, 1887."

Mr. Roach clearly demonstrated that the *Dolphin* was a strong, stanch, and magnificent ship, fully equal to any vessel of her class afloat to-day, and was so conceded by eminent authorities.

I once criticised the *Dolphin* in an article relative to her air-tight fire room, which was in the contract and not put in the ship. It was omitted by the advisory board, under whose instructions Mr. Roach built the *Dolphin*. I said nothing about her structural weakness, and was not informed, when I wrote the article, of the order not to put the air-tight fire room in the ship. And I write this article in memory of a grand and noble-hearted man, to do his memory justice.

I here quote an extract from the report which Rear-Admiral Jouett made on the *Dolphin* when she returned from a trip around the globe, which speaks for itself, and places beyond question the language of that infamous opinion of the Attorney-General. Rear-Admiral Jouett is one of the most faithful and able officers of the United States Navy; he made a thorough examination of this ship on her return:

"The vessel has been three years and nine months in commission. Considering the service performed and her present admirable condition, she is very creditable to the service. She can average 14 knots an hour for any length of time, and under favorable circumstances she can run 16 knots at sea. With a few improvements this vessel could be duplicated with credit to the Department and country. I know of no vessel possessing so many qualities and comforts to officers and men."

My object in quoting so much about the *Dolphin* is on account of the great injustice done Mr. Roach by the Democratic Administration. They were determined, when they entered the departments, to ruin any Republican shipbuilder that was in their power. It was not only the *Dolphin* they were after, but they investigated every contract that was made by Mr. Roach for twenty years, thinking they would find some dishonest measures or accounts of his on file in the Navy Department. They failed in every attempt they made. Even Congress, with its great power—when the Democrats controlled the House, was always investigating.

He gave the committees of investigation all the information that he had in his possession, and opened his books and papers and contracts to all investigators. He was fearless and uncompromising with the Democrats. He would sit for days to be examined by these committees, under oath, appointed on purpose to break him down, if it were in their power.

Mr. Roach always came out triumphant, and he was vindicated in every transaction he ever had with the United States Government.

Mr. Roach was in every respect in advance of all competitors in his line, was a constant and ceaseless worker in devising and originating improvements, inaugurating new styles, and grasping suggestions for practical application, until his ships were unrivaled throughout the commercial world. He devoted his great talents and used every available influence to build up American shipping (of American material) and American laboring interests of this country, which have languished under the listless inaction and stupid policy of Congress, until even the coasting trade is largely carried on in foreign bottoms, to the West Indies, which is a stinging commentary upon the inexplicable indifference and lethargy that have paralyzed Congressional action in applying the proper remedy.

He labored earnestly for months and years, by night and by day, with Congress to convince them of the great advantage the American working people would derive if Congress would aid our shipping.

Those efforts on the part of Mr. Roach were well known to every Senator and member of Congress for twenty years and thoroughly understood and fully appreciated by the citizens of this country. He was confessedly at the head of the shipbuilding industry of the Republic, and, as such, was a conspicuous figure to crush out, which was nearly accomplished by the rejection of the *Dolphin*, which has since proved the hollow mockery of the inspection and the baseness of the transaction by steaming over 58,000 miles on her cruise around the globe and maintaining in every detail the record that was claimed for her by Mr. Roach.

Her trial in honest and competent hands has more than established all that was asserted in her behalf, all that was set forth in the contract, and has

stamped the cruel, sham, and heartless condemnation as fraud, placed upon a worthy and noble-hearted man to gratify political enemies. Mr. Roach earned the animosity of small politicians by his robust honesty, frankness, and adhesion to his convictions of square dealing, and he held in deserved contempt and derisive scorn the petty measures, meanness, sharp practice, and the quibbling subterfuge of the slippery politician, who slimes his path to Congress by disreputable tactics, trades upon his position, and barters the expectations of waiting and hoping constituents for higher prospects and promises of personal gain. The keenness and asperity of his feelings, and sentiments for that class of political parasites, were greatly intensified by the transparent intrigue that preceded the policy resulting in the rejection of the *Dolphin*.

Mr. Roach represented and combined in his person every quality, trait, and attribute that truly ennobles, refines, and exalts human character. His career stands out like a mountain promontory, and marks an epoch in the history of American shipbuilding, as his name is indissolubly connected with the rise and expansion of our American shipping industry and Navy and the splendid ships that were built under his supervision.

He commenced the voyage of life without wealth, prestige, influence, or friends, but at the helm of his sturdy craft there was an irresistible, pure, and strong moral force, with a chart of unquestionable integrity and a compass boxed by high resolves of inflexible, unswerving duty and honest effort, sustained by an iron will, that directed his bark to a haven and an anchorage of a spotless and unsullied name, as a legacy for his heirs and a priceless heritage for his country.

It may be truly said of Mr. Roach, "We shall never look upon his like again." A grand character, a most notable and conspicuous figure among the leading men of the country, has passed to the silent and shadowy realms unknown to man.

The death of such a man is a national calamity, an irreparable loss, and leaves a void among the greatest mechanics of the nineteenth century.

MR. ROACH ON THE PROTECTION OF AMERICAN LABOR.

"Every American shop, when I was a workman, was an international congress of labor." (Before a committee of Congress on the decline of American tonnage, 1868.)

But he needs no epitaph to remind the passing stranger that he once lived; he requires no sculptor to point in marble to his resting place. His memory will remain fresh in every port, his generous and noble gifts and benefactions are known in every harbor, and the monuments of his genius float in every haven and offing of the world. He is now anchored in that beautiful harbor "Where the wicked cease from troubling and the weary are at rest."

WASHINGTON, D. C., *July 6, 1896.*

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCMILLAN, Mr. GALLINGER, and Mr. GORMAN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the resolution agreeing to the amendments of the House to the bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is hereby directed to inform the Senate as to the cost of improving the Saginaw River from its head to a point in Saginaw Bay, with a view of securing a channel 150 feet wide and an increase of depth to 16 feet from the head of the river to the Third-street bridge in Bay City; thence a channel 200 feet in width to the Saginaw Bay, with an increase of depth of the channel to 16 feet, said estimate to be based on the survey made pursuant to the river and harbor act of 1896.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, directed to furnish and report a plan for the improvement of the Homochitto River, in the State of Mississippi, from and including its mouth to the Yazoo and Mississippi Valley Railroad, together with estimates of the cost of making such improvement in accordance with said plans.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 4698. An act for the relief of W. E. Judkins, executor of Lewis McKenzie.

H. R. 6542. An act for the relief of Eldred G. Davis.

HEIRS OF JOHN ROACH, DECEASED.

The committee resumed its session.

[Mr. ROBB addressed the committee. See Appendix.]

The CHAIRMAN. The gentleman has three minutes remaining.

Mr. ROBB. Mr. Chairman, I have not been speaking an hour.

The CHAIRMAN. The gentleman rose in the first place and had the report read in his time.

Mr. ROBB. No, indeed; I did not ask to have the report read in my time. I merely asked to have the report read for information of the committee. A number of members here asked for it.

The CHAIRMAN. It could not have been read except in the time of some gentleman, and the Chair stated at the time that it would be read in the gentleman's time.

Mr. BARTLETT. I called for the reading of the report.

Mr. BAILEY. The gentleman from Missouri [Mr. ROBB] did not at that time take the floor. He only called for the reading of the report, which was done without objection.

The CHAIRMAN. The Chair will say to the gentleman from Texas that the gentleman from Missouri [Mr. ROBB] took the floor. The Chair awarded him the floor, and then turned to the gentleman from Wisconsin and said he would recognize the gentleman from Wisconsin, who reported the bill, if he desired. The gentleman from Wisconsin said he did not, and then the Chair recognized the gentleman from Missouri.

Mr. BAILEY. My understanding was that the gentleman from Missouri did not even seek recognition. I will not use the time now to discuss the matter.

Mr. DOCKERY. I ask unanimous consent that my colleague be allowed the additional time consumed in the reading of the report, or, say, thirty minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of his colleague be extended for thirty minutes. Is there objection?

Mr. GROSVENOR. There is objection, unless a like extension can be made on the other side. The Chair plainly announced that the report would be read in the time of the gentleman from Missouri. I heard the announcement.

Mr. DOCKERY. I certainly shall have no objection to an extension of time on the other side.

The CHAIRMAN. The gentleman from Ohio [Mr. GROSVENOR] objects.

Mr. BRUMM. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill H. R. 2219, and had directed him to report the same back to the House with an amendment, and with the recommendation that as amended the same do pass; also that the committee had had under consideration the bill H. R. 628, and had directed him to report the same back with the recommendation that its consideration be postponed until Friday, April 1; also, that the committee had had under consideration the bill S. 716, and had come to no resolution thereon.

The SPEAKER. Without objection, the consideration of the bill H. R. 628 will be postponed until Friday, April 1. Is there objection?

There was no objection.

The SPEAKER. The question now is on the amendment reported to the bill (H. R. 2219) for the relief of the administrators of Isaac P. Tice and others.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. GRAFF, a motion to reconsider the last vote was laid on the table.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3544. An act to provide for submitting to the Court of Claims for determination the rights of the Delaware Indians in the Cherokee Nation, the Mississippi Choctaws in the Choctaw Nation, the Chickasaw freedmen in the Chickasaw Nation, and intermarried persons in the Choctaw, Chickasaw, and Cherokee Nations, and for other purposes—to the Committee on Indian Affairs.

S. R. 88. Joint resolution providing for the appointment of a commission, under the direction of the Secretary of War, for the preliminary estimates of cost thereof, for the construction of a ship canal, of approved width and depth, from the lower shore of Lake Michigan to the Wabash River, and for the further investigation of the practicability of the construction of such waterway—to the Committee on Railways and Canals.

S. 1723. An act to permit C. R. S. Nichols to make a second homestead entry—to the Committee on the Public Lands.

S. 3155. An act for the relief of Benjamin Longpre, of Maxwell, Lincoln County, Nebr.—to the Committee on the Public Lands.

S. 3171. An act to refer certain claims for Indian depredations to the Court of Claims—to the Committee on War Claims.

S. 1601. An act to remit the time penalties on the light-house tender *Rose*—to the Committee on Claims.

Senate concurrent resolution 31:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is hereby directed to inform the Senate as to the cost of improving the Saginaw River from its head to a point in Saginaw Bay, with a view of securing a channel 150 feet wide and an increase of depth to 16 feet from the head of the river to the Third Street Bridge in Bay City; thence a channel 200 feet in width to the Saginaw Bay, with an increase of depth of

the channel to 16 feet, said estimates to be based on the survey made pursuant to the river and harbor act of 1896—

To the Committee on Rivers and Harbors.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on War Claims was discharged from the further consideration of the bill S. 2013; and the same was referred to the Committee on Claims.

REPRINT OF A REPORT.

By unanimous consent, on motion of Mr. BUTLER, Report No. 54 on the bill H. R. 628, was ordered to be reprinted for the use of the House.

The SPEAKER. The hour of 5 o'clock having arrived, the House will now take a recess until 8 o'clock this evening, when the gentleman from Iowa [Mr. LACEY] will occupy the chair.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. LACEY, as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule under which this session is held.

The Clerk read as follows:

The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. TALBERT. Mr. Speaker, I desire, before we go any further, to ask unanimous consent that all bills for the removal of charges of desertion and political disabilities be passed over to-night. I hope no one will object. I notice a good many meritorious bills on the Calendar, and I make this request on that account.

The SPEAKER pro tempore. The Chair is informed there are only two such bills on the Calendar. The gentleman from South Carolina asks unanimous consent that on this evening bills for the removal of charges of desertion and political disabilities be not considered. Is there objection?

There was no objection.

Mr. RAY of New York. Mr. Speaker, I move——

Mr. CLARDY. Mr. Speaker, I want to make a statement before that motion is made. I desire to know if there is any unfinished business? If there is, I ask for the regular order.

The SPEAKER pro tempore. There is no unfinished business.

And then, on motion of Mr. RAY of New York, the House resolved itself into Committee of the Whole, for the purpose of considering business on the Private Calendar under subdivision 2 of Rule XXVI, with Mr. ELLIS in the chair.

A. V. BLOODGOOD.

The first business was the bill (H. R. 2154) granting an increase of pension to A. V. Bloodgood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of A. V. Bloodgood, late a member of Company H, One hundred and fifty-second Regiment of New York Volunteer Infantry, at the rate of $50 a month, the same to be in lieu of the pension he is now receiving under certificate No. 227029.

Mr. ROBINSON of Indiana. Mr. Chairman, no apology will be asked by the soldiers' friends of the House for occupying your time when you hear what I say.

I rise to discuss the subject of pensions with but a single thought and purpose—the good of the country and the rights of the soldiers.

I shall not enter the domain of party spirit, but will leave that field to others.

I shall content myself with presenting plain, unvarnished facts, free from all alloy of party interest; nor will I be embarrassed in this discussion by failure of proof, but only such facts will be presented as are known throughout the country and which are proven as clearly as record proof can prove—so clear, indeed, that one who runs can read.

On the evening of February 4, 1898, being the second night only for the consideration of pensions during six months of Congressional session this Congress, the chairman of the Invalid Pensions Committee [Mr. RAY of New York] served notice on the House that he would attempt to defend the present "soldier policy," and thus relieve the party managers of the charge, so current and broadcast, that they had departed from a policy of liberality to the Union soldier. He said he would compare this Administration with the former. This was farfetched and voluntary.

Why he should set Mr. Cleveland up as a model I know not; no one in this Congress whom I have heard has spoken a word of praise for him, nor have I heard anyone speak for him since the ultra gold monometallists sanctioned, praised, and immortalized him in the last campaign. One who lives, as does the gentleman from New York, in a palace of glass ought not to throw stones at the houses of his neighbors.

No one ever seriously thought he would give us a comparison or make a defense of the present "soldier policy."

To those who have waited in patience and have gone to their homes disheartened and to their graves in sorrow no defense can be made.

Thousands have waited in patience against the policy of delay and procrastination that has obtained for years in the Department, and which obtains to-day more ruthlessly than ever before, while the rust of time has eaten the evidence of their claims away.

We all receive letters from old soldiers 65, 70, and 75 years of age, appealing to us with the eloquence of Union soldiers, asking us to allow their claims before they die; others, old, tattered, and worn, ask us only to consider their claims and give their minds some rest; yet with these distressing appeals, with pensions tied up in the committee and in the House as they have never been tied up before, he makes bold to threaten a comparison.

You claimed that Mr. Cleveland vetoed private pension bills. With my feelings I would not defend him; but you are doing even worse than that; you are pigeonholing them in the committee; you are delaying them in the House.

The promised defense and comparison has not been offered, and a suspicion arises that the gentleman, a New York lawyer without the finesse of "a Philadelphia lawyer," has found an inextricable Gordian knot beyond his dexterity and impossible of unravelment by mortal man. No just defense can be made. The present "soldier policy" is so tainted with deliberation, so foul with injustice, that no pretended defense will be believed. The soldiers are waiting to hear it; their widows and orphans are waiting to hear it. Make it and place assumption against proof of fact.

If you feel that it is wise to follow those who claim that the soldiers have received enough, say so as men, but do not masquerade and assume a double rôle. You can not reconcile the conflicting sentiment, and to attempt to double deal will not secure the respect of either class.

Not only have you closed the doors to the soldier, but in the very evil of your act you tell him you are munificent.

Let us see how he has fared this Congress. On March 15, 1897, the House adopted the rules of the Fifty-fourth Congress. Section 1, Rule X, reads as follows:

Unless otherwise specially ordered by the House, the Speaker shall appoint, at the commencement of each Congress, the following standing committees, viz:

On Invalid Pensions, among others, to consist of fifteen members.

Section 2, Rule XXVI, reads as follows:

The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered, said evening session not to extend beyond 10 o'clock and 30 minutes.

These rules have been the fixed ones, in form but not in observance, this Congress. Let me ask the defenders of this "soldier policy" why did you not appoint the Invalid Pension Committee at the special session to consider the rights of soldiers? You appointed the Committee on Mileage and Accounts and others. Is it to be thought that the managing members of this House will appoint committees to pass upon their own claims for compensation, while adjourning for three days at a time, and deny a committee to the soldiers who saved this House of Representatives for us? A lapse of thirty-five years has indeed chilled the patriotism of the country, if this course voices its sentiment.

The above rules, with all the other drastic rules of the House, were forced through, under the operation of the previous question, on the first day of the special session in March, 1897, without opportunity for debate; forced through, as the roll call shows, against the votes and protests of all the members on this side and against the votes of the gentlemen, from Minnesota, Mr. EDDY; from Virginia, Mr. WALKER; from Wisconsin, Mr. MINOR; from Iowa, Mr. HEPBURN; from New York, Mr. MAHANY; from Kentucky, Mr. COLSON; from Michigan, Mr. WM. ALDEN SMITH; from Pennsylvania, Mr. BRUMM; from New York, Mr. QUIGG; from Wisconsin, Mr. COOPER; from Massachusetts, Mr. WALKER; from Illinois, Mr. CONNOLLY; from New Hampshire, Mr. SULLOWAY; from New Jersey, Mr. MCEWAN, on the other side of the House.

I do not ascribe individual motive on those votes, but it must be true that each member, in this first registered act in the performance of his public duty in the Fifty-fifth Congress, thought that the rules thus adopted would be enforced.

These hopes were dashed to pieces, and no committee to consider soldier bills was appointed and no soldier legislation was considered during over four months of special session, and no Friday night's soldier meetings were held, as the rule required; that night was as effectually blotted out as if the day had never appeared upon the calendar.

While we should have been holding these meetings and considering this legislation we were adjourning for three days at a time; though anxious to do our duty, we were walking the streets of Washington. Who will defend this "soldier policy?"

Who moved the adjournments? The gentleman from Maine [Mr. DINGLEY], the leader of the majority. Oh, but it will be said that he is friendly to the soldier, and promised if they helped him to power to pass his bill, he would help them by putting money into the Treasury. The bill was passed, but the "soldier policy" still prevails.

But it may be said that the gentleman is, for sure, the friend of the veteran because he tried to make the Speaker appoint the committees. There is no better proof of the false lights set out to dazzle and allure the soldier voter; no better proof of the false banner under which the managers of this "soldier policy" are marching can be found than is seen in the House proceedings of May 3, 1897, when the leader on that side of the House [Mr. DINGLEY] moved the adoption of the following resolution:

Resolved, That the Speaker be directed to immediately appoint the committees of the House.

And upon that question he demanded the yeas and nays.

So far, the leader was fulfilling his promise to the soldier, to raise lots of money, and to give him liberal pensions; he was passing his bill, and by this resolution he was trying to get committees appointed.

It seems the soldiers were willing to trust him in his promise to pass his bill, to revive the industries of New England and raise money, and it was but fair to them that they should not be delayed in pension legislation, and that their bills should be passed by the time the money reached the Treasury.

But, alas, how vain is all human hope! To the amazement of the soldiers, to whom the gentleman from Maine and his followers had promised to be fair and liberal, after moving that the Speaker should appoint committees, he voted against it himself.

After such inconsistent action, is it surprising, if true, that the great author of the Dingley bill should buy his hat in London? Members on this side, including myself, voted against this resolution, but it will be noted that the resolution offered by him, and which he voted against, provided for the appointment of all committees.

We were governed by motives that did not move the gentleman and his adherents. We would have voted to appoint the Invalid Pensions Committee, but when the country had been ravaged by the disasters that flowed from the demonetization of silver, we did not think it was safe to let you appoint all committees, among others the one on Banking and Currency, that would turn back the tide of Great Jehovah's sunshine on our Western wheatfields and still further oppress us by committing this country more thoroughly to the gold standard, which it is seen it immediately on its appointment this session started to do, under the inspiration of the Secretary of the Treasury and the Indianapolis convention.

By the action of the managers of the other side pension legislation is delayed, held up, and defeated. With the power and control you did not appoint the soldier committee, but, persistently and consistently in opposition to him, you also destroyed his Friday night meetings. When this current which you have created against the soldier will run by, no one can tell. You have set it going, and where it will stop no man can know.

What do we find this session in proof of the "pension policy?" The Senate Pension Committee passed a rule permitting no soldier to appeal to that body for relief till a year after action by the Pension Bureau, if presented to the Bureau.

The soldiers must give up one year more of their lives before relief will be given by the great lawmaking power of the Government. The same rule has been substantially enforced by the committee of this House.

The same lawmaking power that passed the act so quickly calling the soldiers to arms, now for the first time in the history of the Government commands them to wait a year, however meritorious their claims, however just, before they will give them consideration.

The Commissioner of Pensions, the Hon. H. Clay Evans, has closed the doors of the Pension Bureau to the soldiers in like cases. If a mistake is made there, or however just the remedy sought, the soldier is told that his head is off, and will remain off for a year, and he can not be heard.

This order comes to us in this form from the Pension Bureau:

Hereafter claims for increase of pensions will not be considered within twelve months from the last action—allowance or rejection.

H. CLAY EVANS, *Commissioner.*

Under a late rule of the Pension Bureau a pension agent or attorney who directly or indirectly solicits or procures his soldier client to get his member of Congress to call for the status of his claim suffers disbarment at the Department.

Recurring to the proceedings of the 4th of February of this year, the distinguished gentleman from Indiana [Mr. JOHNSON], in urging relief by special bill in this House in a most meritorious case, showed and said that the soldier had been denied relief at the Bureau of Pensions "because the construction there was too rigid against the soldier."

Defenders of this "soldier policy," tell me what you will say in defense of this.

What else do we find? The Appropriations Committee this session cut off a hundred names from the list of employees in the Pension Bureau, and this House passed the bill, thus putting the waiting soldiers back that much further in their wait for pension consideration, although they have been for years waiting, and are now patiently waiting.

The gentleman from Ohio [Mr. NORTON], than whom the soldier has no better friend, than whom no better soldier fought upon the field, has called to the attention of the House the evils of this "soldier policy," but his efforts to secure relief have been met by no feelings of comradeship by the champions of this system. They have not moved to give relief. He seems to have offended them. The "head and front of his offending" is that he is a soldier, a member of this House and of the committee, and a Democrat, and not in sympathy with this policy of defeat to the soldier. You can not convince those who have waited so long that the clerks were not needed.

This is another stroke of "soldier policy" as false as any, and it is proved by the record. You needed these clerks before, and in the former Congress voted the money to pay them. You are far behind in pension cases and you need them now. If you do not need them now, you did not need them then; and if you did not need them then, why did you vote in the Fifty-fourth Congress to continue them? This inconsistency calls for an explanation.

You can not convince the soldiers who have waited for from one to eight years that you are not far behind in the consideration of pension claims.

What else do we find? The evidence before the Appropriation Committee showed, in round numbers, that $10,000,000 more was needed to pay pensions than the committee reported and the House appropriated.

How long will the soldiers' claims be held back; how much delay will ensue from this? Is this a new idea of equity under your "pension policy?" Is this a new idea of justice to those you paid in greenbacks during the war? Is not this a denial of just rights and demands due to brave men and Americans? Let us see what else the managers in this House have done, and who is responsible for it.

On February 21, at a substituted evening for pension legislation, the members on this side of the House came to make a quorum and to pass soldier legislation. The gentleman from Tennessee [Mr. SIMS] and the gentleman from Alabama [Mr. UNDERWOOD], members of uniform courtesy, asked the chairman of the Invalid Pensions Committee, in decorous thought and sentiment, if he would not expedite and quickly pass and close up that evening the pension bills of the soldiers, so that filibustering tactics could not be resorted to next day, as had been before, to hinder and delay them by the "pension-policy" managers.

The gentleman from New York, whose plain duty it was to follow this procedure, rose in his place and to his full height, and said he could not be intimidated.

Intimidated to do his duty, did he mean? "Intimidate" well and truly expressed his position, for the word implies an effort to compel one to do that which he did not want to do.

I level at no man and no set of men any charge that is not proven well.

I charge that the interests of the soldiers of the country are to-day betrayed in the house of their pretended friends.

Let me give you the proof of a conspiracy to thwart and disconcert the soldier, not a manly, open fight, as he fought, but a guerrilla, filibustering warfare, a fight in the dark, a stabbing in the back.

When I use the word "conspiracy" I mean it in no offensive sense. I only characterize a policy adopted by the managers of a party to abandon its saviors; nor do I intend any offense to any member of this body; and if I use language and terms, they are only such as clearly express a condemnation of a policy adopted by the managers of a party and carried out by its forces and instruments. The managers of this policy are controlled by an influence overpowering and oppressive.

As this House, under its rules, is controlled by its Speaker, so is the Invalid Pension Committee, as it seems, dominated by its speaker.

I make no reflection against the chairman undeserved. Let him stand on his record—on his policy. I charge it home to him. I charge only that which has been proven in this House to the satisfaction of its members; it is proven in the record of our proceedings to the satisfaction of the country.

At the beginning of this session an Invalid Pension Committee of fifteen members was appointed under the same rules under which it was not appointed at the special session, and it may be claimed that the sin of omission has now been washed away.

But how well was enforced this session the rule of Friday night meetings?

Only five in three months of Congressional session.

By what answer will you meet this dereliction? Tell me, how will you answer it?

With hundreds of Senate pension bills before our committee, with many thousands of pension bills to consider and report, the majority on this floor, against the wishes of some of its members, waited till January 28, 1898, fifty-three days from the first of the session, to give a Friday night session for soldier legislation. At that meeting the trail of the serpent was again seen in the sand.

Instead of rising and passing in the House the pension bills considered, or even moving the previous question on them, and thus securing for these little pension bills the same security in their passage as is invoked for the mighty and powerful—this rule of safety was omitted.

On February 4, the next soldier day, the managers moved to take up another bill and asked for a roll call, wasting an hour's time, but were defeated by this side of the House voting solidly against them, and joined by enough of the soldiers' friends on that side to defeat their "soldier policy" on that day by a vote of 126 to 116. Thus 116 members on that side recorded themselves against the consideration of soldier legislation. What occurred after this defeat?

They filibustered and delayed, and occupied nearly the entire day in parliamentary tactics to delay the passage of a few little pension bills, as follows: A pension to Mary W. C. Burgess, Benjamin F. Tuck, Ella D. Cross, Emily E. Atherton, James J. Gibbs, Mrs. Annie Whittenmeyer, Rosa Karger, Laura A. Barry, John Bruce, Mary J. Hart, Mrs. Christine C. Barnard, and Isabella G. Daniels.

During this filibustering the gentleman from California [Mr. LOUD] on that side said—I quote his words in the RECORD:

> But the gentleman also knows that, so far as I am concerned, I have always said Friday night sessions were a farce and a species of legislation that never should be enacted by anybody.

This filibustering was the result of the opening left by the gentleman from New York [Mr. RAY] on the evening of January 28, and the soldiers suffered. A passage of the bills then or an ordering of the previous question would have saved a legislative day.

On Thursday, February 10, to get rid of another soldier day, the gentleman from Maine [Mr. DINGLEY], as the leader, without excuse offered or other apparent motive, moved an adjournment till Monday, which, by the votes of the other side, was carried by a vote of 128 to 111, and another spike was driven in the fabric of the "soldier policy."

The Invalid Pension Committee is composed of 10 Republicans and 5 members on this side of the House.

The soldiers have no truer friends than members of this side of the House—the gentleman from Indiana [Mr. MIERS], the gentleman from Kansas [Mr. BOTKIN], the gentleman from Ohio [Mr. NORTON], the gentleman from California [Mr. CASTLE], and the gentleman from New York [Mr. DRIGGS], members of that committee.

I know Republican members of that committee who are friends of the soldier, but I say, and it is proved to the point of certainty, that the chairman is assisting the managers of the House in this "pension policy."

On Friday night, February 25, when we had met here in a less number than one-fourth of the House to consider pension bills, after passing seven bills, as every member knew, without a quorum—a usual practice—the point was made of no quorum by the gentleman from Mississippi [Mr. SULLIVAN], and after the then Chairman, the gentleman from Iowa [Mr. LACEY], had ascertained that a quorum was not present—a fact that was known to every member while we were passing the seven pension bills above referred to—the gentleman from Mississippi withdrew the point of no quorum. Then did the gentleman from New York, chairman of the Invalid Pensions Committee of this House [Mr. RAY], interpose an objection to the withdrawal, and himself emphasized the point of no quorum.

Let him stand, if he can, upon this record against the soldier. That night by his action was lost to the soldier. True, he tried to shift the burden, but his Republican colleague from New York [Mr. MAHANY] well put it when he said, as shown on pages 2464 and 2466 of the CONGRESSIONAL RECORD—I set it out as it occurred:

> Mr. SULLIVAN. Mr. Chairman, I will withdraw the point of no quorum, under the circumstances.
>
> Mr. RAY of New York. Mr. Chairman, the gentleman does not seem to appreciate the fact that the count has been made and the result announced, and it is determined that there is no quorum present.
>
> Mr. MAHANY. That is precisely what I suspected. Some gentlemen appear to entertain a desire not to pass these bills.
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> * * * * * * *
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> Mr. MAHANY. And I desire to emphasize the fact that the gentleman from New York [Mr. RAY] insisted that the point of "no quorum," even when withdrawn, blocked further legislation.

How well could the chairman of the Invalid Pensions Committee, in charge of these little pension bills, have asked unanimous consent to vacate the proceedings, as in his experience many times had been done under similar conditions.

present the facts and let them speak for me. Answer the facts if you can. "By their fruits ye shall know them." It remains to be seen who will attempt to defend this programme of the managers of the House. If any do, I shall take occasion at some future time to show the sentiments expressed on the subject of soldier legislation by the great founders of your party, by statesmen living and dead, by civilians and warriors, by leaders of former years, and by members of this House, and compare them with the declarations on this floor in favor of this policy against the soldier to-day.

We will see by "the defenders" who are following the dictates of their masters. There was a tribe in Africa, the members of which, if their monarch was deformed, did not scruple to mutilate themselves, so that they might bear a similitude. When marching Indian file along the tangles and rocky places, if the chief stumbled, each in turn stumbled.

If the chairman is excused as an individual, he is charged as a follower, and probably as a partisan, with being an instrumentality in carrying out this opposition to soldier-pension legislation, and thus arrays himself against the great founders and leaders of his party in former years, as well as against some of their truest friends in his party to-day.

What further proof do we find? In the first eighty-two days of this session, to February 26, 1898, the fifteen members of this committee reported 86 of these small pension bills to the House, as against 162 bills, more difficult to investigate, reported by the War Claims Committee, composed of eight Republicans and five members on this side of the House, which committee considers claims due citizens loyal during the war, and as against 688 pension bills reported by the Invalid Pensions Committee of the Fifty-fourth Congress in the long session from December 2, 1895, to June 11, 1896, in six months, and against 257 pension bills reported by the Invalid Pensions Committee in the short or three months' session of the last or Fifty-fourth Congress, from December 7, 1896, to March 3, 1897.

One-half of this session gone and only 86 pension bills have seen the light of day to February 26 from that committee presided over by the gentleman from New York, as against 344 pension bills reported in the same time in the first session and 257 pension bills reported in the same time in the second session by the Invalid Pensions Committee of the former Congress.

With thousands of little pension bills before his committee, the chairman reports to this House the small number of 86 in eighty-two days.

Oh, but he may say that he did not have clerks enough. But the chairman is there to further just pension legislation; he is there to move the previous question; he is there to stop filibustering; he is there to serve the soldiers, and when it is found that he needs help for fifteen members to report 86 pension bills in eighty-two days, he should ask the House for help and see who would refuse it.

The chairman asked and received a clerk on February 16. Why the delay? The only excuse apparent to this House is that the committee was busy in getting out 86 bills in three months, as against 315 bills in each three months on an average in the last Congress.

This committee, after repeated requests and profert by me to the chairman, did report favorably a bill, and it passed this House, giving a battle-scarred and armless soldier a pension—one whose wife for years has pumped a hand organ on the streets of Washington while her armless soldier husband, with soldier hat and soldier uniform, solicited alms of generous people.

The people of Washington, whose charity has supported this country's ward for years, while he has been waiting, are thankful, as I am, for this small favor, large as it may seem to be under the present "soldier policy;" but I might add in passing that the same bill was introduced by Senator Voorhees and it passed the Senate in the Fifty-fourth Congress, and received at that time a favorable report from the House committee; introduced again in the Senate by the senior Senator from Indiana, Mr. TURPIE, and on December 17, 1897, it passed the Senate.

Mr. Chairman, as I speak these words I think I hear again the utterances of the gentleman from New York in response to a request of the gentleman from Kentucky [Mr. CLARDY] at the evening session on February 25, when the latter asked him if he would not expedite the soldier legislation, and repeated to me on the soldier evening of March 11, when he said that "courtesies" had been shown to us by the committee.

To me it was no "courtesy," but justice, to give a pension to an armless Republican soldier, whose wife, with long, white hair, had pumped the hand organ on the streets of Washington to support him, and which soldier has for five long years sat in yonder gallery on Friday nights waiting for his name to be read by the reading clerk of the House—in this same Capitol past which he so proudly marched over thirty-five years ago on his way to the defense of his country.

If the gentleman thinks he can "intimidate" me with such a

weapon of "courtesy," he will find that it is like the javelin thrown by the hand of a feeble old man; it will never reach the heart of its victim. What is the cause of this policy, so changed, so repressing to patriotism, so unjust to our soldiery? What is the cause of this change of front, change of heart? No bill for the general relief of the soldiers has been reported by the committee. None will be reported by the chairman in time to become a law, giving the soldiers or their dependents any substantial relief.

Why be niggardly to the soldiers? Why not deny to others and be liberal to the Government defenders? You in effect but a short time ago donated $6,500,000 to the Kansas Pacific Railway corporation. Had this been saved for the soldiers, it would have gone to meritorious people. A country like this can not discriminate against its soldiers. You paid them in paper dollars in the field, when you paid the bondholders in gold. You ought not to limit the soldier now, but you are doing so.

Is this a new rule of fair dealing in your high code of moral ethics?

I am moved to warn you against a "soldier policy" that dampens American patriotism and cools American ardor.

Let no man say that I am prompted by any than patriotic motives. I was not a soldier, but it is equally true that Fort Sumter was fired upon before I was born. If any man says I did not suffer, and with me loved ones, let it be hurled back at him. Go to that humble Indiana home from 1861 to 1866 and find the proof. Go to the battlefields of Shiloh, Bull Run, and Chickamauga; see who failed to answer the roll call of the Thirtieth Indiana after that last battle, and why; go to the rolls of Libby Prison and there find the record of disproval.

If not yet satisfied, go to the records of your Pension Bureau during the time of a policy more liberal than this, and then stay the gibes and taunts that are sometimes hurled at a defender of the soldiers because he is a Democrat. Go there and find the proof of your conviction.

Had I been of age the horrors of war might have deterred me, but it did not deter my father; it did not deter the thousands of brave men who responded with alacrity to the call of their country. They did their duty nobly and well, and now the nation should be grateful and generous to them. Many of you members have been here for years; you have seen the panoramic changes of legislation, but it makes the heart of a new member sink in sadness to see a party like yours turn against the soldiers.

I regret that I was compelled to take up even a little time of the House, but I felt that it was a duty incumbent upon me, as it is upon each of us, to do my best and utmost to remove the mask behind which so many who make and enforce the pension laws are hiding.

My sentiments, I know, find an echo on this side, as well as a generous response in the hearts of many on that side of the Chamber. [Applause.]

The Committee on Invalid Pensions recommended the following amendments:

In line 7, after the word "infantry," insert "and pay him a pension."
In line 7, strike out "fifty" and insert "thirty" in lieu thereof.
Strike out all after the word "receiving," in line 9.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

DANIEL PHILLIPS.

The next business on the Private Calendar was the bill (S. 1465) granting an increase of pension to Daniel Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Daniel Phillips, late a sergeant in Company D, Thirteenth Regiment Wisconsin Infantry, and to pay him a pension at the rate of $30 per month, in lieu of his present pension.

Mr. RAY of New York. Mr. Chairman, the Fifty-third Congress, which was Democratic, during its entire life, both sessions, passed 119 pension bills. This Fifty-fifth Congress thus far has had reported from the Committee on Invalid Pensions nearly 200 bills. It has passed and sent to the Senate already 102 bills, carrying more money than all the 119 bills passed by the Fifty-third Democratic Congress. [Applause.] The Committee on——

Mr. MARSH. Will the gentleman from New York allow me?

Mr. RAY of New York. The Committee on Invalid Pensions has already reported three general bills to this House, doing, or which will do, when enacted into law, a great deal of good to the old soldiers. Now, the speech of the gentleman from Indiana [Mr. ROBINSON] having occupied forty minutes of the two and one-half hours we have for pension work, during which forty minutes we could have passed at least twenty-five of these pension bills giving needed relief to old soldiers, I trust that the remainder of the evening will be given to the consideration of the needs and rights of the old soldiers. [Applause on the Republican side.]

The bill was ordered to be laid aside with a favorable recommendation.

MRS. ELLEN O'RORKE.

The next business on the Private Calendar was the bill (H. R. 1722) for the relief of Mrs. Ellen O'Rorke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension roll the name of Mrs. Ellen O'Rorke, late a volunteer nurse in the service of the United States Army during the war of the rebellion, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "of," strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY F. HAWLEY.

The next business on the Private Calendar was the bill (S. 179) granting a pension to Mary F. Hawley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary F. Hawley, widow of late Capt. John B Hawley, Company H, Forty-fifth Regiment Illinois Infantry, and to pay her a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty," and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN J. BOATWRIGHT.

The next business on the Private Calendar was the bill (S. 294) granting an increase of pension to John J. Boatwright.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John J. Boatwright, late of Company I, Twenty-fourth Ohio Volunteer Infantry, at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

GRATIA H. MARTIN.

The next business on the Private Calendar was the bill (H. R. 4435) to pension Gratia H. Martin, of Williamstown, Vt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll the name of Gratia H. Martin, of Williamstown, Vt., dependent mother of Carlos Martin, late of Company D, Twelfth Regiment of Vermont Volunteer Infantry, and of Company C, Eighth Regiment of Vermont Volunteer Infantry, and that said Gratia H. Martin be granted a pension of $12 a month as such dependent mother, subject to the provisions of the pension laws.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the words "of Williamstown, Vt."
At the end of line 8 strike out the word "that."
In line 9 strike out the words "said Gratia H. Martin be granted a pension" and insert in lieu thereof the words "pay her a pension at the rate."
From lines 10 and 11 strike out the following: "as such dependent mother, subject to the provisions of the pension laws."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HANNAH C. PILE.

The next business on the Private Calendar was the bill (H. R. 5372) for the relief of Hannah C. Pile.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Hannah C. Pile, widow of Gen. William A. Pile, at the rate of $25 a month.

The amendments recommended by the committee were read, as follows:

In line 5, after the words "William A. Pile," insert the following: "and pay her a pension."
In line 6 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

Mr. RAY of New York. Mr. Chairman, I am directed by the Committee on Invalid Pensions to offer the following amendment in lieu of the amendment proposed by the committee. After we had reported the bill the gentleman who introduced it furnished

us with further information, which we caused to be reduced to writing, and which threw new light on the subject and shows that the widow is clearly entitled to the full rate allowed to a widow of a soldier of the rank of her husband, $30 a month. The gentleman who introduced the bill only asked $25, but in view of the evidence, which I will have printed in the RECORD, and which is true, I am directed to withdraw our amendment and offer in lieu thereof the following:

Strike out the word "twenty-five" and insert in lieu thereof the word "thirty."

[Cries of "Vote!" "Vote!"]

The statement is as follows:

WASHINGTON, D. C., *March 17, 1898.*

To Committee on Invalid Pensions, George W. Ray, Chairman.

DEAR SIR: In response to your request to place before your committee, in writing, my statement made to you relating to the pension of Mrs. Hannah Pile, widow of General Pile, I submit the following:

General Pile's record as a soldier and citizen is one to which his friends point with pride; there is no stain upon it. At the time of his death he was president of the city council of Monrovia, Cal. This is one of the "boom" towns of southern California, where values have fallen from "boom" prices to one-tenth the values formerly paid. All who had purchased and had deferred payments to make suffered and usually lost their property. The general was among this class, with a mortgage on his home for more than it is now worth, and loss of outside property on deferred payments.

His wife has struggled from the day of his death to pay interest on her home mortgage and to support herself. Her property could not be sold for enough to clear the mortgage. And, as a matter of fact, she has less than no property at all. She is economical, and as hard working as any woman of her age can be. She has had a continual struggle, and her mortgage has increased by unpaid interest over a thousand dollars in the past few years.

She has one son living; he is a student in an art school in San Francisco, working his way through, and can not contribute to his mother's support. She has no wealthy relatives to support her, and is well along in years, nearly 68, I believe. I have lived by the family for years, and had business relations with the general for five years. Mrs. Pile has often told me she had to depend on her chickens and bees to pay her grocer.

It is but a simple act of justice to place her on the list at as high a rate as the wife of any officer of his grade, and I sincerely trust your committee will report a $30 rating for her.

Very truly, yours,

E. M. WARDALL,
Home address, Monrovia, Cal.
(City address, 503 B street NE.)

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

In line 5, after the word "Pile," insert the words "and pay her a pension."

The amendment was agreed to.

The CHAIRMAN. The Clerk will now report the next amendment.

The Clerk read as follows:

In line 6 strike out the word "twenty-five" and insert "thirty;" so as to read "$30 a month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES M'ALLISTER.

The next business on the Private Calendar was the bill (H. R. 298) granting an increase of pension to Charles McAllister.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to grant to Charles McAllister, late a private in Company K, One hundred and nineteenth Pennsylvania Volunteers, a pension of $24 per month, in lieu of $12 per month which he now receives.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Volunteers," insert the words "and pay him."
In line 7 strike out the words "$12 per month" and insert in lieu thereof the words "the pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. OLIVER.

The next business on the Private Calendar was the bill (H. R. 1540) granting an increase of pension to William H. Oliver.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of William H. Oliver, late a private in Company C of the One hundred and fourth Regiment of Pennsylvania Volunteer Infantry, and to pay him a pension of $72 per month, in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

F. L. BOTKIN.

The next business on the Private Calendar was the bill (H. R. 4692) to pension F. L. Botkin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of F. L. Botkin, permanently helpless son of Amos H. Botkin, late of Company G, Third Iowa Volunteer Infantry, and pay him a pension at the rate of $90 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "to" at the beginning of the line.
Strike out the word "thirty," in line 7, and insert in lieu thereof the word "fifteen."

The amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SARAH E. INGHAM.

The next business on the Private Calendar was the bill (H. R. 1018) granting a pension to Sarah E. Ingham, late an army nurse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Sarah E. Ingham, late an army nurse, at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "nurse," insert the words "and pay her a pension."
Amend the title so as to read: "A bill granting a pension to Sarah E. Ingham."

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOSEPH V. BOWIE.

The next business on the Private Calendar was Senate bill 1111, granting an increase of pension to Joseph V. Bowie.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph V. Bowie, late of Company D, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month, in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

HANNAH LETCHER STEVENSON.

The next business on the Private Calendar was Senate bill 439, an act granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson, at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Mrs."
In line 7, after the word "Stevenson," insert the words "and pay her a pension."
In line 7 strike out the word "fifty" and insert in lieu thereof the word "thirty."
At the end of line 8 add the words "in lieu of the pension she is now receiving."
Amend the title so it will read: "An act granting an increase of pension to Hannah Letcher Stevenson."

Mr. PEARCE of Missouri. I trust that the amendment proposed by the committee, to strike out the word "fifty," as passed by the Senate, and change it to "thirty," will not prevail. It so happens that I have been familiar with General Stevenson and his record ever since the war. I have known him in St. Louis for over thirty years. General Stevenson was born in the State of Virginia, was educated in the State of South Carolina, and notwithstanding all his early training and his early surroundings, he was one of the first men who lined himself up in defense of the flag of his country.

He moved to the State of Missouri along in the early forties, was a gallant soldier of the Mexican war, was a captain in the famous regiment of Colonel Doniphan of the State of Missouri, achieved an early fame in the outset of our country's history, and when the war of the rebellion broke out he was a member of the State legislature of the State of Missouri. He contested with all the strength of his nature the attempt to carry the State out of the Union.

Early in 1861 he volunteered in defense of his country and became a colonel of one of the Missouri regiments. He was engaged in all the campaigns of the West, participated in all the great battles of the West, and he was promoted to command a brigade and a division. He was promoted to brigadier-general and then to major-general. He was in command at Harpers Ferry, and I hold in my hand an extract from Series I., volume 46, of the Army Records, a telegram sent to Brigadier-General Stevenson at Harpers Ferry, from Mr. Stanton, the Secretary of War, which reads as follows:

Accept the thanks of the Department for your diligence, skill, and success in the achievement mentioned in your telegram of this date.

At the close of the war General Stevenson was commissioned a colonel in the Regular Army, and resigned one or two years

thereafter. This is the record of Maj. Gen. John B. Stevenson; a brighter one does not exist in the annals of the war.

It was only on the 4th day of February that this House passed a bill in favor of the widow of Major-General Leggett, whose record stands on all fours with General Stevenson's, and there is no more reason why the bill as passed the Senate should be changed from $50 to $30 a month than there was a reason why the pension granted to the widow of Major-General Leggett should have been passed at $30.

And out of over 100 pension bills passed during the last ten years, there is only one single instance of a bill having been passed at a less pension than $50 a month for the widow of an officer ranking as brigadier-general.

In this case, Mr. Chairman, there is a strong appeal to the sympathies of this Congress in view of the fact that the widow of this good old soldier is standing to-day upon the very verge of the grave, without means, and almost without friends, except the comrades of her good old hero husband. And it seems to me, gentlemen, if there is any case in the history of this pension legislation that should appeal to the judgment and sympathies of this House, it is the case of the widow of John B. Stevenson. I hope that this amendment will not prevail. [Applause.]

Mr. RAY of New York. Mr. Chairman, let me call the attention of the House to what this Committee of the Whole has just done in the case of the widow of General Pile, whose record was as brilliant as that of General Stevenson, his service as long and arduous, his widow just as poor, and almost as near the grave. And we have given her, by the vote of this House, $30 a month. That has been the rule in such a case just approved by the House. Thirty dollars a month is the full amount given to the widow of a general of the rank of General Stevenson by the general law when the death of the soldier is due to his army service.

Now, in this case there is no pretense—there can not be any—that the death of the soldier was due to his army service; and all we are giving this widow above the $8 a month that she receives under the general law now on the statute books is a gratuity granted on account of her being the widow of an officer and of her financial needs.

I know how easy it is to appeal to men on the ground of the distinguished services of an officer dead and gone. But as I have said, and will repeat it, our committee is of the opinion that a wise and conservative course in special pension legislation will enable us to do more good, to pass more bills, than to rush into anything that will savor at all of extravagant legislation.

If there has been any one serious criticism throughout the country in days that are gone, among the old soldiers, in regard to legislation of this kind, it is that we have paid a great deal of attention to rank and very little attention to suffering and needy and meritorious old soldiers who served in the ranks.

Thirty dollars a month is a good pension for this old lady. It will enable her to be well cared for during the remainder of her life. There are dozens more of this same class of bills that will come before this House for consideration, where the beneficiary is seemingly in good health, where the husband was a general officer or a colonel and rendered good service.

Put the widow in such cases on the pension roll at $50 a month, where the death of the soldier was not due to army service, and before the end of this session you will have raised a clamor among the old soldiers throughout the country against this kind of legislation that will absolutely drown out the little clamor that is raised now because you think we do not go high enough—do not go as high as we could or might in the case under consideration.

The only object we have is to be wise, to be conservative, and to have our action commend itself to all the old soldiers throughout the country who are suffering and needy, who marched in the ranks and slept on the ground beneath the sky, exposed to storms, and who when the battle was on stood shoulder to shoulder and marched right up to the muzzle of the death-dealing cannon.

You can go higher if you desire, but let me warn you that there is the same danger that has existed heretofore of raising a clamor through the country among the rank and file, based on the claim, as I said before, that we forget the private, that we forget the private's widow, and give the big pension to the brigadier-general, the major-general, the captain, and the colonel, and to their widows, when they are no more needy, no more in want, no more deserving than those who bore the title of private only, and who carried the musket, and suffered wounds and untold agonies. [Applause.]

Now, I submit this question in all fairness, in all honor and candor, to the good judgment of men possessing good judgment. I say again that we should not be taken off our feet by sentiment, for we have not one case only to deal with, but before this Congress is over we shall have a score or more of this same class of cases to deal with.

Mr. BRUCKER. What does the proof show with reference to the physical condition and pecuniary circumstances of this widow?

Mr. RAY of New York. The proof in this case shows that so far as health is concerned she is in good health for a lady of her years.

Mr. PEARCE of Missouri. About 80 years.

Mr. RAY of New York. She is 77, I think.

So far as property is concerned, the proof shows that she is without property. But the proof further shows, as do the statements made to the committee, that she has friends who will see her well taken care of whether the pension is granted or not.

If this were an isolated case—the only case of the kind—I would not protest should you see fit to give her a hundred dollars a month. But remember this fact—that there are dozens of cases yet to come just as meritorious as this; and remember what you did here a few moments ago with regard to the widow of General Pile, who is in precisely the same circumstances, of substantially the same age, and just as destitute, worthy, and meritorious as is this widow. Let us be consistent in our action in these cases.

Mr. PEARCE of Missouri. I should like to ask the gentleman a question, if I may.

Mr. RAY of New York. Certainly.

Mr. PEARCE of Missouri. You spoke about a rule having been adopted. I should like to know when that rule was adopted and by whom?

Mr. RAY of New York. Now, the gentleman entirely misrepresents me. I have not said anything in my remarks about a rule or about its being adopted.

Mr. PEARCE of Missouri. I so understood you.

Mr. JOY. Mr. Chairman, I want to say one word on this pension case. The statement is made here that the widow of General Stevenson is in perfect health, as far as is consistent with her age. She is now over 78 years of age, and I desire to read a word from the affidavit of Gen. John W. Noble, former Secretary of the Interior, with reference to Mrs. Stevenson:

STATE OF MISSOURI, *City of St. Louis, ss:*

John W. Noble, of lawful age, being duly sworn, upon his oath deposes and says: That he was well acquainted with the late John D. Stevenson; that the said Stevenson, at the time of his death, left no property or effects of any kind or description; that deponent is personally well acquainted with the widow of said Stevenson, to wit, Hannah Letcher Stevenson; that she is now more than 78 years of age, very infirm in both body and mind, and wholly without means of support, and is dependent upon the kindness of others for the necessities of life; that on account of her advanced age she is wholly unable to earn a living. And further deponent saith not.

JOHN W. NOBLE.

Subscribed and sworn to before me this 21st day of January, 1896. My commission expires July 27, 1900.

[SEAL.] GEO. H. SHIELDS, Jr.,
Notary Public, City of St. Louis, Mo.

Now, Mr. Chairman, it seems to me that if any case is worthy, if a soldier's widow should ever be provided for by the beneficent act of the House of Representatives, it should be done in this case of the widow of General Stevenson. It is true that she will not suffer. The good people of my city and State, Democrats and Republicans alike, those who fought upon either side, will not see her suffer. But she stands in the position of a poor old lady, weak and infirm in both body and mind.

She deserves, if any soldier's widow deserves, the recognition, the kindness, and the generosity of the Government of the United States. Her husband served honorably in two wars—in the Mexican war and in the late civil war. He rose to great distinction, to that of a major-general in the war of the rebellion.

Mr. STRODE of Nebraska. May I ask the gentleman a question? Was she the wife of the soldier during either of these wars, or both of them?

Mr. JOY. During both of these wars she was the wife of General Stevenson, and was with him much of the time during his war service. He was, I think, but 2 years older than she. They were about the same age, and were married before he went into either war. Now, I say that a woman who has stood by her husband throughout his whole life, her husband being a soldier whose record is equal to that of any soldier who fought upon either side, we, as members of Congress, should give her what we give to the others of the same rank and necessity. [Applause.]

There is no reason to cut down Mrs. Stevenson's pension. There is no reason to say to the dead Stevenson's spirit that his widow shall not be cared for equally as well as those, perhaps equally deserving, but no more so, of other generals or colonels or captains.

My friends, I trust that we will all vote against this amendment to cut down her pension from $50 to $30.

Mr. RAY of New York. If my friend will permit one word, we are not cutting her pension down, because this lady is drawing a pension under the law of only $8 per month, and $8 is all she can draw under any law now upon the statute books. When we give her $30 per month, as we propose to do by this amendment, we are increasing her pension $22 per month, simply because she was the wife of a brigadier-general; and while we do that, we are not increasing at all the pensions of thousands of widows of soldiers scattered all through this land, poorer than she, crying for bread, with no one to support them, who only get $8 per month, and who we shall leave drawing $8 per month only.

Mr. JOY. One word in reply to the chairman of the committee. There are none poorer than she; nor is she drawing a pension of one dollar as a survivor of a soldier of the late war. She is drawing $8 per month as the widow of a Mexican veteran.

The CHAIRMAN. The question before the House is upon the adoption of the amendment.

Mr. BRUCKER. What is the amendment?

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Strike out "fifty" and insert in lieu thereof "thirty."

The question being taken, on a division (demanded by Mr. PEARCE of Missouri) there were—ayes 39, noes 37.

Mr. PEARCE of Missouri demanded tellers.

The CHAIRMAN. Tellers are refused, 17 members, not a sufficient number, voting in favor thereof.

Mr. COOPER of Texas. I do not think the House understood the proposition. I ask that the question be put again.

The CHAIRMAN. If there is any misunderstanding about the proposition, the Chair will put it again.

Mr. COOPER of Texas. I do not think this House understood it.

The CHAIRMAN. All in favor of tellers upon this proposition will rise and be counted.

Tellers were ordered.

Mr. RAY of New York. I should like to make one suggestion here, in order that we may get along with these bills. This is a waste of time. This raises the issue with the Senate on this matter. The Senate presented a rate of $50 in such cases. The House presents the rate of $30. It will lead to a controversy and can be settled in conference.

Mr. ROBINSON of Indiana. I make the point of order that debate is not in order.

The CHAIRMAN. The point of order is sustained. The gentleman from Missouri [Mr. PEARCE] and the gentleman from New York [Mr. RAY] will take their places as tellers.

Mr. CLARK of Missouri. I should like to have unanimous consent for one-half minute to speak about this.

Several MEMBERS. Regular order!

The CHAIRMAN. Nothing is in order except the taking of the vote by tellers. The regular order is demanded.

Mr. CLARK of Missouri. I just want to make two statements. General Stevenson——

The CHAIRMAN. The gentleman is not in order. The regular order is demanded.

Mr. NORTON of Ohio. I ask unanimous consent that the gentleman from Missouri have one minute.

Mr. BREWSTER. I object.

The committee again divided; and the tellers reported—ayes 39, noes 40.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now is upon the adoption of the other amendments.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. TALBERT. Division, Mr. Chairman. I should like to ask the Chairman to state the question.

The CHAIRMAN. The Clerk will report the other amendments.

The Clerk read as follows:

In line 6 strike out the word "Mrs."

In line 7, after the word "Stevenson," insert the words "and pay her a pension."

At the end of line 8 add the words "in lieu of the pension she is now receiving."

The amendments read were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. BARLOW. Mr. Chairman, in view of the action just taken, that $50 is to be the rating for a brigadier-general's widow, I move the reconsideration of the action just taken on the bill H. R. 5373.

The CHAIRMAN. That motion is not in order in Committee of the Whole. It can only be done in the House.

Mr. BARLOW. May I just make a statement?

The CHAIRMAN. By unanimous consent.

Several MEMBERS. Regular order!

The CHAIRMAN. The gentleman from California asks unanimous consent to make a statement.

Mr. SIMPSON of Kansas. I object.

ELIZA B. LOWRY.

The next business on the Private Calendar was the bill (H. R. 7482) granting a pension to Eliza B. Lowry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Eliza B. Lowry, widow of Alexander Lowry, Company C, Eighty-third Pennsylvania Infantry Volunteers, subject to the provisions and limitations of the pension laws, and pay her a pension of $12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. M. LOUISE ANDERSON.

The next business was on the Private Calendar the bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of M. Louise Anderson, widow of John B. Anderson, late of Company K, Seventeenth Regiment Michigan Infantry, at the rate of $12 a month.

The Committee on Invalid Pensions recommended the following amendment:

In line 7, strike out the word "twelve" and insert in lieu thereof the word "eighteen."

Mr. TALBERT. Mr. Chairman, I should like to have the report read.

The CHAIRMAN. The gentleman from South Carolina asks for the reading of the report. The Clerk will read.

The report (by Mr. DRIGGS) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5994) granting a pension to M. Louise Anderson, have examined the same and all the evidence relating thereto, and respectfully report:

This bill proposes to increase from $8 to $18 per month the pension of M. Louise Anderson, of the city of Washington. This claimant is the widow of John B. Anderson, who served in Company K, Seventeenth Michigan Volunteer Infantry, from February 10, 1863, to March 2, 1864, when he was honorably discharged on account of loss of right arm by reason of gunshot wound received in battle. This soldier was also shot through the left arm at the elbow.

It appears from credible evidence, which is not disputed, that the soldier suffered almost constant pain in the stump of the right arm to the time of his death; that same never fully healed; that his system was as a consequence much run down and debilitated; that his nervous system was shattered and the brain seriously affected; that he had frequent spells of dizziness; that he had a bad cough and expectorated bloody matter; that one day he fell, became unconscious, and died in about twenty days. The evidence establishes that the soldier was of good habits, free from all disease except those resulting from the wounds, and above described.

The soldier was pensioned at $36 per month only, although clearly entitled to $45 per month.

The general-law claim of the widow was denied on the ground that a "sufficient" pathological connection between pensioned and death cause was not shown. From this conclusion your committee beg leave to respectfully dissent. If a healthy man bleeds and bleeds until he dies, and is otherwise in perfect health, the fair presumption is that death results from the excessive bleeding.

In this case only one death cause was present, and only one cause of the death cause, and that a natural and probable one, existed. This was of service origin, viz, an arm shattered by a bullet, consequent amputation, consequent shock and impairment of and breaking down of the health and tissues, and resulting death.

Only a disposition not to see could prevent the ordinary medical man from seeing the pathological connection between this soldier's wound, received in the service, and his death. No other possible death cause is claimed. This widow, who was the wife of the soldier during the war, has been denied her rights at the Bureau of Pensions, and your committee feel fully justified in righting the wrong so far as possible. She is poor and very needy.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In line 7 strike out the word "twelve" and insert in lieu thereof the word "eighteen."

Mr. TALBERT. Mr. Chairman, I should like to know from the chairman of the committee what is the age and condition of this widow at this time. Is she not just as helpless and just as deserving as the widow of the brigadier-general whose pension has been increased to $50?

Mr. RAY of New York. She is as poor as a woman can be and she is as worthy as a woman can be and she is as nice a lady as ever drew breath. She is compelled to do washing, what little she can get, to earn a living. She came on here from the State of California in order to get justice. The gentleman from California [Mr. BARLOW] introduced the bill at $12 a month, and in view of the circumstances and need of this woman we increased that to $18 per month as a measure of justice to her.

The only possible distinction between this case and the bill that we have just passed is this: Mrs. Stevenson is the widow of a brigadier-general. This woman's husband did not reach that rank and this woman is not quite as old, but she lost her husband by reason of his army service.

Mr. TALBERT. I just wanted to call the attention of the committee and the country to the fact that the widows of brigadier-generals and the widows of officers generally have plenty of champions in this House, but never have I heard anyone to stand up here to champion the cause of the widows of privates.

Here is an instance. I say it is a sad commentary upon this House that whenever a brigadier-general's widow or a colonel's widow or anybody of that sort comes here, she can find champions enough, but when a poor woman who happened to be the wife of a private, who possibly was a better man by far and a brighter gem than the general—why no one can be found to do her honor or to advocate an increase of her pension.

I just wanted to say this much, and I say no more in regard to the matter. [Applause.]

Mr. BRUCKER. Mr. Chairman, allow me to call the attention of the gentleman from South Carolina to the fact that this nation has honored the widows of brave private soldiers, and not only honored them, but has provided them "munificent" pensions to the amount of "$8 a month!" Eight dollars a month is the

amount they have allowed to the private soldier's widow. They have provided for them in that way.

But, just as the gentleman from South Carolina says, you make an exception of every general's widow and every brigadier-general's widow and the widow of every officer of the Army, by giving them from $30 to $72 per month, but the widow of the poor common private you limit to $8 a month. What an outrage! Now, for the purpose of testing the magnanimity of this House and the temper of the members of this committee, I am going to move an amendment in this case and see how consistent our friends both on this side and the other side are on the question of pensions. Mr. Chairman, I move an amendment to the amendment on this bill, and instead of giving this widow $18 a month, to make the amount $24. [Applause.]

The CHAIRMAN. The gentleman offers an amendment to the amendment of the committee, so as to strike out $18 and insert $24.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. BRUCKER. Division, Mr. Chairman!

The committee divided; and there were—ayes 43, noes 1.

So the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID N. THOMPSON.

The next business on the Private Calendar was the bill (H. R. 777) to increase the pension of David N. Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension now paid to David N. Thompson, late a private of Company C, Thirty-fourth Regiment Illinois Infantry Volunteers, and pay him the sum of $50 per month in lieu of the pension that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the words "increase the pension now paid to," and insert in lieu thereof the words "place on the pension roll the name of."

In line 7 strike out the words "the sum of fifty," and insert in lieu thereof the words "a pension at the rate of thirty-five."

Mr. TALBERT. Mr. Chairman, let us have the report read.

The report (by Mr. RAY of New York) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 777) granting an increase of pension to David N. Thompson, have carefully considered the same and the evidence relating thereto, and respectfully report:

This bill as amended proposes to increase from $12 to $35 per month the pension of David N. Thompson, of Horton, Iowa.

This soldier served as private in Company C, Thirty-fourth Regiment Illinois Volunteer Infantry, from February 2, 1864, to July 27, 1865, when he was honorably discharged. The medical records of the Army show that the soldier had diarrhea while in the military service. He filed a claim for invalid pension December 10, 1894, under the act of June 27, 1890, alleging chronic diarrhea, palsy of the left side, and disease of nervous system. This claim was adjudicated July 23, 1895, and he was pensioned for disease of nervous system.

April 3, 1896, the soldier filed a claim for pension under the general law based upon his service aforesaid, and alleging that while in the service and in the line of duty near Savannah, Ga., on or about the 1st of May, 1865, he contracted chronic diarrhea and disease of liver.

The evidence that the soldier contracted his present disabilities in the service is unsatisfactory to the Pension Bureau, although much substantial and uncontradicted evidence has been filed to that effect, and much additional credible evidence has been filed with your committee. The soldier was in good health when he entered the service. He contracted diarrhea while in the military service, as the medical records show.

When he left the service he was much emaciated and very weak. His nervous system was shattered. The evidence shows that the claimant became overheated and suffered from brain fever in the service.

It is probably true that the disabilities of this soldier contracted in the service have resulted in his present almost helpless condition. He now has palsy or paralysis of his left side, and his nervous system is shattered, and, in short, he is substantially helpless. The soldier is very poor and has a wife dependent on him for support.

If this soldier could prove that his present disabilities are the result of his army service he would be entitled to a pension of $50 per month, as he requires the frequent and periodical attendance of another. Acting conservatively, and keeping in mind the soldier's inability to present more satisfactory proof that all his present disabilities are the result of army service, your committee believes that an increase to $35 per month is fully justified from the evidence. There can be no doubt that disease of service origin has rendered this soldier absolutely unable to perform any manual labor whatever.

The soldier is of good character, and nearly all the citizens of the place where he resides have united in a petition asking that this man's pension be largely increased. The evidence filed with your committee in addition to that at the Pension Bureau is very voluminous, and comes from citizens of respectability and high standing.

The bill is reported back with the recommendation that it pass when amended as follows:

In line 4 strike out the words "increase the pension now paid to" and insert in lieu thereof the words "place on the pension roll the name of."

In line 7 strike out the words "the sum of fifty" and insert in lieu thereof the words "a pension at the rate of thirty-five."

Mr. TALBERT (during the reading of the report). Mr. Chairman, I ask unanimous consent to dispense with the further reading of the report. The wonder is that he is not dead before now.

There was no objection.

Mr. RAY of New York. Mr. Chairman, in this connection I desire to call the attention of the House again to its action in the case of the widow of a general and its proposed action in this case, for I find nobody proposes to increase the pension of this old soldier. He marched for days in every storm that nature showered down on his head and he faced the cannon on dozens of bloody battlefields, and incurred disabilities that have prostrated him and made him helpless, and he is now without a cent to support him.

The general law gives him $12 a month, and that is all the Bureau would or could award him. Think of the service he performed for this country! Think of his sufferings! Think of the sufferings he has endured since and the suffering he endures now! Think of the poverty that surrounds his home and his wife! But I do not hear the champions of the widows of brigadier-generals, whose husbands incurred no diseases or disabilities, and who did not die because of any disability incurred in the service, crying out in favor of this old soldier or favoring an increase for him. No one asks that, but we find gentlemen use all their power for a widow, the widow of a general, who did not lose anything because of the war and whose husband drew somewhere from $3,000 to $5,000 a year from the Government for more than forty years.

Mr. SIMPSON of Kansas. Mr. Speaker, I was just on the point of rising to move an amendment when the gentleman from New York rose to make his speech, and now I move to make it $50 a month. I think it has been well set forth by the chairman of the Committee on Invalid Pensions that he deserves this pension, and inasmuch as we gave a pension of $50 a month to the widow of a brigadier-general we should give that amount to this old soldier.

Mr. GARDNER. Mr. Chairman, I listened with some interest to the remarks of the chairman of the committee as he electrified the House with the statement that the soldier served in the many storms of battle, and how he moved, until the wonder was how he was living, as was the case with Napoleon Bonaparte. If I noticed the reading of the report aright, and I think I have, he enlisted on the 2d day of February, 1864, when the storms of battle had generally subsided.

Mr. NORTON of Ohio. Oh, no.

Mr. GARDNER. And he was mustered out in July, 1865.

Mr. SULLOWAY. When the smoke had cleared away.

Mr. GARDNER. He served a very short time in the Army—served, as I say, when the storms of battle had mostly swept by; and, as I see by the report, in a short time after he entered the Army he contracted disease, the disease which has followed him ever since.

Now, I say, Mr. Chairman, as a general proposition, those soldiers who contracted the diseases generally described in these reports early after entering the service, no matter what the records say about it, were not sound men when they entered the service. The further fact in this case is certainly clear as day that this applicant, for whom such sympathy is expressed—and I have as much as anybody—does not trace the origin of his disability to military service. I can not repeat the oratorical flourish with which it was stated here that the law only allowed him $12 a month.

Why, sir, the reason that the law only allows him $12 a month is that he applied under the act of 1890, and he made application under that law because he knew, I assume, that he can not trace his disability to military service. What pension attorney having a case applies under the act of 1890 unless he is conscious that his client can not trace his disability to military service at all?

Mr. RAY of New York. This man applied under the general law, alleging his disability to be due to service, and the Bureau denied him, and then he was driven to apply under the other law—the act of 1890. The gentleman is mistaken in saying the storms of battle had swept by in February, 1864; they were just coming on in their greatest force. This man marched all through the campaign and took part in all the battles down to Atlanta. He went from Atlanta to the sea, and marched from there up through Georgia and the Carolinas; and the committee find that in all human probability he contracted his disease and disabilities in the service. I hope the gentleman will not detract anything from what this brave old soldier did, or anything from the glory that is his due.

Mr. GARDNER. Mr. Chairman, I will take but a moment longer. The chairman of the committee states the matter as strongly as I desired, that this soldier did apply for a pension under the law, but failed to satisfy the Department at any time that his disabilities were due to military service. That is the fact disclosed by the record.

The amendment offered by Mr. SIMPSON of Kansas to the amendment of the committee was rejected.

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WILLIAM D. FOOTE.

The next business on the Private Calendar was the bill (H. R. 4962) to pension William D. Foote.

The bill was read, as follows:

Be it enacted, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William D. Foot, of Mattoon, Ill., of Company G, Fourth Regiment of Pennsylvania Volunteers, on the pension roll, subject to the provisions and limitations of the pension laws, and pay him a pension of $72 per month.

Mr. TALBERT. Mr. Chairman, let us have the report.

The report (by Mr. WARNER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4062) proposing an increase of pension to William D. Foote, have examined the same and all the evidence, and respectfully report:

This bill as amended proposes to increase from $12 to $50 per month the pension of William D. Foote, of Mattoon, Coles County, Ill., who served from February 22, 1864, to July 1, 1865, in Company G, Fourth Pennsylvania Cavalry Volunteers, and was honorably discharged.

He is shown by the records to have been wounded in the right elbow in battle, April 5, 1865, and to have been treated therefor in hospital.

He filed and established a claim therefor under the general law, and was pensioned at $2 from date of discharge, increased to $4 from September 18, 1880, and to $6 from November 13, 1889.

No claim has been made under the general law for any other disability, nor has any other disability been alleged as due to service in any declaration or affidavit filed in the Pension Bureau. It is probable, however, that his present condition is largely due to army service and hardships.

August 22, 1890, he filed a claim under the act of June 27, 1890, based on wound of right elbow and rupture of left groin, and was pensioned therefor and for slight deafness of both ears at $12 per month from date of filing.

Evidence filed with this committee shows that claimant has had a stroke of paralysis and is totally helpless, can not feed or dress himself, can not take food without great difficulty, can not articulate without great difficulty, and many words can not pronounce at all. His mental faculties are also greatly impaired. He has to have an attendant all the time, night and day. He is poor, his little home is encumbered in the building and loan association, and he has no income or means of support except his pension of $12 per month.

There is no pretense that his present disability is the result of his own vicious habits.

From the nature of the disease now afflicting the soldier it is evident that he can not survive long.

Your committee therefore report the bill back with the recommendation that it pass when amended as follows:

At the end of line 4, strike out the word "Foot" and insert the word "Foote."

In line 8, strike out the word "seventy-two" and insert in lieu thereof the word "fifty."

Add, at the end of line 8, the following: "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to William D. Foote."

MATTOON, ILL., *January 24, 1898.*

In the matter of William D. Foote, late a private in Company G, Fourth Regiment Pennsylvania Volunteers.

I hereby certify that I have this day examined the said William D. Foote, and find the following physical condition:

There is a general paralysis of the right side of the body.

He can articulate with great difficulty; many words can not be pronounced at all. Mental action very slow; can not protrude the tongue. Can not take food without much difficulty; face very slightly drawn; there is total paralysis of the right arm, voluntary motion totally lost. Fingers and hand flexed and firmly contracted; when asked to grip the hand there was not the slightest motion or contraction of the muscle to be felt. The right leg is also paralyzed, can not draw it up when extended in bed; irritation of the sole of the foot caused marked reflex contraction, voluntary motion and action lost.

Action of the heart regular, pulse 80; for the last few weeks has frequent sinkings from heart failure, unconscious for some time after each return. Has a large left inguinal hernia extending into scrotum, 5 inches long, 3½ inches broad. The mind is deranged much of the time; from the length of the time the condition has existed I think the paralysis is permanent, with indication of a fatal termination at no distant date. Mr. Foote is unable to wait on himself in any manner whatever. I am a regular practicing physician for thirty-five years; am 58 years old; served two years in the United States Navy as acting assistant surgeon during the rebellion. Have served about thirteen years as United States examining surgeon for pensions.

I have no interest in the prosecution of this claim.

This statement is without any suggestions from anyone and in my own hand, to be typewritten.

Respectfully, L. F. MORSE, M. D.

Subscribed and sworn to before me this 25th day of January, 1898; and I certify affiant is entitled to full credit.

[SEAL.] A. T. WELMAN, *Notary Public.*

MATTOON, ILL., *January 24, 1898.*

In the matter of William D. Foote, late of Company G, Fourth Regiment Pennsylvania Volunteers, state as follows:

J. Wesley Welker, M. D., age 44 years, and practicing physician of twenty-one years' standing, being duly sworn, says:

On the 24th day of January, 1898, I made an examination of William D. Foote, late of Company G, Fourth Regiment Pennsylvania Volunteers, and found him afflicted with paralysis of the right side, involving the right leg, right arm, throat, and tongue (making dilitation and articulation imperfect and difficult). His mental condition is also impaired, as he has a very vague conception as to time and events. All of which renders him totally helpless and requiring a constant attendant.

Respectfully, J. WESLEY WELKER, M. D.

Sworn to and subscribed before me this 25th day of January, 1898; and I certify affiant is entitled to full credit.

[SEAL.] A. T. WELMAN, *Notary Public.*

MATTOON, ILL., *January 24, 1898.*

N. B. Allison, being duly sworn, upon oath states as follows:

My name is N. B. Allison; age 42; reside at 1717 Wabash avenue, Mattoon, Ill.; have been intimately acquainted with W. D. Foote since 1879, and have noted by his pension certificate that he was a private in Company G, Fourth Regiment Pennsylvania Volunteer Cavalry; have visited him upon an average of once a week since he received a stroke of paralysis about one year ago, since which time he has been entirely helpless with regard to getting into or out of bed; his mind and speech are seriously affected and gradually becoming worse, an attendant being required in his room day and night.

Prior to his receiving the stroke of paralysis I have heard him complain at times of being unable to raise his right arm to the level of his shoulder, and giving the wound in the elbow received in the Army as the cause. I have also witnessed him suffer great pain on occasion while lying upon the floor because of his ruptured condition.

N. B. ALLISON.

Subscribed and sworn to before me this 24th day of January, 1898.

[SEAL.] A. T. WELMAN, *Notary Public.*

MATTOON, ILL., *January 24, 1898.*

In the matter of William D. Foote, Company G, Fourth Regiment Pennsylvania Volunteers, would say I have known him for two years. I am his nearest neighbor, and live on the adjoining lot, next door to him. Our houses are not more than 100 feet apart. I was present on the 11th day of November, 1896, when he was stricken with paralysis, his present trouble. I heard the screams of his wife and ran over to see what was the matter, and found Mr. Foote unconscious. I was one of the parties who helped to carry him in. A doctor was summoned and pronounced it a case of paralysis.

I am almost a daily visitor to see him. He has to be cared for continually, both day and night. Since the day he was stricken he has been as helpless as a child. He frequently has bad sinking spells, and I look to see him die. He can only speak a few words that can be understood. The last few months he has been confined to his bed and some person has to care for him. I would further state that Mr. Foote is a poor man, and his home is mortgaged to the building and loan, and he is likely to lose it unless he gets relief. My age is 36 years. Residence, Mattoon, Ill.

MRS. SINA DAY.

Sworn to and subscribed before me this 24th day of January, 1898; and I certify that the affiant is entitled to credit and full confidence.

[SEAL.] A. T. WELMAN, *Notary Public.*

MATTOON, ILL., *January 24, 1898.*

In the matter of William D. Foote, Company G, Fourth Regiment Pennsylvania Volunteers, would state that I have stayed with the said Foote constantly, day and night, since the 7th day of May, 1897, with the exception of three weeks' time during which I was away.

Some one has to constantly watch, lift, and care for him. He is almost as helpless as a babe. He can only use one hand and leg, and can not talk to make his wants known. It takes one person all the time, and part of the time two, to care for his wants. He has sinking spells and the doctor has to be called. I have expected to see him breathe his last with these spells. His wife is a small, weakly woman, and as it takes a man person to lift and handle him, and he requires constant attention, he has to hire some one to be in attendance. He is poor, and his little home is in the building and loan. He has no income save his pension, under the law of 1890, at $12 per month.

I am 51 years of age; by occupation, house lather; post-office, Mattoon, Ill.

TOM C. DAVIS.

Sworn and subscribed to before me this 24th day of January, 1898, and the party is entitled to full credit.

[SEAL.] A. T. WELMAN, *Notary Public.*

Mr. DRIGGS (during the reading of the report). Mr. Chairman, I move that the further reading of the report be dispensed with.

The motion was agreed to.

Mr. DRIGGS. Mr. Chairman, I move to amend the report of the committee by striking out the word "fifty" and inserting "seventy-two." I believe the time has come when, if we propose to pension anyone, we should pension the soldiers absolutely helpless, and who can not take care of themselves or their families, and this man is in that exact condition. This man is partially, if not entirely, paralyzed; he can not feed himself; his home is encumbered, and he is in poverty.

I say that is the kind of a man the Government should give the full limit. Raise him from $50 to $72 a month and you are doing what is right by the men who stood by the flag. I say these are the men who should be taken care of more than the widows of generals. They are the men who went out and fought the battles, and went through the hardships, and when they are laid down by disease and can not take care of their families, then is the time that we should give them the full limit.

The CHAIRMAN. The question will be on the committee amendment. If that is voted down, it would give the pensioner the amount of $72 in the original bill.

Mr. HUNTER. Mr. Chairman, I was the author of this bill. I introduced it and had it referred to the Committee on Invalid Pensions. I introduced it for the reason that the Pension Office had adopted a rule of $72 as the proper measure for persons totally disabled. I had occasion to go to this man's home before I came to this session of Congress, and made an investigation to satisfy myself.

I interrogated his nurses and those with him and three physicians, and I found him in this condition from personal inspection as well as by facts obtained from these parties. He is totally helpless, as helpless as a child 10 days of age. He can not speak, he can not move his hands, can not turn over in bed, can make no expression, directly or indirectly, either by speech or motion. He is in that helpless and unfortunate condition, and so I introduced the bill for this amount.

Mr. TALBERT. What is the reason he could not get a pension from the Department?

Mr. RAY of New York. Because his disabilities are not due to service.

Mr. NORTON of Ohio. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois [Mr. HUNTER] has the floor.

Mr. NORTON of Ohio. But the gentleman from New York [Mr. RAY] is speaking.

The CHAIRMAN. The gentleman from Illinois yielded to the gentleman from New York to answer a question.

Mr. RAY of New York. It all rests upon this proposition. The United States through its Congressional action has said that a soldier who incurred his disability in the service, and is now totally helpless, and needs the constant aid and attendance of another shall draw a pension of $72 a month. This man is in that condition, but his disease, his present condition, is not the result of army service.

It is not due to his service in the Army, and while we gave him $50 because of his helpless condition, we maintain the distinction, that all sensible men who think will maintain, between those who were shot to pieces in battle and those who have incurred their disease and disabilities from some other cause long after the war was over. I trust the gentleman will keep that distinction in his mind, although he will not find me the one to oppose the giving of all any soldier deserves in accordance with the law written upon the statute book or the plain principles of common sense and humanity.

So long as this committee does not have the amounts recommended by it cut down I shall be content, and when this House sees fit to increase the amount that we report, I shall be satisfied, because you will not charge the committee, or its chairman certainly, with indulging in unwise and extravagant pension legislation.

I want to say to my colleagues on the Republican side, and I will say it to you gentlemen on the Democratic side, that extravagant legislation is something that will come back to trouble you, and to trouble us all, when the cry goes out through the country that it is indulged in, and I repeat, that to-night we give the widow of a brigadier-general, who did not lose her husband because of any army service, more pension than we give to the old soldier shot to pieces on the battlefield or to his deserving widow. This is not generally approved, and can not be, by the privates, by their widows, or by the masses of our people who want justice and liberality, but consistency and equality, all things considered.

Mr. NORTON of Ohio. I regret exceedingly, Mr. Chairman, to break in upon the action of this committee and to talk at all upon any of these questions, for the simple reason that more good could be accomplished if we were to accept at once the reports of the committee and pass bills as they are reported to the House. This case, however, is one that came under my own observation, and, having examined the testimony, I am impelled to say that if ever there was a case showing absolute, positive inability to support one's self—nay, more, a case of absolute helplessness, so that the most puerile and weak infant on the face of God's earth is not the care that this man is—here we have such a case.

But, Mr. Chairman, we have followed a line, not a rule, and made a general proposition. Why? I speak now in the presence of a number of the men upon the Invalid Pensions Committee. We did this solely because we could not procure a higher rating from the majority of that committee.

Mr. Chairman, if the Congress of the United States would do an honest thing toward the soldiers of this country—if it would do a manly thing—90 per cent of all the claims that now come before us would not be here at all. I have listened to the chairman of our committee, and I wonder that he has not seen the facts of the case in another direction.

I stood on the floor of this House in open session and called attention to the fact that thousands—nay, hundreds of thousands—of the soldiers of this land—men who stood in the front of the battle, men who from the hour that the dove of peace came upon this country at the close of the war have gone through pain, misery, humiliation, and poverty—are rejected at the Pension Office for the very same reason given for rejecting the application of this man and others who come here for relief by private bills—because they are unable to prove that their diseases and their wounds were received in the line of duty and in the service of the country.

Mr. Chairman, it is useless to blame the chairman of this committee. The differences between him and myself, perhaps, on these measures are as wide as the sea. But I desire to pay him this compliment—and I speak it sincerely—that no man has ever worked harder than he; nor has any committee ever appointed by the House worked more faithfully than this committee. Yet I find that much of his work does not follow the line in which I should labor.

If this committee could be called together and could give an honest service pension, removing the barriers of the existing law, breaking down some of the inefficient, indecent, inhuman rules of the Pension Office, we should not be disturbed here on this floor by appeals in cases of this kind.

I desire to resent a remark made by the gentleman from South Carolina [Mr. TALBERT]. I know he did not mean what the words of his remarks would imply; but he said that he had never heard any man raise his voice upon the floor of this House for the privates in the service of the Union. I beg to say to him that within two months of my coming on this floor I was made a target to be shot at; nay, more, to have my words misconstrued and to have a majority on the other side of the House put words in my mouth that I had not uttered, but, on the contrary, had disclaimed, solely because I was making a fight, not for the generals, but for the privates in the service of the United States. I desire to resent that imputation.

Nor do I believe that all of you who are here to-night voting increases of pensions are sincere. If you are, then be as earnestly sincere in meeting the questions which are to follow. And remember to be just as sincere if any committee should have the courage to dare to bring upon this floor a bill, which I have said in open House I disbelieved you will ever do, granting a fair and just service pension.

I repeat here to-night that the soldiers of the United States will not believe in your professions of sincerity, in your declared intentions to do good to them, until you shall equalize matters for the benefit of those who do not come here aided and abetted by friends upon the outside—men who can not reach you, but whom you can reach by the amendment of your laws, making the proof in a pension case no more difficult or exacting than the evidence required in the courts of the land.

I repeat it now that there are soldiers who carried the flag to the front, who never were in hospital an hour in their lives, who may not have been wounded, but who came home from the war physical wrecks—courageous, honest, sincere, proud-spirited men, not even asking of this Government anything except an honorable discharge, but who to-day are mendicants upon the streets or inmates of soldiers' homes, under the rule of a military discipline as galling as the chains of slavery, and bound to remain there, because they can not prove that their wounds or diseases are of service origin. Under the rule of the Pension Department the witnesses necessary to prove a case would have ofttimes to be sought for either in hell or in heaven, for they are not upon earth. Yet you are still demanding that applicants shall make such proof.

I beg you, gentlemen, from this time on be sincere. Wherever you find a man totally helpless, a man who wore the blue—I care not whether he received his disease in service or not, help him. This Government is not so poor—and God knows it is not so measly mean, if it can break loose from those influences that absorb to themselves the wealth of the country—that it can not take care of every soldier who has lost his health or received serious injury in the service of the United States. No taxpayer East, West, North, or South will ever complain of the tardy justice you may do to these men.

I am in favor of passing this bill at $72 a month. I so voted in the subcommittee; I so reported to the full committee. The line which we have followed has been wholly because of a custom in our committee, not a rule, which has grown up in favor of cutting down these allowances.

I appeal to you to be as generous in one case as in another. Do not allow yourselves by reason of any pique or humor to do injustice to the soldiers of this land, for it is not through pique or humor or avarice that this House can work its way to the approbation of the American people so long as it lifts its hand against the soldier or refuses to cast its vote in his interest by an amendment to the general pension laws. [Applause.]

Mr. TALBERT. Mr. Chairman, since I have been a member of this body, for three terms, I have missed hardly a single Friday night session, and I can truthfully say that I have never stood up in the presence of this body and opposed a single pension for a true and tried old veteran soldier whose services I thought demanded recognition at the hands of the Government, but I have always opposed fraudulent and unmeritorious claims. During that term of service, I repeat it, the champions have appeared here generally in the interest of brigadier-generals, colonels, and majors, and their widows, and not in the interest of the private soldier and his widow. [Applause.]

I repeat it, the gentleman from Ohio to the contrary notwithstanding. If he has raised his voice, I have never heard it, in defense of the private soldier. He may have done so, but I believe this is the first time I recollect seeing him here to attend a Friday night session, and if he has ever raised his voice for a private soldier here or his widow, I have failed to hear it. Now, I would not do him any injustice, but I repeat and reiterate that it is a sad commentary upon this House, that it is a fact—and you may take the records of the Fifty-third and Fifty-fourth Congresses up to date, leaving out the Fifty-fifth, because possibly I go too far to say Fifty-fifth—and you will find that 50 or 75 per cent of the pensions granted are to the widows of officers at from fifty to a hundred dollars a month, and in hardly any instance have we increased the pension of the widow of a private soldier above $12 per month. You will find the record true in that regard.

Now, I know the gentleman from Ohio [Mr. NORTON] made a long-winded speech upon pensions in a general way, charging fraud, possibly, getting tangled up with "most" and "many." [Laughter.] I do not know that that did the soldiers any good.

There has been a good deal of wind spent here praising the old soldiers. [Laughter.] But, my good friends, what I mean is this: That when you come to find a man championing a soldier's widow, it has generally been the widow of some man who wore the epaulettes, and not of the men who stood in the trenches, not the men who met each other in the red blaze of battle, but the general, who was far behind, possibly in a bomp-proof position, who never did anything. I say their widows have found champions here, but the widows of private soldiers have not found them, as a general thing, since I have been a member of this Congress, and I repeat it.

Mr. GARDNER. Mr. Chairman, only a question. I see by the report that this officer was one of the men who entered service on the 22d of February, 1864, just after the draft. I wanted to inquire if the chairman of the committee is acquainted with the case and whether the evidence shows that he was drafted or not?

Mr. RAY of New York. Oh, he was not a drafted man.

Mr. GARDNER. What is the evidence? Out of six cases that I have had certified lately, who went into the service upon that date, five of them were drafted.

Mr. RAY of New York. Does the gentleman mean five bills for the relief of soldiers reported from this committee?

Mr. GARDNER. I say that in six cases of gentlemen who entered the service on the 22d of February, 1864, five of them proved to be drafted men. It was after the draft in January of that year. I simply make the inquiry.

Mr. RAY of New York. I want to know what I am answering first. I do not understand the gentleman to say that any bill reported from this committee in this Congress has been to increase the pension of a drafted man.

Mr. GARDNER. I was asking the question of the chairman of the committee. We had a case a while ago of this particular date, and now we have one here, and in neither case is the fact stated. I ask for the fact; that is all.

Mr. RAY of New York. You have stated in connection with your question that you found, out of six cases——

Mr. GARDNER. I said in the case of six gentlemen, not in connection with bills here, but in six cases that I had occasion to inquire into recently, of men who had entered the service on that date, five of them had gone in under the draft of January of that year.

Mr. RAY of New York. I desire to say this: I think I understand the gentleman, and if I do not seem to, he will correct me. I will say that this man was not a drafted man. He was an enlisted man.

Mr. GARDNER. The report does not show his age at all. The simple fact remains that he went in in February, 1864.

Mr. RAY of New York. I think the evidence here does show his age.

Mr. HUNTER. I do not know what the evidence may show with reference to his age; but he is about 55 or 56 years of age, as I understand.

Mr. GARDNER. He was old enough to have entered the Army at the beginning of the war.

Mr. HUNTER. Yes.

Mr. RAY of New York. I desire to say to the gentleman that I will take occasion to say, and say it now, that we have reported no bill from our committee granting a pension or an increase of pension to a drafted man thus far. The cases have been of men who enlisted and served their country faithfully and well. No such case as is referred to by the gentleman has come up here, and of course when the gentleman referred to cases that he had looked into, he did not mean to indicate that they were cases reported by the Committee on Invalid Pensions.

Mr. GARDNER. I should like to say distinctly that the cases were not before the committee. I do not mean to intimate that there are no cases in which the pension of a drafted man ought not to be increased. I would not agree to that proposition.

Mr. RAY of New York. I have not said that.

Mr. HUNTER. This is not a drafted man.

The CHAIRMAN. The motion is on the amendment to strike out "fifty" and insert "seventy-two." Voting down the amendment will be equivalent to restoring the original figure of $72 a month and adopting the amendment will reduce the amount to $50 a month.

The amendment was agreed to.

The CHAIRMAN. The question is upon the adoption of the other amendments recommended by the committee.

The amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. CLARDY. Mr. Chairman, I want to ask the chairman of the committee if he will not now move that the committee rise and report these bills to the House, so that we may pass them this evening?

Mr. RAY of New York. We can pass these bills to-night, even if we report a few more. Let us do all we possibly can.

Mr. CLARDY. We have only twenty minutes now.

Mr. RAY of New York. We have proceeded so slowly to-night that we can dispose of every one of these easily, even if we pass a few more bills through the committee, if they do not give rise to discussion.

JOHN W. CHANNING.

The next business on the Private Calendar was the bill (H. R. 1442) granting an increase of pension to John W. Channing.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $30 per month, the name of John W. Channing, formerly captain of Company E of the Seventh Regiment Maine Volunteer Infantry, said sum to be in lieu of the pension now drawn by him under certificate No. 236073, and to be paid to his legally qualified guardian.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of $30 per month."

In line 7, after the word "Infantry," insert the following: "and pay him a pension at the rate of $30 per month."

In lines 8 and 9 strike out the words "under certificate numbered two hundred and thirty-five thousand and seventy-three."

The amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MISS MARY HAYNE.

The next business on the Private Calendar was the bill (S. 1200) granting a pension to Miss Mary Hayne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Miss Mary Hayne, late a hospital nurse in the United States Naval Academy at Annapolis, Md., and pay her a pension at the rate of $12 per month.

The Committee on Invalid Pensions recommended the following amendment:

In line 6 strike out the word "Miss."

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

BETHIAH H. ROLLINS.

The next business on the Private Calendar was the bill (S. 3179), granting a pension to Bethiah H. Rollins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bethiah H. Rollins, late an army nurse, at the rate of $12 per month.

The Committee on Invalid Pensions recommended the following amendment:

In line 6, after the word "nurse," insert the words "and pay her a pension."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

FREDERICK G. MOORE.

The next business on the Private Calendar was the bill (H. R. 1295) to increase the pension of Frederick G. Moore, late of Company I, One hundred and fifth Regiment New York Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Frederick G. Moore, late of Company I, One hundred and fifth Regiment New York Volunteer Infantry, a pension at the rate of $30 per month, in lieu of the pension he now receives.

The Committee on Invalid Pensions recommended the following amendments:

In line 4, strike out the words "pay to" and insert in lieu thereof the words "place on the pension roll the name of."

In line 6, after the word "infantry," insert the words "and pay him."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. RAY of New York. Mr. Chairman, I now give notice, before moving that the committee rise, that in the House I shall demand the yeas and nays upon Senate bill 439. I shall move the committee amendment and demand the yeas and nays, and have that question settled by the House itself.

Mr. GARDNER. Why, the committee amendment was lost. How are you going to get the yeas and nays on it?

Mr. CLARDY. If you do that, you will not get these bills through to-night.

Mr. RAY of New York. I now move that the committee rise.

Mr. COOPER of Texas. The notice just comes too late.

The motion was agreed to.

The committee accordingly rose; and Mr. LACEY having resumed the chair as Speaker pro tempore, Mr. ELLIS, Chairman of the Committee of the Whole House, reported that that committee had had under consideration various bills under the special rule

and had directed him to report them favorably, some with amendments and others without amendments, as follows:

Without amendments: S. 1465, S. 294, S. 1111, and H. R. 7483. With amendments: H. R. 2154, H. R. 1722, S. 179, H. R. 4435, H. R. 5372, H. R. 298, H. R. 1540, H. R. 4692, H. R. 1018, S. 439, H. R. 5994, H. R. 777, H. R. 4962, H. R. 1442, S. 1200, S. 3179, and H. R. 1295.

MRS. HANNAH LETCHER STEVENSON.

Mr. RAY of New York. Mr. Speaker, I move that the bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of late Brig. Gen. John D. Stevenson (reported favorably from the Committee of the Whole) be passed by and that we dispose of the other bills.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that the bill just read may be passed by for the present. Is there objection? [After a pause.] The Chair hears none.

BILLS PASSED.

The following bills, reported favorably from the Committee of the Whole, were respectively taken up, the House bills ordered to be engrossed for a third reading, read the third time, and passed, and the Senate bills ordered to a third reading, read the third time, and passed:

A bill (S. 1465) granting an increase of pension to Daniel Phillips;

A bill (S. 294) granting an increase of pension to John J. Boatwright;

A bill (S. 1111) granting an increase of pension to Joseph V. Bowie; and

A bill (H. R. 7483) granting a pension to Eliza B. Lowry.

The following bills reported from the Committee of the Whole with amendments were severally considered, the amendments agreed to, the House bills ordered to be engrossed for a third reading, read the third time, and passed; the Senate bills ordered to a third reading, read the third time, and passed:

A bill (H. R. 2154) granting an increase of pension to A. V. Bloodgood;

A bill (H. R. 1722) for the relief of Ellen O'Rorke;

A bill (H. R. 4435) to pension Gratia H. Martin, of Williamstown, Vt. (title amended);

A bill (H. R. 5372) for the relief of Hannah C. Pile;

A bill (H. R. 298) granting an increase of pension to Charles McAllister;

A bill (H. R. 1540) granting an increase of pension to William H. Oliver;

A bill (H. R. 4692) to pension F. L. Botkin;

A bill (H. R. 1018) granting a pension to Sarah E. Ingham, late an army nurse (title amended);

A bill (H. R. 5994) granting a pension to M. Louise Anderson;

A bill (H. R. 777) to increase the pension of David N. Thompson;

A bill (H. R. 4962) to pension William D. Foote (title amended);

A bill (H. R. 1442) granting an increase of pension to John W. Channing;

A bill (S. 1200) granting a pension to Miss Mary Hayne;

A bill (S. 3179) granting a pension to Bethiah H. Rollins;

A bill (H. R. 1295) to increase the pension of Frederick G. Moore, late of Company I, One hundred and fifth Regiment New York Volunteer Infantry; and

A bill (S. 179) granting a pension to Mary F. Hawley.

On motion of Mr. MERCER, a motion to reconsider the vote by which the last bill was passed was laid on the table.

Mr. RAY of New York. I now move to reconsider the several votes by which the various bills have been passed, and move to lay that motion on the table.

The latter motion was agreed to.

Mr. RAY of New York. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 26 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HOOKER, from the Committee on Rivers and Harbors, to which was referred the bill of the House (H. R. 7748) to provide for a survey of Elk River, in Tennessee and Alabama, reported the same without amendment, accompanied by a report (No. 773); which said bill and report were referred to the House Calendar.

Mr. CALLAHAN, from the Committee on Private Land Claims, to which was referred the bill of the House (H. R. 6670) setting apart a certain tract of land in Oklahoma Territory to the Stella Friends Academy and Church Association, reported the same with amendment, accompanied by a report (No. 774); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9210) granting an increase of pension to George H. Baldwin, reported the same with amendment, accompanied by a report (No. 763); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8819) granting a pension to Gemima Millsap, reported the same with amendment, accompanied by a report (No. 764); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7952) granting a pension to W. C. Ryan, reported the same with amendment, accompanied by a report (No. 765); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3178) granting a pension to Olevia S. Washburn, reported the same with amendment, accompanied by a report (No. 766); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7628) granting a pension to Catherine Wiltse, reported the same with amendment, accompanied by a report (No. 767); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 431) granting a pension to Ann M. Madden, reported the same with amendment, accompanied by a report (No. 768); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2123) increasing the pension of William P. Haskell, lieutenant, Company I, Fourteenth Regiment Indiana Infantry, reported the same with amendment, accompanied by a report (No. 769); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 655) granting a pension to Harriet R. Matlack, reported the same with amendment, accompanied by a report (No. 770); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 178) granting a pension to Susan A. Paddock, reported the same with amendment, accompanied by a report (No. 771); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 6482) granting a pension to Herbert W. Leach; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RIXEY (by request): A bill (H. R. 9332) to preserve the public lands for the people—to the Committee on the Public Lands.

By Mr. PAYNE: A bill (H. R. 9333) to license custom-house brokers, and providing a fee therefor—to the Committee on Ways and Means.

By Mr. COCHRANE of New York: A bill (H. R. 9334) to protect free labor from prison competition—to the Committee on Labor.

By Mr. WHEELER of Alabama: A bill (H. R. 9335) granting to the Muscle Shoals Power Company right to erect and construct canal and power stations at Muscle Shoals, Alabama—to the Committee on Rivers and Harbors.

By Mr. LOUD: A bill (H. R. 9336) to consolidate the post-offices in the city of New York—to the Committee on the Post-Office and Post-Roads.

By Mr. SOUTHWICK: A bill (H. R. 9337) to protect and support commercial credit, to equalize rates of interest, to provide for the incorporation of clearing houses, to regulate and define

their operations, to provide a clearing-house currency secured by pledge of commercial assets and the responsibility of the associated banks, and to provide for the circulation and redemption thereof—to the Committee on Banking and Currency.

By Mr. KING: A joint resolution (H. Res. 186) recognizing the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. WHEELER of Alabama: A joint resolution (H. Res. 187) relative to the Cuban question—to the Committee on Rules.

By Mr. MAHANY: A memorial of the legislature of the State of New York, relative to the Pan-American Exposition, to be held in the State of New York in 1899—to the Committee on Ways and Means.

By Mr. HOWE: A memorial of the New York legislature, relative to the Pan-American Exposition, to be held in New York State in 1899—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9338) to restore to the State of New York the flag carried by the One hundred and fourth New York Volunteer Infantry—to the Committee on Military Affairs.

By Mr. ARNOLD: A bill (H. R. 9339) granting a pension to Paul Broadhead, of Dubois, Pa.—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 9340) granting increase of pension to Joseph C. Grissom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9341) granting a pension to Louisa Stearns, widow of Lewis Stearns, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9342) granting increase of pension to Jane E. Hagaman, widow of Capt. Francis M. Hagaman, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9343) granting increase of pension to Mary Taylor, widow of Capt. Lewis Taylor, deceased—to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 9344) to pension John Bigley, a soldier of the Mexican war—to the Committee on Pensions.

By Mr. BOTKIN: A bill (H. R. 9345) for the relief of Thomas C. Johnson—to the Committee on Military Affairs.

By Mr. BROUSSARD: A bill (H. R. 9346) for the relief of John Ellis, of Vermilion Parish, La.—to the Committee on War Claims.

By Mr. CALLAHAN: A bill (H. R. 9347) for the relief of John Kingston—to the Committee on War Claims.

By Mr. CASTLE: A bill (H. R. 9348) to correct the military record of George Hanlon—to the Committee on Military Affairs.

Also, a bill (H. R. 9349) to remove the charge of desertion against the military record of Phelies Hughes—to the Committee on Military Affairs.

By Mr. COCHRANE of New York: A bill (H. R. 9350) granting arrears of pension to Pauline M. Beach, widow of Henry S. Beach, deceased, late of Company B, Sixth Regiment Michigan Infantry Volunteers, and First Regiment Michigan Heavy Artillery Volunteers—to the Committee on Military Affairs.

By Mr. DAVENPORT: A bill (H. R. 9351) for the relief of Henry Ester—to the Committee on Military Affairs.

By Mr. DAVEY: A bill (H. R. 9352) for the relief of the estate of Octave La Branche, deceased, late of St. Charles Parish, La.—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 9353) for the relief of Donald C. Henderson—to the Committee on War Claims.

By Mr. DORR: A bill (H. R. 9354) granting a pension to J. B. Pierson, late of Company F, Seventh Ohio Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9355) granting a pension to J. M. Kinder, late of Company B, Seventh West Virginia Cavalry—to the Committee on Invalid Pensions.

By Mr. MAHANY: A bill (H. R. 9356) for the relief of the heirs or legal representatives of James B. Sullivan, deceased—to the Committee on War Claims.

By Mr. MEEKISON: A bill (H. R. 9357) granting a pension to Hugh Thompson, Company H, Fifteenth Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9358) granting an increase of pension to Joseph M. Baldwin, late of Company H, Fourteenth Indiana Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. NORTHWAY: A bill (H. R. 9359) to pension Charles H. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9360) to remove the charge of desertion and grant an honorable discharge to John Leisure—to the Committee on Military Affairs.

Also, a bill (H. R. 9361) to grant arrearage of pension to soldiers who lost both hands during the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 9362) for the relief of Mrs. Kate C. Rose, of King George County, Va.—to the Committee on War Claims.

Also (by request), a bill (H. R. 9363) for the relief of L. E. Bowen—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 9364) granting an increase of pension to Philo S. Bartow—to the Committee on Invalid Pensions.

By Mr. WEYMOUTH: A bill (H. R. 9365) to remove the charge of desertion now standing against Stedman W. Piper—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 9366) for the relief of the heirs of J. W. S. Donnell—to the Committee on War Claims.

Also, a bill (H. R. 9367) to pension Henry P. Pyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9368) for the relief of Mary E. Dancy—to the Committee on War Claims.

By Mr. SWANSON: A bill (H. R. 9369) for the relief of the legal representatives of G. B. Lamar, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9370) for the relief of Charles L. Boone, of Virginia—to the Committee on Claims.

By Mr. WADSWORTH: A bill (H. R. 9371) to increase the pension of Charles H. Schad, late of Company M, First New York Light Artillery—to the Committee on Invalid Pensions.

By Mr. McCORMICK: A bill (H. R. 9372) for the relief of Mrs. Matilda E. Outhel—to the Committee on Invalid Pensions.

By Mr. WARD: A bill (H. R. 9373) for the relief of Miss Eliza A. White—to the Committee on Claims.

By Mr. LITTLE: A bill (H. R. 9374) to carry out the findings of the Court of Claims in the case of Maria L. Pettit—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 9375) granting a pension to Rebecca A. Langley, widow of George Langley, late of the United States Army—to the Committee on Invalid Pensions.

By Mr. DOCKERY: A joint resolution (H. Res. 188) providing for the restoration to the Navy of Richard Warren Barkley, a graduate of the Naval Academy, discharged in pursuance of the act of August 5, 1882—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTHOLDT: Petition of Cigar Makers' Union No. 281, of St. Louis, Mo., urging the passage of sundry bills pending for the protection of labor—to the Committee on Labor.

Also, three petitions of citizens of St. Louis, Mo., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Westminster Presbyterian Church and Young People's Society of Christian Endeavor of the Westminster Church, St. Louis, Mo., favoring a bill providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BARHAM: Resolution of Santa Rosa Grange, No. 17, Patrons of Husbandry, favoring postal savings banks, but against any connection with national banks—to the Committee on the District of Columbia.

By Mr. BELFORD: Petition of the Trades League of Philadelphia, Pa., favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Trades League of Philadelphia, Pa., suggesting an amendment to House bill No. 8057, relating to train wrecking and robbing—to the Committee on the Judiciary.

By Mr. BLAND: Paper to accompany House bill granting a pension to John Begley, sr.—to the Committee on Invalid Pensions.

By Mr. BOUTELLE of Maine: Petition of Rev. H. B. Nutte and 19 citizens of Dexter, Me., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BROSIUS: Five petitions of G. A. Gilbert, Jonas R. Beitsfield, W. A. Kilgore, Aaron Nagle, Cyrus F. Strayer, and other citizens of Columbia, Pa., in favor of the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. BROWN: Petitions of Epworth League, Young People's Society of Christian Endeavor of the Christian Church, Methodist Episcopal Church, all of Hillsboro, Ohio, asking for the passage of

a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of Friends Church of Leesburg, Ohio, and Epworth League, Methodist Episcopal Church, the Church of Christ, all of Hillsboro, Ohio, for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance Union, Methodist Episcopal Church, Epworth League, and Church of Christ of Leesburg, Ohio, to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Epworth League, the Methodist Episcopal Church, and the Church of Christ, all of Hillsboro, Ohio, favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BURTON: Resolution of the Cleveland Chamber of Commerce, favoring the enactment of a uniform national bankruptcy law—to the Committee on the Judiciary.

Also, affidavits of Dr. E. J. Burch and others, in support of House bill granting an increase of pension to Mary Taylor—to the Committee on Invalid Pensions.

By Mr. BUTLER: Resolutions of Wayne Lodge, No. 266, of Coatesville, Pa.; Garfield Lodge, No. 94, of Media, and Media Lodge, No. 86, of Wallingford Pa., Knights of Pythias, in support of House bill No. 6468, praying for the grant of a piece of land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petitions of the Woman's Christian Temperance unions of Lansdowne and Chester, and Christian Endeavor Society of the Fairview Presbyterian Church, of Glenmoore, Chester County, Pa., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Lansdowne, Pa., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Lansdowne, Pa., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to Committee on Labor.

Also, petitions of the Woman's Christian Temperance unions of Lansdowne and Chester, Pa., in favor of an anti-cigarette law; also in favor of bills to raise the age of protection for girls to 18 years, to enact a Sabbath law for the national capital, to forbid the sale of intoxicating liquors in all Government buildings, and to forbid the interstate transmission of lottery messages, etc., by telegraph—to the Committee on the Judiciary.

By Mr. CASTLE: Petition of the Woman's Christian Temperance Union of Merced, Cal., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Merced, Cal., favoring the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. CHICKERING: Petitions of the Woman's Christian Temperance unions of Lowville and Clayton, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Lowville and Clayton, N. Y., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CLARDY: Papers to accompany House bill No. 650, for the relief of N. L. Lightfoot—to the Committee on Military Affairs.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance unions of Colebrook and Warner, N. H., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Lempster, Union, and Warner, N. H., and Methodist Episcopal congregation of Colebrook, N. H., in favor of the passage of a bill to prohibit the sale of liquor in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Lempster and Colebrook, N. H., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Lempster, Colebrook, and Warner, N. H., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. CONNELL: Resolutions of Carbondale Lodge, No. 230, Knights of Pythias, of Carbondale, Pa., in support of House bill No. 6468, praying for the grant of a piece of land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. DALZELL: Petition of the East End Woman's Club, of Pittsburg, Pa., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the East End Woman's Christian Temperance Union, of Pittsburg, Pa., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Pittsburg, Pa., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Pittsburg, Pa., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DINGLEY: Petitions of the Woman's Christian Temperance unions of Friendship, Warren, and Mechanics Falls, Me., asking for the passage of bills to forbid the interstate transmission of lottery messages and other gambling matter by telegraph, and to protect anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Friendship, Warren, and Mechanics Falls, Me., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Friendship, Warren, and Mechanic Falls, Me., in favor of bills to raise the age of protection for girls and to forbid the interstate transmission of lottery messages by telegraph, etc.—to the Committee on the District of Columbia.

By Mr. DOCKERY: Petitions of the Woman's Christian Temperance unions of McFall and Jameson, Mo., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of McFall and Jameson, Mo., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ELLIOTT: Petition of Truck Farmers' Association of Charleston, S. C., for the passage of Senate bill No. 3354—to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIS: Petition of 70 citizens of Elgin, Oreg., against the sale of intoxicants in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FOSS: Six petitions of citizens of Chicago, Ill., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the American Paper and Pulp Association of Herkimer, N. Y., in support of certain bills now pending in the House—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLETT of Massachusetts: Petitions of the Woman's Christian Temperance unions of Ashland and Uxbridge, Mass.; the Bay State Woman's Christian Temperance Union and Bay State Sunday school, of Northampton, Mass., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Uxbridge, Mass., and the Bay State Woman's Christian Temperance Union and Sunday school, of Northampton, Mass., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Uxbridge, Mass., and the Woman's Christian Temperance Union and Sunday school of Northampton, Mass., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Bay State Woman's Christian Temperance Union and Sunday school, of Northampton, Mass., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. GRIFFIN: Three petitions of citizens of Eau Claire,

Wis., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: Petition of Donald C. Henderson, of Allegan, Mich., for compensation for special services in the war from 1861 to 1865—to the Committee on War Claims.

By Mr. HEATWOLE: Petitions of citizens of Faribault, Hastings, and Gaylord, Minn., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of M. P. Curtis and other citizens of Lesueur, Minn., in opposition to Senate bill No. 2736, to establish a division in the Treasury Department for the regulation of insurance, and for other purposes—to the Committee on the Judiciary.

By Mr. HILBORN: Petitions of Herman Paine and 167 citizens of Oakland, and F. M. Gordon and 123 citizens of Sacramento, Cal., favoring the passage of a law which will exclude from entrance into the United States undesirable immigrants of all classes—to the Committee on Immigration and Naturalization.

Also, resolutions of Republicans of Alameda County, Cal., in mass meeting assembled, urging the repeal or modification of the civil-service law—to the Committee on Reform in the Civil Service.

Also, resolutions of the Chamber of Commerce of San Francisco, Cal., indorsing House bill No. 6346, known as the Bull bill, for the enrollment and organization of the naval reserve forces of the United States—to the Committee on Naval Affairs.

By Mr. HILL: Petitions of First Congregational Church, Advent Christian Church, Calvary Baptist Church, Third Congregational Church, First Methodist Episcopal Church, of Torrington, Conn., the Young Women's Christian Temperance Union of South Norwalk, Conn.; churches and societies of Stratford, Conn.; Congregational Church of Torringford; Woman's Christian Temperance Union, Baptist Church, First Congregational Church, and Episcopal Church, of Shelton, Conn., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of churches and societies of South Norwalk, Torrington, Torringford, Stratford, and Shelton, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of churches and societies of Torringford, Torrington, and South Norwalk, Conn., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of the Young Women's Christian Temperance Union of South Norwalk, Conn., for the passage of the anti-cigarette law—to the Committee on Interstate and Foreign Commerce.

Also, petition of T. C. Wygatt and others, in favor of restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. HITT: Petitions of citizens of Chicago, Rockford, Galena, and Mount Carroll, Ill., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: Petition of the Baptist Church of Avon by the Sea, N. J., for the passage of a bill to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Baptist Church of Avon by the Sea, N. J., for the passage of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington: Petition of the Seattle Chamber of Commerce, for the establishment of a Government assay office at Seattle, Wash.—to the Committee on Coinage, Weights, and Measures.

By Mr. KELLEY: Petitions of the Woman's Christian Temperance Union of South Dakota and the Sioux Falls (S. Dak.) Young Woman's Christian Temperance Union, in favor of the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Sioux Falls (S. Dak.) Young Women's Christian Temperance Union, for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Sioux Falls (S. Dak.) Young Women's Christian Temperance Union, for the bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of South Dakota, for the passage of a bill to prohibit transmission by mail, etc., of pictures or descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. KERR: Petition of Norman R. Snyder and 23 citizens of Mansfield, Ohio, favoring the enactment of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Baptist Church of New London, Ohio, urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Baptist Church of New London, Ohio, to raise the age of protection for girls and to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. KIRKPATRICK: Resolutions of the Trades League of Philadelphia, Pa., suggesting an amendment to House bill No. 8037, relating to train wrecking—to the Committee on the Judiciary.

Also, resolutions of the Trades League of Philadelphia, Pa., asking for the passage of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. KULP: Protest of the Woman's Indian Association of Philadelphia, Pa., against Senate amendment No. 4 contained in the Indian appropriation bill—to the Committee on Indian Affairs.

Also, papers to accompany House bill No. 8991, for a correction of the military record of John K. Robison—to the Committee on Military Affairs.

Also, resolutions of the American Paper and Pulp Association, of New York State, in support of Senate bill No. 753, for the establishment of an international bank—to the Committee on Banking and Currency.

Also, petition of the Woman's Christian Temperance Union of Mount Carmel, Ohio, for the passage of bills to prohibit interstate gambling by telegraph and to protect the first day of the week—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Mount Carmel, Ohio, for the passage of bills to prohibit the interstate and mail circulation of newspaper descriptions of prize fights and the reproduction of prize fights by the kinetoscope—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Mount Carmel, Ohio, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

By Mr. LANHAM: Petitions of citizens of Fort Worth and Mansfield, Tex., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUD: Petition of Centella Methodist Episcopal Church, of San Jose, and Methodist Preachers' Association of Santa Clara, Cal., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Territories.

Also, petition of the Methodist Preachers' Association of Santa Clara, and Centella Methodist Episcopal Church, of San Jose, Cal., for the passage of bills forbidding the interstate transmission of lottery and other gambling matter by telegraph, and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Santa Clara Methodist Preachers' Association and Centella Methodist Episcopal Church, of San Jose, Cal., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. LOVERING: Petition of the Woman's Christian Temperance Union of Halifax, Mass., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. McALEER: Resolution of the Travelers' Protective Association, Pennsylvania Division, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Sundry petitions of citizens of Chicago, Ill., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MAXWELL: Petition of the Woman's Christian Temperance Union of Lincoln, Nebr., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. MEEKISON: Papers to accompany House bill No. 8106, for the relief of Joseph Bulger—to the Committee on Pensions.

Also, papers to accompany House bill No. 8422, for the relief of Adaline Kauffman—to the Committee on Pensions.

By Mr. MIERS of Indiana: Paper to accompany House bill for the relief of Joseph M. Baldwin—to the Committee on Invalid Pensions.

By Mr. MOON: Papers and map on Tennessee River improvement—to the Committee on Rivers and Harbors.

By Mr. NORTHWAY: Petition of the Woman's Christian Temperance Union of Champion, Ohio, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of B. F. Kerr and 92 citizens of Ashtabula, Ohio, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Young People's Society of Christian Endeavor of Eagleville (Ohio) Congregational Church; the people of Chardon, Ohio, and the Woman's Christian Temperance Union of Barberton, Ohio, in favor of the bill which forbids the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Barberton, Ohio, in favor of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Chardon, Ohio, in favor of raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the Congregational Church of Austinburg, Ohio, against the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: Resolution of Wayne Lodge, No. 291, of Newark, Brotherhood of Railroad Trainmen, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the First Baptist Church of Benton, N. Y., for the passage of an anti-treating law—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Taylor, Cortland County, N. Y., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Taylor, N. Y., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls, and to prohibit interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. PITNEY: Petitions of Stanley Congregational Church, Methodist Episcopal Church, Christian Endeavor Society of the Presbyterian Church, and Reformed Church, all of Chatham, N. J., in favor of bills to raise the age of protection for girls in the District of Columbia, to forbid the interstate transmission of lottery messages by telegraph, to protect State anti-cigarette laws, and for the Sunday-rest law—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church, Stanley Congregational Church, Christian Endeavor Society of the Presbyterian Church, and Reformed Church, all of Chatham, N. J., praying for the passage of a bill to forbid the sale of liquor in the national Capitol and in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. REED: Petition of the Woman's Christian Temperance unions of Windham Center and Bolsters Mills, Me., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Deering, Me., for the bill which forbids the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance unions of Windham Center and Deering, Me., for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. RIXEY: Petition of William M. Ellison and 181 citizens of the Eighth Congressional district of Virginia, in favor of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of Mary A. Ross, of Washington, D. C., praying that the Committee on War Claims refer her claim, together with all papers and proofs relating thereto which were submitted to the Southern Claims Commission, to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of Benjamin A. Hummer, deceased, late of Fairfax County, Va., asking that his claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of Felitia Adams, deceased, late of Fauquier County, Va., praying reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBBINS: Resolutions of Bellview Lodge, of Anita, and Covode Lodge, No. 285, of Covode, Pa., Knights of Pythias, in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. ROBINSON of Indiana: Petition of O. W. Lake and four other citizens of New Haven, Ind., against ticket scalping—to the Committee on Interstate and Foreign Commerce.

By Mr. SAYERS: Petition of sundry citizens of Leander, Tex., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHAFROTH: Petition of the Bar Association of Denver, Colo., urging the passage of Senate bill No. 3268—to the Committee on the Judiciary.

Also, petition of Lodge No. 196 and citizens of Denver, Colo., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the West Side Woman's Christian Temperance Union, of Denver, Colo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. SHERMAN: Petitions of Commercial Club, Cedar Rapids, Iowa, and 149 business firms; Business Men's League, Hot Springs, Ark.; Chamber of Commerce and Board of Trade, Denver, Colo.; 48 residents of Pueblo, Colo.; Rev. Henry Hyde, Somersworth, N. H.; Rev. John Thorpe, East Andover, N. H.; Rev. William Bryce Morrow, Bristol, Pa.; Rev. William W. Livingstone, Jaffrey, N. H.; Rev. L. E. Miller, Corsica, Pa.; Rev. J. P. Seave, New Brunswick, N. J.; Rev. E. A. Ballard, Ocean Grove, N. J.; Chaplain Charles E. Hill, Red Bank, N. J.; Rev. S. P. West, Franklin, Pa.; Rev. C. K. Nelson, bishop of Georgia; Rev. J. W. Owens, Duncannon, Pa.; Rev. S. E. Elliott, Mount Pleasant, Pa.; Rev. G. W. Lanner, Davidsonville, Md.; Rev. W. W. Carr, Rutherford, N. J.; Rev. T. C. Anderson, Tarentum, Pa.; Rev. E. D. Palmer, Philadelphia, Pa.; Rev. J. C. Mumma, Rebersburg, Pa.; Rev. M. D. M. Altice, Warsaw, N. Y.; Rev. J. Link, Brookville, Pa.; Rev. C. W. Miner, Union City, Pa.; Rev. J. T. Loring, Washington, D. C.; Rev. R. H. Moore, Chester, Pa.; Rev. S. M. Goohring, Sugar Hill, Pa.; Rev. J. Parker, Asbury Park, N. J.; Rev. D. C. Roberts, Concord, N. H.; Rev. J. M. Wallace, Pittsburg, Pa.; Rev. C. C. Weber, Philadelphia, Pa., and Rev. Thomas Perry, Wilkinsburg, Pa., in favor of the passage of House bill No. 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SHOWALTER: Petitions of the Second Presbyterian Church of Butler, Pa., in favor of a bill to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls in the District of Columbia to 18 years—to the Committee on the Judiciary.

Also, petition of the Second Presbyterian Church of Butler, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Second Presbyterian Church of Butler, Pa., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

Also, petition of the Second Presbyterian Church of Butler, Pa., praying for the enactment of legislation prohibiting the interstate transmission of newspaper descriptions and kinetoscope reproductions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Second Presbyterian Church of Butler, Pa., to appoint a commission to investigate the labor problem and to substitute voluntary arbitration for railroad strikes—to the Committee on Labor.

By Mr. SOUTHARD: Three petitions of citizens of North Baltimore, Wood County, Ohio, urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the American Loyal Railway League, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal and First Presbyterian churches of Delta, and Christian Church of Canterbury, State of Ohio, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of various churches of Delta, Canterbury, Tedrow, and Toledo, Ohio, favoring the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the various churches of Delta and Canterbury, Ohio, favoring the bill which forbids the interstate transmission

of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of various churches of Delta, Canterbury, and Toledo, Ohio, favoring the passage of a bill to protect the State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. STEELE: Petition of D. E. Purviance and 26 citizens of Andrews, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of A. A. Covalt and 50 other citizens of Greentown, Ind., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Resolutions of the Minneapolis Board of Trade, favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Manufactures.

Also, resolutions of the Minnesota State Historical Society, in favor of the passage of a bill to prevent the defacement of the American flag—to the Committee on the Judiciary.

By Mr. SUTHERLAND: Papers in support of House bill No. 3706, to correct the military record of William M. McElvain—to the Committee on Military Affairs.

Also, paper to accompany House bill No. 3547, for the relief of James H. McFarland—to the Committee on Invalid Pensions.

Also, paper to accompany House bill No. 8517, in support of the claim of Josephus Merritt for relief—to the Committee on Invalid Pensions.

Also, paper to accompany House bill No. 6687, for the relief of Maggie S. Carr—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Resolutions of Battery A, First Artillery, Minneapolis, Minn., favoring an appropriation to promote the efficiency of the militia—to the Committee on the Militia.

Also, petition of A. J. Greer and 24 others, of Lake City, Minn., in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. UPDEGRAFF: Petition of C. W. Gilson, Eelling Megorden, and 15 citizens of Calmar, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. VINCENT: Petitions of George W. Chase and 77 others, Cyrus Lawrence and 102 others, all citizens of Junction City, Kans., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, three papers to accompany House bill No. 5836, to remove the charge of desertion against John A. Goddard—to the Committee on Military Affairs.

By Mr. WADSWORTH: Petitions of the Johnston Harvester Company, John Brown, Charles Hirsh, David D. Lent, N. Hays, and other citizens of Batavia, N. Y., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Lockport, N. Y., in favor of a bill for protection of the Sabbath in the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of the Woman's Christian Temperance unions of Lockport and Batavia, N. Y., favoring the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Lockport, N. Y., favoring the passage of a bill to cut off novels and bogus papers from newspaper rates—to the Committee on the Post-Office and Post-Roads.

Also, petition of Woman's Christian Temperance Union of Lockport, N. Y., favoring the passage of a bill to prohibit the reproduction of prize fights by kinetoscope in the District of Columbia and the Territories and the interstate transmission of such devices—to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance unions of Lockport and Batavia, N. Y., favoring the passage of a bill to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petition of Woman's Christian Temperance Union of Lockport, N. Y., favoring the passage of a bill to exclude illiterate immigrants from the United States—to the Committee on Immigration and Naturalization.

Also, petition of Woman's Christian Temperance unions of Lockport and Batavia, N. Y., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of Woman's Christian Temperance unions of Lockport and Batavia, N. Y., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of Woman's Christian Temperance Union, of Lockport, N. Y., favoring the passage of a bill to appoint a non-partisan labor commission—to the Committee on Labor.

Also, petition of Woman's Christian Temperance Union of Lockport, N. Y., favoring the passage of a bill to limit absolute divorce to cases of adultery in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of Woman's Christian Temperance Union of Lockport, N. Y., favoring the passage of a bill to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

By Mr. WALKER of Massachusetts: Petition of Worcester Lodge, No. 16, Independent Order of Good Templars, of Worcester, Mass., for the passage of bills to protect anti-cigarette laws and to forbid the interstate transmission of lottery messages—to the Committee on the Judiciary.

By Mr. WHEELER of Alabama: Petition of Mary B. Dancy, of Morgan County, Ala., praying that her war claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of J. W. S. Donnell, deceased, late of Limestone County, Ala., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. WEYMOUTH: Petition of First Baptist Church of Ashland, Mass., for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of First Baptist Church, Ashland, Mass., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of First Baptist Church, Ashland, Mass., for the bill which prohibits the interstate transmission of lottery messages and other gambling matter by telegraph, also for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Congregational Church, for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

SENATE.

TUESDAY, *March 22, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of yesterday, when, on motion of Mr. CARTER, and by unanimous consent, the further reading was dispensed with.

CREDENTIALS.

Mr. FORAKER presented the credentials of MARCUS ALONZO HANNA, chosen by the legislature of the State of Ohio a Senator from that State for the term commencing March 4, 1899; which were read, and ordered to be placed on file.

MEMORIAL ADDRESSES ON THE LATE SENATOR HARRIS.

Mr. BATE. I wish to give notice that on Thursday next, after the speech of the Senator from Nebraska [Mr. THURSTON], say at about 2 o'clock, I shall present and ask for the consideration of resolutions on the life and character of my late colleague, Senator HARRIS.

The VICE-PRESIDENT. The notice will be entered.

AFFAIRS IN CUBA.

Mr. GALLINGER. Mr. President, I desire to give notice that, yielding to the kind solicitations of several of my Senatorial colleagues, I have concluded to ask the indulgence of the Senate to-morrow, after the routine morning business shall have been disposed of, to make a brief statement covering some observations that I recently made in the Island of Cuba. Unless something in the meantime should occur to make it improper that I should do so, I shall occupy the attention of the Senate a very brief time for that purpose.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 294) granting increase of pension to John J. Boatwright;

A bill (S. 432) for the relief of the heirs of Sterling T. Austin, deceased;

A bill (S. 1111) granting an increase of pension to Joseph V. Bowie;

A bill (S. 1465) granting an increase of pension to Daniel Phillips; and

A bill (S. 3873) to authorize the relocation and rebuilding of a pontoon bridge across the Mississippi River at Prairie du Chien, Wis.

The message also announced that the House had passed the following bills, each with an amendment in which it requested the concurrence of the Senate:

A bill (S. 179) granting a pension to Mary F. Hawley;

A bill (S. 1200) granting a pension to Miss Mary Hayne; and

A bill (S. 3179) granting a pension to Bethia H. Rollins.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 298) granting an increase of pension to Charles McAllister;

A bill (H. R. 777) to increase the pension of David N. Thompson;

A bill (H. R. 1018) granting a pension to Sarah E. Ingham;

A bill (H. R. 1295) to increase the pension of Frederick G. Moore, late of Company I, One hundred and fifth Regiment New York Volunteer Infantry;

A bill (H. R. 1443) granting an increase of pension to John W. Channing;

A bill (H. R. 1540) granting an increase of pension to William H. Oliver;

A bill (H. R. 1722) for the relief of Mrs. Ellen O'Rorke;

A bill (H. R. 1959) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department;

A bill (H. R. 2154) granting an increase of pension to A. V. Bloodgood;

A bill (H. R. 2219) for the relief of the administrators of Isaac P. Tice, deceased, and others;

A bill (H. R. 4435) to pension Gratia H. Martin;

A bill (H. R. 4692) to pension F. L. Botkin;

A bill (H. R. 4963) granting an increase of pension to William D. Foote;

A bill (H. R. 5372) for the relief of Hannah C. Pile;

A bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson;

A bill (H. R. 7482) granting a pension to Eliza B. Lowry; and

A bill (H. R. 8618) for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Habana, Cuba.

The message also announced that the House returned to the Senate, in compliance with its request, the resolution agreeing to the amendments of the House to the bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a petition of Local Union No. 73, United Association of Journeymen Plumbers, Gas Fitters, Steam Fitters, and Steam Fitters' Helpers, of Indianapolis, Ind., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented the petition of Charles G. Newell, agent of the Wabash Railroad Company, and 41 other citizens of Logansport, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of Iron Molders' Union No. 51, of Evansville, Ind., praying for the passage of the so-called prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Master Painters' Association of Indianapolis, Ind., and a memorial of Local Union No. 281, Brotherhood of Carpenters and Joiners, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Meridian Woman's Christian Temperance Union, of Indianapolis, Ind., praying for the enactment of legislation to prohibit interstate gambling by telegraph or telephone; which was referred to the Committee on the Judiciary.

Mr. HARRIS presented a petition of sundry citizens of Abilene, Kans., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

Mr. MITCHELL presented a petition of sundry citizens of Beaverdam, Wis., and a petition of sundry citizens of Prairie du Chien, Wis., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of Iron Molders' Union No. 166, of Milwaukee, Wis., praying for the passage of the so-called prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Veteran Post, No. 8, Department of Wisconsin, Grand Army of the Republic, of National Home, Wis., praying for the enactment of legislation to prohibit the desecration of the national flag; which was referred to the Committee on the Judiciary.

He also presented a petition of the officers and members of Company G, Fourth Infantry, National Guard, State of Wisconsin, praying that House bill No. 2876, to promote the efficiency of the militia, be amended so that the annual appropriation for the National Guard shall be not less than $1,000,000; which was referred to the Committee on Military Affairs.

Mr. ALLEN presented petitions of the Woman's Christian Temperance unions of Tamora, Blue Hill, Valparaiso, Tecumseh, Naponee, and Wauneta; of the congregations of the Congregational Church of Fairmont, the Presbyterian Church of Fairmont, the Methodist Episcopal Church of Boxelder, the Methodist Episcopal Church and the Presbyterian Church of Blue Ridge; of the Young People's Christian Endeavor Society of the First Presbyterian Church of Hebron; of the congregations of the Methodist Episcopal Church and the United Brethren Church of Seward, all in the State of Nebraska, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Fairmont, Bluesprings, Wauneta, Naponee, Tecumseh, Valparaiso, Tamora, and Bluehill; of the congregations of the Methodist Episcopal Church of Boxelder and the Methodist Episcopal Church of Seward, all in the State of Nebraska, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Ravenna, Wauneta, Naponee, Tecumseh, Valparaiso, Bluehill, and Tamora; of the congregations of the Methodist Episcopal Church of Boxelder, the First Congregational Church of Fairmont, and the Methodist Episcopal Church of Bluesprings; of the Young People's Christian Endeavor Society of the First Presbyterian Church of Hebron; of the Epworth League of the Methodist Episcopal Church of Hebron; of the Young People's Christian Endeavor Society of the Church of Christ, of Hebron; of the congregations of the Methodist Episcopal Church of Seward, of the United Brethren Church of Seward, and of the school board of Fairmont, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Ravenna, Fairmont, Wauneta, Tecumseh, Valparaiso, and Tamora; of the congregations of the Methodist Episcopal Church of Boxelder, the First Congregational Church of Fairmont, the Methodist Episcopal Church of Wauneta, the Methodist Episcopal Church and the Presbyterian Church of Bluesprings; the Young People's Christian Endeavor Society of the Church of Christ, of Hebron; the Young People's Christian Endeavor Society of the First Presbyterian Church of Hebron; the Congregational Church of Naponee; the United Brethren Church of Seward, and of sundry teachers in the public schools of Bluehill, all in the State of Nebraska, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. KYLE presented a petition of sundry citizens of Deadwood, S. Dak., and a petition of Prairie Lodge, No. 170, Brotherhood of Locomotive Firemen, of Huron, S. Dak., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. DAVIS presented a petition of the Board of Trade of Minneapolis, Minn., praying that an appropriation be made to make the harbors of St. Joseph and Benton, in that State, available for the entrance of large steamers; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Minneapolis, Minn., praying for the enactment of legislation to secure protection against the adulteration of pure food products; which was referred to the Committee on Manufactures.

He also presented a petition of the Board of Trade of Mankato, Minn., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Board of Trade of Minneapolis, Minn., praying that an appropriation be made for the exposition of American manufactures to be held at the city of Philadelphia, Pa., in 1899; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church, of Greenbush, Minn., praying for the enactment of legislation to raise the age of protection for girls to 18

years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church, of Greenbush, Minn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church, of Greenbush, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Fourth Ward North Side Republican Club, of Minneapolis, Minn., praying that the Government of the United States take immediate steps to punish the murderers of the postmaster at Lake City, S. C.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the executive council of the Historical Society of Minnesota, praying for the enactment of legislation to prevent the desecration of the American flag by the display of advertisements, printing, or painting thereon; which was referred to the Committee on the Judiciary.

He also presented a petition of the Military Order of the Loyal Legion of the United States, Commandery of the State of Minnesota, praying that an appropriation be made for erecting permanent monuments to mark the locations of the lines of battle of Gettysburg; which was referred to the Committee on Military Affairs.

He also presented petitions of the officers and members of Company F, First Regiment, National Guard State of Minnesota; of Battery A, First Artillery, National Guard State of Minnesota; of Company C, Third Regiment, National Guard State of Minnesota, and of the Veteran National State Guard Association, all in the State of Minnesota, praying that House bill No. 2876, to promote the efficiency of the militia, be amended so that the annual appropriation for the National Guard shall be not less than $1,000,000; which were referred to the Committee on Military Affairs.

He also presented petitions of Northwestern Lodge, No. 82, Brotherhood of Locomotive Firemen, of Minneapolis; of the Granite National Union of St. Cloud, and of the Cigar Maker's Union No. 98, of St. Paul., all in the State of Minnesota, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

He also presented a petition of Northwestern Lodge, No. 82, Brotherhood of Locomotive Firemen, of Minneapolis, Minn., praying for the passage of the so-called anti-injunction bill and the bill for the relief of American seamen; which was referred to the Committee on the Judiciary.

He also presented memorials of L. Warner and 10 other citizens of St. Paul; of J. Nelson and 19 other citizens of St. Paul; of W. H. Elsinger and 19 other citizens of St. Paul; of S. R. King and 18 other citizens of Minneapolis, and of the News Company, all in the State of Minnesota, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of Division No. 336, Order of Railway Conductors, of Duluth; of Resurrection Lodge, No. 443, of Staples; of Lodge No. 270, Order of Railway Conductors, of Minneapolis; of Lodge No. 197, Order of Railway Conductors, of Staples; of Lodge No. 90, Order of Railway Conductors, of Waseca; of 89 citizens of Minneapolis; of 26 citizens of Lake City; of the Chamber of Commerce of Minneapolis, and of 14 citizens of Faribault, all in the State of Minnesota, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the First Congregational Church, of Hastings; of the Sunday school of Marshall; of the Christian Endeavor Society and the congregation of the Presbyterian Church of Marshall; of the Epworth League of Marshall; of the Methodist Episcopal Sunday school of Marshall, and of the Current News Club, of Marshall, all in the State of Minnesota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Hope Grange, No. 570; of Springvale Grange, No. 576; of Oak Leaf Grange, No. 569; of North Union Grange, No. 578; of Friendship Grange, No. 566, and of Minnehaha Grange, No. 398, Order of Patrons of Husbandry, all in the State of Minnesota, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Crescent Grange, No. 512; of Minnehaha Grange, No. 398; of Harris Grange, No. 372; of Hope Grange, No. 570; of Springvale Grange, No. 576; of North Union Grange, No. 578; of Oak Leaf Grange, No. 569, and of Friendship Grange, No. 566, Order of Patrons of Husbandry, all in the State of Minnesota, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Friendship Grange, No. 566; of North Union Grange, No. 578; of Oak Leaf Grange, No. 569; of Harris Grange, No. 372; of Minnehaha Grange, No. 398; of Springvale Grange, No. 576; of Hope Grange, No. 570, and of Crescent Grange, No. 512, Order of Patrons of Husbandry, all in the State of Minnesota, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which were referred to the Committee on Agriculture and Forestry.

Mr. WETMORE presented a petition of the Woman's Christian Temperance Union of the Methodist Episcopal Church, of Phenix, R. I., and a petition of the Woman's Christian Temperance Union of White Rock, R. I., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of White Rock, R. I., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of White Rock, R. I., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of White Rock, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. WELLINGTON presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Anti-Saloon League of Baltimore, Md., remonstrating against the enactment of legislation to extend the provisions of the Raines law to the Indian reservations in the State of New York; which was referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of legislation to limit absolute divorces in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented a petition of Eureka Grange, No. 177, Patrons of Husbandry, of Maryland, praying for the enactment of legislation to extend to the people of the rural sections of the country protection against the use of adulterated food products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Christian Endeavor Society of the Westminster Presbyterian Church, of Baltimore, Md., and a petition of sundry citizens of Halethorpe, Md., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories and the transportation of materials for the same; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Franklinville, Md., and a petition of the Baptist Preachers' Meeting of Baltimore, Md., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Credit Men's Association of Baltimore, Md., praying for the passage of the Torrey bankruptcy bill; which was ordered to lie on the table.

He also presented a petition of Eureka Grange, No. 177, Patrons of Husbandry, of Maryland, praying for the enactment of legislation to secure to the people of the rural sections of the country

the advantages of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Eureka Grange, No. 177, Patrons of Husbandry, of Maryland, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the appointment of a commission to investigate the labor problem; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of Acme Federal Labor Union, No. 7004, of Baltimore, Md., praying for the passage of the so-called eight-hour bill, and the prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Franklinville, Md., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Salisbury, of the Woman's Christian Temperance Union of the Methodist Episcopal Church and of the Epworth League of the Methodist Episcopal Church of Snow Hill, of the Woman's Christian Temperance Union of Pocomoke City, and of the Woman's Christian Temperance Union of Travilah, all in the State of Maryland, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PETTIGREW presented a petition of sundry citizens of Parker, S. D., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. PASCO presented the petition of A. J. Henry and 26 other citizens of Lake City, Fla., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. CULLOM presented petitions of Rev. D. S. Farris, of Sparta; of the Board of Trade of Geneva; of Rev. P. L. Hughey, of Norris City; of Rev. G. W. Williams, of Galatia; of Rev. W. A. Cutler, of Rankin; of Rev. C. Edwards, of Payson; of Rev. F. M. Phillips, of Carterville; of Rev. A. C. Hodgson, of Lasalle; of Bishop McLaren, of Chicago; of A. W. Glessner and 25 other citizens of Galena; of A. G. Everett and 18 other citizens of Rockford; of William Balcke, pastor of the German Methodist Episcopal Church of Bloomington; of Prof. W. C. Wilkinson, University of Chicago; of Island City Lodge, No. 11, Brotherhood of Railroad Trainmen, of Rock Island; of Enterprise Lodge, No. 27, Brotherhood of Locomotive Engineers, of Peoria; of Rev. L. W. Dornseif and 17 other citizens of Collinsville and Pleasant Ridge; of 40 citizens of Quincy; of 257 business firms and manufacturing houses of Chicago, and of 200 business firms and manufacturing houses of Chicago, all in the State of Illinois; of the United Hebrew Association of Pittsburg, Pa.; of the Grand Army of the Republic, Department of Tennessee; of 302 citizens of Colorado Springs, Colo., and of 48 citizens of Pueblo, Colo., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a memorial of 40 citizens of Charleston, Ill., and a memorial of 32 citizens of Xenia, Ill., remonstrating against the establishment of a division in the Treasury Department to regulate insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Hampton and a petition of the Relief Corps and the Woman's Christian Temperance Union of Pecatonica, all in the State of Illinois, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of 175 citizens of Delaware, Ill., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented a petition of 371 members of church and other organizations of Pecatonica, Ill., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of 371 members of church and other organizations of Pecatonica, Ill., praying for the enactment of legislation to prohibit the reproduction of prize fights by the kinetoscope or other kindred devices; which was ordered to lie on the table.

He also presented a petition of 371 members of church and other organizations of Pecatonica, Ill., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Hampton, Ill., and a petition of the Relief Corps and the Woman's Christian Temperance Union of Pecatonica, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Hampton, Ill., and a petition of the Relief Corps and the Woman's Christian Temperance Union of Pecatonica, Ill., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Hampton, Ill., and a petition of the Relief Corps and the Woman's Christian Temperance Union of Pecatonica, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. TURPIE presented a memorial of the Master Painters' Association of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Sims Methodist Episcopal Church, Swayzee Charge, North Indiana Conference, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Sims Methodist Episcopal Church, Swayzee Charge, North Indiana Conference, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Sims Methodist Episcopal Church, Swayzee Charge, North Indiana Conference, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Sims Methodist Episcopal Church, Swayzee Charge, North Indiana Conference, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

Mr. BATE presented a petition of Iron Molders' Union No. 202, of Knoxville, Tenn., praying for the passage of the so-called prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Fayetteville, Tenn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the Medical Society of the State of Tennessee, remonstrating against the passage of Senate bill No. 1063, for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

He also presented petitions of Press Feeders and Helpers' Union No. 30, of Chattanooga; of the Trades and Labor Council of Memphis; of the Central Labor Union of East Tennessee; of Typographical Union No. 89, of Chattanooga, and of Hill City Lodge, No. 58, International Association of Machinists, of Knoxville, all in the State of Tennessee, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Madisonville, Tenn., remonstrating against the passage of Senate bill No. 372, to provide free homes on the public lands for actual and bona fide settlers, and reserve the public lands for that purpose, as reported from the Committee on Public Lands; which was referred to the Committee on Public Lands.

He also presented a petition of the Merchants' Exchange of Memphis, Tenn., and the petition of Biddle & Ellsworth, of Johnson, Tenn., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which were referred to the Committee on Manufactures.

Mr. VEST presented a petition of sundry citizens of Jasper County, Mo., praying for the enactment of legislation to secure protection against the adulteration of pure food products; which was referred to the Committee on Manufactures.

He also presented a petition of the Christian Endeavor Society of the First United Presbyterian Church of Kansas City, Mo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Young People's Society of Christian Endeavor of the Grand Avenue United Presbyterian Church, of St. Louis, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. SEWELL presented petitions of the Young Men's Christian Association of Little Falls; of sundry citizens of Columbus; of the Woman's Christian Temperance Union and the Christian Endeavor Society of the Presbyterian Church and the Methodist Episcopal Church of Columbus; of the congregation of the Presbyterian Church of Greenwich, and of the Mount Moriah Baptist Church, of Asbury Park, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Young Men's Christian Association of Little Falls; of the congregations of the Mount Moriah Baptist Church, of Asbury Park, and of the Presbyterian Church of Greenwich, all in the State of New Jersey, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Young Men's Christian Association of Little Falls; of the congregations of the Presbyterian Church of Greenwich, the Mount Moriah Baptist Church, of Asbury Park, and the Presbyterian Church of Atlantic Highlands, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Young Men's Christian Association of Little Falls and of the congregations of the Presbyterian Church of Greenwich and the Mount Moriah Baptist Church, of Asbury Park, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of R. D. Blanchard and 79 other citizens of Roscoeville; of D. M. Dugan, of Delphin; of John Thoroughgood and 39 other citizens of Janesville; of H. Woodchick and 14 other citizens of Fox Lake; of Thomas Starkey and 21 other citizens of Oshkosh; of W. E. Brown and 27 other citizens of Rhinelander; of W. E. Morehouse and 41 other citizens of Green Bay; of A. H. Woodworth and 46 other citizens of Tomahawk; of B. J. Gardiner and 33 other citizens of Broadhead; of E. C. Whitford and 18 other citizens of Melton; of John Mulligan and 79 other citizens of Waukesha; of C. F. Hardy and 33 other citizens of Beloit; of P. B. and E. G. Barlow and 17 other citizens of Darlington; of Alfred Lodge, No. 26, Brotherhood of Locomotive Firemen, of Baraboo; of Stevens Point Division, No. 211, Order of Railway Conductors, of Stevens Point, and of Fox River Division, No. 375, Order of Railway Conductors, of Green Bay, all in the State of Wisconsin, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Young People's Christian Union of the Universalist Church of Columbus; of the Epworth League and the Young People's Society of Christian Endeavor of the First Methodist Church, of Madison; of the Young Men's and Young Woman's Christian associations of the University of Wisconsin, Madison; of the First Unitarian Society, of Madison; of the congregation of the First Baptist Church, of Madison; of the Christian Endeavor Society of the First Baptist Church, of Madison; of the Woman's Christian Temperance Union of Sturgeon Bay; of the Christian Endeavor Society and the Epworth League of Oregon; of the Sixth Ward Woman's Christian Temperance Union, of Madison; of the congregations of the Methodist and Presbyterian churches of Oregon, and of the Fifth Ward Woman's Christian Temperance Union, of Madison, all in the State of Wisconsin, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Iron Molders' Union, No. 166, of Milwaukee, Wis., praying for the passage of the so-called prison labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Columbus, Wis., praying for the enactment of legislation to prohibit the interstate transmission by mail of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Columbus, Wis., praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories and the interstate transmission of materials for the same; which was ordered to lie on the table.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Columbus, Wis., praying for the enactment of legislation to prohibit sectarian appropriations; which was referred to the Committee on Appropriations.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Columbus, Wis., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Columbus, Wis., praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of the Young People's Christian Union of the Universalist Church of Columbus, Wis., praying for the appointment of a commission to investigate the labor problem; which was referred to the Committee on Education and Labor.

He also presented a petition of the Goll & Frank Company, of Milwaukee, Wis., and a petition of Landauer & Co., of Milwaukee, Wis., praying for the passage of the Torrey bankruptcy bill; which were ordered to lie on the table.

He also presented petitions of the Young People's Christian Union of the Universalist Church of Columbus; of the Epworth League and the Young People's Society of Christian Endeavor of the First Christian Church of Madison; of the Young Men's and the Young Woman's Christian associations of the University of Wisconsin, Madison; of the First Unitarian Society of Madison; of the Christian Endeavor Society of the First Baptist Church of Madison; of the congregation of the Presbyterian Church of Sturgeon Bay; of the Christian Endeavor Society and the Epworth League of Oregon; of the Sixth Ward Woman's Christian Temperance Union of Madison; of the Woman's Christian Temperance Union of Madison; of the congregations of the Methodist and Presbyterian churches of Oregon; of the Fifth Ward Woman's Christian Temperance Union of Madison, and of the congregation of the First Baptist Church of Madison, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Epworth League and the Young People's Society of Christian Endeavor of the Methodist Church of Madison; of the Young Men's and the Young Woman's Christian associations of the University of Wisconsin, Madison; of the First Unitarian Society of Madison; of the congregation of the First Baptist Church of Madison; of the Christian Endeavor Society of the First Baptist Church of Madison; of sundry churches and Christian societies of Beaverdam; of the Sixth Ward Woman's Christian Temperance Union of Madison; of the Woman's Christian Temperance Union of Madison; of the congregations of the Methodist and Presbyterian churches of Oregon; of the Young People's Christian Union of the Universalist Church of Columbus; of the Fifth Ward Woman's Christian Temperance Union of Madison; of the Woman's Christian Temperance Union of Barron, and of the Christian Endeavor Society and the Epworth League of Oregon, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented the petitions of O. B. Clark and 96 other citizens of Fall River, of A. R. Bailey and 49 other citizens, of Peter Hansen and 32 other citizens, and of F. O. Morse and 33 other citizens, all in the State of Wisconsin, and of Mrs. C. N. Conner and 78 other citizens of St. Ignace, Mich., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Veteran Post, No. 78, Department of Wisconsin, Grand Army of the Republic, and the petition of Ellen C. Sabin and 111 other citizens, and of the faculty

and students of Downer College, Milwaukee, Wis., praying for the enactment of legislation to prevent the desecration of the national flag; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Good Hope Congregational Church, of Sturgeon Bay; of the Young People's Christian Union of the Universalist Church of Columbus; of Ashland Lodge, Independent Order of Good Templars, of Ashland; of the Woman's Christian Temperance Union of Tomahawk; of the Sunday school of the Methodist Episcopal Church of Merrimac; of the Woman's Christian Temperance Union of Baldwins Mills; of the Woman's Christian Temperance Union of Springville; of sundry churches and Christian societies of Beaverdam; of the Woman's Christian Temperance Union of Merrill; of the Woman's Christian Temperance Union of Ashland; of the Young People's Society of Christian Endeavor of Ashland, and of the Woman's Christian Temperance Union of Barron, all in the State of Wisconsin, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Grange No. 35, Patrons of Husbandry, of Center, Wis., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

Mr. BURROWS presented a petition of W. P. Evritt Post, No. 377, Department of Michigan, Grand Army of the Republic, praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, criminal, and pauper classes to the United States; which was ordered to lie on the table.

He also presented petitions of Cigar Makers' Union No. 69, of Three Rivers; of Cigar Makers' Union No. 393, of Cadillac, and of the Machinists' Protective Association of Saginaw, all in the State of Michigan, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

He also presented memorials of Longshoremen's Union No. 7, of Alpena; of Typographical Union No. 300, of Port Huron; of Central Lodge, No. 95, National Association of Machinists, of Jackson; of Federal Labor Union No. 6803, of Flint, and of the Bricklayers' Union of Grand Rapids, all in the State of Michigan, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the board of managers of the Trades League of Philadelphia, Pa., praying that House bill No. 857, relating to train wrecking and robbing, be amended so as to eliminate the words "with intent to rob;" which was referred to the Committee on Interstate Commerce.

Mr. PLATT of New York presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the ratification of the arbitration treaty between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the enactment of legislation to cut off novels and bogus papers from newspaper rates; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Pomona Grange of Madison County, N. Y., praying for the enactment of legislation providing for the free delivery of mail in rural districts, the establishment of postal savings banks, and the election of United States Senators by popular vote; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the enactment of legislation to prohibit the reproduction of prize fights by the vitascope in the District of Columbia and the Territories and the interstate transmission of materials of the same; which was ordered to lie on the table.

He also presented petitions of the congregations of the Presbyterian Church, the Methodist Church, the Baptist Church, and the Church of the Disciples, all of Fredonia; of the Methodist Episcopal Church of Pawling; of the Christian Endeavor Society of the Presbyterian Church of Hunter, and of the Woman's Christian Temperance unions of Fredonia, Hunter, and Lockport, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the enactment of legislation to limit absolute divorces in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented petitions of the congregations of the Methodist Church, the Baptist Church, the Church of the Disciples, and the Presbyterian Church, all of Fredonia; of the Methodist Episcopal Church of Pawling; of the Woman's Christian Temperance unions of Hunter, Lockport, and Fredonia, and of the Christian Endeavor Society of the Presbyterian Church of Hunter, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Presbyterian Church, the Methodist Church, the Baptist Church, and the Church of the Disciples, all of Fredonia; of the Methodist Episcopal Church of Pawling; of the Woman's Christian Temperance unions of Fredonia, Hunter, and Lockport, and of members of the faculty of the Union School of Fredonia, all in the State of New York, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Lockport, Warren Corners, Falconer, Fredonia, and Gansevoort; of the congregations of the Methodist Episcopal Church of Pawling; of the congregations of the Presbyterian Church, the Church of the Disciples, and the Baptist Church, all of Fredonia; of the State Normal School of Fredonia; of members of the faculty of the Union School of Fredonia, and of sundry physicians of Fredonia, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of J. C. Sibley Division, No. 35, Brotherhood of Locomotive Engineers, of Rochester; of Susquehanna Lodge, No. 71, Brotherhood of Locomotive Firemen, of Oneonta; of Independent Division, No. 74, Order of Railway Conductors, of Elmira, and of Division No. 105, Brotherhood of Locomotive Engineers, of New York City, all in the State of New York, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Lockport, N. Y., praying for the appointment of a nonpartisan labor commission; which was referred to the Committee on Education and Labor.

Mr. MASON presented petitions of the Woman's Christian Temperance unions of Chicago, Rock Falls, Kewanee, and Elgin, and of the congregation of the Swedish Methodist Episcopal Church of Galesburg, all in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Rock Falls, Chicago, and Kewanee; of the congregations of the Memorial Christian Church, of Rock Island, and of the Swedish Methodist Episcopal Church of Galesburg, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Rock Falls, Chicago, and Kewanee; of the congregation of the Swedish Methodist Episcopal Church of Galesburg, all in the State of Illinois, and of the Woman's Christian Temperance Union of Durango, Colo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Rock Falls and Chicago, and of the congregation of the Swedish Methodist Episcopal Church of Galesburg, all in the State of Illinois, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented sundry petitions of citizens of Chicago, Ill., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. GRAY presented a petition of the Woman's Christian Temperance Union of Townsend, Del., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Townsend, Del., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Townsend, Del., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Townsend, Del., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4160) granting an increase of pension to Simeon Stevens;

A bill (H. R. 1806) increasing the pension of William Warner;

A bill (H. R. 4290) for increase of pension of Alexander E. Ingraham;

A bill (H. R. 4526) granting a pension to Mary Vockey;

A bill (H. R. 2275) granting an increase of pension to Isaac B. Vail;

A bill (H. R. 4116) to increase the pension of Charles C. Short; and

A bill (H. R. 2199) granting an increase of pension to Henry F. Rice.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3026) granting a pension to Ida Emmott, dependent and invalid daughter of the late Thomas Emmott;

A bill (H. R. 5965) granting a pension to Laura A. Barry, as widow of Charles W. Barry, late private Company B, One hundred and eighth New York Volunteer Infantry;

A bill (H. R. 5156) granting an increase of pension to Daniel J. Smith;

A bill (S. 200) granting a pension to Charlotte Poe, widow of Isaiah Poe, deceased; and

A bill (H. R. 2198) granting an increase of pension to Joseph P. Harmon, late private in Company K, Fifth Maine Volunteers, and Company B, Seventh Maine Volunteers.

Mr. PASCO, from the Committee on Commerce, to whom was referred the bill (H. R. 7943) to make Knoxville, Tenn., a port of delivery and to create the office of surveyor of customs, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Pensions, to whom was referred the bill (H. R. 2246) to increase the pension of Elwin A. Scutt, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4004) granting a pension to Julia E. Warner, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4194) granting an increase of pension to Samuel F. Fowler, formerly private Company A, First United States Infantry; and

A bill (H. R. 771) granting an increase of pension to Bernard Dunn.

Mr. CANNON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1011) to increase the pension of Erika A. Norman;

A bill (S. 3059) increasing the pension of Isaiah Mitchell; and

A bill (S. 2393) granting an increase of pension to Henry Hinckley.

Mr. CANNON, from the Committee on Pensions, to whom was referred the bill (H. R. 3737) granting an increase of pension to Orlando J. Hopkins, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1413) granting a pension to Richard Richardson, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom the subject was referred, reported a bill (S. 4190) authorizing the Secretary of the Interior to issue a permit to the American Invalid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases; which was read twice by its title.

Mr. KYLE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3660) granting a pension to Thomas Edsall, of Grafton, Ill.; and

A bill (S. 4003) to construe an act approved June 3, 1884, rerating and including the disability of Alonzo B. Chatfield, late of Company B, Thirty-third Regiment of Illinois Volunteer Infantry.

Mr. KYLE, from the Committee on Pensions, to whom was referred the bill (H. R. 6931) granting a pension to James B. Rawlins, reported it with an amendment, and submitted a report thereon.

Mr. KYLE. I am directed by the Committee on Pensions, to whom was referred the bill (S. 1348) granting a pension to Harriet Scott, widow of John Scott, to report it with a recommendation that it be indefinitely postponed.

Mr. ALLEN. By whom was that bill introduced?

The VICE-PRESIDENT. The bill was introduced by the Senator from Illinois [Mr. CULLOM]. The question is, Shall the bill be postponed indefinitely?

The motion was agreed to.

Mr. KYLE, from the Committee on Pensions, to whom was referred the bill (S. 1585) granting an increase of pension to George W. Bolster, reported adversely thereon; and the bill was postponed indefinitely.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1354) granting a pension to Burton Packard;

A bill (S. 1353) for the increase of pension of Farnham J. Eastman; and

A bill (S. 1759) granting a pension to James H. Preston.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (S. 3474) granting a pension to John C. Brown, reported it with an amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, submitted a report to accompany the bill (S. 3140) to reimburse the State of Wyoming for money expended by the Territory of Wyoming in protecting and preserving the Yellowstone National Park during the years 1884, 1885, and 1886, heretofore reported by him.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (H. R. 907) granting a pension to Emily J. Miller, blind and helpless child of Robert B. Miller, deceased, late of Company C, One hundred and ninth New York Volunteer Infantry, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 6211) granting an increase of pension to Isabella G. Daniels, widow of Milton T. Daniels; and

A bill (S. 2036) to increase the pension of Mary C. Cook.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2924) granting an increase of pension to R. A. Browning;

A bill (H. R. 1971) to grant a pension to James J. Gibbs, of Knox County, Tenn.;

A bill (H. R. 1957) to increase the pension of William P. Cooper;

A bill (H. R. 5964) granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry; and

A bill (S. 1041) amending section 4716 of the Revised Statutes.

Mr. BAKER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3661) granting a pension to Charles L. Stephens; and

A bill (H. R. 5384) for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States.

Mr. VEST, from the Committee on Commerce, to whom was

referred the bill (S. 3871) to authorize the Montgomery-Elmore Bridge and Improvement Company to construct and maintain a bridge across the Alabama River, near the city of Montgomery, Ala., reported it with amendments.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 4124) for the protection of song birds, reported it with amendments.

Mr. HANNA, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3798) granting an increase of pension to Milton Iserman;

A bill (H. R. 2970) to permit an increase of the pension of John A. Anderson;

A bill (H. R. 290) to increase the pension of William H. Webster;

A bill (H. R. 722) granting a pension to Mrs. Sarah A. Denny, an army nurse;

A bill (H. R. 4183) granting an increase of pension to Nicholas Gardner;

A bill (H. R. 3160) to place on the pension rolls the name of Minerva Sample;

A bill (H. R. 3184) granting an increase of pension to James H. Blakeman;

A bill (H. R. 7827) granting a pension to Elizabeth M. Tumy;

A bill (H. R. 3299) granting a pension to Ellen Day, stepmother of Albert L. Day;

A bill (H. R. 1034) granting a pension to William H. Byrum; and

A bill (H. R. 4467) to increase the pension of Carey H. Russell.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (S. 2588) increasing the pension of Corrissanda L. McGuire, of Shelbyville, Ind., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2065) granting a pension to Henry F. Barnes; and

A bill (S. 3520) granting an increase of pension to Manon Van Gordon.

Mr. GEAR, from the Committee on Pacific Railroads, reported an amendment intended to be proposed to the bill (S. 119) to amend an act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," approved July 1, 1862; also to amend an act approved July 2, 1864, and also an act approved May 7, 1878, both in amendment of said first-mentioned act and other acts amendatory thereof and supplemental thereto, and to provide for the settlement of claims growing out of the issue of bonds to aid in the construction of Central Pacific and Western Pacific railroads, now on the Calendar.

He also, from the same committee, to whom was recommitted the bill (S. 120) authorizing the Secretary of the Treasury to effect an adjustment between the United States and the Sioux City and Pacific Railway Company in relation to certain bonds issued by the United States in aid of the construction of said railway, reported it with amendments.

Mr. LINDSAY, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment:

A bill (S. 3425) for the benefit of Evelyn N. Murray; and

A bill (S. 1928) granting an increase of pension to first-class pilot Capt. James M. Herrington.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 4624) granting an increase of pension to Mary E. Herd, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 285) for the relief of Mrs. Mary L. Roderick, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1587) granting a pension to Susan C. Oden, reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 4191) to readjust the boundary of the National Zoological Park and preserve its seclusion between Park road on the east and Cincinnati street and Connecticut avenue on the west; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. JONES of Arkansas introduced a bill (S. 4192) to make certain grants of land to the Territory of New Mexico, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CULLOM. I present a memorial of the National Business Men's League to the Congress of the United States, signed by a large number of business men and bankers, and with it a bill to provide a gold income and to strengthen public credit. I introduce this bill at the request of citizens, and ask that the bill and petition be printed and referred to the Committee on Finance.

The bill (S. 4193) to provide a gold income and to strengthen the public credit to meet all emergencies was read twice by its title.

The VICE-PRESIDENT. The bill, with the accompanying petition, will be printed and referred to the Committee on Finance.

Mr. PRITCHARD (by request) introduced a bill (S. 4194) for the relief of John Scott Payne; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTIGREW (by request) introduced a bill (S. 4195) to preserve the public lands for the people; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HARRIS introduced a bill (S. 4196) providing for the adjustment and payment of the accounts of laborers and mechanics arising under the eight-hour law; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Education and Labor.

Mr. SPOONER introduced a bill (S. 4197) granting a pension to Rev. Peter S. Mather; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4198) granting an increase of pension to Jane Hutchinson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4199) for the relief of Otto A. Risum, late postmaster at Pulcifer, Wis.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4200) for the relief of Huff Jones for breach of contract with Indian agent; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. ALLEN introduced a bill (S. 4201) granting an increase of pension to Robert A. Wherry, of Falls City, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 4202) for the relief of Mary E. McDonald, widow of Marshall McDonald, and Stephen C. Brown; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 4203) relating to railroad stations and town sites west of the one hundredth meridian in the State of North Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CHANDLER introduced a bill (S. 4204) to increase the pension of Ellen C. Abbott, widow of Bvt. Brig. Gen. Joseph C. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR (by request) introduced a bill (S. 4205) to relieve labor and to promote intercommunication and commerce between the several States and Territories of the Union; which was read twice by its title, and referred to the Committee on Military Affairs.

WAGON AND MOTOR BRIDGE AT ST. CHARLES, MO.

Mr. VEST introduced a bill (S. 4206) extending the time for the construction of a wagon and motor bridge across the Missouri River at St. Charles, Mo., as provided by an act approved June 3, 1896; which was read twice by its title, and referred to the Committee on Commerce.

Mr. VEST subsequently, from the Committee on Commerce, reported the above bill without amendment.

AMENDMENT TO POST-OFFICE APPROPRIATION BILL.

Mr. PETTUS submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

SAGINAW RIVER IMPROVEMENT.

Mr. BURROWS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is hereby directed to inform the Senate as to the cost of improving the Saginaw River from its head to a point in Saginaw Bay, with a view of securing a channel 150 feet wide and an increase of depth to 16 feet from the head of the river to the Third Street Bridge in Bay City; thence a channel 300 feet in width to the Saginaw Bay, with an increase of depth of the channel to 16 feet, said estimate to be based on the survey made pursuant to the river and harbor act of 1896.

KILLING OF FRANK EPPS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

In further response to the resolution of the Senate of January 18, 1898, calling for information regarding the killing at Nagasaki, Japan, of Frank

Epps, a sailor of the U. S. S. *Olympia*, I transmit herewith a report from the Secretary of State, accompanied by an additional dispatch from the minister of the United States at Tokyo, on the subject.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
Washington, March 22, 1898.

POSTAL TELEGRAPHS, TELEPHONES, AND SAVINGS BANKS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed:

To the Senate:

In connection with Senate Document No. 39, Fifty-fifth Congress, second session, and in further response to the resolution of the Senate of July 12, 1897, I transmit herewith a report from the Secretary of State, with additional papers, relating to postal telegraphs, telephones, and postal savings banks in Austria.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
Washington, March 22, 1898.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 14th instant approved and signed the following acts:

An act (S. 619) to increase the pension of William N. Wells;

An act (S. 649) to grant a pension to Emeline C. Sewell, widow of Chief Engineer George Sewell, United States Navy;

An act (S. 666) granting an increase of pension to William H. Morgan;

An act (S. 1983) granting an increase of pension to Esther Williams;

An act (S. 2358) granting a pension to Joshua Parker; and

An act (S. 2363) granting a pension to Annie Fowler.

The message also announced that the President of the United States had on the 17th instant approved and signed the act (S. 1865) to extend the charter of the Franklin Insurance Company of the city of Washington.

The message further announced that the President of the United States had on the 18th instant approved and signed the following acts and joint resolution:

An act (S. 2323) supplemental to the act of February 9, 1821, incorporating the Columbian College in the District of Columbia, and the acts amendatory thereof;

An act (S. 2764) for the relief of the heirs of Pom K. Soh, deceased; and

A joint resolution (S. R. 91) authorizing the Public Printer to use certain Government telegraph poles.

The message also announced that the President of the United States had on the 19th instant approved and signed the following acts:

An act (S. 18) to remove the charge of desertion from the name of Emanuel Schamp;

An act (S. 962) granting a pension to Riley W. Pierce;

An act (S. 1034) for the relief of James Eganson, of Henderson, Ky.;

An act (S. 1081) authorizing and directing the Secretary of the Interior to quitclaim and release unto Francis Hall and Juriah Hall and their heirs and assigns all the right, title, and interest of the United States in and to the east 20 feet front by the full depth of 100 feet of lot 2, in square 493, in the city of Washington, D. C., as laid down on the original plan or plat of said city; and

An act (S. 1542) granting an increase of pension to John A. Worswick.

The message further announced that the President of the United States had on the 21st instant approved and signed the following acts:

An act (S. 473) for the relief of David O. Burleigh;

An act (S. 809) for the relief of Orin R. McDaniel; and

An act (S. 4078) to change name of port of collection of United States customs from Suspension Bridge to Niagara Falls.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 298) granting an increase of pension to Charles McAllister;

A bill (H. R. 777) to increase the pension of David N. Thompson;

A bill (H. R. 1018) granting a pension to Sarah E. Ingham;

A bill (H. R. 1295) to increase the pension of Frederick G. Moore, late of Company I, One hundred and fifth Regiment New York Volunteer Infantry;

A bill (H. R. 1442) granting an increase of pension to John W. Channing;

A bill (H. R. 1540) granting an increase of pension to William H. Oliver;

A bill (H. R. 1722) for the relief of Mrs. Ellen O'Rorke;

A bill (H. R. 2154) granting an increase of pension to A. V. Bloodgood;

A bill (H. R. 4435) to pension Gratia H. Martin;

A bill (H. R. 4692) to pension F. L. Botkin;

A bill (H. R. 4963) granting an increase of pension to William D. Foote;

A bill (H. R. 5372) for the relief of Hannah C. Pile;

A bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson; and

A bill (H. R. 7482) granting a pension to Eliza B. Lowry.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 1959) for the allowance of certain claims reported by the accounting officers of the United States Treasury Department; and

A bill (H. R. 2219) for the relief of the administrators of Isaac P. Tice, deceased, and others.

The bill (H. R. 8618) for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Habana, Cuba, was read twice by its title, and referred to the Committee on Naval Affairs.

CADETS TO MILITARY AND NAVAL ACADEMIES.

Mr. ALLEN. I ask unanimous consent for the present consideration of the bill (S. 15) to prevent the appointment of cadets to the Naval or Military Academy of the United States from States, Territories, or districts in which said cadets do not reside, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Military Affairs with amendments, in line 3, after the word "cadet," to insert "excepting the cadets appointed at large;" in line 8, after the word "cadet," to insert "excepting the cadets appointed at large;" and in line 15, before the word "prior," to strike out "two years" and insert "one year;" so as to make the bill read:

Be it enacted, etc., That hereafter no cadet excepting the cadets appointed at large shall be appointed to, or received into, the Naval or Military Academy of the United States of America from any State, Territory, or district in which such cadet does not actually reside at the date of his appointment; and any such cadet, excepting the cadets appointed at large, in addition to being an actual and bona fide resident of the State, Territory, or district from which he is appointed and to which he is accredited at the date of his appointment and reception into the Naval or Military Academy of the United States of America, shall also have been an actual resident of the State, Territory, or district from which he is appointed and to which he is accredited for a period of one year prior to the date of his appointment.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF GIRLS IN THE DISTRICT AND TERRITORIES.

Mr. QUAY. I ask unanimous consent for the present consideration of the bill (S. 2880) to raise the age of protection for girls in the District of Columbia to 18 years.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that if any person shall carnally know any female between the ages of 16 and 18 years, out of wedlock, in the District of Columbia, such carnal knowledge shall be deemed a misdemeanor, and the offender, being convicted thereof, shall be punished by imprisonment for a term not exceeding eleven months and twenty-nine days, or fined not exceeding $200, or be punished by both such fine and imprisonment; and that the act shall not be construed as repealing or modifying any statute relating to rape.

Mr. HOAR. I know that the legislation for the District of Columbia is ordinarily kept distinct from that of the Territories, but I desire to propose an amendment, which I have no doubt will be approved by everybody, making the bill apply to the Territories, instead of it being merely a separate statute for the District. I will ask the Senator to accept the amendment by inserting the words "or in any Territory of the United States." The matter has been before the Judiciary Committee, but they referred it to the Committee on the District of Columbia, that being the proper place for it. If the Senator has no objection, I should like to move that amendent.

Mr. QUAY. I have no objection.

Mr. HOAR. I move to insert in line 5, after the words "District of Columbia," the words "or in any Territory of the United States."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. HOAR, the title was amended so as to read: "A bill to raise the age of protection for girls in the District of Columbia and the Territories to 18 years."

REIMBURSEMENT OF THE STATE OF WYOMING.

Mr. WARREN. I desire to call up the bill (S. 3140) to reimburse the State of Wyoming for money expended by the Territory of Wyoming in protecting and preserving the Yellowstone National Park during the years 1884, 1885, and 1886; which was passed over on the Calendar yesterday in my absence.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the State of Wyoming $7,780.44, and appropriates that sum, being the actual amount paid out by the Territory of Wyoming during the years 1884, 1885, and 1886 for expenses incurred in preserving the formation, natural curiosities, and objects of interest in the Yellowstone National Park, through patrolling, policing, and governing, after it was declared a national reservation and before United States troops were placed therein for its protection.

Mr. COCKRELL. Will the Senator explain how the expense was incurred? There seems to be no report accompanying the bill.

Mr. WARREN. There is a report.

Mr. COCKRELL. Then let the report be read. The bill was called up yesterday when the Senator was absent, and I asked that it might go over without prejudice because there was no printed report with the bill and therefore I could not tell anything about it.

Mr. WARREN. I can explain the bill in a few words.

The Yellowstone National Park was set apart from the public domain in 1872, but no appropriations were made to care for it. There was no appropriation for the pay of a superintendent even for some seven or eight years. In 1882, I think it was, an appropriation was made for the pay of a superintendent, but nothing was otherwise provided for the care of the park. It was about 1883 when a law was passed providing that upon the request of the Secretary of the Interior upon the Secretary of War troops might be detailed. In the meantime, early in 1884, when travel was rapidly increasing, the park becoming well known, no sufficient appropriation having been made for taking care of the park, and spoliation going on, the Territory of Wyoming was appealed to to assist in taking care of it.

After considerable correspondence between the executive of Wyoming, the Delegate in Congress, and the Interior Department, the legislature responded by appropriating $8,750, and sending its agents and officers to care for the park until later, when the Government took practical and effective care of it by installing there a troop of cavalry. The purpose of this bill is to pay back to the State the amount of money that was so expended.

Mr. COCKRELL. Does the Interior Department recommend the passage of the bill?

Mr. WARREN. The bill has not been submitted to the Department of the Interior, as it did not seem necessary. It went before the Senate Committee on Claims, and the present chairman of that committee [Mr. TELLER] was Secretary of the Interior at the time when these transactions occurred.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RIGHT OF WAY THROUGH PUBLIC LANDS.

Mr. TELLER. Some days since the bill (H. R. 1595) to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes, was amended by the Senate and sent to the House of Representatives. It deals with a matter touching our Western irrigation question, and is now in the House with the amendments of the Senate, which have not been acted upon. I ask an order of the Senate that the House may be requested to return the bill.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Colorado that the bill referred to by him may be recalled from the House of Representatives? The Chair hears none, and that order will be made.

ADJUSTMENT OF ACCOUNTS WITH PUBLIC-LAND STATES.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 361) fixing times when, regulating the manner in which, and declaring the character of the accounts between the United States and the several public-land States relative to the net proceeds of the sales and other disposition of the public lands made and to be made therein by the United States, which shall hereafter be stated and certified to the Treasury Department for payment.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. PLATT of Connecticut. That bill will excite considerable discussion. It involves probably five or ten millions of dollars, and it can hardly be disposed of under the five-minute rule. I am obliged to object to unanimous consent for its present consideration. If the Senator moves to take it up, and if the Senate wishes to consider it now, that is another matter; but, I repeat, it can not be disposed of under the five-minute rule.

Mr. PETTIGREW. I will say that this bill, being the unfinished business, will come up at 2 o'clock, and I shall endeavor at that time to have the Senate consider it.

The VICE-PRESIDENT. Objection is made to the present consideration of the bill.

EUNICE TRIPLER.

Mr. SEWELL. I ask unanimous consent for the present consideration of the bill (S. 1101) for the relief of Eunice Tripler, widow of Charles S. Tripler.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to Mrs. Eunice Tripler, widow of Surg. Charles S. Tripler, United States Army, $3,000, for services by Charles S. Tripler in his lifetime in preparing, superintending, and directing the publication of a manual for the medical officers of the United States, and provides that the payment of that sum shall be a bar to any further claim against the Government for the use of the book herein referred to.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JULIUS A. KAISER.

Mr. HANNA. I ask unanimous consent for the present consideration of the bill (S. 1227) for the relief of Julius A. Kaiser.

Mr. COCKRELL. Let the bill be read for information, subject to objection.

The VICE-PRESIDENT. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Julius A. Kaiser upon the retired list of the Navy, in the grade of passed assistant engineer, as of the date he was entitled by law or navy regulations to examination for promotion from assistant engineer to said grade.

Mr. COCKRELL. Let the report be read in that case, Mr. President.

The VICE-PRESIDENT. The report accompanying the bill will be read, at the suggestion of the Senator from Missouri.

The Secretary read the report submitted by Mr. HANNA March 10, 1898, as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 1227) for the relief of Julius A. Kaiser, having had the same under consideration, beg leave to submit the following report:

Bills similar to this have heretofore been considered by the Committees on Naval Affairs of the House and Senate during the Forty-eighth, Forty-ninth, Fifty-first, Fifty-second, Fifty-third, and Fifty-fourth Congresses, and the facts and conclusions thereon fully ascertained and reported by both Houses.

Your committee again recommend the passage of this bill for the reasons set forth in House Report No. 490, first session Fifty-fourth Congress, as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 1897) for the relief of Julius A Kaiser, submit the following report:

Similar bills with this one have heretofore been considered by the Committee on Naval Affairs of the House and Senate during the Forty-eighth, Forty-ninth, Fifty-first, and Fifty-second Congresses, and the facts and conclusions thereon then fully ascertained and reported to both Houses.

Your committee, after fully considering the whole case, ask leave to adopt the report submitted by them in the Fifty-second Congress, and again recommend the passage of the bill.

[House Report No. 2346, Fifty-second Congress, second session.]

The Committee on Naval Affairs, to whom was referred the bills (H. R. 1303 and H. R. 5097) for the relief of Julius A. Kaiser, submit the following report:

The facts out of which this bill for relief arise will be found stated in House Report No. 534, Forty-eighth Congress, a copy of which is hereto appended as a part of this report. Your committee concur in the conclusions stated in these reports and report back the bill (H. R. 1303) and recommend its passage, and ask that H. R. 5097, of similar import, be laid on the table.

[House Report No. 534, Forty-eighth Congress, first session.]

The Committee on Naval Affairs, to whom was referred the bill (H. R. 1318) for the relief of Julius A. Kaiser, having had the same under consideration, beg leave to submit the following report:

Julius A. Kaiser is now an assistant engineer on the retired list of the Navy, having been retired on the 8th day of July, 1873, for disability incident to the service. It appears that the injury by which he was incapacitated for active service was a compound fracture of the forearm, received on January 1, 1870, while making some repairs to the machinery of the U. S. S. *Ashuelot*. Although injured on January 1, 1870, he was not ordered before the retiring board until July, 1873, a period of three and one-half years, during all of which time he continued on duty on the Asiatic station.

Long before the time of his retirement he had completed the sea service required by regulation of the Navy Department to entitle him to promotion, but by reason of his absence in the Asiatic station, and for other causes not involving fault on his part, he was not examined for promotion.

Had he been so examined for promotion he would, under section 1562, Revised Statutes, have been entitled to the pay of an assistant engineer from the date of completion of the sea service required by the regulations of the Navy Department.

He completed the sea service on the 19th day of January, 1870, and was consequently entitled to the pay of a passed assistant engineer from that date, but for the fact that his absence on duty prevented his examination.

It appears that the other officers of his date, while not actually promoted until 1874, were given rank and pay under the section above referred to from the time they became entitled—one from the 19th of October, 1869, the other from the 31st of March, 1870.

Mr. Kaiser's record in the service is exceptionally good. He graduated first in his class at Annapolis and served with distinction throughout the war, having much service on the monitors, which was justly considered the most arduous character of service.

It seems to your committee that Mr. Kaiser is entitled to be put in the position which his actual service entitled him at the time of his retirement, and of which only the requirements of the service, and no fault of his own, deprived him, viz, to be promoted to passed assistant engineer from the date

from which he was entitled by law and regulation to the rank and pay of that position.

Your committee therefore recommend the adoption of this report and the passage of the bill as amended.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ORLANDO J. HOPKINS.

Mr. TELLER. I ask unanimous consent for the present consideration of the bill (H. R. 3737) granting an increase of pension to Orlando J. Hopkins. The Senate committee have not amended the House bill. The beneficiary is in a very precarious condition and is liable to die before the bill becomes a law.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Orlando J. Hopkins, late first lieutenant Company A, Fifty-ninth Ohio Infantry, and captain and commissary of subsistence, and to pay him a pension at the rate of $30 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GOVERNMENT FOR ALASKA.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (S. 3729) making further provision for a civil government for Alaska.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Territories with amendments.

Mr. CARTER. Mr. President, this bill, as its title indicates, proposes to make further provisions for a civil government in the District of Alaska. The Territory of Alaska was discovered by a Russian lieutenant in 1741, and ceded to the United States by the treaty of 1867. The proclamation of ratification of that treaty by this Government is dated June 20, 1867. The Government did not undertake to legislate in any manner for the District until 1872. In that year an act was passed extending the customs laws to Alaska, prohibiting the importation of firearms and distilled spirits, prohibiting the killing of fur-bearing seals, except under certain specified conditions, conferring upon the district courts of the United States in California, Oregon, and the Territory of Washington jurisdiction over the District. It likewise authorized what subsequently became known as the seal contract, authorizing the killing of seals and the renting of the islands of St. Paul and St. George to the Alaska Commercial Company.

Thenceforward certain provisions were made from time to time for the government of the Territory in an incidental way in the appropriation acts, but no definite or distinct effort obtained in the direction of furnishing civil government for the country until 1884. The act of 1884 merely authorized the appointment of a governor for Alaska and devolved upon him certain limited functions. He was made commander-in-chief of the militia, but the country did not contain any militia. He was made governor without revenue, without a legislative assembly, and without any other function, as far as could be determined, except to commute sentences in certain cases until the will of the President of the United States could be ascertained in the premises. He was likewise required by law to report annually the action of the companies authorized to fish and to kill seals in the North Pacific Ocean and in Bering Sea.

A judge was appointed for the District under the law of 1884, and the general laws of Oregon as they existed in 1884, the date of the passage of the act, so far as they could be properly made applicable, were applied to that District. It so happened that there had not been any revision of the laws of Oregon for many years prior to 1884, and consequently the courts and the commissioners attempting to administer the law were of necessity required first to look at the revised statutes of Oregon and then to consult the various session laws of that State passed between the time of revision and the year 1884.

Such confusion existed, first, in the attempt to determine what the laws of Oregon really were at a given date, and second, to determine how far the law could be applied to Alaska, that no officer ever made any very accurate application of the law or determined exactly what it meant as applicable to that District. The result has been a very feeble and unsatisfactory administration of justice in that country.

The committee, when called upon to direct its attention to the betterment of the government of the District, was first confronted with the question as to whether or not a legislative assembly should be provided, or whether a delegate in Congress should be allowed from the District.

After careful consideration of the question presented, the committee determined that it would be, for the present, inexpedient and unwise to attempt to create a legislative assembly to provide for the local needs of the District. Its immense area, the manner in which the population is scattered over the country, the unsettled condition of the population, the unknown problems of the future as to what may be expected in the way of definite, permanent settlement, and the limited means of communication seemed to forbid for the time being serious consideration of a legislative assembly for the District.

For instance, the District of Alaska contains 581,000 square miles. It is nine times as large as New England. It is five times as large as the States of New York, Pennsylvania, New Jersey, Delaware, and Maryland. It is two and one-quarter times as large as Virginia, West Virginia, North Carolina, South Carolina, Kentucky, and Tennessee. It is two and one-quarter times as large as the States of Mississippi, Alabama, Georgia, and Florida. It is within a few square miles in area of the size of Nevada, Kansas, Colorado, Utah, Nebraska, and Montana. It is larger than Minnesota, Iowa, Missouri, Arkansas, Louisiana, and Texas. If you multiply the area of Texas, that imperial Commonwealth, by 2, you can then add the whole area of New England to the geographical division thus created, and those States combined may be set down within the center of the District of Alaska and not touch the edge at any point.

The population of the country, so far as the Indians are concerned, in the interior is essentially nomadic. There have been Russian traders in that region for over a hundred years. The number of American citizens in the interior, up to a very recent date, was quite limited. Owing to the discovery of gold in paying quantities during the last two years, a great rush of persons into the District from all over the world has been witnessed. How long these numbers may remain as large as at present or to what extent this tide of immigration may swell in proportions no one at the present time can predict with any degree of accuracy.

It seemed to the committee that the attempt to hold an election in Alaska during the gold excitement would be something like holding a general election at a circus. If places were fixed for the polling of votes at a given camp thirty days in advance, it might happen that the two, three, four, or five thousand votes anticipated as likely to be cast there would entirely disappear before the day of election. The cost of attempting to hold an election in the country would be problematical, but certainly very great. For these reasons the committee determined, for the time being at least, that it would not be wise or expedient to have a local legislature.

In view of that conclusion and the lack of local government which naturally followed from it, it became clearly obvious that no provision could be made for the execution of the laws through a governor who was not provided with any revenue or any legislative assembly to enact laws. Consequently the present somewhat unsatisfactory government seemed better suited to the situation if elaborated and made somewhat more elastic than any other we could for the time being devise. Hence the governor was continued, his duties being practically left under the bill here presented as under existing law, with the exception of a provision authorizing him, with the approval of the Secretary of the Interior, to make a contract with one or more asylums west of the Rocky Mountains for the care of the insane of the District.

The bill then provides that the District of Alaska shall constitute one judicial district. The District is divided by the bill into three subdivisions. One of the judges will be required to reside at Sitka, in the southeastern part of the District. Another will be required to reside at St. Michaels, near the mouth of the Yukon River in Bering Sea. Another judge will be required to reside during his term of office at Circle City, on the Yukon River, a short distance west of the international boundary line. A clerk and United States attorney is provided by the bill for each court. The jurisdiction of each subdivision of the court is made coextensive with the limits of the District.

Mr. GRAY. Of the whole District?

Mr. CARTER. Of the whole district. That was done because of the total inability of the committee to determine accurately any definite geographical lines which could be established as lines of demarcation readily ascertainable if we attempted to subdivide the district into various judicial districts.

In order to overcome the difficulty which might obtain in case of a suit being commenced, for instance, at St. Michaels in a division of the court against a person residing 1,200 miles distant at Circle City, the bill provides for the transfer of causes from one district to another in any one of a number of contingencies on the application of the defendant, and causes may be transferred, as provided by the bill, on the motion of the court where it appears that the action was commenced at a point remote from the residence of the defendant.

Under existing law the United States commissioners are appointed by the President and confirmed by the Senate. In a country destined to expand, with the incoming of a mining population, with great rapidity, it was concluded that a larger number of commissioners might be required for the various settlements than the foresight of Congress might be able to provide. Consequently the appointment of the commissioners has been transferred to the judges of the courts, and the commissioners are taken from the

salaried list and are paid by fees. Their jurisdiction is similar to the jurisdiction of United States commissioners, and in addition they shall be vested with the jurisdiction of justices of the peace, as provided by the laws of the State of Oregon. They will be, under certain conditions, authorized to grant writs of habeas corpus returnable before the district judge. Their jurisdiction in civil matters is extended to $1,000 in suits not involving title to real estate.

An extension of the number of deputy marshals is authorized by the bill. It is provided that there shall be three chief deputy marshals of the District, who shall attend each subdivision of the contemplated court. The chief deputy marshals are to be vested with power, in the absence of the marshal, to appoint deputy marshals, and the appointment shall be practically the act of the marshal through the chief deputy. This departure from all precedents was deemed necessary because while the marshal is to be located at Sitka, it might occur during midwinter, when access to the marshal's office would be forbidden by natural obstacles, that additional deputy marshals would be required to aid the court in the execution of process in the interior of the country at Circle City. The bill anticipates such contingencies by providing that the chief deputy marshal assigned to any division shall have power to appoint deputy marshals when required so to do by the court.

The United States commissioners will be ex officio justices of the peace and invested with certain probate jurisdiction under the pending bill, and they are to be compensated for their services upon the fee system rather than the salary system as it obtains at present for this reason: We can not contemplate the number of mining camps and settlements. We can not foretell with any degree of accuracy the number of communities destined to spring up on the various rivers and streams in this country during the next twelve months; therefore it is clearly beyond our view accurately to determine the number of commissioners to provide for by law when compelled in connection with the work to provide appropriations for their salaries.

Within recent time information has come to the committee of mineral discoveries and developments on the great Tananah River, extending from the summit of the mountains down to the Yukon River, at the town of Weare on that stream. What is known as the Koyukuk, extending to the northeast from the Yukon, has become the scene of considerable mining activity, and it will occur, I take it, that mining settlements will spring up along the shores of Bering Sea and the rivers tributary to it north of the Yukon.

The judge of the court residing near by can respond to the demands of these various communities, as they spring up, by appointing a United States commissioner to reside there. This commissioner will not necessarily be a person giving his entire time to the work of the commissioner's office, but the country merchant or the tavern keeper or any citizen interested in the preservation of law and order in the community may, upon petition of the citizens, be appointed by the judge of the court a commissioner. The marshal will appoint a deputy marshal for such settlement, and thereupon the justice of the peace, the United States commissioner, and a deputy marshal will be promptly appointed to administer the law and preserve the peace in each and every community. There are many abuses connected with the fee system, but it seemed to the committee, under all the circumstances, necessary to have a flexible system which would respond to the growth of this unknown region.

Another feature of the bill that is of some moment is the provision that the section of the Revised Statutes prohibiting the use of the United States Army as a posse comitatus is expressly repealed as to the District of Alaska. It will be difficult to maintain courts, to enforce the rights of property, and to protect persons in that country unless some force exists behind the court capable of executing its process. It is believed that no injury will result from allowing such United States troops as may be stationed in that Territory on proper occasion to be called to the aid of the United States marshal when an exigency arises. It is believed that the government provided for in this way by fees as to the minor officers will be in a great measure self-sustaining.

The committee have not reported, but will accept on the floor, an amendment providing for a license system to be extended to the District of Alaska. At the present time no taxes are levied or collected in that vast region. Along the coast, in the vicinity of Sitka, Juneau, and the Lynn Canal, and far to the west, a great deal of very valuable property exists. It will be the province of the Government to protect this property, and it seemed but just to the committee that in some form or other that property should pay for at least part of the cost of protection.

We have not undertaken to levy any assessment upon real estate nor to assess personal property, but the revenue will be collected in the way of a license tax, which will apply to quartz mills and not to the placer mines; which will apply to the canneries and fishing and trading companies, and likewise to the sale of intoxicating liquors, whether at wholesale or retail.

Mr. STEWART. I should like to inquire right in that connection in regard to these trading privileges. I have received a large number of letters on that subject. As to the trading privileges—I do not know much about them—I should like to inquire if they are protected by this proposed legislation so that those who are now there will have some preference rights under proper arrangements?

Mr. CARTER. I will say to the Senator from Nevada that in this bill we do not undertake in any manner to dispose of the property rights of the parties referred to. In the bill now pending in conference between the two Houses, known as a bill extending the homestead laws and providing for rights of way in Alaska, the question referred to comes up and is under consideration; and I believe the disposition is to protect as far as possible all rights which are colorable or vested.

Mr. STEWART. That is sufficient.

Mr. CARTER. It is believed that under the license system contemplated the revenue derived by the Government from that District will be quite sufficient for, if not considerably in excess of, the cost of administering the proposed government there.

The bill undertakes to protect persons who have constructed mission schools by providing that they shall not for the time being be disturbed in their possessions. The same provision obtains with reference to the Indians who happen to be in possession of and occupying any part or portion of the Territory.

It is believed, Mr. President, that the bill will result in bringing to the people who may settle in any part or portion of that country the aid of the ordinary machinery of the law, and render unnecessary the organization of vigilance committees or other unlawful combinations for the purpose of protecting life and property.

One or two features of the bill may be called somewhat extraordinary, but I suggest that the conditions are extraordinary. The lack of highways of travel and ready means of communication, the severity of the climate, the fact that we do not know where settlements are to spring up, the fact that adequate accommodations do not exist there for the courts, has led the committee to allow the judges great latitude in providing for the current and necessary expenses of the courts. Where in many cases the previous approval of the Attorney-General seems proper as to expenses, we allow full discretion to the judges of the courts.

For instance, at Circle City and at St. Michaels, when the judge arrives, he will probably find that there is no adequate accommodation for a court, no court room, no building obtainable. The same will be true with reference to a jail building. Hence in this bill we have provided that the judge may cause a jail building to be constructed at not to exceed three places in each subdivision, at a cost not exceeding $3,000; that he may cause the construction of a suitable building wherein to hold the sessions of the court, at a cost not exceeding $5,000.

Ordinarily the previous consent of Congress or the approval of the Attorney-General would be necessary and indeed entirely appropriate before the authorization of any such expense, but the judge who arrives at Circle City in August will find it impossible to hear from the Attorney-General on the approval of any estimate submitted until probably next spring, or too late in the winter to admit of construction or preparation for the holding of courts or the incarceration of persons condemned to imprisonment. This power is extraordinary, but we think it necessary in order to carry out the purposes of the bill.

The salaries of the officers may challenge some attention.

Mr. VEST. I should like to ask the Senator a question, if he will permit me.

The PRESIDING OFFICER (Mr. BURROWS in the chair). Does the Senator from Montana yield to the Senator from Missouri?

Mr. CARTER. Yes, sir.

Mr. VEST. As I gathered from the reading of the bill, there are three court divisions created.

Mr. CARTER. Yes, sir.

Mr. VEST. With one judge.

Mr. CARTER. With three judges, one for each division.

Mr. VEST. With three judges and three district attorneys?

Mr. CARTER. Three district attorneys and three clerks. One judge is located at Sitka, one at St. Michaels, and one at Circle City.

Mr. VEST. I understood there was but one judge; and what the Senator states makes what I was about to say more pertinent and emphatic. I can not understand why there is a necessity in a country like Alaska for three judges and three United States district attorneys. As the Senator from Montana remarked a few moments ago, there are no roads in Alaska; all communication is by water. In going to Alaska, there are but two hours' travel across Princess Charlotte Sound when the tourist is exposed to

the waves of the Pacific Ocean. All the balance of that enormous trip of more than 3,000 miles is over a salt-water river as placid and tranquil as the Potomac.

The United States Government, when I was in Alaska, had one revenue cutter, which was devoted to the public business, and application had been made for another, which, I think, has since been granted by Congress, so that they have now two, and possibly three. There is not enough business, even allowing for an enormous increase by reason of the new discoveries in minerals in the Klondike, to occupy a reasonably industrious lawyer either as a judge or district attorney one month in the year. There was a United States judge at Sitka when I was in that District, a very excellent lawyer, and he informed me that, with the exception of libeling some of the vessels of the Canadians which had encroached upon our seal fishery and a few cases of opium smuggling and bringing of illicit liquor into the District, there was positively no business at all. The district attorney gave me the same information.

A district attorney, as I said, a reasonably industrious lawyer, can go in a United States vessel, a revenue cutter, from one point to another, as he must go, because he can not travel overland and transact all the business; and I should think he would be glad to do it, for if there is any country on top of the earth where a man ought to be employed in order to escape suicide or insanity it is Alaska.

Why this multiplicity of judicial officers and of district attorneys? There may be an increase of litigation, and I suppose there will be, at the Klondike, but that may terminate as suddenly as it began. However, at Sitka and Juneau and Fort Wrangell there is positively not as much business as there is in one week in a court in the District of Columbia, and there can not be any reasonable argument in favor of this multiplication of officials. I should like to know from my friend from Montana, who has given great attention to this matter, upon what ground this sort of legislation can be justified? I know the immense area which he has stated of the District of Alaska, but it is a district sui generis; the United States attorney travels by boat; and, as I remarked before, I have no doubt he would consider it a recreation to be permitted to leave Sitka and go to the Klondike, to St. Michaels, to Juneau, or Fort Wrangell, for those are about the only places where you can land after you leave Tacoma until you return.

Mr. CARTER. Mr. President, the figures appearing upon the face of this map relative to distances would constitute a portion of my answer to the Senator from Missouri. From Seattle to Unalaska the distance is 1,955 miles; from Seattle to St. Michaels, by way of Unalaska, the distance 2,705 miles; from Seattle to Circle City, by way of St. Michaels, the distance is 3,012 miles; from Seattle to Dawson City, by way of St. Michaels, the distance is 3,304 miles; from Portland, Oreg., to Sitka, the distance is 650 miles; from Portland to Juneau, 874 miles; from Juneau to Dyea, 100 miles, and from Sitka to Yakutat, 288 miles, and the intermediate distances are subdivided.

The fact is, as stated by the Senator from Missouri, that there are no roads, and during at least from five to seven months in the year there is no water in sight in the center of Alaska. The Yukon River begins to freeze early in the autumn at its mouth, and it is stated on authority that I do not question that a boat can not with any degree of certainty anticipate reaching the island of St. Michaels before the 10th day of July in any year. A gentleman who spent twelve years in the Yukon Valley said it would be wise for us to change the date for the meeting of the court at Circle City until some time late in July or in August because of the fact that the river would be closed and that it would be impracticable to get a boat up into that country before the month of July.

The PRESIDING OFFICER. The Senator from Montana will please suspend. The hour of 2 o'clock having arrived, the Chair will lay before the Senate the unfinished business, the title of which will be stated.

The SECRETARY. A bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Mr. CAFFERY. Mr. President——

Mr. CARTER. Does the Senator desire to proceed to the consideration of that bill at this time?

Mr. CAFFERY. I do, unless the Senator will conclude his remarks shortly. I shall give way, with the privilege of resuming the floor after the Senator finishes his remarks.

Mr. CARTER. I will let the matter go over for the time being, with the understanding that it may be taken up at the conclusion of the remarks of the Senator from Louisiana, unless some other Senator desires to address the Senate upon the pending unfinished business.

MARY F. HAWLEY.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 179) granting a pension to Mary F. Hawley; which was, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty."

Mr. SHOUP. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

BETHIAH H. ROLLINS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3179) granting a pension to Bethiah H. Rollins; which was, in line 6, after the word "nurse," to insert "and pay her a pension."

Mr. KYLE. I move concurrence in the amendment of the House of Representatives.

The motion was agreed to.

MARY HAYNE.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1200) granting a pension to Miss Mary Hayne; which was, in line 6, to strike out the word "Miss."

Mr. SHOUP. I move that the amendment be concurred in.

The motion was agreed to.

QUARANTINE REGULATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Mr. CAFFERY. Mr. President, this bill is to amend the act of February 15, 1893, with regard to Federal quarantine and to grant additional powers to the Marine-Hospital Service. It is proper to state what the act of 1893 is and to point out its main particulars, so as to know what are the purposes of the present bill to amend it. I will briefly give a résumé of the main provisions of the act of 1893.

The first section provides that no vessel coming from any foreign port or place shall be permitted to enter a port of the United States unless in compliance with the quarantine regulations of the State and such rules and regulations as are prescribed by the act itself. The penalty included in this first section for violating any of its provisions is $5,000, and constitutes a lien upon the offending vessel.

Right in this connection I will draw the attention of the Senate to the peculiarity of this punitive provision. The laws of the States are recognized in the matter of quarantine, and a penalty is denounced for any violation of those laws. So we have the anomaly of the violation of the State laws punished in a United States court after due prosecution. That is one of the provisions which the present bill amends. I do not think there is any constitutional or other power for us to adopt the laws of the States and give sanction to them by punitive provisions of the United States statute. That defect was pointed out in the act before the Senate in 1879. It was pointed out by the then Senator from New York, a very distinguished man, Mr. Conkling, and it was pointed out by the senior Senator from Massachusetts [Mr. HOAR]. The bill of 1879, then pending, included as one of its provisions this identical punitive clause, which I think is illegal, and therefore ought to be stricken out.

Running over the sections, I come to the second section, which provides for obtaining consular certificates of foreign consuls or medical officers engaged in service at the consular ports by vessels sailing from a foreign port to any port of the United States. These certificates must set forth the sanitary condition of the vessel, that it has complied with all the rules and regulations to secure the best sanitary condition of the vessel, cargo, and passengers. The President is authorized to detail any medical officer of the United States at the port to furnish information, to make inspections, and to issue bills of health. There is no objection to that provision, and that provision is maintained.

The third section of the act of 1893 is proposed to be stricken out by the pending bill. That third section directs the Supervising Surgeon-General, immediately after the passage of the act, to examine the quarantine regulations of the State and municipal boards of health and, under the direction of the Secretary of the Treasury, to cooperate with the State board in the execution and enforcement of their rules and in the enforcement and execution of the rules and regulations made by the Secretary of the Treasury, in order to prevent the introduction of contagious or infectious diseases from foreign ports or countries into the United States or from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia.

One of the main provisions of this section is to direct the Supervising Surgeon-General of the United States to cooperate with all the health authorities of the different States and aid them in the execution of the State laws.

Another provision of this section is that at such ports or places in the United States as have no quarantine regulations, or when such regulations are, in the opinion of the Secretary of the Treasury, defective or insufficient, the Secretary of the Treasury is authorized to make additional regulations and rules, such as may

be necessary to prevent the introduction of disease from foreign countries into the United States or from one State or Territory or the District of Columbia into another State or Territory or the District of Columbia; and when such rules are made, they are ordered to be promulgated by the Secretary of the Treasury and enforced by the aid of the authorities of the States or the municipalities when the authorities of the States and municipalities will undertake to enforce them; and if they decline or refuse to do so, then they are to be executed by the Secretary of the Treasury himself or under his direction.

The other provisions of the act of 1893 down to section 6 give the execution of the quarantine duties and laws provided for to the Supervising Surgeon-General of the Marine-Hospital Service, and give him directions to obtain information as to the sanitary condition of foreign ports from which contagious or infectious diseases may be brought into the United States; and all consular officers are directed to make sanitary reports of the condition of their ports to the Secretary of the Treasury, and the Secretary of the Treasury is to obtain from all accessible sources such information as to the sanitary reports of all places within the States and communicate the same to the collectors of customs, etc.

Mr. President, I direct special attention to section 6 of the act of 1893, which is not proposed to be repealed by the pending bill. That section reads as follows:

SEC. 6. That on the arrival of an infected vessel at any port not provided with proper facilities for treatment of the same, the Secretary of the Treasury may remand said vessel, at its own expense, to the nearest national or other quarantine station, where accommodations and appliances are provided for the necessary disinfection and treatment of the vessel, passengers, and cargo; and after treatment of any infected vessel at a national quarantine station, and after certificate shall have been given by the United States quarantine officer at said station that the vessel, cargo, and passengers are each and all free from infectious disease, or danger of conveying the same, said vessel shall be admitted to entry to any port of the United States named within the certificate.

I call special attention to this section, which is now the law and which is not attempted to be repealed by the pending bill, in order to answer some objections made by the Senator from Georgia [Mr. BACON] and the Senator from Florida [Mr. MALLORY] as to the advisability of permitting a ship to enter a port of the United States without the certificate or permission of the State quarantine officers. Their arguments were directed against the advisability of permitting any vessel to enter a port of the United States from a foreign country notwithstanding any certificate or bill of health issued by the United States quarantine officials authorized to be issued by the pending bill.

That is the law now, and the advisability of granting permission by and through United States quarantine officials has been passed on by the Congress of the United States. So it is futile at this moment and against this bill to raise any question of the advisability of a ship entering a port of the United States after the health officer of the United States shall have given it a clean bill of health. I say it is utterly futile to raise that question, because it is settled, and it would be utterly and entirely nugatory, in my opinion, to have a quarantine law that only performed the office of shutting out a vessel, and contained no provision for permitting it to enter a port after performing quarantine. And the permission ought to be given by the same authority which ordered and directed the quarantine.

The very object of a quarantine is to permit the entry of a vessel. That has been the object of a quarantine ever since quarantine has existed. Senators upon this floor now tell us that it is inadvisable, that it is wrong, to permit the entry of a vessel into a port unless it shall have gone through the gauntlet of inspection at the hands of State authorities, and even in that event, if the citizens living in the community should object, then their permission must likewise be obtained.

Quarantine derives its name from the period of detention of forty days as applied to vessels from north Africa and ports supposed to be infected coming into the ports of the Mediterranean. They were subjected to a detention of forty days, as the word indicates. I believe the word is of Italian origin. The ancient quarantine was to keep the vessel forty days, for it was supposed that if any person had the germs of the infectious or contagious disease in him, or if any part of the cargo was infected, the disease would have manifested itself in that period, and the vessel perhaps could be permanently excluded. If not, if everything was clear, if no disease manifested itself in the person of the passengers, the vessel was permitted to land and discharge its cargo, and its passengers were permitted to go wherever they chose. The supposition was that if disease did not develop in them during that period they were safe from it.

Under modern methods, after science has discovered the means of destroying infection, of purifying ships, the detention of a vessel as to its cargo is very slight. The quarantine is for the purpose of admitting the cargo of the vessel and its passengers after proper scientific means and remedies have been resorted to and applied, and the vessel purified and the cargo disinfected. The passengers themselves are subjected to a process of disinfection. After that is accomplished a cargo is permitted to land and so are the passengers. The detention at the port in my own State has never been, to my knowledge, over fourteen days, and more frequently than otherwise, after fumigation and other disinfectant appliances have been used upon the ship and cargo, it is allowed to enter the port of New Orleans immediately, without any unnecessary detention. So the mediæval idea of detaining ships in quarantine and preventing commodities from being landed does not now obtain.

The first object of every quarantine regulation is to keep the disease out. That is the first and primal idea. After the disease gets in, then in order to prevent its spread, to prevent the ravages that follow in the wake of the dreadful scourge, there is a second quarantine, and that quarantine is to isolate the infected individual and to purify the infected place. It is not the idea of the shotgun quarantine, which is to string a cordon of firearms around an infected place. You can not shut out infection, you can not eradicate it, by brutal methods. It must be done by application of scientific means and methods. You must destroy the infection. Efforts in that direction have met with remarkable success in nearly all the Gulf States.

Mr. President, to revert to the discussion of the act of 1893, it will be observed that section 7 of that act gives the President power to suspend or prohibit for such period as he may deem expedient the introduction into the United States of persons or goods whenever in his opinion, notwithstanding quarantine, there is imminent danger of the conveying of infectious or contagious diseases into the country or from one State to another. He is authorized to stop all immigration, to stop all travel, to stop all transportation of goods in an emergency of that sort. That section is unrepealed and is a wise provision.

Section 3 of the act of 1893, to which I have drawn attention, is entirely stricken out in the pending bill. The same objectionable features of that act contained in the first section, which created the anomaly of throwing upon the United States the office of enforcing through its punitive power the regulations of States in the matter of quarantine, are also found in the third section and are also stricken out. With these provisions stricken out and the balance of the act of 1893 retained, the committee which reported the bill think, and I think, that the bill complies with the exigencies of conditions prevailing in the United States in regard to preventing the introduction of infectious or contagious diseases into the United States and, if they gain an entrance, to prevent their spreading from one State or Territory to another State or Territory.

The pending bill has two main divisions—first, the maritime quarantine; second, the interstate quarantine—and they both stand upon the same basis; that is, the necessity of regular, uniform, and efficient regulation. There is no difference whatever as to the necessity of requiring the same efficient law, the same uniform, regular execution of the law, in the case of maritime quarantine and in the case of interstate quarantine.

Mr. President, observe the unrepealed provisions of the act of 1893. What does the act provide for? It provides for obtaining all information in regard to the presence of contagious or infectious diseases in foreign ports and the immediate communication of that intelligence to the health authorities of the United States. It provides for the sanitation of the vessel and such rules and regulations, in the language of the act, as will bring about the best sanitary condition of the vessel, its cargo, and its passengers, and it places the execution of all these rules in the hands of the Secretary of the Treasury.

The Senator from Florida [Mr. MALLORY] says that this extensive jurisdiction of saying when and how goods and passengers shall be transported from abroad into our borders is a power too great to confide to any one man. It could rest nowhere else. The maritime quarantine is bound to be in the hands of the Secretary of the Treasury. These vessels come laden with merchandise and immigrants, both under the jurisdiction of the United States—the goods, as to the collection of the duties upon them; the immigrants, as to the inspection required under the immigration laws.

The collectors of customs, under the very first act passed by the Congress of the United States in 1799, establishing the Marine-Hospital Service, were directed to comply with all the health laws of the States in the execution of their rules and regulations of quarantine. The collectors of the ports and United States officials, who have charge and supervision of ships and their cargoes, so far as collecting the Federal revenue is concerned, and who have charge over the character and kind of persons who shall be allowed to come to our shores in them, are the proper persons to look after this matter of quarantine.

The head of the Department, having jurisdiction over ships, their cargoes and passengers, is the proper person to take charge of and have jurisdiction over the subject of quarantine. He is now clothed with entire jurisdiction over the merchant marine, and we are told that when this merchant marine is the source from

which the infectious and contagious diseases spring, that official ought not to be clothed with the power of health regulations, intimately connected and blended as they are with the ordinary duties of the Treasury Department. With deference to the Senator from Florida, I think there is nothing in the argument that the Secretary of the Treasury should not be intrusted with control over whatever health regulations Congress may adopt.

As to the argument that too much power is conferred upon the Secretary of the Treasury, I fail to perceive its weight, I fail to perceive its importance. I hope Senators will take into consideration that any health regulation whatever has to be executed in times of emergency with rapidity and certainty. There can be no convocation of doctors, no dispute, no delay. Yellow fever is an enemy; cholera is an enemy. All infectious and contagious diseases have to be met like an enemy to the human race, and your general must be in supreme command of the health army. There must be one authority, one executive arm. There is no place here for a division of authority, a convention of debaters, a discussion as to the methods to be pursued to drive back the foe. It has to be done quickly, decidedly, and efficiently. The Secretary of the Treasury, in my opinion, is the proper official, and the only official, in whom ought to reside the execution, by officers under him, as is the Supervising Surgeon-General, of all these health and quarantine regulations.

Mr. President, it may enlighten this subject to give a brief review of the legislation that has taken place heretofore in regard to quarantine. The first act, as I stated, was passed in 1799, and was referred to by Chief Justice Marshall in the celebrated decision in Gibbons *vs.* Ogden. That act, which I have here before me in the Revised Statutes, is so brief and so indicative of the prevailing idea relating to quarantine at that period that I will read it. It is the act of 23d February, 1799, section 4792 of the Revised Statutes:

> The quarantines and other restraints established by the health laws of any State respecting any vessels arriving in or bound to any port or district thereof, shall be duly observed by the officers of the customs revenue of the United States, by the masters and crews of the several revenue cutters, and by the military officers commanding in any fort or station upon the seacoast; and all such officers of the United States shall faithfully aid in the execution of such quarantines and health laws, according to their respective powers and within their respective precincts, and as they shall be directed, from time to time, by the Secretary of the Treasury. But nothing in this title shall enable any State to collect a duty of tonnage or impost without the consent of Congress.

In that early day, in the very first act of Congress passed upon this matter, the officials of the Treasury Department were directed to enforce and to help to enforce the different regulations of the different States. This is cited in order to show that the executive arm of a health law was then thought, and properly, to be the customs officials of the United States, under the direction of the Secretary of the Treasury.

Mr. President, I will run over these acts with a view of showing the growth of this idea that the adoption and the execution of quarantine laws affecting large portions of the country ought to be made and enforced by the United States.

The first act on this subject referred to by the Senator from Florida [Mr. MALLORY] was the act of April 29, 1878, and on reviewing the sections and provisions of that act it will be seen how very careful the Congress of the United States was to conserve and to acknowledge the health laws of the United States. The first section provides:

> That no vessel or vehicle coming from any foreign port or country where any contagious or infectious disease may exist, and no vessel or vehicle conveying any person or persons, merchandise, or animals affected with any infectious or contagious disease, shall enter any port of the United States or pass the boundary line between the United States and any foreign country contrary to the quarantine laws of any one of said United States into or through the jurisdiction of which said vessel or vehicle may pass, or to which it is destined, or except in the manner and subject to the regulations to be prescribed as hereinafter provided.

The second section simply provides for information of any infectious or contagious disease in a foreign port to be conveyed by the consular officer at that port to the Supervising Surgeon-General of the Marine-Hospital Service, and to give a full statement of the date of departure and the port of destination of any vessel arriving from such port to the United States.

Mr. BACON. Will the Senator from Louisiana permit me to interrupt him?

Mr. CAFFERY. Certainly.

Mr. BACON. I understand the Senator to be reading from the first act on this subject?

Mr. CAFFERY. Yes, sir.

Mr. BACON. If I understood him correctly, one provision of that law saves to the States the right to determine whether a vessel shall come in, and prohibits the Federal authority from interfering with that act. Am I correct?

Mr. CAFFERY. You are partially correct, sir. It says that no vessel shall enter contrary to the quarantine regulations of any State. This impliedly prevents it coming in by any regulation of the United States contrary to a State statute.

Mr. BACON. I understand that it is the purpose of the pending bill to enact directly to the contrary of that provision, and to overthrow that provision of the law as it was then enacted. Am I correct in that?

Mr. CAFFERY. Yes, sir; but you are not entirely correct, as the provision has been overthrown in acts subsequent to 1878.

Mr. BACON. If I have followed correctly the Senator and his colleague on the committee, the Senator from Missouri [Mr. VEST], I understand that one main purpose of the bill is to put it within the power of the Federal official to say peremptorily and arbitrarily whether a vessel shall or shall not come in. In other words, if the Federal official determines that it shall come in, then there shall be no State authority which can conflict with that order. Am I not correct?

Mr. CAFFERY. My attention was called away just now by the Senator from Montana [Mr. CARTER] and I did not hear the Senator from Georgia. The Senator from Montana asked me a question which distracted my attention for the moment.

Mr. BACON. I will repeat it. Of course it is very important that we shall have the issue clear cut.

Mr. CAFFERY. Exactly.

Mr. BACON. I understand the contention as presented by the Senator from Louisiana and the Senator from Missouri to be that the efficiency of quarantine regulations can only be secured by having the paramount authority or power in the Federal official, so that when the Federal quarantine authority decides on the question whether a vessel shall enter a port, that decision is final and can not be conflicted with by any other and contrary decision on the part of the State authorities. Am I correct?

Mr. CAFFERY. You are.

Mr. BACON. If I am correct in that, then it seems to me that the former proposition which I suggested to the Senator is undoubtedly true, that the bill now proposed to be enacted will overthrow the provision in the act which he has just read. Am I correct?

Mr. CAFFERY. Certainly; but the Senator is entirely incorrect in presuming that that provision had not been overthrown by the act of 1893.

Mr. BACON. I did not presume anything to that effect at all. The Senator was reading——

Mr. CAFFERY. You presumed that this is the only bill which overthrows the provision which I have just read from the act of 1878, but both the act of 1893 and the act of 1879 provide that the certificate given by the quarantine officer of the United States at the port of entry shall be sufficient to allow a vessel to enter.

Mr. BACON. Then the Senator understands that the law as it now exists would make it unlawful for a State quarantine, even if it had that scope, to prohibit the entrance of that vessel?

Mr. CAFFERY. I think it would under some circumstances.

Mr. BACON. Both the Senator from Maine [Mr. FRYE] and the Senator from Missouri [Mr. VEST] commented upon the fact that directly the opposite was now true, and that under the law as it now exists a vessel may have a permit from the Federal authority to come into a port, but that a subsequent State quarantine will still keep it out. That was the complaint made, and that, I think, is the law now.

Mr. MALLORY. Yes; that is the law.

Mr. CAFFERY. I understand from what the Senator from Maine and the Senator from Missouri said, that double quarantine fees for inspection and disinfection were demanded by State quarantine officers. I can state from information derived from the Supervising Surgeon-General and from one of the rules and regulations which they have adopted, that notwithstanding the State law in that regard can be set aside under the act of 1879 and the act of 1893, if deemed inefficient and insufficient by the Supervising Surgeon-General—or the Secretary of the Treasury, rather—yet in order to harmonize with and not antagonize the health authorities of the State, they will, upon application, consent to another inspection and another disinfection. But they do not admit that the act of 1893 and the act of 1879 give the State authorities that permission and that privilege.

Mr. BACON. If the Senator will pardon the interruption and if I do not intrude——

Mr. CAFFERY. Not at all.

Mr. BACON. I think the Senator as a lawyer will recognize the fact that the language of the act of 1879 and the act of 1893 has no reference whatever to the question of any conflict between State and Federal authorities. It simply prescribes what under Federal authority will be a sufficient authorization for the entry of a ship, and the question as to whether or not that will override State authority I do not think is contemplated in the act. However, I beg the Senator's pardon for interrupting him to such an extent. I had no such intention when I arose. The only purpose I had was, if possible, to get the issue as clear-cut between us as it can be made.

Mr. CAFFERY. I read from section 6 of the act of 1893, which gives in unambiguous and unmistakable language the right of a ship to enter a port under the certificate of the health officers of

the United States whenever, in their opinion, there was not proper facilities for disinfecting the ship by the health officers and the United States authorities undertook to disinfect. So, therefore, when the proper facilities do not exist the United States health officers can disinfect and fumigate; they can give their certificates, their bill of health, their permit to enter, and it does not leave, in my opinion, any room to admit a counter authority upon the part of a State to say that when the United States says a vessel shall come in the State authorities can say it can not.

The only difference between the Senator from Maine, if any difference at all, and the Senator from Missouri and myself in this particular is that I contend that this jurisdiction of the United States in allowing a vessel to enter is complete under the act of 1879 and the act of 1893, and the State authorities can not object to the right of the vessel to enter after the United States certificate shall have been given that it may enter. I will now revert to the act of 1878.

Mr. BACON. Yet the Senator proposes, as I understand it, to strike out section 3 of the act, which prescribes that there shall be cooperation between the Federal and State boards.

Mr. CAFFERY. I do. I think that that section causes useless complications and prevents that unity of action and harmonious execution and rapid execution which a law of this kind requires.

Section 3 of the act of 1878 makes it the duty of the medical officers of the Marine-Hospital Service and the custom officers to aid in the enforcement of the national quarantine rules and regulations established under the preceding section, which simply directs any consular officer of the United States or any other representative of the United States at a foreign port immediately to give information of the existence of any infectious or contagious diseases at a foreign port, and so on, as I have heretofore read. Then the Surgeon-General, under section 4 of the act, is directed, upon receipt of the information of a vessel from a foreign port where contagious diseases exist, immediately to convey intelligence of that fact to the municipal and State health authorities and the United States officers at any port or the destination of the vessel in the United States.

There is another act of 1878, but I do not see it here now.

Mr. BACON. Possibly I can furnish it to the Senator. I have it here now.

Mr. CAFFERY. I have quoted from the act of the 29th of April, 1878.

Mr. BACON. There is an act of March 3, 1879. I beg the Senator's pardon. This is 1879.

Mr. CAFFERY. I believe there were two acts in 1878.

Mr. BACON. Two of 1879 and one of 1878.

Mr. CAFFERY. I will proceed with the act of March 3, 1879. That act provided for a national board of health, to consist of seven members, to be appointed by the President, and section 2 states the duties of the board of health to be to obtain information upon all matters affecting the public health, to advise the several Departments of the Government, the executives of the several States, and the Commissioners of the District of Columbia on all questions submitted by them, or whenever in the opinion of the board such advice would tend to the preservation and improvement of the public health—a kind of general advisory board.

The third section of the act of 1879 required the board to submit to Congress at its next session a full statement of its transactions, with a plan for a national public health organization, which plan was to be prepared after consultation with all the sanitary organizations and sanitarians of the several States, and in which plans special attention was to be given to the subject of quarantine, and so on, and the sum of $50,000 was appropriated to pay the salaries and expenses of the board. So you see, Mr. President, that the act of March 3, 1879, did nothing more than establish a national board of health, with general duties, giving them no specific powers; but they were directed to report a plan of organization of a national health board at the next session of Congress.

In June, 1879, a very important act was passed by Congress. It was to prevent the introduction of contagious or infectious diseases into the United States. The first section of the act varies somewhat from the section of the act of 1878, and it provides:

> That it shall be unlawful for any merchant ship or vessel from any foreign port where any contagious or infectious disease exists to enter any port of the United States except in accordance with the provisions of this act, and all rules and regulations of State boards of health and all rules and regulations made in pursuance of this act; and any such vessel which shall enter, or attempt to enter, a port of the United States in violation thereof shall forfeit to the United States a sum, to be awarded in the discretion of the court, not exceeding $1,000, which shall be a lien upon said vessel, to be recovered by proceedings in the proper district court of the United States.

So in the first section of the act we are met with the strange anomaly of the United States providing for the punishment not only of violations of certain rules which are authorized to be made under the provisions of the act, but of all rules and regulations of any State; and no man would know, if he were indicted for the violation of these rules, whether it was for the violation of rules made by the United States or rules made by the State. So that act right there contains a vicious provision, and, in my opinion, an absolutely illegal provision. The second section repeats the requirements of the act of 1878 in regard to the necessity of procuring consular bills of health and other provisions which are not pertinent to this inquiry.

The third section made the national board of health, created by the act I have just recited, cooperate with and aid all State and municipal boards of health in the execution and enforcement of the rules and regulations of such boards to prevent the introduction of contagious or infectious diseases into the United States from foreign countries or from one State to another, and so on.

The act of 1879 goes further, and contains a very important provision, to which I desire the attention of Senators who are doing me the honor to listen. I will quote it:

> And at such ports and places within the United States where quarantine regulations exist under the authority of the State, which, in the opinion of the National Board of Health, are not sufficient to prevent the introduction of such diseases into the United States, or into one State from another, the National Board of Health shall report the facts to the President of the United States, who shall, if, in his judgment, it is necessary and proper, order said Board of Health to make such additional rules and regulations as are necessary to prevent the introduction of such diseases into the United States from foreign countries, or into one State from another, which, when so made and approved by the President, shall be promulgated by the National Board of Health and enforced by the sanitary authorities of the States, where the State authorities will undertake to execute and enforce them; but if the State authorities shall fail or refuse to enforce said rules and regulations, the President may detail an officer or appoint a proper person for that purpose.

Wherever, in the opinion of the National Board of Health, the regulations of the States are not sufficient to prevent the introduction of these dangerous diseases from foreign ports or countries into the United States or from one State to another, then the board of health is authorized to make such rules and regulations as may be necessary, and the President is given full power and authority to execute them, both in regard to maritime quarantine and interstate quarantine.

Is this authority as extensive as the authority complained of in the pending bill? Here is a law, passed in 1879, which directly set aside State authority and gave to the national board the power, wherever they thought necessary, to adopt such rules and regulations as were sufficient to prevent the introduction of these contagious diseases from foreign countries into the United States or from one State to another. Where was the cry of State rights then? Who were the parties who voted for the act of 1879? The Senator from Tennessee, Mr. Harris, who then was in charge of the bill, was as great a stickler for State rights as any member of this body. The distinguished and powerful Senator from Mississippi, Mr. Lamar, devoted as he was to that construction of the Constitution which, while it gave the Federal Constitution its due proportion of power, always endeavored to restrain the Federal authority within the just limits of the Constitution, voted for this bill, and nearly every member in this body from the South, with few exceptions, voted for it.

I will draw the attention of Senators to a question propounded by Mr. Lamar to Mr. Edmunds, who opposed the bill, pending the discussion of this measure, which went to the roots of the whole controversy and signified the position of Mr. Lamar. He was not afraid of Federal authority at that day, nor was the Senator from Tennessee, Mr. Harris. They had witnessed the inefficiency of State quarantine. The Senator from Tennessee was fresh from the terrible experiences of the epidemic that devastated Memphis in 1878. He was a great stickler for State rights; he was a greater stickler for human life, when human life could be conserved by a just exercise of power conferred by the Constitution through laws having for their purpose not the underlying commercial purpose, to which the Senator from Georgia the other day alluded, but the primal purpose, the great purpose, the humane purpose, of saving the lives of our citizens from the terrible destruction of these scourges that visit our shores.

Mr. Lamar, in stating the jurisdiction of the States over the subject-matter reserved to them in answer to a question of Mr. Edmunds (CONGRESSIONAL RECORD, Forty-sixth Congress, first session, page 1548), made this remark:

> Over many subjects of legislation the States have exclusive jurisdiction. In fact, on all matters in reference to which the States have not delegated their powers to the General Government their jurisdiction is exclusive. Of course Congress could not by its legislation enforce the laws of a State upon such subjects; but upon matters over which Congress has a concurring jurisdiction and paramount jurisdiction, I think then, and in such case, it has the constitutional power to recognize and adopt the laws of a State and to enforce them by penalties upon individuals.

The statement of Mr. Lamar was made in answer to the objection of Mr. Edmunds that the Congress of the United States could not enforce the execution of State laws by the sanction of a Federal statute; and here he says that in a matter where Congress has paramount jurisdiction, then, and in that case, the Congress of the United States can use the Federal arm to execute and enforce the State statute. Let us see the vote on this bill.

Mr. BACON. I understand the Senator's position to agree with the position taken by Mr. Edmunds, and to conflict with that taken by Mr. Lamar in what he says?

Mr. CAFFERY. I read this statement from Mr. Lamar in order to show that he acknowledged that this subject, then discussed, the quarantine bill, was a measure over which Congress had paramount jurisdiction. The question of difference between him and Mr. Edmunds was quite another point. I think upon that question Mr. Edmunds was right and Mr. Lamar wrong, if the Senator wants to know my opinion.

Mr. CHILTON. The Supreme Court has so decided.

Mr. CAFFERY. I do not know what the decision of the Supreme Court has been, but it is manifest to my mind that Mr. Edmunds was right. But I direct the attention of the Senate to the brief speech of Mr. Lamar to show that the particular subject-matter of discussion at that period was one upon which he said Congress had paramount jurisdiction.

Mr. BACON. He used the words concurrent or paramount, either, without saying which one this fell under.

Mr. CAFFERY. Very well. We will see what that term means as we go further along in the discussion.

The yeas on the passage of the bill were as follows:

Bailey,	Farley,	Kellogg,	Slater,
Beck,	Garland,	Kirkwood,	Vance,
Blaine,	Gordon,	Lamar,	Vest,
Booth,	Hampton,	McMillan,	Voorhees,
Burnside,	Harris,	McPherson,	Walker,
Call,	Houston,	Maxey,	Williams,
Cameron, Pa.	Ingalls,	Paddock,	Withers.
Cameron, Wis.	Jonas,	Pendleton,	
Coke,	Jones, Fla.	Saunders,	

Those were the affirmative votes. I notice among those votes upon the act of 1879, that contains provisions similar to those in the pending bill, and pointed out in that debate as inimical to State authority, all these conspicuous Southern legislators and statesmen.

Mr. BACON. Will it interrupt the Senator from Louisiana if I ask him a question?

Mr. CAFFERY. It will not.

Mr. BACON. The Senator invokes the names of these eminent gentlemen in support of his proposition favoring the passage of the present bill. That vote was given in support of the act of June 2, 1879. That is the act, I presume, to which the Senator refers.

Mr. CAFFERY. Yes, sir.

Mr. BACON. There were two acts in 1879—the act of March 3 and the act of June 2. The Senator refers to the act of June 2. That is the principal act.

Mr. CAFFERY. Let me see what that act was and at what time it was passed.

Mr. BACON. Here it is. As to either act, the suggestion which I wish to make to the Senator is this, that in each of these acts there is a clear recognition of the right and expectation that the States would have quarantine regulations with which it was prescribed the Federal regulations should be in harmony, and in the execution of which it was prescribed that the Federal officials should act in harmony with the State officials.

The question I wish to ask the Senator is this: There is in these several acts ample authority and power given to the Federal officials to do everything which is necessary to restrict the spread of disease or to prevent its introduction. In what manner does the present legislation, as found in these several acts, fall short of what is provided in the bill now proposed, except in the fact that there is nowhere found in any one of these acts any power in the Federal authorities to prevent the State or municipal authorities from protecting themselves?

In other words, the only difference between the power given in the act now proposed and the legislation as it exists is that in the one case—the legislation now existing—the authority is given fully to the Federal authorities to do everything which can contribute to the prevention of the spread of disease or of its introduction, but the present legislation does not enable the Federal authorities to lay their hands upon State authorities and say they shall not restrict in the same manner that the Federal authorities do. In what way does the proposed legislation, except in that respect, change the present law?

Mr. CAFFERY. The Senator has made quite a speech in the form of a question, and there are so many different propositions or assertions that I am at a loss how distinctly to answer, but I will say this: The similarity between the acts of 1893 and of 1879 is that while in certain sections of both the acts of 1893 and 1879 the Federal authority is made supreme, it is made so on a contingency. If certain laws of States are not thought to be proper, then the discretion is left to the Secretary of the Treasury to set them aside and to enact sufficient laws and regulations. In other parts of both of these statutes which the Senator has mentioned the Federal authorities are required to cooperate with the State authorities in the execution of their laws. I admit that, and that is precisely the reason why I want it changed.

Mr. BACON. The Senator wants to take that out.

Mr. CAFFERY. That is precisely the reason, because it brings about an inharmonious action, because it brings about a discussion, an assertion on one side that the laws are insufficient, a denial on the other that they are insufficient, and here is a wrangle between the State authorities and the Federal authorities, with the power conceded to the Federal authorities in these acts to set aside the State authorities, but it goes without saying——

Mr. BACON. I do not think that is conceded.

Mr. CAFFERY. If the Senator will pardon me, I had not finished my sentence. It goes without saying that these provisions giving this contingent and conditional power to the United States are not calculated to be executed with that celerity, that certainty, that efficiency which is absolutely required in the presence of this fell destroyer. I do not know that there is a class of men in the world who are so fond of disputing as doctors. I do not believe the disputatious and contentious members of this body can rival a medical corps in their nice, fine-spun, metaphysical distinctions and differences, subtleties and refinements, on controverted questions.

Mr. PASCO. I understand the Senator desires to take out of the present legislation the cooperative principle between the National and State governments?

Mr. CAFFERY. Yes, sir. I desire emphatically to do it. I want a uniform rule. I want a certain rule. I want the whole power of the national quarantine, which I think unquestionably flows from the power to regulate commerce, where it belongs, where only it can be made effective, in the hands of the officers of the United States, and I am as much of a States-rights man as anybody.

Why, sir, year after year we are visited with yellow fever; year after year it creeps through cordons of shotguns; year after year our coasts are ravaged; year after year the pestilence walketh in darkness and destroyeth at noonday from Pensacola to the snow line. Is not that sufficient evidence of the inutility of these State quarantines?

Look at the epidemic of last year. How did it get in? Where is the responsibility? The State officers throw it upon the Federal quarantine officers at Ship Island. Criminations and recriminations are bandied about from one set of officials to another. We want a central authority to which responsibility can attach; we want a power able to cope with it, with means sufficient to cope with it, with a regularity of action and a uniformity of conduct and method of treating disease that insures confidence among the people and which, in my opinion, will effectually prevent the almost annual recurrences of these dreadful visitations.

Mr. PASCO. Will the Senator permit me?

Mr. CAFFERY. Certainly.

Mr. PASCO. I wish to call the Senator's attention to the fact that the quarantine laws and regulations of Florida were successful during last summer in keeping the yellow fever out of the boundaries of that State. There has never been any explanation as to how the yellow fever came into the country, and if I am correct, the Supervising Surgeon-General has never yet made his annual report, so that we do not know from him whether his efforts were successful or not. Am I right in that?

Mr. CAFFERY. I do not know about your success in Florida last year, but I do know when the yellow fever visited Florida some time in 1879 or 1880, that you called in the United States Marine-Hospital Service, and the town of Pensacola was put under the treatment of the United States officials.

Mr. PASCO. That was before the establishment of our present system, which has been successful in keeping the disease out of our borders.

Mr. CAFFERY. I do not dispute the Senator's statement in that regard. Does the Senator dispute the statement that yellow fever ravaged the coast from the eastern boundary of Mississippi or of Alabama almost to the Mexican line upon the Gulf coast last year?

Mr. PASCO. I do not; but it is charged that it came through the national quarantine lines there.

Mr. CAFFERY. I have referred to that assertion, and I say you must have a central authority upon which you can attach responsibility for negligence or inefficiency. Where there is one Federal quarantine station there are twenty State quarantine stations, and the Senator knows, therefore, the chances are as twenty to one that the fever got in through the State negligence as against the United States negligence.

Mr. BACON. If I do not intrude improperly upon the Senator——

Mr. CAFFERY. Not at all.

Mr. BACON. I understand the Senator's proposition to be this: That he not only desires that the Federal authority shall have the exclusive power to say that a quarantine shall be established, but that it shall also have power as to any locality to say that it shall not be established. That I understand to be the Senator's position.

Mr. CAFFERY. I do not know how the Senator could have understood any such thing, for I certainly never said that.

Mr. BACON. I do not desire to misrepresent the Senator.

Mr. CAFFERY. I certainly never said any such thing, and it is very far from my thoughts to imagine any such thing.

Mr. BACON. I understand the Senator proposes that the exclusive power to establish a quarantine shall be in the Federal authorities, and therefore there shall be no other power qualified to establish a quarantine and no other quarantine can be lawful. So it will be exclusively for the national quarantine to say not only that there shall be a quarantine, but to determine that in a certain locality there shall not be any, because no other authority will have the power.

Mr. CAFFERY. The Senator does not understand me to take any such position—no, sir. I am speaking with reference to the Federal quarantine; I am speaking with reference to the power of the United States to establish quarantine in aid of its commercial power.

Mr. BACON. Does the Senator then——

Mr. CAFFERY. If the Senator will permit me——

Mr. BACON. Certainly.

Mr. CAFFERY. I have made the broad statement that the quarantine power, which I say the Congress of the United States possesses, is derived from the power to regulate commerce, and, therefore, the Federal quarantine can only extend and only embrace subjects of maritime foreign commerce and matters of interstate commerce. I have said nothing in regard to the internal police regulations of a State. Why does the Senator from Georgia conclude from anything that I have said, or anything that can be inferred from what I have said, that the States are to be robbed of all power to establish their quarantines wherever and whenever they choose? By no means. But upon this matter of maritime trade, this matter of foreign commerce, and this matter of interstate commerce, I say that the Federal arm can take charge of it, and the Federal authority in regulating it can be and ought to be supreme.

Mr. BACON. Now may I ask the Senator a question?

Mr. CAFFERY. Certainly.

Mr. BACON. I understand, then, under the Senator's contention, that if a carload of woolen goods was to be shipped from New Orleans at a time when the yellow fever was prevalent in New Orleans and consigned to a party in Montgomery, Ala.—which would certainly be a transaction under the interstate-commerce provision of the Constitution—that in such a case the citizens of Montgomery would be controlled in the question as to whether or not that carload of woolens consigned thus from New Orleans could be admitted exclusively by the decision of the national quarantine and that the city of Montgomery itself should not be allowed to say that it would not permit it to come in because it would endanger the health of the town. Am I correct?

Mr. CAFFERY. Are you propounding a question or making a statement of position?

Mr. BACON. I said I understood the Senator to take that position that in all cases which depend upon interstate commerce——

Mr. CAFFERY. You state a position, and you are now illustrating your position with a particular application of it.

Mr. BACON. I want to know if that is not the Senator's position.

Mr. CAFFERY. I will ask the Senator another question. I ask if the State authorities of Alabama in the case of goods shipped from New Orleans to Alabama, which you put, were to decide and declare through their health officers that it was perfectly safe for the people of Alabama to receive that shipment, would that entitle the goods to come in? Would that authorize the shipment to be made and the goods to be distributed among the people of Alabama?

Mr. BACON. Not if the Federal authorities should say it should not.

Mr. CAFFERY. I am speaking of the State authorities. I am not saying anything about the Federal authorities. I will ask you another question. In the case you suppose of woolen goods shipped from New Orleans and consigned to Montgomery, Ala., if the health officers of the city of Montgomery, in the State of Alabama, say that those goods can come in, and those goods can be received and sold in the State of Alabama, can they be so received and sold?

Mr. BACON. They could be if there was no conflicting regulation on the part of the Federal authorities.

Mr. CAFFERY. Ah, exactly. Now, I will answer the Senator's question. I say, therefore, it depends upon the question of whichever power is paramount. Which power is paramount? In the absence of Federal legislation, the State law prevails. The State law would be valid in the exercise of a power that belongs to the State, the police power, and the Federal law would be valid in the exercise of a power that belongs to the Federal Government, the power to regulate commerce. When these two conflict, which is subordinated to the other and which, therefore, is to be looked to?

I say, Mr. President, that that state of affairs in the administration of a law under the complex system that we live under would rarely come about. I believe that in the execution of a law in the case put due regard would be paid to the wishes of the people of Alabama by the Federal authorities; and I believe if they had or were exercising jurisdiction in the premises that the Federal authorities having charge of the shipment of or control over the quarantine of goods in the case put—from New Orleans to Alabama—would be very loath to shove upon the people of Alabama goods which they thought ought not to be brought in on account of the danger of infection.

The Senator supposes an extreme case, but I will meet his case, and say that those goods, if permitted by the United States quarantine officials to be shipped from the city of New Orleans to the city of Montgomery, could be shipped there under the authority of the case of Brown *vs.* Maryland.

Mr. BACON. And the municipal and State authorities could not stop them?

Mr. CAFFERY. The municipal or State authorities could not stop them. That is not to say, Mr. President, that those goods could be scattered all over the State of Alabama. The Federal authority given in the case supposed would be limited to the shipment then and there; it would not give authority to let those goods go wherever the consignee wanted them to go; but so far as that particular shipment is concerned, if the United States have any power in the premises at all, then, under that condition of affairs, the United States authority being paramount, the goods would certainly have to be admitted for the purpose only of the immediate transaction and limited and controlled by it.

Mr. BACON. And it is that result the Senator seeks to secure by the passage of this bill?

Mr. CAFFERY. The Senator can not charge me with desiring to thrust upon an unwilling people goods infected, for, if let in to a place by the order of a Federal quarantine officer, they would be disinfected——

Mr. BACON. The Senator certainly did not understand me in that way.

Mr. CAFFERY. That is the import of your language.

Mr. BACON. I beg to assure the Senator that I did not mean to say that he wished to distribute yellow fever, whether it originated in New Orleans or elsewhere.

Mr. CAFFERY. You said by the instrumentality of a bill which I favor.

Mr. BACON. I said the effect of the law which the Senator seeks to have enacted will result in giving to the Federal officials power by which they can do it; not that the Senator would desire that particular thing to be done.

Mr. CAFFERY. Oh, Mr. President, that is the old mediæval idea. With this terrible responsibility resting upon the executors of this law, the terrible loss of life, the destruction of property that might result from a careless or an ignorant administration of this law, does the Senator suppose that less care will be taken in the premises by United States officials than any State would exercise in its own behalf? Is your quarantine a perpetual embargo? Is there no period when you say that people and goods can be transmitted? Is your idea of a quarantine a complete isolation—nonintercourse?

Mr. BACON. If necessary, yes.

Mr. CAFFERY. The idea of quarantine is after certain detention and a certain application of scientific remedies to permit people and goods to travel and to circulate. Why, sir, you would paralyze the commerce of the United States. The authority somewhere must exist to say when and under what conditions it is safe for people and goods to travel. You say that it is the authority of Alabama, or Mississippi, or Louisiana, or Florida. I say it is the Federal authority. Some authority must say it; some power must have the final decision of this matter. You want to restrict it to each State acting separately; one State may have good quarantine and another none or an inefficient one. The evils and the dreadful results of these State quarantines I, perhaps, have felt a little more than the Senator from Georgia.

Mr. BACON. Will the Senator permit me? I do not wish to be misunderstood.

Mr. CAFFERY. I yield to the Senator.

Mr. BACON. The Senator will not go further than I will in the effort to secure a law which shall give to the Federal Government all the power which it can possibly exercise in the way of restraint and in the way of an efficient quarantine. The only thing I object to is that, while I am willing for that, I am unwilling that the Federal authority shall have the right to prohibit a State or a municipality from also having its quarantine. It certainly will not impair the efficiency of the Federal quarantine to have it added to by the power of the State or of the municipality.

Mr. CAFFERY. I have said nothing, Mr. President, from

which by the most strained construction anybody can deduce the conclusion that I want to bar any State from having as many police regulations in regard to health or other matters pertaining to the police jurisdiction of the State as the State in its discretion may see fit to adopt. The State can have just as many quarantines as it pleases; but anybody can see from the example put by the Senator from Georgia the very limited scope and extent of the Federal authority.

The Federal authority can not say to a State, "You have got to let the goods of Louisiana in ad libitum." It is not likely that the goods of Louisiana from an infected district would be ordered, in the first place, by the citizens of Alabama. The principle of self-preservation would come into play. But the Federal permission can only extend to a particular commercial transaction; and therefore this wide and extensive and comprehensive authority that you say the Federal Government wants to exercise does not exist and can not exist in the nature of things.

But somebody, says the Senator, can do it; some authority can say whether it is safe or not. Where the authorities of the city of Montgomery might want to introduce these woolen articles, the authorities of Selma would raise a shotgun quarantine and say, "You can not introduce them." So every little municipality is quarantining against every other, and the condition of affairs, when panic seizes the minds of the people in these epidemics, is a condition of war. The people seem to go into the elements of barbarity and savagery.

Science has discovered a method of making safe the transmission of goods and passengers. That principle seems to be ignored. In all this contention it is supposed that this commercial power of Congress is only invoked in order to shove the yellow fever or cholera or the plague upon an unwilling people. Because these diseases can be controlled, the infection destroyed, the contamination removed, is precisely the reason we want an efficient arm to perform that service and to render both life and property secure from the attacks of disease.

The idea that prevails in the mind of the Senator from Georgia appears to be that modern science is unable to cope with these formidable diseases. I can tell him that for the last nineteen years yellow fever has been isolated and eradicated in the city of New Orleans. The old plan used to be when it came in that everybody ran off. Now the plan is to isolate the disease, to put a cordon of guards around the house where it exists, to use bichloride of mercury and the fumes of sulphur and other compounds which are germ destroyers, and after a certain fumigation, after a certain application of these remedies, the premises are safe, the germ is destroyed, and both life and property are saved. That is precisely the means that I want to be invoked in this instance.

Mr. MALLORY. Will the Senator allow me?

Mr. CAFFERY. Certainly.

Mr. MALLORY. Was that resorted to in New Orleans last fall?

Mr. CAFFERY. It was.

Mr. MALLORY. Did it check the epidemic?

Mr. CAFFERY. I will tell the Senator the conditions that then prevailed in the city of New Orleans. The town of Ocean Springs, on the Alabama coast, is a famous summer resort for the citizens of New Orleans. It borders the Gulf, or an arm of the Gulf; it is a very delightful resort; and a number of the citizens of New Orleans were there.

The first disease that broke out there was called the dengue. It soon spread with great rapidity, and everybody was down sick, as it was said, with the dengue. After investigation it was shown that some persons had died of the yellow fever. I believe the first case was a doctor of the city of New Orleans by the name of Bemis, and the autopsy upon his body showed that the disease of which he died was yellow fever. All the denizens of New Orleans who were then sojourning at Ocean Springs, after discovering that there was yellow fever there, from the autopsy on the body of Dr. Bemis, who had been at Ocean Springs, immediately returned thence to the city of New Orleans, and they located about in different portions of the city to the number of many hundreds, I am told, and the disease broke out here and there all over the city.

There was not the means to isolate, and when the disease got into the portion of the city inhabited by the Italians and some of the poorer orders of the population, they would not permit the doctors who visited them to report the cases of yellow fever, so that the system of disinfection could be resorted to. The consequence was that the disease spread all over the city. I can say to the Senator from Florida that it was not because of the failure of the principle of isolation and disinfection, but because of the inability of that city, on account of the peculiar circumstances, the enormous grasp which the disease had, the extent to which it had gone, and the failure to report the cases of yellow fever that I have mentioned, that the apparent failure of the principle of isolation occurred.

Mr. MALLORY. But it is a fact that efforts were made to check it in the city of New Orleans?

Mr. CAFFERY. Yes, sir.

Mr. MALLORY. By the methods that the Senator has mentioned?

Mr. CAFFERY. Yes, sir.

Mr. MALLORY. And nevertheless it did not check it to the extent of killing the disease.

Mr. CAFFERY. I know an example that occurred right in my little town, and I will narrate it. I will give proof positive of the superiority of the modern system of treating yellow fever over the old system. I live near a small city called Franklin, in the State of Louisiana. In 1854 the yellow fever visited that town. It was a town the population of which did not exceed a thousand inhabitants. As soon as the yellow fever made its appearance, some time in the latter part of October, everybody who could leave town left it.

The yellow fever decimated that population. It killed fully 50 per cent of the inhabitants who were left, and it died out from want of fuel. Everybody had it who could take it, and when the frost came the refugees returned. No yellow fever occurred in that town from that date until 1897. In 1897 a man died there three or four days before I left for Washington. He was an Italian tailor. There was a shotgun quarantine for 100 miles between New Orleans and Franklin. Nobody could tell how that yellow fever got in. It did get in; the tailor died.

Dr. Carter, a most efficient, able, conscientious physician belonging to the medical corps of the Marine-Hospital Service, was telegraphed for. He came. There was some doubt about the yellow fever. He is an expert in the diagnosis of yellow fever. He pronounced the case yellow fever. What did he do? He ordered the man's family to be removed from the house in which they lived and in which he died to a barge in the bayou. It was moored in the stream. He put a cordon of guards around it and on it. No intercourse with the barge was allowed except by immunes. The disease communicated itself to one member of the immediate family of the dead tailor and to other parties who had communication with the family of the stricken man. Three deaths occurred. He fumigated the premises. He disinfected every place where the yellow fever had found lodgment. Three deaths and 8 cases occurred, as against 200 in 1854. The population of that town now is over 3,000.

There is a complete demonstration, not only of the ease and facility and proficiency that this disinfecting process can be used, but it is an instance of the efficiency of the surgeons of the Marine-Hospital Service. I can say to the Senator from Georgia and to the Senators here that all through the part of Louisiana with which I am conversant the people have the most unbounded confidence in the medical corps of the Marine-Hospital Service. I can speak, not only of Dr. Carter, but of Dr. Geddings, another attaché of the medical service. Dr. Geddings, by an implication, not by a direct charge, in a statement from Dr. Porter quoted by the Senator from Florida [Mr. MALLORY], is charged with some sort of negligence or ignorance, I do not know which. Dr. Geddings was down there. He and Dr. Carter rendered invaluable service to that community, not only in the city of New Orleans, but to the whole agricultural interest.

While upon this branch I will mention another service that they performed. The yellow fever was flagrant in New Orleans in October. October is the period of the year when the sugar crop is about to be harvested. In the harvesting of the sugar crop about 75 per cent more hands are employed on the plantations than in cultivating the crop. Among those hands are a great many skilled artisans—sugar boilers, engineers, and handlers of machinery in various ways, for there is a great deal of machinery about a sugarhouse. Local quarantines were everywhere. It looked like a country in a condition of war. You were met at every 5 or 10 miles by a guard, armed to the teeth, challenging, questioning, examining into your every movement.

It was utterly impossible to get hands from abroad, from Mississippi and Alabama and other States from which the plantations in Louisiana draw their supply of hands. Dr. Carter established a detention camp about 15 miles out from the city of New Orleans. He and the State health authorities entered into an agreement to the effect that all workmen destined for sugar plantations, after remaining in this camp of detention for a certain period, should be released, after being subjected to the regimen required at this camp in order to free them from disease. A great many, I think, came right out of New Orleans, as most of the mechanics did, and after a certain period were allowed to go to the plantations and go to work.

A large portion of the sugar crop of Louisiana was to be taken off by these hands. They were given their certificates after the period of detention. They went to the plantations; they took off the crops, and not one single case of yellow fever was communicated to anybody from the camp of detention.

Mr. President, without an authority that can act with the celerity and the power and the certainty of the United States in case of such an epidemic as they had last year, that swept over the land like a besom of destruction, how is it possible for people

either to be saved or to transact the ordinary and necessary concerns of life? It is human life, first, that is to be saved. It is the necessities of human life, second, that must be administered to.

Mr. BACON. Now, if the Senator will permit one final interruption, I will not trouble him any more. He has been very kind. I want to ask the Senator right in that line if he would be willing to agree to this amendment to the pending bill, letting all the provisions in it stand and then follow it with this:

> Nothing in this act shall be construed to interfere with the right of any State or municipality to protect its citizens from infectious, contagious, or epidemic diseases by such rules or regulations as the authorities of the said State or municipality may deem necessary.

Giving all the power to the Federal Government that the Senator proposes, would he be willing to add that to the bill? It would simply save to the States and municipalities the right to supplement the efforts of the Federal Government and endeavor to protect themselves by their own measures. Would the Senator be willing for that?

Mr. CAFFERY. There was a similar amendment to the one suggested by the Senator from Georgia proposed by a member of the other House from Mississippi, a distinguished man, an able man, General CATCHINGS. While not prepared to accept it, I can not now, from simply hearing it read, point out any defect in its scope. I have no idea of circumscribing the State power in any particular. I do not want to do it. If the State power were, in my opinion, competent to cope with the question of quarantine in its relation to interstate commerce and travel, I would not have a word to say. But I beg the Senator from Georgia to remember that here is a power given for another purpose, which in its beneficent operation can not only aid but can supplant the State health authorities, because of its greater efficiency, its greater service, its greater regularity, its greater power.

As an illustration of the question propounded by the Senator from Georgia, if the yellow fever were in the city of Atlanta, and if the city of Macon were to quarantine against the city of Atlanta, no authority would exist in the United States to break down that quarantine of the city of Macon against the city of Atlanta. That is your business; we can not interfere with it. But you have put a question that goes to the roots of this controversy and tests the doctrine to its extreme limit.

In my view no such case as you put will ever occur; but if it does occur, you come to a clash of paramount authority with an inferior one. The illustration of the quarantine of the city of Macon against the city of Atlanta shows the supremacy of internal police power of a State. The case of shipment of goods from New Orleans to Montgomery shows the supremacy of the power of Congress to regulate commerce. In the harmonious action that ought to obtain between Federal authorities and State authorities, and has always heretofore obtained, I do not believe that any of these extreme instances would ever occur.

The prevailing idea in my mind in advocating this bill and in urging it is to stretch out over the country the protective arm of an authority which can reach to every nook and corner of the Republic. If that arm can be stretched out in the execution of an authority and power different from that of the State police power, and it saves life and promotes the commercial interests of the country at the same time, why raise nice questions and put extreme cases of the exercise of the power, so as to throw discredit on a system imperatively needed?

Besides, Mr. President, the brief recapitulation of the statutes in the matter of Federal quarantine that I have given (and I have not referred to the statute of 1890, which is the last one prior to the act of 1893) shows the steady growth of the idea of Federal quarantine. At first it was naturally left to the State authorities exclusively, and why? The answer is perfectly plain. The seaboard in 1799 contained all of the population of the United States. The main population was settled there upon the seacoast line. The interior was but thinly settled, if at all.

No large cities like Memphis and Vicksburg, St. Louis, Cincinnati, and New Orleans, and other cities in the Mississippi Valley existed then. Then there was no use for a Federal quarantine. But now, with the rapidity of travel, with the enormous extent and volume of intercourse between the States, with cities and villages located everywhere in the interior, larger in population, with infinitely larger trade and travel, than existed on the Atlantic seaboard in 1799, it is clear that a system of quarantine competent to protect both the seaboard and the interior is imperatively needed. No move was made to adopt a control over epidemic diseases by the United States until the fearful epidemic of yellow fever of 1878 spread its ravages all over the South and as far up the Mississippi Valley as Memphis.

From that period to date every law that was passed upon the subject gives more and more power to the Federal Government, growing with the increase of commerce and of travel, growing with the ease and rapidity with which disease could be transported from one part of the country to the other.

Hence it is not only the right but the duty of the Federal Government to come in and bear the expense of maintaining the quarantines, which can not be borne and ought not to be borne by the individual States.

Look at my State. Look at the State of the Senator from Mississippi [Mr. WALTHALL] before me. There they are upon the Gulf. Vessels from the four quarters of the world can come there. We have to provide an extensive machinery for self-preservation. That expense and that preservation redound to the benefit of the whole of the country, as well as the Atlantic Seaboard and the Mississippi Valley.

Should we be called upon to bear this burden of expense? It has to be borne by somebody. I would ask the Senators who are stickling for the exercise of State authority in a direction where State authority can not be efficiently exercised to pause and consider the enormous burden that devolves upon the seacoast ports in keeping out these diseases that are brought from foreign countries.

None of these diseases are indigenous. They are all exotic. They are imported into our country from the foreign countries. The place now toward which the eye of the civilized world is directed, the harbor of Havana, the scene of the tragedy of the blowing up of the *Maine* and perhaps of a tragedy that will convulse this continent and involve the whole civilized world in its consequences, is the prolific breeding place of the germs of yellow fever that destroy our people. Ships from there can enter our ports at any place, and the States must bear that burden of expense in keeping the disease from the balance of the country——

Mr. PASCO. May I interrupt the Senator for a moment?

Mr. CAFFERY. Yes, sir.

Mr. PASCO. Is the question of expense an influential motive with the Senator in advocating the present legislation?

Mr. CAFFERY. It is not entirely, but I say it is a just consideration. It is not the sole motive with me.

Mr. MONEY. May I ask the Senator from Louisiana a question?

Mr. CAFFERY. Certainly.

Mr. MONEY. The Senator gave a very interesting description a moment ago of the efficiency by which houses infected were isolated and the disease stamped out by means of a camp of detention, and the army of workmen engaged in the sugar plantations were permitted to go to work without spreading the fever. I desire to ask the Senator whether that was done under Federal or State authority?

Mr. CAFFERY. By the Federal authority.

Mr. MONEY. It was done by the Federal authority?

Mr. CAFFERY. I am not sure but that the State or city health officers cooperated with the surgeons of the Marine-Hospital Service.

Mr. MONEY. Then by the cooperation of State and Federal authorities under the present law it was found amply sufficient to prevent the spread of the disease?

Mr. CAFFERY. The Federal authorities assisted in that emergency.

Mr. MONEY. They volunteered under some authority?

Mr. CAFFERY. They volunteered under the authority of the Surgeon-General.

Mr. MONEY. In other words, whatever may be the law existing permitting the cooperation of State and Federal authorities, it nearly stamped out the disease in the State and prevented its spread.

Mr. CAFFERY. The disease was never stamped out in New Orleans. It was stamped out in my little town of Franklin. I do not want to prejudice my city by any statement as to yellow fever, but I have been told that a case of very well-defined yellow fever was there last January.

Mr. MONEY. I am told twenty-five people were killed by it this winter. I do not know whether that is true or not.

Mr. CAFFERY. I do not believe that. I think the very open winter that we are having is quite favorable to the development of any latent germs of yellow fever that have escaped the frost, which was not severe enough to kill the germs entirely.

Mr. WALTHALL. May I ask the Senator from Louisiana a question?

Mr. CAFFERY. Certainly.

Mr. WALTHALL. I did not exactly understand the Senator's answer to the suggestion made by the Senator from Georgia [Mr. BACON] in relation to his proposed amendment. Do I understand the Senator from Louisiana to say that he would vote for that amendment?

Mr. CAFFERY. No, sir.

Mr. WALTHALL. You will not vote for it?

Mr. CAFFERY. I do not say that I will. I want time to deliberate. I can not answer offhand. I said I was not opposed to the general scope of it as it struck me at first blush, but I will not commit myself to vote for it. I am in favor of any amendment——

Mr. WALTHALL. I wanted to know whether the Senator would vote for it.

Mr. CAFFERY. I am in favor of any amendment that would

look toward conserving to the States their proper modicum of police power, and I do not want to set it aside at all in any contingency unless it would interfere with the comprehensive, constitutional, and beneficial working of a Federal law of quarantine.

Mr. President, after this rambling discussion, which has been largely provoked by the number of questions that have been asked of me, I want to go back in my review of the acts to the act of 1890. The act of 1890 ought to be sufficient to convince all doubting Senators as to the ideas that then prevailed in Congress upon the power of the Federal Government over quarantine. The act was passed on the 27th of March, 1890, and it enacted:

That whenever it shall be made to appear to the satisfaction of the President that cholera, yellow fever, smallpox, or plague exists in any State or Territory, or in the District of Columbia, and that there is danger of the spread of such disease into other States, Territories, or the District of Columbia, he is hereby authorized to cause the Secretary of the Treasury to promulgate such rules and regulations as in his judgment may be necessary to prevent the spread of such disease from one State or Territory into another, or from any State or Territory into the District of Columbia, or from the District of Columbia into any State or Territory, and to employ such inspectors and other persons as may be necessary to execute such regulations to prevent the spread of such disease.

The said rules and regulations shall be prepared by the Supervising Surgeon-General of the Marine-Hospital Service under the direction of the Secretary of the Treasury. And any person who shall willfully violate any rule or regulation so made and promulgated shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $500, or imprisonment for not more than two years, or both, in the discretion of the court.

Will my friend, the Senator from Georgia, raise any question as to the operation of this law under the section quoted? Whenever these diseases appear anywhere in any State or Territory the President of the United States is authorized to prevent their spread by such rules and regulations made by the Secretary of the Treasury as are necessary.

Mr. BACON. That much I would favor.

Mr. CAFFERY. Under these rules and regulations he can stop every train; he can cordon any city in the State of Georgia; he can bottle your people up; he can tell them to go when he wants them to go and to stop when he does not want them to go; he can control every vehicle of transportation, he can control every movement of a train. His authority is supreme and plenary. Yet the Senator from Georgia objects because in the pending bill the application of the broad authority given in this act is again asserted.

Mr. BACON. What act is that?

Mr. CAFFERY. It is the act of 1890.

Mr. TILLMAN. Will the Senator from Louisiana yield to me for a moment?

Mr. CAFFERY. Certainly.

Mr. TILLMAN. Do you contend that the act of 1890 supersedes State authority and debars the State authorities from having quarantine regulations?

Mr. CAFFERY. Absolutely, so far as regulating interstate commerce is concerned.

Mr. TILLMAN. How or why?

Mr. CAFFERY. I have been trying to say why for about an hour.

Mr. TILLMAN. But what I mean is, where is there a single line in that act which supersedes State authority?

Mr. CAFFERY. I read about forty lines, I thought.

Mr. BACON. The whole act must be taken together, however, in examining that question.

Mr. TILLMAN. I have read the whole act through. It simply gives concurrent jurisdiction. It certainly does not supersede State authority.

Mr. CAFFERY. There is a principle of law, I believe, that when a power is given to a body which is said to be supreme, the grant of authority confers the whole authority, and therefore the supreme body in the exercise of that authority can set aside any obstacles of an inferior authority. Here is the plenary authority. It can introduce just such measures as it pleases. Suppose that it is necessary to cordon a town? Suppose it is necessary to stop a train? Can a State say that the town can not be cordoned or that the train can not be stopped? These rules are paramount.

Mr. TILLMAN. What we are contending for is that if a State says it was necessary and the Federal authorities say it was not, the Federal authorities shall not supersede the State authorities to police against these diseases.

Mr. CAFFERY. I never heard anybody contend that but the Senator from South Carolina.

Mr. TILLMAN. That is what we are contending for. The whole of us are contending for the preservation of the State power of police regulation.

Mr. CAFFERY. I think the State power of police has been settled by about twenty-five decisions, if not more. The State power of police is one thing; the Federal power of regulating commerce is another thing.

As I have been diverted to that point, I might as well read some authority on it. The very first authority that was ever announced is conclusive, and the only confusion that has arisen has been from a departure from the plain, unambiguous, and comprehensive doctrine laid down in Gibbons *vs.* Ogden. For the benefit of the Senator from South Carolina, I will read that authority.

Mr. TILLMAN. From the amount of books you have got there——

Mr. CAFFERY. I am not going to read all these books to you; I am afraid you could not stand them.

Mr. TILLMAN. No; I could not.

Mr. CAFFERY. In Gibbons *vs.* Ogden, 9 Wheaton, page 203, the chief justice, in rendering the decision, says:

That inspection laws may have a remote and considerable influence on commerce will not be denied, but that a power to regulate commerce is the source from which the right to pass them is derived can not be admitted. The object of inspection laws is to improve the quality of articles produced by the labor of a country; to fit them for exportation, or, it may be, for domestic use. They act upon the subject before it becomes an article of foreign commerce or of commerce among the States and prepare it for that purpose. They form a portion of that immense mass of legislation which embraces everything within the territory of a State not surrendered to the General Government, or which can be most advantageously exercised by the States themselves. Inspection laws, quarantine laws, health laws of every description, as well as laws for regulating the internal commerce of a State, and those which respect turnpike roads, ferries, etc., are component parts of this mass.

I do not think, Mr. President, that it is in the power of language to convey a clearer and more comprehensive meaning of what the police powers of the State are than in the language quoted by me from the opinion in 9 Wheaton. The Chief Justice proceeds:

No direct general power over these objects is granted to Congress, and consequently they remain subject to State legislation. If the legislative power of the Union can reach them, it must be for national purposes; it must be where the power is expressly given for a special purpose or is clearly incidental to some power which is expressly given. It is obvious that the Government of the Union in the exercise of its express powers—that, for example, of regulating commerce with foreign nations and among the States—may use means that may also be employed by a State in the exercise of its acknowledged powers—that, for example, of regulating commerce within the State.

If Congress license vessels to sail from one port to another in the same State, the act is supposed to be, necessarily, incidental to the power expressly granted to Congress and implies no claim of a direct power to regulate the purely internal commerce of a State or to act directly on its system of police. So if a State, in passing laws on subjects acknowledged to be within its control and with a view to those subjects, shall adopt a measure of the same character with one which Congress may adopt, it does not derive its authority from the particular power which has been granted, but from some other which remains with the State and may be executed by the same means. All experience shows that the same measures, or measures scarcely distinguishable from each other, may flow from distinct powers; but this does not prove that the powers themselves are identical. Although the means used in their execution may sometimes approach each other so nearly as to be confounded, there are other situations in which they are sufficiently distinct to establish their individuality.

In our complex system, presenting the rare and difficult scheme of one General Government, whose action extends over the whole, but which possesses only certain enumerated powers, and of numerous State governments, which retain and exercise all powers not delegated to the Union, contests respecting power must arise. Were it even otherwise, the measures taken by the respective governments to execute their acknowledged powers, would often be of the same description and might sometimes interfere. This, however, does not prove that the one is exercising, or has a right to exercise, the powers of the other.

I will come now to the concluding portion of the judgment on this particular point. In speaking of the laws of 1796 and 1799, directing the officers of the United States to comply with the quarantine laws of the States and to assist in their execution, the Chief Justice says:

It is undoubtedly true that they do proceed upon that idea—

That is, upon the idea that the State laws in regard to police were entirely constitutional and within the power of the States to enact—

It is undoubtedly true that they do proceed upon that idea; and the constitutionality of such laws has never, so far as we are informed, been denied. But they do not imply an acknowledgment that a State may rightfully regulate commerce with foreign nations or among the States; for they do not imply that such laws are an exercise of that power, or enacted with a view to it. On the contrary, they are treated as quarantine and health laws, are so denominated in the acts of Congress, and are considered as flowing from the acknowledged power of the State to provide for the health of its citizens.

But as it was apparent that some of the provisions made for this purpose, and in virtue of this power, might interfere with and be affected by the laws of the United States made for the regulation of commerce, Congress, in that spirit and conciliation which ought always to characterize the conduct of governments standing in the relation which that of the Union and those of the States bear to each other, has directed its officers to aid in the execution of these laws, and has, in some measure, adapted its own legislation to this object, by making provisions in aid of those of the States. But in making these provisions the opinion is unequivocally manifested that Congress may control the State laws, so far as it may be necessary to control them, for the regulation of commerce.

Now, there has never been anything said that so clearly stated the difference between the power to regulate commerce, which is a Federal power, and the power of a State over its police affairs, which is a State power; and Chief Justice Marshall goes on to say that while these two powers coming from different sources may pursue their legitimate course and legitimate function and each operate in its sphere beneficially, yet—and I call the attention of the Senator from South Carolina to this language—whenever it is necessary in the opinion of Congress to control the State law, so far as it acts in opposition or is contradictory to or inconsistent

with the power of Congress to regulate commerce, then the Congressional power is paramount and the State law is subordinate.

Mr. TILLMAN. Congress, however, never has done that yet in the hundred and twenty-odd years of our national existence.

Mr. CAFFERY. Congress has in every way, shape, and form, wherever it was necessary for uniformity of action, controlled the State power of police not only in this instance, but in every other instance. From 1878 down, as I have stated, there has been a slow but steady and sure advance made in the matter of taking control of quarantine in the exercise of this undisputed and indisputable authority to regulate commerce not only in that branch, but I refer the Senator from South Carolina to the plenary, exclusive, and complete jurisdiction that the Congress of the United States has over the immigration of persons into this country.

From the very commencement of the Government there have been persistent and constant efforts made by the different States to exercise police power over the subject of immigration. In various ways, under various pretexts, and always under color of the exercise of the police power of the States, they have attempted to legislate in regard to immigration. The very first case on that point was the matter of trying to impose a tax upon immigrants arriving in New York in order to keep up a fund for paupers and immigrants who had to be supported.

The decision in the case of New York *vs.* Miln was that the police power exhausted itself in the matter of requiring from the master of a vessel a statement of the age, residence, and occupation of the immigrant; and from that period down to the time when Congress assumed complete jurisdiction over immigration the States through different enactments have attempted, under color of the police power, under color of the power of keeping out convicts, diseased people, and paupers, under color of that power which is as clearly a police power as any power exercised by them as a health law, they have attempted to regulate that large branch of commerce, and they have always failed.

Whenever there has been a decision on the point, it has been that the Congressional power was supreme and the State authority could not be exercised. So this decision of Chief Justice Marshall is a guide to-day for legislation on this very important matter of the public health. The powers come from different sources.

In language as broad and clear as the English language can afford the Chief Justice admits and concedes the police powers of the State. I admit and concede them.

I would be the last man to invade the sacred precincts of State sovereignty, but gentlemen must remember that the Constitution is supreme; that in the enactment of laws under the Constitution the question is as to the ascendency of the Congressional law over the State law when the latter conflicts with the former, although the State law, as the Chief Justice says in this decision, may be enacted in pursuance of a clear constitutional and undisputed right on its part.

It has been heretofore a question of policy. I have tried to tell the Senate and the Senator from South Carolina why it is necessary now for the Federal power to come in and take charge of the matter of public health.

Mr. TILLMAN. Will the Senator allow me?

Mr. CAFFERY. I will.

Mr. TILLMAN. Without disputing the dictum of the Chief Justice which the Senator has read or the decision as to the paramount law, and acknowledging that the centralizing tendencies of this Government have rapidly absorbed not only the reserved rights of the States, but all rights almost, the question of policy is the one we are discussing rather than the question of legality; and those of us who are in the South and represent States more particularly subject to the inroads of yellow fever, including the Senator's own State, disagree with him, I believe, almost to a man, as to the desirability of obliterating State police regulation.

You want to supersede and destroy, so to speak, the State boards of health and their control over quarantine of any description and kind, and put it absolutely in the power of some bureau in Washington to govern the whole thing and regulate the whole thing and annul all the regulations and do away with the State control; and to that extent we disagree with you.

Mr. CAFFERY. The Senator from South Carolina asked me a question which indicated his idea that the State police power was exclusive and paramount. I attempted to answer that question by a citation from Gibbons *vs.* Ogden.

Mr. TILLMAN. The only trouble about it is that the courts have always the right to decide what is the police power, and while acknowledging that the police power is paramount in the States, they will say, "This is not the police power, and that is not the police power, and therefore you must get out of the way and give way to commerce."

Mr. CAFFERY. I should like to know who else is going to decide it but the courts.

Mr. TILLMAN. Nobody but the courts; but they always decide in favor of the Federal contention.

Mr. CAFFERY. Now the Senator is upon the line of desirability. Upon that point, of course, people can differ in opinion. I think the State of Louisiana, on account of her position and climate, her large commercial city so easily invaded by yellow fever, her terrible experiences with yellow fever, is as much entitled to an opinion of the desirability of this law as any other State upon the Gulf or on the Atlantic coast. I thought the Senator was leveling his first inquiry at a question of constitutionality, and I can not discover whether or not the opponents of the bill are really of mind that the police powers of a State are subordinate to the power of the Government in their exercise in any direction or not. The paramount police powers of a State are constantly paraded here and the undesirability of setting them aside is now held before us.

Mr. TILLMAN. Please give me the decision you read from just a moment ago. There is some language there to which I wish to call your attention.

Mr. CAFFERY. It is page 206.

Mr. President, we are told, I will not say with a sneer, but certainly in language implying some contempt, that a little bureau at Washington wants to dictate to some great bureau somewhere in some State. I know something about little bureaus.

I know something about the barbarities and inefficiency of State quarantines. I have heard of brutal and savage acts performed. I have heard of all sorts of inconsistencies, all sorts of caprices, and the idea of a little bureau having authority to keep out and suppress infectious or contagious diseases is not appalling to me. I am not enamored of shotgun quarantines. With that exercise of State police power which brings one portion of the population out in martial array to keep another portion of the population housed up, without anything but powder and lead to kill disease, I am not in sympathy.

In my State every municipality has the power of quarantine. Every town has a different set of regulations. The towns quarantine against the country and the country against the towns, and one town against another, and it is a succession of quarantines. I suppose it is alike in other States in the South. The system is perfectly inefficient. It is arbitrary, tyrannical, cruel, and useless.

Mr. PASCO. If the Senator will allow me, I hope he will not pronounce it inefficient in the State of Florida after acknowledging, as he has done, that there was a successful effort under our State laws to keep yellow fever out of the State during the past summer.

Mr. CAFFERY. I am particularizing no district. Taking the system of State quarantines altogether, from my own standpoint and my own observation, I pronounce them utterly inefficient, utterly unable to cope with disease, utterly powerless in the face of this great enemy, yellow fever or cholera, and the prolific source of panic and fright. They paralyze industry and keep the people walled up in a cordon of shotguns, while death revels in the midst of the palisade of arms. Sir, it is science we want; it is skill we want: it is an authority and power able to cope with the enemy; and if we can get it under the Constitution, if the beneficence of the Constitution can extend to a suffering people a protecting arm in the hour of their misfortune, when funeral cortege after funeral cortege wends to the cemeteries with the victims of disease, then, sir, I say give us this arm, give us this protection.

I do not ask for this bill to infringe any right conserved to the States, and Senators, when pressed, after propounding the most astute and ingenious conundrums in regard to the extent of the application of the Federal power, confess that it is a matter of expediency after all; it is a matter of proficiency of this branch of the service over another branch of the service; it is simply a question whether these separate and distinct and irregular executions of law in forty-five States are better than one uniform, regular, consistent plan of action proposed by the Federal authority and executed by the Federal authority.

Mr. TILLMAN. Will the Senator allow me?

Mr. CAFFERY. Certainly.

Mr. TILLMAN. Disclaiming any intention to sneer at or ridicule or belittle or in any manner criticise the Federal Marine-Hospital Service, for I certainly have no such purpose, I desire to read out of this very decision which you have read something which presents our side of this question very clearly.

Mr. CAFFERY. Which is your side?

Mr. TILLMAN. If you will wait——

Mr. CAFFERY. I should like to know what side of the question you are on.

Mr. TILLMAN. I am against you absolutely, if you want to know it——

Mr. CAFFERY. I want to know what you are against.

Mr. TILLMAN. And your proposition.

Mr. CAFFERY. What is the precise question as to which you are on the other side from me? That is what I want to know.

Mr. TILLMAN. I contend that there is a State power of police which the Federal Government can not destroy.

Mr. CAFFERY. All right; that is it. What particular power of police is it which it can not destroy?

Mr. TILLMAN. Just wait. Here is an extract from the same decision, in Gibbons *vs.* Ogden, from which you just quoted:

In our complex system—presenting the rare and difficult scheme of one General Government whose action extends over the whole, but which possesses only certain enumerated powers, and of numerous State governments which retain and exercise all powers not delegated to the Union—contests respecting power must arise. Were it even otherwise, the measures taken by the respective governments to execute their acknowledged powers would often be of the same description and might sometimes interfere. This, however, does not prove that the one is exercising, or has a right to exercise, the powers of the other.

Repeating what you have just read:

Congress, in that spirit of harmony and conciliation which ought always to characterize the conduct of governments standing in the relation which that of the Union and those of the States bear to each other, has directed its officers to aid in the execution of these laws.

Mr. CAFFERY. Where is the great point in that?

Mr. TILLMAN. The point is that it is never expedient for the Federal authority to intervene and suppress and destroy the police power of the State.

Mr. CAFFERY. Is that a point of law? Do you state that as a proposition of law?

Mr. TILLMAN. I state it as a point of law, because your judge states that there are different powers which can not be ignored.

Mr. CAFFERY. I did not know before that the question of expediency was ever a question of law. I thought law was a rule of conduct, but I am always willing to learn. I do not know now what side of the question the Senator from South Carolina is on, whether he is on the side of the question of the police power being supreme over the Government of the United States or the Government power over the State police power. I am at a loss to know.

Mr. TILLMAN. Let me ask you, then, this question, and perhaps we will get at an understanding after a while. You contend that the Federal authority regulates commerce. That I do not deny. Now, let us suppose that a man with yellow fever, known to have it, starts out of one State and enters the boundaries of another, enters on a ticket, we will say, bought at Charlotte, N. C., for Columbia, in the center of my State. Can we stop him at the boundary of the State, or must he go to the destination, the point to which his ticket reads, which it is within the power of Congress to regulate?

Mr. CAFFERY. Without any Federal quarantine law in the premises?

Mr. TILLMAN. Just simply say with the Federal right to regulate commerce, which you say destroys the police power of the State.

Mr. CAFFERY. With his ticket——

Mr. TILLMAN. The ticket is evidence that it is a case of interstate commerce or of the right which Congress has to regulate interstate commerce as protection against the quarantine powers of the State. I want to know where you would stop him?

Mr. CAFFERY. You can stop him anywhere under that.

Mr. TILLMAN. Why?

Mr. CAFFERY. Because the United States has not made any quarantine law in the premises.

Mr. TILLMAN. We want to stop you from making such a one here now, if you want to know where we are.

Mr. CAFFERY. You are not going to stop me if the Senate does not.

Mr. TILLMAN. Of course not. The Senate is going to do as it pleases. The question with the Senate is what is expedient and proper and constitutional.

Mr. CAFFERY. I am at a loss to know what the Senator from South Carolina stands on. He commences to state a proposition of law and then goes on and illustrates it by statements of fact——

Mr. TILLMAN. I ask you to define the difference between the national power of commerce to let this man go to Columbia and the State power of police to stop him at the boundary; or can it only do that at the termination of his journey, the place to which his interstate ticket permits him to go?

Mr. CAFFERY. I will attempt to do that, if the Senator will just be quiet and not put any more illustrations.

Mr. BURROWS. Does the Senator from Louisiana desire to conclude to-night?

Mr. CAFFERY. I will answer the question, and then I will yield. The State police power is exercised from an independent authority. It is exercised from an authority inherent in the States to take care of and preserve the health, the life, the property, the comfort of its citizens. The Federal power to regulate commerce comes from another source. It comes from the direct language of the Constitution, as the Federal power is derived from grants of enumerated power. Now, so long as Congress does not act in a regulation of commerce which affects the police power, then the police power of the State is paramount. In the case you supposed the ticket would not give the man the privileges of going into a State when the police power of the State prevented him. That is all. That is the answer to the question. Now I am ready to yield.

EXECUTIVE SESSION.

Mr. CHANDLER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 3 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 23, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 22, 1898.

UNITED STATES CONSULS.

German Bülle, of New York, to be consul of the United States at Cardenas, Cuba, vice Joseph L. Hance, resigned.

James C. McCook, of Pennsylvania, to be consul of the United States at Dawson City, Northwest Territories, to fill an original vacancy.

REGISTERS OF THE LAND OFFICE.

Angus J. Crookshank, of Santa Ana, Cal., to be register of the land office at Los Angeles, Cal., vice Thomas J. Bolton, term expired.

Stafford W. Austin, of Lone Pine, Cal., to be register of the land office at Independence, Cal., vice Irving H. Mulholland, whose term will expire April 11, 1898.

Charles F. Hamlin, of Gunnison, Colo., to be register of the land office at Gunnison, Colo., vice Joseph F. Heiner, whose term will expire April 11, 1898.

John D. Maxey, of Stockton, Cal., to be register of the land office at Stockton, Cal., vice James Walter Smith, term expired.

RECEIVERS OF PUBLIC MONEYS.

Miss Martha C. Brown, of Gunnison, Colo., to be receiver of public moneys at Gunnison, Colo., vice Louis Grasmuck, whose term will expire April 11, 1898.

Fred Butler, of Leadville, Colo., to be receiver of public moneys at Leadville, Colo., vice Aloysius Lynch, whose term will expire April 24, 1898.

Frank E. Densmore, of Independence, Cal., to be receiver of public moneys at Independence, Cal., vice Aaron W. Eibeshutz, whose term will expire April 4, 1898.

Henry S. Sargent, of Stockton, Cal., to be receiver of public moneys at Stockton, Cal., vice Samuel Leffler, term expired.

Jay M. Smith, of Duluth, Minn., to be receiver of public moneys at Duluth, Minn., vice Frederick L. Ryan, term expired.

INDIAN AGENT.

Charles R. A. Scobey, of Glendive, Mont., to be agent for the Indians of the Fort Peck Agency in Montana, vice Capt. Henry W. Sprole, United States Army, relieved from duty as acting Indian agent.

COLLECTOR OF INTERNAL REVENUE.

Aquila J. Daugherty, of Illinois, to be collector of internal revenue for the Fifth district of Illinois, to succeed James W. Hunter, removed.

PROMOTIONS IN THE ARMY.

To be majors.

Capt. Charles Morris, Fifth Artillery, March 8, 1898, vice Randolph, Third Artillery, promoted.

Capt. Junius Wilson MacMurray, First Artillery, March 8, 1898, vice McCrea, Fifth Artillery, promoted.

Capt. John Wesley Dillenback, First Artillery, March 8, 1898, vice Smith, Second Artillery, promoted.

To be captains.

First Lieut. Thomas Randolph Adams, Fifth Artillery, March 8, 1898, vice Crabb, Fifth Artillery, retired from active service.

First Lieut. John August Lundeen, Fourth Artillery, March 8, 1898, vice Morris, Fifth Artillery, promoted.

First Lieut. Medorem Crawford, Second Artillery, March 8, 1898, vice MacMurray, promoted.

PROMOTION IN THE NAVY.

Paymaster Albert W. Bacon, to be a pay inspector in the Navy, from the 12th day of February, 1898, vice Pay Inspector James E. Tolfree, promoted.

POSTMASTERS.

James W. Akers, to be postmaster at Prescott, in the county of Yavapai and Territory of Arizona, in the place of Edward J. F. Horne, whose commission expired March 10, 1898.

Maude McLean, to be postmaster at Breckenridge, in the county of Summit and State of Colorado, in the place of George H. Clarke, whose commission expired January 29, 1898.

D. M. Kirby, to be postmaster at Palatka, in the county of Putnam and State of Florida, in the place of W. P. Anderson, whose commission expires April 7, 1898.

David B. Rigdon, to be postmaster at Statesboro, in the county of Bulloch and State of Georgia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after October 1, 1897.

George S. Avery, to be postmaster at Galena, in the county of Jo Daviess and State of Illinois, in the place of Charles Scheerer, whose commission expired March 1, 1898.

L. F. Maple, to be postmaster at Chariton, in the county of Lucas and State of Iowa, in the place of W. E. Lewis, whose commission expired March 15, 1898.

John L. Waite, to be postmaster at Burlington, in the county of Des Moines and State of Iowa, in the place of J. J. Curran, whose commission expired February 7, 1898.

William J. Smith, to be postmaster at Elkton, in the county of Cecil and State of Maryland, in the place of F. R. Scott, whose commission expired March 21, 1898.

John E. Sawyer, to be postmaster at Methuen, in the county of Essex and State of Massachusetts, in the place of James Ingalls, whose commission expires April 11, 1898.

William J. Wallace, to be postmaster at Norwood, in the county of Norfolk and State of Massachusetts, in the place of William J. Wallace, whose commission expires April 7, 1898. (Reappointment.)

William S. Linton, to be postmaster at Saginaw East Side, in the county of Saginaw and State of Michigan, in the place of Abram G. Wall, whose commission expired March 9, 1898.

James Wallace, to be postmaster at Yale, in the county of St. Clair and State of Michigan, in the place of James E. Lutz, deceased.

E. L. Fisher, to be postmaster at Duluth, in the county of St. Louis and State of Minnesota, in the place of T. M. Helinski, whose commission expires April 23, 1898.

H. G. Wire, to be postmaster at St. Cloud, in the county of Stearns and State of Minnesota, in the place of Andrew Hennemann, whose commission expires April 23, 1898.

Albert C. Krog, to be postmaster at Washington, in the county of Franklin and State of Missouri, in the place of Joseph A. Mintrup, removed.

Frank E. Helvey, to be postmaster at Nebraska City, in the county of Otoe and State of Nebraska, in the place of V. M. Street, whose commission expired March 19, 1898.

F. B. Taylor, to be postmaster at South Orange, in the county of Essex and State of New Jersey, in the place of Timothy Barrett, removed.

George E. Call, to be postmaster at Northport, in the county of Suffolk and State of New York, in the place of Charles T. Sammis, whose commission expired March 14, 1898.

Roderick L. Leland, to be postmaster at Clifton Springs, in the county of Ontario and State of New York, in the place of Murray J. Bement, whose commission expired March 9, 1898.

Through error Mr. Leland was nominated and confirmed as Roderick S. Leland.

Richard Daeley, to be postmaster at Devils Lake, in the county of Ramsey and State of North Dakota, in the place of Patrick Kelly, whose commission expires April 7, 1898.

Don R. Davidson, to be postmaster at Wahpeton, in the county of Richland and State of North Dakota, in the place of George P. Garred, whose commission expires April 23, 1898.

George K. McEwan, to be postmaster at Park River, in the county of Walsh and State of North Dakota, in the place of J. J. Irwin, whose commission expires April 7, 1898.

Leonidas Conover, to be postmaster at Covington, in the county of Miami and State of Ohio, in the place of J. W. Falknor, whose commission expired January 8, 1898.

Sherman H. Eagle, to be postmaster at Gallipolis, in the county of Gallia and State of Ohio, in the place of Samuel A. Dunbar, whose commission expired September 14, 1897.

Thomas L. Flattery, to be postmaster at Wooster, in the county of Wayne and State of Ohio, in the place of John F. Marchand, whose commission expired February 16, 1898.

Allen Grahamn, jr., to be postmaster at Ottawa, in the county of Putnam and State of Ohio, in the place of Hugh L. McDowell, whose commission expired March 9, 1898.

Joseph M. Ickes, to be postmaster at Newark, in the county of Licking and State of Ohio, in the place of Joseph H. Newton, whose commission expired September 14, 1897.

John H. Oakley, to be postmaster at Ravenna, in the county of Portage and State of Ohio, in the place of D. C. Coolman, whose commission expired February 16, 1898.

Clem White, to be postmaster at Tecumseh, in the county of Pottawatomie, Okla., in the place of John W. Moyle, removed.

John A. Wheeler, to be postmaster at Independence, in the county of Polk and State of Oregon, in the place of V. A. Williams, removed.

Marcus K. Bishop, to be postmaster at Dunmore, in the county of Lackawanna and State of Pennsylvania, in the place of Frank McDonald, whose commission expired February 16, 1898.

Daniel B. Dykins, to be postmaster at Muncy, in the county of Lycoming and State of Pennsylvania, in the place of Emma Ritter, whose commission expired March 19, 1898.

Addison Eppehimer, to be postmaster at Royersford, in the county of Montgomery and State of Pennsylvania, in the place of A. R. Saylor, whose commission expires March 29, 1898.

George L. Holliday, to be postmaster at Pittsburg, in the county of Allegheny and State of Pennsylvania, in the place of J. C. O'Donnell, whose commission expired March 14, 1898.

S. J. Matthews, to be postmaster at Olyphant, in the county of Lackawanna and State of Pennsylvania, in the place of John J. Carbine, whose commission expired February 14, 1898.

Frank F. Reed, to be postmaster at Mahanoy City, in the county of Schuylkill and State of Pennsylvania, in the place of Thomas C. O'Connor, whose commission expired March 5, 1898.

R. N. Roberts, to be postmaster at Renovo, in the county of Clinton and State of Pennsylvania, in the place of W. K. Wright, whose commission expires April 11, 1898.

Milton P. Schantz, to be postmaster at Allentown, in the county of Lehigh and State of Pennsylvania, in the place of Allen T. Frederick, whose commission expires April 14, 1898.

George F. Young, to be postmaster at Gettysburg, in the county of Adams and State of Pennsylvania, in the place of R. M. Elliott, whose commission expired March 9, 1898.

Thomas S. Matthews, to be postmaster at Athens, in the county of McMinn and State of Tennessee, in the place of W. A. Cunningham, whose commission expires April 11, 1898.

R. S. Smith, to be postmaster at St. Elmo, in the county of Hamilton and State of Tennessee, in the place of L. W. Bates, whose commission expired February 12, 1898.

Edward G. Armstrong, to be postmaster at Bartlett, in the county of Williamson and State of Texas, in the place of Lucas Rowntree, removed.

H. T. Canfield, to be postmaster at Wichita Falls, in the county of Wichita and State of Texas, in the place of William E. Frieze, whose commission expired February 13, 1898.

William H. Catts, to be postmaster at Granbury, in the county of Hood and State of Texas, in the place of S. B. Lancaster, whose commission expired October 4, 1897.

J. T. Dawes, to be postmaster at Crockett, in the county of Houston and State of Texas, in the place of Frank G. Edmiston, removed.

Hiram A. David, to be postmaster at Wolfe City, in the county of Hunt and State of Texas, in the place of O. H. Royal, whose commission expired March 19, 1898.

Edwin Fore, to be postmaster at Pittsburg, in the county of Camp and State of Texas, in the place of D. F. Thompson, whose commission expired January 9, 1898.

J. A. Gammill, to be postmaster at Calvert, in the county of Robertson and State of Texas, in the place of Joseph L. Browning, whose commission expired September 28, 1897.

Bert V. Gibson, to be postmaster at Mineral Wells, in the county of Palo Pinto and State of Texas, in the place of G. C. Green, removed.

Lou Hazzard, to be postmaster at Colorado, in the county of Mitchell and State of Texas, in the place of Lizzie M. Stonemets, whose commission expired September 28, 1897.

Robert S. Houssels, to be postmaster at Vernon, in the county of Wilbarger and State of Texas, in the place of L. M. Logan, whose commission expired March 5, 1898.

Charles J. Hostrasser, to be postmaster at Hearne, in the county of Robertson and State of Texas, in the place of James L. Moseley, whose commission expired March 19, 1898.

W. B. Norvell, to be postmaster at Hubbard, in the county of Hill and State of Texas, in the place of John M. Carroll, whose commission expired January 9, 1898.

Robert J. King, to be postmaster at Clarksville, in the county of Red River and State of Texas, in the place of William H. Dickson, whose commission expired January 9, 1898.

C. E. Lewis, to be postmaster at Tyler, in the county of Smith and State of Texas, in the place of John F. Haden, whose commission expired October 28, 1897.

Harry Martin, to be postmaster at Bonham, in the county of Fannin and State of Texas, in the place of John H. Oliphint, whose commission expired March 5, 1898.

William M. Nagle, to be postmaster at Denison, in the county of Grayson and State of Texas, in the place of James R. Martin, whose commission expired March 20, 1898.

William Pilley, to be postmaster at Wills Point, in the county of Van Zandt and State of Texas, in the place of Robert E. Yantis, whose commission expired September 28, 1897.

Charles T. Ramsdell, to be postmaster at Denton, in the county of Denton and State of Texas, in the place of Jefferson D. Bates, whose commission expires April 5, 1898.

Charles W. Rush, to be postmaster at Commerce, in the county of Hunt and State of Texas, in the place of Louis T. Walker, removed.

Florence Sheasby, to be postmaster at Elgin, in the county of Bastrop and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after July 1, 1897.

Hugo E. Smith, to be postmaster at McKinney, in the county of Collin and State of Texas, in the place of M. A. Cameron, whose commission expires April 23, 1898.

Henry L. Somerville, to be postmaster at Richmond, in the county of Fort Bend and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1898.

George W. Stewart, to be postmaster at Luling, in the county of Caldwell and State of Texas, in the place of John W. Lipscomb, whose commission expired December 19, 1897.

E. L. Soule, to be postmaster at Rockport, in the county of Aransas and State of Texas, in the place of William W. Wood, whose commission expired December 21, 1897.

James L. Taylor, to be postmaster at Llano, in the county of Llano and State of Texas, in the place of William A. Lawrence, whose commission expired February 7, 1898.

S. J. Weaver, to be postmaster at Dublin, in the county of Erath and State of Texas, in the place of John J. Ray, whose commission expired September 28, 1897.

Mark H. Moody, to be postmaster at Waterbury, in the county of Washington and State of Vermont, in the place of G. B. Evans, whose commission expired March 15, 1898.

E. W. Martin, to be postmaster at Buckhannon, in the county of Upshur and State of West Virginia, in the place of William Mearns, resigned.

Stith Bolling, to be postmaster at Petersburg, in the county of Dinwiddie and State of Virginia, in the place of H. R. Smith, whose commission expires April 24, 1898.

A. E. Barnes, to be postmaster at Delavan, in the county of Walworth and State of Wisconsin, in the place of John Passage, whose commission expires April 14, 1898.

Jackson I. Case, to be postmaster at Racine, in the county of Racine and State of Wisconsin, in the place of Andrew Simonson, whose commission expired March 1, 1898.

William Case, to be postmaster at Mauston, in the county of Juneau and State of Wisconsin, in the place of G. H. Ely, whose commission expires April 5, 1898.

I. D. Hurlbut, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin, in the place of W. D. Merrell, whose commission expired November 2, 1897.

C. F. Mohr, to be postmaster at Portage, in the county of Columbia and State of Wisconsin, in the place of M. J. Downey, whose commission expires April 5, 1898.

Frank E. Riley, to be postmaster at Two Rivers, in the county of Manitowoc and State of Wisconsin, in the place of G. H. Wehausen, whose commission expires April 14, 1898.

Edward P. Holtenhouse, to be postmaster at Evanston, in the county of Uinta and State of Wyoming, in the place of Isaac C. Winslow, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 22, 1898.

TERRITORIAL ASSOCIATE JUSTICE.

B. F. Burwell, of Oklahoma Territory, to be associate justice of the supreme court of the Territory of Oklahoma.

DISTRICT JUDGE.

Edmund Waddill, jr., of Virginia., to be United States district judge for the eastern district of Virginia.

RECEIVERS OF PUBLIC MONEYS.

Charles L. Brockway, of Sioux Falls, S. Dak., to be receiver of public moneys at Chamberlain, S. Dak.

L. J. Pettijohn, of Garden City, Kans., to be receiver of public moneys at Dodge City, Kans.

POSTMASTERS.

William F. Jobes, to be postmaster at Brookhaven, in the county of Lincoln and State of Mississippi.

William S. Linton, to be postmaster at Saginaw East Side, in the county of Saginaw and State of Michigan.

William F. Elgin, to be postmaster at Corinth, in the county of Alcorn and State of Mississippi.

Andrew F. Caldwell, to be postmaster at Pocatello, in the county of Bannock and State of Idaho.

Jackson I. Case, to be postmaster at Racine, in the county of Racine and State of Wisconsin.

Stephen F. Kelley, to be postmaster at San Bernardino, in the county of San Bernardino and State of California.

George B. Dexter, to be postmaster at Santa Monica, in the county of Los Angeles and State of California.

Everett F. Pilkington, to be postmaster at Searcy, in the county of White and State of Arkansas.

Horace H. Dubendorff, to be postmaster at Alamosa, in the county of Conejos and State of Colorado.

George F. Wood, to be postmaster at Modesto, in the county of Stanislaus and State of California.

E. S. Newcomb, to be postmaster at Coronado, in the county of San Diego and State of California.

Albert G. Thompson, to be postmaster at Lowell, in the county of Middlesex and State of Massachusetts.

B. T. Conway, to be postmaster at Lebanon, in the county of Marion and State of Kentucky.

William H. Andrews, to be postmaster at Salmon, in the county of Lemhi and State of Idaho.

William W. Robey, to be postmaster at Pipestone, in the county of Pipestone and State of Minnesota.

George W. Minchin, to be postmaster at Evart, in the county of Osceola and State of Michigan.

L. C. Hall, to be postmaster at Plymouth, in the county of Wayne and State of Michigan.

Lizzie Baldwin, to be postmaster at Canton, in the county of Madison and State of Mississippi.

Gustav R. Zickrick, to be postmaster at Hutchinson, in the county of McLeod and State of Minnesota.

F. A. Swartwood, to be postmaster at Waseca, in the county of Waseca and State of Minnesota.

Theron E. Sedgwick, to be postmaster at York, in the county of York and State of Nebraska.

Orange L. Bantz, to be postmaster at Humboldt, in the county of Richardson and State of Nebraska.

Samuel J. Kleinschmidt, to be postmaster at Higginsville, in the county of Lafayette and State of Missouri.

Charles T. La Cost, to be postmaster at Bryan, in the county of Williams and State of Ohio.

Abner Allison, to be postmaster at Mount Gilead, in the county of Morrow and State of Ohio.

Frank Jones, to be postmaster at Ballston Spa, in the county of Saratoga and State of New York.

J. M. Wilcox, to be postmaster at Ashtabula, in the county of Ashtabula and State of Ohio.

Frank Shaw, to be postmaster at Cardington, in the county of Morrow and State of Ohio.

Herbert Newhard, to be postmaster at Carey, in the county of Wyandot and State of Ohio.

Wesley L. Booton, to be postmaster at Greene, in the county of Butler and State of Iowa.

Charles H. Anderson, to be postmaster at Anamosa, in the county of Jones and State of Iowa.

D. J. Adlum, to be postmaster at Missouri Valley, in the county of Harrison and State of Iowa.

C. H. Wegerslev, to be postmaster at Alta, in the county of Buena Vista and State of Iowa.

Cornelius Van Zandt, to be postmaster at Wilton Junction, in the county of Muscatine and State of Iowa.

James C. Harwood, to be postmaster at Clarion, in the county of Wright and State of Iowa.

Frank E. Holmes, to be postmaster at New Berlin, in the county of Chenango and State New York.

William E. Burch, to be postmaster at Hawkinsville, in the county of Pulaski and State of Georgia.

George L. Wilkinson, to be postmaster at Meola, in the county of Pottawattamie and State of Iowa.

Alexander C. Yard, to be postmaster at Trenton, in the county of Mercer and State of New Jersey.

William Y. Fair, to be postmaster at Newberry, in the county of Newberry and State of South Carolina.

Jairus S. Chase, to be postmaster at Windsor, in the county of Broome and State of New York.

William S. Ostrander, to be postmaster at Schuylerville, in the county of Saratoga and State of New York.

Amos Youmans, to be postmaster at Fulton, in the county of Oswego and State of New York.

Nemie F. Awtrey, to be postmaster at Lagrange, in the county of Troup and State of Georgia.

John P. Moran, to be postmaster at White Plains, in the county of Westchester and State of New York.

Frank B. Dodge, to be postmaster at Mount Morris, in the county of Livingston and State of New York.

John H. Broad, to be postmaster at Morrisville, in the county of Madison and State of New York.

Tom Richards, to be postmaster at Sherman, in the county of Grayson and State of Texas.

Samuel L. Burroughs, to be postmaster at Portsmouth, in the county of Norfolk and State of Virginia.

Ogden H. Mattis, to be postmaster at Riverton, in the county of Burlington and State of New Jersey.

T. A. Sawhill, to be postmaster at Concordia, in the county of Cloud and State of Kansas.

James M. Crowder, to be postmaster at Lexington, in the county of Lafayette and State of Missouri.

Thomas T. Wilson, to be postmaster at Tarkio, in the county of Atchison and State of Missouri.

Benjamin F. Beazell, to be postmaster at Chillicothe, in the county of Livingston and State of Missouri.

Herbert J. Cornwell, to be postmaster at St. John, in the county of Stafford and State of Kansas.

Sidney H. Knapp, to be postmaster at Clyde, in the county of Cloud and State of Kansas.

Sewell P. Wood, to be postmaster at Farmington, in the county of Fulton and State of Illinois.

Allison H. Fleming, to be postmaster at Fairmont, in the county of Marion and State of West Virginia.

William M. Treloar, to be postmaster at Mexico, in the county of Audrain and State of Missouri.

Alexander L. Hord, to be postmaster at Greenville, in the county of Bond and State of Illinois.

John R. Camp, to be postmaster at Bushnell, in the county of McDonough and State of Illinois.

Charles Irving Smith, to be postmaster at Mount Carroll, in the county of Carroll and State of Illinois.

C. Green Parker, to be postmaster at Humboldt, in the county of Gibson and State of Tennessee.

O. V. Parkinson, to be postmaster at Centralia, in the county of Marion and State of Illinois.

W. M. Goudy, to be postmaster at Fairfield, in the county of Wayne and State of Illinois.

John C. Freeman, to be postmaster at New London, in the county of Waupaca and State of Wisconsin.

James M. Taylor, to be postmaster at Ashland, in the county of Hanover and State of Virginia.

Wray Thomas Knight, to be postmaster at Richmond, in the county of Henrico and State of Virginia.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 22, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

WARREN C. BEACH.

Mr. GRIFFIN. Mr. Speaker, I ask on behalf of the minority of the Committee on Military Affairs leave to file the minority report in the case of Warren C. Beach for ten days after the majority report is filed.

Mr. DOCKERY. What is the nature of the case?

Mr. GRIFFIN. The bill, which was authorized to be reported by the majority of the Committee on Military Affairs, proposes to restore an officer to the retired list of the Army who is not now in the Army, and we ask for time to file the minority report.

Mr. COX. Mr. Speaker, I do not rise to make an objection, but I do not see Mr. SULZER in his seat——

A MEMBER. Mr. SULZER is in the House.

Mr. SULZER. Mr. Speaker, I did not hear the request of the gentleman from Wisconsin [Mr. GRIFFIN].

Mr. GRIFFIN. I merely ask for ten days after the majority report is filed in the case of William C. Beach to file a minority report.

Mr. SULZER. That is satisfactory to me.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. GRIFFIN]? [After a pause.] The Chair hears none.

RETURN OF A BILL TO THE SENATE.

The SPEAKER. The Clerk will report a Senate resolution for the return of a bill.

The Clerk read as follows:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the resolution agreeing to the amendments of the House to the bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet.

The SPEAKER. Is there objection? The Chair hears none, and accordingly the resolution will be returned.

STATE TRADE-MARKS.

Mr. SAUERHERING. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4584) to create State trade-marks and to protect foreign and interstate commerce.

The bill was read, as follows:

Be it enacted, etc., That in order to prevent the false branding or other marking of goods, wares, or merchandise, the product of any State or Territory of the United States or of the District of Columbia, which are or are intended to become articles of foreign or interstate commerce or commerce with the Indian tribes, the governor of any such State or Territory and the Commissioners of the District of Columbia are hereby authorized and empowered to adopt a public trade-mark each for his or their respective State, Territory, or the District aforesaid, and file a description and illustration of the same in the Patent Office of the United States; but no such trade-mark or label shall be entitled to such registration which consists of or simulates the arms, seals, or other insignia of the United States, or of any State or municipality, or of any foreign nation, or which is offensive to public sentiment or morals.

SEC. 2. That upon the receipt of any description and illustration of a trade-mark as provided in the preceding section, and upon payment of a fee of $25, the Commissioner of Patents shall register the same, and a certificate of such registration, fully describing such trade-mark, shall be issued in the name of the United States of America, under the seal of the Department of the Interior, and signed by the Commissioner of Patents, and a full record thereof be made and kept in books for that purpose. Copies of any such trade-marks, and of the descriptions accompanying the same, and of the certificate of registry, when duly authenticated by the Commissioner or Assistant Commissioner of Patents, shall be received in evidence in all courts and by all officers of the United States, and shall be conclusive proof of the adoption and registration of such trade-marks.

SEC. 3. That every such trade-mark shall be used only under and in accordance with such rules, regulations, and restrictions as may be provided by or according to the laws of the State, Territory, or District adopting and filing the same, and upon goods, wares, and merchandise produced, grown, or manufactured therein, and upon packages and wrappers containing the same.

SEC. 4 That every person who, contrary to the provisions of this act or to the laws, rules, regulations, and restrictions of any State or Territory or the District aforesaid, affixes the registered trade-mark of such State, Territory, or District, or causes or procures the same to be affixed, or any colorable imitation thereof calculated to deceive the public, to any goods, wares, or merchandise which are or are intended for sale, shipment, consumption, or use without and beyond the boundaries of such State, Territory, or District, or to any package or wrapper containing the same, shall be liable to an action on the case for damages for the wrongful use of said trade-mark at the suit of the owner thereof; and the party aggrieved shall also have his remedy according to the course of equity to enjoin the wrongful use of such trade-mark used in commerce with foreign nations or among the several States or with the Indian tribes, as aforesaid, and to recover compensation therefor in any court having jurisdiction over the person guilty of such wrongful act; and courts of the United States shall have original and appellate jurisdiction in such cases without regard to the amount in controversy.

SEC. 5. That every person who shall knowingly deal in, or sell, or keep, or offer for sale, or cause or procure the sale of any goods, wares, or merchandise, in order that the same may become, or after they have become, subjects of foreign or interstate commerce, to which, or to the package or wrapper containing the same, there is fraudulently affixed any public trade-mark, as provided in this act, or any colorable imitation thereof calculated to deceive the public, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished as provided in section 4 of this act.

SEC. 6. That every person who fraudulently fills, or causes or procures to be fraudulently filled, any package, or fraudulently uses, or causes or procures to be used, any wrapper to which is affixed any public trade-mark registered pursuant to the provisions of this act, or any colorable imitation thereof calculated to deceive the public, with any goods, wares, or merchandise, with intent to deceive or mislead any purchaser or user of the same as to their true character, origin, or source, shall, if said goods, wares, or merchandise have become or are intended to become subjects of foreign or interstate commerce or commerce with the Indian tribes, be deemed guilty of a misdemeanor, and on conviction thereof shall be punished as provided in section 4 of this act.

SEC. 7. That if any person shall brand, mark, stamp, stencil, label, name, or describe any goods, wares, or merchandise, or any package or wrapper containing the same, which have or may become subjects of foreign or interstate commerce, in such manner as may be calculated to deceive or mislead any purchaser or user of the same as to the true character of such goods, wares, or merchandise, or as to the place where they were grown, produced, or manufactured, or shall cause or procure the same to be done by others; or if any person for himself, or as the agent or factor for another, or as a member of any copartnership, or as a manager, superintendent, agent, or representative of any corporation, shall have in his possession or under his control any goods, wares, or merchandise which he knows or has good reason to believe bear any public trade-mark, or any brand, mark, stamp, stencil, label, name, or description, in contravention of the provisions of this act, he is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 4 of this act.

Mr. BENNETT. Mr. Speaker, reserving the right to object——

Mr. HOPKINS. Mr. Speaker, I object. This is too important a bill to be considered in this way.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 1595) to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes.

REPORT OF COMMITTEE.

Mr. BOUTELLE of Maine. Mr. Speaker, the Committee on Naval Affairs have directed me to report the bill (H. R. 9378) making appropriation for the naval service for the fiscal year ending June 30, 1899, with accompanying report, and I ask that the bill and report be printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BAILEY. Mr. Speaker, it will be understood that all points of order are reserved.

The SPEAKER. The gentleman from Maine, the chairman of the Committee on Naval Affairs, reports the naval appropriation bill; and without objection, it will be referred to the Committee of the Whole House on the state of the Union, with all points of order reserved.

There was no objection.

CONTESTED-ELECTION CASE—THORP VS. EPES.

Mr. WALKER of Virginia. Mr. Speaker, I move to take up the election case from the Fourth Virginia district—Thorp against Epes.

The SPEAKER. The gentleman from Virginia moves to take up the election case of Thorp against Epes. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That Sydney P. Epes was not elected a Representative to the Fifty-fifth Congress from the Fourth district of Virginia, and is not entitled to his seat.

Resolved, That R. T. Thorp was duly elected as a Representative from the Fourth Congressional district of Virginia to the Fifty-fifth Congress, and is entitled to the seat.

Mr. WALKER of Virginia. Mr. Speaker, I will ask that debate on this case be limited to four hours on a side. I believe that is the usual time.

There was no objection.

Mr. WALKER of Virginia. I will also ask that the gentleman from Indiana [Mr. MIERS] shall control the debate for the minority.

There was no objection.

Mr. WALKER of Virginia. Mr. Speaker, I ask unanimous consent that the contestant be allowed to address the House in his own behalf.

The SPEAKER. As a part of the four hours?

Mr. WALKER of Virginia. Yes.

The SPEAKER. Does the gentleman from Virginia desire that the contestant shall now address the House?

Mr. WALKER of Virginia. No; but that he shall be allowed to during the debate.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the contestant be allowed to address the House as a part of the four hours' debate on that side. Is there objection? [After a pause.] The Chair hears none. It is understood that the gentleman from Virginia [Mr. WALKER] shall control the time upon that side.

Mr. WALKER of Virginia was recognized.

Mr. MIERS of Indiana and Mr. HULL. Mr. Speaker, I rise to a point of order. There is too much confusion on the floor.

The SPEAKER. The point of order is well taken. Gentlemen will cease conversation or retire to the cloakrooms.

Mr. MIERS of Indiana. Mr. Speaker, if the gentleman from Virginia will allow me, I will ask to have the resolution of the minority read.

The SPEAKER. The Clerk will report the substitute offered by the gentleman from Indiana.

The Clerk read as follows:

Resolved, That R. T. Thorp was not elected a Representative to the Fifty-fifth Congress from the Fourth district of Virginia, and is not entitled to his seat.

Resolved, That Sydney P. Epes was duly elected as a Representative from the Fourth Congressional district of Virginia to the Fifty-fifth Congress, and is entitled to the seat.

Mr. BRUCKER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Michigan will state it.

Mr. BRUCKER. I would like to know whether or not it would be in order at this time to make a motion that either of the resolutions reported by the majority or the minority be laid on the table?

The SPEAKER. The Chair thinks not after the consent of the House for four hours' debate upon a side and after the gentleman from Virginia [Mr. WALKER] has been recognized to address the House.

Mr. WALKER of Virginia. Mr. Speaker, the minority report, signed by only three members of the committee, contains a bill of indictment against the other six members, consisting of several counts, to which I desire, in the names of these honorable gentlemen, to demur, and plead not guilty.

To the charge of undue haste in filing the majority report, I will rest upon the demurrer, since it appears that one-half the term of the Fifty-fifth Congress has already expired, and the contestee is still the sitting member. It has been nearly three months since the present session commenced. It has been over six weeks since the case was argued and submitted to the committee for consideration. It has been two weeks since the committee reported to the House. And yet the minority say, "Such haste is unusual, not to say unfair." Admitting these facts to be true, the demurrer to the indictment should be sustained.

The three lawyers who sign the minority report, with becoming modesty, characterize the majority report, signed by six lawyers, as "disregarding the plainest principles of law" and of "misstating and garbling the evidence." It seems never to have occurred to these learned, able, and wholly nonpartisan gentlemen that peradventure it is their report which "violates the plainest principles of law and garbles the evidence."

If I thought as they do, Mr. Speaker, I would endeavor to point out the errors into which my associates upon the committee had fallen, without hurling epithets and impugning the motives of a majority so respectable in point of numbers, at least, if they are not in point of ability and honesty the equals of the members who sign the minority report.

The Fourth Congressional district of Virginia is an old acquaintance to some of the members of this House. It has figured on this floor in four contested elections in ten years.

It is located in the heart of the black belt, and was carved out by a Democratic legislature in 1870, so as to embrace as large a Republican majority as possible, and it has not been changed since.

It embraces eleven counties and one city, each of which has a majority of negro votes.

The colored male inhabitants in the whole district over 21 exceed the white males over 21 by 4,563, and the Republican majority in a fair election ranges from five to nine thousand. For eighteen years after Virginia was admitted to representation in this House under the reconstruction acts the Fourth district was represented by a Republican without a single contest.

Up to this time the Virginia election laws and methods were tolerably fair, but after 1886 the methods introduced by the infamous Anderson-McCormick law came in vogue, and from that day we have had fraud, corruption, and outrage in the elections in Virginia, and especially and particularly in the Fourth Congressional district. Since the war only four Democrats have been returned from that district, and only once has a Democrat been returned from the district whose seat was not contested; and two of the Republican contestants were seated, while one contest was never decided. With this record it is clear that the returns, which give the contestee a majority of 2,621 votes, bear on their face prima facie evidence of fraud.

The proof shows that the Republican vote was solid and enthusiastic in support of the contestant, who received 724 votes more than the Republican candidate for President, leaving out the 491 votes counted for the bogus candidate, J. L. Thorp.

It is further shown that the Democrats were divided into silver and gold Democrats, many of the latter voting for contestant.

There was a contested election from the same district in the Fifty-fourth Congress, between the same gentleman who is contestant here to-day and one McKenney, known as Thorp vs. McKenney. In that case the Committee on Elections No. 3 reported unanimously in favor of seating the contestant, and he was seated by a unanimous vote of the House.

In this Congress we have the same contestant from the same district, the record furnishing conclusive evidence of the same irregularities, the same frauds, the same outrages, the same disregard of the plainest provisions of law, the same disgraceful methods which were practiced in 1894, and by the same identical men and the same election officers.

In 1894 there appeared on the official ballot the name of a bogus candidate for Congress—an unknown and illiterate negro named Thorton—placed there for the purpose of confusing and deceiving the illiterate voters.

In 1896 we find on the official ballot the name of an illiterate white man, a citizen of Greenesville County, named J. L. Thorp, who could not write the notice of his candidacy and did not know whether such notice had to be sent to Richmond or to Washington. He did not know the name of a county in the district, except the one in which he lived. He is a Democrat; voted for the contestee, received but one vote at his home precinct, and his name was placed upon the ballot by the procurement of Democratic election officers. The record shows that one Lashley, a Democratic member of the electoral board for Greenesville County, and one Powell, counsel for the contestee in this contest, sought out this unknown and illiterate voter, whose name is the same as that of contestant, and induced him to allow his name to be sent in as a candidate for Congress from the Fourth district.

Although no voter has ever been found, or can be found, who will say he voted for him, yet this decoy duck received 491 votes to which the contestant was justly entitled. The object of Lashley in having this man's name placed on the ticket is stated by him in his testimony. When asked why he wanted J. L. Thorp to become a candidate, he answers:

I wanted to see how many votes he could get, and have a little fun out of it. Because I thought he would draw from the vote of R. T. Thorp and assist in electing Epes. I expected them to vote for J. L. Thorp ignorantly.

The official ballot in Virginia is kept secret, and no voter is permitted to know the size, shape, or contents of the same, and when an illiterate voter desired to cast his ballot for Thorp he was asked, "Which Thorp?" and not knowing there were two, or the initials of his candidate, the Democratic judge would say, "Do you want to vote for J. L. Thorp?" If the voter would say, "I want to vote for the Republican candidate," he would be told that the marker did not know which was the Republican, or that they were both Republicans.

This fraud committed by election officers affected every precinct

in the whole district. And when added to other frauds at various precincts in the district, renders them wholly unreliable.

The majority returned for the contestant is	2,621
The contestee admits an error of	133
Leaving contestee a plurality of	2,488
The contestant claims excluded votes at seven precincts amounting to	623

By excluded votes is meant voters who were in line at the polls on the day of election for the purpose of voting, but on account of delays, insufficient voting facilities, or other causes beyond their control, were prevented from exercising their privileges as electors. There were over 1,000 excluded, but only 623 are counted. These 623 were each and every one put upon the witness stand and proved the facts which entitled them to vote and have their ballots counted for the contestant.

No voter has been counted in this case upon tally lists or upon certificates given to tally keepers at the polls.

Time will only allow me to refer to the evidence of two or three of these excluded voters as specimens of all.

Richard Smith says:

Got to polls at 8 o'clock; got in line; tried to vote and was shoved back by a policeman. I went away at 11 o'clock; came back at 4, and remained in line until polls closed.

Edward Holmes:

In line from 9 o'clock until polls closed; would not give me a ballot; Michael Beck every time he would get a sign from a policeman would shove me back.

Hampton King:

I could not get a chance to get in; so many there I could not vote; some one would always be ahead of me. Got at polls to sunrise and stayed until polls closed.

Cato Davis:

Got to the polls at 10 o'clock and remained until the polls closed. I tried to get in and others would get in all the time ahead of me.

Benjamin Alexander:

Was in line five hours and in line when the polls closed. White men came after I was in line, and the policeman who was stationed inside the rope with his club told me to stand back and let those white men pass.

And so we might go on through the entire regiment of 623 excluded voters, calling the roll of these helpless citizens of the United States deprived of the elective franchise, guaranteed to them by the Federal Constitution, by the fraudulent conduct of partisan election officers and infamous election laws corruptly administered.

These 623 Republican voters were, with few exceptions, all colored voters, and they prove: (1) That they were legally qualified voters; (2) that they were at the polls and used every effort to vote; (3) that they were not allowed to vote; (4) that they would have voted for contestant.

Mr. HOPKINS. How many votes of that kind were excluded?

Mr. WALKER of Virginia. Over a thousand, but we only count 623. We count only those who were actually examined as witnesses in the case and upon their oath state the facts.

Mr. MIERS of Indiana. The gentleman says that there were over a thousand who were excluded from voting, and that only 623 were examined. Why, then, does he say that there were over a thousand?

Mr. WALKER of Virginia. Because there were over a thousand of them at the polls that day who were counted by men capable of counting, and who gave certificates that they wanted to vote and were not allowed to do so.

Mr. MIERS of Indiana. Does the gentleman claim that those certificates were competent evidence in this case?

Mr. WALKER of Virginia. Certainly the gentleman has not been listening to my argument. I have twice stated expressly that we have not counted a single one upon the evidence merely of certificates; that we have only counted the votes of 623 men who were put upon the stand as witnesses and examined.

Mr. MIERS of Indiana. Then you do not claim that those certificates are competent evidence?

Mr. WALKER of Virginia. I do not contend for them in this case. This is the third time I have said so. But those certificates are here, and there are over 1,000 persons who are thus certified—about 1,050.

Mr. SMITH of Kentucky. May I ask the gentleman a question?

Mr. WALKER of Virginia. Yes, sir.

Mr. SMITH of Kentucky. Was any declaration made by any of these parties at the time of the election that they intended to vote and were not allowed to do so?

Mr. WALKER of Virginia. Yes, sir. When the polls were closed a list was taken of their names and certificates given that they wanted to vote, but had been rejected.

Mr. SMITH of Kentucky. I understood the gentleman to say he did not rely on those certificates as competent evidence.

Mr. WALKER of Virginia. Not at all in this case.

Mr. SMITH of Kentucky. Then, is there any other evidence as to how those persons would have voted—evidence taken at the time?

Mr. WALKER of Virginia. The gentleman means any evidence besides their own?

Mr. SMITH of Kentucky. Yes, sir.

Mr. WALKER of Virginia. Yes; there is other evidence—evidence that they were Republicans.

Mr. SMITH of Kentucky. The mere fact that they were Republicans would not be sufficient evidence.

Mr. WALKER of Virginia. We do not ask that mere declarations be accepted. We only ask you to count the evidence of witnesses sworn, examined, and cross-examined.

It is further proved that practically all the excluded voters were Republicans, and that few, if any, Democrats were excluded. Add to this startling result the fact that at every precinct in the district the election machinery was in the hands of the Democrats; that at two of these seven precincts all the election officers were Democrats and Democratic officeholders; that at one the so-called Republican was an illiterate negro who could not read and write; that Republicans were not allowed to witness the count, and you have warrant sufficient to believe that these voters were not honestly excluded.

Take the further fact that at precincts where there was a large Democratic majority, with no greater voting facilities, there were as many as 700 and 800 votes polled, while at the precincts where there were large Republican majorities only 350 and 400 votes were polled, while large numbers of Republican voters were left in line.

It abundantly appears that these voters were excluded from no fault of theirs, but by the fraudulent tactics designedly resorted to by Democratic election officers.

These fraudulent practices in Virginia elections by which voters are excluded from voting are well known and have been practiced in that State for twenty-five years. They have been exposed time and again, but, like Banquo's ghost, they will not down. They "bob up serenely" at every election, and receive the plaudits of the successful candidates and their friends, while the guilty election officers are crowned with laurel and rewarded with fat offices.

They bobbed up in this House in the contested election cases of Waddill *vs.* Wise, Thorp *vs.* McKenney, and in Tucker *vs.* Yost, and they have bobbed up in nearly every contested election case in Virginia for fifteen years. They are legion, and are shown to exist in every known variety in this case:

1. By illegally forming lines of white and colored voters where the colored voters are in the majority and voting them alternately, so that all the Democratic votes would be polled early in the day and the Republicans delayed.
2. By not opening polls at sunrise.
3. Adjourning an hour for meals.
4. Judges and clerks absenting themselves from the polls while voting was suspended.
5. Wasting time in unnecessary and frivolous challenges.
6. Delays in squabbling over law questions.
7. Pretending not to be able to find name of voter on registration book.
8. Asking frivolous and vexatious questions.
9. Arresting tally keepers.
10. Delay in calling up voters.
11. Calling up a voter and then sending him back to the line without voting.
12. In calling up voters out of order.

It is not contended that all these methods of delay were resorted to at each precinct where there were excluded voters; but it is asserted that some of them occurred at every such precinct.

Mr. WHEELER of Kentucky. The gentleman represents a Virginia district, I believe?

Mr. WALKER of Virginia. Yes, sir.

Mr. WHEELER of Kentucky. Did what the gentleman just described ever occur in his district?

Mr. WALKER of Virginia. Yes, sir.

Mr. WHEELER of Kentucky. Did it occur in the election to the Fifty-fifth Congress?

Mr. WALKER of Virginia. If the gentleman wants to ask a question, he will please rise.

Mr. WHEELER of Kentucky (rising). I will rise. Did that occur at the election to the Fifty-fifth Congress?

Mr. WALKER of Virginia. Why, my friend, let me tell you. You ask me about what occurred in Virginia.

Mr. WHEELER of Kentucky. No, I confine my question to the gentleman's district.

Mr. WALKER of Virginia. What has my district to do with the question? My seat is not contested. I will tell the gentleman, though, what was done in my district: They cheated me out of hundreds of votes; and the electoral board in Richmond tried to keep me out because some of the votes were cast for "James A. Walker" and others for "J. A. Walker." They said those votes were intended for two different men; and they threw one batch of them out. That is what they did in my district.

We can not in the limited time allowed for this debate refer in

detail to all these seven precincts, but will ask the indulgence of the House while I refer to some of them.

FIRST WARD, PETERSBURG.

The election officers here were all Democrats. It is largely Republican, and only 394 votes were polled, while at the Fifth Ward in the same city, where there is a Democratic majority returned for contestee of 269 votes, 733 votes were polled. There were three voting booths at each of these precincts, so that the voting facilities were equal. The polls at this precinct were closed for an hour each time while the judges were eating their breakfasts and dinners.

Discriminations were made against Republican voters. The judges were men of bad character, and they have been judges at the same precinct for years, and have been proved in former election cases to have been guilty of frauds in excluding voters.

One of the clerks is a rowdy, and another a tin-horn gambler. This notorious tin-horn gambler, named Friend, proposed that when a ticket had the name of one Thorp scratched off, they should scratch off the other Thorp and count the ballot for Epes. And when the judges refused, Friend said he did not know "What they were there for, as they could not afford to let those d——d Republicans carry this ward."

The minority report resorts to arithmetic to prove that there were no unnecessary delays. They calculate that allowing two and one-half minutes to each voter not more than 250 votes could have been polled. This is allowing to each voter the maximum time allowed by the law. Experience proves that on an average not more than one minute is consumed by voters in preparing and depositing their ballots, else how could 733 votes have been polled at another precinct?

But the minority forget, or do not know, that there were three booths at Ward No. 1 in Petersburg, and, allowing the maximum time to each voter, there could have been cast 750 votes at this precinct in ten hours. The minority are as far wrong in their arithmetic as they are in their law and facts; and yet I will not say that these honorable gentlemen "misstate the law and garble the facts." They have only been led into unintentional errors and innocently overlooked the facts established by the record, while following blindly the brief of contestee's counsel.

SIXTH WARD, PETERSBURG.

At this precinct all the election officers were Democrats, and two of them city officeholders.

There were many unnecessary delays, and only 382 votes were polled.

Witnesses prove that the delays at this precinct consisted of (1) delay of fifteen minutes in opening the polls, (2) thirty minutes for breakfast, (3) thirty minutes for dinner, (4) judges and clerks separately were out for ten minutes at a time, aggregating about one hour, during which time no votes were cast—making in all over two hours wasted by these officers.

Discriminations were made against Republican voters, and some voters were allowed to consume from fifteen to twenty minutes in voting. Akers, one of the judges at this precinct, after the election, feeling proud and boastful over the new laurels he had won as a manipulator of votes and a ballot-box stuffer, said to a witness, Dewell: "Tom, you know as well as I do, if the election had been acted properly, that the Republicans would have carried Petersburg by a large majority. The tickets were fixed for that purpose, to keep the people from understanding how to vote." This same judge was detected in the act of mismarking the ballots of Republican voters.

A sample of the ballots used in Virginia is found on pages 642 and 643 of the record, and it bears on its face evidence of an intention to throw every obstacle in the way of an honest voter.

BOYLTON AND CLARKSVILLE.

At both these precincts the judges discriminated by forming the white and colored voters in two lines and voting alternately one white and then one colored voter. The colored voters being largely in the majority, the effect of the arrangement was to allow all the Democrats to vote at an early hour and delay and hinder the Republican voters. The contestant was present at Bodyton precinct and protested against this arrangement as unjust to him, but his protest was disregarded.

PROSPECT.

There were only 394 votes cast at this precinct, and 60 or 70 were left in line when the polls closed.

The delays at this precinct were clearly proved.

Witnesses who timed the voting by the watch prove that it took forty-nine minutes to poll 5 voters, or nearly ten minutes to each voter.

Another witness timed another voter whom it took nine minutes to vote.

There is more evidence of delay at this precinct which we have not time to refer to here.

LAWRENCEVILLE.

The evidence of delays at this precinct are the same as at the others.

Eighty-seven Republicans were excluded and not a single Democrat.

BLAND PRECINCT.

Only 263 votes were polled, and 23 Republican voters were excluded.

The polls were not opened until the sun was an hour high, and the voting was suspended several times during the day.

Discrimination was made in favor of Democratic voters, and the judge refused to assist illiterate voters.

THE LAW AS TO EXCLUDED VOTES.

That such votes will be counted in this House is well-settled law. It has been the law in contested-election cases heard and decided by this body for more than twenty years, and by those decisions we must be guided in this case or overturn established precedents.

It was so held by this House in Ball *vs.* Snyder, Forty-fifth Congress (1875-76); in Wallace *vs.* McKinley; Wise *vs.* Waddill; Mudd *vs.* Compton; Yost *vs.* Tucker, Fifty-fourth Congress; Sessingham *vs.* Frost, Forty-seventh Congress.

Extracts from those decisions will be found on pages 46 and 47 of the report of the committee, to which the attention of members is called.

Mr. Paine, in his well-known work on Elections, page 517, says:

It is now an established rule of the House of Representatives that a vote duly offered and unlawfully rejected at the polls will be counted in a contest.

Mr. MIERS of Indiana. I know the gentleman wants to be fair.

The SPEAKER pro tempore. Will the gentleman from Virginia yield to the gentleman from Indiana?

Mr. WALKER of Virginia. I yield for any proper question, sir.

Mr. MIERS of Indiana. I will ask if there was not a Federal statute, section 2007, in force at that time, which provided that where the elector went forth to cast his vote and was prevented, it should be taken as having been cast, and if all the precedents you have quoted were not made under that authority?

Mr. WALKER of Virginia. No, sir. That statute had nothing to do with and did not affect the case. That will be answered by another gentleman upon this floor. I will not attempt to answer it now, except in a word. In the case of Yost *vs.* Tucker, decided since section 2007 was repealed, in the Fifty-fourth Congress, 16 votes excluded at Jackson River precinct were counted and so stated by the committee, and that part of the report was agreed to by all the committee and by every member of the House.

It is contended that under the Virginia statute excluded voters can not be counted because an official ballot is provided for, and the law says "none but an official ballot shall be counted," and because the statute prescribes the manner in which the official ballot shall be prepared by the voter.

It is admitted that when a voter places a ballot in the box it can not be counted unless it is an official ballot properly prepared; but the question here is not whether a ballot shall be counted, but whether a voter who was entitled to vote and who was, by fraudulent methods, prevented from procuring an official ballot and from voting, shall be counted. We do not ask to count an illegal ballot. We ask to count legal voters who, without their own fault, were prevented from complying with the law.

It is contended, too, that, in proving excluded voters, we can only prove that the excluded are registered voters by the production of the registration books themselves; that these books are official records and primary evidence, and that parol evidence of the voter himself is only secondary. Who are registered voters? A registered voter is a citizen who, possessing all the requisites for a legal voter, goes before the registrar at the proper time and place and satisfies the registration officer of his right to register and vote at that precinct.

It does not matter that his name is by the registrar not put upon the list of registered voters.

Recording his name on the book is not registering a voter; it is a subsequent memorandum of the fact, which may or may not be correct.

If by accident, mistake, or design the registrar fails to place the name on his book, the voter is nevertheless a duly registered voter. If he admits John Jones to registration, and by mistake records his name as John Smith on the book, John Jones is a registered voter, although his name is not on the list, while John Smith is not a registered voter, although his name appears on the book.

A deed required by the registry law to be recorded in order to have the effect of notice is a recorded instrument when delivered to the clerk or other register of deeds for registration and the fact indorsed thereon. Recordation is not spreading the deed in extenso on the deed book. That is only a subsequent and independent duty required of the register.

None can vote in Virginia but male citizens over 21 years of

age. Would the fact that a woman's name appeared on the registration books be primary evidence—the best evidence—that she was a male citizen and entitled to vote?

The entries on the registration books are mere subsequent memoranda of the fact that a voter is registered and not the fact itself. These books in Virginia are not public records which import verity in themselves. They are primary evidence only of the fact that the name of a person is actually on them, or not; but they are only prima facie evidence that a citizen is a registered voter at that precinct. The primary evidence of that fact is the parol evidence of the voter himself and of other witnesses who can testify to the facts which prove him to be a duly qualified voter.

The law as to this kind of public record is thus stated in Mudd *vs.* Compton and in McCrary on Elections, and 1 Greenleaf on Evidence, section 86:

> Where, however, the record or document appointed by law to be kept is not part of the fact to be proved, but is merely a collateral or subsequent memorial of the fact, such as the register of births and marriages and the like, it has not this exclusive character, but any other legal proof is admitted.
>
> A census of population taken under authority of the United States by sworn officers is admissible as prima facie evidence. But of course this is not the most reliable sort of evidence, as there is always great room for mistakes and inaccuracies. The census returns are by no means conclusive. (McCrary on Elections, section 428.)

In Virginia, where only freeholders could vote, and books were made out annually intended to contain a list of all the separate tracts of land and the owners' names, it was held that these books were admissible in evidence; and McCrary on Elections, section 430, says:

> These books were undoubtedly admissible upon the same principle that census returns are admissible in evidence, but they are only prima facie and approximately correct. Books and records of this character are necessarily more or less inaccurate and erroneous, and do not have the conclusive character which attaches to some other public records.

In section 435, McCrary on Elections, it is said:

> The fact that a voter has been registered under a statute providing for the registration of voters and authorizing a board of registration to inquire and decide as to the qualifications of persons applying for registration is by no means conclusive as to his right. It is competent to introduce evidence on the trial of an election contest to show that persons registered as voters under such a statute were nevertheless not legal voters.
>
> The Houses of Congress in election contests are not bound by the technical rules of evidence which govern proceedings in courts of justice. (McCrary, section 388.)
>
> It is undoubtedly the policy of the law not to throw too many obstacles in the way of investigating the correctness and bona fides of election returns. On this point the court, in Reed *vs.* Kneass, very justly observe:
>
> "The true policy, to maintain and perpetuate the vote by ballot, is found in jealously guarding its purity, in placing no fine-drawn metaphysical obstructions in the way of testing election returns charged as false and fraudulent, and in assuring to the people by a jealous, vigilant, and determined investigation of election frauds that there is a saving spirit in the public tribunals charged with such investigations, ready to do them justice if their suffrages have been tampered with by fraud or misapprehended through error."
>
> It is in the spirit of this rule that questions respecting evidence in contested-election cases should be solved. (McCrary on Elections, section 407.)

Mr. SMITH of Kentucky. Will the gentleman allow me to ask him a question?

Mr. WALKER of Virginia. Yes.

Mr. SMITH of Kentucky. Do you take the position that the law authorizes this House to count the vote of a man who never got to the polls?

Mr. WALKER of Virginia. Yes, I do; and it has so been held for twenty years in this House.

We will now consider nineteen precincts returns from which are rejected by the committee.

At each of these precincts the county and city electoral boards, in violation of the mandatory provisions of the Virginia election law requiring that, "whenever possible to do so, the judges shall be chosen for each voting place from persons known to belong to different political parties, each of whom shall be able to read and write," refused to appoint any but Democratic judges. It is proved that there were Republicans at each of these precincts qualified and willing to serve as judges; that their names were furnished to the electoral boards and their appointment urged by Republicans and by Gold Democrats, but they refused to do so.

The clerks, constables, and policemen at these places were, with one or two exceptions, also Democrats.

It is true the statute says that—

> No election shall be invalid when the judges do not belong to different political parties, or who do not possess the above qualifications.

This clause was never intended as a cover for fraud. Fraud vitiates all transactions.

Where it is shown that the failure to comply with this law is so general and universal in a county or a city as to convince fair-minded persons that it was willfully and corruptly done with the design of defeating the will of the electors and aiding in the return of their own party candidates, the returns must be rejected. No statute, no legislative enactment, can legalize fraud or place it beyond the reach of this House when called upon to exercise its constitutional prerogative of "judging of the election, qualifications, and returns of its own members."

In the six wards of the city of Petersburg there was not a single election officer who was not a Silver Democrat—a supporter of Bryan, Sewall, and Epes. There were hundreds of educated, intelligent white Republicans at each of these wards, and the names of a number of them were laid before the electoral board and their appointments urged, but these humble petitions were met by a flat denial. Here was a willful and deliberate violation of the law and a contemptuous disregard of the rights of other political parties. This is itself prima facie evidence of conspiracy and fraud on the part of these election officers sufficient to discredit the returns from every ward in this city.

That this was a willful and deliberate fraud is made more apparent when we turn to the record in the contested-election case of Thorp *vs.* McKenney, in the Fifty-fourth Congress, where the judges at these same six wards were all Democrats except one. This fact was then commented on, and the report of the committee in that case, on page 21, says:

> Your committee is of the opinion that the entire vote of the Second, Third, Fourth, Fifth, and Sixth wards of the city of Petersburg, where all the election officers were Democrats and other fraudulent and illegal acts are shown, should be rejected.

The same men composed the electoral board, and in almost every case the same judges were appointed by them in the city of Petersburg in 1896 as in 1894, and they were therefore not ignorant either of the law or of the ruling of this House in the Thorp-McKenney case. The explanation of their oft-repeated frauds is found in the fact that they have no fear that their crimes will be punished by Democratic State officials, and there is perhaps no other law to reach them. The only remedy for this evil lies in the correcting hand of the House of Representatives by rejecting all such returns. But we have not read the half of this chapter of frauds committed in the city of Petersburg.

Most of the election officers in that city have been acting as such for many years. The electoral boards have civil-service rules for judges and clerks of election, and every applicant must by examination prove that he is an adept in fraud. They are trained experts at the business, and some of them have figured in every contested-election case from the Fourth district and have most unsavory reputations as election officers and as citizens. A number of them were Democratic officeholders in the city. Their bread and meat depended on keeping the city in Democratic hands. Others were officers and workers in the Democratic organization of the city.

Lewis Sheffield, judge in the First Ward, is a disreputable character and a rowdy.

The reputation of John W. Friend, jr., a clerk of the election at this ward, is very bad. He is called by the witnesses "a tin-horn gambler."

At this ward the judges positively refused to permit Republicans to witness the count of the vote.

At the Fifth Ward, Vaughan and Kilmartin, two of the judges in 1896, have been judges ever since the city has been Democratic.

Their reputation as election officers is very bad. "They will do anything they are told to carry an election."

Akers, another judge at the Fifth Ward, is a regular, standing, trained, expert fraud and ballot-box stuffer. He has been a judge of election at this ward for many years and figured in the contested election cases of Langston *vs.* Venable, Thorp *vs.* McKenney, and now again in this.

Mr. HAY. In that precinct to which the gentleman has referred, did not everybody who wanted to vote do so?

Mr. WALKER of Virginia. I do not recollect as to that with certainty.

Mr. HAY. I do recollect.

Mr. WALKER of Virginia. Nevertheless, whether everybody voted or not, that was one of the methods they used; and they went a quarter of a mile to arrest a poor innocent man, and tried him and sent him to jail, contrary to law and without law.

Mr. HAY. Did they send him to jail?

Mr. WALKER of Virginia. Yes, sir; one man was sent to jail and kept there all night.

Mr. HAY. I defy the gentleman to point out in the record the proof that any man was sent to jail from that precinct.

Mr. WALKER of Virginia. Not from that precinct.

Mr. HAY. Ah, well!

Mr. WALKER of Virginia. "Ah, well!" I say that the judges improperly and illegally went a quarter of a mile and arrested a man simply because he was keeping tally. "Ah, well!"

Mr. HAY. They did not send him to jail.

Mr. WALKER of Virginia. I say that that man was sent to jail and kept there over night.

Mr. HAY. I say the record does not show it. The gentleman can not show it by the record.

Mr. WALKER of Virginia. I can.

Mr. HAY. And you can not show a great many other things by the record that you have said.

Mr. WALKER of Virginia I am sorry my friend is losing his

temper; but I am used to that. Whenever you scratch the back of a Virginia Democrat you scratch a fellow who gets fearfully mad about fraud. If you want to make them mad, just talk about frauds, and immediately they are in arms. They plead guilty by showing their temper.

Mr. HAY. Perhaps the gentleman speaks from experience, because he was for a very long time a Virginia Democrat.

Mr. WALKER of Virginia. Yes, I was a Virginia Democrat, and I was one for a long time; but I am not one now.

Mr. HAY. Yes; we know that.

Mr. WALKER of Virginia. And I never expect to be one again until you Democrats become honest in elections. [Applause on the Republican side.] When I was a Democrat the party was honest; there was no cheating at elections.

Mr. BURKE. The frauds of which the gentleman complains have been perpetrated, then, by Democrats of Virginia since he withdrew from that party?

Mr. WALKER of Virginia. I can not have my speech cut up in this way. I am willing to yield to any proper interruption.

I invite the attention of the House to the testimony of C. W. Epps, on pages 625–626 of the record, to show that I am correct and that a citizen was illegally imprisoned by Democratic judges:

1. Q. What is your name, age, occupation, and place of residence?
A. Charles W. Epps; age, 40; stone mason; West street, near Farmer street.
2. Q. How long have you been a voter in the Fifth Ward of this city?
A. About fourteen years.
3. Q. On last election day, November 3, 1896, did you vote?
A. No, sir.
4. Q. At that time were you at the polls to vote?
A. Yes, sir.
5. Q. Please state why you did not vote.
A. It is because I was arrested, sir, and could not vote.
6. Q. Please state by whom you were arrested and on what charge.
A. By Mr. Mulcaha. He said that I was seen carrying men across the street to get certificates, which I had not carried a solid man there at all, which the officers know; which the officers at that house knows.
7. Q. When Officer Mulcaha approached you, what did he say to you, and what, if anything, did you say to him?
A. I was standing up outside of the lot on the street talking with Sam Scott, and in about two or three minutes after we was talking he walked off. Mr. Mulcaha walked up to me and taken me by the arm and says, "Come on here, sir, and go with me." I ses, "Sir, what have I done?" I had not done anything. I ses, "Sir, have you a warrant?" He ses, "Damn the warrant; come and go with me, sir." Then he takes me and carries me inside the yard and up through the rope to the office; then stands me there at the door until he then gets the paper; then brought me down to the jail and put me in the cell and kept me there about the course of an hour or two; then takes me out of there and puts me in another room; then takes me out of that room and puts me in another room, which was the third room, and they kept me there until the next day after 10 o'clock; then calls me up in the office of the jail and said to me, "We will turn you out of here now of our own authorities until next month, and if we need you to have you up before trial we have got your address and will send you a written notice. You can go on home now."
8. Q. Were you ever carried before the mayor as to your arrest on that day?
A. No, sir.
9. Q. Were you ever tried as to that arrest?
A. No, sir; I was not.
10. Q. Were you ever shown any warrant in the matter?
A. No, sir.
11. Q. If you had not been arrested, and thus prevented from voting, for whom would you have voted for Congressman from this the Fourth Congressional district?
A. R. T. Thorp. I can read and write a little.

Andrew Meade, one of the Democratic judges at Sutherland, is a notorious ballot-box stuffer and manipulator.

Williams, another judge, is a guard at the State penitentiary at Richmond, and his services at elections in the capacity of judge are so indispensable that he quits his post of duty to commit crimes against the elective franchise more heinous than those committed by the convicts he guards.

Trent Dalton, another judge at this ward, is thus described by a witness:

Judge Trent Dalton would not only stuff a ballot box or steal ballots, but would steal the cents off a dead man's eyes, in my opinion.

If this is not enough to discredit the returns from these wards we can give other evidences of fraud.

They refused to allow witnesses to the count of ballots, as the law requires, saying:

We do not intend to be watched.

Judges refused to assist illiterate voters, delayed and hindered Republican voters, and discriminated in favor of Democratic voters.

Tally keepers were driven off and threatened with arrest.

But one more chapter is all we can take time to add to this volume of fraud.

In every one of the six wards there is a discrepancy between the vote polled, as shown by the poll books, and the vote returned, which is unaccounted for. The certificates given by voters in the city stating that they had voted for contestant exceeds the vote returned for him by 500 votes.

In five wards in Petersburg 337 votes are not accounted for, and in one there are 19 votes more returned than were cast.

These discrepancies are alone sufficient to discredit the returns from the precincts where they occur.

The discrepancy proves either fraud or mistake on the part of the election officers, and either vitiates the return.

The law as to failure to appoint judges belonging to different political parties is thus laid down in English *vs.* Peele, Forty-eighth Congress:

The credit which is due to the returns is greatly impaired when it is shown that 54 of the 56 voting places in the city were controlled by partisan officers who were more or less parties to the general fraudulent intent which pervaded the managers.

In Threat *vs.* Clark, Fifty-first Congress, the committee said:

The committee is of the opinion, when the course is systematically pursued of appointing on the electoral boards to represent the minority or opposition party persons not indorsed by that party, and about whose loyalty to the party whose interest they are expected to guard there is a question, or of appointing persons who are unable to read or write when there would be no difficulty in finding men well qualified in these respects, ought of itself to be considered evidence of a conspiracy to defraud on the part of the election officers. This was clearly a violation of the law on the part of the board.

In McDuffie *vs.* Turpin (Fifty-first Congress) the committee said:

When the law provides that each of the two political parties shall have a representation on the election board of inspectors, it is a provision to prevent dishonest persons from making false returns, and in such case the appointment of men incompetent to determine whether the return is honest or not to represent the party opposed to the appointing power tends to prove an intent to prevent that watchfulness intended to be secured by the statute and raises a strong suspicion of—if it does not wholly prove—a conspiracy to falsify the returns.

In Lunenburg County all the judges were Democrats—seven precincts in all. It is not necessary to go over all these precincts, as Petersburg is a fair sample of all.

We now come to the returns from six precincts, at each of which the electoral boards, under the pretext of appointing a Republican judge, appointed either pretended Republicans who were not accepted as such by that party, or who were corrupt bribe-takers, or who were educationally, morally, or intellectually unfit for the position, and where, in addition, frauds were proved sufficient to reject the returns.

At Lawrenceville the Republican judge could not read or write. This illiterate man is examined as a witness, and his testimony is too entertaining to be passed by in silence. Here it is:

3. Q. Are you one of the judges who conducted that election, and were you appointed by the electoral board as a representative of the Republican party?
A. Yes, sir.
4. Q. Can you read and write?
A. No, sir; that was my objection to being a judge.
5. Q. Then, you could not prepare the official ballot, could you?
A. No, sir; not by my own knowledge.
6. Q. Did you in fact prepare, or attempt to prepare, any ballots for illiterate voters?
A. Yes, sir; I did.
7. Q. For what kind of voters, white or colored, and at what time of the day did you prepare the ballots for them?
A. Colored voters altogether; and I started when the sun was about two hours high in the afternoon.
8. Q. Why did you attempt to assist any illiterate elector in preparing his ballot?
A. Because Mr. Vaughan, one of the other judges, said he had tramped until his feet were blistered, and he wanted me to mark, and I told him I couldn't do it. And he said, "Yes, you can; what is to hinder you from doing it?" I told him I didn't know how to read; that I didn't know the Presidents on there. He said, "Yes, you do; you can mark that ticket good as I can."

I told him I could try it. Then I did try it, and I marked three tickets wrong right away, and they were voted as I marked them, and we found them in the box that night and they were not counted. They were properly prepared for Mr. R. T. Thorp, but my recollection is they were not counted for him either. In attempting to mark the name of the Vice-Presidents off I marked off the words "For Vice-President" instead of the name. I would have continued to mark that way if it had not been for Edward Green, who could read, calling my attention to it. I only knew Mr. Thorp by "R. T." and McKinley by "M.," and by their position on the ballots. After that I did not mark any more wrong; I marked them all right.

9. Q. Can you spell "boy"?
A. Yes, sir; I reckon I can.
10. Q. Let me hear you.
A. B-o-y—boy.
10½. Q. Can you spell "butter"?
A. No, sir; I think you have got me now; I can't spell "buttor."
11. Q. Have you ever written a letter to anybody in your life?
A. No, sir; dat I don't. I have to get somebody to write for me. I wish I could write, but I can't get there. I wish to God I hadn't been judge. I didn't want to be judge, no way.
12. Q. Mr. Vaughan, one of the other judges that you have mentioned, got his feet blistered after all the Democrats had voted, didn't he?
A. Yes, sir; you know it all. You don't need to ask me nothing.
13. Q. Were Mr. O'Connor's feet blistered at that time?
A. If they were he didn't say so. They ought not to have blistered as long as he stayed in the booth. He sat down in there and rested himself.
14. Q. Why didn't he help the illiterate colored voters in the afternoon in preparing their ballots?
A. I don't know, sir. He looked like he didn't want to help some of them. One came in to vote and asked who was to help him. I pointed to Mr. O'Connor and said: "There is a gentleman who will help you." Mr. O'Connor didn't notice the voter when he asked him to prepare his ballot for him. I then told him: "Mr. O'Connor, there is a man who wants to vote; you ought to help him; his time is going away; he can't vote presently, and why don't you go on and help him?" He then turned back to Mr. Vaughan and whispered to him. I then said:

"Mr. O'Connor, why don't you go and help the man? He can't prepare his ticket without your help." Mr. O'Connor went past the door and came back to me again and said: "Look here, you 'tend to over there and I will attend to this side." I told him I thought as a judge I had the privilege of speaking to him, and all I had done was to tell him politely that a voter needed his help. Mr. Sledge and Mr. Hicks, the clerks of election, said: "Ben, you had better mind; that man is a stranger here, and he will get on you if you don't look out." I told them I didn't mind his getting on me; he couldn't stay on me.

15. Q. Now, Mr. Vaughan and Mr. O'Connor, the other two judges of election, were Democrats, weren't they?
A. Yes, sir; or Popocrats one; I don't know which.

16. Q. Now, as I understand, the task of assisting illiterate voters was delegated to you after all the illiterate Democrats had voted, and illiterate Republicans only remained to vote?

A. Yes; sir. If any Democrats at all came in they were mighty few, and they marked their own ballots.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. CRUMPACKER. I ask unanimous consent that the gentleman be permitted to conclude his remarks.

Mr. WALKER of Virginia. I will be very brief.

Mr. HAY. If the gentleman's time is extended, I ask that the same courtesy may be extended to the other side.

The SPEAKER pro tempore. The Chair does not understand that this enlarges the time for that side.

Mr. HAY. Very well, then.

The SPEAKER pro tempore. Unanimous consent is asked that the gentleman from Virginia [Mr. WALKER] be permitted to conclude his remarks. Is there objection?

There was no objection.

Mr. MIERS of Indiana. That is to come out of the four hours' time on that side?

The SPEAKER pro tempore. Undoubtedly.

Mr. WALKER of Virginia. I will not use a great deal more time. I am much obliged to the gentleman and to the House.

Mr. SETTLE. How many did he mark wrong?

Mr. WALKER of Virginia. I could not tell that. We did not take account of that. They were pretty much all marked wrong, though.

At this precinct the Democratic judge marked the ballots for illiterate Democrats, but refused to mark them for illiterate Republicans.

Gross discrimination was practiced by the judges at this precinct against Republican voters. One hundred and seventy-seven voters gave certificates on the day of election that they voted for contestant, while only 157 were returned for him. There were 87 excluded voters at this place.

POARCH AND ROSS.

At this precinct the pretended Republican judge was a Democrat and voted for contestee. He was examined as a witness, and when asked who represented the contestant as judge at the polls, answered: "I represented him, but did not vote for him." He is proven to have been corrupt. He demanded $10 as the price of helping contestant at the polls, and when it was not forthcoming said: "The precinct will surely go Democratic;" and it surely did. The returns from this precinct bear evidences of fraud upon their face.

Forty-two ballots were burned contrary to law. This is a favorite method of disposing of telltale rejected tickets, in obedience to the piratee' maxim that "dead men tell no tales." The judges certify that the number of electors at this precinct is 199, while the poll books contain the names of 263 electors.

Here is a discrepancy between the ballots actually cast and the number of names on the poll books which is wholly unaccounted for and is sufficient in itself to justify the rejection of the precinct.

The contestant was allowed 89 votes, but 151 electors give certificates that they voted for contestant. If all the burned ballots are added to the vote returned for contestant, it makes 131, or 20 less than the certificates give him.

SUTHERLANDS.

At this precinct the so-called Republican judge was a negro, who could not read or write, and who was used during the day as a menial servant about the polls, carrying water, etc.

There is a discrepancy at this precinct between the votes cast and the vote counted of 10 votes.

No tally sheet was kept at this precinct, because the judges threatened to arrest anyone who attempted to do so within half a mile of the polls.

This is the precinct where Meade and Dalton were judges, the notorious ballot-box stuffers, who, it was testified, would "do anything in elections; would steal ballots; would steal the cents off a dead man's eyes."

The Democratic judges at this precinct refused to assist illiterate voters.

POWHATAN.

At this precinct the Republican judge was so illiterate that he could barely read and write, and the Democratic judges refused to assist illiterate voters. He would commence at the top of the ticket and read it through, but would not point out the names to or mark the ballot for the voter.

Republicans were threatened with arrest if they attempted to keep tally lists.

There is a discrepancy at this precinct between the votes polled and the votes returned of 66 votes, which is not explained or accounted for, which vitiate the returns.

LEES MILL.

At this precinct the Democratic electoral board refused to allow the Republicans a judge, although requested to do so. The man they claimed was a Republican judge is shown to have been a hired Democratic canvasser, who had not voted the Republican ticket for fifteen years.

He has been a judge at this precinct for many years, and although the Republicans have several times asked his removal it has been refused. He is too good a card to be dispensed with in this game of universal fraud. He voted for the Democratic candidate for Congress in 1894 against the contestant. He voted for the entire Silver Democratic ticket in 1896, and still we are told he is a Republican and a representative of the Republican party as a judge.

The judges refused to assist illiterate Republican voters, and discriminations were made in favor of Democratic voters at the polls. There is a variance between the number of votes cast and the number accounted for, and there is no mention of illegal ballots.

One hundred and thirty-seven voters certified that they voted for the contestant, being 66 more than were returned for him.

WAKEFIELD.

The Republican judge at this precinct, J. R. Boding, could not read or write. His testimony is taken, and he admits he could not prepare his own ballot, but had to call on one of the Democratic judges to prepare it for him.

He testifies:

I can read and write very little, sir. I never went to school any; not a minute. We had leading men there. I was not the foreman in the election. I term all them white men foremen. I was put there as a man. I was there at their call. I did not have any books or papers of any sort placed in my hands to conduct the election with. I was not any leader there; bound to tell you that.

The Democratic judge admits that he refused to mark ballots, though requested to do so by 50 voters or more, and only marked for 4, who were physically disabled. All but 6 voters marked their ballots in his presence, and yet 92 ballots were rejected at this precinct because improperly marked. This proves conclusively that there was fraud on the part of this Democratic judge. In fact, he admits that the assistance rendered by him did not have the effect of enabling the voter to prepare his ballot properly.

This concludes the 6 precincts at which the so-called Republican judges were unfit to represent that party.

Rejecting these 6 precincts and the 19 at which there were no Republican judges, and counting the 623 excluded votes, gives the contestant a plurality of 812 over the contestee.

But there are 6 other precincts which should be rejected on account of frauds and irregularities proved sufficient to discredit the returns.

These six precincts are Hicksford, Rylands, Lewiston, Spring Creek, Blackwater, and Stony Creek.

(1) HICKSFORD.

The returns from this precinct are wholly unreliable.

Three hundred and sixty-nine voters appear on the poll book as having voted. There were returned for Congress 219, rejected 74, making total accounted for 293 out of 369, leaving 76 unaccounted for.

The two Democratic judges at this precinct are examined and give no explanation of this variance between the returns and the poll books. Republican tally keepers prove that 141 voters gave their names as having voted for contestant.

The bogus candidate, J. L. Thorp, received one more vote than contestant at this precinct by reason of the deceit and fraud practiced on them by Neblett, the marker of ballots.

(2) RYLANDS.

Total vote	277
Returned for Congress	250
Unaccounted for	27

There were no rejected ballots proved at this precinct. This discrepancy alone discredits the return.

Tally keepers were arrested, but the Republican judge heard voters tell the marker how to mark their tickets and kept a memorandum thereof, which showed 150 for contestant, and yet he was only returned 106, and J. L. Thorp 6.

(3) LEWISTON.

One hundred and eleven electors give certificates on the day of election that they voted for contestant, and 103 are examined as witnesses, and yet only 52 are returned for him. Add to this the 17 rejected votes, and it leaves 42 unaccounted for; and if you charge to him the 23 returned for J. L. Thorp, it leaves 20 unaccounted for. Or, if you take only the voters who testified, it leaves a discrepancy of 12.

This discrepancy discredits this precinct.

(4) SPRING CREEK.

There were polled here 220 votes.

There were returned for Congress	165
Void ballots rejected	50
Leaving unaccounted for 5 ballots	5

The Democratic judge assisted Democratic illiterate voters, but refused to assist illiterate Republicans.

(5) BLACKWATER.

There were cast here 201, returned for Congress 99, or less than half the votes actually cast. There is no mention of any void ballots at this precinct. The judge refused to mark the ballots for illiterate voters.

It was agreed between the Democratic judges in the morning before the voting began that the judges had no right to mark the ballots for illiterate voters, but only to point out names and let the voters do their own scratching. The Democratic judge who pretended to assist voters is examined as a witness and testifies:

Q. If a voter told you that he desired to vote for McKinley, Hobart, and R. T. Thorp, please state what instruction you gave him.
A. I would just point out them to him.
Q. You have testified you allowed some of the electors to vote for two Congressmen. Did you know that this ticket would be thrown out?
A. Why, of course it would be, if they left two candidates on there. Some of them left all three; they never asked me, and I never told them, either, if I was put there again.
Q. Is it not a fact that some of the Democrats you assisted were perfectly able to prepare their own ballots?
A. Some of them might have done so.

Two hundred and one ballots were cast; 56 were left in line and excluded; and out of this total of 257 voters who voted and tried to vote, only 99 were counted. Eighty of those returned were counted for contestee, leaving only 19 for contestant. Yet 105 of the 201 votes polled were cast by colored voters.

Each of the 56 excluded colored voters swore they would have voted for contestant if they had been permitted to vote.

Still further, of the 201 whose names appear on the poll books, 105 are colored Republican voters and 96 are whites. Only 80 were returned for contestee, showing that at least 16 whites voted for contestant. Taking these 16 white votes from the 19 returned for contestant, it gives him only 3 colored votes out of the 105 who actually voted. Take the 102 votes unaccounted for and add them to the 19 returned for contestant and you have 121, which is just equal to the 105 colored votes and the 16 whites. It is thus shown that every one of the 105 votes cast, except 3 who marked their own ballots, were rejected.

(6) STONY CREEK.

Total vote polled	211
Total vote returned for Congress	176
Total vote rejected	18
	194

Here, again, we have a discrepancy of 17 votes.

The judge of election admits that he refused to assist "a heap" of the voters.

The contestant was returned only 59 votes, and 96 give certificates on day of election that they voted for contestant and 70 gave certificates that they were excluded.

Rejecting the returns from the last six precincts increases the contestant's majority by 291.

Giving him his vote proved at Lewiston (104) and the 291 makes contestant's plurality over contestee 1,207.

Now, Mr. Speaker, I will conclude what I have to say about this case. In half a day I could not point out all the frauds and irregularities in it. The record contains twenty-three hundred or twenty-four hundred pages. To go over it and point out all the irregularities and frauds perpetrated would take a day. I have only had time to run over them very hastily and to give you the conclusion arrived at by the six Republican members of the committee. That conclusion is beyond doubt the law in this case, and I think that the contestant ought to be seated, as he was seated two years ago in a contest from this district. [Applause on the Republican side.]

Mr. MIERS of Indiana. Mr. Speaker and gentlemen of the House, I am quite sorry there are so many vacant seats on the Republican side of the Chamber. The duty that we perform under the Constitution when judging of the election and return of a member is, in my judgment, one of the highest duties that a member of this House is called on to perform.

In this Republic the individual elector who corrupts the ballot commits a crime against the Government. The election officers, if they follow in that corruption, commit a higher crime, by reason of the fact of the higher place they hold in our form of government. And the member of this House, occupying the conspicuous place of a seat in the great American Congress, the observed of all electors, who casts a vote which gives to a contestant or a contestee a seat to which he is not entitled—pardon me, gentlemen, for saying it—commits a much higher crime.

In this Republic of ours there is no place where might makes right. This institution of ours is founded on honest ballots. Yes, gentlemen on the other side of the Chamber, I will agree with you that it is founded on a fair election, an honest count, and a faithful certificate; and, gentlemen of this House, I will agree with you, if the facts stated in the majority report of this case are true, there is but one duty to perform, and that is to adopt the resolution offered by the majority of the committee and give the seat to the contestant. If the facts stated are not true, then I assert, under the Constitution and under your oaths, you have no right to give it to him.

I do not claim more patriotism for myself or the gentlemen on this side of the Chamber than I concede to the other side. I know there are on both sides of this Chamber distinguished jurists—men who, if presiding over a court of justice, would not know Democrat or Republican in determining the law or finding the facts of a case, and would deem it as an insult for anyone to expect it. How is it here? Do reason and patriotism always control?

This is the highest court in the land, the most conspicuous tribunal in the entire Government. A few days ago, in an election contest, I heard four most eloquent speeches upon this side of the Chamber. They were able, earnest, patriotic, all delivered by Democrats, in favor of seating the contestee, who was a Democrat. On the other side of the Chamber I heard four more speeches, equally able, earnest, and patriotic, delivered with quite as much zeal, all in favor of the contestant, who was a Republican.

Mr. WHEELER of Alabama. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. For what purpose?

Mr. WHEELER of Alabama. My point of order is this: That the order with regard to this case is that it is to be discussed before the House for eight hours. There are but sixteen Republicans in the House. It is not being discussed before the House, and the House ought to be brought here, so that the order can be carried out.

The SPEAKER pro tempore. The Chair overrules the point of order. The gentleman from Indiana [Mr. MIERS] will proceed.

Mr. GRIGGS. Mr. Speaker, would it be in order to suggest a suspension of the proceedings until the jury can get back into the House?

The SPEAKER pro tempore. The Chair thinks the gentleman from Indiana [Mr. MIERS] is entitled to the floor, and he will proceed.

Mr. MIERS of Indiana. Mr. Speaker, I have no question about the conscience of the member who shall finally vote. He must be his own keeper. But I was proceeding to say that a little further along, when the roll was called in the case, where there was a record of over 2,000 printed pages and no less than half a dozen intricate law questions, every Republican resolved the law questions and the facts in such a way in his mind as to permit him to vote for the contestant. Every Democrat so found the law and the facts as to be able to vote for the contestee.

I put it to you as liberty-loving patriots, not as Democrats or Republicans, whether it does not look a little bad for the high character of this Republic of ours, where everything depends on an honest ballot, where, if perchance the old ship of state is steered toward the breakers, there is no power save that of an honest ballot to change its course, or, if it is on the highroad to prosperity, there is no way to keep it there save by an honest ballot. That ballot, gentlemen, when you come to determine to whom you will give the seat, ought to be determined by reason and your best judgment; it ought to be determined on a high order of patriotism; and yet I would suggest, gentlemen, in the consideration of the case about two weeks ago it was not the highest order of reason, but possibly it was disposed of as a political question.

The case at bar was submitted to the Committee on Elections No. 3, with a record of two volumes of that size [indicating], 2,600 pages. When submitted to the Committee on Elections No. 3 it was argued by able and learned counsel on either side for two days, and an elaborate and labored brief was presented on either side. The question was then referred to a subcommittee. That subcommittee consisted of two Republicans and one Democrat. When that subcommittee came to make its report the two Republicans signed the majority report, and the Democrat signed the views of the minority.

It came along a little further, gentlemen of the House; it came back to the entire committee with a record of 2,600 pages, involving law questions and questions of fact, and the committee divided along party lines. Do you suspect, gentlemen, that a Democrat is so constituted that he does not know it is a political question, or that the Republicans do not know it is a party question, when we have found substantially all the Democrats on one side and all the Republicans together on the other side? Or has the time come, gentlemen, in this great House, representing the most patriotic,

the most learned, and most loved of any country, where there is more justice than in any other, when a gentleman who has made the race on either side stops, not to see whether fraud has actually been committed, but waits for the returns, to see whether it is to be a Democratic or Republican House?

If a Democratic House, then the Democrat contests; if a Republican House, then the Republicans enter a contest; until to-day, gentlemen—and I am not charging you, my Republican friends, with it more than I apply to this side of the Chamber. I simply want you to answer this question: To-day you have a Republican House; at the beginning of this session you had twenty contests. No contestant was a Democrat. Why? Because a Democrat knew he need not come to a Republican House with a contest. They were all Republicans. Why? Because I suspect, to say the least of it, they thought all they needed to do was to come and cry "fraud" to a Republican House.

Ah, gentlemen, without reasoning further from a patriotic standpoint, I would call your attention, from a financial standpoint, to the fact that there is already filed as costs in these contests over $260,000. Your statute provides for an allowance of not more than $2,000 to each side. Twenty times 4 is 80, making $80,000 that will actually be allowed, and nobody knows how much more. Since the statute has been in force I find there has been $680,000 paid as expenses of election contests. Why is it? Is it, gentlemen, to subserve the honest purpose of seeing that a man has an honest ballot and a fair count, or is it because Democrats may seat their friends who are Democrats and Republicans seat their friends who are Republicans?

If it is, then it is time, gentlemen, we were resolving this question into a question of fact and laying aside partisanship. I said a moment ago I claim no more for myself than I allow to you. I have studied this case, and if as lawyers, if as judges, if as Representatives, but not as partisans, you will give me your attention for the forty minutes' time I have left, I will undertake to show you that you can not seat the contestant by reason of the facts stated in the majority report. If the chairman of the committee, the gentleman who labored long, for an hour and twenty minutes, just preceding me—if he is present, I would like to put a question or two to him, that will resolve this to a fact where there is no getting away from it.

If not here, I will put it to my colleague, Mr. CRUMPACKER, of Indiana, who is a member of the same committee, and I will undertake, gentlemen of the House, to put this case so that each member may understand how he is voting. And perhaps it is well that I should put it to the gentleman from Indiana; for, when I put the question to the gentleman from Virginia awhile ago, he said, "I do not know; another gentleman will answer it." I will ask the gentleman if the case does not hinge on three propositions. The majority report states that this is a Republican district.

There may be some question about that, but I will not take your time to discuss it. They say, being a Republican district, proposition No. 1 is that the Republicans voted for the contestant, Mr. Thorp. Then proposition No. 2 is, they propose to count 692 ballots that were not cast. Proposition No. 3 is, they propose to throw out 25 precincts, and thereby reduce the majority of the contestee. If I am not right in these three propositions, if there is any other proposition involved in it, I will be glad to give any gentleman an opportunity in my time to state any other proposition involved in this case.

Mr. WHEELER of Kentucky. The third proposition, you say, is to throw out 25 precincts?

Mr. MIERS of Indiana. The third proposition in this majority report is to throw out 25 Democratic precincts.

Mr. WHEELER of Kentucky. Will you discuss the grounds on which they propose to do that?

Mr. MIERS of Indiana. I will, later on. These three propositions cover the case. The first proposition in order is whether or not there is a rational presumption that the Republicans of that district voted for Mr. Thorp. I say to you gentlemen on the other side of the Chamber, as well as gentlemen on this side, if you will go with me through the record a little, at the risk of being tedious, I will undertake to show from the record, from the sworn evidence, from undisputed facts, that no such presumption arises and none exists in fact.

Aye, more. I will risk my judgment on the statement that if you will unloosen your party harness and take the evidence in this case as you would outside of politics, I will convince you from the record not only that there is no such presumption, but I will convince you by their own sworn testimony that they actually did not.

Now, does any such presumption exist? Where would you start? You would start at the convention and see what kind of a convention was held. I say to you, gentlemen of this House, that that convention broke up in a row. There were two chairmen; there were three, four, and five gentlemen on the floor trying to speak at once, and none of them could be heard.

Even the secretary of the convention left the house in disgust; and not only is that true, but two gentlemen were nominated for Congress; two sets of State delegates and two sets of delegates all around were nominated in that convention. The other gentleman who was nominated for Congress in that convention was Mr. Gee, who was elected a delegate to the St. Louis convention. He accepted the nomination and made the race through until nearly election day before he was withdrawn. And in making that race I will not only show you that it was a vigorous race, but he most unmercifully attacked the contestant, Thorpe, in this case.

To establish that proposition, I will read to you first a clipping from the Index-Appeal, one of the strongest papers published in the South:

TWO MEETINGS IN ONE.

Thorp and Brady factions were divided into two squads, the one on the right, the other on the left of the building; and when it became apparent to Brady that he was supported by a minority delegation, some one of his lieutenants moved that W. M. Flanagan, of Powhatan, be made chairman, and before the vote on this motion could be taken another of Brady's followers nominated Hon. Charles Gee, of Prince George, for Congress. In the meantime, on the opposite side of the house, the Thorp faction had placed in the chair one of their affiliators, and the vote was taken and carried on the renomination of Hon. R. T. Thorp for Congress.

During all of this time Mr. Thorp was without the building—no one but delegates, their alternates, and newspaper reporters having been admitted. Mr. Gee, who seemed much surprised at being nominated, went upon the rostrum and hastily thanked the convention for naming him as its choice for so exalted a position as Congressman. He pledged his untiring efforts for the success of the party, and emphasized the assertion that he would under no circumstances give up the fight. During the remarks of Mr. Gee three or four others were speaking on the other side, neither of whom was a half dozen yards away, hence not much of Gee's speech could be heard.

Before the doors were thrown open to the public, and even before Thorp had been apprised of what his side of the convention had done, Brady's forces elected the following members of the State committee: Col. James D. Brady, Hon. W. M. Flanagan, and A. W. Harris.

After this they assisted John M. Langston to the stage and requested him to make a speech, but the tumult was too great, and Langston withdrew in disgust without uttering a word. At this juncture Capt. J. A. C. Stevens, who was acting secretary, threw down his pencil and made his exit from the building, saying he had enough of such rowdy proceedings. The Brady faction elected Capt. B. S. Hooper chairman of the Congressional district.

Mr. STEWART of New Jersey. What is the gentleman reading his extracts from?

Mr. MIERS of Indiana. They were taken from the Index-Appeal and copied into the record in this case. It is an independent newspaper, and I will yield the time if there is any gentleman on this floor that wishes to deny the fact. The gentleman who preceded me has not dealt with the record but in assertions, in abuse of his neighbors and friends, with whom he trained for many years. This same article says a little further on——

Mr. WHEELER of Kentucky. This man Brady who is mentioned—is that the same man that was appointed collector of internal revenue over in that vicinity?

Mr. MIERS of Indiana. Yes, sir; the same. Now, Mr. Thorp, according to his own statement, not only vilified that gentleman who has thus been honored, but he attacked him, and it was done time and again during the campaign, and I suppose that is the proposition on which they presume this contestant received all the Republican votes, and that is the purpose of this part of the discussion.

If the gentleman from New Jersey will listen further, I will give him some facts that are still more convincing. I will give him facts signed by a gentleman high in the councils of his party. I will give him statements, or a portion of it, for I can not read it all, from Hon. Charles Gee, who received the nomination on that occasion. Let me read from a circular letter issued by his own hand and sent out to various voters of the State, and then say whether or not you presume the contestant received all the Republican votes. He says, "To the Republican voters of the Fourth district of Virginia." It is not issued to Democrats or Populists, but it is issued to the Republicans:

DISPUTANTA, VA., *June 3, 1896.*

To the Republicans of the Fourth District of Virginia:

As the regular nominee for Congress, before commencing the canvass of the district, I deem it my duty to make the following statement to you:

The Farmville convention, which assembled and adjourned on yesterday, was composed of 83 delegates from the city of Petersburg and the 11 counties of the district. A large majority of the Republicans of the district were opposed to the nomination of Mr. Thorp, mainly because of his action in raising the race issue at the Petersburg convention that nominated delegates to the St. Louis national convention.

Mr. Thorp was determined and persistent in his efforts to defeat Gen. Stith Bolling as a delegate to St. Louis. The record of General Bolling as a Republican and his high character and standing as a citizen is too well known to the people of Virginia to be herein dwelt upon. He is, perhaps, the most influential representative in the State of the thousands of ex-Confederates who have identified themselves with the Republican party. Mr. Thorp, in order to defeat General Bolling, put forward a colored man named Green, who was said to be a resident of Brunswick County, and he was unrelenting and unreasonable in his bitter opposition to General Bolling, and made at that convention a race-issue contest in which Thorp failed.

This conduct on the part of Mr. Thorp naturally arrayed against him the strongest and most influential white Republicans of the district; and the leading and intelligent colored Republicans of the district, realizing the injury to the party and to their race which would surely follow Mr. Thorp's course, united with the white Republicans in the city of Petersburg and every county of the district, outside of Mecklenburg and Brunswick counties, in opposing Mr. Thorp's nomination.

Mr. Thorp says that this was a matter of conscience with him; in other words, he admits that his conscience and his God led him to oppose Gen. Stith Bolling, a gallant ex-Confederate soldier and accomplished gentleman, and to support the colored man Green; and this against the appeal and protest of nearly every leading white Republican and of 17 of the 30 colored delegates who were present at the Petersburg convention.

Three days after Mr. Thorp was seated in Congress he returned to the district and commenced his campaign for the renomination. He personally appeared in Farmville and stated to the Hon. B. S. Hooper that his pile of money was bigger than that of the entire combination against him, and that he was determined to be nominated. He made open warfare upon the Hon. B. S. Hooper at his own home, and the sinews of war were furnished to the negro Pompey Bland, who Mr. Thorp installed as his leader in the county to defeat Mr. Hooper. The sentiment of that county was so overwhelming against Mr. Thorp, notwithstanding the large expenditure of money, that Mr. Hooper carried his county with a delegation instructed as a unit to vote for his nomination.

Next Mr. Thorp appears, by his agents, in Lunenburg County, and war was made upon Mr. M. C. Cardozo, member of the district committee, sheriff of the county, and chairman of the party in said county. This was a most disreputable fight, made clearly on the color line. Mr. Cardozo was too strong with Republicans of the county and could not be beaten by fair means, but Mr. Thorp's aspirations demanded that he should be defeated at all hazards; and the result was that his colored supporters bolted. These colored bolters elected a colored man chairman and a solid colored delegation to the Farmville convention.

Mr. Gee says that a large part of the delegates opposed Mr. Thorp's nomination. Why? Do you want to know the reason? You men who have not had an opportunity to investigate the record in this case for yourselves, you men who are going to vote to give this contestant or contestee a seat, let me give you the reason. He says a large majority was opposed because of his action in raising the race issue in the Petersburg convention.

This convention where delegates were to be sent to nominate a candidate for Congress, there he raised the race question. The question of race, personal interest, could not rise above saving a vote for himself. To save himself a single vote, he was willing that he might strike down the whole Republican party if he could only get a few votes for himself. This letter further says:

In the city of Petersburg, the home of Gen. Stith Bolling and Colonel Brady, the agents of Mr. Thorp were on hand supplied with money, and were profuse in their abuse of Republicans who simply claimed the right to support some other candidate than Mr. Thorp for Congress. Money and whisky in abundance were furnished a number of the meanest negroes in Petersburg to abuse both General Bolling and Colonel Brady.

Even after the election of the delegates Mr. Thorp's agents were in Petersburg, and sent for the delegates who had been elected to the Farmville convention, and offered them inducements to vote for Mr. Thorp's nomination. Railroad tickets were purchased and furnished to a number of worthless negroes, and they appeared drunk on the streets of Farmville hallooing for Thorp, and offered personal indignity to Colonel Brady when he appeared on the streets of Farmville. The same tactics were adopted by Mr. Thorp's hirelings in Amelia, Nottoway, and other counties of the district.

At Farmville the agents of Mr. Thorp openly boasted of their determination to nominate him regardless of the will of the majority, and a number of the delegates who were opposed to him stated that they had been offered $125 each if they would vote for his nomination. His nearest friends openly stated that no nomination made by the Farmville convention other than Mr. Thorp's could be elected, and while Mr. Thorp himself boasted that he could carry his own county by 2,000 majority, his delegates from that county stated that no other nominee would be allowed to carry the county.

Notwithstanding this condition of affairs, the boasting of Mr. Thorp, and the profuse use of his pile of money, the sentiment among the Republicans of the district was so strong against his renomination that the following delegates were elected in opposition to him, viz: Petersburg, 11; Prince George, 6; Dinwiddie, 7; Prince Edward, 8; Powhatan, 4; Nottoway, 2; Amelia, 2; Sussex, 4—43.

It will thus be seen that a majority of the uncontested delegates elected were opposed to Mr. Thorp, and this without taking into consideration the four contested delegates from Lunenburg County. Under the plan of organization for the government of the party the roll of delegates is made up by the district committee. There were five members of the district committee, viz: J. R. Rawlings, S. Y. Gilliam, E. D. Bland, M. C. Cardozo, W. H. Hayes.

Messrs. Hayes, of Mecklenburg County, and Rawlings, of Brunswick County, a minority of this committee, both active partisans of Mr. Thorp and delegates to the convention, being in constant consultation with Mr. Thorp himself, arbitrarily made up the roll of delegates to the convention.

The convention was called to order by Mr. Rawlings, and it was soon made manifest that Mr. Thorp had put forward Ross Hamilton, the colored leader of Mecklenburg County, to browbeat every white delegate opposed to his nomination. Rawlings, the chairman, did Ross Hamilton's bidding in every instance with amazing subserviency; every point of order and every suggestion of Ross Hamilton was literally put in force by Chairman Rawlings.

Another important matter of interest to the people of this district, the State, and nation is the settlement of the money question. Mr. Thorp is an advocate of free silver, and has so declared himself. I am for sound money—an advocate of Republican doctrine upon the financial question. I happen to know that Mr. Thorp's election to Congress, because of his unsound views upon this important issue, is not desired by the national Republican leaders.

Mr. Thorp, I am reliably informed, has promised offices without number under the next Republican Administration in order to secure the support of delegates at the Farmville convention, knowing well that he would be unable to carry out these promises. I do not intend to make any canvass for Congress under any such false pretenses.

Finally, fellow-Republicans of the district, I have accepted the nomination for Congress, which I did not in any manner solicit or desire, with the firm purpose to remain in the field as the party's regular nominee to the end. I expect to visit every county in the district, to make a thorough canvass, to meet the people face to face, to discuss Republican issues, to do my utmost to carry Virginia for the Republican nominees at the St. Louis national convention, which I will attend on the 16th of June as your alternate from this district, and I expect to have your support and to be elected as your Representative in the Fifty-fifth Congress.

Very truly, yours,

CHARLES GEE.

Here is a gentleman who held the confidence of his people—so much so that he was sent to the St. Louis convention. He tells you, and I speak from the record, and you gentlemen who are to take the report of the majority and say Mr. Thorp is entitled to his seat because there is a presumption that the Republicans all voted for him, will understand that Mr. Gee says the members of the Republican national committee did not want Mr. Thorp elected.

The poor colored man did not want him. Mr. Bolling did not want him. General Brady did not want him, and the majority of the delegates in his convention did not want him. The majority of the delegates of the Republican committee did not want him; and yet they ask you to come here and strike down the record and take from the sitting member the right to a seat, and put it on the ground that the presumption is that he got all of the Republican votes. Let us go further and see what Mr. Gee says:

And I expect to have your support and be elected as your Representative in Congress.

Here is another man who did not expect the majority of the Republicans would vote for him—not only that, but he expected to get such a number as the party nominee that he would be entitled to the seat himself. Yet, gentlemen, you who sit in this high court, you whose reason ought to be brought into play, you whose patriotism ought to be rekindled, you are asked to presume upon this state of facts that he received all the Republican votes.

But, gentlemen, we will not split hairs; we will not draw an imaginary line. I will refer to the record further, at the risk of being a little tedious, and I will not only undertake to show, as I have done, that no such presumption arose, but I will show you, from the witnesses who were produced and sworn—many of them upon a subpœna issued at the behest of Mr. Thorp and his counsel—that the Republican party was not united.

I will show you that in one district as many as 15 persons, in another more than 60, in another more than 70, in others 30, 40, and 50, tell you under the solemnity of an oath that they are Republicans and that they did not vote for Mr. Thorp. If I do that, gentlemen, then I think I shall have driven the first peg at least to shake your confidence in this report upon which the majority of the committee expect to carry you through and on to a vote.

I want to be fair. I will quote from the record, and if there is any gentleman present, whether he be a member of the committee or not, and without regard to the side of the Chamber on which he may sit, who wants to refer to the record, I have it here. And I will take time to read it. You would not try a lawsuit on a lawyer's statement, nor as you would try a question at a town meeting.

If you would not take from your neighbor his cow or his liberty on such methods as you are asked to adopt in his case, then, in God's name, gentlemen, in this year 1898 and in this Hall, where but a few days ago the American Representatives showed themselves able to rise above party—to put patriotism and love of country and the honor of the nation above everything—will you take this case, which involves to the Republic itself quite as important an issue, that of an honest ballot and a fair count and an honest certificate, and put all reason behind you and be controlled only by politics?

I say to you, gentlemen, that Mr. Thorp two years ago waged a contest against a man who was sick and unable to produce any testimony. He won; and that is one of the strongest arguments offered by my friend from Virginia why he should win again. I say no.

The gentleman from Virginia, the head of this committee, says to this House that there have been frauds in that State for fifteen years. He says all that you have to do is to puncture, and you will find frauds. I say to you men who have been accustomed to preside over courts, you men who are ready and willing to bring into play your reason, what has that to do with this case, if it were true? The question is, What are the issues in this case?

As I see the gentleman from Virginia now back again in his seat, I will restate this case. He bases his argument, first, on the proposition that the presumption is that the Republicans all voted for Mr. Thorp; second, he says that you ought to count 698 votes that were never cast; third, he says that there ought to be 25 precincts thrown out. I have already, I think, shown you there is no such presumption. Now I will show you, and from the record, if you desire it, not only that there is no such presumption, but that no such fact existed. I refer to the testimony of J. C. Smith, on page 1806 of the record.

3. Q. Are you familiar with the people of this county and with their political sentiments?

A. I am as far as it is possible for the county chairman to become familiar with the politics of the county.

The minority states in its report that the Democrats were divided. I want to read from the testimony of this witness on that proposition:

4. Q. Please state what was the sentiment of the people of this county during the last campaign, up to and including the election held on November 3, 1896, in regard to the currency question.

Mr. McINTIRE. I should like to ask the gentleman who Mr. Smith is?

Mr. MIERS of Indiana. Mr. Smith, who was produced and

sworn as a witness, lives in the State of Virginia. The record from which I have read shows that he is a farmer. He is a member of the board of supervisors. He is a gentleman of standing, against whom no man has ever said a word so far as this record is concerned.

Mr. McINTIRE. He lives in the district in which he testified?

Mr. MIERS of Indiana. Yes, sir. And I would ask the gentleman—no, I would not make it personal—I would ask men who are keepers of their own consciences, is a man who has lived in a community for a lifetime, maintaining an irreproachable character—a man against whom, in a partisan contest of this kind, no man will say a word—is his evidence to be stricken down simply because he happens to swear one way or the other?

No, gentlemen, you would not do such a thing when acting according to the true instincts of yourselves. And I am glad to see the Republican members on this floor beginning to fill the seats on this side of the House; for I say to you this Republic is not top-heavy, is not tottering; but when the time comes that men will neither read 2,000 pages of a record nor the brief in the case nor listen to the argument, but will hie themselves off to the cloakroom and then vote with the majority or the minority, according to the report which may have been made by their party friends, such an exhibition, in my judgment, will not display a very high order of patriotism.

Mr. STEWART of New Jersey. Does not the gentleman know that this record does not contain 2,000 pages?

Mr. MIERS of Indiana. How many?

Mr. STEWART of New Jersey. Two thousand three hundred. One other question. Does not the gentleman know that a few days after the convention Mr. Gee withdrew his name and admitted that Mr. Thorp was the proper nominee?

Mr. MIERS of Indiana. I do not know any such thing; and the gentleman does not know it from the record. I saw the contestant in this case sitting by the gentleman's side, and I have no doubt he so informed him.

Mr. STEWART of New Jersey. Mr. Gee's card was published in all the papers of his district.

Mr. MIERS of Indiana. Ah, if the gentleman will allow me, I do not permit any man in the trial of a lawsuit, or in the trial of this case, to be fairer than I. I did not say he continued in the race to the end. I said almost to the end.

Mr. WHEELER of Kentucky. Until the 16th of August.

Mr. MIERS of Indiana. The gentleman asked whether he did not withdraw in a few days. I say to you, no. The record shows that he waged this fight until the 16th day of August. After floating the free-silver flag for nearly ninety days, after holding up to the colored man that his salvation was the expanding of the currency, to wit, free silver, he expected that he could turn about, and in about forty days before the election turn his party friends all into line. He expects you to believe that simply because he says it is so.

I invite you to the record, and if it is 2,300 pages instead of 2,000 pages, I am willing to give you that advantage. But my time is going and I must hurry along. On page 1800 A. Q. Meade, farmer, testifies:

12. Q. Were the Republicans of that precinct united in the support of Mr. R. T. Thorp, the Republican candidate for Congress?
A. They were not.
14. Q. Give your reason for stating that they were not.
A. Well, because a good many of them told me that they were for free silver, and that they intended to vote the free-silver ticket, which they did. There were four or five negroes who came up and said they wanted to vote the free-silver ticket, but that they were afraid to do it, and then asked if it could be ever found out, and I told them that it was a secret ballot. Of course, there were a good many of them who didn't care whether it became known or not.

Here this witness says a great many did not care whether it was known how they voted, and they voted against him openly and aboveboard. He says that in this precinct there were at least four or five others who did not want it known that they were voting against Mr. Thorp.

Gentlemen, I will hurry along and go to the record, page 2220. I read from the testimony of George D. Grizzard, who was the sheriff of Sussex County for the last fourteen years:

Q. To what political party do you belong?
A. To the Republican organization.

Will you waive that aside before you even know what it is? Here was a gentleman who had had the confidence of the people, who had been elected sheriff for fourteen years. What did he say?

Q. Will you please state, if you have no objection, why you lost political respect for R. T. Thorp?
A. Because he first advocated the silver standard and subsequently espoused the cause of the goldbug.

The chairman of the Republican county organization, the sheriff for fourteen years, not simply voted against the contestant, but he had lost his respect. Yet they say every presumption is that every Republican voted for him. What did he say?

Because he first advocated the silver standard and subsequently espoused the cause of being a goldbug.

Mr. Speaker, the worthy chairman of this Committee on Elections sought and obtained the opportunity for the contestee to close this argument, and I will put it to him—as he comes last; and this is the only say I shall have—I ask him to say whether he was not, as stated by his comrade and fellow-Republican, a free-silver advocate; whether he did not accept the nomination in 1896 on that basis, and if he did not about face after the St. Louis convention in order to ride into a seat in Congress, either by the votes of the people or by an election contest?

Now, Mr. Speaker, I am appealing to reason; I am talking to stout hearts. I am talking to men who have to be the keepers of their own consciences. I am talking to men who want to know whether the contestant or the contestee is entitled to this seat. I am talking to men who are ready and willing to rise above the question of being Democrats or Republicans, and enforcing the Constitution of our beloved Republic. This witness says:

Q. In your opinion, did not the facts stated in your last answer have great weight, not only with yourself, but with many other Republicans in the county of Sussex?
A. To my certain knowledge, those facts as enumerated entirely influenced myself, without question and without doubt; and, to my certain knowledge, it had great weight and directly influenced nearly all of the intelligent Republicans of my acquaintance.

Here is what the Republican sheriff says:

Q. Basing this question upon the fact that you are the sheriff of Sussex County and come in direct contact with many voters during any campaign, will you please state whether or not you had a good opportunity to know and hear the voters in the several precincts express themselves upon the paramount issue—the money question—and did actually hear and know the sentiment of a great many of them in the several voting precincts in the county of Sussex in the campaign preceding the election held November 3, 1896?
A. I not only had a good opportunity, but felt an interest in the matter and interested myself to ascertain the political status of my friends and political supporters in my county, and was thoroughly convinced that it was absolutely and utterly impossible for any man, be he Democrat or Republican, to poll the vote of my Republican friends in the county of Sussex for the gold standard, be they white or black, and I know very nearly them all.

Yet you are asked to indulge in the presumption that he received the entire Republican vote, when this witness tells you he knows he did not.

Then, again, I want to read you from the record the testimony of T. Y. Allen:

17. Q. Were you a member of the Hanford Silver Club in this county during the campaign of 1896? If so, what office did you hold?
A. I was, and held the office of secretary.
18. Q. How many colored Republicans were members of said club, and did they vote for Sydney P. Epes for Congress in November, 1896?
A. I think there were 25 colored voters who were members of the club, and about 20 of these had always voted the Republican ticket. I think all of them voted for Sydney P. Epes in the last election.

That is the judgment of a gentleman who was there on the ground.

19. Q. How many Republicans at your precinct, both white and colored, voted for Bryan, Sewall, and Epes at the last election, giving your reasons therefor?
A. By careful estimate made on the day of election and from what I heard as clerk of the election—the electors instructing the judge who marked the ballots, a great many of them speaking so loud that I could hear their instructions to the judge who prepared the ballots—I think there were as many as fifty.

Gentlemen say the presumption is that they all voted for Mr. Thorp. Here is a gentleman who was upon the election board. He heard them make the answers. He says he thinks there were at least 50 former Republicans who voted for Mr. Epes.

Now I read from page 1897. G. R. Graves testifies:

2. Q. Were you a member of the Hanford Silver Club in this county during the Congressional campaign of 1896; and if so, what office did you hold in the same?
A. I was, and was its president.
4. Q. How many Republicans, both members of the club and nonmembers of the club, voted for Sydney P. Epes for Congress at the election November 3, 1896, at your precinct in this county?
A. From what I could see and was told by the voters themselves, I suppose there were between 50 and 60 Republicans who voted for him, and I was about the polls all day. There was quite a contention between the Republican gold leaders and the Republican silver leaders.
5. Q. W. A. Jamieson, the Republican county chairman, has testified in this contest that in the Congressional campaign of 1896 the Republican party in this county was practically a unit in favor of Mr. R. T. Thorp. From what you know of your own precinct, was the Republican party united there in their support of Mr. Thorp, or were they much divided between him and Sydney P. Epes?
A. They were considerably divided; in my end of the county there were more Epes Republicans than Thorp Republicans; the negroes around me wanted free silver.

Now, gentlemen, if you want the facts, go to the record, page 1897, and see if the Republican chairman did not say there were more Republicans voted for Mr. Epes than voted for Mr. Thorp. And yet these gentlemen would criticise us because we say that their majority report is not a fair statement when they say that everything was happiness in the Republican party and that the presumption is they so voted.

But I find, gentlemen, that I am taking too much time. I want to read from the testimony of William Mulchi, on page 1895:

2. Q. To what party have you belonged for the past several years?
A. Republican and then Populist.
3. Q. Have you voted for Mr. R. T. Thorp in all elections held in this county in which he was a candidate up to the election of November 3, 1896?
A. Yes, sir.

4. Q. Did you vote for him in said election of November 3, 1896; and if not, for whom did you vote in said election, giving your reasons therefor?
A. No, sir; I voted for Sydney P. Epes. I voted for Mr. Thorp before because he was a free-silver man, and then he changed and was a gold man, and I refused to vote for him.
5. Q. Was Mr. R. T. Thorp believed to be a Free-Silver Republican at the time he was nominated for Congress at the Farmville convention in June, 1896?
A. Yes, sir.

Jesse Wren, a colored farmer, 47 years old, had always heretofore voted the Republican ticket, testifies, record, page 1872:

1. Q. State your age, occupation, and voting precinct.
A. I will be 47 in May; farmer; Rehoboth is my voting precinct.
2. Q. If you have no objection, please state for whom you voted for Congress at the election November 3, 1896.
A. I voted for Mr. Epes.
* * * * * * *
34. Q. How many colored people in your own county expressed these views?
A. From the best information I can get and from what I know personally, about seventy-five.

PRINCE GEORGE COUNTY.

Maj. Mann Page, president of the National Farmers' Alliance and Industrial Union, farmer, and a man of national reputation, testifies, record, page 1735:

18. Q. You have stated that the chief cause of opposition to Mr. R. T. Thorp in the late campaign was his abandonment of the silver cause. Do you happen to know whether it caused him to lose votes among the white and colored Republicans of this district whom he had taught advocacy of the silver cause?
A. I can not speak positively on that subject, but I do know that prior to my taking the stump for the electoral ticket and in advocacy of Mr. Epes that very many of the colored Republicans in my section were open advocates of the free coinage of silver, and I know but one or two white Republicans that did not do the same thing.
19. Q. What is the chief industry or pursuit of the people of this district?
A. Tobacco, cotton, wheat, corn, hay, oats, and peanuts.
20. Q. Then they are agricultural people, are they not?
A. Strictly so, except in the city.

PETERSBURG.

George W. Pegram, a well-known gentleman of intelligence and unimpeachable character:

6. Q. State whether or not you are familiar with the work done with a view to organizing said district in behalf of the Democratic candidates at that election; and if you are, describe said organization as fully as possible.
A. Yes; I am familiar with the organization. It was the most thorough I ever saw. We had a canvass of every precinct in the district. We had every county and every precinct thoroughly organized. We had literature sent from these headquarters, State headquarters, and national headquarters throughout the district.
11. Q. From your knowledge of the situation as developed by your connection with the Democratic committee, were there not evidences of the destruction of party lines upon the questions of free silver as against the gold standard?
A. Yes; we had information from number of places that the Republican voters, in a large measure, would vote the Democratic ticket.
(Contestant, by counsel, excepts to the foregoing answer as being a statement of pure hearsay.)
12. Did your foregoing answer apply to the white or the colored Republican votes, or to both?
A. I don't recollect that a distinction was made.

The leading and most influential Republican in the county testifies, record, page 2220:

2. Q. To what political party do you belong?
A. To the Republican organization.
3. Q. How long have you been a Republican?
A. I have always voted the Republican ticket, except the first ballot of my majority, which was cast for Tilden, Hendricks, Hinton, and reform.
7. Q. In the campaign preceding the last election, held November 3, 1896, and on that day, were you an advocate of the free and unlimited coinage of silver and opposed to the gold standard?
A. Being largely engaged in agriculture and having been thoroughly convinced, after having heard the matter fully and thoroughly discussed by R. T. Thorp and others, and having read able papers which emanated from the Hon. William McKinley and others, that it was to the interest of agriculturists generally, and to myself and friends especially, I was induced to believe by such that it was incumbent upon every tiller of the soil, be he a Democrat or a Republican, that it was my duty as such to vote for the free and unlimited coinage of silver at the ratio of 16 to 1.
I was, however, deterred by my allegiance to the Republican party, and simply saw fit, under all the circumstances, which were carefully considered by myself, to vote simply for Sydney P. Epes, because I had lost touch or accord with Mr. Thorp, and it was entirely out of the question for me at any time, in any way, in any manner, shape, form, or fashion, to vote for what I conceived to be the greatest calamity that could befall upon myself and my friends and the agricultural interest—the gold standard.
8. Q. Will you please state, if you have no objection, why you lost political respect for R. T. Thorp?
A. Because he first advocated the silver standard and subsequently espoused the cause of the goldbug.

Mr. WHEELER of Kentucky. Are these witnesses whose testimony you have been reading introduced by the contestant or the contestee?

Mr. MIERS of Indiana. Most of these were witnesses introduced by Mr. Thorp and by his counsel. There are at least 200 more from whose testimony I could read, but it would take all my time. With the exception of possibly three or four, in the mouths of these witnesses, who are Republicans, who are Democrats, who are Populists, who are free-silver men, who are brought from every corner of the district, they tell you that no such presumption arose.

But I must hurry on or I will not get to the second proposition. I leave the first proposition, that there was no such presumption. The record shows no such fact, and shows conclusively that he did not get the entire Republican vote.

Now I want to give a little attention to the claim that the 623 votes which were not cast should be counted for the contestee.

I would remind you first that Virginia has an election law. That election law provides that no ballot shall be counted save an official ballot. They ask you to count a vote that was never placed in the form of a ballot. They ask you to count a vote that never saw its way to the ballot box, one that never had an existence. Yet if they will be fair in discussing this case, they will concede that if one of these electors had had a ticket printed with the names on it for whom he intended to vote, and had gone and placed that ballot in the box, it could not have been counted under the Virginia election law. Why? Because it had not the form prescribed by the statutes.

It did all that you gentlemen claim here. It contained the purpose of the voter. It showed his will; it showed his honesty of purpose; and yet you will confess and agree with me that it could not be counted. Yet these gentlemen go further and say that if a voter comes to the polls, and if for some reason—I will show you, in nine cases out of ten, through his own fault—he did not vote, they would strike down the Virginia statute, they would strike down the ballot as prepared by law, and they would allow him to come here after the election is over and say how he intended to vote.

I will give you the answer of the gentleman from Virginia [Mr. WALKER]. He says the precedents are that they can be counted. I say no. There is no such precedent to be found. Prior to the enactment of section 2207 of the Revised Statutes, which provided that where the elector was prevented by fraud or violence, without any fault of his own, and he was present declaring for whom he intended to vote, thereby making his purpose manifest, so that he could not afterwards change it, his intent might be established by parole and his vote counted; but up to that time there is no precedent where a vote has ever been counted under such circumstances.

There are cases where the election has been set aside, but there are no precedents where the vote has been counted for the party for whom he claimed he intended to vote. Now that section 2207 is repealed, all will agree that we revert to the precedents established before its enactment. And is not that the law?

I will concede, for the purpose of this case, and this only, and I do that by reason of one statement made by Mr. Payne on Elections, after the repeal of that statute, where inadvertently he said, "Where an elector was prevented by fraud, by violence, or by intimidation and then proved all other qualifications, the vote ought to be counted." I challenged the counsel, and I challenge the gentlemen who present this case to find any record outside of section 2207 that goes any further than this. You go to the State of New York in 19 Howard, page 252, and it is decided:

It would be improper now to allow either party the votes offered, but not received, merely because the person offering to vote proves that he intended to vote for plaintiffs or defendants. (In matter of L. I. R. R. Co., 19 Wend., 37). The result of the election must be determined by the votes cast. If illegal votes can be ascertained, they may be rejected, but votes not received can never be made available in favor of either party.

The SPEAKER pro tempore (Mr. HILL). The time of the gentleman has expired.

Mr. MIERS of Indiana. I ask that my time may be extended fifteen minutes.

The SPEAKER pro tempore. The gentleman from Indiana asks that his time be extended fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MIERS of Indiana. The supreme court of California (in 34 California Reports, page 276) said:

The court below erred in counting for the contestant the supposed votes of Gonsalves, Larkins, and Hass, under the pretense that they would have voted for him if they had been allowed to vote. In all contests of this kind, the question is, Which candidate received the highest number of legal votes? The idea that the supposed vote of persons who did not vote, but could have voted had they taken the necessary legal steps to entitle them to do so, should be counted for the candidate for whom they would have voted, is simply preposterous.

The supreme court of the State of Alabama, in the case of The State ex rel. Spencer *vs.* The Judge of the Ninth Judicial Circuit (13 Ala., 812), distinctly decides that under no circumstances can votes not cast be counted.

The supreme court of the State of Ohio, in the case of Renner *vs.* Bennett (21 Ohio St. Repts., 450), and also in the case of the State et al. *vs.* McDaniel et al. (23 Ohio St., 369), has clearly and positively decided that votes not cast can under no circumstances be counted.

In Kentucky it was held, when persons were prevented from voting because polls were closed at an hour earlier than the time prescribed by law, the votes could not be counted. (Newcum *vs.* Kirkley, 13 B. M. Ky., 515.)

"In a contested-election case" in North Carolina the supreme court of that State holds:

Evidence as to how a voter would have voted, or offered to vote who was

challenged, and who by reason of the great number of voters failed to have his challenge heard so that he could in fact vote, is inadmissible.

And in the same case the report says:

The law as stated by Cooley seems to be in accord with the decisions of the American courts. Some of our legislative bodies, possibly in the heat of partisan excitement, have acted upon a different principle. (People ex rel. Boyer *vs.* Teague, 106 N. C., 627; 11 S. E. Reporter, 665, decided 1890.)

So I lay the proposition down under the Virginia election law, which provides that no ballot other than an official ballot can be counted, there is no set of circumstances where any one of the ballots in question can be counted. And I take it that no gentleman in this Chamber will say that a vote of that kind can be counted unless a voter was prevented by fraud, violence, or intimidation from depositing his ballot; and I undertake to say that gentlemen on the other side of the House will agree with me, if even an elector had been prevented by fraud, violence, or intimidation from depositing his ballot he would have to prove all the facts that would be required if he presented himself at the election polls.

He must prove that he was a resident of the district; and I call the attention of the House, as there are 623 of this kind of votes which they ask to have counted, to the fact that they are required to prove on election day that they were members of that voting precinct. The question put is, "Are you a resident of the precinct?" at the time the deposition is taken. He said he was. Then the man is asked, "Are you a registered voter?"

Objection is made by the counsel of the contestee—to prove that he is a registered voter he must produce the book of registration. That brings the question, Must these gentlemen, before they can count this ballot, first show that he was a registered voter? They all agree they must. Then the question arises, If they must show that, with what kind of evidence must they show it? Every lawyer will concede they must show it by the best of evidence. I contend the book of registration is the best evidence, and they must produce the book itself; they can not count the ballot if they have not done so.

They must prove its loss, its destruction, or something of that kind, or they must have a subpœna duces tecum issued and have the book brought before them to show; but nothing of that kind is proposed in this record. This is a simple question, and I submit as a proposition of law under the Virginia election law and under the statute that provides for registration, that provides an officer to keep the book, that provides a book to be kept, that provides where it shall be kept, that provides what it shall contain, and then provides that when it is presented to the election board, if his name does appear on the book, the election board shall strike it off, and he cast his vote—I say this is a public record provided for by statute and kept at a public office and at public expense.

Mr. MESICK. I would like to ask the gentleman if he contends that the evidence of the voter himself is not the best evidence in the case?

Mr. MIERS of Indiana. I do most emphatically so contend. You might as well tell me that a man who has had or caused his mortgage to be recorded in the recorder's office, provided for by statute, should state the contents of the record. You might as well say to me that a man against whom a judgment is recorded in the clerk's office by order of court can state in court what appears in the record.

I take it there is no lawyer on the floor of this House who will so contend. Will any gentleman say that a public record kept by reason of a public statute, kept by a public officer, kept in a public way like this, and its contents to be proven as the statutes here provide—will he say that Tom, Dick, and Harry may say it contains my name, or will he say that the record is the only evidence? Why, gentlemen, it seems to me that that principle is elementary. But I do not want to stop at my own judgment. I have some authorities on that subject.

The Massachusetts supreme court has held that where the statute provides—will the gentleman from New York [Mr. MESICK] give me his attention? He asked me a question, and I want to quote him as respectable authority as the supreme court of Massachusetts. That court says:

It is not therefore competent for a party to show by parole evidence that his name is on such a voting list without giving notice to produce the list.

And McCrary on Elections, page 431, decides the same thing. Gray, Massachusetts Reports, page 433, decides the same question. Payne on Elections, page 756, also decides that the record is the best evidence and that you can not give parole evidence; and yet, gentlemen, you who are supposed to sit in this court with impartiality, are asked to say that because this is a political question you will strike down these authorities, so laid down by all the elementary writers, and which must be confirmed by your own judgment.

Again the court, in Gray, page 433, says:

The voting list used at the election was the official document. Taking this view, we think that the voting list is the primary and regular evidence that anyone's name is or is not on the list and essential to the proof that a party is rejected by the selectmen as judges of the qualifications of electors. Then, according to the general rule on the subject, before using secondary evidence, notice to produce or a subpœna duces tecum must have been returned and a failure.

If the original document is produced and authenticated as the voting list, we think it conclusive evidence upon the question whether the person was admitted as a qualified voter at such meetings or not, and that parole proof or other secondary evidence would not be permissible to control it. As parole evidence was permitted in the present case, without notice to produce the voting list, against the objection of the defendant, we think there must be a new trial.

So it is all through this record. They ask to have these votes counted of men who have not brought themselves within the statute, who have not offered an official ballot, who have not proved their registration. Aye, more! I will not take the time, but some other gentleman will have time, I hope, to call your attention to the effort they made to vote. Many were there not five minutes, many of them never got in line, and many never tried to vote.

Now, to these members who are going to vote because the majority report says so, I want to say to you that my time is about exhausted, and this case will not get to a vote until a later time than this to-morrow. I will take pleasure, my friends, in referring you to the record of more than 300 of these 623 claimed voters who never made an honest effort to vote. Here were men who are not versed in the law, who could not prepare their tickets, and who never made an honest effort to vote, and yet you are asked to say that those votes shall be counted.

I have nothing personal against my friend from Virginia [Mr. WALKER]. I have thought him to be a partisan. But I want to say to you that there are some things in this record that I wish were not in it. Well, gentlemen of the House, it is very well for the gentleman when he has the floor to turn on one of his colleagues and say, "I quit the Democratic party because I was honest, and you stayed in it because you were dishonest."

It is easy for you to say, "I am a friend of the poor colored man who has been cheated out of his vote; you are the dishonest rascal who would not let him vote." I would say to him, "Upon what meat doth this our Cæsar feed, that he has grown so fat?" [Laughter]. Why so much patriotism? Was it because of his early training? Was it because he was a gold-standard advocate? I am informed that he never was until 1894. Was it because he was a friend of the poor colored man in his youth? No, he trained, as he says on the floor of the House, with these wicked Democrats. They were all right up to 1861.

Mr. WALKER of Virginia. I would like to correct the gentleman. He is as wrong about my record as he is about the record in this case. [Laughter.] I was a Republican a good while ago. I voted for Harrison. I have been a Republican twelve years.

Mr. MIERS of Indiana. How long ago was that? Which time did the gentleman vote for Harrison?

Mr. WALKER of Virginia. The last time.

Mr. MIERS of Indiana. Ah, the gentleman says the last time. It is only a matter of calculation. When he says he has had the training of his youth, I would respond simply by saying that he trained with the Democrats between 1861 and 1865. In order not to free the poor colored man he endured the hardship of battle for four years, and he did it so well, as a friend of the colored man, that when Stonewall Jackson was stricken, he, above all others, was selected to take the standard and carry it on.

Ah, gentlemen, he not only did that, but he stayed along with these wicked Democrats, in opposition to the friends of the poor colored man, until the fourteenth amendment was adopted, and until the fifteenth amendment was adopted. He continued with the Democratic party until after the reconstruction period. And I am informed he was a pretty enthusiastic Democrat until probably 1885, when possibly he was turned down for the Democratic nomination. [Laughter.]

Mr. WALKER of Virginia. Mr. Speaker, I quit the Democratic party when it quit Mr. Cleveland. I quit the Democratic party when Cleveland quit it.

Mr. MIERS of Indiana. Ah, but Mr. Cleveland quit the Democratic party, and he and you became advocates of the gold standard at the same time. [Applause.]

Mr. WALKER of Virginia. I yield one hour to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. Mr. Speaker, the record in this case is somewhat voluminous and in a measure complicated. After a very searching and painstaking examination of the record the committee found the facts to be substantially as stated in the majority report. It is true, the committee divided upon political lines; the six Republican members united in the majority report, while the three Democratic members presented their views to the House in a separate and opposing report.

My colleague from Indiana [Mr. MIERS] in a very exhaustive and eloquent speech, to which I listened with much care and attention, admitted practically every question of fact found in the report of the committee. He did not assume to dispute or contradict a single ultimate finding of fact made by the committee. Of

the hour and twenty minutes that were given to him for the discussion of the case he devoted more than an hour to questions relating to the nomination of contestant away back in June, 1896. He attempted to create the impression that there was a division in the Republican ranks; that there was dissatisfaction and defection growing out of the nomination at the regular Republican convention. This he did for the purpose, I presume, of showing that contestant did not have the united support of his party and accounting for the 2,621 plurality returned for contestee.

The record does show that there were some differences among the Republicans of the Fourth district of Virginia early in the campaign of 1896; that a portion of the convention nominated Mr. Thorp, the contestant, and another portion withdrew and nominated Mr. Charles Gee. That this division engendered some bitterness is true, but before the middle of August all differences had been patched up and harmony was fully restored. Mr. Gee withdrew from the contest, and in a card to the Republicans of the district he advocated the election of contestant, whose nomination had been recognized as regular by the constituted political authorities—the Republican committee of the State of Virginia and the national Republican committee—and from that time on Mr. Gee and his friends were earnest and enthusiastic followers of the leadership of contestant.

Mr. LACEY. At what time did the speaking campaign actually begin?

Mr. CRUMPACKER. I think about the 1st of September. But I may say with perfect safety that before actual campaign warfare opened up those differences had been entirely settled, and Mr. Gee canvassed the district throughout, advocating the election of the entire Republican ticket.

In the Fourth Virginia district, as was characteristic of the contest of 1896 generally, the issues were of such paramount importance that they overshadowed the personality of the candidates. Every man who believed in protection and honest money was aligned with the Republican party and marched with the Republican columns under the leadership of its chosen standard bearers.

There is—perhaps not indisputable, but convincing—evidence from every county in the district that the party was never more harmonious than it was in support of contestant for Congress in 1896. Evidence was taken upon both sides of the question. It was claimed by some Democrats and some Republicans that the Democrats were not united in their support of contestee; and the record shows more defection and dissatisfaction among the Democrats against the candidacy of contestee than there were among the Republicans against the candidacy of contestant, after the campaign had fully opened.

My distinguished friend from Indiana, for want of something better to talk about, gave over an hour of his time to the discussion of that preliminary matter, which was collateral and incidental at most and can have but little bearing upon the question for decision. But he did not deny the fact that 623 legally qualified voters in the Fourth district of Virginia went to the polls on election day and stood there, many of them from sunrise till sunset, waiting for an opportunity to vote the Republican ticket—an opportunity which never came. Neither does he controvert the fact that the deposition of every one of those men was taken and is contained in the record, and that every man of them testified that if he could have voted his vote would have been cast for contestant for Congress.

I submit, Mr. Speaker, that it is of little consequence upon that issue whether the nomination of contestant was regular or otherwise in view of the fact that it is admitted that those 623 qualified voters—all American citizens—stood at the polls all day long clamoring for the right to vote, and would have voted for contestant had the right to vote been accorded them.

Mr. HAY. The gentleman says "it is admitted." By whom? Certainly not by our side.

Mr. CRUMPACKER. It is admitted by everyone who knows anything about the record.

Mr. HAY. It is not admitted by any Democratic member of the committee, so far as I know.

Mr. CRUMPACKER. It is admitted, because there is not a syllable in the record nor a syllable in the contestee's brief to the contrary, nor has a word in dispute of that fact escaped the lips of the gentleman who has just spoken for the contestee—not a word.

Mr. HAY. When my time comes I will show that it is disputed in the contestee's case—that the gentleman's statement is incorrect.

Mr. CRUMPACKER. It is possible the gentleman may find something of that sort in the record; but if he does it has entirely escaped the notice of the 6 Republicans and the 3 Democrats on the committee, as well as of the able corps of attorneys who prepared the case for the contestee, who argued it before the committee, and submitted exhaustive briefs which are a part of the record. He will be able to find something that none of these gentlemen, with all their ability, care, and research, could discover.

I assert now that it is irrefutably true that 623 legally qualified voters were denied the right to vote at the November election in 1896 in this Congressional district, and that every one of them would have voted for contestant if he had had the privilege of voting. The testimony of every one of these witnesses is in the record, and every one swears that he was a resident of the district; that he was a registered voter in his precinct; that he stood at the polls—many of them all day—endeavoring to vote.

Mr. BURKE. Will my colleague on the committee state to this House, or is this House to understand that he asserts, that 623 colored men, under the testimony in this case, stood at the polls all day clamoring for the privilege of voting in this case?

Mr. CRUMPACKER. No; I do not say they all stood at the polls all day.

Mr. BURKE. That is what I understood the gentleman to say.

Mr. CRUMPACKER. I said many of them did, and all of them stayed more than a reasonable time. Some of them came, perhaps, at 10 o'clock and stayed until dark. Some came at noon.

Mr. BURKE. And some stayed five minutes?

Mr. CRUMPACKER. None stayed so short a time as five minutes—none that the committee ask to have counted. There are over 700 depositions in the record on the part of that class of voters, and the committee went carefully through the record and examined the testimony of every witness and eliminated every vote that there was any doubt about. A number were eliminated from whose testimony the minority quote in their report in the case. The committee examined that subject with especial care, and were careful to count no vote that the evidence did not bring clearly within the law.

Now, Mr. Speaker, a few words about the election law of the State of Virginia. The election machinery in 1896 was absolutely and entirely in the hands of the Democratic party. Under the law of that State the legislature elects three men in each county and in each incorporated city, who constitute what is known as the county and city electoral boards. In the Fourth Congressional district every single member of every one of those boards was a partisan Democrat, many of them being taken from the Democratic party organizations.

These electoral boards have absolute and complete control of the elections. A registrar is required in each voting precinct, and the electoral board appoints them. Every registrar in the Fourth Congressional district was a Democrat. The electoral boards provide for the printing of the official ballots. They arrange the order of the names on the ballot, and in every single instance the tickets were printed by Democratic printers. And, by the way, under the law of Virginia the printer is a quasi-public officer.

Every man who has a thing to do with the official ballot from the time the nominations are made and the certificates are filed until the votes are finally counted is under a solemn oath of secrecy. The board compiles the ballots. They do not edit the ballots, as they did prior to the amendment of the law in 1896. The arrangement of candidates is made and the character of the ticket is agreed upon by the electoral board, and no one under the shining sun of heaven except the electoral board and the printers who are officially selected knows a thing about the official ballot, about its appearance, its arrangement, or its contents until it is handed out at the voting place to the elector when he goes to cast his ballot on election day.

The provisions for nominations are decidedly peculiar under that law. Political parties certify to the secretary of the Commonwealth the nominations for general officers and Congressional candidates; but, as was explained by the distinguished chairman of the committee [Mr. WALKER of Virginia], who is thoroughly familiar with the law and the inscrutable methods by which it is administered, is such that any individual in the State may have his name put upon the official ballot, and it can not be known until election day. Every man who touches the ballot is sworn to secrecy, so that it can not be known who are candidates until the voter is confronted with the list at the ballot box.

Now, the chairman of the committee has called your attention to an abuse of that power in this case. The name of one J. L. Thorp, an unlettered, obscure denizen of Greenesville County—a Democrat, because he was born that way, for he said in his deposition he did not know why—was put upon the official ballot at the suggestion of E. L. Lashley, who was a member of the Democratic electoral board in Greenesville County, and of a man named Howell, for the acknowledged purpose of deceiving the voters of the district.

Those men in their testimony confess to these damning facts. Mr. Howell said he had no idea that anybody would vote for J. L. Thorp who knew anything about him, but his name was put upon the ballot for the purpose of deceiving the voters; "that Republicans might vote for him through ignorance." He so testified without qualification.

Think of it, Mr. Speaker, a member of the electoral board in Greenesville County, charged with the solemn duty of protecting the purity and integrity of the ballot and of securing to every

voter in his county the right to cast an independent and an honest ballot and to have it counted, entering into a foul conspiracy, resorting to a contemptible trick to put the name of a man on the official ballot with the avowed object of deceiving the credulous voters of the district! Who can have any confidence in elections conducted by such men?

Mr. MORRIS. May I ask the gentleman a question? Do they not require a convention to put these names on the ballot?

Mr. CRUMPACKER. No, sir.

Mr. MORRIS. No petition?

Mr. CRUMPACKER. No, sir.

Mr. MORRIS. They can just absolutely put any name on the ballot that they please?

Mr. CRUMPACKER. The requirement of the statute is that any elector of a Congressional district may, by a request in writing, the signature to which shall be attested by two witnesses and sent to the secretary of the State, have his name placed upon the official ballot as a candidate for Congress.

Mr. MORRIS. Without anybody else asking for it?

Mr. CRUMPACKER. Without anybody else asking for it.

Mr. MORRIS. No sample ballots before the election?

Mr. CRUMPACKER. No sample ballots published in the newspapers or anywhere else, and none about the polls.

Mr. MORRIS. No ballots issued until the morning of the election?

Mr. CRUMPACKER. No ballots are issued at all until they are given to the voters at the polls—one to each voter when he applies to exercise the high privilege of casting his ballot. It is a crime to give out any information respecting the ballot. It is an offense even, after one has voted, to go out on the street or elsewhere and instruct an elector in respect to the position of a name on the ballot or to give any information about the ballot whatever. They have what they call the Australian system of voting in Virginia. They have an official ballot and election booths, and the voter is required to prepare his ballot in secret.

The judges of election are all chosen by the partisan electoral boards, and the law provides that there shall be minority representation on the board of election officers; but it provides further that if this requirement is not observed it shall not invalidate an election. I presume that is merely declaratory of the common law, because if there should be an occasional violation of that safeguard, admitted as it is by people all over this country to be an indispensable one, it would not necessarily vitiate the poll in the absence of other incriminating facts.

I have now stated briefly the chief features of the Virginia election law as far as they are necessary for the purposes of this case. Every board of election officers in the Fourth Congressional district was Democratic in its composition; that is, a majority of each board were Democrats, and at nineteen precincts in that district every member of the board of judges and every clerk was a Democrat. That is conceded by contestee. I say that with perfect assurance, because I have his brief here, in which his counsel expressly admit the fact to be true.

Now, when an elector desires to vote he enters the polling place and is supplied with a ballot and sent into a booth to prepare it. One judge presides at the ballot box, one judge is in charge of the registration books, and one judge selected by the board is required to assist the illiterate and physically disabled voters in preparing their ballots. It has been demonstrated that the ballots are so prepared and guarded as to make it almost impossible for an illiterate to vote independently. He must have assistance, and in this lies one of the most pernicious features of the law because of the kind of assistance the law compels him to accept.

It is impossible for him to know the location of the names on the ballot, so he can not discharge that high function of citizenship alone with any degree of safety. In the Fourth district of Virginia, at the election in November, 1896, at every precinct, barring one, to which the distinguished chairman of the committee has referred, the marking judge—the judge who went into the booth with the voter—was a Democrat, and in many instances a disreputable one at that. In no instance did they permit a Republican judge to go into the booth with an illiterate or blind or physically disabled voter to assist him in preparing his ballot.

Mr. COLSON. Does the law of Virginia allow a judge of election to go into the booth with the voter?

Mr. CRUMPACKER. It requires him to do so with an illiterate voter.

Mr. MORRIS. Will the gentleman repeat that?

Mr. CRUMPACKER. Where an illiterate or physically disabled voter applies to vote, the law requires the judge who has been selected for that duty by a majority of the board to go into the booth with him to assist him in preparing his ballot, so that it will express his choice of candidates. Every one of these marking judges was a Democrat—almost every one was a partisan Democrat.

Mr. HAY. Do I understand the gentleman to say that every single judge who marked the ballots in the Fourth Congressional district in 1896 was a Democrat?

Mr. CRUMPACKER. Every single one was a Democrat, except the colored man referred to by the chairman of the committee, so far as the record discloses.

Mr. HAY. I say the record discloses just the opposite.

Mr. CRUMPACKER. Then the gentleman has been able to discover that which nobody else has found.

Mr. WHEELER of Kentucky. I found it.

Mr. MORRIS. Has the voter any choice as to the marker?

Mr. CRUMPACKER. None whatever. The voter has nothing in the world to say about it. The election board selects the marking judge, and the voter has no voice in the matter whatever. A majority of all the election boards is Democratic, and usually the most expert member in that line is chosen to prepare ballots for the illiterate voters. The record does not disclose a single instance where the voter was allowed to select the judge to assist him.

Mr. MUDD. And you say the voter has no choice as to these?

Mr. CRUMPACKER. No choice whatever, and the law surrounds the act of voting with so many obstacles that it compels all the illiterates and many others to depend upon the marking judge for assistance. It is lamentably true that a large percentage of the colored voters in the State of Virginia are illiterate. They possess intelligence enough to know for whom to vote, but not education enough to know how to vote. They can not run the gauntlet of the Virginia system because of its vicious complexities, and every illiterate, when he attempts to vote, is absolutely at the mercy of a Democratic partisan judge. That judge may mark the ballot right or wrong at his pleasure. He may perpetrate fraud with impunity, for the poor, unlettered victim has no capacity to detect it!

That is the situation in the State of Virginia. It is the boast of representatives of contestee in this case that the Democratic party of the State of Virginia is the white man's party. At the argument before the committee counsel for contestee declared that no colored man was ever allowed to participate in any primary, party caucus, or convention of the Democratic party in Virginia. Their doors are shut against men of color, yet gentlemen insist that colored men vote the Democratic ticket in that State. No colored man with any self-respect would identify himself with a party that gave him such treatment.

Wise legislation has placed the ballot in the hands of the colored man as his sword and his shield, that he might make himself felt as a factor in society and politics and in the affairs of the country generally. It was done to compensate to some extent for his disadvantages and for the superiority of his white brother over him. But by the Virginia system he is shorn of his power and is absolutely at the mercy of the one who is his inveterate social and political enemy, one whose cardinal faith in politics is "white supremacy." The Virginia voting system is subversive of free institutions.

It is extremely dangerous to put such enormous power in the hands of a single man as is vested in the marking election judge in Virginia. The temptation to shamefully abuse it will not be resisted. Why, even in the State of Indiana, where the political atmosphere is proverbially pure, there would be very little confidence in any election under such an infamous law. The State of Indiana would not tolerate that law twenty-four hours. It would create revolution and bloodshed in any State where equality and fair play have been controlling sentiments.

Now, Mr. Speaker, I think I have demonstrated the abundant opportunities afforded by the Virginia law for the perpetration of fraud. There are men who will resort to methods in politics that they would despise in all other relations in life, and particularly is that true where the dominant sentiment is that a higher law of civilization justifies the accomplishment of an end condemned by positive law. If elections can be conducted fairly in the State of Virginia under this system, human nature is better there than it is in Indiana or in Illinois or in the Northern States generally, where all the safeguards practicable are found necessary.

It is historical in the State of Virginia that wherever there has been an opportunity to abuse the election law that opportunity has been made serviceable. The present election system was established in 1894, and it originally gave the electoral boards complete power over the elections. They had all the powers now given electoral boards, and, in addition, the discretion as to the character of type to be used in printing the ballots. That discretion was vested in them, doubtless, upon the assumption that it would be exercised justly and honestly.

But gentlemen of this House know that in 1894, at the first election held under this law, in many of the Congressional districts in the State they shamelessly abused that discretion. In the case of Yost against Tucker, the type used in printing the ballots was a mixture of script, italics, German, and old English, so that the official ballot had more resemblance to a Chinese laundry bill than it had to a ballot designed to express the will of an American citizen.

The State legislature took note of that abuse and corrected the law in that particular. We have seen in this case an instance of a contemptible conspiracy set on foot by an election officer to abuse

the power of placing candidates on the official ballot. It was done to confuse and entrap innocent voters. But the power in a single partisan judge to mark ballots for illiterate voters is infinitely worse than all the others combined. It is more dangerous because its consequences are worse and the danger of detection is infinitely less. There is absolutely no safeguard for pure elections except the integrity of the election judge who goes into the polls with the helpless, illiterate colored man to mark his ballot.

For J. L. Thorp, the bogus candidate, 491 votes were cast by unsuspecting, innocent voters of the district through inadvertence and mistake. In honesty and good conscience every single one of those votes ought to be counted for contestant, because it is manifest that they were intended for him, but were stolen by a cheap trick. The committee do not ask that they be so counted, but I refer to the facts to show you something about the character of the election law and the methods of election officers in the State of Virginia. But I do insist that the 623 voters who went to the polls on election day and used due diligence to cast their ballots and were denied the right shall be counted.

I deny that section 2007 of the recent Federal election statute conferred the right to count votes not cast. That right existed independent of that statute; it existed as a matter of sound morals and of public policy; it existed as a matter of self-respect and self-preservation in this body. That right is constitutional and is above that statute or any other statute that has been or ever can be enacted. It is true that in some States the courts have denied the right of parties to contested-election cases to count the ballots of voters who were illegally and improperly refused the right to vote; but that rule has not obtained in this House for more than twenty years. The right to count votes not cast is based on a principle of vital importance.

The rule is laid down by the report of the committee, prepared by Mr. LACEY in the case of Waddell against Wise, as follows:

> If the fraudulent exclusion of votes would, if successful, secure to the party of the wrongdoer a temporary seat in Congress, and the only penalty for detection in the wrong would be merely a new election, giving another chance for the exercise of similar tactics, such a practice would be a great premium on fraud and indefinitely prevent an election; but if, where such acts are done, the votes are counted upon clear proof aliunde, the wrong is at once corrected in this House and no encouragement is given to such dangerous and disgraceful methods.

That is the philosophy of the rule, Mr. Speaker, and this House has exercised that power once since the repeal of section 2007 in the case of Yost against Tucker. The report of the committee in that case, adopted by the House, recommended the counting of votes excluded, under precisely the same circumstances. It has become a rule of jurisprudence in this House, and a wise and judicious rule it is.

Under the Virginia election law the judges of the county courts establish the precincts, and it is within the power of those judges to change the lines of the precincts and create others when conditions seem to justify it. In some of the precincts where votes were excluded there were over 1,000 registered voters. For instance, in the Sixth Ward of the city of Petersburg there were 1,000 voters who registered—750 colored and 250 white. It was shown by men who testified from the registration list and who were personally acquainted with every voter in the ward.

There were 750 colored and 250 white voters, and yet the "white man's party," that treats the colored man in politics with no more respect than if he were a dog, emerged from that ward with a majority of 94 votes. Of the 750 colored voters, perhaps two-thirds of them required assistance in marking their ballots; and I submit that however honest the election judges may have been, it was an impossibility to cast all those votes at that precinct, and yet there is evidence of dilatory tactics, of discrimination, and other irregularities impeaching the integrity and the good faith of every member of that board.

Counsel for contestee say in their brief—and I believe my distinguished colleague contended on the floor—that excluded votes could not be counted unless it be shown that they were excluded by the fraud of election officers. On that subject I submit a quotation from McCrary on Elections, relating to the question of the size of election precincts and the conduct of officers in failing to provide reasonable facilities to accommodate all the voters of the district. Frauds can be perpetrated in the arrangement of precincts as well as in matters more directly involving election methods.

Mr. HAY. The gentleman does not want to misstate the law of Virginia, I suppose?

Mr. CRUMPACKER. No, sir.

Mr. HAY. Is it not true that under the law of Virginia fifteen qualified voters of a precinct may petition the county judge to erect a new precinct?

Mr. CRUMPACKER. That is true.

Mr. HAY. Is it shown that qualified voters did in any precinct of this district make any such petition?

Mr. CRUMPACKER. They did in the city of Petersburg, and the county court continued the case term after term, and finally refused to grant the request on the ground of expense. Yes, sir; in the city of Petersburg a petition by fifteen voters of the Sixth Ward was filed making such a request, and the prayer of the petitioners was denied by the county court.

Mr. HAY. Was that done anywhere else in the district?

Mr. CRUMPACKER. I do not remember whether it was or not. I know it was done in that instance.

But at any rate, it is the duty of the county court in the first instance, without petition, to construct precincts of such a character as to afford reasonable facilities for the accommodation of all the voters, having in view their character, capacity, their habits of life and thought.

Mr. HAY. How can the judge construct a new precinct without being informed of the facts? He is not supposed to know what is taking place in every precinct.

Mr. CRUMPACKER. To that suggestion, my answer is that the power which created the precincts in the first place had no right to act except upon satisfactory information; and those precincts were too large when created. There were 750 colored and 250 white voters in the Sixth Ward of Petersburg, all in one precinct. There were probably 500 illiterate voters, men who required the assistance of an election judge, in that precinct. The law allows each voter two minutes and a half in the booth; and during an election day of ten hours only 240 voters could be accommodated if each occupied all the time allowed. While the election judge was in the booth preparing the ballot for one illiterate voter, all other such voters would be compelled to wait until the judge was ready to assist them.

At the closing of the polls in that ward on that election day 307 men—American citizens—stood in line unable to vote. Many of them had been there all day clamoring for an opportunity to vote—driven almost to the point of desperation because of their disappointment. When the polls closed at the going down of the sun, 307 qualified voters had been denied the right so highly prized by every American citizen. Three hundred and seven! An army larger than the army that stood with Leonidas at Thermopylæ. This occurred in the Sixth Ward in Petersburg under the very nose of the court that created the precinct.

According to the sound doctrine declared by McCrary, it is immaterial how the votes are excluded. The question is, Does the poll express the voice of the majority of the legal voters? If by accident or design it does not, it is discredited. I read from section 251 of McCrary on Elections:

> But the question may arise whether, even in the absence of proof of a fraudulent purpose, the fixing of the voting places in such a manner as to prevent a full and free election must not render the election void? As, for example, if all the voters of a county or city are required to vote at a single polling place, and if it should appear that the voters were so numerous that it was impossible for them all to vote, and that a part were, in fact, for this reason prevented from voting—in such a case, we think, the election should be held void without further proof.

Under the conditions described, the poll is discredited; but according to a well-settled, universally recognized rule of law, votes proved aliunde may be counted where the poll is rejected.

This author further says:

> Perhaps from these facts a fraudulent purpose on the part of the board or officers whose duty it was to fix suitable and convenient voting places would be presumed; but if not, then the election should be held void upon the ground that whatever in point of fact prevents a fair and free election, whether so intended or not, must render the election null and void.

Does any gentleman on this floor dispute the wisdom of those words, the soundness of that rule of law? In paragraph 492 the author says substantially the same thing—that anything operating to defeat the expression of the will of the majority of voters at a precinct renders the return unreliable, and unless there be evidence showing the vote aliunde, the poll must be rejected.

At six or seven precincts of this district 623 votes were excluded under circumstances that bring them within the rule laid down by McCrary. The distinguished chairman of the committee said that the minority report was made up in the main of extracts from the contestee's brief.

I have no doubt of the truth of that statement. Twenty-eight of the thirty-three pages were quoted verbatim from the brief. If my colleague from Indiana had gone to the record instead of to the contestee's brief for his information, he probably would have left unsaid some things that he uttered in his speech. The minority, on page 16 of their report, quote, among other things, an extract from the evidence of John Harrison. The quotation, as they give it, reads thus:

> Q. You were not prevented from voting, were you?
> A. No, sir.

This extract from the evidence would convey to the minds of members the impression that this man did not try to vote. I want to show you what he did testify to. This one instance will serve as an illustration for all. I read from the testimony of John Harrison, on page 340 of the record:

> Cross-examination by COUNSEL FOR CONTESTEE:
> 1. Q. Did you get in line when you first went to the polls?
> A. Yes, sir.

2. Q. Did you leave the line?
A. No, sir.
3. Q. In answer to question 5 you said you were at the polls from 6 o'clock till they closed. How long was that?
A. Was there from 6 in the morning until 6 at night. I did not leave at all.
4. Q. Did you eat dinner that day?
A. I carried some bread in my pocket.
5. Q. How many men in front of you when you got to the polls?
A. I could not tell; there was lots of them.
6. Q. Were there 25?
A. More.
7. Q. About how many?
A. About 50.
8. Q. Did you see them vote?
A. A few of them.
9. Q. Did you change your place at all that day?
A. No, sir.
10. Q. Were you standing up or sitting down?
A. Standing up.
11. Q. Do I understand you to say that you stood up in line for twelve hours without changing your place or leaving at all?
A. Yes, sir.
12. Q. Did you urinate at all that day?
A. Yes, sir.
13. Q. Where?
A. The men were standing so thick around me that I put it up side the fence.

That is what John Harrison stated—that he was in attendance at the polls all day, and was prevented from voting because the crowd was so great he could not get within 40 feet of the polls.

That, Mr. Speaker, is a fair sample of the garbled extracts of the testimony quoted in the minority report.

Those 623 votes were every one honest, legal votes; they would all have been cast for contestant; and they ought to be counted for him now under the settled decisions of this House and by every principle of morals and public policy.

Now, there were nineteen precincts where there was not a Republican judge nor a Republican clerk, and I desire your attention for a short time to those precincts. In the city of Petersburg, at every single precinct, there was a solid silver Democratic board. At every solitary precinct in that city a Democratic election board had control. What does that mean? Why, under a rule of law recognized universally, where there is a general violation of one of the important safeguards of an election law at all the precincts, it is prima facie evidence of conspiracy, and without further proof it will discredit the entire returns. No further proof is required.

In Lunenburg County there were 8 precincts, and at 7 of them every election officer was a Democrat. There were 5 election officers at a precinct, 40 altogether in that county, and the Republicans had 1 and the Democrats 39.

Now, Mr. Speaker, when the case of Thorp against McKenney was before this House two years ago the Committee on Elections unanimously reported in favor of unseating Mr. McKenney and giving the seat to Mr. Thorp.

There were two reports in that case, both reaching the same conclusion, but on different grounds. The Democratic members of the committee recommended the unseating of McKenney because the electoral boards in a number of instances refused to appoint any Republican election judges. They apologized for the action of the election officers on the ground that the law was only enacted in 1894, and its provisions were not understood; but they held that the result was wrong nevertheless, and they reported in favor of unseating the Democratic sitting member for that reason.

Mr. BURKE. Will the gentleman yield for a question.

Mr. CRUMPACKER. Yes.

Mr. BURKE. Is it not fair to state to this House that that committee predicated that report on the fact that Mr. McKenney never introduced an iota of testimony before the House?

Mr. CRUMPACKER. Well, that was suggested in the report.

Mr. BURKE. Does not the record show that Mr. McKenney never offered an iota of proof?

Mr. WALKER of Virginia. May I interrupt the gentleman for a moment? I was on that committee. There was a contest made. There was a very exhaustive brief filed and a gentleman appeared before the committee and argued the case, and it was argued in this House.

Mr. BURKE. I ask if the report of that minority, to which Judge CRUMPACKER has just referred, does not expressly declare that they put it on the ground that Mr. McKenney introduced no testimony?

Mr. WALKER of Virginia. They do not put it on any such ground.

Mr. BURKE. I challenge a reference to that report in support of my statement.

Mr. CRUMPACKER. They suggested that fact in the report, but concluded that McKenney should be unseated because the Republicans had no representation on some of the election boards. Now, in the case under consideration it is admitted by the other side that at nineteen precincts giving contestee a plurality of about 2,200, the Republicans had absolutely no representation on the election board. According to the Democratic view two years ago, that fact alone was sufficient to reject the returns at all such precincts.

The election officers sinned against light this time, because they had before them the judgment of the House in Thorp against McKenney in the last Congress. They set at naught and defiantly trampled in the dust the only safeguard given in the election law of Virginia tending to secure an honest election. And I desire to say further that in the present case the minority do not even reprove the misconduct of the electoral boards. They admit now that at least 623 voters were kept from the polls for want of facilities to accommodate them, and that at 19 precincts, giving contestee about 2,200 plurality, there was no Republican representative on the boards; but they still insist that the election was regular and the methods above criticism.

Mr. CAPRON. Will the gentleman permit an interruption?

Mr. CRUMPACKER. With pleasure.

Mr. CAPRON. I should like to ask the gentleman if one of these official ballots was presented before the committee?

Mr. CRUMPACKER. Yes, sir.

Mr. CAPRON. I should like to ask if this one which I hold in my hand is a copy?

Mr. CRUMPACKER. That is a copy of the official ballot that was used in Petersburg.

Mr. CAPRON. For the information of the House, I ask that the gentleman permit this ballot to go into the RECORD as a part of his speech.

Mr. CRUMPACKER. I will do so. I should like to have that ballot inspected by the members. I will append it to my remarks.

Now, there was evidence of fraud and irregularity at every one of those nineteen precincts in addition to the refusal to appoint a Republican judge or clerk on the election board; evidence that the Democratic marking judges mismarked ballots, and in some instances they refused to mark them at all.

They had different views in relation to the duty of election judges to assist illiterate voters in preparing their ballots. The law provides that a judge shall go into the booth to assist an illiterate or physically disabled voter in preparing his ballot, and he shall read the ballot over and furnish the voter such assistance as he may require; and in case of one physically incapacitated to perform the manual act of scratching the ballot the judge must do that also.

The supreme court of appeals of the State, in the case of Pearson *vs.* Board of Supervisors (91 Va., 323), decided that where a voter is unable on account of lack of education to safely mark his own ballot, as well as where he is physically incapable of doing so, it is the duty of the judge to perform the manual act of marking, as well as to give him instructions. But in many instances in the Fourth Congressional district the judge refused to furnish that assistance. He would read the ballot over to the voter and point out the names of the candidates; then refuse further assistance.

The poor unlettered voter would be compelled to blunder and stumble over the ballot in attempting to make it express his will while the judge stood by with folded arms and looked on, and frequently ballots would be defaced and mutilated in the presence of the judge in such a manner that they could not be counted, and he would suffer them to be voted in that condition. Several judges admitted those facts in their testimony and justified themselves on the ground that the voter had eyes and hands and the manual act of marking was his own affair.

Republicans at numerous polling places attempted to keep a tally of those voting the Republican ticket with the view of circumventing fraud. The judges refused this innocent privilege and threatened to put those who persisted in it in jail. The law provides that when the polls are closed, the doors shall be locked and the election board shall then count the ballots to ascertain whether the number of ballots in the box corresponds to the number of names on the poll list. No witness is permitted to be present at this proceeding; no one but the election board is allowed to witness the performance. If there should be more ballots in the box than there are names on the poll list, one of the election officers is blindfolded and draws out a sufficient number of ballots to make them correspond.

The SPEAKER. The time of the gentleman has expired.

Mr. WALKER of Virginia. I yield ten minutes more to the gentleman.

Mr. CRUMPACKER. After that is done, witnesses are permitted by the law to be present at the canvass, but in a number of instances that right was denied, though it is expressly given by the law. In the city of Petersburg a Gold Democrat, a reputable citizen, applied to the chairman of the city electoral board for representation upon the board of election officers, and asked to have witnesses at the canvass of the votes. Both requests were peremptorily refused.

The chairman of the board assured him that he need not be alarmed, for they proposed to count all the votes cast for Palmer and Buckner, but, to use his own language, he said, "As for the Republicans, what we will do for them will be a plenty." [Laughter.]

Mr. MORRIS. Who testified to that?

Mr. CRUMPACKER. A reputable witness. I do not remember his name.

Mr. YOST. Alexander Hamilton, of Petersburg.

Mr. LACEY. Did they do a thing to them? [Laughter.]

Mr. CRUMPACKER. He said what they would do to the Republicans would be a plenty, and the result fully vindicates his prediction. All the election officers in that city were Bryan Democrats, and a majority of them were time-serving Democratic politicians.

Mr. WALKER of Virginia. Officeholders.

Mr. CRUMPACKER. Officeholders, men who obtained their sustenance out of the public, whose subsistence depended upon Democratic supremacy. Talk about that being a fair election!

Mr. JOHNSON of Indiana. May I ask the gentleman a question?

Mr. CRUMPACKER. Yes.

Mr. JOHNSON of Indiana. What was the plurality returned at this election for the sitting member?

Mr. CRUMPACKER. Two thousand six hundred and twenty-one, and counting the 623 who tried but did not have an opportunity to vote, and rejecting the returns at the 19 precincts where Republicans were denied any representation at all on the election boards, without reference to other frauds reported by the committee, it will elect the contestant by over 400 plurality.

But there are six precincts where illiterate negroes were appointed to represent the Republican party; men without capacity to guard the interests of the public; men who were pliant tools of designing politicians, utterly incapable of detecting fraud if they were so disposed. In all honesty contestant was elected by a plurality of between 1,100 and 1,200 without reference to strong evidence of fraud at numerous precincts not mentioned in the report of the committee. The gentleman from Indiana [Mr. MIERS] sought to invoke a technical application of the rules of evidence to retain contestee in his seat. It is a rare thing that fraud can be proven by direct evidence. It is not usually perpetrated in public, and can only be proven by circumstances. The duty of the House is well stated by Mr. McCrary in these words:

> It is undoubtedly the policy of the law not to throw too many obstacles in the way of investigating the correctness and bona fides of election returns. On this point the court in Reed vs. Kneass very justly observe:
>
> "The true policy to maintain and perpetuate the vote by ballot is found in jealously guarding its purity, in placing no fine-drawn metaphysical obstructions in the way of testing election returns charged as false and fraudulent, and in assuring to the people by a jealous, vigilant, and determined investigation of election frauds that there is a saving spirit in the public tribunals charged with such investigations, ready to do them justice if their suffrages have been tampered with by fraud or misapprehended through error."
>
> It is in the spirit of this rule that questions respecting evidence in contested-election cases should be solved.

Gentlemen insist that the registration books are the only competent evidence of the registration of voters. That doctrine is true as respects the election officers, but before a tribunal equipped to make a searching investigation for the truth it has no application. Every registrar in the district was a Democrat, and every registration book was at the command of contestee. Every witness testified he was a registered voter in the precinct where he tried to vote, and there is no evidence to the contrary. If they were not registered, contestee could easily have shown the fact by putting the books in evidence. I say to gentlemen on the other side of the House, let the State of Virginia correct her election laws. Let her establish those safeguards for the purity and fairness of elections that are recognized by experience to be necessary throughout the country and rigidly enforce them, and her peace of soul will not be disturbed by these unseemly controversies. The recent governor of that State, Governor O'Ferrall, in his last message to the legislature, characterizes this election law as a monstrous one, and earnestly urges its repeal. After four years of experience under it, he declares it to be a failure. He is a Democrat, remember, and I invite your attention to his language:

> But there is in the existing act provisions which make fraud easy and tend to cast suspicion upon the election as well as upon the purposes of the act, so that while the new law has its advantages over the old law, it has its evils, for it disfranchises many and opens wide the door for corruption and dishonesty. It has proved a failure, and should be amended, retaining what is good and discarding what is bad in it.
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> * * * * * * *
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> No better evidence of the imperfection of the law as it stands is needed than the thousands of defective or improperly marked ballots that have been thrown out in every election since the law was enacted—in some instances as many as one-third or one-half of the ballots deposited. It shows that the mode is too intricate for the illiterate voters to prepare their own ballots correctly, or that the officials intrusted to mark the ballots of the illiterate voters are often either corrupt or too ignorant to discharge their duty. Imperfect ballots were very rarely cast prior to 1894.

That is the voice of a patriot, and it would be well for Virginia to give it consideration. There are doubtless Democratic Congressional districts in the State of Virginia that would return Democratic Congressmen without the infamous provisions of that law, but I should want some evidence of it besides the credentials issued by Democratic officers under the existing system of voting. A certificate of election under that system can have but little respect, and every honest man feels as if he would prefer to have it fumigated before he handles it.

The State of Virginia is scandalized by that outrageous law, and she will continue to be as long as it remains upon her statute books. No utterance of any member upon the floor of this House can add anything to the odium that it brings to the fame of the proud old State. It is a libel upon her citizenship and it is reprobated by a majority of the people of the State, I have no doubt. Virginians are honest people, but the politics of the State are controlled by an oligarchy of graceless timeservers and partisans, who are willing to subordinate principle to expedient and justice to plunder.

Mr. JOHNSON of Indiana. May I ask my colleague another question?

Mr. CRUMPACKER. Certainly.

Mr. JOHNSON of Indiana. In speaking of certain precincts you said there were nineteen at which the officers were all members of the Democratic party.

Mr. CRUMPACKER. Yes, sir.

Mr. JOHNSON of Indiana. Was there any other evidence of fraud at those precincts besides that fact?

Mr. CRUMPACKER. At every one of those precincts there is ample evidence of fraud and irregularity to discredit the returns, even if the Republicans had been given representation upon the election boards. It consisted in the mismarking of ballots and in the rejection of a large number of the votes cast—in some instances more than half—and in refusing the right to keep a tally away from the polls, and in refusing witnesses to the count, and in other particulars which I have not time to enumerate.

I have in mind one particular precinct where ballots incorrectly marked for President were rejected altogether, though properly marked for other officers. At that precinct 83 ballots were rejected, and upon a recount later it was discovered that 79 of them were correctly marked for contestant and should have been counted for him under the law. There is not a precinct which the committee recommends to be rejected that is not fully discredited by the proof of fraud and irregularity. I have now discussed the case as fully as my time warrants, and desire to thank the House for its attention. [Loud applause on the Republican side.]

Mr. MIERS of Indiana. Mr. Speaker, is it desired that more time shall be consumed this evening?

The SPEAKER. It is only 4 o'clock.

Mr. BURKE. Will the gentleman yield for a question before he takes his seat?

The SPEAKER. The time of the gentleman has expired.

Mr. MIERS of Indiana. I understood there had been some agreement or arrangement made.

The SPEAKER. A gentleman who was to speak spoke to me. The gentleman from Kentucky [Mr. RHEA], as I understood him, asked the consent of the House to postpone, on account of sickness, what he had to say.

Mr. MIERS of Indiana. Yes; he said he was indisposed, and asked that he might be permitted to occupy the time in the morning instead of this afternoon. The gentleman from Kentucky now states that he is suffering very much from a headache and desires that he be not required to proceed until to-morrow.

The SPEAKER. The Chair will submit the proposition to the House that further consideration be postponed until to-morrow.

Mr. WALKER of Virginia. Mr. Speaker, I hope that request will not prevail. There are other speakers here, and we may not get through to-morrow unless the time is occupied.

Mr. MIERS of Indiana. We have already occupied about four hours of the time.

Mr. HAY. How much time is there left on each side, Mr. Speaker?

The SPEAKER. One hour and thirty-seven minutes left on the side of the contestant and two hours and forty-five minutes on the side of the contestee.

Mr. HAY. There has been occupied, then, a little over four hours; so that we could get through easily to-morrow.

Mr. BAILEY. Mr. Speaker, it appears that there are a few minutes less than four hours for debate, and that would bring a vote on the question before the House adjourns to-morrow, at any rate. If we were to proceed now the House would hardly do more than conclude the discussion of the case and vote on it to-morrow. It appears to me that there would be no loss of time, no delay of the matter, if, in order to accommodate the gentleman from Kentucky, the matter were postponed until to-morrow, and the House go on with such routine business as may properly come before it.

Mr. WALKER of Virginia. There are other gentlemen here who desire to speak.

Mr. MIERS of Indiana. There are two more speeches to be made, and the time will be fully occupied by them.

Mr. WALKER of Virginia. There are three speakers——

Mr. MIERS of Indiana. There are perhaps one hundred who would like to speak, but there are only two that are going to occupy the time.

Mr. WALKER of Virginia. The gentleman from Virginia [Mr. HAY] proposes to speak, and he is here. I do not see why we should lose this time. I have no personal interest in the matter, and do not wish to be unkind or discourteous, but I see no reason in the world why the debate should go over until to-morrow when others who are not sick are here ready to speak.

Mr. MIERS of Indiana. There are two gentlemen, Mr. RHEA of Kentucky and the gentleman from Virginia, Mr. HAY. Mr. HAY was to conclude the argument, and Mr. RHEA is indisposed and asks permission that his argument go over until to-morrow.

Mr. RHEA of Kentucky. Mr. Speaker, I would like to make a statement.

Mr. WALKER of Massachusetts. We in this part of the House would like to hear what is going on.

The SPEAKER. Gentlemen will be in order and resume their seats.

Mr. RHEA of Kentucky. Mr. Speaker, I made a statement, as I now recollect it, something like an hour ago, that I had consented and desired to address the House in behalf of the contestee, Mr. Epes; that it had been agreed upon that I should do so, and the order in which I was to make the address had been stated and understood upon this side of the Chamber; that the gentleman from Virginia [Mr. HAY] was prepared to close the case for the contestee, assuming certain lines, being more familiar with the facts in the record than myself, but that I had been suffering all day with a headache and did not feel able to continue the discussion this afternoon; that I had no desire and no purpose to delay this case beyond to-morrow or beyond any time that the House chose to decide it.

I asked as a matter of courtesy to myself, and as a matter of kindness to myself under the circumstances, that the House adjourn until to-morrow at the conclusion of the remarks of the gentleman from Indiana [Mr. CRUMPACKER], which at best could only delay the final consideration about sixty minutes; that then, if I was unable to proceed, I would in no way interfere with the proceedings so as to cause any further delay. I now make that request of the House.

Mr. WALKER of Virginia. Mr. Speaker, I certainly would not object if the gentleman from Kentucky were the only speaker, but there are other speakers here, and I can not understand why another speaker can not go on with the case. It interferes with the arrangement in no way except that one man speaks before the other; it leaves the gentleman from Kentucky to make the last speech. So far as the gentleman from Kentucky is concerned, I am guilty of no rudeness or unkindness to him. If he is unable to speak to-night, he can make his speech to-morrow; but I do claim that the gentleman who is not sick should proceed.

Mr. MIERS of Indiana. I understand the gentleman from Virginia [Mr. WALKER] objects.

Mr. WALKER of Virginia. Yes, I object. If there was no other gentleman here to speak but the gentleman from Kentucky, I would not object.

Mr. MIERS of Indiana. Then, Mr. Speaker, in view of that statement, I move that the House do now adjourn.

The question was taken; and upon a division (called for by Mr. WALKER of Virginia) there were—ayes 69, noes 49.

The SPEAKER. Before making the announcement, the Chair will lay before the House the report of the Committee on Enrolled Bills.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 6542. An act for the relief of Eldred G. Davis; and

H. R. 4698. An act for the relief of W. E. Judkins, executor of Lewis McKenzie.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House was requested:

S. 3618. An act appropriating money for the payment of the claim of George W. McCray;

S. 2700. An act to confer jurisdiction upon the circuit courts in certain cases;

S. R. 34. Joint resolution authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances;

S. 4108. An act granting to the Washington Improvement and Development Company a right of way through the Colville Indian Reservation, in the State of Washington;

S. 1515. An act for the relief of Frank J. Burrows;

S. 2832. An act for the relief of the estate of Eliza Brackenridge, deceased;

S. R. 28. Joint resolution making an appropriation for the improvement of the Anacostia River and the reclamation of its flats;

S. 2399. An act for the relief of the Union Iron Works, of San Francisco, Cal.;

S. 2398. An act to pay the Union Iron Works, of San Francisco, Cal., for extra work on the *Monterey;*

S. 399. An act to provide for promoting Capt. William N. Tisdal, United States Army, now on the retired list, to the rank of major;

S. 3105. An act to correct the military record of Peter Buckley;

S. 2872. An act to amend section 1370 of the Revised Statutes of the United States, relating to the Medical Corps of the Navy;

S. 3011. An act to authorize the use of depositions before naval courts in certain cases;

S. 1773. An act to amend the military record of George F. Miller; and

S. 3154. An act to amend an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich."

The message also announced that the Senate had passed without amendment the bill (H. R. 3737) granting an increase of pension to Orlando J. Hopkins.

The message also announced that the Senate had passed the bill (H. R. 5030) to authorize the construction of a bridge across St. Francis River, in the State of Arkansas, with amendment in which the concurrence of the House was requested.

The message also announced that the Senate had agreed to the amendments of the House to bills of the following titles:

S. 3179. An act granting a pension to Bethiah H. Rollins;

S. 1200. An act granting a pension to Miss Mary Hayne; and

S. 179. An act granting a pension to Mary F. Hawley.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3618. An act appropriating money for the payment of the claim of George W. McCray—to the Committee on Claims.

S. 2700. An act to confer jurisdiction upon the circuit courts in certain cases—to the Committee on the Judiciary.

S. R. 34. Joint resolution authorizing the Commissioners of the District of Columbia to alter, amend, or repeal certain health ordinances—to the Committee on the District of Columbia.

S. 4108. An act granting to the Washington Improvement and Development Company a right of way through the Colville Indian Reservation, in the State of Washington—to the Committee on Indian Affairs.

S. 1515. An act for the relief of Frank J. Burrows—to the Committee on Claims.

S. 2832. An act for the relief of the estate of Eliza Brackenridge, deceased—to the Committee on Claims.

S. R. 28. Joint resolution making an appropriation for the improvement of the Anacostia River and the reclamation of its flats—to the Committee on the District of Columbia.

S. 2399. An act for the relief of the Union Iron Works, of San Francisco, Cal.—to the Committee on Claims.

S. 2398. An act to pay the Union Iron Works, of San Francisco, Cal., for extra work on the *Monterey*—to the Committee on Claims.

S. 399. An act to provide for promoting Capt. William N. Tisdall, United States Army, now on the retired list, to the rank of major—to the Committee on Military Affairs.

S. 3105. An act to correct the military record of Peter Buckley—to the Committee on Military Affairs.

S. 2872. An act to amend section 1370 of the Revised Statutes of the United States, relating to the Medical Corps of the Navy—to the Committee on Naval Affairs.

S. 3011. An act to authorize the use of depositions before naval courts in certain cases—to the Committee on Naval Affairs.

S. 1773. An act to amend the military record of George F. Miller—to the Committee on Military Affairs.

S. 3154. An act to amend an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich."—to the Committee on Interstate and Foreign Commerce.

RETURN OF BILL TO THE SENATE.

The SPEAKER submitted to the House the following Senate resolution, which the Clerk read:

IN THE SENATE OF THE UNITED STATES, *March 22, 1898.*

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 1595) to amend an act to permit the use of the right of way through the public land for tramroads, canals, and reservoirs, and for other purposes.

The request contained in the resolution was acceded to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BOTKIN for ten days on account of sickness of his father.

The result of the vote was then announced as above recorded; and accordingly (at 4 o'clock and 16 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a communication from the Attorney-General submitting an estimate of appropriation to pay Frank P. Flint for services as special deputy United States marshal—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Harvey H. Waters, administrator of William A. Waters, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. PITNEY, from the Joint Select Committee to Investigate the Charities and Reformatory Institutions in the District of Columbia, submitted a report on the charities and reformatory institutions in the District of Columbia (No. 776); which said report was ordered to be printed.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1055) to amend section 4766 of the Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 781); which said bill and report were referred to the House Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the Senate (S. 106) for the relief of the heirs and legal representatives of those who were killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I., reported the same without amendment, accompanied by a report (No. 789); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 7747) to quiet the title of lands granted to the State of Colorado for school and other purposes, reported the same with an amendment, accompanied by a report (No. 792); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP, from the Committee on Rivers and Harbors, to which was referred the joint resolution (S. R. 105) relative to the appropriation for the Rouge River, Michigan, reported the same without amendment, accompanied by a report (No. 793); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1320) granting a pension to Sophia J. Chilcott, reported the same without amendment, accompanied by a report (No. 777); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5963) granting a pension to Whelock G. Veazey, reported the same with amendment, accompanied by a report (No. 778); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7793) to increase the pension of Susan Brownlow Boynton, reported the same with amendment, accompanied by a report (No. 779); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6928) granting a pension to Eva Seeley, of Washington, D. C., reported the same with amendment, accompanied by a report (No. 780); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5809) granting a pension to Charles E. Taylor, reported the same with amendment, accompanied by a report (No. 782); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war, reported the same with amendment, accompanied by a report (No. 783); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1837) granting a pension to Sarah E. Cotton, reported the same without amendment, accompanied by a report (No. 784); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy, reported the same with amendment, accompanied by a report (No. 785); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 7932) for the relief of Mary E. McDonald, widow of Marshall McDonald, and Stephen C. Brown, reported the same with amendment, accompanied by a report (No. 786); which said bill and report were referred to the Private Calendar.

Mr. BRUMM, from the Committee on Claims, to which was referred the bill of the House (H. R. 2245) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher, reported the same with amendment, accompanied by a report (No. 787); which said bill and report were referred to the Private Calendar.

Mr. YOST, from the Committee on Claims, to which was referred the bill of the House (H. R. 3815) for the relief of Alphonso M. Potvin, late of Colon, Republic of Colombia, reported the same with amendment, accompanied by a report (No. 788); which said bill and report were referred to the Private Calendar.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 7915) allowing Isaiah Mitchell, of Denver, Colo., seven years within which to make a final homestead entry upon certain land, reported the same without amendment, accompanied by a report (No. 790); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2444) for the relief of William H. Tibbits, reported the same with amendment, accompanied by a report (No. 791); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 9350) granting arrears of pension to Pauline M. Beach, widow of Henry S. Beach, deceased; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. NEWLANDS: A bill (H. R. 9376) to promote the cause of irrigation in the State of Nevada by directing the Secretary of the Interior to make surveys for and determine and report on the cost of erecting reservoirs on certain rivers and their tributaries in the State of Nevada, and making appropriation therefor—to the Committee on Irrigation of Arid Lands.

By Mr. SHAFROTH: A bill (H. R. 9377) authorizing cities and towns in the Indian Territory to secure, by condemnation or otherwise, lands necessary for public improvements—to the Committee on Indian Affairs.

By Mr. MANN: A bill (H. R. 9379) for a fog signal at Calumet River, Illinois—to the Committee on Interstate and Foreign Commerce.

By Mr. TAWNEY: A bill (H. R. 9380) defining mixed flour, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of mixed flour—to the Committee on Ways and Means.

By Mr. HARMER: A joint resolution (H. Res. 189) authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes—to the Committee on the District of Columbia.

By Mr. FITZGERALD: A resolution (House Res. No. 260) relative to the name of the new torpedo boat—to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARRETT: A bill (H. R. 9381) granting a pension to Sarah E. Sanborn—to the Committee on Invalid Pensions.

By Mr. BENNETT: A bill (H. R. 9382) increasing the pension of Frank Perry—to the Committee on Invalid Pensions.

By Mr. BREWER: A bill (H. R. 9383) granting a pension to Sarah E. Hawkins—to the Committee on Pensions.

Also, a bill (H. R. 9384) granting a pension to Amanda J. Stewart—to the Committee on Pensions.

By Mr. BRUCKER: A bill (H. R. 9385) for the relief of Charles F. Coles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9386) for the relief of George E. Lonsberry—to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 9387) for the relief of the heirs of William H. Finch—to the Committee on War Claims.

Also, a bill (H. R. 9388) for the relief of Ralls Lodge, No. 33, Ancient Free and Accepted Masons—to the Committee on Military Affairs.

Also, a bill (H. R. 9389) for the relief of William Toedtmann—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 9390) for the relief of the legal representatives of W. B. Trotter, deceased—to the Committee on War Claims.

By Mr. FENTON: A bill (H. R. 9391) granting a pension to Thomas Park—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9392) granting a pension to Anna M. Dammert—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 9393) to pension Mary Borgquist—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 9394) to remove the charge of desertion and grant an honorable discharge to Michael Waters, alias Joseph Jackson—to the Committee on Military Affairs.

Also, a bill (H. R. 9395) granting an increase of pension to Anna B. McCurley—to the Committee on Invalid Pensions.

By Mr. McINTIRE: A bill (H. R. 9396) for the relief of the legal representatives of Airhardt Winters, deceased—to the Committee on War Claims.

By Mr. MEEKISON: A bill (H. R. 9397) to remove the charge of desertion from the record of Thomas Burk, Company D, Fourteenth Ohio Volunteer Infantry—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 9398) to remove the charge of desertion from the military record of Stephen Greenwell—to the Committee on Military Affairs.

By Mr. TAYLOR of Alabama: A bill (H. R. 9399) for the relief of the Mobile and Ohio Railroad Company—to the Committee on the Post-Office and Post-Roads.

By Mr. VINCENT: A bill (H. R. 9400) for the relief of Mary M. Barker—to the Committee on Claims.

By Mr. WALKER of Virginia: A bill (H. R. 9401) granting a pension to Benjamin F. Bell—to the Committee on Pensions.

By Mr. BAKER of Maryland: A resolution (House Res. No. 259) for the relief of Annie N. Lewis, widow of Herman L. Lewis, deceased—to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolution of the Travelers' Protective Association. Pennsylvania Division, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: Petition of the Woman's Christian Temperance Union of Springville, Wis., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER of Maryland: Petitions of Joseph F. Eline, Jesse R. Shugars, and other citizens of Reisterstown, Md., for the passage of a bill which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Willing Young Woman's Christian Temperance Union, of Baltimore, Md., for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Willing Young Woman's Christian Temperance Union, of Baltimore, Md., favoring the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petitions of W. H. Roberts and 279 others, George Speer and 19 others, Claude McNeeley and 19 others, William J. Langdon and 19 others, E. F. Hohnes and 19 others, Owen O'Brien and 16 others, H. S. Sommey and 18 others, J. Miller and 18 others, R. T. Wolf and 18 others, W. H. Brown and 19 others, O. K. White and 19 others, Paul Brant and 19 others, H. F. Wheeler and 19 others, Alex. J. Compan and 19 others, L. D. Brownson and 19 others, Charles H. Sisson and 19 others, citizens of the State of Missouri, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BEACH (by request): Petitions of Capt. John Wood and 16 others, E. M. Sanderson and 16 others, C. F. Babcock and 18 others, T. E. Montgomery and 14 others, and A. R. Gibbs and 16 others, citizens of the State of Ohio, in opposition to the so-called anti-scalping bill, or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT: Petition of E. Everett and 212 citizens of Brooklyn, N. Y., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. BINGHAM: Resolutions of the Trades League of Philadelphia, Pa., asking for the passage of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Trades League of Philadelphia, Pa., suggesting an amendment to House bill No. 8057, relating to train wrecking and robbing—to the Committee on the Judiciary.

Also, petition of the American Paper and Pulp Association, of Herkimer, N. Y., in support of certain bills now pending in the House—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Pennsylvania Division of the Travelers' Protective Association, in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Association of Manufacturers, in relation to increase of the United States export trade to South and Central America—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN: Petition of the Woman's Christian Temperance Union of Milford, Ohio, for the passage of bills to protect anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Milford, Ohio, praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BRUCKER: Petition of the Woman's Christian Temperance Union and Epworth League of Chesaning, Mich., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. BURLEIGH: Petitions of the Woman's Christian Temperance unions of Fairfield, Belfast, and Monmouth, Me.; Congregational and Methodist churches of Solon and Monmouth; Ladies' Club of Bethel, and Methodist Episcopal Church of Bristol, all in the State of Maine, in favor of bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of churches and societies of Bethel, Belfast, Bristol, Fairfield, and Monmouth, Me., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CARMACK: Petitions of A. H. Woods and 19 others, W. Spencer and 18 others, Ben Cohn and 18 others, A. Schipp and 18 others, E. M. Ladd and 17 others, citizens of Tennessee, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. CHICKERING: Petition of the Woman's Christian Temperance Union of Copenhagen, Lewis County, N. Y., for the bill which prohibits the interstate transmission of lottery messages and other gambling matter by telegraph; also for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; also for the bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Copenhagen, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CLARKE of New Hampshire: Petition of the Free Baptist Church of Ashland, N. H., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Free Baptist Church of Ashland, N. H., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph, to raise the age of protection for girls, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. CONNELL: Resolutions of E. E. Hendrick Lodge, No.

94, of Carbondale, Pa., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. COONEY: Petition of the Woman's Christian Temperance Union of Warsaw, Benton County, Mo., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Woman's Christian Temperance Union of Warsaw, Mo., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Warsaw, Mo., praying for the enactment of legislation prohibiting the interstate transmission of newspaper descriptions and kinetoscope reproductions of prize fights, to forbid the interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. DE VRIES: Petitions of the Woman's Christian Temperance unions of Oak Park, Nimshen, Yankee Hill, and Florin; Christian Endeavor Union of Placer County, and Methodist Episcopal Church of Florin, Cal., asking for the passage of bills to forbid the interstate transmission of lottery messages and other gambling matter by telegraph, and to protect anti-cigarette laws, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance unions of Yankee Hill, Nimshen, and Florin, and certain churches and societies of the State of California, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DORR: Paper to accompany House bill No. 7577, for the relief of David M. Wents—to the Committee on Pensions.

Also, paper to accompany House bill No. 5467, to remove the charge of desertion against David Stephenson, of Chelyan, W. Va.—to the Committee on Military Affairs.

By Mr. FITZPATRICK: Papers in support of the claim of J. C. Creed—to the Committee on War Claims.

By Mr. FLETCHER: Resolutions of the Minnesota State Historical Society, in favor of the passage of a bill to prevent the defacement of the American flag—to the Committee on the Judiciary.

Also, petition of many business men of Minneapolis, Minn., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce of Minneapolis, Minn., urging the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petitions of William S. Warren and 36 others, Saliner, Suller & Co. and 22 other business firms, Van Camp Packing Company and 37 other business firms, William P. Campbell and 24 others, Lord & Thomas and 21 other business firms, Diggles & Gordon and 22 other business firms, John O. Monroe and 11 others, William R. Hirling and 9 others, L. Neville and 28 others, Henry Over and 33 others, George B. Lucas and 7 others, and Charles B. Cleveland and 17 others, all of the city of Chicago, Ill., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOWLER of New Jersey: Petitions of the Willard Woman's Christian Temperance Union and First Baptist Church, of Westfield, N. J., in favor of a bill to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls in the District of Columbia to 18 years—to the Committee on the Judiciary.

Also, petition of the Willard Woman's Christian Temperance Union, of Westfield, N. J. urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GILLET of New York: Petitions of Congregation of Farmers and Young People's Society of the Baptist Church, Wellsburg; Woman's Christian Temperance unions of Elmira and Ervin, N. Y., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Wellsburg, Elmira, and Ervin, N. Y., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Wellsburg, Elmira, and Ervin, N. Y., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Wellsburg, Elmira, and Ervin, N. Y., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: Petitions of Disciple, Methodist, and Presbyterian churches of Athens, Ohio, for the passage of bills to protect anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain churches of Athens, Ohio, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GUNN: Petition of A. J. Harris and 71 citizens of Wardner and Kellogg, Idaho, favoring the passage of a bill to exclude illiterate immigrants from the United States—to the Committee on Immigration and Naturalization.

By Mr. HAMILTON: Petition of Mrs. A. R. Hotchkiss and 380 other citizens of South Haven, Mich., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HENDERSON: Petition of the Epworth League Convention of Colesburg, Iowa, asking for the passage of bills to prohibit the transmission of gambling matter by telegraph and to protect anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Epworth League Convention of Colesburg, Iowa, favoring the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Epworth League Convention of Colesburg, Iowa, remonstrating against the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of C. J. Simons and other citizens of Delaware, Iowa, in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. HOPKINS: Six petitions of citizens of Chicago, Ill., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: Petitions of the Mount Moriah Baptist Church, of Asbury Park, and Woman's Christian Temperance Union of New Brunswick, N. J., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise; to raise the age of protection for girls to 18 years in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of Mount Moriah Baptist Church, of Asbury Park, and Woman's Christian Temperance Union of New Brunswick, N. J., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of North Dakota: Petitions of the Woman's Christian Temperance unions of Lacota, Tower City, Buffalo, Larimore, Spring Ranche, Fargo, and Cogswell; Epworth leagues of Grand Forks and Joliette; Methodist Episcopal and Presbyterian churches of Park River; citizens of Minnie Lake, Knox, and Fairmount; Presbyterian Church of Edinburg, and Evangelical churches of Caralin, all in the State of North Dakota, praying for the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petitions of various churches, societies, and citizens of the State of North Dakota, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the various churches, societies, and citizens of North Dakota, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of citizens of Minnie Lake, Edinburg, and Maza, N. Dak., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

By Mr. JONES of Washington: Petitions of L. R. Slater and 19 others, L. Seiport and 13 others, F. A. Drimer and 19 others, B. W. Sheun and 12 others, J. F. Young and 19 others, E. S. Bemis and 19 others, J. H. Ballance and 19 others, A. C. Carr and 19 others, P. Forwood and 19 others, E. D. Nedlerne and 19 others, A. L. McLeod and 19 others, L. S. Frees and 19 others, A. J. Thomley and 19 others, J. G. Dickson and 19 others, L. Onelertt and 19 others, C. C. Cowry and 10 others, A. McCaw and 19 others, and W. E. Hicks and 15 others, citizens of the State of Washington, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. LAWRENCE: Petition of First Church of Hadley, Mass., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of First Church of Hadley, Mass., to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of First Church of Hadley, Mass., favoring the

passage of a bill to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petition of First Church of Hadley, Mass., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. LOVERING: Petition of the Woman's Christian Temperance Union of Myricks, Mass., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the First Congregational Church of Halifax, Mass., for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MARSH: Petition of the Ninth Avenue Church, of Monmouth, Ill., favoring the passage of a bill to appoint a nonpartisan labor commission and in relation to arbitration for railroad strikes—to the Committee on Labor.

Also, petition of the Ninth Avenue Church, of Monmouth, Ill., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Ninth Avenue Church and First United Presbyterian Church, of Monmouth, Ill., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Ninth Avenue Church, of Monmouth, Ill., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

Also, petition of the Ninth Avenue Church, of Monmouth, Ill., in relation to a divorce law—to the Committee on the District of Columbia.

Also, resolutions of Company H, Sixth Infantry; Company F, Fifth Infantry; Fourth Division, Second Battalion, Naval Militia, and Troop A, Cavalry Squadron, Illinois National Guard, in favor of the passage of House bill No. 2876, to promote the efficiency of the militia—to the Committee on Military Affairs.

Also, protests of St. Leo Society and St. Joseph's Society, of Quincy, Ill., against the passage of the Lodge bill for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of 40 citizens of Quincy, Ill., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Ninth Avenue Church, of Monmouth, Ill., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights and transmission through mails of newspaper descriptions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. MAXWELL: Petition of citizens of West Point, Nebr., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MEEKISON: Paper to accompany House bill No. 9357, in support of the claim of Hugh Thompson for relief—to the Committee on Invalid Pensions.

By Mr. NORTHWAY: Petition of Presbyterian and Baptist churches of New Lyme, Center, and Dodgeville, Ohio, for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Congregational Church of South Newbury, Ohio, and Baptist and Presbyterian churches of New Lyme, Center, and Dodgeville, Ohio, for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Geneva, New Lyme, and Center, Ohio, to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Geneva, Presbyterian and Baptist churches of New Lyme, Center, and Dodgeville, Ohio, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

By Mr. OLMSTED: Petition of W. H. Wagner and 134 citizens of Marysville, Pa., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. OSBORNE: Petition of A. C. Ashley and 146 citizens of Cheyenne, Wyo., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. PAYNE: Petition of James H. Wicks and other citizens of Clifton Springs, and W. K. Harenden and others, of Geneva, N. Y., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Union Springs and Sherwood, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Union Springs and Sherwood, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. RAY of New York: Petitions of the Woman's Christian Temperance unions of Chester and Meredith, Delaware County, N. Y., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Chester and Meredith, and the First Baptist Church of Meredith, N. Y., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBBINS: Resolutions of Hylas Lodge, No. 474, Knights of Pythias, of Mount Pleasant, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petition of the United Presbyterian Church, Stewart Station, Pa., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of United Presbyterian Church, Stewart, Pa., to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of United Presbyterian Church, Stewart Pa., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petition of United Presbyterian Church, Stewart, Pa., asking for the passage of bills to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. RUSSELL: Petition of the Connecticut Dairymen's Association, favoring the passage of House bill known as "the State trade-mark bill"—to the Committee on Patents.

By Mr. SHERMAN: Petitions of the Geneva (N. Y.) Board of Trade, 251 residents of Chicago, Ill., and 302 residents of Colorado Springs, Colo., favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union and Christian Endeavor Society of Norway, N. Y., for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Christian Endeavor Society and Woman's Christian Temperance Union of Norway, N. Y., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHUFORD: Petition of the Woman's Christian Temperance Union of Boonville, N. C., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Boonville, N. C., for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Boonville, N. C., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Boonville, N. C., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany House bill to remove the charge of desertion against Stephen Greenwell—to the Committee on Military Affairs.

By Mr. SPERRY: Petition of the Woman's Christian Temperance Union of Waterbury, Conn., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Waterbury, Conn., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Petitions of J. Nelson and 19 other citizens, L. Warner and 10 others, Minneapolis News Company and 18 others, E. C. Guenther and 18 others, S. R. King and 18 others, H. C. Johnstone and 19 others, Charles D. Bentley and 19 others, C. C. Marsh and 19 others, C. S. Smiley and 19 others, A. D. L. Johnstone and 19 others, Charles Schuman and 19 others, A. H. Rogers and 19 others, W. S. Parsons and 19 others, B. P. Ruck and 19 others, all citizens of Minnesota, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. STEWART of New Jersey: Resolution of West End Citizens' Association, of Rutherford, N. J., opposing a mere money consideration as indemnity for the outrage on the nation's honor if Spain is found responsible for the wrecking of the U. S. S. *Maine*—to the Committee on Naval Affairs.

By Mr. STRODE of Nebraska: Petition of the Woman's Christian Temperance unions of Lincoln, Tecumseh, and Peru, and Baptist Young People's Society of Christian Endeavor, of Peru, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls, and forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Tecumseh and Peru, and Baptist Church Young People's Society of Christian Endeavor, of Peru, Nebr., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. VINCENT: Petition of the Woman's Christian Temperance Union of Idona, Kans., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Idona, Kans., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Idona, Kans., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. WANGER: Resolution of the Trades League of Philadelphia, Pa., in favor of House bill No. 8006, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of New Hope and Bristol, Bucks County, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Bristol and New Hope, Pa., asking for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Bristol and New Hope, Pa., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Bristol and New Hope, Pa., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *March 23, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. FAIRBANKS, and by unanimous consent, the further reading was dispensed with.

MEMORIAL ADDRESSES ON THE LATE SENATOR EARLE.

Mr. TILLMAN. Mr. President, I desire to give notice that on Tuesday of next week I shall ask the Senate at 2 o'clock to lay aside business and give an opportunity to those who wish to do so to pay tribute of respect to the memory of my late colleague, Senator EARLE.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House returned to the Senate, in compliance with its request, the bill (H. R. 1595) to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 4698) for the relief of W. E. Judkins, executor of Lewis McKenzie; and

A bill (H. R. 6542) for the relief of Eldred G. Davis.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a petition of W. A. Carney Lodge, No. 13, Amalgamated Association of Iron and Steel Workers, of Indiana, praying for the passage of the so-called anti-injunction bill and the bill for the relief of American seamen; which was referred to the Committee on the Judiciary.

He also presented a petition of Stony Point Grange, No. 1753, of Madison, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented memorials of the Master Plumbers' Association; of Local Union No. 68, Amalgamated Wood Workers' Union; of the Mosaic Mantel and Encaustic Tile Layers' Union, and of Retail Clerks' Union No. 1, all of Indianapolis, in the State of Indiana, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Wyndham Center, Me., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of the Ladies' Club of Bethel; of the Woman's Christian Temperance Union of Warren; of Sabino Lodge, Order of Good Templars, of Popham Beach; of the Woman's Christian Temperance Union of Friendship, and of the Monthly Meeting of Friends of Durham, all in the State of Maine, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Ladies' Club of Bethel; of the Woman's Christian Temperance Union of Warren; of the Woman's Christian Temperance Union of Mechanic Falls; of Sabino Lodge, Order of Good Templars, of Popham Beach; of the Woman's Christian Temperance Union of Friendship, and of the Monthly Meeting of Friends of Durham, all in the State of Maine, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Hodgton, Crumb Mills, Bethel, Warren, Friendship, and Otisfield; of the Monthly Meeting of Friends of Durham; of Sabino Lodge, Order of Good Templars, of Popham Beach, and of the congregations of the Congregational and Methodist churches of Solon, all in the State of Maine, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Wyndham Center, Bethel, Warren, Mechanic Falls, Otisfield, and Friendship; of the Monthly Meeting of Friends of Durham, and of Sabino Lodge, Order of Good Templars, of Popham Beach, all in the State of Maine, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. LINDSAY presented a petition of the congregation of the Methodist Episcopal Church South of Tompkinsville, Ky., and a petition of the Franklin Street Baptist Church, of Louisville, Ky., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Methodist Episcopal Church South of Tompkinsville, Ky., and a petition of the Franklin Street Baptist Church, of Louisville, Ky., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Methodist Episcopal Church South of Tompkinsville, Ky., and a petition of the Franklin Street Baptist Church, of Louisville, Ky., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church South of Tompkinsville, Ky., and a petition of the Franklin Street Baptist Church, of Louisville, Ky., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. PERKINS presented petitions of the Christian Endeavor

societies of Placer County; of the congregations of the Cumberland Presbyterian Church, the Methodist Episcopal Church South, and the Baptist Church, of Mountainview; of the Woman's Christian Temperance Union of Dows Prairie; of the Woman's Christian Temperance Union of Rumsey; of the Woman's Christian Temperance Union of East Santa Cruz; of the Union Temperance Society and the Anti-Saloon League, of Morganhill; of the Woman's Christian Temperance Union of the Methodist Episcopal Church of Campbell; of the Woman's Christian Temperance Union of Oakpark; of the Young People's Society of Christian Endeavor of the Baptist Church of Ceres; of the Woman's Christian Temperance Union of Napa; of the Woman's Christian Temperance Union of Albion; of the Woman's Christian Temperance Union, the Baptist, the Congregational, and the Methodist Episcopal churches, and the Methodist Episcopal Church South, of Woodland, and of the Woman's Christian Temperance Union of Arroyo Grande, all in the State of California, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Cumberland Presbyterian Church, the Methodist Episcopal Church, and the Baptist Church, all of Mountainview; of the Woman's Christian Temperance Union of Mountainview; of the Woman's Christian Temperance Union of Merced; of the congregation of the Free Methodist Church of Corralitos; of the Woman's Christian Temperance Union of Dows Prairie; of the Woman's Christian Temperance Union or East Santa Cruz, and of the Woman's Christian Temperance Union, the Methodist Episcopal, the Baptist, and the Congregational churches and the Methodist Episcopal Church South of Woodland, all in the State of California, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Mountain View; of the Woman's Christian Temperance Union of Quincy; of the congregation of the Free Methodist Church of Corralatis; of the Woman's Christian Temperance Union of Dows Prairie; of the Woman's Christian Temperance Union of East Santa Cruz; of the Union Temperance Society and the Anti-Saloon League of Morgan Hill; of the Woman's Christian Temperance Union of the Methodist Episcopal Church of Campbell; of the Epworth League of the Methodist Episcopal Church of Oroville; of the congregation of the Baptist Church of Ceres; of the Woman's Christian Temperance Union of Ceres, and of the Woman's Christian Temperance Union, the Baptist, the Christian, the Congregational, and the Methodist Episcopal churches, and the Methodist Episcopal Church South, all of Woodland, in the State of California, praying for the enactment of legislation to prohibit the transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of El Capitan Division, No. 115, Order of Railway Conductors, of San Francisco, Cal., and a petition of sundry citizens of Stockton, Cal., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Epworth League of the Methodist Episcopal Church of Oroville; of the congregation of the Methodist Episcopal Church of Oroville; of the congregation of the Baptist Church of Ceres; of the Woman's Christian Temperance Union of Ceres; of the congregation of the Friends Church of El Modena; of the Woman's Christian Temperance Union, the Baptist, the Christian, the Congregational, and the Methodist Episcopal churches, and the Methodist Episcopal Church South, all of Woodland; of the Anti-Saloon League of Morgan Hill; of the Woman's Christian Temperance Union of Campbell; of the Woman's Christian Temperance Union of Dows Prairie; of the Christian Endeavor Society of Placer County; of the Woman's Christian Temperance Union of Merced; of the Woman's Christian Temperance Union of Mountain View; of the congregations of the Cumberland Presbyterian, the Methodist, and the Baptist churches, all of Mountain View, and of sundry citizens of Redding, all in the State of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; to prohibit interstate gambling by telegraph or telephone; to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; to prohibit the reproduction of prize fights by the kinetoscope; to prohibit the interstate and mail circulation of newspaper descriptions of prize fights, and to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Public Buildings and Grounds.

Mr. HANSBROUGH presented petitions of the Woman's Christian Temperance unions of Tower City, Fargo, and Cogswell, and of the Woman's Christian Temperance Union and the Christian Endeavor Society of the Methodist Episcopal Church of Absaraka, all in the State of North Dakota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Fargo and Cogswell, and of the Woman's Christian Temperance Union, the Christian Endeavor Society, and the congregation of the Methodist Episcopal Church, all of Absaraka, in the State of North Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on the District of Columbia.

He also presented petitions of the Woman's Christian Temperance unions of Fargo, Cogswell, and Tower City, and of the Woman's Christian Temperance Union, the Christian Endeavor Society, and the congregation of the Methodist Episcopal Church of Absaraka, all in the State of North Dakota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Fargo, Cogswell, and Tower City, and of the Woman's Christian Temperance Union, the Christian Endeavor Society, and the congregation of the Methodist Episcopal Church of Absaraka, all in the State of North Dakota, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. BATE presented a petition of the Cotton Exchange of Memphis, Tenn., praying for the enactment of legislation to provide for the removal of the wagon way of the bridge crossing the river at that city and belonging to the Kansas City and Memphis Railway and Bridge Company; which was referred to the Committee on Commerce.

He also presented a memorial of the Chamber of Commerce of Chattanooga, Tenn., remonstrating against the enactment of legislation discontinuing the appropriation for the fast-mail service of the South; which was referred to the Committee on Appropriations.

He also presented the petition of A. S. Pratt, in behalf of the Humane Society of the city of Washington, praying for the passage of the bill for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

Mr. KYLE presented a petition of 17 citizens of Mitchell, S. Dak., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. MORRILL presented petitions of the Woman's Christian Temperance unions of Shaftsburg, Mechanicsville, and Chelsea; of the congregation of the Methodist Episcopal Church and of the congregation of the Congregational Church of Chelsea, all in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Shaftsburg, Mechanicsville, and Chelsea; of the congregation of the Methodist Episcopal Church of Chelsea, and of the congregation of the Congregational Church of Chelsea, all in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Shaftsburg, Mechanicsville, Chelsea, and Addison County; of the congregation of the Methodist Episcopal Church of Chelsea, and of the congregation of the Congregational Church of Chelsea, all in the State of Vermont, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. GALLINGER presented petitions of the Woman's Christian Temperance Union, of the principal and teachers of the Seaton School, of the Grace Chapter of the Epworth League, of sundry citizens, of the principal and teachers of the Webster School, and of the principal and teachers of the Henry School, all in the city of Washington, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported

in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of the city council of Gloucester, Mass., praying Congress to take such action as will fully protect their people and property from any attack which might be made upon them should war break out between this country and Spain; which was referred to the Committee on Coast Defenses.

He also presented a memorial of the Boston University School of Medicine, Boston, Mass,, remonstrating against the enactment of legislation restricting vivisection; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of legislation to prohibit the reproduction of prize fights by the kinetoscope or other kindred devices; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of legislation to prohibit the interstate and mail circulation of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented petitions of the New England Metal Association, of Boston; of the New England Confectioners' Club, of Boston, and of Bay State Division, No. 439, of Boston, all in the State of Massachusetts, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of North Egremont; of the congregations of the Second Congregational Church of Medfield, the Congregational Church of Shelburn, and the First Church of Hadley, all in the State of Massachusetts, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the Massachusetts State Grange, Patrons of Husbandry, remonstrating against the continuation of the free distribution of seeds; which was referred to the Committee on Appropriations.

He also presented a petition of the Boston Merchants' Association, of Boston, Mass., praying for the passage of a currency bill as recommended by the Indianapolis (Ind.) monetary commission; which was referred to the Committee on Finance.

He also presented petitions of the Woman's Christian Temperance unions of East Brookfield, Salisbury, and Sinclairville and of the congregations of the Congregational Church of Shelburn and the First Church of Hadley, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of East Brookfield, Halifax, Salisbury, and Saxonville; of the congregations of the First Church of Hadley, the Bap tist Church of Medfield, and the Congregational Church of Shelburn, all in the State of Massachusetts, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of East Brookfield, North Egremont, and Salisbury; of the Young People's Christian Union of South Acton; of the Young People's Christian Union of North Cambridge; of the congregation of the Second Congregational Church of Medfield; of the Congregational Church of Shelburn, and of the First Church of Hadley, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Universalist Young People's Christian Union of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, for the enactment of a Sunday-rest law for the District of Columbia, to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories and the interstate transmission of materials of the same, to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights, to substitute voluntary arbitration for railway strikes, for the appointment of a commission to investigate the labor problem, and to limit absolute divorces in the District of Columbia and the Territories; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the National Business Men's League, praying for the enactment of legislation to prevent, as far as possible, the future agitation of the tariff as a partisan issue; which was referred to the Committee on Finance.

Mr. CHANDLER presented a petition of the Woman's Christian Temperance Union of North Charlestown, N. H., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented petitions of the Woman's Christian Temperance unions of New Market, Ashland, and North Charlestown, all in the State of New Hampshire, praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of North Charlestown, N. H., and a petition of the Woman's Christian Temperance Union of Newmarket, praying for the enactment of legislation to prohibit the interstate and mail circulation of newspaper descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Ashland, N. H., and a petition of the Woman's Christian Temperance Union of North Charlestown, N. H., praying for the enactment of legislation to prohibit, so far as the power of Congress extends, the reproduction of prize fights by the kinetoscope or other kindred devices; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Sunapee, Greenville, Newmarket, Charlestown, Keene, Jefferson, Warner, Colebrook, Cavalier, and Rochester; of the Epworth League of the Methodist Episcopal Church of Grantham, and of the congregation of the Pleasant Street Baptist Church, of Concord, all in the State of New Hampshire, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Greenville, Seabrook, Charlestown, Keene, Jefferson, Colebrook, Union, Rochester, Meredith, and Lempster; of the Christian Endeavor Society of the Baptist Church of Warner; of the congregation of the Methodist Episcopal Church of Grantham; of the congregation of the Pleasant Street Baptist Church of Concord; of the Epworth League of North Grantham, and of the congregation of the Free Baptist Church of Ashland, all in the State of New Hampshire, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Greenville, Ashland, Newmarket, North Charlestown, Keene, Jefferson, Warner, Rochester, Lempster, and Meredith; of the congregation of the Methodist Episcopal Church of Colebrook; of the congregation of the Methodist Episcopal Church of Grantham; of the congregation of the Pleasant Street Baptist Church, of Concord; of the Epworth League of North Grantham, and of the congregation of the Free Baptist Church of Ashland, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Greenville, North Charlestown, Jefferson, Colebrook, Warner, Union, Rochester, Lempster, and Meredith; of the congregation of the Free Baptist Church of Ashland; of the Epworth League of the Methodist Episcopal Church of Grantham; of the congregation of the Pleasant Street Baptist Church of Concord, and of the Epworth League of North Grantham, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. HOAR presented petitions of the Bay State Woman's Christian Temperance Union and the Bay State Sunday School, of Northampton; of the Woman's Christian Temperance Union of Haverhill, and of the Woman's Christian Temperance Union of Amesbury, all in the State of Massachusetts, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Bay State Woman's Christian Temperance Union and the Bay State Sunday School, of Northampton, Mass., and a petition of the Woman's Christian Temperance Union of Haverhill, Mass., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Amesbury, Bay State, and Haverhill, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. HARRIS presented a petition of the College Hill Woman's Christian Temperance Union, of Manhattan, Kans., and a petition of the Woman's Christian Temperance Union of Hutchinson, Kans., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the College Hill Woman's Christian Temperance Union, of Manhattan, Kans., and a petition of the Woman's Christian Temperance Union of Hutchinson, Kans., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Hutchinson, Kans,, and a petition of the College Hill Woman's Christian Temperance Union, of Manhattan, Kans., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the College Hill Woman's Christian Temperance Union, of Manhattan, Kans., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. WETMORE presented a petition of the Woman's Christian Temperance Union of Kingston, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. COCKRELL presented a petition of the Woman's Christian Temperance Union of Plymouth, Mo., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Plymouth; of the Woman's Foreign Missionary Society of the Immanuel Methodist Episcopal Church, of St. Louis, and of the congregation of the Grand Avenue United Presbyterian Church, of St. Louis, all in the State of Missouri, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of W. F. Hynes Lodge, No. 48, Brotherhood of Locomotive Firemen, of Peoria, Ill., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 118, Cigar Makers' International Union, of Peoria, Ill., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented a petition of the Produce Exchange of New York, and a petition of the Industrial and Immigration Association of Greensboro, N. C., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Rev. C. E. Taylor, of Rock Island; of the pastors of the Baptist and Presbyterian churches of Arcola; of the National Association of Merchants and Travelers, of Chicago, and of Rev. S. R. Cottrell, of Macomb, all in the State of Illinois, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. MASON presented a petition of the Woman's Christian Temperance Union of Saunemin, Ill., and a petition of the Ladies' Willing Helpers Society of the Methodist Episcopal Church of Saunemin, Ill., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance Union of Naperville, of the Woman's Christian Temperance Union of Saunemin, and of the Ladies' Willing Helpers Society of the Methodist Episcopal Church of Saunemin, all in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Saunemin, Ill., and a petition of the Ladies' Willing Helpers Society of the Methodist Episcopal Church of Saunemin, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of Naperville, of the Ladies' Willing Helpers Society of the Methodist Episcopal Church of Saunemin, and of the Woman's Christian Temperance Union of Saunemin, all in the State of Illinois, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of Little Giant Division, No. 187, of Charleston, Ill., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Rupert, Vt., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Rupert, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Rupert, Vt., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Rupert, Vt., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Ripley, Me., and a petition of the Woman's Christian Temperance Union, the Christian Endeavor Society, the congregation of the Congregational Church, and the congregation of the Methodist Episcopal Church, all of Monmouth, Me., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Fairfield, New Limerick, Ripley, Greenville, and Monmouth; of the Christian Endeavor Society, the congregation of the Congregational Church, and the congregation of the Methodist Episcopal Church, of Monmouth, all in the State of Maine, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Greenville, Ripley, New Limerick, Fairfield, and Monmouth; of the Christian Endeavor Society, the congregation of the Congregational Church, and the congregation of the Methodist Episcopal Church, of Monmouth, all in the State of Maine, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. GEAR presented petitions of the congregation of the Methodist Episcopal Church of Earlville; of the congregation of the Plymouth Congregational Church, of Des Moines, and of the Honey Creek Monthly Meeting of Friends, of New Providence, all in the State of Iowa, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Methodist Episcopal Church of Earlville; of the congregation of the Plymouth Congregational Church, of Des Moines; of the Morning Sun Union, and of the Honey Creek Monthly Meeting of Friends, of New Providence, all in the State of Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the Congregational churches of Earlville and Almoral; of the Morning Sun Union; of the congregation of the Plymouth Congregational Church, of Des Moines, and of the Honey Creek Monthly Meeting of Friends, of New Providence, all in the State of Iowa, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

NEBRASKA UNDER REPUBLICAN AND POPULIST GOVERNMENT.

Mr. ALLEN. I present a letter from Hon. Charles Q. De France, of the executive office of Nebraska, to Hon. J. Gadsden, 624 Salmon street, Portland, Oreg., in response to a request for information regarding the administration of public affairs of the present executive State officers of Nebraska, as compared with the administration of Republican officers in the past. I ask that the letter be published in the RECORD and as a miscellaneous document.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Nebraska to print the communication in the RECORD and to print it as a document?

Mr. FRYE. One moment. Does the Senator from Nebraska ask for both forms of printing?

Mr. ALLEN. Yes, I did ask for both.

Mr. FRYE. It seems to me the paper ought not to go into the RECORD if printed as a document.

Mr. ALLEN. If the Senator will permit me, I will state that the RECORD goes out quite extensively, and the letter is short. I thought it would do no particular damage to have it printed in the RECORD.

Mr. FRYE. I shall not make any objection.

The VICE-PRESIDENT. No objection is made, and the request of the Senator from Nebraska is granted.

The letter referred to is as follows:

EXECUTIVE CHAMBER, *Lincoln, Nebr., March 7, 1898.*

MY DEAR JUDGE: By direction of his excellency Governor Silas A. Holcomb, I have the honor to acknowledge receipt of your favor under date of February 21, requesting information regarding the administration of public affairs by the present executive State officers of Nebraska as compared to the administration by Republican officials in the past.

At the outset I presume it will not be necessary for me to say that the present executive State officers were elected by a fusion or union of the Populist, Democratic, and Silver Republican parties, and whatever meed of praise is due for an honest, economical administration of State business in Nebraska should be given without partiality to any one of the three parties named. All have assisted to bring about needed reforms, and it is difficult to perceive any more difference, except in name, between any two of the three parties than usually exists between any two members of the same political faith. Of the executive State officers, the attorney-general is the only one who adheres to the name "Democrat," the remaining six being Populists; but among the various appointive officers are represented all three of the allied forces of reform.

To arrive at a correct understanding of the situation in Nebraska it will be necessary to state that since its admission to statehood in 1867 up to 1897 it has been under control of the Republican party. Twice during that period, however, a governor of a different political faith was elected; Governor James E. Boyd, Democrat, in 1890, and Governor Silas A. Holcomb, Populist, in 1894. Once or twice, too, an antimonopoly legislature was elected, and the legislatures of 1891 and 1895 were Populist bodies. But, on the whole, the Republican party has had practically complete control for thirty years. January 7, 1897, marked a new era in Nebraska history, and whether for better or worse the records are the best evidence.

For a number of years the Populist party in Nebraska went upon the stump and charged the Republican administration with extravagance, corruption, and mismanagement of the State's finances, but not one-half of the extravagance, corruption, or mismanagement was ever dreamed of by the most ardent Populist until the fusion forces gained complete control of all the executive offices. The legislature of 1897 appointed an investigating committee with full powers to secure expert accountants and make a thorough investigation of all State offices and institutions. A large part of this work has been finished, but until the committee makes its final report, nothing, except in an unofficial way, can be made public. This, of course, deals only with the corrupt side of Republican administration; but extravagance and mismanagement are already matters of public record and tells a story so plain that "he who runs may read."

When Governor Holcomb assumed the duties of his office on January 3, 1895, he was, by virtue of his office, authorized to appoint heads of six State institutions, while six other State institutions remained in charge of the officials appointed by the Republican board of public lands and buildings. Every legal obstacle was placed in the way of Governor Holcomb's appointees, but, after a hard-fought battle in the courts, they were finally successful and assumed control of the offices to which they were appointed. Notwithstanding the fact that the board of purchase and supplies, whose duty it is to let bids for furnishing supplies to State institutions, stood four Republicans to one Populist, Governor Holcomb's appointees immediately inaugurated needed reforms in the maintenance of the institutions under their charge.

So marked was the difference between the cost of maintaining the institutions under control of Governor Holcomb and his appointees, and the cost of maintaining those institutions under control of the Republican board of public lands and buildings and its appointees, that even the wayfaring man, though a fool, need not err. Comparing the per capita cost for the years 1892, 1893, and 1894 of maintaining the six institutions in charge of Governor Holcomb's appointees during the years 1895 and 1896 with the cost for the latter period, it will be found that a saving of $99,524.75 was effected during the years 1895 and 1896 in these institutions. A similar comparison made for the institutions in charge of the Republican board and its appointees shows a net saving of $6,854.12 for the years 1895 and 1896.

Accompanying this letter is a comparative table showing the per capita expense in the different State institutions by semiannual periods from 1892 to 1897, inclusive. Even the most cursory study of this table will disclose an interesting story of Republican extravagance and mismanagement. The number of inmates in most of the institutions has increased since 1892, which naturally tends to reduce the per capita cost. Officers' salaries, unless reduced or increased by egislative enactment, remain the same whether 100 or 200 inmates are maintained in an institution, and the per capita cost varies inversely as the number of inmates increases or decreases.

But this is not true of board and clothing, fuel and lights, employees' wages, and other items of maintenance, which increase directly, though not fully in equal proportion, as the number of inmates increases. Taking into consideration this matter of increase in number of inmates to be cared for, and making due allowance therefor, it is not a difficult matter to show the saving made to the taxpayers of Nebraska by the present fusion administration.

The following table shows the total cost of maintaining the penal and charitable State institutions of Nebraska, by years, from 1892 to 1897, inclusive, together with the number of inmates each year and the per capita cost. In 1896 the fiscal year was changed to end November 30 instead of December 31, as had been the custom theretofore. The total cost for maintaining 2,548 inmates eleven months in 1896 was $365,217.97; but for purposes of comparison I have added one-eleventh to that sum in making up the cost in 1896.

Year.	Number of inmates.	Total cost.	Per capita cost.
1892	1,940	$434,945.05	$224.20
1893	2,133	457,525.48	205.12
1894	2,354	425,173.55	180.62
1895	2,519	428,164.16	169.97
1896	2,548	398,419.60	156.37
1897	2,443	375,957.60	153.57

Speculative losses or gains are, of course, usually looked upon with disfavor by thinking people generally; but there is no better way of judging the future than by the past; no better way of telling what might have happened to Nebraska in the year of our Lord 1897, if under Republican rule, than to compare what was done that year by Populists and Democrats with what was done by Republicans in years previous. A simple calculation in proportion will show that if it cost $434,945.05 to maintain 1,940 wards of the State one year under Republican misrule, the cost in 1897, under a similar system of mismanagement, for maintaining 2,443 such persons would be $548,837.88, or the sum of $172,880.28 more than it actually did cost. It is surely not going beyond the confines of reason to say that the actual saving in 1897 resulting from honest, economical administration in these penal and charitable institutions is fully $150,000, thus leaving $22,880.28 to be accounted for by reason of the increase in inmates.

Whatever may be the reader's deduction on this score, the bare fact remains that it cost $68,987.45 more to maintain 1,940 persons one year under a Republican administration than it did to maintain 2,443 persons during the year 1897 under the present State administration. And the table shows that each year under complete Republican control it cost more to maintain fewer persons than it did to maintain a larger number under Populist management in 1897. The years 1895 and 1896 are anomalous, neither party having entire control, but the economy of Populist administration is very apparent.

During the year 1896 State warrants were selling at a discount of 3 to 7 per cent, notwithstanding the fact that Nebraska's State bonded indebtedness was only $463,267.55. To-day brokers are quarreling with each other over them, trying to prevent any further rise in the price, which is 1½ to 1¾ per cent premium. In 1895 a Republican treasurer mismanaged the State's finances, and worse, he embezzled $555,700.66, and is now under sentence of twenty years' imprisonment in the State penitentiary. From January 7, 1897, up to date a Populist treasurer applies his "wild-eyed" notions of finance and matters in general to the conduct of his office, and, notwithstanding the enormous deficit made in the State's money by reason of the defalcations of Bartley, the Republican State treasurer, Mr. Meserve, the present treasurer, by his efficient management, has caused State warrants to rise from 93 to 101¾.

How this was done will not disclose any magical effects of the Dingley bill, of WOLCOTT's fruitless attempts to secure international bimetallism, or of Secretary Gage's proposed plan for reforming the currency. It was plain business, transacted by a plain man. During the year 1896 Mr. Bartley, the defaulting Republican treasurer, made but few calls for outstanding general-fund warrants, and allowed $569,370.39 to accumulate in the general fund by the 30th of November, 1896, as shown by his biennial report for 1895-96. Governor Holcomb, in his message to the legislature of 1897, took occasion to say that "the large amount accumulated in the general fund mentioned above is one of the features seemingly calling for some comment. It is difficult to understand why this large sum should be allowed to accumulate in the State treasury with so great amount—$1,934,069.13—of outstanding warrants unsatisfied. It would naturally be expected that such a considerable sum as this should have been applied to the reduction of the State's indebtedness as rapidly as it accumulated, as is provided by law and demanded in the exercise of prudent business management in the discharge of a public duty. * * * It is further to be observed that this fund at one time was within reasonable limits, not exceeding, according to the report of the State treasurer on the 1st of January last, the sum of $52,735.91. Under no process of reasoning can I understand why this further and larger sum should be deposited (in State depositories) and allowed to accumulate to the enormous amount mentioned, with obligations of the State pressing for payment and the value of its obligations constantly depreciating, and then, after such large accumulations are permitted, to have the matter explained by the suggestion that these funds could not, with safety to the business interests of the State, be withdrawn from the depositories." Mr. Bartley's report shows that during the period from November 30, 1894, to November 30, 1896, he disbursed only $1,230,141.74 general funds out of total receipts for that fund amounting to $1,819,512.13.

During Mr. Meserve's incumbency he has made thirty calls for general fund warrants, amounting to the grand total of $1,397,623.58, face value, upon which had accrued on the average about 9 per cent interest. From February 5, 1897, to April 26 there were ten calls. Then a suspension followed until June 24, because of the May school apportionment of over $300,000 coming on to be paid. Then from June 24 to November 27, 1897, were twelve more calls, with a similar suspension until January 12, 1898, to facilitate the payment of the December apportionment of the temporary school fund. Since then eight calls have been made. By such prompt action in calling outstanding warrants whenever twenty to forty thousand dollars have accumulated in the treasury, a careful estimate places the saving to the State in interest alone (at 5 per cent) at $35,000 per year.

To the treasurer's businesslike methods in the conduct of his office may be added, as an additional reason for the rapid rise in the price of State warrants, the action of the board of educational lands and funds in investing from time to time portions of the permanent school fund in general fund warrants at par. This board is composed of the governor, State treasurer, commissioner of public lands and buildings, attorney-general, and secretary of state, and, by the provisions of section 1, Article VIII, of the State constitution, is charged with the "general management of all lands and funds set

apart for educational purposes and for the investment of school funds in such manner as may be prescribed by law."

Section 3 declares what shall be known as perpetual funds, "of which the annual interest or income only can be appropriated," and section 4 designates what shall constitute the temporary school fund. Section 9 provides that "all funds belonging to the State for educational purposes, the interest and income whereof only are to be used, shall be deemed trust funds held by the State, and the State shall supply all losses thereof that may in any manner accrue, so that the same shall remain forever inviolate and undiminished; and shall not be invested or loaned except on United States or State securities, or registered county bonds of this State."

At this point I would refer to pages 24-27 of the governor's message, a copy of which accompanies this letter, for a fair and impartial history of his efforts to have, during his first term of office, the uninvested permanent school fund invested in general fund warrants, and the utter disregard of the Republican members of the board for the best interests of Nebraska shown by their persistent refusal to invest in the only available avenue for a speedy and profitable investment of that fund.

Immediately after inauguration of the present State officers, at the first regular meeting of the board of educational lands and funds, a resolution was introduced and adopted instructing the state treasurer to invest a large amount of the uninvested permanent school fund in general fund warrants issued subsequent to February 1, 1897, paying par for them. Followed from month to month with similar resolutions, this at once caused warrants to rise from 93 and 95 to 97 and 98, and but a short time elapsed until par was paid by all the brokers, soon followed by a small premium.

At first blush it would seem that the only injustice caused by State warrants at a discount would be to the officers and employees of the State, who, being obliged to take warrants at par, would lose the discount; but a little reflection will show that such a condition is a great loss to the taxpayers as well. The State of Nebraska, during the year 1896, purchased goods and merchandise for maintenance of State institutions and State offices and made various repairs and improvements in and around State buildings in the sum of $335,759.40.

Such goods and merchandise were furnished under contract by the lowest bidder; but as each bidder knew the discount he must bear in taking warrants for his goods, unless he were able to hold such warrants for twenty-two to twenty-four months, it is reasonable to suppose that he would add a sufficient per cent to his lowest cash price to protect himself from loss by reason of the discount on warrants. This discount, on the average, was nearly 5 per cent, which leads to the reasonable conclusion that the State of Nebraska was compelled to pay 5 per cent above lowest cash prices during the year 1896. On the total purchases of that year, therefore, the loss occasioned by reason of discount on State warrants amounts to the sum of $16,787.97.

That the present State officers have done their duty, and done it well, may be further evidenced by an inspection of the following table, showing the different apportionments of the temporary school fund for the years 1890 to 1897, inclusive:

Date.	Amount.	Number of children of school age.	Per capita.
May, 1890	$281,255.20	316,805	$0.3877
December, 1890	305,004.97	332,243	.918
May, 1891	236,555.37	332,243	.7119
December, 1891	274,558.35	333,115	.824
May, 1892	319,283.67	333,115	.9584
December, 1892	358,126.43	343,629	1.042
May, 1893	352,184.07	343,629	1.024
December, 1893	309,506.78	352,175	.8788
May, 1894	304,189.97	352,175	.8637
December, 1894	215,069.02	362,729	.5929
May, 1895	256,906.42	362,729	.7085
December, 1895	216,336.33	352,028	.6145
May, 1896	260,410.12	352,101	.7395
December, 1896	231,958.30	348,538	.665
May, 1897	362,226.03	348,538	1.039
December, 1897	377,365.90	354,929	1.063

The average yearly apportionment for the period 1890-1896 is $560,205.28, while the apportionment of 1897, the largest in the history of Nebraska, is $739,591.93. This grand showing is the result of (*a*) judicious management by the board of educational lands and funds of the permanent school fund in their charge, keeping it invested so far as possible and drawing an income to the State; (*b*) judicious management by the commissioner of public lands and buildings of the school-land contracts and leases of the State, and (*c*) failure of the present State treasurer to follow in the footsteps of his predecessor and embezzle the major portion of the uninvested permanent school fund, thereby preventing it from being properly invested and drawing an income to become part of the temporary school fund.

While matters of a special nature are well enough to show wherein certain gains or losses are made, the general results speak for themselves. An inspection of the auditor's statement, herewith inclosed, shows a net reduction of the State debt for the fiscal year ending November 30, 1897, as follows:

Reduction in outstanding warrants	$343,376.83
Reduction in bonded indebtedness	207,000.00
Total	550,376.83

Surely a commendable showing when compared to, and in the face of, a defalcation of $555,790.06 in the State treasury, $23,276.40 in the auditor's office, together with minor mismanagement and extravagance, the two years immediately preceding under Republican rule.

I note your remark that "the Republican organs out here always refer to the Populist measures as 'pernicious Populistic legislation.'" This indictment is so general in its terms that I feel like pleading guilty on behalf of Populist legislators and Populists generally. Populist legislation is pernicious to public plunderers, but such legislation, when enforced in a spirit of fairness, has always proven beneficial to the people of Nebraska. The Australian ballot law and the maximum freight rate law are notable examples of Populist legislation in Nebraska, both of which, of course, received votes from members of other parties.

The latter law, passed by the legislature of 1893, has been hung up in the Federal courts ever since the time it should have taken effect. On this very day the dispatches from Washington are to the effect that the United States Supreme Court has handed down an opinion affirming the opinion of the circuit court of appeals, declaring the maximum freight rate law invalid, basing such decision on the showing made by the railroads to the effect that the low rates prescribed would result in actual confiscation of railroad property.

This showing by the railroad companies was supplemented by an ostensible counter-showing of the State board of transportation, at that time a Republican body, which counter-showing out-Heroded Herod and showed that the railroads would be mulcted by the maximum freight rate law even worse than the railroads themselves had the hardihood to declare by affidavit. Just what the final outcome will be in respect to this law is, of course, at this time problematical, but there is no doubt that the local shippers of Nebraska have paid upward of $4,500,000 more in freight rates than they would have paid had the law been enforced.

An examination of the session laws of 1897, a copy of which accompanies this letter, will show no legislation of a vicious character, in fact, nothing which could even be called "radical" legislation. The wisdom of many of the acts has long since been proven by actual experience, and I will touch briefly on a few of the measures which have given the taxpayers of Nebraska considerable relief.

When Mr. Porter, the present secretary of state, assumed charge of his office, he observed that many of the fees for services to be rendered by him in behalf of the State for corporations and individuals were entirely inadequate; in fact, in the case of filing articles of incorporation being merely nominal. The legislature being at the time in session, Mr. Porter was instrumental in having house roll 479 and senate file 287 (being chapters 18 and 72, respectively, of the session laws of 1897) enacted into law.

The following table shows the amount of fees collected in the office of secretary of state from 1887 to the present:

1887	$2,090.72
1888	1,600.99
1889	1,747.84
1890	1,635.32
1891	1,399.25
1892	1,410.00
1893	1,266.15
1894	1,169.67
1895	870.90
1896	806.22
	13,997.06
January 8, 1897, to January 31, 1898	18,633.45

As the total appropriation made by the legislature of 1897 for the maintenance of the office of secretary of state is $18,300, it will be seen that this office is more than self-sustaining.

The board of printing, of which the secretary of state, auditor of public accounts, and state treasurer are members, was created by the legislature of 1897, by the enactment of house roll 571, chapter 48, of the session laws, and a comparison of the work done by this board with the fast-and-loose methods which obtained under the Republican régime tells a startling story of public plundering:

Book.	Year.	No. of volumes.	No. of pages.	Cost per page.	Total cost.	Cost per book.
Session laws	1897	5,000	532	$2.95	$1,569.40	$0.31
Do	1895	5,000	540	5.45	2,943.00	.59
Do	1889	5,900	722	9.00	6,390.00	1.08
House journal	1897	2,000	1,338	1.00	1,338.00	.67
Do	1895	1,000	1,862	2.10	3,910.00	3.91
Do	1889	2,000	2,318	3.00	6,954.00	3.45
Senate journal	1897	2,000	962	1.00	962.00	.48
Do	1895	2,000	2,034	2.35	4,779.90	2.38
Do	1889	2,000	1,598	3.00	4,794.00	2.40
School laws	1897	10,000	146	2.285	333.61	.033
Do	1895	10,000	164	3.75	615.00	.0614
Do	1889	1,000	124	3.00	372.00	.372

RECAPITULATION.

Year.	Total cost.	Excess over 1897.
1897	$4,203.01	
1895	12,247.90	$8,044.89
1889	18,510.00	14,306.99
Showing an excess of		22,351.88

Comment, it seems to me, is wholly unnecessary. When it costs $38.30 more to print 1,000 copies of the school laws of 1889 than it did to print 10,000 copies of the school laws of 1897, cheapness of printing brought about by use of typesetting machines will hardly make a satisfactory explanation.

The Republican legislature of 1895 appropriated $20,000 for printing laws, house and senate journals, and other State printing. Not only was this sum all used, but also a deficiency was created to the tune of $19,107.98, which the fusion legislature of 1897 was compelled to meet. For similar purposes during the biennium 1897-98 only $12,500 was appropriated; and of this sum, only $8,144.58 was expended up to February 28, 1898. The printing board assures me that although the total appropriation was hardly adequate, yet it is doubtful whether any deficiency will be created.

Section 36 of chapter 75 of the session laws of 1897, which chapter amends and repeals chapter 86 of the compiled statutes of Nebraska (1895), changes the manner of computing the fees and expenses of sheriffs and other officers incurred in conveying convicts to the penitentiary from a per diem of $3 and "10 cents per mile for traveling expenses in going and coming" to a per diem of $3 and "the actual and necessary traveling expenses in going and coming." Under the old law there was expended during the period from April 1, 1895, to April 1, 1897, the sum of $37,069.20 in such fees and expenses, while under the new law there was expended during the eleven months ending March 1, 1898, the sum of $7,490.41. At this rate the expenditures for two years ending April 1, 1899, will amount to about $16,342.72, resulting in a net saving to the taxpayers of the State of about $20,726.48 in two years.

Section 20 of chapter 28 of the compiled statutes of Nebraska provides that "each county treasurer shall receive for his services the following fees: On all moneys collected by him for each fiscal year, under $3,000, 10 per cent. For all sums over $3,000 and under $5,000, 4 per cent. On all sums over $5,000, 2 per cent. On all sums collected percentage shall be allowed but once; and in computing the amount collected, for the purpose of charging percentage, all sums, from whatever fund derived, shall be included together except the school fund." Notwithstanding the plain intent of this law, Republican State treasurers and auditors have allowed the various county treasurers each year to collect double fees on a portion of the collections made by such county treasurers.

The custom was to calculate fees for collecting the State taxes without reference to the amount of county taxes the treasurer had collected, plainly

in violation of the provision, "and in computing the amount collected, for the purpose of charging percentage, all sums, from whatever fund derived, shall be included together except the school fund." But the present State officers were elected on a platform pledging reform in every department of the State, and the auditor refused to adjust fee claims of county treasurers for collecting State taxes on the basis of computation as interpreted by his Republican predecessors, and asked the attorney-general for advice in the matter.

On July 30, 1897, Attorney-General Smyth advised the auditor by letter that the Republican method of computing percentages should not be followed; that the law is clear and explicit in its terms, and that it was undoubtedly the intention of the legislators that the 10 per cent on sums collected under $3,000 did not mean 10 per cent on $3,000 of State taxes and 10 per cent on $3,000 of county taxes, but simply 10 per cent on $3,000, "from whatever fund derived." It will be seen that this opinion cuts off $280 from the fees of each county treasurer who collects $10,000 and over each year, exclusive of school moneys. There are ninety counties in Nebraska, and most of them furnish revenue over the amount named; hence a saving of fully $23,000 will result each year to the taxpayers of the State by reason of a proper enforcement of the law in question.

Many other of the laws enacted by the legislature of 1897 are worthy of a closer examination than the scope of this letter will permit, but I shall take the time to make a comparison of the total appropriations made by that body with those made by the Republican legislature of 1895, after deducting those items of an extraordinary nature which can not properly be counted as current expense, which shows a net saving of $371,378.13 in favor of the party of "pernicious Populistic legislation:"

Total appropriation, 1895		$2,784,684.60
Less relief for drought sufferers	$50,000.00	
Less for procuring seed, etc., for needy farmers	200,000.00	
Less to pay deficiency claims of 1893-94	27,588.12	
Less to erect new buildings	73,000.00	
		350,588.12
Net appropriation to pay expenses for two years		2,434,096.48
Total appropriation, 1897		2,335,843.40
Less appropriation in aid of Trans-Mississippi Exposition	$100,000.00	
Less to pay deficiency claims of 1895-96	93,125.05	
Less to erect new buildings	80,000.00	
		273,125.05
Net appropriation to pay expenses for two years		2,062,718.35
Net saving, 1897 over 1895		371,378.13

I trust that the foregoing may prove of some benefit to you in your discussions in the campaign about to be inaugurated in Oregon. I have endeavored to be conservative in all matters of estimate and strictly correct in all matters of public record. There are many matters of minor, though not small, importance, all of which tend to show the wisdom of the people of Nebraska in breaking loose from the bondage of Republican control and in electing men of known integrity and honor to administer State affairs. But surely the items cited are convincing enough.

The defalcations by Republicans in the State treasury and auditor's office are matters of public notoriety extending far beyond the confines of Nebraska, and I have contented myself with a mere reference to them, feeling that the records of mismanagement and incompetency made by the Republican officials generally are more damning to that party than continual harping upon the universally admitted rascality of one or two officers of that political faith. Whatever may be said of the past history of the Republican party as a national party, it has no proud record in its management of State affairs in Nebraska. There is scarcely a State institution that has not its Republican skeleton none too securely closeted; scarcely a State building whose erection has not served as a shield for public plunderers.

I said in the beginning that January 7, 1897, marked the commencement of a new era in the history of Nebraska, whether for better or worse the records would show. Though only a short record in point of time, yet the people last fall expressed their appreciation of it by electing Hon. John J. Sullivan to the supreme bench, giving him a plurality of nearly 14,000. And every indication points to a further ratification by the people this coming fall of the acts of the present State administration, a ratification more overwhelming than ever before to the Republican party of Nebraska.

With kind regards, yours, very truly,

CHARLES Q. DE FRANCE, *Clerk.*

Hon. J. GASTON,
624 Salmon Street, Portland, Oreg.

REPORTS OF COMMITTEES.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 2367) for the relief of William Wheeler Hubbell, asked to be discharged from its further consideration and that it be referred to the Committee on Patents; which was agreed to.

Mr. HANSBROUGH, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3915) granting a pension to Delia Elizabeth Woodward;

A bill (H. R. 3802) increasing the pension of Francis M. Bruner;

A bill (H. R. 7008) granting a pension to R. G. English; and

A bill (H. R. 4300) to increase the pension of John C. Wagoner.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 2677) for the relief of the University of Kansas, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (H. R. 1322) granting a pension to Benjamin F. Howland, reported it without amendment, and submitted a report thereon.

Mr. FAIRBANKS, from the Committee on Claims, to whom was referred the bill (H. R. 294) for the relief of Robert Spaugh, reported it without amendment, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 4247) granting a pension to Sarah A. Landram, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Fisheries, to whom was referred the bill (S. 3228) for the relief of the sufferers by the capture and destruction of the Hawaiian whaling vessel *Harvest*, asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. KENNEY, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3723) granting a pension to William J. Williams, of Kent County, Del.; and

A bill (S. 3705) granting a pension to Catherine Chalders.

Mr. CHANDLER, from the Committee on Post-Offices and Post-Roads, reported an amendment intended to be proposed to the Post-Office appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW. I am instructed by the Committee on Public Lands, to whom was referred the bill (S. 4154) to amend an act approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," to report it without amendment, and I ask unanimous consent for its immediate consideration.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. FRYE. Let the bill be read for the information of the Senate first.

The Secretary read the bill.

Mr. ALLISON. I think the bill had better go over until to-morrow. There seems to be a general appropriation made. I should like to have some information as to the probable amount of it.

The VICE-PRESIDENT. Objection is made, and the bill will be placed on the Calendar.

Mr. GEAR, from the Committee on Pacific Railroads, submitted the views of the minority to accompany the bill (S. 120) authorizing the Secretary of the Treasury to effect an adjustment between the United States and the Sioux City and Pacific Railway Company in relation to certain bonds issued by the United States in aid of the construction of said railway; which were ordered to be printed.

SUFFERERS BY DESTRUCTION OF BATTLE SHIP MAINE.

Mr. HALE. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 3618) for the relief of sufferers by the destruction of the U. S. S. *Maine* in the harbor of Habana, Cuba, to report it without amendment, and I ask for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. NELSON introduced a bill (S. 4207) granting a pension to Louisa Hale; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURLEY introduced a bill (S. 4208) for the relief of Joseph Tagg, of Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 4209) granting a pension to Malcolm Johnson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 4210) for the relief of Patrick J. Madden; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 4211) granting an increase of pension to Russell R. King; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 4212) reducing fees in contest cases in Oklahoma; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4213) granting a pension to Miner Kesling;

A bill (S. 4214) granting a pension to James Trustler;

A bill (S. 4215) granting a pension to Deborah J. Fogle, of Terra Alta, W. Va.;

A bill (S. 4216) granting a pension to J. A. J. Lightburn, Lewis County, W. Va.;

A bill (S. 4217) granting a pension to Richard W. Heafer, Company K, First Regiment Virginia Infantry, war with Mexico;

A bill (S. 4218) to grant a pension to Willis Mollohan, of Caress, Braxton County, W. Va.;

A bill (S. 4219) granting a pension to Mrs. Catharine Childers; and

A bill (S. 4220) granting a pension to John J. Robinson, of Endicott, Wetzel County, W. Va.

Mr. ELKINS introduced a bill (S. 4221) for the relief of the county court of Randolph County, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4222) for the relief of the county court of Upshur County, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4223) to amend the military record of Crispen M. Stone; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLEN introduced a bill (S. 4224) granting the New Orleans and Oklahoma City Railroad Company a right of way through the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 4225) to give a preference right of entry to persons procuring a cancellation of fraudulent or double allotments to Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GEAR (by request) introduced a bill (S. 4226) for the relief of Samuel G. Hunter; which was read twice by its title, and referred to the Committee on Claims.

NATIONAL POLICY IN PRESENT EMERGENCY.

Mr. BACON introduced a joint resolution (S. R. 128) declaring the peaceful policy of the United States; which was read the first time by its title.

Mr. BACON. I ask that the joint resolution may be read at length.

The joint resolution was read the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and people of the United States, while avowing that at all times and to the uttermost limit they will maintain their national honor and protect their material interests, and while they will count no cost of blood or treasure which may be necessary for the accomplishment of this high resolve, nevertheless declare that it is their desire to live at peace with all the nations and peoples of the earth.

SEC. 2. That, supremely confident in the loyalty and patriotic devotion of the people of every class and of every section of the country, strong in more than 70,000,000 of people, resolute, brave, and ready for any personal sacrifice the honor and safety of their Government may require of them, and rich in the possession of material resources, practically without limit, the United States, nevertheless, desire and intend in the present threatening emergency, earnestly and patiently to use every practicable and honorable means to preserve peace so far as the same may be consistent with the honor of the nation and with their duty to themselves and to others.

SEC. 3. That, while unswerving in their purpose to fully protect the honor and the property of the nation, as well as the persons of its citizens, and while determined upon the performance of their duty to humanity and to a neighboring people struggling for liberty, the United States, desiring peace and deprecating war, will in good faith endeavor to accomplish these ends, consistently with national honor, through peaceful agencies and without unnecessary resort to war and bloodshed.

Mr. BACON. The resolutions are probably too important for me to ask that they be acted upon without an opportunity being given to Senators to inspect them. I would otherwise ask for the present consideration of the joint resolution. I however ask that it may be printed and lie on the table until to-morrow morning, when I shall call it up.

Mr. TELLER. The joint resolution will be printed, I suppose?

The VICE-PRESIDENT. The joint resolution will lie on the table. It will be printed, under the rule.

Mr. STEWART. There is no general understanding that the joint resolution will be taken up to-morrow.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. WALTHALL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ALLEN submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. ELKINS submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

CATALOGUE OF BOOKS AND MAPS.

Mr. WETMORE submitted the following resolution; which was referred to the Committee on Printing, and ordered to be printed:

Resolved, That there be printed for the use of the Senate 1,000 additional pamphlet copies of Senate Document 161, being the catalogue of books and maps in the Library of Congress relating to Cuba, 500 copies for the use of the Senate and 500 copies for distribution by the Librarian of Congress.

AFFAIRS IN CUBA.

The VICE-PRESIDENT. The morning business appears to be closed.

Mr. CARTER. If, pursuant to the notice given on yesterday, the Senator from New Hampshire [Mr. GALLINGER] desires to proceed with his remarks at this time, I shall refrain from presenting the request I intended to make for the consideration of the Alaska bill at the present moment.

Mr. GALLINGER. Mr. President, I will say, in response to the suggestion of the Senator from Montana, that I greatly appreciate his courtesy in being willing to delay the business that he has in hand for the purpose of giving me an opportunity to briefly address the Senate on some observations that I recently made during a hurried trip to the Island of Cuba. I shall endeavor to be as brief as the importance of the case will warrant.

Mr. President, after the calm, dispassionate, and touching statement made in the Senate concerning Cuba by the distinguished Senator from Vermont [Mr. PROCTOR] it might be well for me to remain silent; indeed, Mr. President, that was my purpose when I returned from the island, but yielding to the expressed wihs of many of my Senatorial colleagues, I have consented to give a plain recital of what I saw during my recent brief visit to that unhappy country, in the hope that it may add something to the already deep interest felt by the masses of the American people in the struggle now going on 80 miles from the American shore.

Neither the criticisms, many of them utterly unkind and unjust, which have already been made regarding that trip, nor the fear of the denunciations of the apologists and defenders of Spain will deter me from plain speech or the expression of views quite as honestly held as those of the men and newspapers who indulge in the senseless cry of "jingo" whenever a word is uttered in favor of freedom and independence for a people who for three centuries have been oppressed beyond endurance. In 1829, in 1844, in 1848, in 1850, in 1851, in 1868, and again in 1895 have the brave people of Cuba endeavored to break the chain that bound them and to establish for themselves free government on the soil that rightfully is theirs. The failure of the ten-years war, ending in 1878, is fresh in the minds of us all, and the violation of the promises made by Spain to the insurgents as a condition of peace is a matter of history which need not be recounted.

For many years I had felt a desire to visit Cuba, and when the opportunity offered for me to go in the company of some of my Congressional associates I was glad to do so, as it would enable me to see with my own eyes the devastation and wretchedness that I believed existed in that fertile but smitten land.

After a somewhat tempestuous and eventful voyage, Havana was reached on the morning of the 10th instant. Looking out through the mists of early morning, Morro Castle, with its gloomy memories, and the fortress of Cabanas, within whose walls hundreds of brave and innocent men have been shot to death, stood out in bold relief. The beautiful harbor was entered, in which were many vessels flying the Spanish flag, while the *Montgomery* alone had at its masthead the Stars and Stripes—glorious emblem of freedom and liberty. No, not alone, for as our vessel passed the wreck of the great battleship that so recently was destroyed an American flag floated from her also.

A CALL UPON GENERAL LEE.

Very soon after our arrival General Lee called upon us at the hotel, and graciously offered to accompany the party to the palace to meet General Blanco. General Lee is deserving of the highest possible praise for the manner in which he carries himself in Havana. Cool and fearless in the midst of difficulties and dangers, he never loses sight of the fact that he is an American citizen and the representative of this great Government, nor is he ever unmindful of the tremendous responsibilities and duties of his position.

A VISIT TO THE PALACE.

The visit to the palace was one of much interest. At a former period General Blanco was Captain-General of the island, and he is held in high esteem by the Spanish Government. When he assumed office this time it was as the successor of General Weyler, who, because of his cruelties, was driven from Cuba by the force of American public opinion. General Blanco was gracious in the extreme, and Dr. Congosto (who speaks most excellent English) showed the party many courtesies. Of course no allusion was made to political affairs.

THE AUTONOMIST CABINET.

Our next call was upon the autonomist cabinet, but we only saw the president of the cabinet. With him we discussed somewhat the question of autonomy; but it was plain to be seen that he was not greatly encouraged in the work that had been undertaken in that direction. The truth is, autonomy is a flat failure, opposed alike by the ultra Spaniards and the Cubans. The leaders of the insurrection have not forgotten how they were cheated by Spain in 1878, and the blandishments and bribes now being offered them are spurned with contempt. "Better death than autonomy," said a leading Cuban to me, "for," he added, "autonomy is only a pretense, under which we would again be slaves to Spain."

IS THERE WAR IN CUBA?

I recall the fact that in the debates had in the Senate on the Cuban question there have always been those who have denied that a real state of war exists in the island. It does not take long

for one on the spot to determine that war does actually exist. A desolated country and a stricken people tell the story of war in language more eloquent than I can use. It is a peculiar kind of war, not the kind that this country became acquainted with at Shiloh and Vicksburg, at Chancellorsville and Gettysburg, and which General Sherman summed up in those three laconic words, "War is hell." It is not the kind of war that Grant and Lee, Sherman and Jackson, Sheridan, Longstreet, and Logan participated in from 1861 to 1865. In Cuba it is a war of starvation and extermination—a war more cruel than any the world has ever known.

THE SPANISH SOLDIERY.

The Spanish military do not impress an American with the idea that they are great soldiers. I witnessed three military drills, and in each case the story of the "Awkward Squad" came vividly to my mind. Talking and smoking in the ranks were noticeable, and neither officers nor soldiers seemed to possess the true military spirit. It is said that the rank and file of the Spanish army have not been paid for six months, and they certainly are poorly clothed and inadequately fed. The high officers appear to do most of their fighting in cafés and hotels, the actual fighting in the field being done under the command of officers of inferior grade.

THE INSURGENTS.

As to the insurgents, it is said that they are well fed and comfortably clad, their chief lack being guns and ammunition. They are good soldiers, under strict military discipline. They occupy a large part of the island, and, in my judgment, can take Havana or Matanzas whenever it suits their purpose, but for want of ships they could not hold those cities if taken. In Matanzas I was offered safe passport to the insurgent lines, but it was declined for want of time.

TERRIBLE SCENES.

The scenes in the streets of Havana are harrowing beyond description. People in want and suffering are everywhere seen and walking skeletons meet one on every hand. Naked children, emaciated and ragged women, and diseased and starving men throng the streets, the hotel lobbies, and every place of public resort. It is a terrible sight, one that sickens the heart, and quickens every impulse of human sympathy and love.

I have said in the public prints, and I repeat, that the Kingdom of Spain is carrying on a war in Cuba more utterly cruel and indefensible than any that the world chronicles, unless perchance a parallel may be found in the oppressions that the Armenians have suffered at the hands of the Unspeakable Turk. My observations were first made not in the rural districts, where the most horrible conditions are conceded to exist, but right in Havana, under the shadow of cathedrals and churches, where Spain's authority is absolutely unquestioned. The world has heard with horror the story of the starvation of hundreds of thousands of innocent people on this island, but while the statement has been generally accepted as true, there are those who have refused to believe that a great Government was waging a war of extermination instead of a war of honor, conducted upon the high principles of humanity and bravery, yet such is the fact.

CLARA BARTON AND HER GOOD WORK.

In my investigations I visited the orphanage under the care of that sainted woman, Clara Barton, who is being ably assisted by Dr. A. M. Lesser, surgeon in chief of the Red Cross Hospital of New York City, and his accomplished wife. It was also my great privilege to meet there Mr. Louis Klopsch, proprietor of the Christian Herald, under whose efforts the money has been raised to carry on Miss Barton's Heaven-inspired work, and who receives help and encouragement from his wife, who is there in person to do what she can to alleviate the terrible suffering that exists.

In connection with the orphanage a dispensary is maintained, Dr. Lesser being ably seconded in that work by a corps of Cuban physicians, and every day hundreds of poor creatures are assisted in that way. At present the orphanage contains about fifty children, almost every one of whom is the victim of starvation, suffering from diseases directly traceable to want of food and imperfect nourishment. Dr. Lesser has had experience in the famine in Armenia, and I believe in India, and is recognized as the highest possible authority on diseases of that kind. I have it from his lips, and also from Miss Barton's, that the famine in Cuba is worse than was that in Armenia or any other of which they have knowledge, and the pictures that they drew of the terrible suffering from starvation in the island fully confirm what has been written on the subject by those whose statements have been challenged in some quarters.

HUMAN SUFFERING IN ITS WORST FORM.

For most of my life, as a physician, I have witnessed human suffering, but pictures of wretchedness and anguish were photographed upon my brain in Cuba that will never be effaced. After the visit to the orphanage was over I went with the medical gentlemen and others to Los Focas, the place where the reconcentrados assemble daily to get food and shelter. There is a large side yard, which was filled with men, women, and children, a motley, dilapidated, hungry-looking crowd. But sad as was the crowd outside, it was nothing as compared with that inside the building. The structure is 108 by 40 feet, two stories high, and when a few weeks ago Miss Barton discovered the place there were 645 people lying on the floor, many of them entirely nude, and all suffering the pangs of starvation.

The children in the orphanage were taken from that wretched abode, and much has been done by the Red Cross to alleviate the condition of those who remain. Cot beds have been furnished, clothing supplied, plain food distributed, medical attendance arranged for, and every effort is being made in their behalf. Still there are men, women, and children there as gaunt and bony, almost, as a skeleton, while the sores that come from insufficient nourishment, and the other deplorable effects of starvation, are seen on every hand. I looked upon the scene until heartsickened, and then I thought of the hundreds of thousands of poor creatures who have perished in this island for want of food since the order was issued by Weyler to drive them from their homes and concentrate them in the cities.

What a chapter of horrors and death is that! And still the tragedy goes on. How much longer it shall continue largely depends upon the forbearance of a great people who through suffering and sorrow achieved their own independence, and whose sympathies have always gone out to the oppressed of all the nations of the world.

In brief, that tells the story of what was seen in Havana, except that the picture is mild, and in the very nature of things fails to reveal the horrible, inexpressible sufferings of those poor, persecuted people.

Many sights were witnessed which could not properly be related in this presence. Certain American newspapers have been persistently charged with coloring the facts and giving false information to our people. I do not see how it is possible for human language to exaggerate the suffering that exists in Cuba, and certainly the newspapers that are spending enormous sums of money to keep the American public informed as to the situation deserve praise rather than censure, for otherwise no information whatever favorable to the Cuban cause would come to us. Spanish censorship could be relied upon to give only one side of the controversy. The New York Journal keeps a large steam tug and a yacht employed in making daily trips from Havana to Key West bearing dispatches, and I am informed that that enterprising newspaper is spending $1,000 a day in that service and in gathering news on the island.

A VISIT TO MATANZAS.

Desiring to see something of Cuba outside of Havana, a visit to Matanzas was decided upon.

Matanzas is reached from Havana by both water and rail. I chose the latter, notwithstanding the suggestion that the insurgents were not far from the railroad, which was emphasized by the fact that an armored car, occupied by Spanish soldiers, was attached to the train. The distance is about 60 miles, which is covered in three hours by a railroad the trains on which are started by the ringing of a bell in the hands of a sturdy negro, and the track and rolling stock of which suggest antiquity rather than the ideas of our modern civilization.

The road runs through a beautiful valley, with mountain ranges on either side, which were pointed out as the abode of the insurgents. Over the entire distance is seen the effects of war, scarcely any cultivated land being visible, and the charred remains of villages and sugar plantations telling the story of devastation and destruction.

At one point 6 soldiers and about the same number of civilians occupied the site of a village of 2,000 inhabitants at the beginning of the war, only one or two buildings remaining to tell the story of the struggle that has been waged for three years.

Burning cane fires not far from the railroad indicated that the insurgents, and possibly the Spanish soldiers, were busy. Indeed, only a few evenings ago an insurgent force captured a large herd of horses and cattle in the outskirts of Matanzas, while the *Dauntless* discharged her last cargo of insurgent material literally in the harbor of that city.

I was fortunate to have as traveling companions Congressmen AMOS J. CUMMINGS, of New York, and WILLIAM ALDEN SMITH, of Michigan; also Clara Barton; J. K. Elwell, of Lawrence, Kans.; Dr. and Mrs. Lesser, of New York; Dr. Hubbell and Mrs. Ward, of Washington; Mr. Louis Klopsch, proprietor of the Christian Herald, and other philanthropic persons. Senators THURSTON and MONEY went to Matanzas by water.

All along the route were wretched people in rags, but not until Matanzas was reached was the full extent of the existing suffering realized.

The railroad station was crowded with poor creatures, many of them nearing their graves as a consequence of starvation and resulting disease. Men, women, and children jostled and crowded one another begging for help. Some of the children were entirely

without clothing, while most of them were covered only in part, and that with ragged and dirty garments. The same condition of things was seen on the streets, and the hotel lobby exhibited other scenes of similar destitution.

DANTE'S INFERNO.

It occurred to me as I looked upon these scenes of suffering and horror that the Cuban reconcentrados might well have adopted the words of Dante, "Who enters here leaves hope behind," when they were driven from the fields and herded like cattle in the cities and towns of this fertile land.

The truth is that Weyler devised a scheme of human suffering and sorrow that put Dante's Inferno into the shade and converted a contented, prosperous people into a herd of suffering, starving unfortunates.

True, it is said that under the present régime they are permitted to resume work on the land, but careful inquiry failed to discover that this is really so, and even were it so, how could starving, penniless men and women, with sick and emaciated children, find their way to their former homes and take up the duties of life, with their houses destroyed, their farm implements gone, their live stock driven away, and every means of supporting life taken from them by the cruel edict of a merciless tyrant?

In Matanzas I met an American citizen at the office of the United States consul who one year ago was worth $150,000, but who to-day is utterly penniless. He was driven from his home into the city, his buildings destroyed, and the accumulations of a lifetime disappeared. Recently he was told that he could return to his land, which he did, engaging in the manufacture of charcoal; but scarcely had he commenced work when his property was again seized and he was returned to the city, inside of the line called the "zone of cultivation."

A day in Matanzas is one never to be forgotten. The city nestles by the bay, just as it did before it was smitten by famine and when commerce and trade made it one of the most important ports of Cuba. To-day the bay is deserted, except by ships bringing relief to the starving people.

A PLACE OF BEGGARY AND DEATH.

Matanzas is literally a place of beggary and death. Never before did my eyes behold such suffering, and never again do I expect to see such havoc wrought through a cruel and inhuman decree.

After a call on Consul Brice, whose good work in Matanzas is known and recognized everywhere, the company were driven to the palace of the governor of the province, where they were received most graciously. The present governor is Cespedes de Arnos, a well-known journalist, and a man who seems to fully appreciate the appalling condition of the people.

He was especially kind and courteous to Miss Barton, placing at her disposal one of the finest apartments in the palace; and the other members of the family were equally devoted to this good woman.

The governor talked freely of the situation, tendered the party a reception that was declined, and when he proposed a toast to "Hail Columbia" it was evident that his eyes are turned in the only direction whence help can come to this stricken people.

Governor Arnos succeeded Senor Paret, who served under Weyler, and who is remembered as a cruel, brutal man. The present incumbent of the office, while serving the Spanish Government, is unquestionably very solicitous for a betterment of the condition of the people.

Returning from places of public resort, the party visited three hospitals, named, respectively, Providencia, Caridad, and San Carlos, and here were fresh evidences of the ravages that starvation is working.

Some members of the Red Cross had visited the hospitals two weeks ago, but they were terrified to discover that almost every one of the then inmates had died, and to some extent others had taken their places. Here poverty, sorrow, and suffering were depicted in their worst forms. Children, gaunt in face but with abdomen and limbs terribly swollen, women in the last stage of emaciation, and men rapidly drifting to death were on every hand.

HOSPITALS WITHOUT FOOD OR MEDICINE.

If there was food in these hospitals I did not discover it. Neither were there signs of medicine or of proper nursing or care. As these unfortunates lay there, suffering the pangs of hunger, an abundance of food was at the railroad station, sent there by Miss Barton more than a week ago, but which through some mistake had not been distributed, and the *Fern* and one other American vessel were lying in the bay loaded down with contributions from the Government and people of the United States.

CLARA BARTON.

I wish I could command language eloquent enough to pay a just tribute to Clara Barton, the guardian angel of oppressed, suffering humanity. More than 70 years of age, when the cry came from far-off Armenia she was soon in that stricken land, carrying the ministrations of the gospel and distributing benefactions under the ægis of the Society of the Red Cross. More than three-score and ten years of age, she has again responded to the Macedonian cry, and is in Cuba relieving suffering and sorrow—a very angel of mercy and of human love and sympathy. God bless Clara Barton!

DEATH THE ONLY RELIEF.

For a large proportion of the remaining reconcentrados death is the only relief. Food and medicine may palliate for a time the suffering they endure, but starvation has done its work, and the grave will claim many of them in the near future.

From the hospitals I went to the huts on the outskirts of the city, occupied by the families of reconcentrados, and here again is material for the artist and the novelist. In huts of one room, thatched with palm leaves, are families of eight or ten eking out a miserable existence. They were driven out of their homes when the plan was adopted to exterminate the Cuban race by starvation.

In their suffering and wretchedness they appear cheerful, occupying a portion of the time in making palm-leaf hats, for which there is a very limited demand at 6 cents each. Of course the children beg to help supply the absolute necessaries of life.

TERRIBLE DEATH RATE.

In this sketch I have not attempted to picture the extreme horrors of the situation, but rather to give a plain and unvarnished statement of what is seen at every turn. The death rate here, as elsewhere on the island, has been enormous. The governor of Matanzas told me that the first day he occupied the palace 15 persons died in the courtyard. He further said that in that city 1,200 died in November, 1,200 in December, 700 in January, and 500 in February.

The death rate is decreasing simply because the material—the reconcentrados—is becoming less. Estimating the population of the city at 75,000, and taking a death rate of 20 in 1,000, that would give 1,500 deaths in a year.

But here we have 3,600 deaths in four months, more than seven times that of a normal death rate, and the sad thing of it all is that the excess above the average rate shows the number of deaths from starvation, and from nothing else.

On the cars I was told that in San Cristobal one coach, used as a hearse, had carried to the cemetery 800 dead in twenty-six days, while many uncoffined dead were disposed of in other ways; and in another place of 3,000 inhabitants, Santa Cruz del Norte, not far from Matanzas, every dog and cat has been eaten, and utter desolation confronts the place unless relief comes soon.

The mayor of this town was in Havana, and he is responsible for the statement I have made. He begged Miss Barton to go to the relief of the place, which she promised to do, but God alone knows how much good it will do under the circumstances.

A WORSE FAMINE THAN THAT OF ARMENIA.

Miss Barton says that this is a worse famine than that of Armenia or India. In India famine came because of crop failures, and in Armenia as the result of religious fanaticism, but here in Cuba is a famine of cold calculation, with fertile land on every side, ready to produce abundant food in response to the demand of human labor.

That labor has been withheld, in accordance with the programme laid down by a heartless military ruler, and now the lands are uncultivated and the people starving.

NEARLY HALF A MILLION DEAD FROM STARVATION.

The number of people who have been starved in Cuba will never be definitely known. It is estimated that 800,000 were driven from their homes into the cities and towns. I had it from Spanish authority that according to their figures 225,000 have already perished; but it is said that the Red Cross Society is in possession of figures showing that 425,000 Cubans have died as a result of Spanish cruelty from starvation, and that 200,000 more must inevitably die, making an aggregate of 625,000, or almost twice the population of the District of Columbia or the State of New Hampshire. Dr. Lesser, an authority on the results of famine, who is on the ground, says that of the 175,000 not taken into the account above at least 5 per cent of them will die, making a grand total of 634,000 deaths of men, women, and children as the result of Weyler's inhuman and barbarous decree.

What a picture is that 80 miles from our shores! And yet this great nation folds its arms and officially asks, "Am I my brother's keeper?"

Thank Heaven, the Government of France did not reason that way when Lafayette stood side by side with Washington and Stark and Mad Anthony Wayne when our forefathers were fighting for human freedom and independence!

It may be that the Government of Spain and the cities of Havana and Matanzas are doing something to relieve this terrible suffering, but if so, I did not see any evidences of it. The hope of the poor remaining sufferers is in this great Government, and, Heaven be thanked, our people are reaching out the hand of sympathy and affectionate interest in the shape of food, medicine, and clothing!

WHAT OF THE MAINE?

I have been asked many times, "What of the *Maine?*"

I do not know.

This, however, I do know: A nation that will deliberately starve 400,000 of its own people will do pretty much anything. [Applause in the galleries.]

If the ship was blown up from the outside, what should our Government do?

Perhaps I should forbear to discuss that question now, but this I will venture to say: Human life, purposely taken, can not be paid for in gold or silver. [Applause in the galleries.] Mark my words, "purposely taken." And if it shall appear that such was the fate of 250 brave American sailors, then Heaven pity the guilty parties. It will not be a question for arbitration, but a question involving the dignity and honor of this great Republic.

A JINGO.

Of course for these words I will be called a jingo, whatever that may mean, but, as I have said on former occasions I now repeat, I would infinitely rather be a jingo than a Tory; I would infinitely rather stand here as the defender of human rights than as the apologist of cruelty and oppression. A vigorous foreign policy is necessary to the strength and dignity of any nation, and it is the best possible assurance of peace that can be given.

CUBAN SYMPATHIZERS EVERYWHERE.

There is little real loyalty to Spain in Cuba, as will be demonstrated when the hour of trial comes. Cuban sympathizers are found everywhere. On the cars between Havana and Matanzas a prominent business man of the latter city openly expressed his deep sympathy for Cuba, and drawing from his pocket a little package asked me if I would not like a picture of Gomez, the grand and intrepid leader of the Cuban army. The picture is here—a treasure with which I would not lightly part.

I do not believe that Spain can subdue the insurgents.

Already the war has cost Spain the lives of at least 100,000 soldiers and a vast amount of treasure, and the approaching rainy season will decimate the Spanish ranks at a fearful rate.

The Cubans have been oppressed so long that they prefer death to continued Spanish rule; and why should they not?

EFFECTS OF SPANISH RULE.

Mr. President, has this Senate any idea what Spanish rule in Cuba really means?

Let us look at the matter of taxation.

I was told by reliable persons in Havana that, in addition to all direct and indirect taxes on real estate, there is a tax on every door, every window, and every chimney in every house.

There is a tax on every letter in every business sign.

There is a tax on every name on every hotel register. It is an edifying sight, Mr. President, to open the register of any hotel in Havana and, glancing down the page, to find a tax stamp opposite each signature.

Licenses are required to build houses and to paint houses.

There is a tax on food animals as a whole, and also special taxes on the horns, the hoofs, and the hide.

In addition to all this the interest on the debt is a tremendous burden, the salaries of Spanish officials are beyond all reason, and the amount of money wrung from the Cubans to keep the Madrid Government from complete insolvency is simply enormous.

What would we think of such a Government as that?

No people on the face of the earth have been so oppressed, the treasury of Spain being literally supplied from the revenues extorted from Cuba and the Philippine Islands.

Mr. President, as far as I know no one in this country desires war with Spain, but the people of this country have come to the conclusion that the time has come for Spain to retire from the Western Hemisphere. [Applause in the galleries.] She has by misgovernment and cruelty forfeited every claim upon the Gem of the Antilles, and in the interests of a common humanity this country should intervene and stop the war.

SPAIN'S POSSESSIONS.

It will be remembered that one hundred years ago Spain owned a large part of what is now the United States, all of Mexico, most of Central and South America, and many of the West India Islands.

Within a hundred years, as the result of misgovernment and misrule, she has lost all of her territory on the Western Hemisphere except the islands of Cuba and Porto Rico, and if anyone can tell me why she should be allowed to longer retain control of Cuba, the information will be gratefully received. I certainly know of no reason.

I may be wrong, but it seems to me that it is a reproach to the civilization of the age that a bankrupt and corrupt Government like Spain should be permitted to hold in bondage on this continent a people who have aspirations for the same liberty that we enjoy.

Our forefathers went to war because the mother country put a tax on tea.

Cuba has ten thousand more reasons than we had for rebellion, and she deserves the sympathy and help of every true American.

A MATTER OF HISTORY.

If I have read history correctly, not since the downfall of the Roman Empire has there been such a story of the rise to greatness and the fall to helplessness of a great power as in this instance of Spain. It is one of the striking coincidences of history that Spain to-day, finding herself menaced with the loss of her last American possessions through a conflict with the great American Republic, dates the beginning of her power from the year 1492, in which year the discovery of Columbus led to the ultimate establishment of the United States.

The year which gave the Western Hemisphere to Spain witnessed the expulsion of the Moors from Grenada and made all the Spanish possessions one united country. Her first King, Ferdinand of Aragon, whose marriage with Isabella of Castile in 1469 marked the beginning of a real Spanish Kingdom, was also the last Spanish King, for at his death, in 1516, the succession passed into the lines of the Hapsburgs, with sad and melancholy consequences for the civilized world.

During the four hundred years of Spain's rise and fall her invariable record has been one of cruelty, of persecution, of bigotry, of hostility to every sentiment of human freedom, common justice, and enlightment. The slavery to which she doomed her subjects in the Western Hemisphere was not more cruel than her oppression of Holland or her tyranny over her own people at home. The bigotry, the fanaticism, the intolerance, and the gloomy superstition of her tone of mind are unrelieved by one single gleam of recognition of human rights, just as the disgraceful record of her decay and downfall is unrelieved by one single triumph of genius in statesmanship or of prowess in battle against an armed enemy.

One after another Spain's possessions have fallen away, like bricks from a moldering wall, until to-day she stands alone, bankrupt in resources, but still clinging to that policy of cruelty, of oppression and extermination, which has been her only known method of dealing for four hundred years, until finally forced to confront the Republic of freedom, of equality, of justice, of humanity, of civilization.

Mr. President, it is not accident or chance which has brought about the present situation. It is inexorable destiny, which decrees that the last of Spain's ill-gotten possessions in this hemisphere will be lifted to freedom by the one Republic which represents everything that Spain has antagonized during her whole history.

Fortunately the people of this great Republic are thoroughly aroused to the situation, and the great heart of the American populace is in full sympathy with Cuba.

Religion and humanity alike demand that this unholy war shall cease, and cease it should, even though the glitter and glamour of military rule shall end and a decaying and dissolute throne shall pass away never to return.

THE REMEDY.

Mr. President, I am asked what I would have done.

The question is one demanding an honest and careful answer.

The Senator from Vermont closed his speech by a declaration that he does not favor annexation; but for myself, looking to the demands of advancing civilization and the future peace and prosperity of the island, I am of opinion that sooner or later this great Government will of necessity absorb Cuba. And if it is to come, why not now?

It is argued that we do not want territory peopled by a race different in nationality and habits of life from our own. Is it forgotten that when we absorbed California, Florida, and Texas that same problem confronted our Government? The problem was soon solved, and who dares now say that California, Florida, and Texas are less American than Massachusetts, Virginia, and New York? Ours is a great country, of marvelous resources and infinite possibilities. We are once more a united people, and it is utterly idle to say that we can not successfully govern an island that is practically a part of our own territory. To doubt our ability to do that is a reflection upon the strength of republican institutions that I do not share.

But, Mr. President, if annexation can not be accomplished, let Cuban independence speedily come. American interests in Cuba have already suffered enough. We have patrolled our coast in the interest of Spain as long as we should, and we have spent quite too much money in protecting our people from epidemic diseases coming to our shores because of the unsanitary condition of the harbor and city of Havana. Spain has failed to meet the requirements of an age of advanced civilization. Let the United States or Cuba take up the problem and solve it. The vigor shown by our early statesmen in dealing with Spain in relation to the acquisition of Florida is a precedent that may well be invoked in this crisis, for no one now hesitates to commend the action of Monroe and Adams in dealing with that problem.

Mr. President, for Cuba the present is dark and foreboding, but we must not forget that God reigns, and that the mighty sweep of human progress will not rest until oppression and cruelty are overcome, and the aspirations and hopes of all people struggling for better conditions and a higher life are realized. Poor Cuba! Crushed and bleeding, I commend her to the great heart of the American people. [Applause in the galleries.]

RIGHT OF WAY THROUGH PUBLIC LANDS.

Mr. TELLER. Yesterday, on my motion, the Senate recalled from the House of Representatives the bill (H. R. 1595) to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes, and the bill has been returned by the House of Representatives. I now desire to submit a motion to reconsider the vote by which the bill was passed. I have consulted with parties who are interested in the bill, and they have no opposition to this course.

The VICE-PRESIDENT. The Chair lays before the Senate the bill referred to by the Senator from Colorado, and the question is on the motion to reconsider the vote by which the bill was passed.

The motion to reconsider was agreed to.

Mr. TELLER. Now I move to reconsider the vote by which the bill was ordered to a third reading.

The motion to reconsider was agreed to.

The VICE-PRESIDENT. The bill is before the Senate and subject to amendment.

Mr. TELLER. I ask that the bill may remain upon the Calendar until I can consult the parties who are interested, so that we may agree upon some amendments.

The VICE-PRESIDENT. If there be no objection, that order will be made, and the bill will be placed on the Calendar, subject to be taken up at the request of the Senator from Colorado.

GOVERNMENT FOR ALASKA.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (S. 3729) making further provision for a civil government for Alaska, which was under consideration yesterday.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CARTER. Mr. President, further replying to the question of the Senator from Missouri [Mr. VEST] presented yesterday, I desire to suggest that the causes which impelled the committee to provide for three judges, three United States attorneys, and three clerks of the courts, instead of one judge, one United States attorney, and one clerk, will be found, first, in the vast extent of the country; second, in the physical conditions surrounding it, principally climatic. For instance, it is a fact, so well known as not to require special mention, that the Yukon River begins to freeze at its mouth late in the summer or early in the autumn and that the stream can not be navigated between the months of September and July. It is equally true that a vessel can not approach the Island of St. Michaels until early in the month of July each year, because of the presence of ice in and about the island.

In the meantime it must be considered as a fact well known that the mining operations in the Yukon Valley are chiefly conducted during the winter months, when connection with the outside world by established lines of communication can not be regularly maintained.

It is a curious fact, not heretofore encountered in the mining operations of the world, that during the severest weather of the winter the mining operations in the placer mines of the central part of Alaska are most successfully conducted. The entire country seems to be covered with a deep layer of moss, which during the summer months thaws out, and the country becomes flooded with water, so as to practically impede travel and to prevent the sinking of the shafts necessary to reach the beds of the gold-bearing gravel. In the winter time nature stays this flowing water, and the shafts are sunk to bed rock, where the pay gravel is found, during the time the ground is securely frozen. Hence it appears as a fact that the population intending to conduct mining operations along the Yukon River will be busy during the winter time and will not be so closely employed during the summer.

The only question presented, then, is whether during the season of activity in the Yukon Valley we should leave the people accumulated there without any semblance of court or government. The Senator from Missouri suggested that the judge at Sitka should make a tour of that country once a year and dispose of all the court business in a few brief days at the various points at which court might be held. But, Mr. President, if this judge from Sitka should land in Circle City in the month of November, he would find it impossible to go down to St. Michaels until the next August, and he would be settled securely at one point on his circuit until the following summer. While this judge is snow-bound at Circle City there might be some business requiring his presence at Sitka or St. Michaels, and nothing short of a balloon would enable the judge to get about the circuit where his presence was required in the transaction of business.

These physical conditions led us to place one judge at Circle City, to be permanently located there, and required to hold one term of the court each year at that point and at such other places in the interior of the country as the business might require. The same observations would apply to the judge to be located at St. Michaels. To leave the entire work of the three divisions of this district to one judge would be equivalent to denying to the people engaged in mining and other occupations in the interior of that country access to courts of justice entirely.

From the best information obtainable, a moderate estimate would fix the number of our citizens destined to invade that country for legitimate purposes during the next year at 100,000. To-day between Dawson City and St. Michaels, a distance of about 1,400 miles, there is not a semblance of governmental authority of any kind, character, or description, except, I believe, one United States commissioner, with limited authority, located at Circle City.

Probably, as the Senator from Washington [Mr. WILSON] suggests to me, that commissioner has not arrived at his destination. Captain Ray, of the Army, commissioned to go through the interior of Alaska during the last year, recently made a report from Circle City, and, indeed, reported from various other places along the river. The condition he disclosed was one of complete anarchy. Persons coming down from the British possessions found the trading companies in possession of certain supplies. There was no effort to purchase. Bands of men organized and determined to take possession of the property of our citizens trading in that country. If we do not provide the courts of justice and the means of administering the law, we must, under the flag of the country, condemn our citizens to organize independent of law for self-preservation and the protection of their property rights and interests.

The present method of disposing of disputes in that District is and for some time has been to order men supposed to be guilty of crime out of the country. Meetings are called; a miners' meeting passes on the merits of a case. There are no jails, no means of punishing offenders, except by hanging them by the neck or ordering them out of the country. This condition should not be allowed to continue if it is within the power of the Government to prevent it or to offer any substitute for such measures or methods. Our people are generally law abiding. They are extremely anxious that courts shall be established in Alaska, that methods shall be provided whereby they may make record of the basis of the titles to their property, to the end that in the future their property rights may be properly established and protected.

The expense of the entire scheme of government proposed by the bill will not entail upon the General Government an amount in excess of $50,000 per year. Under the revenue system contemplated by the bill and proposed amendments the Government will, I anticipate, collect from Alaska, independent of the seal fisheries, at least $200,000 per year in revenue. There can be no reasonable opposition urged to this bill upon the basis of general policy, and I assume that with needful amendments to perfect its various provisions, if they need improvement, the bill should pass and become a law. I now ask that the committee amendments may be acted upon.

The VICE-PRESIDENT. The amendments reported by the Committee on Territories will be stated.

The first amendment of the Committee on Territories was, in section 3, line 10, after the word "assigned," to insert "by the President;" so as to read:

And three district judges shall be appointed for said District, who shall, during their terms of office, reside in the divisions of the District to which they may be respectively assigned by the President.

The amendment was agreed to.

The next amendment was, in the same section, line 32, after the word "expedient," to insert "or as the Attorney-General may direct;" so as to read:

Each of said judges is authorized and directed to hold such special terms of said court as may be necessary for the public welfare or for the dispatch of the business of said court, at such times and places in said District as they or any of them, respectively, may deem expedient, or as the Attorney-General may direct; and each shall have authority to employ interpreters and to make allowances for the necessary expenses of his court.

The amendment was agreed to.

The next amendment was, in the same section, line 41, after the word "District," to strike out "court" and insert "courts."

The amendment was agreed to.

The next amendment was, in the same section, line 46, after the word "trial," to insert "in any action, civil or criminal;" and in line 47, after the words "from one," to strike out "of said divisions" and insert "place or division;" so as to read:

The jurisdiction of each division of said court shall extend over the District of Alaska, but the court may, on motion, change the place of trial in any action, civil or criminal, from one place or division to another in either of the following cases.

The amendment was agreed to.

The next amendment was, in the same section, line 60, before

the word "division," to insert "place or;" and in line 63, before the word "division," to insert "place or;" so as to read:

By the court, on its own motion, when, considering available means of travel, it appears that the defendant will be put to unnecessary expense and inconvenience if summoned to defend in the place or division in which the action has been commenced; and when it appears to the satisfaction of the court, or judge thereof, that an action has been commenced in a place or division remote from the residence of the defendant, etc.

The amendment was agreed to.

The next amendment was, in the same section, line 69, after the word "trial," to strike out "to another division thereof;" so as to read:

In any criminal prosecution the court shall change the place of trial where it appears to the satisfaction of the court that the defendant will not be prejudiced thereby and that the United States will be put to unnecessary expense in such criminal prosecution if the transfer is not made.

The amendment was agreed to.

The next amendment was, in section 4, line 3, after the words "powers of," to strike out "commissioners of the;" in line 4, after the words "United States," to strike out "circuit courts" and insert "commissioners;" so as to read:

That the respective judges of said court shall appoint, and at pleasure remove, commissioners in and for said District, who shall have the jurisdiction and powers of United States commissioners in any part of said District, but who shall during their terms of office each reside at the place in said District designated in the respective orders of appointment.

The amendment was agreed to.

The next amendment was, in section 6, line 17, after the word "District," to insert "and he shall be responsible on his official bond for the acts of said chief deputies and all deputy marshals appointed in said District;" so as to read:

The marshal for said District shall have the general authority and powers of the United States marshals of the States and Territories. He shall be the executive officer of said court, and charged with the execution of all processes thereof and with the transportation and custody of prisoners and insane persons, and he shall be ex officio keeper of the jails and penitentiary of said District, and he shall be responsible on his official bond for the acts of said chief deputies and all deputy marshals appointed in said District.

The amendment was agreed to.

The next amendment was, in the same section, line 32, before the word "prisoners," to strike out "other;" so as to read:

The marshal shall deliver persons duly adjudged insane in said District to the authorities of such asylum or sanitarium as the governor, with the approval of the Secretary of the Interior, may designate, and for the service of process in connection with, and the guarding and transportation of, the insane, he shall be compensated as in the case of prisoners.

The amendment was agreed to.

The next amendment was, in section 7, line 14, after the word "removed," to insert "and the person thus appointed shall be entitled to all the fees and emoluments of the office instead of the clerk, while acting as such, and he shall give such bond as the court may require;" so as to read:

In case of the death, suspension, or inability of the clerk, the court, or a judge thereof, may appoint a competent person to act as clerk until a clerk shall be appointed, as hereinbefore provided, or until the suspension or inability shall have been removed, and the person thus appointed shall be entitled to all the fees and emoluments of the office instead of the clerk, while acting as such, and he shall give such bond as the court may require.

The amendment was agreed to.

The next amendment was, in the same section, line 27, after the words "per annum," to insert ", and fees and commissions as hereinafter provided;" so as to read:

The clerks, each the sum of $2,500 per annum, and fees and commissions as hereinafter provided.

The amendment was agreed to.

The next amendment was, in the same section, line 36, before the word "dollars," to strike out "two thousand" and insert "twelve hundred;" so as to read:

And all fees and commissions received by any clerk in excess of the sum of $1,500 per quarter shall be accounted for by such clerk and covered into the Treasury of the United States.

The amendment was agreed to.

The next amendment was, in the same section, line 46, after the word "the," to strike out "commissioner" and insert "commissioners;" so as to read:

The commissioners shall receive double the usual fees of United States commissioners and of justices of the peace for Oregon for similar services.

The amendment was agreed to.

The next amendment was, in the same section, line 51, after the word "marshals," to insert "for similar services;" so as to read:

The chief deputy and deputy marshals shall receive double the usual fees of constables in Oregon and double the usual fees paid in Oregon to deputy United States marshals for similar services.

The amendment was agreed to.

The next amendment was, in the same section, line 74, after the word "the," to strike out "clerk" and insert "court, or a judge thereof;" so as to read:

The commissioners shall, before entering upon the duties of their offices, each execute a bond, with sufficient sureties, to be approved by the court, or a judge thereof, in the penalty of $1,000.

The amendment was agreed to.

The next amendment was, in section 8, line 9, before the word "building," to insert "or jails;" and in line 11, before the word "thousand," to strike out "two" and insert "three;" so as to read:

And any division of said court may, where necessary, order the construction of a jail or jails building at the place or places where terms of said court are held, at a cost not to exceed $3,000, the same to be paid by the clerk as provided for the payment of other allowances for the necessary expenses of the court.

The amendment was agreed to.

The next amendment was, in the same section, line 30, after the word "rental," to insert "at the place or places where terms of said court are held;" in line 33, after the word "building," to insert "or buildings;" in line 35, before the word "thousand," to strike out "three" and insert "five;" and in line 38 to insert the following proviso:

Provided, That not to exceed three court buildings and three jails shall be constructed in any division of said District without authority from the Attorney-General.

So as to read:

And where a suitable court room is not available or can not be obtained at reasonable rental at the place or places where terms of said court are held, the court may enter a like order of reservation and direct the construction of a suitable building or buildings where the sessions of the court may be held, the cost of such building not to exceed in any case the sum of $5,000, the same to be paid and proceedings to reserve the land to be as in the case of the reservation of ground and construction of jail, as hereinbefore provided: *Provided*, That not to exceed three court buildings and three jails shall be constructed in any division of said District without authority from the Attorney-General.

The amendment was agreed to.

The next amendment was, in section 14, line 8, after the words "provided for," to insert:

Or as provided in section 5546 of the Revised Statutes of the United States: *Provided*, That section 15 of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1879, and for other purposes," approved June 18, 1878, shall not be construed to apply to said District of Alaska.

So as to make the section read:

SEC. 14. That the general laws of the State of Oregon in force on the 1st day of January, 1894, are hereby declared to be the law in said District, so far as the same may be applicable and not in conflict with the provisions of this act or the laws of the United States; and the sentence of imprisonment in any criminal case shall be carried out by confinement in the penitentiary or jails herein provided for, or as provided in section 5546 of the Revised Statutes of the United States: *Provided*, That section 15 of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1879, and for other purposes," approved June 18, 1878, shall not be construed to apply to said District of Alaska.

The amendment was agreed to.

The next amendment was, in section 15, after the word "repealed," to insert the following proviso:

Provided, That the officers properly qualified and actually discharging official duties in said District at the time of the approval of this act may continue to act in their respective official capacities under existing law until their successors shall be duly appointed and qualified under and in conformity with the provisions of this act.

So as to make the section read:

SEC. 15. That all acts and parts of acts in conflict with the provisions of this act are hereby repealed: *Provided*, That the officers properly qualified and actually discharging official duties in said District at the time of the approval of this act may continue to act in their respective official capacities under existing law until their successors shall be duly appointed and qualified under and in conformity with the provisions of this act.

The amendment was agreed to.

Mr. SHOUP. I offer the amendment which I send to the desk.

The SECRETARY. At the end of line 65, section 7, it is proposed to insert the following proviso:

Provided, That the Attorney-General may, when in his opinion the public interests require, designate not to exceed ten commissioners and ten deputy marshals appointed in said District as herein provided, who shall receive in addition to the aforesaid fees a salary of $1,200 per annum, payable to them quarterly out of the Treasury out of any money not otherwise appropriated, in manner and form as United States commissioners in said District are now paid.

The amendment was agreed to.

Mr. PERKINS. I desire to offer an amendment proposing a license on different classes of business for Alaska.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert the following as additional sections:

SEC. 16. That any person or persons, corporation, or company prosecuting or attempting to prosecute any of the following lines of business within said District of Alaska, shall first apply for and obtain license so to do from a district court or a subdivision thereof in said District, and pay for said license for the respective lines of business and trade as follows, to wit: Abstract offices, $50 per annum; banks, $250 per annum; brokers (money, bill, note, and stock), $100 per annum; billiard rooms, $25 per table per annum; bowling alleys, $25 per annum; breweries, $500 per annum; bottling works, $200 per annum; curio dealers, $15 per annum; cigar manufacturers, $25 per annum; cigar store or stand, $25 per annum; drug stores, $100 per annum; docks, wharves, and warehouses (public), $300 per annum; electric-light plants, furnishing light or power for sale, $300 per annum. Fisheries: Salmon canneries, 2 cents per case; salmon salteries, 20 cents per barrel; fish oil works, 15 cents per barrel; fertilizer works, 20 cents per ton. Freight and passenger transportation lines propelled by mechanical power, $500 per annum; gas plants, for heat or light for sale, $500 per annum; hotels, $50 per annum; halls, public, $10 per annum; insurance agents and brokers, $25 per annum; jewelers, $25 per annum; laundries, $25 per annum. Mines: Quartz mills, $3 per stamp per year. Mercantile establishments: Doing a business of $100,000 per annum, $500 per annum; doing a business of $75,000 per annum, $375 per annum; doing a business of $50,000 per annum, $250 per annum; doing a business of $25,000 per annum,

$125 per annum; doing a business of $10,000 per annum, $50 per annum; doing a business of under $10,000 per annum, $25 per annum; doing a business of under $4,000 per annum, $10 per annum; meat markets, $20 per annum. Manufactories, not enumerated herein (same classification as mercantile establishments): Physicians, itinerant, $300 per annum; planing mills, $50 per annum; pawnbrokers, $300 per annum; peddlers, $25 per annum; patent-medicine venders (not regular druggists), $50 per annum; restaurants, $25 per annum; real-estate dealers and brokers, $50 per annum. Ships and shipping: Vessels doing strictly local business for hire, plying in Alaskan waters, $5 per ton per annum on ascertained tonnage. Sawmills, $50 per annum, provided output is marketed; tobacconists, $25 per annum; transfer companies, $50 per annum; taxidermists, $20 per annum; theaters, $250 per annum; waterworks, furnishing water for sale, $50 per annum.

That any person, corporation, or company doing or attempting to do business in violation of the provisions of the foregoing section or without having first paid the license therein required shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined for the first offense in a sum equal to the license required for the business, trade, or occupation, and for the second offense a fine equal to double the amount of the license required, and for the third offense three times the license required and imprisonment for not less than thirty days nor more than six months: *Provided*, That each day business is done or attempted to be done in violation of the preceding section shall constitute a separate and distinct offense: *And provided further*, That any person, firm, or corporation hitherto engaged in any business within the said District of Alaska mentioned in the last preceding section, or that may engage in such business at any time prior to the 1st day of July, A. D. 1898, shall not be deemed to have violated the provisions of this section and the last preceding section if in the opinion of the court, or judge thereof, such person, firm, or corporation shall not have had reasonable time and opportunity to apply for license as hereinbefore required.

SEC. —. That no person, corporation, or company shall sell, offer for sale, or keep for sale, traffic in, barter or exchange for goods in said District of Alaska, any intoxicating liquors except as hereinafter provided; but this shall not apply to sales made by a person under provisions of law requiring him to sell personal property. Wherever the term "intoxicating liquors" is used in this act, it shall be deemed to include whisky, brandy, rum, gin, wine, ale, porter, beer, and all other fermented or distilled liquors.

SEC. —. That the license hereinafter provided for shall be issued by the clerk of the district court or any subdivision thereof, in compliance with the order of the court or judge thereof, duly made and entered, and the clerk of the court shall keep a full record of all applications for license, and of all recommendations and remonstrances against the granting of licenses and of the action of the court thereon. The clerk of the court shall be entitled to receive from each applicant for a license a fee of $10, and no other or additional compensation shall be paid such clerk for his services in connection with such license or the issue thereof.

SEC. —. That every person applying for a license to sell intoxicating liquors in said District shall file with the clerk of the court a petition for such license, and such petition shall be considered and acted upon by the court in the order in which the same was filed and numbered. Said petition shall contain—

First. The name and residence of the applicant and how long he has resided there.

Second. The particular place for which license is desired, designating the same by reference to street, locality, or settlement in such manner that the exact location at which such sale of liquor is proposed may be clearly and definitely determined from the description given.

Third. The statement that the applicant is a citizen of the United States or has declared his intention to become such; that he is not less than 21 years of age, and that such applicant has not been, since the passage of this act, adjudged guilty of violating the laws governing the sale of intoxicating liquors or laws for the prevention of crime in said District.

Fourth. If any false statement is made in any part of said petition or affidavit, the petitioner or petitioners shall be deemed guilty of perjury and, upon conviction thereof, his license shall be revoked and he shall be subject to the penalties provided by law for that crime.

Fifth. That he is not the owner of or licensee named in any such license then in force.

Sixth. That he intends to carry on such business for himself and not as an agent of any other person, and that, if so licensed, he will carry on such for himself, and not as the agent of any other person.

Seventh. That he intends to superintend in person the management of the business licensed, and that, if so licensed, he will so superintend in person the management of the business so licensed.

Section —. That under the license issued in accordance with this act no intoxicating liquors shall be sold, given, or in any way disposed of to any minor or intoxicated person, or to an habitual drunkard. That licenses may, in the discretion of the court, be issued to any duly incorporated club on petition of the officers of such club, and that the court may, in its discretion, grant a permit to such club to sell intoxicating liquors to members and guests between such hours as the court may, in its discretion, designate in said permit.

SEC. —. That no license under this act shall be issued for a greater period than one year, and no license can be transferred by the licensee to any other person, except with the written consent of the court by authority whereof the same shall issue, upon application thereto in writing. That the liquor licenses authorized and provided for by this act shall be of two classes—wholesale liquor licenses and barroom licenses. Every applicant for a liquor license shall deposit the amount of the license fee with the clerk of the court at the time of filing his application for the license. If, upon consideration of the application for license by the court, as provided for in this act, the court should determine to grant the license prayed for, it shall notify the clerk and the applicant for such license in writing, and the applicant shall thereupon receive his license. The fee for a wholesale license shall be $2,000 per annum and for a barroom or retail license in towns or settlements of 1,500 population or upward, $1,500 per annum; in towns, camps, or settlements of less than 1,500 population, $1,000 per annum. A retail or barroom license shall be required for every hotel, tavern, barroom, or other place in which intoxicating liquors are sold by retail. A wholesale liquor license shall only authorize the licensee to sell distilled, malt, or fermented liquors, wines, and cordials in quantities not less than 1 pint, not to be drunk upon the premises where sold; and no such license shall be granted until it is satisfactorily shown that the place where it is intended to carry on such business is properly arranged for selling such liquors as merchandise. Every place where distilled, malt, or fermented wines, liquors, or cordials are sold in quantities as prescribed for retail dealers by section 3244, Revised Statutes of the United States, to be drunk upon the premises, shall be regarded as a barroom; and the possession of malt, distilled, fermented, or any intoxicating liquors with the means and appliances for carrying on the business of dispensing the same to be drunk where sold shall be prima facie evidence of a barroom within the meaning of this act, and the license therefor shall be known as a barroom license: *Provided*, That no license shall be granted for the sale of liquors at either wholesale or retail in any other than a substantial building which shall have cost for construction not less than $500.

That every person receiving a license to sell under this act shall frame it under glass and place it in a conspicuous place in his chief place of sale of such liquor, so that anyone entering such place of sale may easily read such license.

SEC. —. That all applicants for license and persons holding licenses shall allow the clerk of the court or any United States marshal or deputy United States marshal or any United States commissioner full opportunity and every facility to examine at any time during business hours the premises where intoxicating liquor is sold and for which a license has been asked or has been granted.

That druggists and apothecaries shall not be required to obtain license under the provisions of this act, but they shall not sell intoxicating liquors, nor compound nor mix any composition thereof, except upon the written prescription of a reputable physician, nor more than once on any one prescription of the physician; and every druggist or apothecary shall keep a book for the special purpose, and enter therein the date of every sale of intoxicating liquor made by him, the person to whom sold, the kind, quantity, and price thereof, and purpose for which it was sold, and such book shall be at all times open to the inspection of the United States marshal or any deputy marshal, any United States commissioner, the collector of customs, or any deputy collector of customs, for the District of Alaska, and shall be produced when required; and any failure to comply with the provisions of this section shall render such druggist or apothecary so failing liable to the same penalties as if he had sold intoxicating liquors without a license.

SEC. —. That any one engaging in the sale of intoxicating liquors as specified in this act in the District of Alaska, who is required by it to have a license as herein specified, without first having obtained a license to do so as herein provided, or any person who shall engage in such sale in any portion of the District where the sale thereof is prohibited, upon conviction thereof shall be fined not less than $500 nor more than $2,000, or be imprisoned for not less than six months nor more than one year; and upon every subsequent conviction of a like offense shall in addition to the penalty above named be imprisoned not less than six months nor more than one year.

That any person, having obtained a license under this act, who shall violate any of its provisions, shall, upon conviction of such violation, be fined not less than $50 nor more than $200, and upon every subsequent conviction of such violation during the year for which such license is issued shall be fined a like amount, and in addition to such fine shall pay a sum equal to 25 per cent of the amount of the fine imposed for the offense immediately preceding, and have his license revoked, and in case of nonpayment of the fines and penalties above named shall be imprisoned for a period of time not exceeding six months or till the same are paid. That after second conviction no license shall thereafter be granted to said party: *Provided*, That no minor under 16 years of age shall be allowed to enter any place where liquors are sold, other than a hotel, without the consent of the parent or guardian of such minor.

SEC. —. That any person assisting in or aiding and abetting the violation of any of the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than $50 nor more than $100, or be imprisoned for not more than one month, for each and every such offense.

SEC. —. That prosecutions for violations of the provisions of this act shall be an information filed in the district court or any subdivision thereof or before a United States commissioner by the United States marshal or any deputy marshal or by the district attorney or by any of his assistants. Or such prosecution may be by and through indictment by grand jury, and it shall be the duty of either of said officers, on the representation of two or more reputable citizens, to file such information, or to present the facts alleged to constitute violations of the law to the grand jury.

That license for any of the purposes specified shall not be granted to any person to conduct such business within 400 feet of a public schoolhouse, private school, or house of religious worship, except in such places of business as may have been located previous to the erection or occupation of such schoolhouse, private school, or house of religious worship owned or occupied in the District of Alaska, measured between the nearest entrance to each by the shortest course of travel between such place of business and the schoolhouse, private school, or house of religious worship.

SEC. —. That all applicants who have had a license during the preceding year shall apply for a renewal of such license on or before November 1 of each license year, and shall be permitted to continue business until license shall be granted or refused by the court or judge thereof; but in all cases of refusal to grant license such proportion of the license fee as may have become due shall be deducted and retained from the sum deposited therefor as the time from the 1st day of November to the date of such refusal bears to the entire license year, and no other person shall be permitted to conduct said business until a license is issued therefor.

SEC. —. That nothing in this act shall in any way repeal, conflict, or interfere with the public general laws of the United States imposing taxes on the manufacture and sale of intoxicating liquors for the purpose of revenue, and known as the "internal-revenue laws."

SEC. —. That no license under a barroom license shall employ, or permit to be employed, or allow any female or minor or person convicted of crime, to sell, give, furnish, or distribute any intoxicating drinks or any admixture thereof, ale, wine, or beer to any person or persons, and no licensee in any place shall knowingly sell, or permit to be sold, in his establishment any intoxicating liquor of any kind to any person under the age of 21 years, under the penalty, upon due conviction thereof, of forfeiting such license, and no person so forfeiting his license shall again be granted a license for the term of two years.

SEC. —. That in the interpretation of this act words of the singular number shall be deemed to include their plurals, and that words of the masculine gender shall be deemed to include the feminine, as the case may be.

SEC. —. That sections 2139, 2140, and 2141 of the Revised Statutes of the United States are hereby expressly extended and made applicable to the District of Alaska, and all acts and parts of acts in conflict with the provisions of this act respecting the sale or manufacture of intoxicating liquors are hereby repealed.

SEC. —. The provisions of this act respecting the sale or manufacture of intoxicating liquors shall take effect and be in force on and after the 1st day of June, A. D. 1898.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from California [Mr. PERKINS].

Mr. CARTER. I offer the following, to be attached as a proviso to the last section of the proposed license amendment:

Provided, That the statutes of the United States prohibiting the sale or delivery of intoxicating liquors to Indians shall apply to and remain in full force and effect in said District.

Mr. HANSBROUGH. Mr. President——

Mr. CARTER. If the Senator from North Dakota will permit me one moment, I think the question is first on agreeing to my amendment to the amendment. That may be disposed of, and the entire amendment will then come up for consideration as amended.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Montana to the amendment of the Senator from California.

Mr. PERKINS. I think that is already provided for by reciting the statutes relating to the prohibition of the sale of liquor to Indians.

Mr. CARTER. I have not carefully examined the proposed amendment of the Senator from California.

Mr. PERKINS. I will state to the Senator from Montana that that is especially provided for.

Mr. CARTER. Certain Senators are very solicitous that this amendment shall be added to the amendment of the Senator from California.

Mr. PERKINS. Will the Secretary kindly read the section of the amendment proposed by me which cites sections of the Revised Statutes?

The Secretary read as follows:

SEC. —. That sections 2139, 2140, and 2141 of the Revised Statutes of the United States are hereby expressly extended and made applicable to the District of Alaska, and all acts and parts of acts in conflict with the provisions of this act respecting the sale or manufacture of intoxicating liquors are hereby repealed.

Mr. CARTER. There are certain other sections of the Revised Statutes that authorize search to be made in Indian habitations for intoxicating liquors and the confiscation of the whisky when found. However, I presume the section of the amendment which has just been read can be elaborated hereafter if it is found necessary, and I therefore withdraw my proposed proviso.

The VICE-PRESIDENT. The amendment to the amendment is withdrawn.

Mr. HANSBROUGH. Mr. President, if I thoroughly understand the amendment submitted by the Senator from California, it is proposed to permit the sale of liquor under high-license regulations in the District of Alaska. Up to the present time no such privilege has been granted with respect to that country. It will be held, no doubt, that liquor is being sold in Alaska, and I presume that that is true, because the District of Alaska at the present time is in an unorganized condition. In this connection, I desire to send to the desk and have read section 1955 of the Revised Statutes, covering this question, that the Senate may understand the existing law on the subject.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

SEC. 1955. The President shall have power to restrict and regulate or to prohibit the importation and use of firearms, ammunition, and distilled spirits into and within the Territory of Alaska. The exportation of the same from any other port or place in the United States, when destined to any port or place in that Territory, and all such arms, ammunition, and distilled spirits, exported or attempted to be exported from any port or place in the United States and destined for such Territory, in violation of any regulations that may be prescribed under this section, and all such arms, ammunition, and distilled spirits landed or attempted to be landed or used at any port or place in the Territory, in violation of such regulations, shall be forfeited; and if the value of the same exceeds $400 the vessel upon which the same is found, or from which they have been landed, together with her tackle, apparel, and furniture and cargo, shall be forfeited; and any person wilfully violating such regulations shall be fined not more than $500, or imprisoned not more than six months. Bonds may be required for a faithful observance of such regulations from the master or owners of any vessel departing from any port in the United States having on board firearms, ammunition, or distilled spirits, when such vessel is destined to any place in the Territory, or if not so destined, when there is reasonable ground of suspicion that such articles are intended to be landed therein in violation of law; and similar bonds may also be required on the landing of any such articles in the Territory from the person to whom the same may be consigned.

Mr. HANSBROUGH. I understand that that statute is in force as applied to the District of Alaska. If the amendment of the Senator from California should be adopted, the Government would be in a position where it would be regarded as taking part in the liquor business. It is proposed that the Government of the United States shall license saloon keepers in Alaska and accept money from those people for the privilege of selling liquor. I do not believe that the Government should go into the liquor business, and I offer a substitute for that portion of the amendment proposed by the Senator from California pertaining to the licensing of liquor sellers in the District of Alaska.

The PRESIDING OFFICER. The amendment in the nature of a substitute proposed by the Senator from North Dakota will be read.

The Secretary read as follows:

SEC. —. That any person importing or attempting to import, manufacturing or attempting to manufacture, selling or attempting to sell any malt, spirituous, vinous, or other fermented liquor, or pretended medicine, cordial, or other beverage of an intoxicating character within the District of Alaska shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than $200 or more than $1,000 for each offense and imprisonment for not less than two or more than six months, one-half of the amount of any such fine to be paid to the person giving information upon which conviction is had: *Provided*, That where a corporation is found guilty of violating the provisions of this section, each officer and director of such corporation shall be liable to punishment as herein provided: *Provided further*, That nothing herein contained shall be construed as exempting such prohibited liquors from forfeiture to and confiscation by the United States when found in said District or consigned to points therein.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Dakota [Mr. HANSBROUGH] to the amendment of the Senator from California [Mr. PERKINS].

Mr. PERKINS. Mr. President, no one would go further than myself to aid my friend from North Dakota in advancing the cause of temperance. I claim to be a temperance man. I claim to be temperate in my food, in my drink, in my language, and my habits. I believe in temperance. Every man should learn to control his appetite and govern himself. It is for that reason that I have offered this amendment.

It is true, as the Senator from North Dakota states, that there is upon the statute book a law which prohibits the selling of intoxicating liquors in the District of Alaska. Theoretically, therefore, Alaska is a prohibition State. I desire to state that practically there is not a mining town in the Territory of Arizona or New Mexico that has as many rum shops in proportion to the population as have the mining towns of Alaska. I mean to say that the statute which the Senator has had read is not only a dead letter upon our statute book, but it has invited disrespect and disregard for other laws and it has no respect whatever in its observance by the residents of that District.

The ex-Assistant Secretary of the Treasury of the United States, Mr. Hamlin, is well known to many Senators upon this floor. There is no more high-minded, conscientious temperance man than that gentleman. In the performance of his duties last year he was called to Alaska. He stated to me that the revenue cutter on which he took passage anchored in the harbor of Juneau, and during the afternoon he went on shore. As he passed up the main thoroughfare of the town every other building was a saloon, and he counted twenty-seven of those saloons. He asked the collector of the port why this was permitted. The collector said it is impossible to close them. Mr. Hamlin gave orders that the saloons should be closed. A delegation of citizens waited upon him and said: "You must send the Marine Corps here to guard this town, and you must keep them here. It is impossible to close these saloons." The result was that he came away from there with every one of those saloons conducting an illicit traffic in liquor.

Now, with a high-license law we may control those groggeries. Under such a law every one would be a monitor upon his neighbor, and every one would see that his neighbor did not enjoy privileges for nothing for which he had to pay.

While I appreciate the sentiment of my friend from North Dakota that this Government should not take part in becoming a liquor dealer, yet here is the report of ex-Governor Sheakley, when governor of Alaska, and his report is but that of every other preceding governor and of those who have come after him. I ask leave to have the Secretary read an extract from his report, the last one, made in 1895, relating to this business in Alaska.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which is Senate bill 2680, on which the Senator from Louisiana [Mr. CAFFERY] is entitled to the floor.

Mr. PERKINS. Does the Senator from Louisiana wish to go on with the quarantine bill this afternoon?

Mr. CAFFERY. Yes.

Mr. PERKINS. Then the Alaska bill will go over, under the rule.

QUARANTINE REGULATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893, the pending question being on the amendment of Mr. VEST to the amendment of the Committee on Public Health and National Quarantine.

The amendment to the amendment was, after line 13, on page 23, to insert:

Nothing in this act shall be construed to interfere with the right of any State to protect its citizens from infectious or contagious diseases by such rules and regulations as the authorities of said State may deem necessary and which do not conflict with the rules and regulations made by the Secretary of the Treasury as hereinbefore provided to prevent the introduction of infectious or contagious diseases into the United States from foreign countries, or the spread of such diseases from one State, Territory, or the District of Columbia into another State, Territory, or the District of Columbia.

Mr. CAFFERY. Mr. President, when I last addressed the Senate it was in answer to a question propounded by the Senator from South Carolina [Mr. TILLMAN], substantially as to the extent of the power of Congress to regulate commerce whenever that power came in conflict with the police power of the State.

Mr. President, I concede that all the police powers of a State are reserved to the States. I concede that whatever a State proposes to enact in the way of legislation for the health, the life, the liberty, the convenience, the comfort of its citizens, it has a constitutional right to enact, and it is done in the exercise of inherent sovereignty; but I hold, in the light of the supremacy of the Constitution of the United States and in view of all the decisions that

have been rendered on the point, that whenever a State in the exercise of its undisputed police power uses means and methods which come in conflict with the means and methods used by the Congress of the United States in the execution of any of its powers, and notably the power to regulate commerce, the State law is necessarily subordinated or the State means to execute its laws are necessarily subordinated to the supreme and paramount authority of Congress.

After that concession, after that broad statement of the respective powers of the States and the Congress of the United States, I do not see how there can be a conflict of opinion in the application that the pending bill makes of the power possessed by Congress to regulate commerce.

The position taken by the Senator from Florida [Mr. MALLORY] and the Senator from Georgia [Mr. BACON] in my opinion amounts to a practical negation, to a practical obliteration of the Federal power of quarantine. If their doctrine is carried out to its fullest extent, it amounts to a contradiction and to a conflict of authority which would result practically in destroying the Federal system of quarantine.

The Senator from Florida and the Senator from Georgia say that they are perfectly willing for the United States to take hold of the subject of maritime quarantine; that they are perfectly willing for the United States consular officers and medical officers to derive information of the condition of any ship sailing from a foreign port and to fumigate that ship, to subject it to the disinfecting processes now applied by the medical fraternity, and to detain it in quarantine, but they are not willing that, after that quarantine shall have been perfected, after the vessel shall have been disinfected, the bill of health or the certificate of the United States quarantine officers should have power enough and potency enough to allow the ship to enter the harbor, to land its passengers, and to discharge its cargo.

They intimate that they are willing that the quarantine officers of the United States can go into a State, take hold of yellow fever or any other contagious disease in a State; that they can disinfect any infected place; that they can exercise all proper control and jurisdiction to effect that purpose; but when that purpose is effected, when the disease is crushed out, when the germ is destroyed, they hold that the power of the United States in the premises ceases, and the States have a perfect right to say that the disinfected town is an infected town; that the quarantine has been useless; that all the applications of science, all the care, prudence, and vigilance of the Marine-Hospital Corps or any other corps of doctors is perfectly idle, and that the States can step in and say as against the certificate of the Federal quarantine officers, "We discredit your disinfection, we discredit your work, and we put an embargo on everybody and everything that comes from this town that you say is disinfected; we shall not permit you to enter anywhere."

Now, Mr. President, in so far as their own States go, so far as their internal police is concerned, it is manifest that they have supreme jurisdiction. If they choose to exercise that jurisdiction in a useless manner, if they choose to bottle up a community disinfected after the approved manner of disinfection, that is their lookout; they can do so; they can police every portion of their territory; they can say to one village, "You can not go to another, whether that other has been disinfected or not;" they can say to the inhabitants of a disinfected town, "You can not circulate in the borders of our State."

But where the subject-matter is interstate commerce, where the intercourse is between the States, in the teeth of the Federal quarantine, in the teeth of the Federal permit, what the Federal quarantine says is safe they can not say is unsafe, and they can not pronounce infected what has been pronounced disinfected; and just to the extent of the particular intercourse or the transmission of the particular commodity in question, only so far as it is necessary to perfect the interstate intercourse or circulation of the interstate commodity, can the Federal law reach. It can reach that far, and no further.

If it can not reach that far, the Constitution of the United States is not supreme. If the States can block the way whenever they please of any commercial intercourse between the States or intercourse between the cities of different States, on account of a feared infection, over which the Congress of the United States has jurisdiction and has applied methods through its agents to destroy, to remove, then I say the Constitution of the United States has been written in vain.

The policy that is contended for by my honorable friend from Florida and my honorable friend from Georgia is worse than the mediæval policy. Your policy is one of absolute isolation. You are willing for the United States to wall in everybody, surround them with a cordon of guards, have a corps of doctors to disinfect, and yet you say you are not willing that a soul shall go out unless at the instance and under the authority of the States. Whatever may be the purpose of the exit, whether for interstate commerce or not, the States have a right to bottle up and wall up, to immure, every living soul and every commercial commodity in the United States.

Mr. President, does this comport with the idea of quarantine? Have they not, in their eagerness to maintain what they consider to be the supremacy of the State police power, transcended the very objects of quarantine, gone beyond the very point that the quarantine aims at, and rendered the whole system absolutely futile and useless?

The cross-question that I propounded to the Senator from Georgia illustrates very well the position they assume. They are perfectly willing that the States should say when a city or municipality is free from infection. They are not willing for the United States to say it for United States purposes. That amounts to an embargo; that amounts to an absolute isolation; that amounts to an absolute paralysis. It is undeniable that the power which is potent to isolate is potent to remove the isolation for the purposes for which the isolation was effected.

Now, under the jurisdiction of the State in regard to this matter of quarantine, what would result? Every municipality is supreme. Every municipality in the State, so far as I know, has a perfect right to say, "We quarantine ourselves." If this doctrine, therefore, that you preach is correct, then you have a community isolated, segregated, cut off in every particular; and there is no power anywhere, whether for Federal purposes or not, able to break through the circle and permit intercourse, however slight.

The State authorities may exercise such a power over internal intercourse and commerce, but when Congress intervenes in behalf of the Union and of commerce the mediæval structure crumbles, and a qualified intercourse, safe and limited, can be had under the sanction of the Constitution. Why, then, make the quarantines almost or quite as bad as the diseases against which they are laid? You destroy the very purpose and object of the quarantine; and notwithstanding the disclaimer of any constitutional right as against the exertion of the Federal authority in the matter of quarantine, the inference, in my mind, is perfectly clear that the struggle against the predominance of Federal quarantine is a lingering affection for the maintenance of State authority as superior to and paramount to the authority of Congress.

The idea seems to be advanced that there is more security in the administration of a law of this character by persons under State control than by officers under United States control; that a divided control is preferable to sole control; and that in the midst of the invasion or ravages of disease, an army of doctors under different jurisdiction and with different methods is superior to a compact, united, and disciplined corps.

Mr. President, it does seem like a work of surplusage to quote authority on the plain point I was arguing when interrupted by the Senator from South Carolina [Mr. TILLMAN] yesterday evening, but lest there be any doubt upon this question, I will read from authors of approved reputation and standing. I will read first from Black on Constitutional Law, page 195, section 104:

> It is within the lawful power of each State to enact laws to guard against the introduction of contagious or infectious diseases from foreign countries. To this end it may establish quarantine stations and provide for the inspection of vessels coming from abroad to ascertain their sanitary condition, and require such vessels to pay a fee to cover the cost of such inspection. Statutes of this character are not regarded as regulations of commerce, but as police laws. At the same time they may and do in a sense affect foreign commerce, and for that reason the subject of quarantine is equally under the control of Congress, and State laws must yield in all points where they are inconsistent with such general regulations as Congress may see fit to impose.

Mr. MALLORY. I did not catch the name of the author from whom the Senator is reading.

Mr. CAFFERY. I am reading from Black on Constitutional Law.

Mr. President, there is the doctrine laid down very clearly. That is the doctrine of Marshall; that is the doctrine of Story; that is the doctrine of Cooley; that is the doctrine of Miller; that is the doctrine of Taney; that is the doctrine of Catron; that is the universally accepted doctrine of all authors and jurists of eminence in the United States.

As a matter of course, there are general assertions made as to the existence and supremacy of State police powers, such as I made in opening my remarks this afternoon. I concede the police powers of the States, but there has never been a question before the Supreme Court of the United States where the power of Congress to regulate commerce was ever subordinated to the police powers of the States, and there never will be, for, in the nature of things, it is impossible; but every single case has demonstrated the supremacy of the Constitution over the power of the States to regulate their own police affairs whenever the exercise of the constitutional power conflicted with the means used by the States in the execution of their police powers. That is not to say the police powers of the States are not reserved to them, but it is only to say that the supreme instrument, the supreme Government, must, in the execution of its laws, be transcendent or paramount to the exercise of the police power in the State.

I will read from the case of Morgan *vs.* Louisiana, 118 U. S. Reports, page 464:

But it may be conceded that whenever Congress shall undertake to provide for the commercial cities of the United States a general system of quarantine, or shall confide the execution of the details of such a system to a national board of health or to local boards, as may be found expedient, all State laws on the subject will be abrogated, at least so far as the two are inconsistent. But, until this is done, the laws of the State on the subject are valid. This follows from two reasons:

1. The act of 1799, the main features of which are embodied in Title LVIII of the Revised Statutes, clearly recognizes the quarantine laws of the States and requires of the officers of the Treasury a conformity to their provisions in dealing with vessels affected by the quarantine system. And this very clearly has relation to laws created after the passage of that statute, as well as to those then in existence; and when by the act of April 29, 1878 (20 Stat., 37), certain powers in this direction were conferred on the Surgeon-General of the Marine-Hospital Service, and consuls and revenue officers were required to contribute services in preventing the importation of disease, it was provided that "there shall be no interference in any manner with any quarantine laws or regulations as they now exist or may hereafter be adopted under State laws," showing very clearly the intention of Congress to adopt these laws, or to recognize the power of the States to pass them.

2. But, aside from this, quarantine laws belong to that class of State legislation which, whether passed with intent to regulate commerce or not, must be admitted to have that effect, and which are valid until displaced or contravened by some legislation of Congress.

That is the correct doctrine. The police powers of the States must be recognized. They were never surrendered in the constitutional compact; they inhere to the sovereignty of the States only with this exception, that they may come in conflict in their exercise with the exercise of other powers on behalf of the Government of the United States; and when that event comes, they must stand to one side. I will read, on page 459, from the opinion of this very eminent jurist, Mr. Justice Miller, who, I am told, was himself a physician at one period, the sentence in this opinion quoted in reference to a city in my own State:

If there is a city in the United States which has need of quarantine laws, it is New Orleans. Although situated over a hundred miles from the Gulf of Mexico, it is the largest city which partakes of its commerce, and more vessels of every character come to and depart from it than any city connected with that commerce. Partaking, as it does, of the liability to diseases of warm climates, and in the same danger as all other seaports of cholera and other contagious and infectious disorders, these are sources of anxiety to its inhabitants, and to all the interior population of the country, who may be affected by their spread among them.

So, therefore, we at the very entrance to the Gulf stand in the character of a sentinel over the health and the safety of the great valley of the Mississippi from invasions of yellow fever and cholera. Surely our people ought to know somewhat of the advisability of quarantine regulations being under the control and charge of the Government of the United States; surely our experience is such as to teach us the lesson whether or not the health sentinel that we have established at the mouth of the river is sufficient to stand guard over the whole valley and over our own city likewise.

I have no word of criticism or reproach to say to the Senators who advocate the integrity and the maintenance of their State police regulations. It is an honest difference of opinion between us. If these State laws were, in my opinion, capable of keeping out these fell destroyers—if they could only sentinel and guard the outposts which are attacked with these insidious enemies to life—I would be the last one to call in requisition the power of the United States; but, sir, not only has experience demonstrated that these diseases, notwithstanding the State quarantines, get in, but when they are in the country is thrown into panic and its inhabitants into the grave. Every State has different regulations, every municipality in every State has different regulations, and there are miles of quarantines hastily, crudely gotten up, armed with little save the weapons suggested by panic, the Winchester rifle and the shotgun.

Disease requires not exclusively a cordon of living sentinels, but the application of scientific methods of treatment. You may surround any locality anywhere in the South, North, or East with a living guard of human beings, armed to the teeth with Winchester rifles, and you have no security against the intrusion of this dreadful enemy—none on earth. You may have the States like armed camps, with sentinels at every depot, marching by with shotguns on their shoulders, and the disease doing its fell work unobstructed and unhindered.

It occurs to me that we ought to look into the nature, character, and situation of our country, in order to know how to guard it against the introduction and spread of disease. In the beginning of our Government, as I said yesterday, quarantine regulations could be safely left to the different States, and I do not say that there are not efficient quarantine regulations in some States now; but I say, with over 10,000 miles of seacoast to guard, with the interior to guard at every railroad depot, that the regulations which were good from 1799 down to 1878 are to-day valueless and ineffective, as the constant recurrence of yellow fever along all the seaboards in our country and in the interior demonstrates. It was not till 1878 that the interior of the country woke up, and I will ask to have read an extract from a speech of the lamented Senator Harris, of Tennessee, delivered in the Senate of the United States in 1893, when he was arguing in favor of the bill he had introduced in that year.

The PRESIDING OFFICER (Mr. CARTER in the chair.) The Secretary will read as requested.

The Secretary read as follows:

Mr. HARRIS. Mr. President, there is scarcely a sanitary organization in the United States that has not, year by year, and for several years, urged the absolute necessity of an efficient and uniform quarantine system throughout the United States. The only exception that I know of to the absolute uniformity and unanimity of that recommendation comes from a few local boards of health jealous of their positions, jealous of their authority, and perhaps somewhat devoted to the income that results from the execution of their regulations. Some of them have always opposed any attempt by the Federal Government to interfere at all.

Now, what is the plain and unmistakable question for the Senate to decide? The Senator from Louisiana [Mr. WHITE] will not differ with me in the assertion of the power in Congress to regulate commerce with foreign nations and among the several States. Every power granted in this bill is the exercise of that constitutional power to regulate commerce with foreign nations and among the several States. I defy any Senator to point out a single power granted by the bill that does not legitimately fall within that clause of the Constitution.

The plain, practical question for the Senate to decide is, Shall we have one uniform and efficient system of quarantine regulation throughout the whole country, or shall we have forty-four different systems of commercial regulations? For, if the Federal Government does not exercise the power to regulate commerce in respect to this question of quarantine, the courts have decided, and I think properly decided, that the States may exercise it. The whole theory of the argument of the Senator from Louisiana is that the Federal Government should ignore its power to control these questions and allow the forty-four States each to form its own system of commercial regulations.

I have a somewhat sad experience, which accounts in some degree for any enthusiasm I may have in support of this measure. I chance to live at the head of deep-water navigation of the great Mississippi River. New Orleans rests at the mouth of that great channel of commerce. It is the New Orleans board of health that speaks here to-day through the Senator from that great State, protesting against any exercise of the powers of Congress to regulate commerce in respect to this matter of quarantine. Efficient, and great, and able, and patriotic as the board of health of New Orleans may have always been and may be, I chance to know that the city in which I live has been under my own eye decimated as often as twice by yellow fever, which was allowed to slip through the quarantine regulations of New Orleans either because of the fact that their rules were not sufficient in themselves or not enforced with sufficient vigor.

Memphis has suffered to the extent of the decimation of her population as often as twice, and I have sat there and looked out my window for week after week during the epidemic of 1873 when not a door was opened except the door of the drug store, the doctor's office, and the undertaker's shop. I have walked the street, sir, from my house to the post-office, day by day, to get my mail, and have found not a single door open in that city for weeks except those that I have named. There was not a family in the city which could venture to aid its neighbor because the patients in its own house were so numerous as to demand the attention and the nursing of every member of the family. There was not an object moving on the streets except the hearse, followed by perhaps one carriage or a buggy with the surviving members of the stricken family accompanying the remains of the last victim to the grave. For weeks at a time I have witnessed scenes like those in 1873, and it was worse in 1878.

Are we to be compelled to rely now and always upon the wisdom and the zeal and the energy of a board of health and quarantine authorities which allow things such as these to occur year after year? I protest in the name of the people who are my neighbors, I protest in the name of the whole people of the valley of the Mississippi, against a failure to exercise the power that we unquestionably have, and that they have a right to demand we shall exercise for the security of their lives and their health, even though it may be distasteful to the New Orleans quarantine authorities.

The people of New Orleans are acclimated. There are very few if any adults who reside there who are not exempt from yellow fever, having once had it. Hence they have little or no fear of it, and naturally are not so vigilant in excluding it as the security of the people in the interior demands.

New Orleans has a large and profitable trade with Havana and Vera Cruz, where yellow fever always exists.

If the theory of the Senator from Louisiana prevails, the whole people of the interior States are compelled to rely upon the sufficiency of the regulations made by cities on the seaboard and the sufficiency of their execution by authorities over which they have no control. It is the duty of this Government to exercise its constitutional powers to protect the whole people and not compel the people of interior States to rely entirely upon the States upon the seaboard for their protection, when we know that if a single gate is left open, through which contagion may enter, the whole country must suffer the disastrous consequences of an epidemic.

This bill does not propose to interfere with State quarantines in any way except that where their rules and regulations are not sufficient to protect the people of the country the Federal authority shall step in, in the legitimate exercise of the power to regulate foreign and interstate commerce, and make rules and regulations which will strip that commerce of contagion and protect that people; that is all.

Now, Mr. President, I want to dispose of the pending bill. I think it important to the whole country that it should be promptly passed, and therefore will not consume more time in debate; but I will put into the RECORD the action of the New York Board of Trade and Transportation, sent to me yesterday, in respect to this matter, which I will have put into the RECORD without reading at present.

Mr. CAFFERY. Mr. President, when that speech was made, my then colleague, now Mr. Justice White, of the Supreme Court of the United States, opposed its passage—and he was its strongest opponent—first, on the ground that the quarantine system at the port of New Orleans was perfect, and on the further ground that the bill then pending was in violation of the power of the States over their own police regulations.

The system of disinfection which is now in vogue was first established by Dr. Joseph Holt, in the city of New Orleans, and at the quarantine station. He was a great physician. He had devoted himself to the study of germicide. He had discovered and applied means and methods whereby the malignant germ of yellow fever could be destroyed by certain applications—steam, sulphur, the bichloride of mercury, and other such compounds.

At that period I myself thought that perhaps the matter of quarantine had better be left to the control of the States; but the

last epidemic has convinced me of the utter impossibility—laying aside any question of conflicting jurisdiction between the United States and the States, one in the exercise of its power to regulate commerce and the other in the exercise of its police power—laying aside any question of that sort, I am convinced of the utter inability of the States, with the enormous increase of population, the enormous increase in the volume and the circulation of commodities, of intercourse of individuals, since 1893, for each State on the seacoast to stand sentinel and guard for the interior to prevent the introduction of diseases from foreign countries.

Down in the South Atlantic and Gulf States the climatic conditions are favorable to the rapid spread of yellow fever. It is not indigenous; but when once in, when transplanted, when the malignant germ is conveyed from its habitat somewhere in the tropics to places along the South Atlantic and Gulf seaboard, it multiplies with frightful rapidity and becomes a fearful agent of death.

With the growing commerce, with the growing travel, with the constant passing in and out of vessels and ships and railway trains and every vehicle of transportation, however efficient one State quarantine may be, if there is a gap in the line—if, for instance, the quarantine is inefficient at Mobile and efficient at New Orleans, the dread invader comes in and the whole country is threatened with its destructive power. That is the condition of affairs.

The State board of health of New Orleans sent its representatives here in 1893, and they fought against the bill of 1893, and, without casting any reflections upon anybody, I think the opposition to this bill is somewhat due, and largely due, to the efforts of the State boards of health, in order that their State organizations should not be touched.

But, sir, it is not a question between State organizations and Federal organizations; it is a question of the safety of the lives of the inhabitants of this great country, and it is a question of the security of commercial intercourse in this country under such a system of quarantine as would both keep out disease and allow persons and commodities to circulate from one State to another with safety. That is the question which presses upon my mind. The constitutional doubt has no lodgment at all; it never did have with me.

It is a matter too clear that the Constitution of the United States is paramount to any exercise of police power on the part of the States, and it is a matter to my observation equally as clear that it is beyond the power and capacity of the States, under the present conditions of commerce, to guard themselves and other States dependent upon them from the encroachments of these terrible diseases. Read, sir, the pathetic utterances of the distinguished Senator from Tennessee; what he saw, what spectacles of death and sorrow and destruction! That is all he witnessed in the terrible epidemic which devastated Memphis, and that scene is common in the South. It is common wherever the yellow fever invades.

The whole Mississippi Valley is a prey to this disease. The whole interior of the country is a prey to it. In England they deride our quarantine system. They say it goes back to the ancient quarantine of the Mediterranean during the Crusades; that it is a legacy of ignorance and savagery. Not so. England is a small, compact territory. By the most excellent and perfect sanitary system in her cities, the fatal germ can not thrive and propagate its death-dealing species. Her climate operates in her behalf.

There is no excessive heat as we have in America in the summer time. The country is small. A person suspect of disease can easily be placed under surveillance, and that is what they do. They let everybody in, resting for the security of the country upon the sanitary regulations of the municipalities and the surveillance of the suspect.

The system of following him up for a certain period and then taking hold of him when stricken to prevent the spread of disease obtains, instead of our system of exclusion and sanitation at the seaboard. That system has been found to work well; but we must have a system of sanitation at the seaboard, and when does the sanitation commence? Under the regulations now in existence it commences on the other side of the water. The sanitation of the ship commences at the port where she clears. It is continued until she arrives at the port of entry. If then there is any suspicion that there is a lingering germ about the ship, the ship is still further subjected to sanitary treatment at the port of entry.

Mr. President, the opponents of this bill say, "We are not satisfied with that system. We not only want the system of the Crusades, which was forty days' detention, but we want a perpetual barrier, we want a perpetual embargo. We are not satisfied with your sanitation." And while they say they adopt the maritime system—they are bound to say it; they can not help but say it, because they can not go there with their police power of a State—they say that when the cargo and passengers shall have gone through the quarantine detention in order to let them land, and they attempt to land, "Oh, no; you are upon the sacred soil of the State. Notwithstanding your scientific precautions, notwithstanding your treatment, notwithstanding your sanitation, notwithstanding the care you have observed in regard to this vessel, you can not come a step unless you have the certificate of a State health officer; and then when you come into the interior you can not go there without another certificate;" and as you go on it is certificate after certificate, it is regulation after regulation, until you have destroyed commerce, destroyed intercourse.

If that system is to work, why have any regulations at all? Why not keep everything out? Why have any intercourse with anybody? The doctrine results in absolute isolation—the absolute destruction of commerce and intercourse. Therefore it occurs to me it ought not to be adopted.

The Marine-Hospital Service seems to evoke some opposition. Can we have the execution of a law in the hands of perfect administrators?

Suppose somebody says that the present Surgeon-General of the Marine-Hospital Service is not fit for his place, does not know anything about the yellow fever. Does that destroy the system of the Marine-Hospital Bureau? Sir, sometimes the American people say a man is not fit for President of the United States, and yet he may happen to get there. Perhaps the President will die and the Vice-President will come in, and the people would not have elected him. Are you going to have no President because an inefficient President may get in? These arguments against the possible inefficiency of a certain individual to preside over a bureau do not amount to anything, can not amount to anything, and ought not to amount to anything.

So far as I know personally, I gave in my testimony that the present head of the Marine-Hospital Service is well equipped for the functions with which he is charged—the functions of an organizer, the functions of the head of a great bureau. It is said that he knows nothing about yellow fever or cholera or diphtheria or bubonic plague. His office is here. He as an organizer, as the head of the Bureau, has able lieutenants in the field. Some of them are now in foreign ports studying the germ of yellow fever. Dr. Geddings is one of these, and they are scattered all over the country everywhere, and all over the world.

I do know that Dr. Guiteras and Dr. Carter, who visited my State in the last yellow-fever epidemic, are men who are an ornament to their profession and great benefactors to our people, in that they suppressed the epidemic, they crushed out the disease; at least it was so in my town. If not entirely through their efforts, it was largely due to them.

Mr. President, I have some literature here, and I will have some of it read. I desire to have read from the quarantine convention of Jacksonville, in order that my friend the Senator from Florida [Mr. PASCO] who sits by me may see what that convention said in 1878 about a national quarantine. I will have some of these extracts read, and I will offer them all to be put in as an appendix to my remarks. I ask the Secretary to read, commencing at page 4, down to page 6, and then, reverting to page 1, to read the recommendations of the President in his message.

The Secretary read as requested. (See Appendix A.)

Mr. CAFFERY. I have some more literature which I will ask the Secretary to read. Let him read from pages 29, 35, 36, 37, and 38, giving some Southern newspaper extracts.

The Secretary read as requested. (See Appendix B.)

Mr. CAFFERY. I ask the Secretary to read the extracts from the New York papers.

The Secretary read as requested. (See Appendix B.)

Mr. CAFFERY. I will introduce all of those extracts from newspapers as a part of my remarks, to be placed in an appendix. [See Appendix B.] Those extracts taken from newspapers published in States all over the Union, from Alabama to Washington, in my opinion clearly indicate the opinions of the thinking masses of the United States on this subject. The expressions from the papers published in the South are as strong as the expressions contained in the papers published in the North. There is a wonderful unanimity of opinion expressed all over the different States through these different newspapers. They look at the subject in a plain, common-sense way. They are not unmindful of the security of human life, while they are mindful of the necessities and exigencies of commerce, and they take a plain, sensible, businesslike view of the matter.

The truth of the business is that the question has grown to be too big for the States to handle, and it is only a traditional love of State institutions, in my opinion, that is at the bottom of the opposition to a national quarantine.

After the expressions of opinion from papers North, I am at a loss to understand the position taken the first day of this debate by the Senator from New Jersey [Mr. SEWELL]. I am at a loss to understand how he could take a position that a bill of this kind interferes with the autonomy of States. I do not see that Senator in his seat, but I would like to ask him, if he were present, what part of the autonomy of the States the bill interferes with.

What is the autonomy of States, and wherein does the bill interfere with autonomy? Does the autonomy of States consist in their retaining barbarous methods of quarantine? Because the people of New Jersey may think they have ample means and abundant equipment to keep out any infectious disease, does it follow that the States all around the Pacific coast, all up the Atlantic coast, and on the Gulf coast have such appliances and equipments and means? Is the whole United States to be left to the tender mercies of these invading enemies because one or two States happen to be able to protect themselves? Is that the doctrine the Senator from New Jersey relies upon? The statement he made that the South wanted to throw the burden of the expenses of its quarantine regulations upon the North is not worthy an answer.

Mr. President, there is the consensus of opinion of the press of the United States on this very vital subject of national quarantine. There are papers published in the very States of the Senators who are most vigorous in opposition to a bill advocating a national quarantine straight out in favor of doing away with State quarantine. I do not say that those Senators do not represent their States, but I say there must be some ground for the opinion of the editors of those newspapers as to the advisability of a Federal quarantine.

I will send up and make a part of my remarks the opinions of various medical journals on the subject of national quarantine. Where you can get the medical fraternity to speak its unbiased mind I believe that their expressions ought to be entitled to great weight. Where the medical fraternity is represented by State health officers I think their interest in maintaining their position discredits to some extent their statements as to the advisability of Federal quarantine. I ask the Secretary to read an extract from the New England Medical Monthly of the issue of March, 1898, from the Philadelphia Medical Journal, and the Medical Record of New York, and the others I will ask to be inserted as a part of my remarks.

The Secretary read as requested. (See Appendix C.)

Mr. CAFFERY. I send to the desk another document, which is a statement by Dr. Wyman of the functions and management and equipment of the Marine-Hospital Service, the number of its employees, and the work that has been done in various epidemics. I ask that it be inserted in my remarks as an appendix. [See Appendix D.] I ask the Secretary to read under the subhead "Medical corps," on page 2.

The Secretary read as requested. (See Appendix D.)

Mr. CAFFERY. I have some papers here which I wish to introduce, and one letter particularly, addressed to me by the manager of the Southern Pacific Railroad Company, showing the interruptions of trade and the inconsistencies of the quarantines of Louisiana and Texas. I desire to have that letter read, and the remainder of them I shall put in the RECORD hereafter without reading. [See Appendix E.]

The PRESIDING OFFICER (Mr. MANTLE in the chair). The Secretary will read as requested.

The Secretary read as requested. (See Appendix E.)

Mr. HOAR. If the Senator from Louisiana will yield to me for a moment, I have a letter received this morning from Dr. H. P. Walcott, chairman of the Massachusetts State board of health. He is, I suppose, the highest authority in that State and one of the highest in the world on this part of the question, and as his letter strongly reenforces the views of the honorable Senator from Louisiana, perhaps he would like to have that letter also inserted at this point in his speech or printed in the RECORD without reading.

Mr. CAFFERY. I should like to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

COMMONWEALTH OF MASSACHUSETTS,
STATE BOARD OF HEALTH,
Boston, March 20, 1898.

MY DEAR SIR: I take the liberty of writing to you upon a subject which is, I observe, now under consideration in the Senate—the improvement of the public health service.

Some years ago, when our former highly valued associate, Dr. R. T. Davis, was a member of the House, this board formally expressed its approval of the bill introduced by him for the establishment of a bureau of health.

A measure substantially the same introduced by Senator SPOONER does not seem to have received the approval of the appropriate committee, and the bill reported by Senator VEST gives all the sanitary authority to the Marine-Hospital Service.

Our experience in Massachusetts with boards possessed of extended, varied, and sometimes contradictory functions has not been fortunate. In fact, the general court is now separating into its component parts all that has remained coherent of the old board of health, lunacy, and charity.

This board wishes to convey to you the hope that it may be found possible to give the sanitary work of the country to some board, bureau, or department exclusively devoted to the consideration of sanitary questions and the study of the best means for preventing the over present communicable diseases which are of so much more real importance than the two exotic diseases which now monopolize public attention.

Yellow fever means nothing to-day for Boston, though twice in the early years of the century epidemics of the disease drove out all who could afford to go. A young man died of yellow fever brought from Jamaica in the Massachusetts general hospital last autumn, and no one here believed that the public health was in peril.

England, not less exposed to disease invasions than we are, finds a complete protection in well-ordered internal sanitary administration. So long as we build all our hopes upon a vexatious system of quarantine we are not likely to be sufficiently careful of our own domestic sanitary arrangements, and it seems to us that a sanitary board at Washington, in much closer relations than have hitherto existed with the various State boards of health, might happily unite the powers of the nation and the individual States more completely than has hitherto been the case.

Very respectfully, yours,

H. P. WALCOTT,
Chairman of the Board.

HON. GEORGE F. HOAR, *Senator.*

Mr. CHANDLER. I should like to ask the Senator from Louisiana whether he will yield to me to move that the Senate proceed to the consideration of executive business; which motion I desire to make, unless, indeed, the Senator expects to finish his speech to-night.

Mr. CAFFERY. I will yield to the Senator from New Hampshire, retaining the floor.

EXECUTIVE SESSION.

Mr. CHANDLER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, March 24, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 23, 1898.

APPOINTMENTS IN THE ARMY.

To be second lieutenants of artillery, with rank from June 11, 1897.

Second Lieut. Frederick Edgar Johnston, Eleventh Infantry.
Second Lieut. Earle D'Arcy Pearce, Third Cavalry.
Second Lieut. Arthur Stewart Conklin, Twentieth Infantry.
Second Lieut. Benjamin Martin Koehler, Fifteenth Infantry.
Second Lieut. James Francis Brady, Nineteenth Infantry.
Second Lieut. Hugh La Fayette Applewhite, Twenty-second Infantry.
Additional Second Lieut. Roderick Leland Carmichael, Eleventh Infantry.
Additional Second Lieut. Harry Gore Bishop, Nineteenth Infantry.
Additional Second Lieut. Andrew Moses, Eleventh Infantry.
Additional Second Lieut. Fred Anderson Pearce, Sixteenth Infantry.
Additional Second Lieut. Thomas Quinn Ashburn, Twenty-fifth Infantry.
Additional Second Lieut. Sam Frank Bottoms, Tenth Infantry.
Additional Second Lieut. Willard Douglas Newbill, Fifth Infantry.
Additional Second Lieut. Harold Edward Cloke, Third Infantry.

PROMOTIONS IN THE NAVY.

Civil Engineer Mordecai T. Endicott, United States Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy, with the relative rank of commodore, for the term of four years, to fill a vacancy.

P. A. Paymaster Samuel L. Heap, to be a paymaster in the Navy, from the 5th day of February, 1898 (subject to the examinations required by law), vice Paymaster Edward N. Whitehouse, retired.

P. A. Paymaster John Q. Lovell, to be a paymaster in the Navy, from the 12th day of February, 1898, vice Paymaster Albert W. Bacon, promoted.

APPOINTMENT IN THE NAVY.

James Edward Palmer, a citizen of North Carolina, to be a passed assistant engineer in the Navy, to take rank next after P. A. Engineer Alexander S. Halstead, under the provisions of and subject to the examination required by private resolution No. 2, entitled "Joint resolution for the relief of ex-Cadet Engineer J. E. Palmer," approved March 17, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 23, 1898.

REGISTER OF THE LAND OFFICE.

George W. Fisher, of Topeka, Kans., to be register of the land office at Topeka, Kans.

POSTMASTERS.

W. S. Mason, to be postmaster at Mayfield, in the county of Graves and State of Kentucky.

George E. Call, to be postmaster at Northport, in the county of Suffolk and State of New York.

Joshua Mizell, to be postmaster at Punta Gorda, in the county of De Soto and State of Florida.

Frank F. Reed, to be postmaster at Mahanoy City, in the county of Schuylkill and State of Pennsylvania.

Milton P. Schantz, to be postmaster at Allentown, in the county of Lehigh and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 23, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On March 8, 1898:

H. R. 2484. An act giving the assent of Congress to a change of the compact entered into between the United States and the State of Arkansas on her admission into the Union.

On March 9, 1898:

H. R. 6449. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1899.

On March 11, 1898:

H. R. 4829. An act for relief of the Book Agents of the Methodist Episcopal Church South; and

H. R. 5434. An act to repeal in part and to limit section 3480 of the Revised Statutes of the United States.

On March 14, 1898:

H. R. 4303. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1899; and

H. R. 4167. An act to increase the pension of John Q. Washburn.

On March 15, 1898:

H. R. 4751. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes; and

H. R. 6546. An act making appropriations for the support of the Army for the fiscal year ending June 30, 1899.

On March 17, 1898:

H. R. 8386. An act to extend the time for the construction of the railway of the Chicago, Rock Island and Pacific Railway Company through the Indian Territory; and

H. Res. 92. Joint resolution for the relief of ex-Cadet Engineer J. E. Palmer.

On March 18, 1898:

H. Res. 105. Joint resolution to authorize the President to appoint as an assistant engineer in the Navy ex-Naval Cadet T. D. Parker.

On March 19, 1898:

H. Res. 166. Joint resolution authorizing the Secretary of War to loan tents to the citizens' committee of the city of Cincinnati for the use of the Thirty-second National Encampment of the Grand Army of the Republic;

H. R. 7203. An act extending the time within which the Pittsburg and Mansfield Railroad Company is authorized to construct a bridge across the Monongahela River;

H. R. 4385. An act relating to leases on the Hot Springs Reservation, and for other purposes; and

H. R. 4066. An act to permanently locate the capital of the Territory of New Mexico.

On March 22, 1898:

H. R. 6351. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1899.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House was requested:

S. 15. An act to prevent the appointment of cadets to the Naval or Military Academy of the United States from States, Territories, or districts in which said cadets do not reside, and for other purposes;

S. 2880. An act to raise the age of protection for girls in the District of Columbia to 18 years;

S. 3140. An act to reimburse the State of Wyoming for money expended by the Territory of Wyoming in protecting and preserving the Yellowstone National Park during the years 1884, 1885, and 1886;

S. 1101. An act for the relief of Eunice Tripler, widow of Charles S. Tripler; and

S. 1227. An act for the relief of Julius A. Kaiser.

The message also announced that the Senate had passed without amendment the bill (H. R. 8618) for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Habana, Cuba.

CONTESTED-ELECTION CASE—FAIRCHILD VS. WARD, SIXTEENTH CONGRESSIONAL DISTRICT OF NEW YORK.

Mr. ROYSE submitted the report of the Committee on Elections No. 2 in the case of Ben L. Fairchild against William L. Ward, of the Sixteenth Congressional district of New York; which was referred to the House Calendar, and ordered to be printed.

Mr. GAINES submitted the views of the minority in the same case; which were ordered to be printed with the report.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 15. An act to prevent the appointment of cadets to the Naval or Military Academy of the United States from States, Territories, or districts in which said cadets do not reside, and for other purposes—to the Committee on Military Affairs.

S. 2880. An act to raise the age of protection for girls in the District of Columbia to 18 years—to the Committee on the Judiciary.

S. 3140. An act to reimburse the State of Wyoming for money expended by the Territory of Wyoming in protecting and preserving the Yellowstone National Park during the years 1884, 1885, and 1886—to the Committee on Claims.

S. 1101. An act for the relief of Eunice Tripler, widow of Charles S. Tripler—to the Committee on Claims.

S. 1227. An act for the relief of Julius A. Kaiser—to the Committee on Naval Affairs.

ELECTION CONTEST—THORP VS. EPES.

Mr. WALKER of Virginia. I call for the regular order.

The SPEAKER. The regular order is the contested-election case pending before the House yesterday, from the Fourth Congressional district of Virginia.

Mr. GROSVENOR. I wish to inquire whether under the order of the House any time has been fixed for the taking of the vote?

The SPEAKER. The vote will be taken at the close of the debate.

Mr. GROSVENOR. When will the debate close?

The SPEAKER. The Chair does not know exactly how much time there is remaining. The order of the House allowed four hours' discussion on each side.

Mr. DINGLEY. Before the debate proceeds, I wish, upon the suggestion of several gentlemen, to ask the gentleman from Virginia how much time remains for general debate?

The SPEAKER. Four hours and twenty-two minutes remain, if all the time is occupied.

Mr. DINGLEY. I understand there is some probability that all the time may not be occupied on this side.

Mr. WALKER of Virginia. I think I can say that all the time will not be occupied on our side. I hope we shall be able to reach a vote by 3 o'clock.

Mr. MIERS of Indiana. I desire to yield to the gentleman from Kentucky, Mr. RHEA; but before doing so the gentleman from Texas [Mr. BURKE] wishes to ask a question. I do not know what it is, but I yield to him for a moment.

Mr. BURKE. Being a member of the committee and having signed the minority report, I assume that I shall be entitled to some time to discuss this case before the House. I had intended to do so this morning, but for reasons which are satisfactory to myself I shall not avail myself of that privilege, and whatever time I may have as a member of the committee I yield equally to the gentleman from Kentucky [Mr. RHEA] and the gentleman from Virginia [Mr. HAY].

The SPEAKER. The time on that side of the question is under the control of the gentleman from Indiana [Mr. MIERS].

Mr. MIERS of Indiana. I yield one hour to the gentleman from Kentucky [Mr. RHEA].

[Mr. RHEA of Kentucky addressed the House. See Appendix.]

Mr. MIERS of Indiana. Now, Mr. Speaker, I would like to inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. SHERMAN). The gentleman has one hour and twenty-nine minutes.

Mr. MIERS of Indiana. I yield that one hour and twenty-nine minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. I presume that gentlemen on the other side desire to consume some of their time now.

Mr. MIERS of Indiana. The gentleman from Virginia [Mr. WALKER] informed me that they have but one other argument, and they desire to put it in in one speech, and ask that the argument proceed in this way.

Mr. HAY. Mr. Speaker, I had hoped that in a discussion of this case there would be no partisanship involved in it, and that those who presented the case for the contestant would content themselves with confining their remarks to the evidence as adduced in the report which they have filed in this House. But the gentleman from Indiana [Mr. CRUMPACKER] has seen fit to go out of his way to attack the State of Virginia and the people of that State, and I would not be true to the people whom I represent upon this floor, I would not be true to the traditions of that State, if I allowed the aspersion of the gentleman from Indiana

to pass unanswered before I enter upon the argument which I propose to make in this case.

It pleased the gentleman from Indiana—I do not see him in his seat, and I wish he were here—it pleased the gentleman from Indiana to say that the people of Virginia had no more consideration for negroes than they had for common dogs. I say that that statement is false, is maliciously false or ignorantly false, and either one of them is as bad as the other. Why, the State of Virginia has spent upon the education of negroes since 1875, $9,000,000. It has erected a college for the education of the negroes; and during the last legislature, when every appropriation for public institutions was cut down in that State, the appropriation for the negro college was not cut down.

I say, and I say it without fear of contradiction for the people of Virginia, that the Democrats of Virginia are the best friends that the negroes have ever found there. I want to know how many negroes from Virginia have been appointed to office under this Administration? How many people, that constitute, as is contended by the gentlemen on the other side, the great bulk of the Republican party, have been considered when it comes to giving out the offices? I believe that in the entire Fourth district of Virginia they have appointed one colored postmaster—at Yale, in Sussex County; and that is all they have done for those people.

I do not care to enter into a controversy or say anything as to what the gentleman from Virginia [Mr. WALKER] has been pleased to say about the people of Virginia. We all know General WALKER in Virginia. I remember the time when, in the Democratic convention in 1885, I voted for him as Democratic candidate for attorney-general. The people of Virginia know General WALKER, and it is not necessary for me to animadvert or to say a word as to what he has been pleased to say about her people. Now, Mr. Speaker, I want to argue this case.

Mr. WALKER of Virginia. Mr. Speaker, I hope the gentleman will say what I have said about the people of Virginia. No man can point to a word that I have said about the people of Virginia except what was good. I am a Virginian, born and raised in Virginia, and my ancestors are buried there; but I speak not of Virginians when I speak of those frandulent election officers and election laws. [Applause on the Republican side.] I want to say that the great——

Mr. HAY. I do not propose to yield to the gentleman for a speech.

Mr. WALKER of Virginia. I say that the great majority of the people of Virginia are honest.

Mr. RICHARDSON. I call the gentleman to order.

Mr. HAY. Now, Mr. Speaker, as I said before, I do not want to say anything about what the gentleman from Virginia has said; but when he attacks the election laws of Virginia, he attacks the majority of the people of Virginia who made those election laws; when he attacks what he calls these fraudulent election officers of Virginia, he attacks the men who are placed in office by the majority of the people of Virginia. I say that on yesterday he stated upon this floor that these election laws were fraudulent, and that they could get no fairness under them.

If they are fraudulent, how does the gentleman hold his seat on this floor? If they are so fraudulent, they could be used as fraudulently in the gentleman's district as they could be used anywhere else. He and his colleague from Virginia [Mr. YOST] both hold their seats on this floor under the same title and in the same way as the balance of us do.

Mr. WALKER of Virginia. Will the gentleman permit me to answer that question?

Mr. HAY. No; you have got an hour and thirty-seven minutes of your time left.

Mr. WALKER of Virginia. I should like to answer the gentleman.

Mr. HAY. The gentleman holds his seat the same as we do. He may say that he comes from a white district. So do I. My district is of a similar character to his. But, Mr. Speaker, I say it now, and I defy denial upon the part of any man who is acquainted with the laws of Virginia and the white people to say that the people of Virginia, through their election officers or through any other source, have committed a fraud in an election in the Fourth Congressional district, in the Second Congressional district, or in the Fifth Congressional district. Any man who says that says what he can not maintain upon the evidence which has been adduced before this House.

Now, Mr. Speaker, I particularly desire to confine my argument to the facts in this case, and to the precincts these gentlemen have so ruthlessly thrown out. The ground upon which the majority of the committee of this House have reported that Mr. Epes is not entitled to his seat are as follows:

The first ground is that there should be counted for Mr. Thorp 633 so-called excluded votes; the second ground is there should be nineteen precincts thrown out absolutely, because there were Democratic election officers at those precincts; the third ground is that six precincts should be thrown out because the Republican judge at each one of those precincts was not such a Republican as the machine politicians of these precincts desire; the fourth ground is that they should throw out six precincts on general grounds of fraud without adducing any, and the fifth is by counting certain certificates given by voters after the election was held.

Now, as to the excluded votes, upon what evidence do they propose to throw out this excluded vote? I have got the majority report here, and I am willing to stand on this majority report, and I say that if any man in this House will read it, he can come to but one conclusion, and that is that Mr. Epes is entitled to his seat.

Now, Mr. Speaker, it is a remarkable fact that in the two speeches made by the chairman of the committee and by the gentleman from Indiana [Mr. CRUMPACKER] they have not given to this House one single solitary fact or evidence of fraud from this report; they have not gone into the record at all; they have not shown why these thirty-one precincts should be thrown out. They have not undertaken to do that, and I submit that no man who respects his oath upon this floor, no man who wants to do justice—and I presume every man here does want to do it—no man who wants to do justice will vote to unseat any member unless he is satisfied from the evidence in the case that enough votes should be thrown out or that fraud has been perpetrated at enough precincts to change the result.

What is the evidence as to these excluded votes? The first votes excluded are 101 votes at the precinct in the First Ward of the city of Petersburg. The facts taken from the record are these: The majority report gives the names of five witnesses who testified as to their exclusion from voting. These are all the names and all the witnesses out of the 101 votes which they exclude in the First Ward in the city of Petersburg which they give. They do not undertake to say, they do not undertake to adduce evidence which will show, that the other 95 men whom they say were excluded from voting were excluded in a way which would authorize the counting of these 101 votes.

No man testifies to an act of fraud, of violence, or of intimidation at this precinct. Not a single witness has been brought by the contestant before this House to prove that an election officer, that a Democrat, that anybody in any possible way connected with the election at this precinct, by fraud, by violence, or by intimidation, prevented these people from voting as they desired to vote. Hill, a witness for the contestant, a negro politician, a leader and captain of a colored volunteer troop, contradicted himself as to discrimination in receiving white and colored voters.

His statement as to the time consumed that day is totally and entirely wrong. The voting day was 630 minutes. That would have admitted only 252 votes, because under our election law two and one-half minutes can only be consumed in a booth. Yet 394 persons voted at that precinct. Now, the gentleman from Indiana [Mr. CRUMPACKER] on yesterday undertook to tell the House that it was the duty of the judge of the county court to see that there were precincts enough throughout the county and city. That is not true. Fifteen voters can apply to the court to have a new precinct established.

This law does not say they shall be Democratic or Republican voters. It says "fifteen voters" shall have a right to apply for the establishment of a new precinct. No application of that sort was made at this ward. Nothing was done toward having a new precinct established in that ward. It was not the fault of the contestee that it was not done. He did not live and does not live in the city of Petersburg, and therefore to say that these people should be counted as excluded voters for the contestant because there were no sufficient facilities to let them vote would be an outrage.

Whose fault was it that they did not vote? It was not the fault of the contestee. It was not the fault of the election officers; they voted over 150 more men than they could have been expected to vote under the law; and it was not their fault that these people did not vote. So that, if it was anybody's fault, it was the fault of the law. Neither the contestee nor the election officers are responsible for the law.

And these people who testify that they were excluded from voting by the action of policemen or election officers are contradicted by the election officers themselves. Mr. Lanier, a citizen of Petersburg, a Republican, who testifies for the contestant, gives this testimony:

> Q. How do you account for the fact that the electors thus shut out, not allowed to vote, were negroes?
>
> A. I don't know how to account for that, only that they feel awkward in cases of that kind. As a general thing they are willing to give way to the whites and let them vote, or rather, that was the case in this instance. And I will further say that in conversation with those people who came to me about voting, I advised them to follow that mode.

Now, here was a leader of the Republican party in that ward advising colored people to stand back and let other people vote. Why did he do it? He was their trusted leader; he was a white man. They had as much right to press up to the polls as had anybody else. Yet this man, who had control of the forces of the Republican party at the polls in that ward on that day, advised them

to give back and to let the white men go before them. So that I say you can not count for Mr. Thorp those 101 excluded voters in the First Ward of the city of Petersburg.

The evidence shows conclusively that very many of the so-called excluded voters of that precinct did not sincerely try to vote. They did not stay in line all day. On this point I refer to the evidence of the contestant's witnesses, C. W. Johns, J. W. Thompson, George Royal, Orris Powell, and others. I have here the names of at least twenty-five witnesses who all testified that they went to the polls and stayed there half an hour or so, then went away, then came back and stayed half an hour or so, then went away. That is no sort of reason for these people having their votes counted. If they had remained in line all day, as they could very well see they must do in order to get in their votes, they could have voted. So that, I repeat, you can not count those 101 votes for R. T. Thorp.

Now, as to the excluded voters in the Sixth Ward of the city of Petersburg. The evidence relied upon as justifying the counting of 306 votes at that precinct for the contestant is so vague and indefinite that no importance can be attached to it. It is proven that more than thirty minutes were consumed by the judges in eating their meals. No complaint was made as to voting illiterates slowly. No witness for the contestant could name a single illiterate voter who was allowed a longer time to vote than the law permits. There was no intimidation or violence proven. No one testifies to any fraud or illegal act of the election officers. So that I say as to that precinct there is absolutely no reason shown why those 306 votes should be counted for R. T. Thorp.

Now, as to the facts in regard to the excluded votes at Boydton precinct, the precinct of the contestant in this case. The contestant received there a majority of 179; and he asks this committee to count for him some forty or fifty more votes. Upon what ground? The majority of the committee ground their claim to counting the excluded voters at this precinct upon the arbitrary action of the judges in deciding that the white and colored voters should vote alternately, regardless of the time they offered to vote.

Now, Mr. Speaker, it is a well-understood principle of law—it was determined by a Republican committee of this House in the case of Waddill *vs.* Wise—that:

> It is preeminently proper in approaching the polls, where there are a large number of voters, that the voters should form a line and take their orderly turns in voting. To prevent any race trouble it is not unusual in many places to form two lines, one white and one colored, approaching the polls in their order and casting their ballots in regular turns.

This quotation is taken from Rowell, page 234. At that precinct, although there were only six hundred and thirty-three minutes in the voting day, 587 people cast their votes; and Mr. Thorp received a plurality of 179. The evidence shows that the alternation was in the interest of the contestant; and there is no evidence of any fraud, of any intimidation, or of any violence of any sort.

I now come to consider the facts as to the excluded voters at Clarksville precinct. Exactly the same reasons are given for counting the so-called excluded votes here as at Boydston. If the voters had not been alternated, very many of the colored voters would have lost their votes. The contestant asks this House to count 56 voters for him at that precinct, when, if the rule of alternation had not been adopted, the contestant would have lost a great many more votes than he did.

It is nowhere shown in any of these cases or at any of these precincts that there was any fraud, that there was any intimidation, that there was any violence, that any officer of the election prevented these people from going to the polls. I defy gentlemen who may follow me to point out at a single one of these precincts one act of fraud, one act of violence, one act of intimidation, or to show that these voters were excluded in that way.

Now, these are the facts as to the excluded voters at Prospect precinct: The contestant asks that 57 votes shall be counted for him there. The contestant received at that precinct a majority of 84 votes. R. N. Wilkinson, a nonpartisan judge, marked the ballots at this precinct. Contestant says of this judge, in the record:

> Contestant has never in his testimony reflected on the honesty and integrity of the witness, he being the judge, or his conduct at the election of Prospect precinct.

This witness says:

> I think if the voters had commenced in the morning as soon as the polls were open, and voted as freely as they did in the evening, they could have done it.

That is, all could have voted, and if they did not vote it was their own fault. It was not the fault of the election officers at all.

Now, the facts as to the excluded voters at Lawrenceville precinct are these: Five hundred and twenty votes were polled at this precinct. A careful examination of the majority report does not show that any fraud, violence, or intimidation is alleged. A careful examination of the record in the case shows that no violence, no fraud, and no intimidation were resorted to by the election officers, or by anyone connected with the party of the contestee.

Notwithstanding the heavy vote polled, there were several intervals during the day when the judges, being at liberty, urged colored voters standing around to vote. A copy of the poll books is filed, designating the color of electors, showing that sometimes the whites voted 3 to 1, at other times the colored people voted 3 to 1 and even 14 to 1. The rule as to alternating was customary, and is adopted solely to facilitate the vote.

Mr. LACEY. Will the gentleman yield for a question?

Mr. HAY. Yes.

Mr. LACEY. In the Waddill-Wise case the Democratic minority recommended that the election be declared null and void, by reason of the detaining and preventing of votes from being cast.

Mr. HAY. I understand that.

Mr. LACEY. How far would that principle as laid down in that case apply to this?

Mr. HAY. It would not apply to this particular case, for the reason that in the Waddill-Wise case the voters who were excluded gave their votes into a ballot box presided over by United States officers.

Mr. LACEY. The minority of the committee held that that made the election void and that the votes ought not to be counted at all, and the prevention of the voters from voting was held by Judge Crisp and the minority that he represented as invalidating the election.

Mr. HAY. That is true, because it was shown in that case that Democratic challengers prevented these people from voting at all. They kept them out of line, and kept them from voting at all. Nothing of that kind is shown in this case. In this precinct about which I am talking now there were intervals when people could have voted if they had wanted to vote. The colored voters stood around and did not vote, and did not try to begin to vote until late in the evening, when it was a matter of impossibility for them all to vote.

The judges asked them to vote—wanted them to come and vote. They did poll at this precinct 520 votes, and the testimony in the record—and it is irrefutable and will not be questioned—is that there were intervals during the day when these voters were around the polls and would not vote. If the gentleman was familiar with colored voters, he would know that it is one of the most difficult things in the world to get them to go to the polls.

They would rather stay around there all day and enjoy themselves and hold back from voting, and see if they can not get something out of it. That is the character of the colored voter. And I want to say this, while I am on that branch of the subject, that it is a fact well known to every man in Virginia, be he a Republican or be he a Democrat, that if a colored man goes into a booth and votes for a Democrat and comes out and there is a prominent Republican who asks him for whom he voted the colored man will tell him every time that he voted for the Republican ticket, although he has just come from voting for the Democratic nominee.

So that as to this evidence in this case, from those witnesses who were taught what to say, I will venture the assertion that at least one-third of them voted for the contestee.

Now, I want to come to the facts with reference to the nineteen precincts which are bodily thrown out, and I want to call the attention of the House to the fact that every single precinct thrown out by the majority in this case gave a majority for the contestee. They have not thrown out a single precinct which gave a Republican majority.

Now, I say it is dangerous for any House of Representatives to undertake to disfranchise a whole people and a whole community unless upon evidence which can not be questioned. I say to throw out the entire vote of the city of Petersburg, to throw out the entire vote of the county of Lunenburg, and to throw out twelve or fifteen precincts, solely because there were Democratic election officers, is carrying partisanship too far.

I should like to know how any gentleman on this floor would like to have his community thrown out upon any such ground as that. I lay this down as the law, that if every election officer in the city of Petersburg was a Democrat, yet if he conducted the election in that city fairly and squarely, the entire community of this city of Petersburg should not be disfranchised. If they can prove fraud, well and good.

If they can show that these officers in the city of Petersburg ever committed gross frauds, or frauds of any kind, or irregularities which go to the purity of the election, then, I say, throw them out; but I take the majority report and I say they have not touched upon a single one of these precincts. They have not given you the name of a single witness who proves any fraud. I will take the majority report, and I will go through all of these precincts, and I will convince any fair-minded man that there was no fraud practiced in the city of Petersburg on the 3d day of November, 1896.

Mr. STEELE. Will the gentleman allow me?

Mr. HAY. Yes.

Mr. STEELE. I have not had an opportunity of reading the report. Were all of the election officers in the precinct of which you speak Democrats?

Mr. HAY. In the city of Petersburg.

Mr. STEELE. Were there Republicans there who might have been put on the board?

Mr. HAY. There were. One of them was put on the board and did not attend.

Mr. STEELE. Were there not other Republicans there?

Mr. HAY. Yes.

Mr. STEELE. Is not that rather a suspicious circumstance?

Mr. HAY. The law says it raises a prima facie suspicion.

A MEMBER. A prima facie presumption.

Mr. HAY. But a prima facie suspicion is not proof, and unless they can prove that these officers did commit fraud, then they can not throw out the precinct.

Mr. STEELE. If all the officers on that board were of the same mind and desired to perpetrate fraud, would it not be a difficult matter for the opposition to prove it?

Mr. HAY. Oh, no.

Mr. STEELE. I should think it would.

Mr. HAY. Not at all.

Mr. STEELE. Why not, if they connived at fraud and kept the evidence of it to themselves?

Mr. HAY. If they connived at fraud you can show that fact. You can show a conspiracy if they did it, but you have not done it in this case.

Mr. STEELE. How would we go about getting at that fact when all the witnesses to the fraud were parties to it?

Mr. WHEELER of Kentucky. Take all the votes polled in one particular place. Suppose the proper number of Republican votes was not returned. You could take the deposition of every Republican who voted at that place and show that a sufficient number of Republican votes was not returned. Would not that show fraud?

Mr. STEELE. Yes; that would.

Mr. SMITH of Kentucky. That is the way to get at it.

Mr. STEELE. But that would be very unfair to compel the calling of the whole community as witnesses.

Mr. WHEELER of Kentucky. It might be unfair to require it, but it could be done.

Mr. WALKER of Virginia. I should like to answer the gentleman's question.

Mr. HAY. I hope this will not be taken out of my time.

Mr. WALKER of Virginia. Suppose that all the judges were Democrats, and not only that, but that they refused to allow anybody to witness the count.

Mr. HAY. I will answer that.

Mr. WALKER of Virginia. Suppose, moreover, they refused to mark the ballots of the Republicans?

Mr. HAY. But you have not any such proof as that in the Petersburg case.

Mr. WALKER of Virginia. The record is full of it.

Mr. HAY. The gentleman says, suppose they refused to allow anybody to witness the count. They did not refuse anybody the privilege of coming in to witness the count. Under the law of Virginia, as the gentleman well knows, there is a canvass of the votes in order to make the ballots tally with the names on the poll books before anybody is allowed to come in. Under the law of Virginia it is practically an impossibility during that short space of time to fix or contrive any ballots other than those that were in the box.

After that preliminary canvass is completed and the number of ballots is made to tally with the number of names on the books, then everybody is allowed to come in and witness the count of the ballots.

Mr. WALKER of Virginia. They were not allowed.

Mr. HAY. I say there was not a precinct, and I defy you to put your finger upon a single precinct in this record, where anybody was refused permission to attend the count—not the canvass. I am talking about the count, not the canvass.

Mr. LACEY. There is one point that I desire to ask the gentleman about.

The SPEAKER pro tempore (Mr. CHICKERING). Does the gentleman yield to the gentleman from Iowa?

Mr. HAY. I yield to the gentleman.

Mr. LACEY. What I want to inquire is if there is a provision in the law by which the boards are required to examine and count the ballots and find if the names on the tally book square with the ballot, and if anybody is permitted to be present when that is done?

Mr. HAY. Does the gentleman think——

Mr. LACEY. Is there anything that would prevent them changing the whole of the ballots?

Mr. HAY. It will take some time, but I will answer. In the State of Virginia in the election law we have what is known as an official ballot. That official ballot contains, and did contain in the election of 1896, the names of the candidates for Congress, the candidates for President of all parties, and the electors of all parties.

The canvass of the votes, in order to make the names in the box tally with the names on the book, is done in a very short time; and the count is made inside of a quarter of an hour generally. That has been my experience; and I say it would be impossible, if you would look at the record in this case—it would be a matter of impossibility for the judges to scratch the tickets as they are required to do under the Virginia election law and to bring out such a result as is brought out in this case.

Mr. LACEY. What I want to get at is this: Suppose there were three judges, all of the same politics, and they wanted to bring out a certain result; what is to hinder them having sufficient time to throw away all the tickets which have been cast and substitute another set before other people come in and witness the count?

Mr. HAY. They can not do it because they are at work diligently all the day, because when the poll is first opened they have to show the box is clear, and because it would be a matter of utter impracticability to accomplish any result of that sort; and the present election law was passed for the purpose of doing away with anything of that sort, if anything of that sort was ever perpetrated.

Mr. LACEY. In that connection, is there any provision by which the number of official ballots must be counted and accounted for, so that others can not be substituted?

Mr. HAY. The law provides that at each precinct there shall be twice as many ballots as voters at the poll box. The law provides that the judge of the county court, before the election is held, shall stamp all the ballots with a seal, that they shall be put into a bundle in his presence and given to the secretary of the board, and he goes then with him to one of the judges at the precinct and that judge is not allowed to open these ballots until he goes to the precinct. Now, of course, you can not entirely safeguard any election law——

Mr. LACEY. What becomes of the unused ballots?

Mr. HAY. They are directed to be burned up.

Mr. LACEY. When?

Mr. HAY. As soon as the polls are closed.

Mr. LACEY. Then they could be substituted without any trouble?

Mr. HAY. How could you substitute a thing burned up?

Mr. LACEY. Before they are burned up could they be substituted for those which were cast, and then burned up?

Mr. HAY. If you are going to assume that every election officer in the Fourth Congressional district of Virginia is a thief or a cheat——

Mr. LACEY. I am not assuming that.

Mr. HAY (continuing). Well, then, that might be done.

Mr. LACEY. I was simply wanting to see if there were opportunities. In our State under our law we are required to account for every ballot. They must all be accounted for.

Mr. HAY. Now, the Iowa law is practically word for word the Virginia law. That is the Virginia law; and the law of Virginia is practically taken from the Iowa law.

Now, Mr. Speaker, I have been interrupted, and I desire now to discuss to the members of the House the evidence upon which these nineteen precincts of this district have been thrown out and these people of these nineteen precincts have been deprived of their votes.

I want to say that if they can not maintain the throwing out of these nineteen precincts, they can not maintain this case. The first precinct which they throw out is the First Ward in the city of Petersburg. I am going to quote from the witnesses of the contestant and from the majority report. I am not quoting the evidence of anybody now except the witnesses for the contestant. The First Ward of Petersburg gave Epes a plurality of 17. C. A. Clark, a witness for the contestant, does not testify to a single illegal or fraudulent act of the election officers. He is one of the leaders of the Republican party in the First Ward. R. T. McCann, another witness for the contestant and another prominent leader of the Republican party, says he knew of nothing crooked in that ward.

George T. Brodie, a witness for the contestant, says he was in the house all day and knows nothing of the acts of the election officers. Beck and Sheffield, judges of election, testified that the election was perfectly fair, and contradicts Leebert as to the conversation he had with Seyler, one of the Democratic judges.

This man Leebert testified that Seyler, one of the Democratic judges, told him that they had committed some fraud—I do not now recall what the fraud was—and these other two judges testify that no such conversation took place between them and Seyler, and that nothing of the kind did occur. A. W. Redgrape, a tally keeper for the Republicans, who was paid $2.50 for services, does not testify to any illegal or fraudulent act.

George T. Brodie, clerk and Republican tally keeper, received

$2.50 for his services, was inside the house all day, and knows nothing of the election officers. R. T. McCann, paid by the Republican leader $2.50 a day to stay at the polls all day, says he does not know of anything crooked being done by the election officers. Charles A. Clark had charge of the Republican headquarters in that ward, and he does not testify to a single illegal or fraudulent act on the part of the election officers.

Now, these are the witnesses relied upon in the majority report to throw out the returns from that precinct. They are all they do rely upon, and that is, in substance, their evidence; and I ask the members of this House if they propose to throw out a precinct and disfranchise three hundred and odd voters on such evidence as that?

In the Second Ward of the city of Petersburg the only witness relied upon in the majority report is Harrison Waite, chairman of the Republican committee in the city of Petersburg. The only charge Waite brings is that the Democratic judges had some conference with the election officers, that the Democratic judges had some conference with Democratic gentlemen that day, or with men interested in the Democratic party.

The Democratic judges deny this, and show beyond question that it is false, and they account for every moment of their time. Now, suppose they did have some conference with some gentlemen interested in the Democratic party on that day. Does that prove fraud? Nobody was turned away from that precinct. Every man who wanted to vote voted there, and there were no excluded votes.

There has not been adduced in evidence one single act of fraud or violence or intimidation on the part of the election officers or upon the part of any man connected with the Democratic party in that ward, and I ask gentlemen if they are going to vote to throw that ward out? I say it is impossible for them to do it.

Now, as to the vote upon which they rely as to throwing out the Third Ward of the city of Petersburg, where Mr. Epes had a large majority, A. W. Branch, a tally keeper for the bolting Democrats, says that he was 40 or 45 feet away from the ballot box; that he wa not interfered with after he went beyond the 100-foot line.

I want to explain that. The law of Virginia requires that there shall be a line 40 feet from the ballot box, beyond which no one shall approach, and that no crowd or no number of people shall gather within 100 feet of the polling box. Bond, tally keeper for the Republicans, does not testify that he was interfered with. R. B. Friend, tally keeper for the voting Democrats, does not name any illegal or fraudulent act, and was paid by the day for his work. Pascal Davie, a witness for the contestant, does not testify to any fraudulent, illegal, or irregular act of the election officers. Hill, a witness for the contestee, denies that Bond was prevented from keeping a tally, and said he did not know who Bond was.

These ballots in this Third Ward, there being some question about them when it came to count, were opened at the request of the contestant by the corporation court of the city of Petersburg, and what was the result? The returns showed for Epes 377 and for Thorp 137; Epes's plurality was originally 240, when there were returned for him only 222. This was done because the judges throw out ballots if they are invalid for any candidate, and upon the count it was shown that Epes lost by the return from that ward and that Thorp gained by the return from that ward, so there could not have been any fraud practiced there of any sort or kind.

Mr. TERRY. Mr. Speaker, I hope the gentleman from Virginia will suspend until they get done with their caucus on the other side of the House.

The SPEAKER pro tempore (Mr. CHICKERING). The House will be in order, and gentlemen must cease conversation.

Mr. HAY. It is immaterial to me if the gentlemen on the other side do not care to listen. Now, Mr. Speaker, we come to the Fourth Ward of the city of Petersburg, which is also thrown out.

This ward gave Mr. Epes a plurality of 213, and the only witness is William Mahone. He testifies that the election officers held a conference with Democratic officials. This is denied by one of the people who he said had a conference with the Democratic judges, by Jarvis, by Pegram, by Pleasants, and by all the four men who Mahone said had the conference with Democratic judges.

So I say in the Fourth Ward of the city of Petersburg the majority of the committee, knowing the exigencies of the case and the necessity of throwing out that precinct in order to obtain a plurality for Thorp, have thrown out the votes of over 500 citizens because one man testified that the Democratic officials had a conference with some Democratic gentlemen, and they do not regard at all the denial which these Democratic gentlemen give to the assertion made by Mahone.

I come now to the Fifth Ward of the city of Petersburg. This ward gave Epes a plurality of 269. The only witness cited in the report of the majority is H. C. Wilson. His assertions are based entirely upon opinion. He shows himself to be a bitter partisan, and he testifies that he knew of no frauds. This man, whom they rely upon to throw out the voters of the Fifth Ward of the city of Petersburg, testifies that he knew of no fraud being perpetrated at that precinct. What he says with reference to Kilmartin, one of the judges of the election, is fully and satisfactorily contradicted by the testimony of R. C. Kilmartin and J. M. Vaughn.

Every voter who offered to vote at that precinct voted. There were no excluded voters. No illegal or fraudulent acts were proven to have been committed by the election officers at that precinct. It is impossible that any fair-minded man could vote to throw out a precinct which is assailed upon such evidence as this, and that, too, in the face of the report of the majority, which says that these two wards—the Fourth and the Fifth wards of the city of Petersburg—were Democratic strongholds; and because the votes sustain the opinion of the committee announced in their report that these were Democratic strongholds, and because they gave Democratic majorities, they are thrown out without any evidence whatever—without enough evidence to hang a sheep-killing dog.

I say that such a spectacle as the report of the majority of the committee in this case was never seen before in any legislative body, and I hope will never be seen again.

I come now to the Sixth Ward of the city of Petersburg, which gave Mr. Epes a plurality of 94. Much stress is given in the report of the majority to the fact that B. D. Akers produced from his pocket a ballot the day after the election. This is fully and satisfactorily explained by him. No illegal or fraudulent act is proved to have been committed by any one of the election officers at this precinct. This precinct has been already fully discussed by me under the head of excluded voters.

The plurality of Epes in the city of Petersburg was 838. That plurality is thrown aside by the majority of the committee on the sole ground that the election officers were Democrats. The minority respectfully insist that the House can not afford to set such a precedent. It would be against the statute law of Virginia, which in distinct terms says that the fact of all the election officers of a precinct being of one political party shall not invalidate the election held by them.

Such a precedent ought not to be established here, because there has not been shown one single fraudulent, illegal act on the part of any one of these election officers in the city of Petersburg. Why do they not show fraud? Why do they not show illegality? Why do they not point out to this House some one act of fraud on the part of these officers? They can not do it. They have not done it. They will not do it.

I come now to Church Road precinct, which was thrown out. The evidence in this case to which I am going to call attention is the evidence of the witnesses of the contestant alone. One complaint at this precinct was that there was not a Republican judge. The record shows that a man named Hewlett, a Republican, was appointed a Republican judge by an electoral board of Dinwiddie County, that he did not show up on the morning of the election, and that the polls were kept open, as required by the laws of Virginia, one hour in order to give him time to get there.

He did not get there; and if the Republican party did not have representation at that precinct on that day, it was their own fault or the fault of their official, and not the fault of the electoral board of the county. And the politics of this man Hewlett are testified to. He is shown to be a Republican.

It was said by some of the witnesses who were examined at this precinct that they could not see the polling box, but Sydnor Bolling, Colen Blackwell, B. W. Edwards, Henry Evans, and a great many others whom I could name, testify that they could see the polling box; that it was in full sight; that it was right in front of a window to which every man who voted had to go; that they could all see it.

This is all the evidence, gentlemen, upon which they undertake to throw out this precinct. This is absolutely the only ground assigned, except that they say the key to the ballot box stayed in the ballot box all day. That is true, but no harm was done by it. No man testifies that that key was used for the purpose of taking ballots out. People were voting there all day. They saw the key there all day. And when the attention of one of the judges of election was called to that fact in the afternoon, he immediately locked the ballot box and put the key in his pocket. Now, gentlemen, that is the evidence upon which this precinct is thrown out.

The next precinct which they throw out is Columbian precinct, Lunenburg County. William M. Bagley, a witness for the contestant, does not believe or know that the judges of the election were guilty of any fraudulent conduct. W. E. Crowder (colored) and John Hobson (colored) both say the same thing; they do not know that any fraud was committed. William Ingram, a tally keeper for the Republicans and a witness for the contestant, testifies that no objection was made to his keeping tally. So, gentlemen, that is the evidence by which they throw out that precinct.

They throw out Meherrin precinct in Lunenburg County. The complaint made of the judges there was about the way in which they prepared the ballots of those who went in to vote. But A. A. Bigger, a Republican witness for the contestant, says that no complaint was made concerning the judges who prepared the ballots. That is the only evidence upon which they ask to throw out that precinct.

As to Pleasant Grove, in Lunenburg County, the only evidence upon which they ask to throw that out is the evidence of Daniel Townsend, precinct chairman of the Republican party, and he says that the election was perfectly fair. He says that the judges did nothing that was fraudulent or wrong. That is all the evidence upon which they ask you to throw out that precinct, and here is the report of the majority, which proves what I say.

At Plantersville precinct they undertake to throw out the vote upon the evidence of J. F. Eubank. He was the Democratic judge. His evidence is the only evidence which they bring upon which to throw out that precinct. What does he say? He says that nothing was done unfairly; that the election was fairly conducted. That is the testimony of their own witness, and they are bound to stand by him.

In Lochleven precinct, in Lunenburg County, they rely upon W. W. Fisher, who says they had a Republican club of 80 members, and upon Peter B. Bishop, who says they had a Republican club of 169 members; but both of them say that there was no illegality or fraud practiced at that precinct on that day. W. W. Bagley, a witness relied upon by the contestant, says that the election was fair; that a ticket was given him by the judge and was such a ticket as he wanted.

At Blackstone precinct, the home of the contestee in this case—it was not referred to in the argument by counsel on the other side, and it was a great wonder that it was not, because they pretend that there was a mob there that day. The evidence at that precinct shows that the election officers were not guilty of a single act of fraud. It shows that not only were Republicans allowed at the count, but they were allowed at the canvass. It shows that Mr. Epes receives a majority of 273, and this they propose to take from him, for no reason whatever stated in the majority report.

Now I want to read to you the evidence of the contestant's witnesses. Mr. Boswell, the chairman of the Republican party of Nottoway County, advised negroes not to vote. See page 1082 of the record, questions 30 and 33.

R. G. Dyson, a prominent Republican of that county, advised the colored people not to vote. Not a single fraudulent act in the conduct of the election officers is testified to.

R. T. Jones, a witness for the contestant, says there was no disturbance.

A. B. Jones, a prominent Republican, was at the count, and stayed there and handled ballots and saw that they were properly counted.

J. B. Jones, a witness for the contestant and a judge of election, was thought fair enough by the contestant to make him his witness, although he was a Democrat. He says the election was perfectly fair.

Blackstone precinct was not even attacked in the case of Thorp *vs.* McKenney, and J. O. Jackson, since appointed postmaster at that place, says he could not say there was any crowding the evening before the election took place. He says he saw no disturbance at the polls and no intimidation.

John Gray, a witness for contestant, could only name three in the crowd at any one time, and says that Boswell, the Republican chairman, was done no injury whatever.

A. B. Jones says there was no disturbance at all.

At Nottoway Court-House precinct there is no evidence as to fraud, illegal act, or intimidation. Republicans were advised not to vote. The ballots were opened and counted by the county court, and there were found to be all right and in accordance with the returns.

At Briery precinct there was nothing charged and shown which can possibly throw out the vote. There was no evidence of fraud or illegal act.

Now, Mr. Speaker, I have gone through with these nineteen precincts and have shown that there was no fraud whatever in any one of them. If I had time, I would go through the other twelve precincts which they undertake to throw out in order to give Mr. Thorp his seat. But I have not the time. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman has twenty-two minutes.

Mr. HAY. I believe that if the gentlemen of this House knew the evidence in this case, and knew the evidence which is given concerning each one of these thirty-one precincts which the majority report asks to have thrown out—I believe if they knew what that evidence was, they would not and could not vote to sustain such a report as has been offered here.

Now, Mr. Speaker, I want to distinguish, as briefly as I can, this case from the case of Thorp *vs.* McKenney. In the case of Thorp *vs.* McKenney no evidence whatever was taken, and there was not a unanimous report in that case. There were two reports, one by the majority and one by the minority, and that minority report was signed by the gentleman from Pennsylvania [Mr. CODDING], than whom there is not a more fair-minded man in this House.

They stated that no evidence was taken, and that these election judges were without defense, and that they had no opportunity of showing that they had not been guilty of the frauds which had been charged upon them. Now, it is not true, as stated by the gentleman from Virginia [Mr. WALKER], that all the election officers of the city of Petersburg were the same as those who acted in the case of Thorp *vs.* McKenney. That is not correct, and if the gentleman had read the record, which I hardly think he could have done, he would not have made that statement.

Now, Mr. Speaker, I want to conclude what I have to say with the assertion that I am willing, for my part and for the contestee, to stand upon this majority report. I am willing that every member of this House shall read it, and if, after he reads it, he does not come to the conclusion that it can not give Mr. Thorp the seat on this floor, then I do not know what evidence is, I do not know what law is, I do not know what honesty is, and I do not know what justice is.

I read that report. I have never read the minority report at all. I do not want to read it. The majority report was enough to convince me, and after giving a long, careful, and continuous consideration to the record in the case, after having read every line of the evidence given by every witness in these 2,300 pages of record, I am convinced that no greater outrage could be perpetrated by this House upon any people than would be perpetrated upon the people of the Fourth Congressional district of Virginia if they took away the certificate which Sydney P. Epes holds as their justly, truly, and honestly elected Representative.

Now, Mr. Speaker, I have been laboring under the difficulty of having to cover a most voluminous case in what is to me a brief time, because in arguing a case at the bar we can usually get all the time we need. I perhaps may have left out something which I ought to have put in, but I want to say this, that the contestee in this case is my personal friend.

He is the truly elected Representative from the Fourth Congressional district of Virginia. He has gone in and out among his people for many years. He has ever worn the white flower of a blameless life from his boyhood to the present day. And if any man is deserving the commendation and honor which his people have conferred upon him, it is Sydney P. Epes.

As for the State of Virginia, I can add nothing to the eloquent tribute which was paid to her by my distinguished friend from Kentucky [Mr. RHEA]. But before closing, I wish to call attention for a moment to the impossibility of the people of the Fourth Congressional district voting for and electing Mr. R. T. Thorp.

I have nothing personal to say about Mr. Thorp. But I want to call the attention of the House to his political status. I want to call the attention of this House to the fact that in 1894 R. T. Thorp was the silver candidate of the Republican party for Congress; that he ran as a silver man; that he made a canvass of his district as a silver man; that he educated the people of his district up to believing that free silver was the cure for all their ills.

I want to call attention to the further fact that in 1896 he was nominated for Congress by the silver wing of the Republican party of the Fourth Congressional district of Virginia. I want to call attention to the fact that he was nominated in June, and that he continued to hold his silver views until the 16th of August. Then it was, by some shuffle and deal, I know not what, he was induced to become an advocate of the gold standard, and Mr. Gee, who had been nominated by the Republican party as their candidate for Congress, withdrew.

I want to call attention to the fact that not a single white Republican of the Fourth Congressional district opened his mouth for R. T. Thorp in that canvass, from one end of it to the other. Where was Colonel Brady, the present collector of internal revenue, who lived in the city of Petersburg? Did he make any speeches for Mr. Thorp? Did Mr. Gee, who withdrew and is now a deputy collector of internal revenue, make any speeches for Thorp? No; he made some speeches, but he made them for McKinley and Hobart and never mentioned the name of Mr. Thorp, and I make that statemen upon his own authority.

Mr. YOST. May I interrupt the gentleman?

Mr. HAY. Certainly.

Mr. YOST. Do you contend that Mr. Thorp lost votes by reason of any division in the party down there?

Mr. HAY. I contend Mr. Thorp preached the doctrine of free silver to the people of the Fourth Congressional district. I contend that the colored people of that district were for free silver, thought free silver was a good thing and that they would gain by it.

I maintain that it was a good thing for the colored voter; and if the gentleman will read the record he will find that there were

200 Republicans who testified they did not vote for Thorp because he had turned over from silver to gold. I contend further that the entire Populist party, which has a vote of about 1,200 in the Fourth Congressional district, turned over from Thorp to Epes, taking down their own candidate and supporting him. How did Mr. Thorp expect to get the vote of the simon-pure Republicans?

Mr. YOST. I want to ask you this: Do you concede that the Republican party was a unit so far as the Presidential ticket was concerned?

Mr. HAY. I deny that the Republican party was a unit so far as the Presidential ticket was concerned. It has been stated here in argument that the census of 1890 shows that there is 5,000 majority of negroes in the Fourth Congressional district, and the poll books and the registrars' books show that 4,903 of these negroes did not go to the polls and vote in 1896.

Mr. YOST. Were not Mr. Gee's friends and Mr. Thorp's friends a unit on that one issue?

Mr. HAY. On what issue?

Mr. YOST. On the issue of the President.

Mr. HAY. They may have been.

Mr. YOST. Then how do you account for Thorp running 734 ahead of McKinley?

Mr. HAY. I am not aware of the fact. As shown in the record, there are more votes thrown out for President than for Congressman, and that would show there were more illegal votes thrown out for President than for Thorp.

Mr. YOST. How do you make that?

Mr. HAY. The gentleman asks me how I make that. He knows how as well as I do. You know that on the official ballot in 1896 the names were so printed that there were a great many more candidates for President than for Congress.

Mr. YOST. Yes.

Mr. HAY. And more votes for President are rejected.

Mr. YOST. All tried to vote for President.

Mr. HAY. And it was more than marking the name.

Mr. YOST. You simply had to mark the President, and not the electors.

Mr. HAY. You had to mark five Presidents and five Vice-Presidents—ten.

Mr. YOST. But the fact is shown that Thorp ran 734 votes ahead of the Presidential ticket, and it is not even contended that there was any division so far as the head of the ticket was concerned.

Mr. HAY. I say there was a contention so far as the head of the ticket is concerned. I want to refer now to the fact that 4,903 negroes did not go to the polls on the 3d day of November, 1896, at all. They were not there, and your 5,000 majority is wiped out in that line. Now, it is assumed here that every negro votes the Republican ticket. It is not true. There is not a thing that is tried to be impressed upon the Northern mind with more insistence than that every negro of the South is a Republican.

I say it is not true. It would not be a compliment to the negro if it were true. We have been educating him. For twenty years we have been spending our money upon him for the purpose of doing all we could to raise him and to give him some sort of education; and to say that they all vote in a mass, that they are so ignorant that they have to follow the dictates of any little Republican officeholder or would-be officeholder is, to say the least of it, a violent presumption.

Mr. STRODE of Nebraska. Will the gentleman allow me to ask him a question?

Mr. HAY. Yes, sir.

Mr. STRODE of Nebraska. I have been told that this is a ballot cast in that election [exhibiting].

Mr. HAY. Yes, sir; I voted one of them.

Mr. STRODE of Nebraska. The peculiar arrangement of this ballot certainly indicates that it might have been arranged for the purpose of committing fraud. Will the gentleman explain why these names are arranged upon that ballot in the peculiar order in which they appear?

Mr. HAY. Pass the ballot over, and I will explain it if I can get the time. Now, Mr. Speaker, this is an official ballot. The gentleman says that it was arranged for the purpose of fraud. The gentleman makes a statement which I utterly deny. The statement was gratuitous on his part, and if he undertakes to say that the people who arranged that ballot arranged it for the purpose of committing fraud, he states what——

Mr. STRODE of Nebraska. I did not say it was done. I said it appeared to me so from the order in which it was arranged.

Mr. HAY. Now, Mr. Speaker, this ballot is arranged so that the candidates for Congress appear at the head of it. There is nothing wrong about that. Here is "Sydney P. Epes, R. T. Thorp, J. L. Thorp," three candidates for Congress, and there is at the head of this, "Election Tuesday, November 3, 1896, for Representatives in Congress, Fourth Congressional district of Virginia." There is nothing of fraud in that.

Mr. STRODE of Nebraska. Why is it arranged to put the Congressional candidates at the head?

Mr. HAY. Why should it be arranged to put the Presidential candidates at the head of the ticket? What difference does it make?

Mr. STRODE of Nebraska. It makes a good deal of difference.

Mr. HAY. Why, what difference would it make if you can read and write? I voted that ballot, or one like it, and I voted it in half a minute; and any man of reasonable intelligence can take it and vote it in half a minute.

Mr. STRODE of Nebraska. When you take a ticket to ascertain who are the candidates for President and Vice-President, as they are the first ones to be elected, you naturally look for them to be at the head of the ticket. In no other State in the Union is there any such arrangement.

Mr. HAY. I hope this does not come out of my time. No matter what may be the law in any other State, I say no intelligent man can take that ticket and look at it and say that he could not vote it intelligently in half a minute; any man with reasonable intelligence could vote it in less than a minute.

Mr. STRODE of Nebraska. Did not the last Democratic governor of Virginia denounce this very law?

Mr. HAY. I will tell you about the last Democratic governor of Virginia. The gentleman from Indiana [Mr. CRUMPACKER] read an address delivered by this Democratic governor in December, 1897, just as he was going out of office. He had then turned to a gold Democrat, or some other fish of that color——

Mr. STEELE. He did not turn; he just stayed a Democrat. [Laughter.]

Mr. HAY. No, sir; he had turned. He was not as good a goldbug as you are by a long-sight. In 1895 he sent a message to the legislature of Virginia commending this very law under which that ticket was printed. He would have commended it again if he had not known that he had politically cut his throat in the State of Virginia, and that, like Lucifer, he never could rise again. That is the governor you quote, and that is the sort of a man he is.

Mr. YOST. He got to be a goldbug and he got to be honest.

Mr. HAY. He got to be a goldbug and he got in a fix that he was ready to bite the hand which had placed him in the high place he then held. My friend from Virginia [Mr. YOST] says that when he became a goldbug he became honest. Well, so far as honesty is concerned, I want to say to the gentleman from Virginia that the Democrats of Virginia have as much honesty and more than the Republicans of Virginia.

I say that in the record in this case it is proven that S. H. Bliss, a prominent Republican of the county of Prince Edward, offered a Democratic judge a bribe of $75 if he would do his bidding at the election on the next day. Who did the cheating then? Why, it was the Republican leader. So I say to my friend that I leave this case in the hands of the House, fully believing that if they try it according to their conscience, that if they do what is right, and what is just, and what is fair, they will refuse to seat this contestant, and will keep that high and honest gentleman who, if he thought that his certificate was smirched with one single blot of fraud or intimidation or irregularity, would never have accepted it, and never would have taken his seat in this House under that certificate. [Applause.]

Mr. WALKER of Virginia. Mr. Speaker, I yield to the contestant one hour.

Mr. THORP (the contestant). Mr. Speaker, recognizing the fact that my privilege of addressing this audience is due to the kindness of both sides of the Chamber, I trust that I shall be able to so conduct myself as to cause no gentleman to regret that this courtesy has been extended to me; and I would feel sure that I could do so but for fear that in the heat of debate I may inadvertently bear upon a soft spot which some gentleman might prefer not to have touched.

Perhaps I can not better show my high appreciation of your kindness than by proceeding, without preface, to a discussion of the case under consideration as it is and presenting it to this House as the record discloses it, and not as gentlemen seem to have understood it, judging from the arguments which have been made in behalf of the contestee. I come not here to you, gentlemen upon the one side, as a beggar. I come not here to you upon the other side to apologize. I come here because I believe, as firmly as I believe in the God who made me, that I am entitled to be here in this Chamber as a Representative by right derived from the will of the people of my district.

If I did not believe it, I would not be here. I think that my friends on the other side who know me will concede that I have come here honestly. Certainly no one in my section who knows my past life will question it; and believing that, I propose to present to you, gentlemen, as well as I can within the limited time allowed me, some of the reasons why I think the contestee should be turned out and the contestant be seated upon this floor.

The charges in this case are, first, that 623 voters who were deprived of the right to vote would have voted for the contestant

had that right been extended to them. Upon that proposition I hardly think it necessary for me to say anything. If you will read the report of the committee I think you will see that the facts and law there presented are such as to justify you in concluding that these 623, each one of whom was examined as a witness and testified that he would have voted for contestant, should be now counted for him.

Now, mark you, 623 do not represent all the Republicans of the Fourth Congressional district who were deprived of the privilege of voting. Not by a great many. In fact, 1,026 Republican voters of the Fourth Congressional district were standing on election day at sunset in line at the polls, and many of them had stood there all day, without bread and without drink, begging for a right guaranteed by our highest law—the right to cast a ballot—and yet they did not get it.

It does not represent that large element of voters who came to the polls, and, seeing that Republicans had no rights which election officers would respect, went away in disgust. But the committee said, "We think that 623 have been proved sufficiently to come within the strictest rule of the law," and hence they allowed them to the contestant. This was only a fraction of the Republican vote which in one way or another was suppressed.

That unjust and illegal discrimination was practiced against Republicans is clearly shown by the record.

Do you know, Mr. Speaker, that out of the 1,026 voters who stood in line that night demanding the right to vote only 3 were Democrats? That is a fact. No gentleman can deny it. It is a fact from the record that only three Democrats, who had come in just about night, were deprived of the privilege of voting. I do not mean to claim, of course, more votes than the committee has allowed—623; but I do claim that this many American citizens, having the right to vote in Virginia and who made the effort to vote, should be counted by this House.

As to this claim I would be willing to submit the case right here but for a remark of the gentleman from Kentucky [Mr. RHEA] in the course of his speech this afternoon. He said it does not follow because these men were in line asking to vote that their votes ought to be counted, because there was not in this case a legal tender of the votes. He said that to make a legal tender in payment of a debt the man must offer the money then and there, and that these men did not offer the ballots then and there. Ah, gentlemen, as a proposition of law relating to the payment of money the gentleman's statement is true. But how could these voters offer the legal ballots when the election officers had the legal ballots in their possession, so that the voters could not get them?

Suppose a man who was going to pay a note came into the bank, and the cashier of that bank had locked up in his safe thousands of dollars belonging to this man and refused to let him have the money which belonged to him. Suppose the man said, "If you will let me have my money, which the law requires you to give me, I will pay my note." Do you not think this would be a legal tender? This is an answer to the gentleman, and a complete one. These election officers had the ballots in their possession; the voters stood upon the outside clamoring for ballots and could not get them. Yet the gentleman from Kentucky says there was not a legal tender of these votes because the men did not have the ballots in their hands. How could they? It was utterly impossible for them to have them.

I hope you have read this report. I could not add anything to it upon this line if I tried; and I have not the time to undertake it. I am content to leave it to the candid judgment of any honest man who believes in manhood suffrage and who will examine the record, to say whether the votes of these men ought to be counted or not, and I will submit this branch of the case upon the facts and reasons clearly set forth in the report.

But there is another charge, and it is one that goes to the core. It is that at many of the precincts of this district where the election officers were all Democrats or worse, incompetent Republicans, or pliant instruments of the machine, the returns are tainted with fraud, corrupt, untrustworthy, and ought not to be counted. Mr. Speaker, when we come to investigate a charge of fraud, one of the first questions that we meet, one that any judicial mind will ask, is, What opportunities did the accused have to commit that fraud? The next question would be, What was to be accomplished by the fraud? And then the judicial mind would consider the proof.

Let us first look at the opportunities. The Virginia election law furnishes every opportunity which the most clumsy villain might desire to commit a fraud without fear of detection. How is that opportunity afforded? Sir, I blush for the name of my State when I am compelled to come here and make this statement to the Representatives of all the States of this Union. What is the Virginia election law? Why, sir, do you know that we have an electoral-board system in Virginia? Do you know how an election board down there is constituted? It consists of three men elected by a Democratic legislature. In that way the electoral board is constituted in every county and every city of the State.

Who are the members of such a board? Democrats all. No representation whatever is given to the opposite side. These three men have power to appoint all the registrars, all the judges of election, all the commissioners—in fact, they have in their hands all the power of an election machine. When and how do these three men meet? So far as Republicans are concerned their meetings are usually star-chamber performances. They meet in secret. The law fixes no time when they shall meet. They are allowed to meet when they please. The Republicans never or very rarely know when a meeting of the board is to be held.

These men control the elections in Virginia. They appoint all the registrars. They appoint the judges of election, and though the law requires that judges shall be appointed from different political parties, there is no appeal from their action; hence they appoint whom they please. These three men—partisans all, Democrats all—have control of the voting booths. They control the printing of the ballots; they have entire control of everything pertaining to the election; and no Republican has any voice at all in the matter.

Now, gentlemen, passing to the ballots, do you know how a man runs for office in Virginia? Why, anybody can run for office there; anybody can have his name printed upon the official ballot. The greatest ignoramus that ever lived can become a candidate for public office. A man who can not write his name may run for governor of Virginia on his own motion, and have his name printed at public expense upon the official ballots. In other States it is required of persons intending to be candidates for office that they shall at least be put up by some political party or by a certain percentage of voters; but down in Virginia all a man has to do is to make his mark upon a piece of paper and slip it into the office of the secretary of the Commonwealth, and his name is printed as a candidate for the office which he may designate. The law does not require that there shall be any means of letting people know who are candidates.

On the other hand, it provides that if any man, by writing, print, or in any other way, does anything to give information to the voters as to who the candidates are, he shall be guilty of a misdemeanor and fined. [Laughter.] The fine is, I believe, from $10 to $500. In every other State, by emblems and by printed ballots put up before the day of election, and by every other means that can be used, the voter is made familiar with the ballots and placed in a position to know how he wants to vote and whom he shall vote for. In Virginia it is made a crime to give the voter any information as to the ballot before it is handed to him by the judge of election. The great object seems to be to keep the voter in darkness, and thereby to force him into the clutches of a political opponent who is so placed as to render it difficult to detect any fraud which he may choose to commit.

I went to the secretary of the Commonwealth at the previous election and wrote him a letter, asking him to please tell me who were the candidates in the Fourth Congressional district. His answer is in the record in the case of Thorp *vs.* McKenna, in which he says, substantially, "I am afraid to do it, because it would lay me liable to a fine." It would lay him liable to a fine to let me know whom I was opposing! In that case the same Democratic party, or the Democratic machine, as we call it down in Virginia, put upon that ticket the name of an ignorant colored man who could not read nor write, and on the day of election, when the ignorant voter went in and applied for his ticket, he found a ballot with the name of this man Thornton upon it, which sounded something like mine. That man came from the town of the contestee in this case, and he was the servant of a member of the electoral board of his county.

This time they improved. By searching the whole district they happened to find a man whose surname was the same as mine, and on the day of election, when we went to vote, the poor voter came in and said: "I want to vote for Thorp." The election officer said: "Which Thorp—J. L. Thorp?" And he, not knowing anything about it, said: "Yes; that is the man." Sir, was that fair? Was that honest? Was that right? I could have found in the county of Nottoway a Republican voter having, I think, the same initials and spelling his name the same as Sidney P. Epes, but before I would have permitted his name to be printed upon that ballot I would spend the balance of my life in the woods of Virginia and never come here at all. [Applause on the Republican side.]

Mr. HAY. Will the gentleman from Virginia allow me to ask him a question?

Mr. THORP. Unquestionably, sir.

Mr. HAY. Is it not a fact and does it not appear in the record that Mr. Epes, the contestee, did not know anything of the placing of the name of J. L. Thorp upon this ballot?

Mr. THORP. Mr. Sidney P. Epes was not examined as a witness, and he and God Almighty alone know whether he knew it or not. [Applause on the Republican side.]

Mr. EPES. May I ask the gentleman a question?

Mr. THORP. Certainly.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. THORP. I will yield to anybody.

Mr. EPES. I will ask you, do you believe, upon your honor as a gentleman, that I knew it?

Mr. THORP. Well, Mr. Speaker, I have not had any personal controversy with Mr. Epes. He, at least, was willing not to have it, because when I hounded him over the district and asked for a division of time he never would grant it.

Mr. EPES. I want you to answer that question. But I will say that that was because you wanted to have a joint discussion with me, in order for me to furnish you with a white audience, as you could not get ten white men in the district to listen to you. [Cries of "Oh!" on the Republican side.]

Mr. THORP. Why do you come here now and attempt to count the colored audiences on your side, then?

Mr. EPES. Because they voted for me.

Mr. THORP. Why, Mr. Speaker——

Mr. HAY. Will the gentleman allow me to ask him a question?

The SPEAKER pro tempore. Does the gentleman yield?

Mr. THORP. I should like to be very courteous, but——

The SPEAKER pro tempore. The gentleman declines to yield further.

Mr. HAY. I do not understand him to say so. Does the gentleman decline to yield?

Mr. THORP. I want to say, Mr. Speaker, that as far as Mr. Epes is concerned personally, I know nothing against him. I hope and trust to God, my friend, that you did not know it. So far as my knowledge of you is concerned, I am willing to say that I am willing to believe you did not know it, if that will do you any good.

Mr. EPES. That is all right.

Mr. LAMB. Do you think there is a man in the Fourth district of Virginia, be he Democrat or Republican, who believes for a moment that Sydney P. Epes knew anything about it?

Mr. THORP. My friend, I know from the record in this case that there are some men in the Fourth district that have not the same high opinion of Mr. Epes which you have got; but I have nothing to do with that. All I mean to contend, gentlemen, is this, that the Virginia electoral board knew it, and they did it for the benefit of Sydney P. Epes. [Applause on the Republican side.]

Mr. HAY. I know the gentleman does not want to be unfair——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. THORP. I should like to yield to you.

Mr. HAY. I was interrupted a dozen times——

The SPEAKER pro tempore. Does the gentleman yield?

Mr. THORP. Yes.

Mr. HAY. Does it not appear from the record that you knew of the fact ten days before the election that the name of J. L. Thorp would be on the official ballot, and did you not take steps to correct it?

Mr. THORP. Yes; it appears from the record that one of your men, selected to print the ballots, got drunk and tore up the ballot, and that I picked up the pieces afterwards and found you had put the name of Mr. J. L. Thorp on it, but too late to do me any good. [Applause on the Republican side.]

Mr. Speaker, I regret that my time is so brief, because of all things in the world I do like to be courteous to any gentleman who wishes to ask me a question, but I hope that inasmuch as my time is so short, my friends upon the other side will at least wait until some time when we can get together upon the stump, or somewhere else, if they will ever concede to me that privilege, when I will answer all their questions.

Now, sir, I was going on to show that the returns from these precincts ought to be rejected. I can not hope, within the limited time allowed me, to go into the details, but I would be willing to meet my competitors and to meet any gentleman upon the other side before the Great Maker of us all with that record in my hand and stand or fall by it.

The report in this case shows that 19 precincts ought to be rejected. Why? Because at those 19 precincts, in despite of the law, in despite of every effort that the Republicans could make, we were denied the privilege of having any representation whatever at those precincts, and because at every single one of those precincts there were other evidences of fraud sufficient to vitiate them if this fact had not existed.

Look at the city of Petersburg. Briefly, what are the facts? The record here shows that 351 well-known white Republicans voted for me in that city. The return gives me 800 only, so that in point of fact half of the votes returned for me were given by white men. Yet the evidence is overwhelming that, with scarcely enough exceptions to prove the rule, here as elsewhere in the district the negroes were united in support of the contestant and all who got their ballots in voted the Republican ticket, and, mark you, the negro vote in this city, as well as in every county of this district, exceeds the white vote.

Coming back, sir, just for a moment, I want to show you some facts. There are 33,963 voters in the Fourth district. The colored vote is 19,263. The white vote is 14,700. The excess of colored votes is 4,563. The total vote returned for all Congressional candidates was 23,683, an excess of voters over the vote returned of 10,280.

If this loss is ratably divided between the colored and white voters, it will be seen that of the votes returned 13,431 were cast by colored and 10,252 by white voters, showing that 3,179 more colored than white men voted.

Mr. Speaker, that was a national election. Every effort known to politicians was put forth to bring out the vote. We fought the enemy in Virginia from start to finish, and in point of fact we whipped them. With every effort that we could make to bring out the vote, you find, in a small district, 10,293 men who did not vote at all. Why, gentlemen, in that contest which rocked this country from center to circumference, men traveled from California to New York to vote. Do not tell me that there were 10,293 Republicans and others, nearly one-third of all the voters, who voluntarily abstained from voting in the Fourth Congressional district where we were doing everything in our power to bring out the vote. The small vote actually returned as cast under these circumstances is in itself significant.

Then again, passing on, the total vote returned for the contestee was 12,894, being 2,642 more than the whole white vote cast. Gentlemen say I did not get any white votes. And yet it is in proof in this case that I received 351 white Republican votes in the city of Petersburg alone, to say nothing of the Sound-Money Democratic vote. It is in proof in this case that in the good old county of Lunenburg, now unfortunately under the complete domination of the Democratic election machine, which disregards both the form and substance of the law, more white men came up to the polls and voted the Republican ticket than had ever been known to do so before since the day when Lee laid down his sword at Appomattox. Yet these gentlemen come in here and say, "Oh, but this saintly gentleman who has been described by the gentleman from Kentucky [Mr. RHEA] received 2,621 plurality, and therefore it would be wrong for this Republican House to seat me; the returned plurality is too great."

When it is remembered that the election was conducted in the district by twelve electoral boards, consisting of thirty-six members, every one of whom was a Democrat; by 106 registrars, all Democrats; by 212 clerks, all but one of whom were Democrats; by 318 judges of election, 231 of whom were Democrats, and the other 87 such Republicans as the electoral boards chose to appoint—some of whom were both educationally and morally unfit to be judges; that the ballot not only contained the name of a bogus candidate, but was in itself a puzzle, designedly so printed as to render it difficult to prepare; that no Republicans were admitted to see the count—when all these facts are considered we may well be astounded at their moderation in giving to the contestee a plurality of only 2,600 from a district where the true Republican majority is well known to be from 5,000 to 9,000 votes. [Applause and laughter on the Republican side.] They could have made it 5,000 as easily as they made it 2,600.

Take the judges of the election and the clerks, put them in a room where no eye can see them except One above (who will surely hereafter mete out to them their just dues), close the door, stop, as they do sometimes, the very keyhole, shut the blinds, and let them have in that room just as many unmarked as marked ballots to do what they please with, and oh, what a glorious opportunity for manipulation is presented! What effrontery is exhibited by these men when they are charged with fraud! They coolly reply, "You have proved it by nobody; you did not see me put a vote in the ballot box." Until it is given to me as from One above I never will be able to do so, and that is why we complain. That is why we say, "Give us some representation." Comply with the law. Let some Republican be there and see whether we get justice or not. These gentlemen have denied us representation, and thereby willfully violated the law at every precinct in the city of Petersburg, at every precinct but one in the whole county of Lunenburg, and at numerous other precincts in the district.

Now, what is the law? Let us see. The law of Virginia, bad as it is, possesses at least one redeeming feature in this, that it says you shall give representation to other political parties than the dominant one. That is the law. It can not be denied, and yet this plain provision was ignored. The law does not say you must make application to the electoral boards; but we did. We went and bowed to them, on bended knees, and asked that they give us the poor pittance that the law required, and they refused.

The law says it shall be a misdemeanor for the electoral boards to do just exactly what they did. Now, you need not tell me that when men do that which the law declares to be a misdemeanor, punishable by fine of from $100 to $500, there is no harm done. But gentlemen say, "You have not convicted our fellows; you have not even prosecuted them." Why? I can give you a reason. One of these gentlemen was prosecuted. It was proved that he

had stuffed the ballot box until the very hinges were stretched. [Laughter.]

It was proved that he had voted a man who had been dead fifteen years. It was proved that he had voted men who had not been at the precinct as registered voters in years. He was, after having interposed every dilatory and technical plea, convicted; and what do you suppose was his punishment? A fine of $10! And to-day this same convicted election officer is holding one of the best offices in the gift of the Democratic party. [Laughter and applause on the Republican side.] Gentlemen, these are the facts; and because I do not want to give any of these rascals any more offices than I can help giving them I am not going to prosecute them. [Laughter.]

Now, let us see. I would not complain, Mr. Speaker, if they would give us honest Democrats. Why, I love an honest Democrat almost as well as I do an honest Republican, and many of them are my warmest friends. I have one close to me now that I believe is a gentleman and a high man, and I do love an honest Virginia Democrat, because I hear they are getting sort of scarce. [Laughter on the Republican side.] In the city of Petersburg if they had given us all honest Democrats, we would not have been here complaining; because if they had given us honest Democrats, instead of 928 plurality for my competitor, they would have given me what people of that city say I am entitled to—1,000 majority. But what sort of men did they give us? Do you want to know? Here are the men.

Mr. YOST. Did you make application for Republican judges on that occasion?

Mr. THORP. We not only made application, but the Gold Democrats also made application and the Prohibitionists made application, but nobody but simon-pure machine Democrats were appointed. Here are the men they gave us there: Of the 18 judges in the city of Petersburg, 11 of them were holding city offices under the Democratic municipal government. Three of them were policemen, detailed possibly for the special duty of attending to elections. Eleven men, whose daily bread depended upon keeping the Democratic party in power, were placed in charge of the polls at that election.

Well, the proof here is that among the eleven were rowdies and loafers, and, as my friend said over there, "tin-horn gamblers." It seems that they must have searched the whole city to secure objectionable election officers. Now, let us go a step further. I am not here to say that integrity should be measured by dollars and cents, nor that honesty should be gauged by the amount of property that a man pays taxes on; but I do say that it is a matter to be considered when you remember that my interests and the interests of all were at stake, and these men were there performing as they did. It is a proper matter for consideration to inquire what taxes these election officers paid, especially in view of the fact that it has been the proud boast of the Democratic party that it represented the intelligence and the wealth of Virginia.

If it represents the wealth and intelligence of Virginia, how does it happen that such men as these are appointed as election officers? Thirty election officers, all white Democrats, assessed for taxes upon personal property for the year $41.83 in the aggregate. [Laughter.] Thirty of them. Sixteen returned as delinquent for the nonpayment of this tax, little as it was. [Laughter.] It appears that these thirty representatives of the wealth and intelligence of one of the best cities in Virginia all together paid a tax of $18.48. Do you know what that means? I will tell you what it means. It means when a fellow has been injured or damaged by these men and brings a suit for damages he will have a barren field to reap his reward in.

A MEMBER. Is that in the record?

Mr. THORP. That is in the record. I do not go outside of the record. I will leave that for the gentlemen on the other side to do. Among the judges we find old offenders, men who have grown gray in the service, men who have been here not at the last election only, but have been here since 1888—the same men. The same men that perpetrated the frauds against Langston in 1888 perpetrated them against me, and they have been doing it ever since. It can not be said that the Langston case was not fought; it undoubtedly was, to the finish.

Now, let us go a step further. All these things might have happened, and yet justice been done, had any Republican been admitted to see the count. But when night comes we go to the door, knock at it, and ask, "Gentlemen, let some Republican come in and see the count." What do they say? "No, sir; you can not come in here," and not a Republican is allowed to come in and see the count.

Mr. LAMB. Are you not mistaken there, my friend?

Mr. THORP. No; I am not.

Mr. LAMB. A Republican and a Democrat are always present at the count.

Mr. THORP. I speak from the record when I tell you that application was made to have a Republican to witness the count, and they were refused everywhere by everyone. A sound-money Democrat, Mr. Alexander Hamilton, one of the best men I know, his testimony is in the record, made application and they refused to admit him. These officers alone had ballot boxes and ballots all to themselves.

Now, Mr. Speaker, I say that this election was begun in fraud. The ballots themselves bear on their faces two distinct badges of fraud. Here they are, and if any man upon this floor wants to carry them back to his constituents I want to furnish them to him, to let them know what a law we have in Virginia and what methods we have. I would like to take such a ballot as that and stamp it under my feet. It bears upon its face two distinct badges of fraud to begin with. What are they? I have mentioned one; they put upon the ballot the name of a bogus candidate, an ignorant Democrat, who himself voted for Mr. Epes.

The man who induced this poor fellow to be a candidate was a Democratic member of the electoral board of his county. A public officer, paid by the taxpayers, goes out of his way to find a man to put upon the ballot to confuse the voters. That is not all. Look at the ballot, carry it home to your constituents, you men that represent constituencies north of Virginia—carry it home to your people and ask them how long free men should permit such an outrage as that. Do you know who printed this ballot? The chairman of the Democratic party of the city of Petersburg, who happened at the same time to hold the chairmanship of the electoral board. He was the chairman of the party, and at the same time chairman of the electoral board, and he had this ballot printed. Who superintended it? The secretary of the electoral board, who happened also to be secretary of the Democratic party.

Mr. SAMUEL W. SMITH. Are these the tickets they used all over the State?

Mr. THORP. God forbid that they are. They were the tickets used in the city of Petersburg and in several of the counties of the Fourth district, but I hope they were not used in other parts of the State. Each county prints its own tickets. Now, let us look further into the record. What was done in the county of Lunenburg? They appointed as judges all Democrats, except in one instance. They gave Republicans no representation. They refused at some precincts to give any assistance to the voters.

They refused at other precincts to give proper assistance. In one precinct we examined the voters as witnesses, and whereas they had given me 52 votes, it was proved by voters themselves that I received 102. At another precinct ballots were prepared beforehand. You see, this ballot is a curious thing, and even the Democratic judge was afraid he could not prepare it in time and so prepared them in advance and handed them out to Democratic voters already prepared.

Mr. Speaker, there is one other branch of this case that I wish to call to the attention of the House. It is this: These gentlemen complain that the committee threw out precincts. It is not necessary. If the declarations of the voters made in due form and certified to by the voters were accepted as a part of the res gestæ, it would not be necessary to throw out any precinct. We do not claim that this should be done; but there were at thirty-four precincts alone enough men who came out immediately after voting and certified and signed their names to certificates that they had voted for me to have overcome the whole returned majority of the gentleman on the other side. We have not undertaken to count them; but they are there all the same.

I see now that my time is running fast; I have but little left. But before I conclude I want to call the attention of the House to some remarkable statements made on the other side. The gentleman from Indiana, who seems to have drawn his inspiration from the brief of the contestee in this case rather than from the record (I trust that he did so, because I do not believe he would otherwise have made so many mistakes), has made statement after statement which if time allowed I could show from the record to be erroneous. It has been said that the devil can quote Scripture to his purpose; and while I would not compare the gentleman from Indiana with his satanic majesty, I will say this—that he has gone a step beyond his majesty in misquoting the record to his purpose. [Laughter.] I know he did not mean to do it; the trouble was that he was looking through the glasses furnished by the brief upon the other side and did not see the record as it is.

I join with him fully in the declaration that there ought not to be anywhere in this Republic a place where an honest ballot can not be cast and honestly counted. He says there is no place where might makes right. I say there is no place where might makes right, except in the polling rooms of the State of Virginia. There might does make right, or claims to do so, at all events. The motto of those men down there controlling the elections—and I do not speak of honest Democrats, for we have honest Democrats in Virginia—is the motto of Rob Roy, changed only slightly, so as to read:

> That he may cheat who has the power,
> And he may hold who can.

Be it said to the everlasting credit of many of these election

officers that they did not avail themselves, that they refused to avail themselves, of the opportunities for fraud presented by the Virginia election law. Their fair record stands out in bold relief against the dark, nefarious deeds of those other men. I for one will never say one word against any honest election officer, whether Democrat or Republican; but I am ready, in old Virginia, to take off my hat to an honest election officer, because the opportunities to be dishonest are so great and so many.

Sir, I would not take one flower from the garland so beautifully woven by the gentleman from Kentucky around the brow of Virginia. My ancestors were among the first English colonists who set foot on the shores of old Virginia. Their dust is to-day mingled with her soil. Her traditions, her history, and the deeds of her great men are in part my heritage. I love her hills and her valleys. I love her mountains and her seacoast. And above all I love her historic fields once drenched with the blood of heroes wearing the blue and the gray, shed in unfortunate fratricidal strife, but yet furnishing at least a grand object lesson to future ages, that the virtue which was taught at Rome and deified at Sparta survived their ruin, was transplanted across the ocean to the New World, and there flourished in pristine vigor upon the soil of America.

Ah, Mr. Speaker, the gentlemen who are practicing this fraud upon me and upon the people of the United States as well, under the pretense of preserving civilization, under the pretense that they represent all that is good, are simply deceiving themselves or deceiving you. They tell you that the colored vote is unreliable. They come here and say, "We admit that the colored majority in the district is 5,000 in excess of the white vote." They come here and admit that no colored man can join the Democratic party. Yet they ask you to count 5,000 of those same colored men for their candidate.

Sir, descended as I am from a long line of former slaveholders, born upon an old plantation not many miles from where I now live, I have known the negro race from my earliest infancy. One of the tenderest recollections of my life is that of a good old negro "mammy," whom I loved second only to my own mother. And I say to this House that those people do not deserve the harsh treatment they have received at the hands of the machine Democracy of Virginia. As a rule they compose our laboring class, and whether as slaves in the very hearing of the guns which announced their approaching freedom, when they stayed upon the old plantation and worked by day to feed our armies and watched by night over the bent form of the old master and over the helpless mother of the boys in the field, or later when other sections of the country were shaken to their centers by labor strikes and riots, the conduct of our negroes deserves the highest commendation. They are guilty only of the unpardonable sin of always voting the Republican ticket.

Mr. LAMB. They do not always do it, my friend, and you know it as well as I do.

Mr. THORP. Possibly, possibly, on account of the excellent qualities in some respects of my friend over there, when he is not running with Bryan or not running on the Democratic ticket, they may sometimes slip in a vote for him; but when a national election comes the negro is as true as the needle to the pole.

Mr. LAMB. Lots of them voted for Bryan.

Mr. THORP. How did you find it out? They would not let anybody else know it.

Mr. LAMB. I found it out, if you must know it, because seventy-five of them who were working at a mill I was running declared they would vote for him because you were a silver man in 1894 and a gold man in 1896.

Mr. THORP. Is that so?

Mr. LAMB. Yes, sir.

Mr. THORP. Well, this is the first time I ever heard of it. [Laughter.]

Mr. LAMB. It is an absolute fact. I would not have said a word, however, but for the tirade you have made against Virginia.

Mr. THORP. Why did not the gentleman come forward and testify in this case if he knew this fact that would go so far toward saving his fellow-Democrat?

Mr. LAMB. I have taken no part in this contest, and I would not have said one word now but for the assault you have made here on the land of your nativity and the home of your birth. [Applause on the Democratic side.]

Mr. THORP. Why, Mr. Speaker, they say I have made an onslaught upon Virginia. I repel the charge. I have made an onslaught upon a nest of thieves and a band of robbers. [Prolonged applause on the Republican side.]

[Here the hammer fell.]

The SPEAKER. The question is on agreeing to the substitute.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. MIERS of Indiana. A division.

Mr. WALKER of Virginia. Mr. Speaker, a parliamentary inquiry. I do not believe it is understood by some gentlemen what we are voting upon.

The SPEAKER. The vote is upon the substitute resolutions proposed by the minority.

The House divided; and there were—ayes 120, noes 127.

Mr. MIERS of Indiana and others demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 151, answered "present" 3, not voting 71; as follows:

YEAS—131.

Adamson,	Davis,	Lester,	Sayers,
Allen,	De Armond,	Lewis, Ga.	Settle,
Bailey,	De Graffenreid,	Little,	Shafroth,
Baird,	De Vries,	Livingston,	Shuford,
Ball,	Dinsmore,	Lloyd,	Simpson,
Barlow,	Driggs,	Love,	Sims,
Bartlett,	Elliott,	McAleer,	Slayden,
Bell,	Ermentrout,	McCormick,	Smith, Ky.
Benner, Pa.	Fitzgerald,	McCulloch,	Sparkman,
Benton,	Fitzpatrick,	McMillin,	Stallings,
Berry,	Fleming,	McRae,	Stark,
Bland,	Fowler, N. C.	Maddox,	Stephens, Tex.
Bradley,	Fox,	Maguire,	Stokes,
Brantley,	Gaines,	Marshall,	Strait,
Brenner, Ohio	Greene,	Maxwell,	Strowd, N. C.
Brewer,	Griffith,	Meekison,	Sulzer,
Broussard,	Griggs,	Meyer, La.	Sutherland,
Brucker,	Handy,	Miers, Ind.	Swanson,
Brundidge,	Hay,	Moon,	Talbert,
Burke,	Henry, Miss.	Newlands,	Tate,
Campbell,	Henry, Tex.	Norton, Ohio	Taylor, Ala.
Carmack,	Hinrichsen,	Norton, S. C.	Terry,
Castle,	Howard, Ga.	Ogden,	Todd.
Catchings,	Hunter,	Osborne,	Vandiver,
Clardy,	Jett,	Otey,	Vehslage,
Clark, Mo.	Jones, Va.	Peters,	Vincent,
Clayton,	Jones, Wash.	Pierce, Tenn.	Wheeler, Ala.
Cochran, Mo.	Kelley,	Rhea,	Wheeler, Ky.
Cooney,	Kitchin,	Richardson.	Williams, Miss.
Cooper, Tex.	Kleberg,	Ridgely,	Wilson,
Cowherd,	Knowles,	Rixey,	Young, Va.
Cranford,	Lamb,	Robb,	Zenor.
Davey,	Latimer,	Robinson, Ind.	

NAYS—151.

Acheson,	Curtis, Kans.	Johnson, Ind.	Pearson,
Aldrich,	Danford,	Johnson, N. Dak.	Perkins,
Alexander,	Davenport,	Kerr,	Prince,
Baker, Md.	Davidson, Wis.	Ketcham,	Pugh,
Barber,	Davison, Ky.	Kirkpatrick,	Ray,
Barham,	Dayton,	Knox,	Reeves,
Barney,	Dingley,	Lacey,	Robbins,
Barrett,	Dolliver,	Landis,	Russell,
Barrows,	Dorr,	Lawrence,	Sauerhering,
Bartholdt,	Dovener,	Linney,	Shattuc,
Belden,	Eddy,	Lorimer,	Shelden,
Belford,	Evans,	Loudenslager,	Sherman,
Belknap,	Fenton,	Lovering,	Smith, Ill.
Bingham,	Fischer,	Low,	Smith, S. W.
Bishop,	Fletcher,	McCleary	Snover,
Booze,	Foss,	McDonald,	Southard,
Boutell, Ill.	Fowler, N. J.	McEwan,	Spalding,
Boutelle, Me.	Gardner,	McIntire,	Sperry,
Broderick,	Gibson,	Mahon,	Sprague,
Bromwell,	Gillet, N. Y.	Mann,	Steele,
Brown,	Gillett, Mass.	Marsh,	Stevens, Minn.
Brownlow,	Graff,	Martin,	Stewart, N. J.
Brumm,	Griffin,	Mercer,	Stewart, Wis.
Bull,	Grosvenor,	Mesick,	Stone, C. W.
Burleigh,	Grow,	Miller,	Strode, Nebr.
Burton,	Hager,	Mills,	Sturtevant,
Butler,	Hamilton,	Minor,	Sulloway,
Cannon,	Harmer,	Mitchell,	Tawney,
Capron,	Hemenway,	Moody,	Tayler, Ohio
Chickering,	Henry, Conn.	Morris,	Updegraff,
Cochrane, N. Y.	Henry, Ind.	Mudd,	Walker, Va.
Colson,	Hepburn,	Northway.	Wanger,
Connell,	Hill,	Odell,	Warner,
Connolly,	Hopkins,	Olmsted,	Weymouth,
Cooper, Wis.	Howard, Ala.	Otjen,	White, Ill.
Corliss,	Howe,	Packer, Pa.	White, N. C.
Crump,	Howell,	Payne,	Yost.
Crumpacker,	Hurley,	Pearce, Mo.	

ANSWERED "PRESENT"—3.

Cox,	Ellis,	Lanham.

NOT VOTING—71.

Adams,	Dockery,	Kulp,	Showalter,
Arnold,	Epes,	Lentz,	Simpkins,
Babcock,	Faris,	Lewis, Wash.	Skinner,
Baker, Ill.	Foote,	Littauer,	Smith, W. A.
Bankhead,	Grout,	Loud,	Southwick,
Beach,	Gunn,	Lybrand,	Stone, W. A.
Bennett,	Hartman,	McCall.	Sullivan,
Bodine,	Hawley,	McClellan,	Tongue,
Botkin,	Heatwole,	McDowell,	Underwood,
Brewster,	Henderson,	Mahany,	Van Voorhis,
Brosius,	Hicks,	Overstreet,	Wadsworth,
Clark, Iowa	Hilborn,	Parker, N. J.	Walker, Mass.
Clarke, N. H.	Hitt,	Pitney,	Ward,
Codding,	Hooker,	Powers,	Weaver,
Cousins,	Hull,	Quigg,	Wilber,
Cummings,	Jenkins,	Robertson, La.	Williams, Pa.
Curtis, Iowa	Joy,	Royse,	Young, Pa.
Dalzell,	King,	Shannon,	

So the substitute resolutions were rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. CODDING with Mr. BOTKIN.

Mr. LYBRAND with Mr. LENTZ.

Mr. VAN VOORHIS with Mr. MCDOWELL.

Mr. WM. ALDEN SMITH with Mr. CUMMINGS.
Mr. HICKS with Mr. BANKHEAD.
Mr. PITNEY with Mr. DOCKERY.
Mr. WILLIAM A. STONE with Mr. MCCLELLAN.
Mr. ROYSE with Mr. KING.
Mr. ELLIS with Mr. UNDERWOOD.
Mr. OVERSTREET with Mr. SULLIVAN.
Mr. HULL with Mr. COX.
Mr. CURTIS of Iowa with Mr. SKINNER.
Mr. WALKER of Massachusetts with Mr. BODINE.
Mr. HENDERSON with Mr. LANHAM.
Mr. QUIGG with Mr. LEWIS of Washington.
Mr. JOY with Mr. ROBERTSON of Louisiana.
Mr. MAHANY with Mr. HARTMAN.

Mr. COX. I desire to state in regard to the pair between myself and the gentleman from Iowa [Mr. HULL] that he left the Hall this morning very sick, and I agreed to pair with him. If he were present, I should have voted in the affirmative on this question, and I suppose he would have voted in opposition to me. I wish this statement to go into the RECORD. I wish to answer "present."

Mr. JOY (having previously voted in the negative). I see that I am paired with the gentleman from Louisiana [Mr. ROBERTSON]. Therefore I desire to withdraw my vote and be recorded as present.

Mr. BAILEY. Mr. Speaker, I think a vote like this ought to be recapitulated. I ask for a recapitulation of the vote.

The SPEAKER. The gentleman from Texas asks for a recapitulation.

The Clerk recapitulated the names of those voting.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the original resolutions reported by the majority of the committee.

Mr. MIERS of Indiana. I should like to have the resolutions reported.

The resolutions were reported, as follows:

Resolved, That Sydney P. Epes was not elected a Representative to the Fifty-fifth Congress from the Fourth district of Virginia, and is not entitled to his seat.

Resolved, That R. T. Thorp was duly elected as a Representative from the Fourth Congressional district of Virginia to the Fifty-fifth Congress, and is entitled to the seat.

Mr. MIERS of Indiana. I ask for a division of the resolutions.

The SPEAKER. The gentleman asks for a division. The question is on the first resolution.

The question was taken.

Mr. RICHARDSON. I think there is a misunderstanding about that. Will the Chair please state which part of the resolution comes first?

The SPEAKER. The first part. [Laughter.] The Chair does not mean to jest about it, but it is the only answer he can give.

Mr. RICHARDSON. But I understand that the first part seats Mr. Epes, and the Republicans voted "aye" and the Democrats "no."

The SPEAKER. It seems to have been a mutual understanding, then.

A MEMBER. The gentleman from Tennessee is mistaken.

Mr. RICHARDSON. I got it very much twisted if they did not.

The SPEAKER. The Clerk will report the first resolution.

Mr. BAILEY. I suggest that the recorded vote which has just been taken practically disposes of the first resolution. While we are undoubtedly outvoted, our purpose is to get a vote on the second resolution declaring Mr. Thorp entitled to the seat.

The SPEAKER. By agreeing to the first resolution the second one will immediately come to a vote. The Clerk will report the first resolution.

The Clerk read as follows:

Resolved, That Sydney P. Epes was not elected a Representative to the Fifty-fifth Congress from the Fourth district of Virginia, and is not entitled to his seat.

The resolution was agreed to.

The Clerk will report the second resolution.

The Clerk read as follows:

Resolved, That R. T. Thorp was duly elected as a Representative from the Fourth Congressional district of Virginia to the Fifty-fifth Congress, and is entitled to the seat.

Mr. MIERS of Indiana. Upon that resolution, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 151, nays 130, answered "present" 2, not voting 72; as follows:

YEAS—151.

Acheson,	Barrett,	Bishop,	Brownlow,
Aldrich,	Barrows,	Boozo,	Brumm,
Alexander,	Bartholdt,	Boutell, Ill.	Bull,
Baker, Md.	Belden,	Boutelle, Me.	Burleigh,
Barber,	Belford,	Broderick,	Burton,
Barham,	Belknap,	Bromwell,	Butler,
Barney,	Bingham,	Brown,	Cannon,
Capron,	Gillet, N. Y.	Low,	Royse,
Chickering,	Gillett, Mass.	McCleary,	Russell,
Cochrane, N. Y.	Graff,	McDonald,	Sauerhering,
Colson,	Griffin,	McEwan,	Shattuc,
Connell,	Grosvenor,	McIntire,	Shelden,
Connolly,	Grow,	Mahon,	Sherman,
Cooper, Wis.	Hager,	Mann,	Smith, Ill.
Corliss,	Hamilton,	Marsh,	Smith, S. W.
Cousins,	Harmer,	Mercer,	Snover,
Crump,	Hemenway,	Mesick,	Spalding,
Crumpacker,	Henry, Conn.	Miller,	Sperry,
Curtis, Kans.	Hepburn,	Mills,	Sprague,
Danford,	Hill,	Minor,	Steele,
Davenport,	Hopkins,	Mitchell,	Stevens, Minn.
Davidson, Wis.	Howard, Ala.	Moody,	Stewart, N. J.
Davison, Ky.	Howe,	Morris,	Stewart, Wis.
Dayton,	Howell,	Mudd,	Stone, C. W.
Dingley,	Hurley,	Northway,	Strode, Nebr.
Dolliver,	Johnson, Ind.	Odell,	Sturtevant,
Dorr,	Johnson, N. Dak.	Olmsted,	Sulloway,
Dovener,	Kerr,	Otjen,	Tawney,
Eddy,	Ketcham,	Packer, Pa.	Tayler, Ohio
Evans,	Kirkpatrick,	Payne,	Updegraff,
Fenton,	Knox,	Pearce, Mo.	Walker, Va.
Fischer,	Lacey,	Pearson,	Wanger,
Fletcher,	Landis,	Perkins,	Warner,
Foote,	Lawrence,	Prince,	Weymouth,
Foss,	Linney,	Pugh,	White, Ill.
Fowler, N. J.	Lorimer,	Ray,	White, N. C.
Gardner,	Loudenslager,	Reeves,	Yost.
Gibson,	Lovering,	Robbins,	

NAYS—130.

Adamson,	Davis,	Lester,	Settle,
Allen,	De Armond,	Lewis, Ga.	Shafroth,
Bailey,	De Graffenreid,	Little,	Shuford,
Baird,	De Vries,	Livingston,	Simpson,
Ball,	Dinsmore,	Lloyd,	Sims,
Barlow,	Driggs,	Love,	Slayden,
Bartlett,	Elliott,	McAleer,	Smith, Ky.
Bell,	Ermentrout,	McCormick,	Sparkman,
Benner, Pa.	Fitzgerald,	McCulloch,	Stallings,
Benton,	Fitzpatrick,	McMillin,	Stark,
Berry,	Fleming,	McRae,	Stephens, Tex.
Bland,	Fowler, N. C.	Maddox,	Stokes,
Bradley,	Fox,	Maguire,	Strait,
Brantley,	Gaines,	Marshall,	Strowd, N. C.
Brenner, Ohio	Greene,	Maxwell,	Sulzer,
Brewer,	Griffith,	Meekison,	Sutherland,
Broussard,	Griggs,	Moyer, La.	Swanson,
Brucker,	Handy,	Miers, Ind.	Talbert,
Brundidge,	Hay,	Moon,	Tate,
Burke,	Henry, Miss.	Norton, Ohio	Taylor, Ala.
Campbell,	Henry, Tex.	Norton, S. C.	Terry,
Carmack,	Hinrichsen,	Ogden,	Todd,
Castle,	Howard, Ga.	Osborne,	Vandiver,
Catchings,	Hunter,	Otey,	Vehslage,
Clardy,	Jett,	Peters,	Vincent,
Clark, Mo.	Jones, Va.	Pierce, Tenn.	Wheeler, Ala.
Clayton,	Jones, Wash.	Rhea,	Wheeler, Ky.
Cochran, Mo.	King,	Richardson,	Williams, Miss.
Cooney,	Kitchin,	Ridgely,	Wilson,
Cooper, Tex.	Kleberg,	Rixey,	Young, Va.
Cowherd,	Knowles,	Robb,	Zenor.
Cranford,	Lamb,	Robinson, Ind.	
Davey,	Latimer,	Sayers,	

ANSWERED "PRESENT"—2.

Ellis, Lanham.

NOT VOTING—72.

Adams,	Dockery,	Lentz,	Showalter,
Arnold,	Faris,	Lewis, Wash.	Simpkins,
Babcock,	Grout,	Littauer,	Skinner,
Baker, Ill.	Gunn,	Loud,	Smith, Wm. Alden
Bankhead,	Hartman,	Lybrand,	Southard,
Beach,	Hawley,	McCall,	Southwick,
Bennett,	Heatwole,	McClellan,	Stone, W. A.
Bodine,	Henderson,	McDowell,	Sullivan,
Botkin,	Henry, Ind.	Mahany,	Tongue,
Brewster,	Hicks,	Martin,	Underwood,
Brosius,	Hilborn,	Newlands,	Van Voorhis,
Clark, Iowa	Hitt,	Overstreet,	Wadsworth,
Clarke, N. H.	Hooker,	Parker, N. J.	Walker, Mass.
Codding,	Hull,	Pitney,	Ward,
Cox,	Jenkins,	Powers,	Weaver,
Cummings,	Joy,	Quigg,	Wilber,
Curtis, Iowa	Kelley,	Robertson, La.	Williams, Pa.
Dalzell,	Kulp,	Shannon,	Young, Pa.

So the resolution was agreed to.

Mr. OGDEN. Mr. Speaker, I would like to know how I am recorded.

The SPEAKER. The gentleman is not recorded.

Mr. OGDEN. I voted twice. I voted on the first roll call and I voted on the second roll call. I voted "nay."

The SPEAKER. The gentleman has voted, and is therefore entitled to be recorded.

Mr. GAINES. Mr. Speaker, am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. GAINES. I answered "nay" when my name was called.

The SPEAKER. The gentleman states that he answered when his name was called. He will be recorded.

The result of the vote was then announced as above recorded.

On motion of Mr. WALKER of Virginia, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. MCMILLIN. Mr. Speaker, some one has called my attention to the matter, and I do not know whether my name was caught by the Clerk.

The SPEAKER. The gentleman is recorded.

Mr. McMILLIN. I voted, but I did not know whether the Clerk had recorded me.

Mr. Thorp then came forward and took the oath of office prescribed by law.

Mr. DINGLEY. Mr. Speaker, I move that the House do now adjourn.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 3737. An act granting an increase of pension to Orlando J. Hopkins.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1465. An act granting an increase of pension to Daniel Phillips;

S. 3179. An act granting a pension to Bethiah H. Rollins;

S. 1200. An act granting a pension to Miss Mary Hayne;

S. 1111. An act granting an increase of pension to Joseph V. Bowie;

S. 179. An act granting a pension to Mary F. Hawley;

S. 3873. An act to authorize the relocation and rebuilding of a pontoon bridge across the Mississippi River at Prairie du Chien, Wis.;

S. 294. An act granting increase of pension to John J. Boatwright; and

S. 432. An act for the relief of the heirs of Sterling T. Austin, deceased.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CLARK of Iowa, for this week, on account of sickness.

To Mr. HICKS, for three days, on account of important business.

The motion to adjourn was then agreed to; and accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a communication from the Commissioners of the District of Columbia submitting estimates of appropriation for fire-alarm service and an addition to an engine house—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and law under the act of January 20, 1895, in the matter of the brig *Matilda*—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DOLLIVER, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 4107) reported in lieu thereof a bill (H. R. 9402) to amend the law establishing a port of delivery at Des Moines, Iowa, accompanied by a report (No. 797); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9253) for the better organization of the line of the Army of the United States, reported the same with amendment, accompanied by a report (No. 795); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. QUIGG, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 178) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike, reported the same without amendment, accompanied by a report (No. 794); which said bill and report were referred to the House Calendar.

Mr. DAVIS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3540) to authorize the Pensacola, Alabama and Tennessee Railway Company to erect, maintain, and operate a railway bridge across the Alabama River in Wilcox County, in the State of Alabama, reported the same without amendment, accompanied by a report (No. 796); which said bill and report were referred to the House Calendar.

Mr. HOOKER, from the Committee on Rivers and Harbors, to which was referred the concurrent resolution of the House (House Con. Res. No. 10) requesting certain information of the Secretary of War, reported the same without amendment, accompanied by a report (No. 799); which said concurrent resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution of the House (H. Res. 156) directing the Secretary of War to submit estimates for the construction of a pier for a harbor of refuge on the east shore of Lake Pepin, Mississippi River, reported the same without amendment, accompanied by a report (No. 800); which said joint resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the concurrent resolution of the House (House Con. Res. No. 13) requesting the Secretary of War to furnish certain information, reported the same without amendment, accompanied by a report (No. 802); which said concurrent resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8871) for a survey for a channel leading from Ship Island Harbor, Mississippi, to the railroad pier at Gulfport, Miss., and to Biloxi, Miss., and for a survey of Ship Island Pass, reported the same without amendment, accompanied by a report (No. 805); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the joint resolution of the Senate (S. R. 28) making an appropriation for the improvement of the Anacostia River and the reclamation of its flats, reported the same without amendment, accompanied by a report (No. 806); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SUTHERLAND, from the Committee on Private Land Claims, to which was referred the bill of the Senate (S. 995) for the relief of George M. Anderson, of the State of Nebraska, reported the same without amendment, accompanied by a report (No. 801); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 1521) granting a pension to Sarah M. Spyker, reported the same without amendment, accompanied by a report (No. 803); which said bill and report were referred to the Private Calendar.

Mr. SUTHERLAND, from the Committee on Private Land Claims, to which was referred the bill of the Senate (S. 27) for the relief of Isaac Marsh, reported the same without amendment, accompanied by a report (No. 804); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2113) granting an increase of pension to Lucy Ord Mason, reported the same without amendment, accompanied by a report (No. 807); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7501) granting a pension to Daniel J. Melvin, reported the same without amendment, accompanied by a report (No. 808); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9287) for the benefit of H. Spillman, of Covington, Ky.—Committee on Ways and Means discharged, and referred to the Committee on Claims.

A bill (H. R. 1315) granting an increase of pension to William Boyer—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

From the COMMITTEE ON WAYS AND MEANS: A bill (H. R. 9402) to amend the law establishing a port of delivery at Des Moines, Iowa—to the Committee of the Whole House on the state of the Union.

By Mr. OTJEN: A bill (H. R. 9403) amending an act entitled

"An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893—to the Committee on Interstate and Foreign Commerce.

By Mr. BRODERICK: A bill (H. R. 9404) to establish a United States court at Nowata, Cherokee Nation, Indian Territory—to the Committee on the Judiciary.

By Mr. BURKE: A bill (H. R. 9405) to establish a branch of the United States circuit and district courts for the northern district of Texas at the city of Corsicana—to the Committee on the Judiciary.

By Mr. BRUMM: A bill (H. R. 9406) to redeem outstanding certificates issued by the board of audit and the board of public works of the District of Columbia—to the Committee on Claims.

By Mr. RICHARDSON: A bill (H. R. 9417) to amend the charter of the District of Columbia Suburban Railway Company—to the Committee on the District of Columbia.

By Mr. EDDY: A bill (H. R. 9418) providing for the sale of pine timber on the White Earth and Red Lake Indian reservations, in the State of Minnesota—to the Committee on Indian Affairs.

By Mr. SKINNER: A bill (H. R. 9419) to establish a life-saving station at or near Ocracoke Inlet, North Carolina—to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of North Carolina (by request): A bill (H. R. 9421) to incorporate the National Colored American Industrial Association No. 1—to the Committee on Manufactures.

By Mr. JOHNSON of North Dakota: A bill (H. R. 9425) relating to railroad stations and town sites west of the one hundredth meridian in the State of North Dakota—to the Committee on the Public Lands.

By Mr. FLEMING: A joint resolution (H. Res. 190) to create a commission to examine into the postal service—to the Committee on the Post-Office and Post-Roads.

By Mr. BARLOW: A joint resolution (H. Res. 191) to amend the Constitution of the United States—to the Committee on the Judiciary.

By Mr. BARBER: A joint resolution (H. Res. 192) for the improvement of Rock Hall Harbor, Kent County, Md.—to the Committee on Rivers and Harbors.

By Mr. CLARK of Missouri: A joint resolution (H. Res. 193) recognizing the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. BERRY: A concurrent resolution (House Con. Res. No. 25) for additional survey of the Big Sandy and its tributaries—to the Committee on Rivers and Harbors.

By Mr. KLEBERG: A concurrent resolution (House Con. Res. No. 26) for improvement of Aransas Pass Harbor—to the Committee on Rivers and Harbors.

By Mr. HURLEY: A memorial of the legislature of the State of New York, relative to the Pan-American Exposition to be held in the State of New York in 1899—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9407) for the relief of Albert W. Bishop, late lieutenant-colonel First Arkansas Cavalry—to the Committee on War Claims.

By Mr. BERRY: A bill (H. R. 9408) granting a pension to I. W. Hardeman—to the Committee on Invalid Pensions.

By Mr. BOUTELLE of Maine: A bill (H. R. 9409) granting a pension to Mrs. Hester A. Sturtevant—to the Committee on Invalid Pensions.

By Mr. CARMACK: A bill (H. R. 9410) for the relief of the Overton Hotel Company, of Memphis, Tenn.—to the Committee on War Claims.

By Mr. EDDY: A bill (H. R. 9411) to increase the pension of Mary J. Smith—to the Committee on Invalid Pensions.

By Mr. FENTON: A bill (H. R. 9412) for the relief of John Herrick—to the Committee on Military Affairs.

Also, a bill (H. R. 9413) for the relief of Peter L. Turley—to the Committee on War Claims.

By Mr. JENKINS: A bill (H. R. 9414) for the relief of Mathilda Akerblom Molin—to the Committee on the District of Columbia.

By Mr. ROBBINS: A bill (H. R. 9415) granting an increase of pension to Dr. Henry Bullen—to the Committee on Invalid Pensions.

By Mr. WANGER: A bill (H. R. 9416) granting a pension to Louisa Weidner, otherwise called Louisa Milnor—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 9420) to remove the charge of desertion from the military record of Thomas Cannon—to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 9422) for the relief of the city of Racine—to the Committee on Claims.

Also, a bill (H. R. 9423) for the relief of Frederick S. Perkins—to the Committee on Claims.

By Mr. McDONALD: A bill (H. R. 9424) for the relief of George E. W. Shanette—to the Committee on Claims.

By Mr. TAYLOR of Alabama: A bill (H. R. 9426) granting a pension to Lysander M. Davis—to the Committee on Pensions.

Also, a bill (H. R. 9427) granting a pension to Mrs. Sallie Horn—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ARNOLD: Resolutions of Elk Lodge, No. 467, Knights of Pythias, of Kersey, Elk County, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. BABCOCK: Petitions of the Woman's Christian Temperance Union, Central High School, Webster School, Henry School, Seaton School, and private citizens of Washington, D. C., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BAILEY: Petitions of citizens of Sherman, Howe, McKinney, Van Alstyne, and Denison, Tex., and Lone Star Division, No. 53, Order of Railway Conductors, of Denison, Tex., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Pilot Point, Tex., favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union of Plano, Tex., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Grace Church, Denison, Tex., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, two petitions of citizens of McKinney and vicinity, State of Texas, urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. BARRETT: Papers to accompany House bill granting a pension to Sarah E. Sanborn—to the Committee on Invalid Pensions.

By Mr. BELDEN: Petitions of Empire Lodge, Independent Order of Good Templars, of Syracuse, N. Y., and Episcopal and Baptist churches of Georgetown, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BELL: Twelve petitions of numerous citizens of Colorado Springs and three other petitions of many citizens of Pueblo and other towns in the State of Colorado, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY: Petition of the Woman's Christian Temperance Union of Covington, Ky., favoring the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Covington, Ky., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Walton, Ky., and vicinity, asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

Also, petitions of citizens of Kenton County, Ky., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. BOUTELLE of Maine: Petitions of the Woman's Christian Temperance unions of Charleston, Ripley, and New Limerick, and Young People's Society of Christian Endeavor of Greenville, Me., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of certain citizens of Charleston, Ripley, New Limerick, and Greenville, Me., favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government

buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. BRODERICK: Petition of J. E. Campbell and 100 citizens of Alluwe, Ind. T., for the establishment of a court at Nowata, Ind. T.—to the Committee on the Judiciary.

By Mr. BULL: Papers to accompany House bill No. 111, granting a pension to Mrs. Mary R. Dean, widow of Amos G. Thomas—to the Committee on Invalid Pensions.

By Mr. CAPRON: Petition of the Sabbath school of White Rock, Washington County, R. I., favoring the passage of a bill to protect the State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Sabbath school of White Rock, R. I., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Sabbath school of White Rock, R. I., praying that the age of protection for girls be raised to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

By Mr. COWHERD: Petition of the Christian Endeavor Society of the United Presbyterian Church, and Reformed Presbyterian Church, of Kansas City, Mo., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DAVIS: Petition of the Orlando Tract and Missionary Society, of Orlando, Fla., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. DOVENER: Petition of the Chamber of Commerce of the city of Huntington, W. Va., asking for the completion of the improvement of the Big Sandy River—to the Committee on Rivers and Harbors.

By Mr. EDDY: Resolutions of the Wide Awake Fire Company, of Evansville, Minn., protesting against the passage of Senate bill No. 2736, in relation to the regulation of insurance—to the Committee on Interstate and Foreign Commerce.

Also, petition of officers and members of Battery A, First Artillery, and Company F, Third Infantry, Minnesota National Guard, asking for the passage of House bill No. 2876, to promote the efficiency of the militia and making an appropriation of not less than $1,000,000—to the Committee on the Militia.

Also, resolution of the Minnesota Historical Society, in favor of the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

Also, resolution of the Chamber of Commerce of Minneapolis, Minn., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ERMENTROUT: Petition of the Chamber of Commerce of Cincinnati, Ohio, for an appropriation for the maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. EVANS: Petition of the Franklin Street Baptist Church, of Louisville, Ky., against the sale of intoxicants in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Franklin Street Baptist Church, of Louisville, Ky., for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. FENTON: Paper to accompany House bill No. 6031, for the relief of Thomas McCall—to the Committee on Military Affairs.

Also, paper to accompany House bill No. 6778, for the relief of James McGuire—to the Committee on Military Affairs.

By Mr. FOOTE: Petition of citizens of Moriah, Essex County, N. Y., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. GILLETT of Massachusetts: Petition of the Woman's Christian Temperance Union of East Brookfield, Mass., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperence Union of East Brookfield, Mass., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of East Brookfield, Mass., for the passage of bills forbidding the interstate transmission of lottery and other gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE: Petition of the Woman's Christian Temperance Union of Ravenna and First Baptist Church of Ord, Nebr., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Ravenna, and First Baptist Church of Ord, Nebr., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the First Baptist Church of Ord, Valley County, Nebr., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. GRIFFITH: Petition of the Blish Milling Company, of Seymour, Ind., in support of House bill No. 6151, known as the Catchings bill—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. HARMER: Papers in support of House bill to correct the military record of Joseph Jackson—to the Committee on Military Affairs.

Also, paper to accompany House bill for the relief of Anna B. McCurley—to the Committee on Invalid Pensions.

By Mr. HICKS: Petitions of R. E. Templeton, John S. Davis, and 22 others of Belsano, Pa., and vicinity; George A. Noon, S. J. Custer, and 107 others, all citizens of Cambria County, Pa., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. HENDERSON: Petition of the Congregational churches of Earlville and Almoral, Iowa, praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Congregational churches of Earlville and Almoral, and Methodist Episcopal Church of Earlville, Iowa, for the passage of bills to protect State anti-cigarette laws and to forbid interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Earlville, Iowa, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENRY of Connecticut: Petition of the Connecticut Dairymen's Association, in behalf of the Sauerhering bill for pure dairy products—to the Committee on Patents.

Also, petition of the First Congregational Church of East Windsor, Conn., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HENRY of Indiana: Petitions of Jesse L. Vermillion and 88 citizens of Anderson, Ind., and of the Ministerial Association of Muncie, Ind., and letter of Rev. C. N. Larrick, of Muncie, in favor of the passage of the so-called anti-scalping bill—to the Committee on Railways and Canals.

By Mr. HEPBURN: Petition of citizens of Afton, Iowa, in favor of Senate bill No. 3354, for the regulation of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. HOOKER: Sundry petitions of Robert J. Gross, D. Russell, Gustave Berg, J. T. Kornprobst, F. Eggebrecht, F. J. Hurley, G. M. Horfler, F. G. Bird, Chas. A. Brandt, H. J. Yogle, John R. James, C. A. Schrader, John W. Holmes, E. J. Bargain, J. T. Dingley, and many other prominent citizens of Dunkirk and vicinity, State of New York, favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Salamanca, N. Y., protesting against the passage of a certain bill pending in relation to the Seneca Nation of Indians—to the Committee on Indian Affairs.

Also, petitions of the Woman's Christian Temperance unions of Falconer, Busti, Lakewood, Ellington, Fredonia, Little Genesee, and Sheridan; Church of the Disciples, Presbyterian Church, Baptist Church, and faculty of the Union School and State Normal School, all of Fredonia, N. Y.; Monday Club, First Congregational Society, Church of Christ, First Methodist Episcopal Church, and physicians and public-school teachers of Wellsville, N. Y., urging the passage of bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions, churches, and societies of various towns in the State of New York, favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HURLEY: Resolution of the New York Produce Exchange, asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

Also, petition of the New York Produce Exchange, in favor of the passage of Senate bill No. 3354—to the Committee on Interstate and Foreign Commerce.

By Mr. JETT: Petition of citizens of Troy, Collinsville, and Pleasant Ridge, Ill., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Luxemburger Independent Club, of Aurora, Ill., protesting against the passage of the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Virginia: Petition of the heirs of Pamelia Chewning, deceased, late of Spottsylvania County, Va., requesting reference of her claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. JOY: Petition of the Young People's Society of Christian Endeavor and the Memorial Tabernacle Ladies' Meeting, of St. Louis, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of J. H. Rottman Distilling Company and other firms in St. Louis, Mo., favoring an amendment of the law relating to liquor in bonded warehouses—to the Committee on Ways and Means.

By Mr. KIRKPATRICK: Petition of members of the Firemen's Association of the State of Pennsylvania, in opposition to Senate bill No. 2736, to establish a division in the Treasury Department for the regulation of insurance, and for other purposes—to the Committee on the Judiciary.

Also, memorial of the Bethlehem Auxiliary of the Woman's National Indian Association, protesting against the enactment into law of Senate amendment No. 4 to the pending Indian appropriation bill—to the Committee on Indian Affairs.

By Mr. LOUD: Resolution of the San Francisco Chamber of Commerce, relating to extension of authority granted Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of San Francisco, Cal., relating to bonding privileges granted the Canadian Pacific Railway to the detriment of American railways—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union, Cumberland Presbyterian, Methodist, and Baptist churches, of Mountain View, Cal., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance Union, Cumberland Presbyterian, Methodist, and Baptist churches, of Mountain View, Cal., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph, and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain churches and societies of Mountain View, Cal., asking for the passage of bills to raise the age of protection for girls—to the Committee on the Territories.

By Mr. McCALL: Petition of citizens of Portsmouth, N. H., urging the passage of House bill No. 5355, framed by the monetary commission for reform in the currency—to the Committee on Banking and Currency.

By Mr. McINTIRE: Petitions of Broadway Methodist Episcopal Church, East Baltimore Station Methodist Episcopal Church, and Epworth League, Chapter No. 212, all of Baltimore, Md., against the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of J. Eisenburg and 51 others, George M. Boorman and 19 others, O. S. Belden and 19 others, F. Stoner and 19 others, W. C. Kaiss and 16 others, L. Schnelberger and 19 others, H. Trimble and 19 others, A. M. Hanna and 19 others, J. B. Henley and 19 others, C. R. Closterman and 19 others, M. V. O'Neal and 19 others, C. N. Jackson and 19 others, J. Engle and 19 others, H. Sheader and 19 others, L. J. Anoit and 19 others, A. J. Carr and 19 others, and T. R. Franklin and 19 others, citizens of the State of Maryland, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Ten petitions of citizens of Chicago, Ill., in favor of the antiscalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MOODY: Petition of the Woman's Christian Temperance Union of Salisbury, Mass., for the passage of bills to prohibit interstate gambling by telegraph, to protect the first day of the week, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petition of the Woman's Christian Temperance Union of Salisbury, Mass., praying for the enactment of legislation prohibiting kinetoscope reproduction of prize fights in the District of Columbia and the Territories and to prohibit interstate and mail circulation of extended newspaper descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. NORTON of Ohio: Petitions of Benjamin F. Coleman and 29 others, of Tiffin; C. W. McKee and 40 others, of Bloomville, and memorial of Good Hope Lodge, No. 59, Brotherhood of Railway Trainmen, Bucyrus, State of Ohio, favoring the passage of an anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. OTJEN: Petition of the Woman's Christian Temperance Union of Milwaukee, Wis., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. PRINCE: Petitions of the Woman's Christian Temperance Union of Aledo, Ill.; Young People's Society of Cedar Creek Congregation, and Memorial Christian Church, of Rock Island, Ill., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Aledo, Ill., for the passage of bills to protect anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. REED: Petition of the Woman's Christian Temperance Union of Windham Center, Me., in favor of a bill for protection of the Sabbath in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Woman's Christian Temperance Union of Windham Center and Otisfield, Me., for the passage of the bill to raise the age of protection for girls to 18 years, to forbid interstate transmission of lottery messages by telegraph, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Edward L. Craw and 63 citizens of Fort Wayne, Ind., praying for the repeal or modification of the present civil-service law—to the Committee on Reform in the Civil Service.

Also, petition of Lodge No. 136, of Fort Wayne, Ind., Brotherhood of Railroad Trainmen, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL: Petitions of the Westfield Congregational Church, Methodist Episcopal Church, and Baptist Church Young People's Society of Christian Endeavor, all of Danielson, Conn.; Young People's Union of Central Baptist Church, of Norwich; Methodist Episcopal Church of Old Mystic, and First Baptist Church of Groton, Conn., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petitions of certain churches and societies of Danielson, Norwich, Old Mystic, and Groton, Conn., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise, and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Danielson, Conn., and Epworth League of Old Mystic, Conn., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SAUERHERING: Petition of officers and members of Company B, First Regiment Infantry, National Guard, of Fort Atkinson, Wis., asking for the passage of House bill No. 2876, to promote the efficiency of the militia—to the Committee on the Militia.

By Mr. SHAFROTH: Five petitions of citizens of Colorado Springs, Colo., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Eaton and Wray, Colo., and the Congregational Church and Woman's Club of Eaton, Colo., for the bill which prohibits the interstate transmission of lottery messages and other gambling

matter by telegraph; also for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Wray and Eaton, Colo., and the Congregational Church and Woman's Club of Eaton, Colo., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, five petitions of citizens of Colorado Springs, Colo., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petitions of Grand Army of the Republic, Department of New Hampshire; New England Metal Association, of Boston; American Baptist Home Mission Society, of Philadelphia; Revs. H. E. Reever, O. B. McCurdy, J. B. Mann, J. David Miller, J. M. Guss, John W. Owen, of Duncannon, Pa., in favor of the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Poland, N. Y., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Arizona (by request): Petition of the Woman's Christian Temperance Union and Congregational Church of Tempe, Maricopa County, Ariz., praying for the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls, and to forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also (by request), petition of the Congregational Church of Tempe, Ariz., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SPALDING: Petition of the Woman's Christian Temperance Union and Methodist Episcopal Sunday school of Ridgeway, Mich., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of the Baptist Church of Deep River, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Waterbury, Conn., and Baptist Church of Deep River, Conn., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Waterbury, Conn., and Baptist Church of Deep River, Conn., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SOUTHARD: Resolutions of the American Railway Loyal League, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: Petitions of the Woman's Christian Temperance Union of Tamora, Methodist Episcopal, Presbyterian, and United Evangelical churches of Blue Springs, Nebr., and the Woman's Club of Lincoln, Nebr., for the enactment of legislation to protect State anti-cigarette laws, also to forbid interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the First Congregational Church of Fairmont and the Woman's Christian Temperance Union of Tamora, Nebr., for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petitions of the United Evangelical, Presbyterian, and Methodist Episcopal churches of Blue Springs, Colo., and the Woman's Christian Temperance Union of Tamora, Nebr., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of J. W. Ball and 161 citizens of Wahoo, Nebr., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE: Petitions of F. Sullivan and 39 others, J. W. Kurtz and 39 others, John J. Miner and 39 others, and J. C. Mehan and 39 others, all citizens of Peru, Ind., and Huntington Division, No. 221, Brotherhood of Locomotive Engineers, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Young People's Society of Christian Endeavor of Huntington, Ind., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of M. J. Balen and 39 citizens of Peru, Ind., and J. T. Elliot and 40 others, of Logansport, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Sims Methodist Episcopal Church, Swayzee charge, North Indiana conference, praying for the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls, and forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Sims Methodist Episcopal Church, Swayzee charge, North Indiana conference, favoring the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. STEWART of New Jersey: Petition of the Young Men's Christian Association of Little Falls, N. J., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Young Men's Christian Association of Little Falls, N. J., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAM A. STONE: Petition of James T. Sprout and others, of Imperial, Allegheny County, Pa., and vicinity, in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. STURTEVANT: Resolutions of Lodge No. 259, Brotherhood of Railway Trainmen, of Conneaut, Ohio, in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: Papers to accompany House bill for the relief of W. E. Jackson—to the Committee on Invalid Pensions.

By Mr. VINCENT: Petition of citizens of Abilene, Kans., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. WADSWORTH: Petition of the Woman's Christian Temperance Union of Wyoming County, N. Y., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. WHITE of Illinois: Petition of Arthur Hammond and 152 citizens of Chicago, Ill., for the passage of a bill to prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of certain labor organizations and citizens of the State of Illinois, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *March 24, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. BERRY, and by unanimous consent, the further reading was dispensed with.

FRENCH SPOLIATION CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Court of Claims, transmitting the conclusions of fact and of law under the act of January 20, 1885, to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801, in the matter of the bark *Matilda*, Ira Canfield, master; Andrew E. Warner, administrator de bonis non of the estate of Jonathan Warner, deceased, and Charles N. Cady, administrator of the estate of Gideon Leet, deceased; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

APARTMENT HOUSES IN THE DISTRICT OF COLUMBIA.

The VICE-PRESIDENT laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 17th ultimo, a report of the Acting Engineer Commissioner relative to the number and location of apartment houses, etc., in the District of Columbia; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 179) granting a pension to Mary F. Hawley;

A bill (S. 294) granting increase of pension to John J. Boatwright;

A bill (S. 432) for the relief of the heirs of Sterling T. Austin, deceased;

A bill (S. 1111) granting an increase of pension to Joseph V. Bowie;

A bill (S. 1200) granting a pension to Miss Mary Hayne;

A bill (S. 1465) granting an increase of pension to Daniel Phillips;

A bill (S. 3179) granting a pension to Bethiah N. Collins;

A bill (S. 3873) to authorize the relocation and rebuilding of a pontoon bridge across the Mississippi River at Prairie du Chien, Wis.; and

A bill (H. R. 6737) granting an increase of pension to Orlando J. Hopkins.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Eastern Presbyterian Young People's Society of Christian Endeavor, of the city of Washington, and a petition of the congregation of the Eastern Presbyterian Church, of the city of Washington, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL presented a petition of George C. Drake Post, No. 223, Grand Army of the Republic, of Milwaukee, Wis., and the petition of Mrs. Walker Kempster, chairman of the flag committee of the National Society of the Daughters of the American Revolution, of Milwaukee, Wis., praying for the enactment of legislation to prevent the desecration of the national flag; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Sheridan, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Sheridan, Wis., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Sheridan, Wis., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Sheridan, Wis., and a petition of the Woman's Christian Temperance Union of Milwaukee, Wis., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. MONEY presented a petition of sundry citizens of Claiborne County, Miss., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. MURPHY presented petitions of the Woman's Christian Temperance unions of Elmira, Union Springs, Taylor, and Little Genesee, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Mount Upton, Elmira, Union Springs, Taylor, and Little Genesee, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Ravenna, Elmira, Union Springs, Taylor, and Little Genesee, all in the State of New York, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Mount Upton, Ravenna, Elmira, Union Springs, Taylor, and Little Genesee, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. PETTIGREW presented a petition of sundry citizens of Mitchell, S. Dak., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. WALTHALL presented a petition of the County Teachers' Association, of Claiborne County, Miss., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. FAIRBANKS presented the petitions of F. Sullivan and 39 other citizens, of John J. Skinner and 39 other citizens, of J. C. Meehan and 39 other citizens, of M. J. Bolan and 39 other citizens, and of S. W. Kurtz and 39 other citizens, all of Peru, in the State of Indiana, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PLATT of New York presented petitions of the Woman's Christian Temperance unions of Greece, Batavia, Lowville, and Clayton, and of the Davies Union, of North Ilion, all in the State of New York, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Clinton, Lowville, Batavia, Versailles, Erin, and Greece; of the Davies Union, of North Ilion; of the Young People's Union of the Universalist Church of Sherman; of the congregation of the First Baptist Church of Meredith; of the Woman's Christian Temperance Union of Meredith; of the congregation of the Clinton Street Methodist Episcopal Church, of Binghamton, and of the congregation of the First Christian Church of Binghamton, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Clayton, Lowville, Batavia, Greece, Versailles, Sheridan, and Erin; of the Davies Union, of North Ilion, and of the congregations of the Clinton Street Methodist Episcopal Church, of Binghamton, and the First Christian Church of Binghamton, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Meredith, Clayton, Batavia, Greece, Versailles, Sheridan, and Chemung; of the Davies Union, of North Ilion; of the congregations of the Baptist Church of Meredith, the Clinton Street Methodist Episcopal Church, of Binghamton, and the First Christian Church of Binghamton, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. ALLEN presented a petition of Harvey Division, No. 95, Order of Railway Conductors, of McCook, Nebr., praying for the passage of the so called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. HAWLEY presented a petition of the congregation of the Congregational Church of Westchester, Conn., and a petition of the congregation of the Baptist Church of Deepriver, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the congregation of the Congregational Church of Westchester, Conn., and a petition of the congregation of the Baptist Church of Deep River, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Baptist Church of Deep River, of the congregation of the First Congregational Church of East Windsor, and of the congregation of the Congregational Church of Westchester, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. GALLINGER presented a petition of the Reform Bureau and sundry citizens of the city of Washington, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. DAVIS presented a petition of 43 citizens of Owatonna, Minn., and a petition of 80 citizens of Tracy, Minn., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. HANNA presented the memorials of E. M. Sanderson and 16 other citizens, of Capt. John Wood and 18 other citizens, of D. E. Montgomery and 14 other citizens, and of A. R. Gibbs and 16 other citizens, all in the State of Ohio, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Hillsboro and Ironton; of the Young People's Society of Christian Endeavor of the Methodist Protestant Church of East Liverpool; of the congregation of the Congregational Church of Austinburg; of the congregations of the Methodist Episcopal Church of Delta, the First Presbyterian Church of Delta, the Baptist Church of New London, and the Methodist Episcopal Church of Oxford; of sundry citizens of Nova and Hopewell; of the Young People's Society of Christian Endeavor of East Liverpool; of the Epworth League of the First Methodist Episcopal Church of East Liverpool; of the Young People's Christian Union of the First United Presbyterian Church of East Liverpool, and of the King's Daughters of the Methodist Protestant Church of East Liverpool, all in the State of Ohio, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Willoughby, Ironton, and Hillsboro; of the Young People's Society of Christian Endeavor of the Methodist Protestant Church of East Liverpool; of the congregations of the First Presbyterian Church of Delta, the Brooklyn Memorial Methodist Episcopal Church of Cleveland, the Methodist Episcopal Church of Delta, and the Methodist Episcopal Church of Oxford; of the Young People's Society of Christian Endeavor of the Christian Church of East Liverpool; of the Epworth League of the First Methodist Episcopal Church of East Liverpool; of the King's Daughters of the Methodist Protestant Church of East Liverpool; of sundry citizens of Nova and Hopewell; of the Young People's Christian Union of the First United Presbyterian Church of East Liverpool, and of the Young People's Society of Christian Endeavor of Damascus, all in the State of Ohio, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Ironton, Hillsboro, Reesville, and Willoughby; of sundry citizens of Nova and Hopewell; of the Young People's Society of Christian Endeavor of the Methodist Protestant Church of East Liverpool; of the congregations of the First Presbyterian Church of Delta and the Methodist Episcopal Church of Delta; of the Young People's Christian Union of the First United Presbyterian Church of East Liverpool; of the Epworth League of the First Methodist Episcopal Church of East Liverpool; of the Young People's Society of Christian Endeavor of Christ Church, of East Liverpool; of the Young People's Society of Christian Endeavor of Damascus; of the King's Daughters of the Methodist Episcopal Church of East Liverpool, and of Giddings Relief Corps, No. 171, of Jefferson, all in the State of Ohio, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, praying for the enactment of legislation substituting voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, praying for the enactment of legislation to prohibit the interstate and mail circulation of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, praying for the enactment of legislation to prohibit, so far as the power of Congress extends, the reproduction of prize fights by the kinetoscope or other kindred devices; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Ironton, Willoughby, and Wilkesbarre; of the Young People's Society of Christian Endeavor of the Methodist Protestant Church of East Liverpool; of the congregation of the Brooklyn Memorial Methodist Episcopal Church, of Cleveland; of the congregations of the Congregational Church of Eagleville, the First Presbyterian Church of Delta, the Methodist Episcopal Church of Delta, and the Methodist Episcopal Church of Oxford; of sundry citizens of Nova and Hopewell; of the Young People's Christian Union of the First United Presbyterian Church of Liverpool; of the Young People's Society of Christian Endeavor of Damascus; of the Young People's Society of Christian Endeavor of the Christian Church of East Liverpool; of the King's Daughters of the Methodist Protestant Church of East Liverpool, and of the Epworth League of the Methodist Episcopal Church of East Liverpool, all in the State of Ohio, and of Cold Spring Lodge, No. 94, Independent Order of Good Templars, of East Middleburg, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. TURPIE presented memorials of the Carpenters and Joiners' Union, of the Brotherhood of Electrical Workers, and of Hodcarriers' Union No. 1, all of Indianapolis, in the State of Indiana, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of Hoosier Lodge, No. 261, of Indianapolis; of Lodge No. 221, of Huntington; of the Ministerial Association of Muncie, and of M. L. Pearson, of Whiteland, all in the State of Indiana, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. LINDSAY presented a petition of the congregation of the First Christian Church of Glasgow, Ky., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the First Christian Church of Glasgow, the Presbyterian Church, the Baptist Church, and the Methodist Episcopal Church South, and of the principal and teachers of the High School of Greensburg, all in the State of Kentucky, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the First Christian Church of Glasgow, the Presbyterian Church, and the Methodist Episcopal Church South, and of sundry citizens and the principal and teachers of the High School of Greensburg, all in the State of Kentucky, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. CHANDLER presented petitions of the Woman's Christian Temperance unions of Hillsboro, Webster, Plaistow, Seabrook, East Haverhill, North Weare, Epsom, and Raymond; of the congregations of the Free Baptist Church of Carroll, the Free Will Baptist Church of Epsom, St. Mark's Episcopal Church, of Ashland, and the Methodist Episcopal Church of North Grantham, and of the Young People's Society of Christian Endeavor of Epsom, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Raymond, Epsom, North Weare, East Haverhill, Seabrook, Plaistow, Webster, Hillsboro, and East Washington; of the congregations of the Free Baptist Church of Carroll, the Free Will Baptist Church of Epsom, St. Mark's Episcopal Church, of Ashland, and the Methodist Episcopal Church of North Grantham, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Raymond, Epsom, North Weare, East Haverhill, Seabrook, Plaistow, Webster, and Hillsboro; of the congregations of the Free Baptist Church of Carroll, the Free Will Baptist Church of Epsom, St. Mark's Episcopal Church, of Ashland, and the Methodist Episcopal Church of North Grantham, all in the State of New Hampshire, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Raymond, North Weare, East Haverhill, Seabrook, Plaistow, Webster, Hillsboro, and East Washington; of the congregations of the Free Baptist Church of Carroll, the Free Will Baptist Church of Epsom, St. Mark's Episcopal Church, of Ashland; and the Methodist Episcopal Church of North Grantham, and of the Young People's Society of Christian Endeavor of Epsom, all in the State of New Hampshire, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. SPOONER presented a petition of George C. Drake Post,

No. 223, Grand Army of the Republic, of Milwaukee, Wis., praying for the enactment of legislation to prevent the desecration of the national flag; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bristol, Wis., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bristol, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bristol, Wis., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented the petitions of J. L. Gaspar and 30 other citizens of Waukesha, of E. B. Wild and 31 other citizens of Fond du Lac, and of E. B. Magill and 40 other citizens of La Crosse, all in the State of Wisconsin, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. CULLOM presented the memorials of F. J. McCord and 26 other citizens of Effingham, of P. C. Fitzgerald and 40 other citizens of Ashland, and of C. F. Graham and 24 other citizens of Elmwood, all in the State of Illinois, remonstrating against the enactment of legislation establishing a division in the Treasury Department regulating insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Young People's Christian Union of Cedar Creek, of the congregation of the United Presbyterian Church of Aledo, and of the Young People's Christian Union of Aledo, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of members of the Church of Western Springs, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of members of the Church of Western Springs, Ill., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented petitions of Lodge No. 48, Order of Railway Conductors, of Peoria, Ill.; of the Manufacturers' Club of Philadelphia, Pa.; of the congregations of the German Methodist Episcopal churches of Decatur and Moweaqua, Ill.; of the Grand Army of the Republic of New Hampshire; of the New England Metal Association, of Boston, Mass.; of the Confectioners' Club of Boston, Mass.; of the Grand Army of the Republic of Alabama; of the Grand Army of the Republic of West Virginia; of the Trades Association of Boston, Mass., and of the Master Builders' Association of Boston, Mass., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented the petition of W. W. Seeders and 134 other citizens of Delaware, and a petition of the Chamber of Commerce of San Francisco, Cal., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Commerce.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Fairfield, Me., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. BACON presented a petition of Chattahoochee Division, No. 71, Order of Railway Conductors, of Columbus, Ga., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. QUAY presented a memorial of Steel and Copper Plate Manufacturers' Union No. 1, of Philadelphia, Pa., remonstrating against substituting machine presses for hand presses in the Bureau of Engraving and Printing; which was referred to the Committee on Appropriations.

He also presented petitions of the Woman's Christian Temperance Union of Factoryville, of the congregation of the United Presbyterian Church of Stewart Station, and of the Woman's Christian Temperance Union of Linwood, all in the State of Pennsylvania, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bruin, Pa., praying for the enactment of legislation to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Allegheny, Factoryville, Linwood, Churchville, Springfield, and Rochester; of the congregation of the Methodist Episcopal Church of Springfield; of Council No. 904, Junior Order United American Mechanics, of Bluerock; of the congregations of the Presbyterian Church and the Methodist Episcopal Church of Honeybrook, and of the Baptist Pastors' Conference of Scranton, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Rochester, Allegheny, Factoryville, Linwood, Churchville, and East Harrisburg; of the congregations of the Christ Lutheran Church of Harrisburg; the Epworth Methodist Episcopal Church of Harrisburg; the Derry Street Baptist Church, of Harrisburg; the Methodist Episcopal Church of Bruin; the United Presbyterian Church of Stewart Station; the Methodist Episcopal Church of Bluerock; of the congregations of the Presbyterian Church and the Methodist Episcopal Church of Honeybrook, and of the Baptist Pastors' Conference of Scranton, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Allegheny, Harrisburg, East Harrisburg, Churchville, Blue Rock, and Rochester; of the congregations of the Epworth Methodist Episcopal Church of Harrisburg, the Derry Street Baptist Church of Harrisburg, the Methodist Episcopal Church of Bruin, the United Presbyterian Church of Stewart Station; of the congregations of the Presbyterian Church and the Methodist Episcopal Church of Honeybrook, and of the Baptist Pastors' Conference, of Scranton, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PENROSE presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the enactment of legislation to modify an act entitled "An act to regulate and improve the civil service of the United States;" which was referred to the Committee on Civil Service and Retrenchment.

He also presented resolutions adopted by the Democratic standing committee of Berks County, Pa., tendering support to the President of the United States and the Congress in the matter of the battle ship *Maine* and according belligerent rights to the patriots of Cuba or recognizing the independence of the Cuban Republic; which were referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation authorizing and encouraging the holding of a national exposition of American products and manufactures, especially suitable for export, at Philadelphia, Pa., in the year 1899; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories and the interstate transmission of materials of the same; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., praying for the enactment of legislation to prohibit the interstate and mail circulation of newspaper descriptions of prize fights; which was referred to the Committee on the Judiciary.

He also presented petitions of the East End Woman's Christian Temperance Union, of Pittsburg; of the Woman's Christian Temperance Union of Rimersburg, and of the Woman's Christian Temperance Union of Tunkhannock, all in the State of Pennsylvania, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Chester and Rimersburg and of the East End

Woman's Christian Temperance Union, of Pittsburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of New Providence, Pa., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., and a petition of the Woman's Christian Temperance Union of New Providence, Pa., praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented petitions of the Young Woman's Christian Temperance Union of Chester; of the East End Woman's Christian Temperance Union, of Pittsburg; of the Woman's Christian Temperance Union of Tunkhannock; of the Woman's Christian Temperance Union of New Providence; of the Young People's Christian Union of the Susquehanna Association, of Brooklyn; of the Woman's Christian Temperance Union of Rimersburg, and of the Christian Endeavor Society of the Mount Washington Presbyterian Church, of Pittsburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a memorial of the State board of health and vital statistics of Pennsylvania, remonstrating against the enactment of legislation regulating seacoast and interstate quarantine and conferring additional power on the United States Marine-Hospital Service, without such modification as shall recognize the rights of local health authorities, and more especially of the State board of health and the State quarantine board of Pennsylvania; which was ordered to lie on the table.

He also presented a petition of Local Union No. 614, Miners' National Union of America, of Wilkesbarre, Pa., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, the bill for the relief of American seamen, and the bill to restrict immigration; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Chester, Pa., and a petition of the East End Woman's Christian Temperance Union, of Pittsburg, Pa., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings, to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Rimersburg, Pa., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings, to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., praying for the enactment of legislation to establish a commission to investigate the labor problem, to prohibit the transmission by mail or interstate commerce of pictures or descriptions of prize fights, to exclude illiterate immigrants, to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings, to prohibit the reproduction of prize fights in the District of Columbia and the Territories by the kinetoscope or other kindred devices, and to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Education and Labor.

He also presented petitions of the Woman's Christian Temperance unions of Chester, New Providence, and Tunkhannock, and of the Young Woman's Christian Temperance Union of Chester, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. HOAR presented resolutions adopted by the senate and house of the Commonwealth of Massachusetts, relative to an amendment to the national Constitution enabling Congress to enact laws regulating the hours of labor; which were read, as follows:

[Commonwealth of Massachusetts. In the year 1898.]

Resolutions relative to an amendment to the National Constitution enabling Congress to enact laws regulating the hours of labor.

Resolved, That, in the opinion of the general court of Massachusetts, it is desirable that the Constitution of the United States should be so amended as to place it clearly within the power of Congress to enact laws regulating the hours of labor in the several States according to some uniform system; and the Senators and Representatives of this Commonwealth in Congress are hereby requested to use their influence to secure the adoption of the resolution proposing such an amendment to the Constitution, which is now pending.

Resolved, That properly attested copies of these resolutions be forwarded by the secretary of the Commonwealth to the presiding officers of both branches of Congress, and also to the Senators and Representatives in Congress from this Commonwealth.

In house of representatives, adopted March 11, 1898.
In senate, adopted in concurrence, March 16, 1898.
A true copy. Attest:

WM. M. OLIN,
Secretary of the Commonwealth.

Mr. COCKRELL. Should the resolutions be referred to the Committee on the Judiciary?

Mr. HOAR. I do not know but that the resolutions should go to the Committee on Education and Labor.

The VICE-PRESIDENT. The resolutions will be referred to the Committee on Education and Labor, unless there is objection. The Chair hears none, and that is the order.

Mr. CAFFERY. I present a resolution adopted by the legislature of the State of Louisiana, praying that an appropriation be made to complete the monument erected on the plains of Chalmette, in the parish of St. Bernard, to celebrate the battle of New Orleans, January 8, 1815. I ask that the resolution be referred to the Committee on the Library, and that it be printed in the RECORD and also as a document.

There being no objection, the resolution was referred to the Committee on the Library, ordered to be printed as a document and to be printed in the RECORD, as follows:

Resolution No. 108, by Mr. Hart.

Be it resolved, That our Senators and Representatives in Congress be requested to use their best endeavors to secure from the United States an appropriation to complete the monument erected on the plains of Chalmette, in the parish of St. Bernard, to celebrate the battle of New Orleans of January 8, 1815.

Be it further resolved, That copies of this resolution be forwarded to each Senator and Representative of this State in the Congress of the United States.

A true and correct copy.
[SEAL.] ROBT. S. LANDRY, *Secretary.*
Attest:
E. B. KRUTTSCHNITT, *President.*

REPORTS OF COMMITTEES.

Mr. BERRY. I am directed by the Committee on Commerce to report an amendment to the sundry civil appropriation bill. I desire to state that the amendment is in lieu of the amendments proposed by the Senator from Mississippi [Mr. WALTHALL], the Senator from Tennessee [Mr. TURLEY], the Senator from Missouri [Mr. VEST], and one proposed by myself. It relates to the improvement of the Mississippi River. I move that the amendment be printed and referred, with the accompanying papers, to the Committee on Appropriations.

The motion was agreed to.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 8738) for the survey of the pass leading from the Gulf of Mexico into Horn Island Harbor, Mississippi, and a survey of said harbor, reported it without amendment.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 1626) to remove the charge of desertion from the military record of Horace J. Rowell, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. MITCHELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 5325) for the relief of John Rustman, reported it without amendment, and submitted a report thereon.

Mr. KENNEY, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8064) to amend the criminal laws of the District of Columbia, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3646) relating to the police court of the District of Columbia, reported adversely thereon, and moved that it be indefinitely postponed; which was agreed to.

He also, from the Committee on Pensions, to whom was referred the bill (H. R. 2426) granting an increase of pension to Helen

Larned, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Public Lands, to whom was referred the bill (S. 1036) granting the use of certain lands to the city of St. Augustine, Fla., for a public park, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 5885) to amend section 5 of an act entitled "An act to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia, and for other purposes," approved July 13, 1892, to report it without amendment.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. FAULKNER. I move that the bill (S. 2798) to amend section 5 of an act entitled "An act to punish the carrying or selling of deadly or dangerous weapons within the District of Columbia," approved July 13, 1892, being Order of Business 627 on the Calendar, be indefinitely postponed and that the House bill just reported by me take the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. SHOUP, from the Committee on Military Affairs, to whom was referred the bill (S. 133) for the relief of Richard King, reported it with an amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 4036) to amend an act entitled "An act granting to the Des Moines Rapids Power Company the right to erect, construct, operate, and maintain a wing dam, canal, and power station in the Mississippi River in Hancock County, Ill.," reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 2881) to authorize the Secretary of War to acquire the right of way for the Illinois and Mississippi Canal through the bridge owned by the city of Moline, in the county of Rock Island and State of Illinois, across Rock River, in said county of Rock Island, reported it with an amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 97) granting permission to officers of the Army and Navy of the United States to wear the badge adopted by the Association of Military Surgeons of the United States, submitted an adverse report thereon, which was agreed to; and the joint resolution was postponed indefinitely.

Mr. McLAURIN, from the Committee on Indian Affairs, to whom was referred the bill (S. 3707) to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory," reported it without amendment.

Mr. QUAY, from the Committee on Commerce, submitted a report to accompany the bill (S. 4080) providing for a national exposition of American products and manufactures at the city of Philadelphia for the encouragement of the export trade, heretofore reported by him from that committee.

Mr. CARTER, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3243) for the relief of Cordell B. Green, Company D, Sixteenth Michigan Infantry, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Public Lands, reported an amendment intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER, from the Committee on Commerce, to whom was referred the bill (S. 3261) for the relief of P. F. Dundon, of San Francisco, Cal., reported it without amendment, and submitted a report thereon.

REGULATION OF STEAM VESSELS.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 4137) amending section 4492 of the Revised Statutes of the United States, to report it favorably with an amendment. It is very important that the bill should receive present consideration to save human life.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Commerce was, in line 4, after the words "United States," to strike out " (page 868, second edition, 1878);" so as to make the bill read:

Be it enacted, etc., That section 4492 of the Revised Statutes of the United States be amended by inserting the words "or other vessels," after the word "barge," and preceding the word "carrying," in the first line, and by inserting the words "the inspection of hulls" after the word "to," and before the word "fire-buckets" in the second line.

The amendment was agreed to.

The bill was reported to the Senate, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 4237) for the relief of the heirs of Charles M. Skippon; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4228) granting an increase of pension to Leonard Dellinger (with accompanying papers);

A bill (S. 4229) granting an increase of pension to Ross M. Stevens (with accompanying papers);

A bill (S. 4230) granting a pension to William F. Davisson (with an accompanying paper);

A bill (S. 4231) granting an increase of pension to Millie A. Berry;

A bill (S. 4232) granting a pension to Francis A. Kitchen (with an accompanying paper);

A bill (S. 4233) granting a pension to Solomon Kline (with an accompanying paper); and

A bill (S. 4234) to increase the pension of Joseph Lippert (with an accompanying paper).

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4235) for the relief of William T. Alexander (with accompanying papers); and

A bill (S. 4236) for the relief of Samuel Carter (with accompanying papers).

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4237) to remove the charge of desertion from the military record of B. F. Church (with an accompanying paper); and

A bill (S. 4238) to remove the charge of desertion from the military record of William P. Dodd (with an accompanying paper).

Mr. HANNA (by request) introduced a bill (S. 4239) to further amend the patent laws of the United States of America; which was read twice by its title, and referred to the Committee on Patents.

Mr. BURROWS introduced a bill (S. 4240) for the relief of Caleb Wollpert; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. KENNEY introduced a bill (S. 4241) for the relief of Thomas Draper, of Hazlettville, Del.; which was read twice by its title, and referred to the Committee on Claims.

Mr. HARRIS (by request) introduced a bill (S. 4242) granting the right of way to the El Reno and Southwestern Railroad Company; which was read twice by its title, and referred to the Committee on Territories.

He also (by request) introduced a bill (S. 4243) to provide for town-site entries of lands in Oklahoma Territory, and to repeal an act entitled "An act to provide for town-site entries of lands in what is known as 'Oklahoma,' and for other purposes," approved May 14, 1890; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4244) granting an increase of pension to Alfred H. Jones;

A bill (S. 4245) for the relief of Barbara A. Reed;

A bill (S. 4246) increasing the pension of Margaret Love Skerrett; and

A bill (S. 4247) granting a pension to Fannie M. Gibson.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4248) for the relief of Lewis Kyle, of Milton, Pa.; and

A bill (S. 4249) for the relief of Darius E. Blose.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4250) to correct the military record of William Brocious (with accompanying papers); and

A bill (S. 4251) to correct the military record of Jesse H. Wagner (with accompanying papers).

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. STEWART submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

PARKING OF CARS IN CAPITOL GROUNDS.

Mr. PROCTOR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Public Buildings and Grounds be instructed to report to the Senate by what authority the Metropolitan Railroad Company parks its cars in the Capitol grounds and delivers passengers at the corner of B street instead of at the proper terminus of its line.

ADJOURNMENT TO MONDAY.

Mr. ALLISON. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

Mr. MASON subsequently said: I move to reconsider the vote by which the Senate agreed to adjourn over until Monday when it adjourns to-day.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois to reconsider the vote by which the Senate agreed to adjourn over until Monday.

Mr. HALE. Let us have the yeas and nays upon that motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I am paired with the senior Senator from New Jersey [Mr. SMITH], and therefore withhold my vote.

Mr. NELSON (when his name was called). I am paired with the Senator from Missouri [Mr. VEST] who is not in his seat.

Mr. SHOUP (when his name was called). I have a regular pair with the senior Senator from California [Mr. WHITE], and therefore withhold my vote.

The roll call was concluded.

Mr. MANTLE (after having voted in the affirmative). I wish to inquire whether the Senator from Virginia [Mr. MARTIN] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MANTLE. I have a general pair with that Senator, and I therefore withdraw my vote.

Mr. PASCO. I was requested to announce that the Senator from Missouri [Mr. VEST] is confined to his room by sickness, and that he is paired with the Senator from Minnesota [Mr. NELSON].

Mr. BURROWS. My colleague [Mr. MCMILLAN] is paired with the senior Senator from Kentucky [Mr. LINDSAY]. If my colleague were present, he would vote "nay."

The result was announced—yeas 9, nays 52; as follows:

YEAS—9.

Cannon,	Frye,	Harris,	Mills,
Chandler,	Gallinger,	Mason,	Pettigrew.
Foraker,			

NAYS—52.

Aldrich,	Davis,	Lindsay,	Quay,
Allen,	Elkins,	McLaurin,	Sewell,
Allison,	Fairbanks,	Money,	Spooner,
Bacon,	Faulkner,	Morrill,	Stewart,
Bate,	Gray,	Murphy,	Teller,
Berry,	Hale,	Pasco,	Turley,
Burrows,	Hanna,	Penrose,	Turner,
Caffery,	Hawley,	Perkins,	Turpie,
Carter,	Heitfeld,	Pettus,	Walthall,
Chilton,	Hoar,	Platt, Conn.	Warren,
Clay,	Jones, Ark.	Platt, N. Y.	Wetmore,
Cockrell,	Kenney,	Pritchard,	Wilson,
Cullom,	Kyle,	Proctor,	Wolcott.

NOT VOTING—23.

Baker,	Hansbrough,	Mantle,	Shoup,
Butler,	Jones, Nev.	Martin,	Smith,
Clark,	Lodge,	Mitchell,	Thurston,
Daniel,	McBride,	Morgan,	Tillman,
Deboe,	McEnery,	Nelson,	Vest,
Gear,	McMillan,	Rawlins,	Wellington,
Gorman,	Mallory,	Roach,	White.

So the motion to reconsider was not agreed to.

STAR-ROUTE CONTRACTS.

Mr. STEWART. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Postmaster-General, in pursuance of the suggestion of the Sixth Auditor of the Treasury, contained in the answer of the Postmaster-General to the resolution of the Senate of February 25, 1898 (Senate Document 184, Fifty-fifth Congress, second session), inform the Senate what amount was annually paid to each of the contractors hereinafter named, the amount which was annually paid to each of the subcontractors of each of such contractors, the aggregate amount paid to all of such contractors, the aggregate amount paid to all of their subcontractors, showing the annual difference between the aggregate contract price for the service and the aggregate amount paid to subcontractors for performing such service.

The following are the names of the contractors above referred to: J. M. Boreing, A. A. Call, W. H. Stelle, L. H. Hansberger, Evan Jones, J. R. Anglin, J. D. Franklin, G. Cowles, J. M. Slavens, F. S. Smith, F. E. Means, W. L. White.

Mr. COCKRELL. There is so much noise and confusion in the galleries that it is impossible for Senators to hear what is being read at the desk.

The VICE-PRESIDENT. The Chair must request that better order be kept in the galleries. Persons occupying seats in the galleries should be courteous to the Senate, by whose permission they are there. The Chair will enforce the rules of the Senate, and if there is not less noise in the galleries they will be cleared by the Sergeant-at-Arms.

Mr. COCKRELL. I desire to call the attention of the Chair to the rule of the Senate, an invariable rule universally enforced, that there shall be no demonstrations of approval or disapproval in the galleries, and that if such demonstrations occur the rule must be enforced and the galleries cleared, the guilty and the innocent suffering alike. I hope the Chair will have that rule read and see that it is rigidly enforced.

The VICE-PRESIDENT. The Chair will take notice of the remarks of the Senator from Missouri, and will do his best, with the aid of the Sergeant-at-Arms, to keep order in the galleries.

Mr. STEWART. I hope the pending resolution will be passed. The answer of the Postmaster-General to the former resolution was to the effect that he could not furnish the whole information desired, but could pick out a certain portion of it. The object of the resolution is simply to meet that suggestion, so that the information may be had without expense and trouble.

The resolution was agreed to.

DEPARTMENT OF COMMERCE AND INDUSTRIES.

Mr. FRYE. I submit a resolution, and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the report of the hearing before the Senate Committee on Commerce on March 3, 1898, in relation to bill (S. 624) to establish the department of commerce and industries be printed as a document, and in addition to the usual number 3,000 copies be printed for the use of the Senate.

Mr. COCKRELL. Let the resolution be read again.

The Secretary again read the resolution.

Mr. FRYE. It is a very small document.

The resolution was considered by unanimous consent, and agreed to.

AFFAIRS IN CUBA.

Mr. THURSTON. Mr. President, I am here by command of silent lips to speak once and for all upon the Cuban situation. I trust that no one has expected anything sensational from me. God forbid that the bitterness of a personal loss should induce me to color in the slightest degree the statement that I feel it my duty to make. I shall endeavor to be honest, conservative, and just. I have no purpose to stir the public passion to any action not necessary and imperative to meet the duties and necessities of American responsibility, Christian humanity, and national honor. I would shirk this task if I could, but I dare not. I can not satisfy my conscience except by speaking, and speaking now.

Some three weeks since, three Senators and two Representatives in Congress accepted the invitation of a great metropolitan newspaper to make a trip to Cuba and personally investigate and report upon the situation there. Our invitation was from a newspaper whose political teachings I have never failed to antagonize and denounce, and whose journalism I have considered decidedly sensational. But let me say, for the credit of the proprietor of the paper in question, that I believe the invitation extended to us was inspired by his patriotic desire to have the actual condition of affairs in Cuba brought to the attention of the American people in such a way that the facts would no longer remain in controversy or dispute.

We were not asked to become the representatives of the paper; no conditions or restrictions were imposed upon us; we were left free to conduct the investigation in our own way, make our own plans, pursue our own methods, take our own time, and decide for ourselves upon the best manner of laying the result of our labors before the American people. For myself, I went to Cuba firmly believing that the condition of affairs there had been greatly exaggerated by the press, and my own efforts were directed in the first instance to the attempted exposure of these supposed exaggerations.

Mr. President, there has undoubtedly been much sensationalism in the journalism of the time, but as to the condition of affairs in Cuba there has been no exaggeration, because exaggeration has been impossible. I have read the careful statement of the junior Senator from Vermont [Mr. PROCTOR], and I find that he has anticipated me in almost every detail. From my own personal knowledge of the situation, I adopt every word of his concise, conservative, specific presentation as my own; nay, more, I am convinced that he has, in a measure, understated the facts. I absolutely agree with him in the following conclusions:

After three years of warfare and the use of 225,000 Spanish troops, Spain has lost control of every foot of Cuba not surrounded by an actual intrenchment and protected by a fortified picket line.

She holds possession with her armies of the fortified seaboard towns, not because the insurgents could not capture many of them, but because they are under the virtual protection of Spanish war ships, with which the revolutionists can not cope.

The revolutionists are in absolute and almost peaceful possession of nearly one-half of the island, including the eastern provinces of Santiago de Cuba and Puerto Principe. In those provinces they have an established form of government, levy and collect taxes, maintain armies, and generally levy a tax or tribute upon the principal plantations in the other provinces, and, as is commonly believed, upon the entire railway system of the island.

In the four so-called Spanish provinces there is neither cultivation nor railway operation except under strong Spanish military protection or by consent of the revolutionists in consideration of tribute paid.

SUFFERINGS OF THE COUNTRY PEOPLE.

Under the inhuman policy of Weyler not less than 400,000 self-supporting, simple, peaceable, defenseless country people were driven from their homes in the agricultural portions of the Spanish provinces to the cities and imprisoned upon the barren waste outside the residence portions of these cities and within the lines of intrenchment established a little way beyond. Their humble homes were burned, their fields laid waste, their implements of husbandry destroyed, their live stock and food supplies for the most part confiscated. Most of these people were old men, women, and children. They were thus placed in hopeless imprisonment, without shelter or food. There was no work for them in the cities to which they were driven. They were left there with nothing to depend upon except the scanty charity of the inhabitants of the cities and with slow starvation their inevitable fate.

It is conceded upon the best ascertainable authority, and those who have had access to the public records do not hesitate to state, that upward of 210,000 of these people have already perished, all from starvation or from diseases incident to starvation.

The Government of Spain has never contributed one dollar to house, shelter, feed, or provide medical attention for these its own citizens. Such a spectacle exceeds the scenes of the Inferno as painted by Dante.

There has been no amelioration of the situation except through the charity of the people of the United States. There has been no diminution in the death rate among these reconcentrados except as the death supply is constantly diminished. There can be no relief and no hope except through the continued charity of the American people until peace shall be fully restored in the island and until a humane government shall return these people to their homes and provide for them anew the means with which to begin again the cultivation of the soil.

Spain can not put an end to the existing condition. She can not conquer the insurgents. She can not reestablish her sovereignty over any considerable portion of the interior of the island. The revolutionists, while able to maintain themselves, can not drive the Spanish army from the fortified seacoast towns.

The situation, then, is not war as we understand it, but a chaos of devastation and depopulation of undefined duration, whose end no man can see.

I will cite but a few facts that came under my personal observation, all tending to fully substantiate the absolute truth of the foregoing propositions. I could detail incidents by the hour and by the day, but the Senator from Vermont has absolutely covered the case. I have no desire to deal in horrors. If I had my way, I would shield the American public even from the photographic reproductions of the awful scenes that I viewed in all their original ghastliness.

SPAIN'S FORCES IN CUBA.

Spain has sent to Cuba more than 225,000 soldiers to subdue the island, whose entire male population capable of bearing arms did not exceed at the beginning that number. These soldiers were mostly boys, conscripts from the Spanish hills. They are well armed, but otherwise seem to be absolutely unprovided for. They have been without tents and practically without any of the necessary supplies and equipment for service in the field. They have been put in barracks, in warehouses, and old buildings in the cities where all sanitary surroundings have been of the worst possible character. They have seen but little discipline, and I could not ascertain that such a thing as a drill had taken place in the island.

There are less than 60,000 now available for duty. The balance are dead or sick in hospitals, or have been sent back to Spain as incapacitated for further service. It is currently stated that there are now 37,000 sick in hospital. I do not believe that the entire Spanish army in Cuba could stand an engagement in the open field against 20,000 well-disciplined American soldiers.

As an instance of the discipline among them, I cite the fact that I bought the machete of a Spanish soldier on duty at the wharf in Matanzas, on his offer, for $3 in Spanish silver. He also seemed desirous of selling me his only remaining arm, a revolver.

The Spanish soldiers have not been paid for some months, and in my judgment they, of all the people on the earth, will most gladly welcome any result which would permit them to return to their homes in Spain.

The pictures in the American newspapers of the starving reconcentrados are true. They can all be duplicated by the thousands. I never saw, and please God I may never again see, so deplorable a sight as the reconcentrados in the suburbs of Matanzas. I can never forget to my dying day the hopeless anguish in their despairing eyes. Huddled about their little bark huts, they raised no voice of appeal to us for alms as we went among them.

There was almost no begging by the reconcentrados themselves. The streets of the cities are full of beggars of all ages and all conditions, but they are almost wholly of the residents of the cities and largely of the professional-beggar class. The reconcentrados—men, women, and children—stand silent, famishing with hunger. Their only appeal comes from their sad eyes, through which one looks as through an open window into their agonizing souls.

The present autonomist governor of Matanzas (who speaks excellent English) was inaugurated in November last. His records disclose that at the city of Matanzas there were 1,200 deaths in November, 1,200 in December, 700 in January, and 500 in February—3,600 in four months, and those four months under the administration of a governor whom I believe to be a truly humane man. He stated to me that on the day of his inauguration, which I think was the 12th of last November, to his personal knowledge 15 persons died in the public square in front of the executive mansion. Think of it, oh, my countrymen! Fifteen human beings dying from starvation in the public square, in the shade of the palm trees, and amid the beautiful flowers, in sight of the open windows of the executive mansion!

The governor of Matanzas told us that for the most part the people of the city of Matanzas had done all they could for the reconcentrados; and after studying the situation over I believe his statement is true. He said the condition of affairs in the island had destroyed the trade, the commerce, and the business of the city; that most of the people who had the means assisted the reconcentrados with food just as long as they could, but he said to us that there were thousands of the people living in fine houses on marble floors who were in deep need themselves and who did not know from one day to the other where their food supply was coming from.

SPAIN'S SELFISHNESS A STENCH IN THE NOSTRILS OF CIVILIZED NATIONS.

The ability of the people of Matanzas to aid is practically exhausted. The governor told us that he had expended all of his salary and all that he could possibly afford of his private means in relief work. He is willing that the reconcentrados shall repass the picket line and go back to seek work in the interior of the island. He expresses his willingness to give them passes for that purpose, but they are no longer physically able to take advantage of that offer. They have no homes to return to; their fields have grown up to weeds; they have no oxen, no implements of husbandry with which to begin anew the cultivation of the soil. Their only hope is to remain where they are, to live as long as they can on an insufficient charity, and then die. What is true at Matanzas is true at all the other cities where these reconcentrados have been gathered.

The Government of Spain has not and will not appropriate one dollar to save these people. They are now being attended and nursed and administered to by the charity of the United States. Think of the spectacle! We are feeding these citizens of Spain; we are nursing their sick; we are saving such as can be saved, and yet there are those who still say it is right for us to send food, but we must keep hands off. I say that the time has come when muskets ought to go with the food.

We asked the governor if he knew of any relief for these people except through the charity of the United States. He did not. We then asked him, "Can you see any end to this condition of affairs?" He could not. We asked him, "When do you think the time will come that these people can be placed in a position of self-support?" He replied to us, with deep feeling, "Only the good God or the great Government of the United States can answer that question." I hope and believe that the good God by the great Government of the United States will answer that question.

I shall refer to these horrible things no further. They are there. God pity me; I have seen them; they will remain in my mind forever—and this is almost the twentieth century. Christ died nineteen hundred years ago, and Spain is a Christian nation. She has set up more crosses in more lands, beneath more skies, and under them has butchered more people than all the other nations of the earth combined.

Europe may tolerate her existence as long as the people of the Old World wish. God grant that before another Christmas morning the last vestige of Spanish tyranny and oppression will have vanished from the Western Hemisphere.

Mr. President, the distinguished Senator from Vermont has seen all these things; he knows all these things; he has described all these things; but after describing them he says he has nothing to propose, no remedy to suggest. I have. I am only an humble unit in the great Government of the United States, but I should feel myself a traitor did I remain silent now.

SILENCE AND MODERATION NO LONGER TOLERABLE.

I counseled silence and moderation from this floor when the passion of the nation seemed at white heat over the destruction of the *Maine;* but it seems to me the time for action has now come. Not action in the *Maine* case! I hope and trust that this Government will take action on the Cuban situation entirely outside of the *Maine* case. When the *Maine* report is received, if it be found that our ship and sailors were blown up by some outside

explosive, we will have ample reparation without quibble or delay; and if the explosion can be traced to Spanish official sources there will be such swift and terrible punishment adjudged as will remain a warning to the world forever.

What shall the United States do, Mr. President?

I am a Republican, and I turn to the last platform of my party and I read:

From the hour of achieving their own independence the people of the United States have regarded with sympathy the struggles of other American people to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

The Government of Spain, having lost control of Cuba and being unable to protect the property or lives of resident American citizens, or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

Mr. President, when that declaration was read before the St. Louis convention, over which I had the distinguished honor to preside, it was greeted with a mighty shout which seemed to lift the very roof of that great convention hall, and it was adopted as a part of the platform of the Republican party by unanimous vote. On the 29th day of June, 1896, William McKinley, standing upon his vine-clad porch at Canton, Ohio, in accepting the nomination then officially tendered him, said:

The platform adopted by the Republican national convention has received my careful consideration and has my unqualified approval. It is a matter of gratification to me, as I am sure it must be to you and Republicans everywhere and to all our people, that the expressions of its declaration of principles are so direct, clear, and emphatic. They are too plain and positive to leave any chance for doubt or question as to their purport and meaning.

That platform of the Republican party, that indorsement by its nominee for President, was ratified by more than 7,000,000 American voters. That platform has marked my path of duty from the hour of its adoption up to the present time.

RECORD OF THE REPUBLICAN PARTY IN KEEPING ITS PLEDGES.

It is an honored boast of the Republican party that it always keeps its promises and that its platform declarations are always carried out by its Administrations. I have no reason to doubt, I have every reason to believe, that the present Chief Magistrate of the United States still stands upon the platform of the Republican party. I have no reason to doubt, I have every reason to believe, that he will make its fulfillment a part of the glorious history of the world.

Mr. President, that platform was adopted almost two years ago. Has there been any such change in the Cuban situation as to relieve the Republican party from its obligations? None whatever. There has been no change except such as to strengthen the force of our platform assertion that Spain has lost control of the island. Twice within the last two years I have voted for a resolution according the rights of belligerents to the Cuban revolutionists.

I believed at those times, I still believe, that such a recognition on our part would have enabled the Cuban patriots to have achieved independence for themselves; that it would have given them such a standing in the money markets of the world, such rights on the sea, such flag on the land, that ere this the independence of Cuba would have been secured, and that without cost or loss of blood or treasure to the people of the United States. But that time has passed; it is too late to talk about resolutions according belligerent rights; and mere resolutions recognizing the independence of the Cuban Republic would avail but little. Our platform demands that the United States shall actively use its influence for the independence of the island.

I am not here to criticise the present Administration. I yield to no man living in my respect, my admiration for, and my confidence in the judgment, the wisdom, the patriotism, the Americanism of William McKinley. When he entered upon his Administration he faced a difficult situation. It was his duty to proceed with care and caution. At the first available opportunity he addressed a note to Spain, in which he gave that Government notice, as set forth in his message to the Congress of the United States, that the United States—

Could be required to wait only a reasonable time for the mother country to establish its authority and restore peace and order within the borders of the island; that we could not contemplate an indefinite period for the accomplishment of this result.

The President further advised us:

This Government has never in any way abrogated its sovereign prerogative of reserving to itself the determination of its policy and course according to its own high sense of right and in consonance with the dearest interests and convictions of our own people should the prolongation of the strife so demand.

This was the proper, the statesmanlike beginning of the performance of the promise of the Republican platform. It was in accordance with the diplomatic usages and customs of civilized nations. In the meantime the whole situation apparently changed. In Spain the liberal ministry of Sagasta succeeded that of Canovas; the cruel and inhuman Weyler was recalled, and succeeded by the humane Blanco, who, under the Sagasta ministry, has unquestionably made every effort to bring about peace in the island of Cuba under the promise of autonomy—a decided advance beyond any proposition ever before made for the participation of the Cubans in their own domestic affairs.

It was the plain duty of the President of the United States to give to the liberal ministry of Spain a reasonable time in which to test its proposed autonomy. That time has been given. Autonomy is conceded the wide world over to be a conspicuous failure. The situation in Cuba has only changed for the worse. Sagasta is powerless; Blanco is powerless to put an end to the conflict, to rehabilitate the island, or to relieve the suffering, starvation, and distress.

TIME FOR ACTION NOW.

The time for action has, then, come. No greater reason for it can exist to-morrow than exists to-day. Every hour's delay only adds another chapter to the awful story of misery and death. Only one power can intervene—the United States of America. Ours is the one great nation of the New World, the mother of American republics. She holds a position of trust and responsibility toward the peoples and the affairs of the whole Western Hemisphere.

It was her glorious example which inspired the patriots of Cuba to raise the flag of liberty in her eternal hills. We can not refuse to accept this responsibility which the God of the universe has placed upon us as the one great power in the New World. We must act! What shall our action be? Some say the acknowledgment of the belligerency of the revolutionists. As I have already shown, the hour and the opportunity for that have passed away.

Others say, Let us by resolution or official proclamation recognize the independence of the Cubans. It is too late even for such recognition to be of great avail. Others say, Annexation to the United States. God forbid! I would oppose annexation with my latest breath. The people of Cuba are not our people; they can not assimilate with us; and beyond all that I am utterly and unalterably opposed to any departure from the declared policy of the fathers which would start this Republic for the first time upon a career of conquest and dominion utterly at variance with the avowed purposes and the manifest destiny of popular government.

Let the world understand that the United States does not propose to annex Cuba, that it is not seeking a foot of Cuban soil or a dollar of Spanish treasure. Others say, Let us intervene for the pacification of the island, giving to its people the greatest measure of autonomy consistent with the continued sovereignty of Spain. Such a result is no longer possible. It is enough to say that it would be resisted by all classes of the Cuban population, and its attempt would simply transfer the putting down of the revolution and the subjugation of the Cuban patriots to the armies of the United States.

There is also said to be a syndicate organization in this country, representing the holders of Spanish bonds, who are urging that the intervention of the United States shall be for the purchase of the island or for the guaranteeing of the Spanish debt incurred in the attempted subjugation of the Cuban revolutionists. Mr. President, it is idle to think for a single moment of such a plan. The American people will never consent to the payment of one dollar, to the guaranteeing of one bond, as the price paid to Spain for her relinquishment of the island she has so wantonly outraged and devastated.

INTERVENTION FOR INDEPENDENCE.

Mr. President, there is only one action possible, if any is taken; that is, intervention for the independence of the island; intervention that means the landing of an American army on Cuban soil, the deploying of an American fleet off Habana; intervention which says to Spain, Leave the island, withdraw your soldiers, leave the Cubans, these brothers of ours in the New World, to form and carry on government for themselves. Such intervention on our part would not of itself be war. It would undoubtedly lead to war. But if war came it would come by act of Spain in resistance of the liberty and the independence of the Cuban people.

Some say these Cubans are incapable of self-government; that they can not be trusted to set up a republic. Will they ever become better qualified under Spanish rule than they are to-day? Sometime or other the dominion of kings must cease on the Western Continent.

The Senator from Vermont has done full justice to the native population of Cuba. He has studied them, and he knows that of all the people on the island they are the best qualified and fitted for government. Certainly any government by the Cuban people would be better than the tyranny of Spain.

Mr. President, there was a time when "jingoism" was abroad in the land; when sensationalism prevailed, and when there was a distinct effort to inflame the passions and prejudices of the American people and precipitate a war with Spain. That time has passed away. "Jingoism" is long since dead. The American

people have waited and waited and waited in patience; yea, in patience and confidence—confidence in the belief that decisive action would be taken in due season and in a proper way. To-day all over this land the appeal comes up to us; it reaches us from every section and from every class. That appeal is now for action.

In an interview of yesterday, the senior Senator from Maine [Mr. HALE] is reported as saying:

Events have crowded on too rapidly, and the President has been carried off his feet.

I know of no warrant for such an assertion, but I do know this, that unless Congress acts promptly, meeting this grave crisis as it should be met, we will be swept away, and we ought to be swept away, by the tidal wave of American indignation.

The President has not been carried off his feet.

The Administration has been doing its whole duty. With rare foresight and statesmanship it has hastened to make every possible preparation for any emergency. If it be true that the report in the *Maine* case has been delayed, it has been delayed in order that we might be prepared at all points for defensive and offensive action. There are some who say, but they are mostly those who have procrastinated from the beginning up to the present time, "Let Congress hold its peace, adjourn, go home and leave the President to act."

I for one believe that the Congress of the United States is an equal and coordinate branch of the Federal Government, representing the combined judgment and wisdom of the many. It can more safely be depended on than the individual judgment and wisdom of any one man. I am a Senator of the United States, and I will never consent to abdicate my right to participate in the determination as to what is the solemn duty of this great Republic in this momentous and fateful hour. We are not in session to hamper or cripple the President; we are here to advise and assist him. Congress can alone declare war; Congress can alone levy taxes; and to this Congress the united people of this broad land, from sea to sea, from lake to gulf, look to voice their wishes and execute their will.

VOICE OF THE MONEY CHANGERS AGAINST INTERVENTION.

Mr. President, against the intervention of the United States in this holy cause there is but one voice of dissent; that voice is the voice of the money changers. They fear war! Not because of any Christian or ennobling sentiment against war and in favor of peace, but because they fear that a declaration of war, or the intervention which might result in war, would have a depressing effect upon the stock market.

Mr. President, I do not read my duty from the ticker; I do not accept my lessons in patriotism from Wall street. I deprecate war. I hope and pray for the speedy coming of the time when the sword of the soldier will no longer leap from its scabbard to settle disputes between civilized nations. But, it is evident, looking at the cold facts, that a war with Spain would not permanently depreciate the value of a single American stock or bond.

War with Spain would increase the business and the earnings of every American railroad, it would increase the output of every American factory, it would stimulate every branch of industry and domestic commerce, it would greatly increase the demand for American labor, and in the end every certificate that represented a share in an American business enterprise would be worth more money than it is to-day. But in the meantime the specter of war would stride through the stock exchanges, and many of the gamblers around the board would find their ill-gotten gains passing to the other side of the table.

Let them go; what one man loses at the gambling table his fellow-gambler wins. It is no concern of yours, it is no concern of mine, whether the "bulls" or the "bears" have the best of these stock deals. They do not represent American sentiment; they do not represent American patriotism. Let them take their chances as they can. Their weal or woe is of but little importance to the liberty-loving people of the United States. They will not do the fighting; their blood will not flow; they will keep on dealing in options on human life. Let the men whose loyalty is to the dollar stand aside while the men whose loyalty is to the flag come to the front. [Applause in the galleries.]

The VICE PRESIDENT rapped with his gavel.

Mr. HALE. Mr. President——

Mr. THURSTON. I decline to be interrupted.

Mr. HALE. I wish merely to correct a statement. I was not present when the Senator from Nebraska made it.

Mr. THURSTON. The Senator can make his correction after I get through. It will be entirely proper.

Mr. HALE. I shall be called away from the Chamber. It is only a single matter.

I was informed, not being present, that the Senator from Nebraska referred to an alleged interview quoting me as saying that in the present emergency the President has been carried off his feet. I not only never stated anything of the kind or made any such statement, but I do not believe it. I think the President has been eminently wise and calm in the whole matter, and the interview does not represent me properly. I thank the Senator for allowing me to make this statement. It is better to make it now than to wait until the Senator concludes.

Mr. THURSTON. I am glad to have the Senator's disclaimer. I took the statement from the public press. It has gone all over this land.

Mr. HALE. Yes. I heard it from the Senator from New Hampshire, and I disclaimed it yesterday.

HONOR OF THE NATION ABOVE ALL OTHER CONSIDERATIONS.

Mr. THURSTON. There are some who lift their voices in the land and in the open light of day insist that the Republican party will not act, for they say it sold out to the capitalists and the money changers at the last national election. It is not so. God forbid! The 7,000,000 freemen who voted for the Republican party and for William McKinley did not mortgage the honor of this nation for a campaign fund, and if the time ever comes when the Republican party hesitates in its course of duty because of any undue anxiety for the welfare of the accumulated wealth of the nation, then let the Republican party be swept from the face of the earth and be succeeded by some other party, by whatever name it may be called, which will represent the patriotism, the honesty, the loyalty, and the devotion that the Republican party exhibited under Abraham Lincoln in 1861.

Mr. President, there are those who say that the affairs of Cuba are not the affairs of the United States, who insist that we can stand idly by and see that island devastated and depopulated, its business interests destroyed, its commercial intercourse with us cut off, its people starved, degraded, and enslaved. It may be the naked legal right of the United States to stand thus idly by.

I have the legal right to pass along the street and see a helpless dog stamped into the earth under the heels of a ruffian. I can pass by and say that is not my dog. I can sit in my comfortable parlor with my loved ones gathered about me, and through my plate-glass window see a fiend outraging a helpless woman near by, and I can legally say this is no affair of mine—it is not happening on my premises; and I can turn away and take my little ones in my arms, and, with the memory of their sainted mother in my heart, look up to the motto on the wall and read, "God bless our home."

But if I do, I am a coward and a cur unfit to live, and, God knows, unfit to die. And yet I can not protect the dog nor save the woman without the exercise of force.

We can not intervene and save Cuba without the exercise of force, and force means war; war means blood. The lowly Nazarene on the shores of Galilee preached the divine doctrine of love, "Peace on earth, good will toward men." Not peace on earth at the expense of liberty and humanity. Not good will toward men who despoil, enslave, degrade, and starve to death their fellow-men. I believe in the doctrine of Christ. I believe in the doctrine of peace; but, Mr. President, men must have liberty before there can come abiding peace.

Intervention means force. Force means war. War means blood. But it will be God's force. When has a battle for humanity and liberty ever been won except by force? What barricade of wrong, injustice, and oppression has ever been carried except by force?

THE PART FORCE HAS PLAYED IN THE WORLD'S HISTORY.

Force compelled the signature of unwilling royalty to the great Magna Charta; force put life into the Declaration of Independence and made effective the Emancipation Proclamation; force beat with naked hands upon the iron gateway of the Bastile and made reprisal in one awful hour for centuries of kingly crime; force waved the flag of revolution over Bunker Hill and marked the snows of Valley Forge with blood-stained feet; force held the broken line at Shiloh, climbed the flame-swept hill at Chattanooga, and stormed the clouds on Lookout heights; force marched with Sherman to the sea, rode with Sheridan in the valley of the Shenandoah, and gave Grant victory at Appomattox; force saved the Union, kept the stars in the flag, made "niggers" men. The time for God's force has come again. Let the impassioned lips of American patriots once more take up the song:

> In the beauty of the lilies Christ was born across the sea,
> With a glory in His bosom that transfigured you and me,
> As He died to make men holy, let us die to make men free,
> For God is marching on.

Others may hesitate, others may procrastinate, others may plead for further diplomatic negotiation, which means delay, but for me, I am ready to act now, and for my action I am ready to answer to my conscience, my country, and my God.

Mr. President, in the cable that moored me to life and hope the strongest strands are broken. I have but little left to offer at the altar of Freedom's sacrifice, but all I have I am glad to give. I am ready to serve my country as best I can in the Senate or in the field. My dearest wish, my most earnest prayer to God is this, that when death comes to end all, I may meet it calmly and fearlessly as did my beloved, in the cause of humanity, under the American flag. [Long continued applause in the galleries.]

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. I rise to make a request. I was unavoidably absent from the Senate for nearly three weeks, during which time the Private Pension Calendar was somewhat increased. The House of Representatives has passed a very considerable number of Senate pension bills, while the Senate, I think, has passed but two House bills. Senators are urging that their bills shall have consideration in the House of Representatives. They are likewise urging that we shall as speedily as possible reach the Private Pension Calendar for the purpose of clearing off the bills that are now on it. There are about fifty House bills on the Calendar.

I rise to request that on Monday next, after the routine morning business be concluded, the remainder of the morning hour until 2 o'clock, if that time be necessary, shall be devoted to the consideration of private bills that are unobjected to.

Mr. HOAR. I ask the Senator from New Hampshire whether it would not probably be as well to fix a distinct hour for the purpose—say 2 o'clock?

Mr. GALLINGER. Perhaps we can get to it before 2 o'clock. I will modify my request, and ask the Senate to agree that at 1 o'clock on Monday next an hour be given for the consideration of unobjected pension cases on the Calendar.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from New Hampshire? The Chair hears none, and that will be the order for Monday next at 1 o'clock.

IMPROVEMENT OF NEW BEDFORD HARBOR, MASSACHUSETTS.

Mr. LODGE. I ask unanimous consent to call up the bill (S. 4127) to provide for dredging the channel in the harbor of New Bedford, Mass.

Mr. COCKRELL. Let the bill be read for information.

The bill was read, as follows:

Be it enacted, etc., That the sum of $34,122 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to dredge the channel in the harbor of New Bedford, Mass., leading to the bridge between that city and Fairhaven.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES DENNY.

Mr. COCKRELL. I ask unanimous consent for the consideration of the bill (S. 4037) to correct the military record of James Denny.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to correct the military record of James Denny, of Company A, subsequently B, Twelfth Regiment Missouri State Militia Cavalry, afterwards Company L of the Third Regiment Missouri State Militia Cavalry, by striking therefrom the words "dropped from the rolls by Capt. W. T. Leeper, December 10, 1862," and substituting therefor the words "discharged June 30, 1862," and to issue to him a discharge as of date June 30, 1862.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTECTION OF BIRDS.

Mr. HOAR. I ask unanimous consent to call up the bill (S. 4124) for the protection of song birds.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments.

The first amendment was, in section 2, line 2, to strike out the words "the importation of which is forbidden by the first section of this act" and insert "to be used or sold;" so as to make the section read:

SEC. 2. That the transportation of birds, feathers, or parts of birds, to be used or sold, from any State or Territory of the United States, to or through any other State or Territory of the United States, is hereby prohibited. Whoever shall violate the provisions of this section shall, upon conviction in the district where the offense shall have been committed, be punished for each such offense by a fine of $50.

The amendment was agreed to.

The next amendment was to add at the end of the bill the following as a new section:

SEC. 3. That the sale, keeping, or offering for sale, within any Territory of the United States, or within the District of Columbia, of birds, feathers, or parts of birds for ornamental purposes, except such as are excepted in the first section of this act, be, and the same is hereby, prohibited. Whoever shall violate the provisions of this section shall, upon conviction, be punished for each such offense by a fine of $50.

Mr. COCKRELL. I should like to have some explanation of the bill. I ask the attention of the Senator from Massachusetts to the title of the bill. It is entitled "A bill for the protection of song birds," and there is not in the body of the bill a solitary provision with reference to a song bird. It refers to birds of all kinds.

Mr. HOAR. The object of the bill is to protect what I am sure every Senator desires to protect, the song birds which give so much of the charm to life and which are being destroyed all over the world. They are imported into some foreign countries by millions for the purpose of ornament. That is the main object and purpose of the bill. But for the description in the text the term "song bird" is rather vague and indefinite, because there are some food birds that have beautiful song. The woodcock, for instance, is a fine singer. Therefore that phrase was not used in the description in the text of the bill, but the importation of birds or parts of birds for mere ornament is prohibited except as to feathers which are taken from living birds without injury.

I do not wish to debate the bill, because it will be understood in the Senate generally. There is a Southern bird, the heron, one of the most exquisite of birds, from which an aigrette is taken which has become a fashionable article of human wear. It is the bridal ornament of the female heron. It can only be taken from the living bird, and it is taken by the destruction of the living bird. It is upon the female white heron in the nesting season, so that ordinarily one of those feathers costs the life not only of the mother, but of an entire brood, which is left to decay and to starve.

A very eminent gentleman, well known to my friend from Missouri, told me last winter that two ladies came to his rooms to call on one of his family here in Washington, wearing on their bonnets, each of them, seven of these exquisite ornaments; so that the gratification of the vanity and the taste or desire for ornament of those two people alone had cost the lives certainly of fourteen female birds and probably of fourteen broods.

Mr. COCKRELL. Is that a song bird?

Mr. HOAR. I can not answer as to whether it is a song bird, but that is the reason why the text of the bill aims at the slaughter of all birds for ornamental purposes, although the title was limited to the principal object.

Mr. COCKRELL. It seems to me that the bill is going a long way when it proposes to prohibit the importation of birds.

Mr. HOAR. This is a bill which has been passed in several of the States. It has been passed in Colorado, it has been passed in Massachusetts, it has been passed in other States over the country, and it is desired by the Natural History Society. I hope the Senator from Missouri will see his way clear to let it pass.

Mr. COCKRELL. I am not going to delay its passage, except to state my objection. The provision—

That the importation into the United States of birds, feathers, or parts of birds for ornamental purposes be, and the same is hereby, prohibited—

is an actual prohibition of the importation of any kind of feathers of birds.

Mr. HOAR. With the exception stated, "of feathers taken from living birds without injury to the bird."

Mr. COCKRELL. I can not agree to the bill, but I am not going to object to its consideration.

Mr. BACON. As was stated by the Senator from Massachusetts, a similar bill has been passed by the legislature of the State of Massachusetts and by the legislatures of other States. When the bill was before the Massachusetts legislature there was a very beautiful address made in the name of the birds advocating the passage of the bill, which address was written by the senior Senator from Massachusetts [Mr. HOAR]. I desire to submit the same as my remarks in support of the pending bill.

Mr. COCKRELL. Let it be read.

Mr. CULLOM. I should like to have those remarks read.

Mr. BACON. Of course, the address will be read. That is my purpose.

The PRESIDING OFFICER (Mr. PASCO in the chair). The Secretary will read as requested.

The Secretary read as follows:

To the great and general court of the Commonwealth of Massachusetts, we, the song birds of Massachusetts and their playfellows, make this our humble petition:

We know more about you than you think we do. We know how good you are. We have hopped about the roofs and looked in at the windows of the houses you have built for poor and sick and hungry people and little lame and deaf and blind children. We have built our nests in the trees and sung many a song as we flew about the gardens and parks you have made so beautiful for your own children, especially your poor children, to play in.

Every year we fly a great way over the country, keeping all the time where the sun is bright and warm; and we know that whenever you do anything other people all over the great land between the seas and the great lakes find it out, and pretty soon will try to do the same thing. We know; we know. We are Americans just as you are. Some of us, like some of you, came from across the great sea, but most of the birds like us have lived here a long while; and birds like us welcomed your fathers when they came here many years ago. Our fathers and mothers have always done their best to please your fathers and mothers.

Now we have a sad story to tell you. Thoughtless or bad people are trying to destroy us. They kill us because our feathers are beautiful. Even pretty and sweet girls, who we should think would be our best friends, kill our brothers and children so that they may wear their plumage on their hats. Sometimes people kill us from mere wantonness. Cruel boys destroy our nests and steal our eggs and our young ones. People with guns and snares lie in wait to kill us, as if the place for a bird were not in the sky, alive, but in a shop window or under a glass case. If this goes on much

longer, all your song birds will be gone. Already, we are told, in some other countries that used to be full of birds, they are almost gone. Even the nightingales are being all killed in Italy.

Now we humbly pray that you will stop all this, and will save us from this sad fate. You have already made a law that no one shall kill a harmless song bird or destroy our nests or our eggs. Will you please to make another that no one shall wear our feathers, so that no one will kill us to get them? We want them all ourselves. Your pretty girls are pretty enough without them. We are told that it is as easy for you to do it as for Blackbird to whistle.

If you will, we know how to pay you a hundred times over. We will teach your children to keep themselves clean and neat. We will show them how to live together in peace and love and to agree as we do in our nests. We will build pretty houses which you will like to see. We will play about your gardens and flower beds—ourselves like flowers on wings—without any cost to you.

We will destroy the wicked insects and worms that spoil your cherries and currants and plums and apples and roses. We will give you our best songs and make the spring more beautiful and the summer sweeter to you. Every June morning when you go out into the field, Oriole and Blackbird and Bobolink will fly after you and make the day more delightful to you; and when you go home tired at sundown, Vesper Sparrow will tell you how grateful we are. When you sit on your porch after dark, Fife Bird and Hermit Thrush and Wood Thrush will sing to you, and even Whip-poor-will will cheer up a little. We know where we are safe. In a little while all the birds will come to live in Massachusetts again, and everybody who loves music will like to make a summer home with you.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

Mr. HOAR. I hope the question may be put on the passage of the bill which has been under consideration, to which I understand there is no further objection.

The PRESIDING OFFICER. The unfinished business will first be laid before the Senate, and then the Chair will submit the request of the Senator from Massachusetts.

The SECRETARY. A bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Mr. COCKRELL. I ask that the unfinished business may be informally laid aside, continuing the unfinished business for the balance of the day.

The PRESIDING OFFICER. The Senator from Missouri asks that the unfinished business be temporarily laid aside. The Chair hears no objection, and it is so ordered.

Mr. BATE. In this connection I beg to state that I shall call up the resolutions as a tribute to the memory of the late Senator HARRIS at half past 2 o'clock.

The PRESIDING OFFICER. The pending question is on the amendment reported by the Committee on the Judiciary to the bill (S. 4124) for the protection of song birds.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM A. COWLES.

Mr. MORGAN. I ask unanimous consent for the consideration of the bill (S. 2673) for the relief of William A. Cowles.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to William A. Cowles $1,000 in full for his services as an employee of the United States from March 1, 1878, to November 1, 1878, in the geographical surveys west of the one hundredth meridian, under the direction of Lieut. George M. Wheeler.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALABAMA RIVER BRIDGE, NEAR MONTGOMERY, ALA.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (S. 3871) to authorize the Montgomery-Elmore Bridge and Improvement Company to construct and maintain a bridge across the Alabama River, near the city of Montgomery, Ala.

There being no objection the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. PETTUS. I ask that the amendments of the committee be acted upon as the bill is read.

The PRESIDING OFFICER. At the request of the Senator from Alabama, the amendments will be reported and acted upon as the bill is read. The Chair hears no objection to that request.

The Secretary proceeded to read the bill. The first amendment of the Committee on Commerce was, in section 1, line 11, page 1, before the word "company," to strike out "such" and insert "said;" in the same line, after the word "company," to insert "and approved by the Secretary of War;" on page 2, line 7, after the word "route," to strike out "and the same is hereby declared to be a post route" and insert "upon which no higher charge shall be made for transportation over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for their transportation over the railroad leading to such bridge;" so as to make the section read:

That the Montgomery-Elmore Bridge and Improvement Company, a corporation created and existing under an act of the general assembly of the State of Alabama for the purpose of constructing and maintaining the bridge hereinafter mentioned, be, and is hereby, authorized to construct and maintain a wagon, foot-passenger, and railroad bridge, or a bridge for any one or more of such purposes, across the Alabama River at such point as may be selected by said company and approved by the Secretary of War, between the junction of the Coosa and Tallapoosa rivers and the city of Montgomery, in the State of Alabama, said bridge to be so constructed as not to obstruct the navigation of said river, and to be provided with a suitable draw: *Provided*, That any bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be known and recognized as a post route, upon which no higher charge shall be made for transportation over the same of the mails, troops, and munitions of war of the United States than the rate per mile paid for their transportation over the railroad leading to such bridge, and the United States shall have the right of way for a postal telegraph across said bridge.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 25, after the word "the," where it occurs the first time, to strike out "surroundings" and insert "sounding;" and in line 7, page 3, after the word "construction," to insert "or after completion;" so as to make the section read:

SEC. 2. That the bridge authorized to be constructed under this act shall be located and built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the proposed bridge and a map of the location giving, for the space of one-half mile above and one-half mile below the proposed location, the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the currents, and the soundings, accurately showing the bed of the stream, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War no work upon the bridge shall be commenced, and should any change be made in the plan of said bridge during the progress of construction or after completion such change shall be subject to the approval of the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 16, after the word "impediment," to strike out the semicolon and insert a period, and to strike out the remainder of the section in the following words: "And if, upon reasonable notice to said bridge company to make such change or improvements, the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company, and all the rights conferred by this act shall be forfeited, and Congress shall have power to do any and all things necessary to secure the free navigation of the river;" so as to make the section read:

SEC. 3. That Congress reserves the right to alter, amend, or repeal this act at any time; and that if at any time navigation of said river shall in any manner be obstructed or impaired by the said bridge the Secretary of War shall have authority, and it shall be his duty, to require the said bridge company to alter and change the said bridge at its own expense in such manner as may be proper to secure free and complete navigation without impediment.

The amendment was agreed to.

The next amendment was, in section 4, page 3, line 23, after the word "draw," to strike out the words "provided for" and insert "of;" so as to make the section read:

SEC. 4. That the draw of the bridge herein authorized to be constructed shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 4, after the word "That," to insert "all railroad companies desiring the use of any railroad bridge constructed under this act shall have equal rights and privileges relative to the passage of trains and cars over the same and over the approaches thereto upon payment of a reasonable compensation for such use, and in case of any disagreement between the owners of the bridge and any railroad company desiring its use, regarding the compensation to be paid or the conditions to be observed, all matters at issue shall be decided by the Secretary of War after a proper hearing; and;" so as to make the section read:

SEC. 5. That all railroad companies desiring the use of any railroad bridge constructed under this act shall have equal rights and privileges relative to the passage of trains and cars over the same and over the approaches thereto upon payment of a reasonable compensation for such use; and in case of any disagreement between the owners of the bridge and any railroad company desiring its use, regarding the compensation to be paid or the conditions to be observed, all matters at issue shall be decided by the Secretary of War after a proper hearing; and all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the bridge herein authorized shall not be commenced within one year from the passage of this act and be completed within three years from same date, the rights and privileges hereby granted shall cease and be determined.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. BROWN.

Mr. WILSON. I ask leave to call up the bill (S. 3474) granting a pension to John C. Brown.

Mr. COCKRELL. The Senator from New Hampshire [Mr. GALLINGER] has given notice that on Monday the pension bills will be called up and all of them will be acted upon at that time.

Mr. WILSON. I thought the proposition was merely to take up House pension bills on Monday.

Mr. COCKRELL. No; all of them.

Mr. WILSON. Very well, then.

THE MISSOURI RIVER BRIDGE AT ST. CHARLES, MO.

Mr. COCKRELL. I ask for the present consideration of the bill (S. 4206) extending the time for the construction of a wagon and motor bridge across the Missouri River at St. Charles, Mo., as provided by an act approved June 3, 1896.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDUSTRIAL AND SCIENTIFIC EDUCATION.

Mr. MORRILL. I ask for the present consideration of the bill (S. 4154) to amend an act approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, etc., That the act of Congress approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," be, and the same is hereby, amended as follows, namely: That whenever there shall be a less sum of money received from the proceeds of the public lands than is required by the terms of the act aforesaid to be paid to each of the several States, any deficiency shall be paid from any money in the Treasury not otherwise appropriated.

Mr. COCKRELL. That bill was reported a day or two ago, and when its consideration was requested, I think the Senator from Iowa [Mr. ALLISON] asked that it be passed over.

Mr. MORRILL. I think not; I do not think there will be any objection to the bill from any quarter.

Mr. COCKRELL. Let the bill be read, subject to objection.

Mr. MORRILL. It has been read.

The PRESIDING OFFICER. The bill has been read. Does the Senator from Missouri desire to have it read again?

Mr. MORRILL. The bill was reported unanimously from the Committee on Public Lands.

Mr. COCKRELL. There is something else involved in the bill besides the public lands.

Mr. MORRILL. Nothing at all.

Mr. COCKRELL. I think it had better retain its place until I can look into it a little. I know that there was objection made to it the other day, and I prefer that it should go over, not losing its place.

The PRESIDING OFFICER. The bill will go over, under the objection of the Senator from Missouri, without losing its place on the Calendar.

RED RIVER BRIDGE AT GRAND ECORE, LA.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (H. R. 5865) to authorize the Monroe Railway and Construction Company to construct a bridge across Red River, at or near Grand Ecore, La.

Mr. McENERY. Mr. President, I rose to submit the same request which has been made by the Senator from Arkansas. I hope the bill referred to by him may be considered at this time, and put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BURTON PACKARD.

Mr. TURNER. I ask unanimous consent for the present consideration of the bill (S. 1354) granting a pension to Burton Packard.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Burton Packard, late sergeant of Company C, Sixth Regiment Wisconsin Infantry Volunteers, at $50 a month, in lieu of the pension of $24 a month to which he is now entitled by law.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH P. PATTON.

Mr. MITCHELL. I ask unanimous consent for the consideration at this time of the bill (H. R. 1803) for the relief of Joseph P. Patton.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to correct the record of the War Department in the case of Joseph P. Patton, late first lieutenant of Company C, Fifth Regiment of Ohio Volunteer Cavalry, by revoking the order of his dismissal and granting him an honorable discharge to date September 21, 1864.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FARNHAM J. EASTMAN.

Mr. TURNER. I ask unanimous consent for the present consideration of the bill (S. 1353) for the increase of pension of Farnham J. Eastman.

Mr. COCKRELL. Probably the Senator was not in when notice was given that the pension cases on the Calender would be called up regularly at 1 o'clock on Monday next. They will all be taken up and considered at that time.

Mr. TURNER. I was not aware of that arrangement.

Mr. COCKRELL. The Senator's colleague [Mr. WILSON] asked for the consideration of a pension bill a few minutes ago, and I objected to it on the same ground.

Mr. TURNER. In that case I will withdraw the request for the consideration of the bill at this time.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

The PRESIDING OFFICER. The unfinished business having been laid aside informally, the Calendar under Rule VIII is now in order. The first case on the Calendar will be stated.

The bill (S. 3365) relating to the Eckington and Soldiers' Home Railway Company was announced as first in order.

The PRESIDING OFFICER. The Chair is informed that objection was made to the bill when it was under consideration heretofore, and it will be passed over without losing its place on the Calendar, if there be no objection. The next bill on the Calendar will be stated.

HOME FOR AGED AND INFIRM COLORED PEOPLE.

The bill (S. 2821) to provide a home for aged and infirm colored people was announced as next in order.

Mr. COCKRELL. Let that be passed over without losing its place.

The PRESIDING OFFICER. The bill will be passed over without prejudice.

SCHOOLS OF MINES.

The bill (S. 2911) to aid the public-land States to support schools of mines was announced as next in order.

The PRESIDING OFFICER. The Chair is informed that this bill has heretofore been read at length as in Committee of the Whole.

Mr. COCKRELL. Let the bill be passed over informally, in the absence of the Senator reporting it.

The PRESIDING OFFICER. The bill will be passed over without losing its place.

DISAPPROVAL OF A TERRITORIAL ACT.

The bill (S. 3051) to disapprove an act passed by the legislative assembly of the Territory of New Mexico, approved March 17, 1897, was announced as next in order.

Mr. COCKRELL. That bill has been reported adversely. Let it go over under Rule IX.

The PRESIDING OFFICER. The bill will go over under Rule IX.

BVT. MAJ. GEN. ALEXANDER STEWART WEBB.

The bill (S. 1901) to place Lieut. Col. and Bvt. Maj. Gen. Alexander Stewart Webb on the retired list of the United States Army was considered as in Committee of the Whole. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint Alexander Stewart Webb, late a brigadier-general of volunteers and lieutenant-colonel and brevet major-general, United States Army, a lieutenant-colonel, and to place him on the retired list of the Army with that rank and pay, the retired list being thereby increased in number to that extent; and provides that all laws and parts of laws in conflict with the bill shall be suspended for this purpose only, and that from and after the passage of this act no pension shall be paid to Alexander S. Webb.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES Q. SHIRLEY AND ESTATE OF FRANCIS DE LONG.

The bill (S. 2479) for the relief of James Q. Shirley and the estate of Francis De Long, deceased, was announced as next in order.

Mr. COCKRELL. That bill was adversely reported, was it not?

The PRESIDING OFFICER. It appears to have been favorably reported, so far as the Calendar indicates.

Mr. COCKRELL. It is an adverse report.

The PRESIDING OFFICER. The Chair is informed that, according to the indorsement on the bill itself, the Senator from Missouri is correct.

Mr. COCKRELL. The bill being adversely reported, let it go over under Rule IX.

The PRESIDING OFFICER. The bill will go over under Rule IX, as suggested by the Senator from Missouri.

PUBLIC BUILDING AT JOPLIN, MO.

The bill (S. 244) to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site, and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Joplin and State of Missouri, the cost of the site and building, including vaults, heating and ventilating apparatus, elevators, and approaches, complete, not to exceed $100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 23d instant approved and signed the following acts:

An act (S. 139) granting an increase of pension to Florence W. Buskirk;

An act (S. 400) for the relief of Dorence Atwater;

An act (S. 934) granting an increase of pension to Napoleon B. Breedlove;

An act (S. 2913) granting an increase of pension to Mrs. Cornelia I. Skiles;

An act (S. 2728) granting a pension to William D. Lamb;

An act (S. 2781) to amend section 4440 of the Revised Statutes, authorizing the licensing of mates on river and ocean steamers;

An act (S. 3064) to increase the pension of Caroline W. Abney, widow of M. W. Abney, a soldier in the Indian war;

An act (S. 3077) to grant the right of way through the Indian Territory to the Denison, Bonham and New Orleans Railway Company for the purpose of constructing a railway, and for other purposes; and

An act (S. 3339) to increase the pension of Martha S. Harllee, widow of W. W. Harllee, a soldier in the Florida war.

MEMORIAL ADDRESSES ON THE LATE SENATOR HARRIS.

Mr. BATE. Mr. President, the hour set apart for the Senatorial ceremonies in memory of my late colleague, Senator HARRIS, has arrived, and I offer the resolutions which I send to the desk.

The PRESIDING OFFICER (Mr. PASCO). The resolutions submitted by the Senator from Tennessee will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. ISHAM G. HARRIS, late a Senator from the State of Tennessee.

Resolved, That, as a mark of respect to the memory of the deceased, the business of the Senate be now suspended to enable his associates to pay proper tribute of regard to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as an additional mark of respect, the Senate, at the conclusion of these ceremonies, do adjourn.

The PRESIDING OFFICER. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to.

Mr. BATE. Mr. President, to my late distinguished colleague on this floor all the honors due to the most illustrious citizen have been paid by the officials of Tennessee and by the spontaneous affection of the citizens of the State. His body, by general and public request, lay in state in the capitol of Tennessee, escorted and guarded by old ex-Confederate soldiers, who stood sentinel around his bier under the two flags—Confederate and Federal.

The memorial services on a later day at Memphis, the home of the late Senator HARRIS, were of that character which attest the love and esteem in which he was held by the people of Tennessee. On that occasion the drapery of woe gave place to the beauty of flowers, and the vast auditorium bloomed and blossomed with the festoons of smilax and chrysanthemums, while palms of ancient and sacred memory vied with roses in giving grace and beauty to a scene which bore evidence of a purpose on the part of the whole community to unite in a grand testimonial to the honored dead.

Representative men, the rich and the poor, were there, and every creed in religion as well as every division in politics united in one testimonial to the memory of the citizen, the "war governor," and statesman who had passed away. Nothing which affection could suggest or pride propose was omitted by that community which he had served and in which he had so long resided.

The glimmer of the old gray uniform on the Confederate veterans on this memorial occasion recalled the glory of the past without in the least derogating from the duties of the present. He had worn that uniform with honor in the camp, on the march, on the battlefield, and it was appropriate that a conspicuous place should be filled by it in the memorial service of his past life. The proud emblems of the Federal Union were not absent, but floated gracefully along with the modest little ensign that bore the cross of St. Andrew, with its stars and bars.

It was a fit occasion for intertwining the two flags, and it was tastefully and gracefully done. Notwithstanding these honors so profusely paid by the authorities of Tennessee and of the city of Memphis and of all classes of the people, an honored custom of this Senate invites further posthumous ceremonies within its historic walls which have so often reverberated his voice. This Chamber for more than twenty years was the theater of his usefulness, the same in which he played that conspicuous part in the public history which will be forever associated with his memory. It is appropriate that here, then, in this Chamber official recognition of his prominent services to the Union and to the State should have voice and recognition.

I ask the attention of Senators while I briefly relate the story of a man—their fellow—who is gone.

Mr. President, ISHAM GREEN HARRIS was born in Franklin County, Tenn., on the 10th of February, 1818, and died in this city on the 8th of July, 1897, having attained the ripe age of 80 years, fulfilling the words of the psalmist that "the days of our years are threescore years and ten; and if by reason of strength they be fourscore years, yet is their strength labor and sorrow; for it is soon cut off, and we fly away."

Little did the neighbors and friends of the Harris family, who lived in an unostentatious but independent way among the plain and patriotic people of Franklin County, Tenn., dream that on the 10th of February, 1818, there was born in their midst a child who was destined to be a leading factor in stirring events that were to come to our country's history—one who was to organize troops to fight great battles—was three times to occupy the executive chair of our great State and sit twenty years in the chief council chamber of our great country as one of its advisers and leaders. There was no special announcement of his birth by the parents or any special recognition of it given by the neighbors or the church. It nevertheless was one that has gone into history and will live beyond the present generation into the far future.

Isham and Lucy Harris, the father and mother of this the youngest of nine children, were North Carolinians and of Revolutionary stock. Isham's grandfather was an officer in the Revolutionary war. The father and mother, leaving the Old North State, seeking fresher fields in which to better their fortunes, journeyed westward over the mountains and settled where the waters of Elk River flow through a beautiful valley overlooked by the western range of the Cumberland Mountains. It was here, on a farm in Franklin County, Tenn., that these pioneer parents in a plain and frugal way reared and educated their children.

The log-house home and country schoolhouse were familiar features in that day, and to-day Tennessee points to them, through the brightest pages of her history, with greater pride than can any king point to his palace or any scholar to his university alma mater, for these unpretending homes and schools were the sources of that great intellectual, moral, and political strength that made heroes and statesmen of her sons and gave an unsurpassed charm to her womanhood.

But this monotonous and narrow sphere of social and business life, though with many attractions, was too circumscribed for young ambition to vault itself, and the subject of this tribute, at the early age of 14, with only a country-school education, full of manhood and self-reliance, with a heart throbbing with courageous impulses and a brain restless and full of resources—this boy-man, ISHAM GREEN HARRIS, with the consent and blessing of his father, for whom he was named, launched his little lifeboat, freighted with his hopes and fortune, on the uncertain sea of the future.

Leaving home at this unripe age, he went west to Paris, Henry County, Tenn., which became his future home. By way of being independent of the assistance of friends, he hired himself as a merchant's clerk, beginning at the bottom with a small salary. By strict attention to business, performing every duty with alacrity and guided by that conspicuous executive ability that characterized all his life, he soon found himself at the head of an establishment of his own and conducted it with eminent success.

After having undergone varied fortune in the commercial line, meantime having matured into manhood, he entered upon the profession of the law, and soon showed his aptness in and his

adaptability to his profession. But while he was successful in securing a clientage and was strict in attention to the business intrusted to him, he was dreaming of the future, and saw, as in an apocalyptic vision, another field of service in which distinction united with destiny.

His taste and capacity fitted him preeminently for this new field, and his natural political sagacity and patriotic fervor beckoned him on. The gate opened its portals, and ambition, as a seductive siren, drew him in her charmed circle of delirium as naturally as iron filings are drawn to loadstone. Henceforth the political field was to him most congenial, and it became the arena in which was performed the life drama of ISHAM GREEN HARRIS. Six years of successful practice of law brought unto him not only a handsome income, but established for him a reputation as a lawyer, and more especially as an advocate. This threw him actively into the political world, and in 1847 he was honored with a seat in the senatorial branch of the Tennessee legislature.

There his aptitude for successful management in political matters entitled him to leadership, which brought him so conspicuously before the public as a Democrat that in 1848 he was selected as the Democratic elector for the Ninth Congressional district, to be followed in 1849 by his election from that district to the United States House of Representatives. After serving that district through two successive Congresses, and being renominated the third time, he declined to accept the nomination and moved to Memphis, where he was recognized as a lawyer and advocate of ability, and as such took high rank at that bar, then, as now, distinguished for the ability of its members.

But political preferment and leadership being his ruling passion, and politics being the natural field for the exercise of his fine powers, he again, in 1856, came to the front as elector at large for the Democratic party. Those who recall that exciting political campaign and the issues involved, and remember that his immediate opponent was the able and distinguished Governor Neil S. Brown, a foeman worthy of any man's steel, will recognize it as a gladiatorial contest between evenly matched knights, and which attracted the attention of the whole State.

His speeches on the hustings were plain, clear, and cogent, severely without ornament, and no strain at eloquence or display, but always sensible, strong, attractive, and sometimes dramatic. In delivery he was earnest and forcible, and alike emphatic in expression and gesture. Indeed, this grew upon him with age until the emphatic seemed the dogmatic. In speaking he always had a definite point to drive to, and he let you know what it was, and generally got there in good time and in good order.

With the triumph of his party in that campaign, Tennessee took rank among Democratic States, and his rich reward was a nomination and election, in 1857, as governor of the State. In this, his first canvass for governor, he had for his opponent Hon. Robert Hatton, the nominee of the opposing party, who was young, active, and talented, and it being the custom of Tennessee to have joint discussions between opposing party candidates, they canvassed the State together. HARRIS was elected. He was renominated in 1859, with John Netherland, a bright, talented man and famous stump orator, as his opponent. HARRIS was again elected.

His third election as governor was in August, 1861, after the State had united her fortunes with the Southern States and war was flagrant. Under the constitution of Tennessee the governor is elected for a term of two years, and remains in office until his successor is inaugurated, and this inauguration is required to be at the capitol and in the presence of the legislature. At the expiration of HARRIS's third term the capitol was within the Federal lines—hence there could be no inauguration, and HARRIS held over to the end of the war.

These renominations and successful canvasses show the hold he had gained and retained in the confidence and affection of the people of the whole State. His three canvasses for governor, together with performing the duties of the office, brought out those remarkable traits of character which made him conspicuous among the leaders of his party. He had by nature fine executive ability, which was strengthened by culture and habit. This executive quality was aided by an unflagging energy, which in turn was driven by a force of will that often overcame obstacles that were hard to remove.

Along with those, he had another gift or quality that was in evidence all along his line of life, and which contributed largely to his success. It is a species of diplomacy called in common parlance "tact;" that is, he instinctively knew better when and how to accomplish an object than other men. This was to a great extent the result of his thorough and accurate knowledge of human nature. His great lever power, however, that sustained him in seeking official preferment and maintaining himself was his Jeffersonian faith in the people—faith in their doing right when the right is understood by them—and his undeviating adherence to what he believed to be their rights and interests.

Governor HARRIS belonged to the strict-construction school of politics. That school of construction was originated by Jefferson and Madison as a counterpoise to the growing tendency of Federal consolidation and as a force to bring back the Government from the centralization of the alien and sedition acts to the original object of its creation, the Federal agent of the sovereign States that created it.

It was afterwards illustrated by the genius of Calhoun and adorned with the abilities and virtues of Southern statesmen, and for many years had a grasp upon the people of the South which only the mailed hand of fratricidal war could tear away.

To that school of construction Governor HARRIS conscientiously attached himself.

Whatever others may think of that theory of our Government, to ISHAM G. HARRIS it was the gospel of his politics, the creed that formulated his political convictions, and to it he was as true as the needle to the pole.

State sovereignty and its resultant, the right of secession, were with him conscientious convictions, as sacred and binding as his belief in human existence. As governor it was his duty to take care that the State suffer no detriment, and to that end, when trouble and danger were in sight, he summoned the legislature in extra session, that a convention of the people of the State might take such action as their wisdom should dictate. It would serve no good purpose to review in this place the able messages in which he discussed the public conditions, the attitude of sections, and the ultimate purposes of political parties.

It is sufficient to say that he was no fanatic, but a calm, resolute, earnest, and honest man in a place of great responsibility; and with the courage of his convictions he met the public conditions by which his State was menaced with the only remedy that was provided in the theory of Federal Union as he understood that theory. Yea, many will say he and those of us who sustained him were wrong; but there can be none who knew him as I and those who stood by him in that great crisis did who can truthfully assert that he was not honest in his convictions and earnest in his work.

In the days of 1861 public events shaped themselves with a rapidity and suddenness which it is difficult to comprehend now, and not edifying to review on this floor. There is one incident, however, that occurred at this juncture between the governor of Tennessee and the President of the United States that can not with propriety be omitted in giving the leading features of Governor HARRIS's life.

Excitement for weeks over the whole country had been intense, and culminated in the fall of Fort Sumter, whereupon President Lincoln called for 75,000 troops to coerce the seceded States, and in the call designated two regiments to come from Tennessee, and asked Governor HARRIS to furnish them. The reply was promptly returned by the governor of Tennessee to the President in the following words:

> Tennessee will not furnish a single man for the purpose of coercion, but 50,000, if necessary, for the defense of our rights and those of our Southern brethren.

There are many personal and official incidents connected with Governor HARRIS that would be interesting to know, but I forbear giving them, except the following one, illustrative of his high appreciation of the duty of an official in caring for the public interest intrusted to him: There was a large sum of money, nearly a million dollars in gold, in the custody of the State, known as "the school fund, when, on the approach of the Federal Army to the capital of Tennessee, Governor HARRIS had this fund, among other effects of the State, sent south. He regarded it as a sacred fund, and on no account would permit it to be used. Under his orders it was moved from place to place as military lines shifted, and kept secure. When war scenes were dissolving and he going into exile, he directed its honest keepers to return it to the State authorities, which was done without the loss of a dollar.

It is my purpose only to present Governor HARRIS in his true character, that of a resolute, firm man, discharging every duty from a high sense of responsibility to the State and her people, indifferent to every personal consequence and solicitous only for the safety of the State and the protection of her people. To that end, when all hopes of continued peace vanished before the President's call for troops to invade the Southern States, Governor HARRIS bent every energy of his character and exerted every resource of the State to the organization and equipment of her volunteers; and so well did he work in those precarious days that by July, 1861, he had organized and equipped thousands of troops, turning them over to the Confederate authorities.

He relaxed no effort in the defense of the State, but with untiring energy continued his efforts to place the State in a condition to be defended by her own people as well as by the armies of the Confederate States. His example as governor was inspiring to all the people, infusing energy everywhere and bringing order out of confusion, until under his administration, which was during the entire war, over 100,000 Tennessee soldiers, as gallant and patriotic troops as ever mustered under battle flag, had enlisted and had been as well equipped as could be under the existing conditions and completely organized in the armies of the Confederate

States, and thus he earned the well merited, and to him the most highly prized, sobriquet of the "War Governor of Tennessee."

When driven by the events of the war from the State and it was no longer possible for him to discharge the duties of the exalted office, he rested not, nor sought easy berth, but immediately entered the field on the staff of Gen. Albert Sidney Johnston, and was with him on the field of Shiloh and personally assisted that great chieftain at the time he received his death shot.

With the Army of Tennessee, under all its commanders, he served through all the years of the war, exerting every effort to mitigate the hardships of the soldiers, to supply the necessities of their daily life, and sharing with them the sunshine and the storm, the heat and the cold, the joy of victory and the sting of defeat.

Though not technically in the Confederate army, for he could not be, as he was governor of Tennessee, but he was in fact its inseparable companion from beginning to end, and heard its first reveille and its last tattoo. He was emphatically the friend of the soldiers and omitted nothing that could contribute to their comfort or increase their efficiency. After the war, with all its disappointments, losses, and distress, the people of Tennessee still treasure in their hearts the sacred memory of their heroic soldiers.

When all the blandishments of life are gone,
* * * the brave live on.

All else seemed gone, under the inscrutable wisdom of an all-wise Providence, but the manhood of those four years. In all the noblest acceptation of that word, it is a precious heirloom to Confederates, to be transmitted from sire to son. Of that manhood Governor HARRIS was a living example, in its administrative feature, in its brave devotion to duty, in its unselfish attention to the wants of others, and in its bravery and endurance on the field of battle, and also in exacting demands in bivouac, march, and hospital.

The history of ISHAM G. HARRIS is inseparably connected with our war period. He was then in the prime of life and in the zenith of his power. He was governor during the entire time, from 1861–1865, of a sovereign State, mighty in those effective elements of war, men and resources. It was an ill-starred destiny that came upon our country and brought a four-years carnival of suffering and death.

When the bloodshot eye of Mars looked down upon the scene, it was "red with uncommon wrath," and the smile of mercy appeased it not. Ours was then a land of armed men, brothers fighting each other. Destruction and death was the order of the day. Every march was to a battlefield, and every battlefield was a graveyard. Defeat of to-day gave earnest of victory to-morrow, while victory to-morrow meant defeat the next day. It was a struggle between giants, as fierce and unrelenting as that between Saracen and Crusader over the Holy Sepulcher when the battle-ax of Cœur de Lion found its death-producing counterpart in the magic blade of Saladin.

It was in these times that the subject of this tribute was at the helm, steering a mighty State through the crimson tide of war. But with peace there came not rest to his weary spirit. The triumph of the Union Army admitted of no magnanimity for him. The fierce passions of politics interposed to drive him into exile. The trumped-up charge of treason to the State, the State he had so courageously defended, was set in motion, and, with a reward for his capture, he was driven to seek safety in Mexico and there await a returning sense of shame to his persecutors.

From Mexico to England was for him a change from enforced idleness to that business activity so necessary to his energetic and ever-working nature. One year in business in Liverpool completed the two and a half years of exile, during which all charges were abandoned and rewards withdrawn, and he was free to return to the State and people he had served so faithfully and loved so well. A period of eight years followed with a successful practice of the law, during which the clouds of political animosities were being gradually dispelled and the people had become free to exercise their right of selecting their Representatives and Senators.

Governor HARRIS became a candidate and was elected by the legislature to the Senate of the United States, where from 1877 to 1897, a period of over twenty years, he was the zealous and faithful ambassador of Tennessee to this Amphictyonic Council of sovereign States.

This Senate too well remembers my colleague for me to recall the weighty words, the impressive manner, the forcefulness in colloquy, the ready retort, the executive ability, tact, and discretion, the parliamentary management, the courtesy that ever characterized him in the chair—for he had been chosen its temporary presiding officer—the firmness with which he maintained his convictions, and the triumph he won.

His was a green and fresh old age. His eyes were not dim and lusterless, nor was his natural force much abated. He was never a better or more useful Senator nor more attentive and efficient to his duties than in the later years of his life. Age seemed only to have brought ripened experience with its advantages which he made available.

He was generally in his seat and always a watcher, even in weary nights when obstructive legislation was rampant. When younger men were inattentive and sought sleep, he, regardless of age, was awake and vigilant and ready for any turn in the game of political diplomacy that was going on, and generally took on such occasions a leading and effective part in all discussions pertaining to the rules of the Senate and parliamentary proceedings. Indeed he felt, and it came to be so regarded in the Senate, that debate on parliamentary proceedings was *his* fight, for he was the admitted authority on parliamentary law in the body.

Mr. President, Governor HARRIS lived in an eventful age. No eighty years of human action has brought to light so many useful discoveries and such great results. The map of the world has been changed during the period of his life. Empires have appeared and passed away like bubbles on the surface of the lake.

Continents that were comparatively vacant have become the abode of powerful States, peopled by intelligent inhabitants that enjoy all the advantages of a high civilization. At his birth this Republic was all east of the Mississippi; at his death the tide of population had crossed the Rocky Mountains and built powerful States and splendid cities on the Pacific. What at his birth was the American desert has become the abode of freemen, and enterprising communities now cheer the dreary wastes.

No railroad was then found on this continent, nor was it traversed by thousands of miles in which the traveler scales the lofty mountains and passes over the great rivers in splendid parlor cars, where his meals are served and he reposes on his downy bed while he spins along over wonderful scenery at the rate of 40 miles an hour. At his birth no scientist dreamed that each day's proceeding would be distributed through the world with a speed that far outstrips the earth in her daily revolutions around her axis. Yet the lightning has become the great agent of humanity to distribute its messages, propel its cars, and heat its habitations. The telephone is the faithful agent that repeats the human voice scores of miles.

The year after his birth the first steamship crossed the Atlantic. Now every ocean is stirred by the swift messengers of nations in peace and war. The world of mind and morals has been evolving new theories of thought and new rules of social and spiritual life. The activity of human genius has brought out new creations in every department of utility. Ancient institutions have given place to new and more refined and delicate ones.

The wonders of art have outstripped the wildest visions of dreaming fancy and given to human achievement boundless possibilities, that may cover the earth with charities and blessings, that will wipe away all tears and lull into sweet harmony the sighs and sorrows of the human race.

Amid this wonderful impulse of human action this distinguished man has lived and acted and enrolled his name.

Mr. President, when the end came to those eighty years of arduous life, when the golden bowl was broken, and the silver cord was loosed, and the pitcher broken at the fountain, it could be truthfully said of my colleague that "he died at his post." If not like Chatham falling on the floor of the House of Lords, or John Quincy Adams sinking in the House of Representatives, yet he succumbed from the exertion and the labor of his Senatorial duties like the great English leader and the exalted American ex-President.

The unswerving patriot, ISHAM G. HARRIS, whose long life had been devoted to his country, had striven to the end, and his last days were his best days.

He is now in his grave—

After life's fitful fever he sleeps well.

Neither the call to the hustings, the concourse of admiring friends, the contests in the Senate, nor "the rapture of the fight" shall again summon him to duty. His repose is tranquil in the sacred precincts of Elmwood, overlooking in its beauty and silence the Mississippi as it swells in majestic flow at the base of Memphis, the beautiful city of the valley. Peace to his ashes.

Mr. MORRILL. Mr. President, generally members of the Senate when first elected are no longer young, and their early departure to "the silent land" is in accordance with nature. Within the past year the decease of Senators and of ex-Senators has been unprecedented. The list of ex-Senators includes twelve—Voorhees, McPherson, Doolittle, Cameron, Dolph, McMillan, Coke, Dixon, Jones, Robinson, Clingman, and Paddock; and the seats here of three Senators were also made vacant, or those so recently occupied by Earle and George and by Senator HARRIS, of Tennessee, to whose memory the Senate to-day offers its tribute of respect.

All of these men possessed some characteristic and prominent merits which were appreciated by their people at home, as well

as by their associates here, who knew them at close range. McPherson, Voorhees, and HARRIS were all recent members of the Committee on Finance, and whatever differences on political and economical questions may have existed, the committee, I feel authorized to say, were personally all friends, and the survivors are here to-day as mourners.

Our late and long-time associate, Senator HARRIS, of Tennessee, was born in the State he represented, where, as it may safely be assumed, his political influence was probably never surpassed, except by that of General Jackson, whose wide national renown served to gild and expand his local influence at home. Nearly fifty years ago ISHAM G. HARRIS served in the Thirtieth and Thirty-first Congress as a member of the House of Representatives, then for six years as governor of Tennessee, and during the last three years of the rebellion he was a volunteer aid of the "Confederate Army of Tennessee," as he preferred to state it himself in the Congressional Directory. It may be inferred that as a stanch partisan of the State-rights doctrine and a veteran supporter of the Virginia resolutions of 1798 he rather preferred to be a volunteer aid to the Confederate Army of Tennessee than of the army under the direct control of Jefferson Davis.

Not obtrusively aspiring to be a national leader, yet he was a leader, and often consulted by his friends and his party. While always courageously stiff in his opinions, these were usually found to be safely behind the political breastworks of the Democratic party.

Tennessee was the home of Senator HARRIS and also of John Bell, who in 1860 received the vote of Tennessee for the Presidency as the candidate of the so-called "South American" or Union party; but Tennessee would hardly have been induced to join the Southern Confederacy in 1861 solely because of the Republican election of Mr. Lincoln to the Presidency but for the potential influence of Governor HARRIS.

Near the close of the rebellion, having been a Confederate with many conspicuous proofs, he deemed it wise to leave the country, lest the exigencies of peace might prove more portentous than those of war, and at once departed for Mexico, taking with him, for safe-keeping—whatever Parson Brownlow may then have erroneously supposed—$60,000 belonging to the State, but which was safely brought back by him and returned to the State treasury.

After a brief sojourn in Mexico, he went to Great Britain, and there finally concluded, after all his recent experience, there was no place so dear to him as his old home in Tennessee, and to that he returned in 1867.

In 1877 Mr. HARRIS was elected to the United States Senate, where he was for twenty years a very prominent and useful member. As the chairman of the Committee on the District of Columbia, its various duties were discharged with ability and with nearly universal approval. He was long a valuable member of the Senate Committee on Finance, always in attendance at every meeting of the committee promptly on time, and bills submitted to him for examination and report were sure of early attention. He rarely made what are called prepared or set speeches; but, as long as health permitted, when the Senate was in session, he was here in daily attendance.

Senator HARRIS was a radical adherent to his party, and when he felt it as his sacred duty to denounce the measures of his political opponents, it was apparent from the unction of his accentuation and his dramatic gesticulation that he was ready to strike, if not with the sword of the Lord, certainly with nothing less than the sword of Gideon.

Early becoming familiar with the parliamentary rules of the Senate, Senator HARRIS, as the President pro tempore or when invited to the chair by the presiding officer, discharged its duties not only with excellent ability and absolute impartiality, but with extreme brevity.

Socially he was not egotistical, and never by his conversation made a darling of himself. Even his age was long kept as a personal secret about which the public had no business to inquire.

For many years, in my absence, Senator HARRIS was my standing pair, and it was very scrupulously observed.

He was a frank, outspoken man, and did not hide his opinions by silence or by a forky tongue. His integrity appeared to me absolute and unimpeachable. Here he was respected as well as esteemed—certainly he was esteemed by me—and had I preceded him—

> To the undiscovered country from whose bourne
> No traveler returns—

as perhaps from seniority of age might have been expected, I do not doubt he would have tendered a just and kind word in my behalf. But it was long ago written, "There shall be two men in the field; one shall be taken and one is left."

Mr. MORGAN. Mr. President, I first saw ISHAM G. HARRIS near Nashville, in Tennessee, when he was governor of that State and had been driven from his capital by the Federal Army under General Buell. He came to the head of a column I was leading in a reconnoissance under the orders of General Forrest.

He came as an aid-de-camp of that distinguished officer, bearing orders for my execution.

In that brief interview I saw a characteristic display of the intrepidity of the man.

The action was perilous and the governor went into the fight with the dash and resolution that plainly revealed his character as a soldier who rejoiced on the field of battle.

This gallant soldier passed out of my observation into the high career of splendid service in which he won great distinction as the honored adviser of the eminent men who led the destiny of the Confederacy. No true soldier ever failed to recognize in him a brother in arms, and a brother in every emergency.

When that war had ended, the people of Tennessee conferred on him the highest honor in their gift by choosing him as a Senator of the United States. It was my fortune to meet Mr. HARRIS the second time on the floor of the Senate, as a Senator from Alabama, on March 4, 1877, and we took up the grave duties of that office on the same day, he representing my native State.

I had not seen him since the morning of our brief association on the field of battle.

Henceforth our efforts were to be devoted to the service of the country in fields where peace harvests "her victories more renowned than war."

It is a cause for deep pride to me that in the twenty years of our service in the Senate we never differed on any great leading question of public policy that involved a question of the proper construction of the Constitution of the United States, for he was a true and wise man, whose matured opinions were carefully formed and were always presented with the emphasis of profound conviction and maintained with unflinching courage.

No name in the annals of the South is more honored in the esteem of the people than that of ISHAM G. HARRIS as a statesman and wise legislator. His fidelity to every public trust became a standard in the minds of the people for the highest duty of an American Senator, and in the Senate that standard is recognized as being worthy of the best men of the best days of the Republic.

The history of this noble and genuine man can not be stated in a single address, nor, indeed, in any single statement of tongue or pen. There are treasured in the hearts of millions of people the legends of ISHAM G. HARRIS, that are kept fresh and green by the pulsations of gratitude. These are often repeated at the fireside and to listening groups of children as proofs of the qualities that they should prefer to all other attributes or accomplishments.

His life grew to full development in an atmosphere of immaculate honor until it became a noble structure to stand for all time as a high model of the typical Southern man. I feel intense pride in the privilege of referring to ISHAM G. HARRIS in this splendid attitude in which he is placed by the universal opinion of the Southern people. It is descriptive of their sentiments on all great questions and of their manner of dealing with matters of public concern with honest directness of purpose and action.

It is well for us and for our successors in the Senate that we have his record as a guide to correct and just action in the great questions that we must deal with in this great Forum.

In this hour of suspense and anxiety that clothes the whole body of the people with a deep spirit of inquiry as to our duty to the honor of the Republic and a deeper resolve to protect and defend it to the uttermost, it would give me the most sincere satisfaction if we could invoke the advantage of his wisdom and his true and courageous sense of duty to advise the Senate as to its course, now pressing for determination.

His counsels would not be rash, but they would be just and courageous, and his advocacy of a righteous line of action would give to our resolution the confidence of worthy motives and assured success in a new and delicate line of duty to which we are impelled by the claims of humanity upon the heart of the great and magnanimous American people.

I can pronounce no higher eulogium upon the character of this great Senator than to voice the wish of the Senate, if it could be so, that he could now be with us to advise us with his counsels.

It is in such moments that we miss great leaders and learn to value their worth to the country. No question was too high or too broad for the grasp of his intellect, and no matter engaged the attention of the Senate to which he refused to give his attention.

Mr. HOAR. Mr. President, the great career of Senator HARRIS is well known to his countrymen. He has been for more than a generation a striking and conspicuous figure in our public life. His colleague, his successor, the men of his own political faith, the people of the great State which he served and honored and loved so long, will, each in their own way, portray his character and record their esteem and affection.

My tribute must be that of a political opponent. So far as I have been able to exert any influence upon the history of my country during the long conflict now happily past, it has been in

opposition to him, to the party to which he belonged, to the opinions which he held, I am sure, quite as zealously and conscientiously as I hold my own.

We entered the Senate on the same day. He was a Southerner, a Democrat, and a Confederate. I was born and bred in New England, a Republican, and an Abolitionist. We rarely spoke in the same debate except on different sides. Yet I have no memory of him that is not tender and affectionate, and there is nothing that I can honestly say of him except words of respect and of honor.

He was a typical Southerner. He had the virtues and the foibles that belonged to that character in the generation the last of whom are now passing from the stage of public action. He was a man of very simple and very high qualities; he was a man of absolute frankness in public behavior and in private dealing. The thought that was in his heart corresponded absolutely with the utterance of his lips. He had nothing to conceal. I was about to say he was a man without the gift of diplomacy; but he was a man with the gift of the highest diplomacy—directness, simplicity, frankness, courage—qualities which make always their way to their mark and to their goal over all circumlocutions and ambiguities.

He was a man of brief, clear, and compact speech. He would sum up in a few vigorous and ringing sentences the argument to which other men would give hours or days. He had an instinct for the hinge or turning point of a debate.

He was a man of absolute integrity and steadfastness. What he said, that he would do. Where you left him, there, so long as he lived, you would find him when you came back. He was a man of unflinching courage. He was not afraid of any antagonist whether in the hall of debate or on the field of battle.

He was an acknowledged master of parliamentary law, a system upon which not only the convenient procedure of legislative bodies largely depends, but which has close relations to constitutional liberty itself. How often a few simple and clear sentences of his have dispersed the clouds and brought order out of confusion in this Chamber.

His great legislative experience made him invaluable as a servant of his own State, of the country, and as a councilor to his younger associates.

He was a pleasant man in private intercourse. He had great sense of humor, a gift of portraiture, a good memory. So he brought out of the treasure-house of his varied experience abundant matter for the delight of young and old. There is no man left in the Senate who was better company in hours of recreation.

His influence will be felt here for a long time. His striking figure will still seem to be hovering about the Senate Chamber, still sitting, still deliberating, still debating.

Mr. President, it is delightful to think how, during the lives of the men who took part in the great conflict which preceded and followed the civil war and the greater conflict of the war itself, the old bitterness and estrangements are all gone. Throughout the whole land the word "countryman" has at last become a title of endearment. The memory of the leaders of that great conflict is preserved as tenderly by the men who fought with them as by the men who followed them. Massachusetts joins with Tennessee in laying a wreath on the tomb of her great soldier, her great governor, her great Senator. He was faithful to truth as he saw it; to duty as he understood it; to constitutional liberty as he conceived it.

If, as some of us think, he erred, his error was that of a brave man ready to give life and health and hope to the unequal struggle.

> To his loved cause he offered, free from stain,
> Courage and faith; vain faith and courage vain.

And, Mr. President, when he returned to his allegiance, he offered to the service of his reunited country the same zeal and devotion he had given to the Confederacy. There was no reserved or half-hearted loyalty. We could have counted on his care for the honor and glory of the country, on his wise and brave counsel, in this hour of anxiety with an unquestioning confidence. So Massachusetts to-day presses the hand of Tennessee and mourns with her for her great citizen who has departed.

Mr. WALTHALL. Mr. President, when the people of a Congressional district, after a public servant has been tried and tested in other positions of responsibility, elect him two terms to Congress and offer him a third, it is but a just recognition of his fidelity and usefulness by the beneficiaries of his service.

When later the people of his State, with the record of his public service before them, elect him their governor three times in succession, these added honors attest their appreciation of his growing capacities and prove his increased popularity and influence.

When the representatives of the same people, voicing their will, after a great war had intervened and their favorite citizen had rendered three years of military service in a conspicuous position, at a trying time summon him from private life to accept the highest trust his State has the power to bestow, electing him four times consecutively, twice after he had passed the age of 70, to the Senate of the United States, then all has been done that the people of a single State can do to honor and glorify a public servant, whatever his merit and ability.

And when the same people who had thus honored him in life lament his death as a personal bereavement and a great public misfortune alike; when the State clothes herself in mourning and throughout all her borders the population, in vast assemblies, in church and court room and in the market place, everywhere, in public and in private, manifest their devotion and their grief; when Congressmen in both Houses and officials in all departments of the Government bear witness to his worth; when from no quarter of the Union comes a harsh word of criticism upon any feature of his eventful career—when we have seen all this, we feel that what came after death was but a natural sequence and fit complement to all that went before; but we wonder that a long career of active, positive, forceful, uncompromising leadership should be followed by such universal tributes of approval and respect. Yet these honors and these tributes were bestowed upon the late Senator HARRIS, living and dead, and how well they all were earned is known of all men familiar with the history of his life, which has been so admirably outlined to-day by the senior Senator from Tennessee, for many years his coworker and associate.

For a young man of limited means and with but a slender educational groundwork to fit himself for the practice of a learned profession in the intervals of the employment by which he earns his living is but the story of many a brave-hearted American's early life. But when such a man makes his way from the starting point of a country merchant's store through other places of distinction up to the Senate of the United States and promptly becomes an acknowledged power here, and for twenty years holds high rank among the foremost members of the body, we must look elsewhere than to mere diligence and positive capacity, or to scheming, or to some accident or freak of fortune which sometimes thrusts mediocrity into temporary prominence, in searching for the secret of such remarkable success.

From causes like these men without aptitude or merit may occupy high places for a time, but without proven fitness for usefulness in some form, turned practically to some valuable account in which the public is directly concerned, a public man's hold upon the confidence of his own people and that of his associates in service can never long endure. When it lasts, as the late Senator HARRIS'S did, through a half century marked by stirring and trying events and the shifting fortunes of other men, and as time advanced grew firmer and stronger, the secret must be found in some of those rare attributes which in such combination and degree are denied to men in general.

After cordial personal intercourse and intimate party association with him for many years, through which I closely observed his dealings with both men and measures, my belief is that force and faith were the powers which chiefly contributed to his achievements in life.

Force of intellect, supported by the force of a vigorous physical organism equal to any strain, mapped out his plans and purposes with steadiness and continuity; the force of a clear, sententious, and incisive style of argument urged them and impressed them, and force of character, will power that would not be thwarted and could not be subdued, impelled them with persistency and power to consummation and conclusion.

Faith in himself, in his own powers and purity of motive, gave him strength and independence and made him aggressive, persistent, and well-nigh irresistible in the pursuit of all his purposes. He had faith in our form of government, in the permanence of our institutions, in the masses of the people, and in their capacity to govern themselves; faith in his own construction of the Federal Constitution, from which he never swerved, and in his own ideals, which were exalted, of justice and duty, of manliness and honor.

He was faithful to principle and to every trust, however great or small; to State, constituents, and friends, and to every obligation they imposed upon him. Stern, direct, incorruptible, and resolute, he encountered enmities and was sometimes a mark for slander; but the charge was never made that he failed to keep faith with any of his fellow-men.

If, as I believe, the faculties and sentiments I have attributed to our late associate belonged to him, we need search no further for the secret of his successes and his long career of usefulness and honor, for the results were no more than the causes deserved. If they did not, I have misconceived his character, although, with excellent opportunities, I have studied his life with interest and have much reason to lament his death sincerely.

Mr. HAWLEY. Mr. President, the full and interesting sketches of Senator HARRIS'S life and character to which we have listened leave me little to say beyond testifying my personal regard for

him. I congratulate myself that what I had previously intended to say coincides so well with the observations of the Senator from Massachusetts [Mr. HOAR].

Mr. HARRIS was a man of strong convictions—frank and brave in setting forth and defending them. He was always ready for combat, prompt in repartee, skillful in attack and defense. He sometimes struck heavily, but never with personal malice, and no man remembers him unkindly. He was a master of parliamentary law, and in his frequent occupancy of the chair he knew well how to keep the true question before the Senate and how to preserve order.

He was a gallant and chivalrous man, a foremost champion of what he desired to promote. His bearing is well remembered, but can not be described. He differed at one time from many of us on great issues, but none doubted his sincerity and courage.

In private life he was a cordial, genial, hospitable, and typical gentleman of whatever school.

Tennessee honors herself in honoring his memory. The Senate records its affection and respect, and will not forget him.

Mr. COCKRELL. Mr. President, ISHAM GREEN HARRIS, to whose imperishable memory the Senate of the United States pays this last memorial tribute, was born in Franklin County, Tennessee, on the 10th day of February, 1818, being the youngest of five sons and four daughters born to Isham Harris and his wife, Lucy Davidson Harris, and died in this city on the 8th day of July, 1897, in the eightieth year of his age.

He was endowed with a strong, vigorous constitution and a clear, active, quickly-grasping intellect, and was reared amid rural scenes and healthful surroundings.

His education was limited, and only such as a newly-settled country afforded. He attended Winchester Academy, and at the early age of 14 years his untiring energy, indomitable will, independence, and self-reliance carried him away from home to engage in the active affairs of life.

He went to Paris, Tenn., and began his eventful career as a clerk in a mercantile establishment, and by his energy, intelligent devotion to his duties, and strict economy was in a few years enabled to engage in business on his own account in Ripley, Miss., and proved a successful merchant.

This avocation was not the goal of his aspirations and laudable ambition. While successfully conducting his mercantile business he was studying law at night and preparing for a broader field of action. Having accumulated sufficient means to enable him for a time to devote his whole time to the study of his chosen profession, he returned to Paris, Tenn., in 1841 and began the practice of his profession in the office of an elder brother, an able and learned jurist. He applied himself to the study and practice of the law with his characteristic zeal, industrious application, and devotion, and quickly acquired a lucrative practice and professional reputation which attracted public notice seldom attained so early in life in his profession.

In 1846 he was elected as a Democrat from his senatorial district to the general assembly of his State, and declined a reelection.

In 1848 he was chosen a candidate for Presidential elector in his Congressional district, and in the canvass displayed an ability for popular debate which secured for him the respect, admiration, and confidence of the people, which were never betrayed nor shaken in all the long years of his public career.

In 1849 he was nominated by a Democratic convention as a candidate to represent his Congressional district in Congress, and was elected by a majority greater than that of his party.

In 1851 he was renominated and reelected, and in 1853 was renominated, but declined to accept.

He then removed to Memphis, Tenn., and resumed the practice of law, and at once took rank with the leading lawyers and secured a lucrative share of the legal business.

In 1856 he was Presidential elector for the State at large on the Democratic ticket. His competitor in this canvass was the distinguished Whig, ex-Governor Neil S. Brown, a worthy foeman in public debate. In 1857 he was nominated and elected governor of his State; was reelected in 1859, and again in 1861.

His position in public affairs was never equivocal. As governor of the State and commander in chief of her military forces from 1861 to the close of the war, he did all that was in his power to secure the success of the Confederacy by organizing his State troops, going with them into camp and battle, and remained with the army to the close of the war, and served on the staff of the successive generals commanding the Army of Tennessee. He was at his post of duty and danger through heat and cold, rain and sunshine, in camp and on battlefield, in advance and retreat, in victory and defeat.

When the war closed, on account of the surviving passions and fierce prejudices aroused by the severe conflicts in Tennessee, he went to Mexico and remained there for eighteen months; and then went to Liverpool, England, and engaged successfully in mercantile business for one year, and then returned to Memphis and resumed the practice of law, and closely applied himself for ten years.

In 1877 he was elected a Senator from the State of Tennessee in the Senate of the United States; was reelected in 1883 and in 1889, and in 1895 for the term ending March 3, 1901.

By this brief sketch of his illustrious life we may profit, as well as the young men of this and coming generations of our great country, to whom we present him as an example, not to deter, but to follow. From his fourteenth year of age to his eightieth—sixty-six years—he was in active life; not a drone, but emphatically a busy bee, neither losing nor wasting time.

In whatever avocation or position he engaged or accepted, he was preeminently successful and useful. To the discharge of all the duties and obligations of his avocation or position, however humble or exalted, he devoted his whole time, energy, attention, and abilities closely, industriously, and intelligently.

He was truly the "architect of his own fortune." His example proves that success can be achieved by great labor, and that life gives nothing worthy of a noble manhood without such labor. As a State senator in the general assembly of his native State he was laborious, useful, and ranked among its ablest members, and acquitted himself to the entire satisfaction of his constituency, and was tendered and declined a renomination. As a Representative in the Congress of the United States, although one of its youngest members, he quickly won a high position as a practical legislator, a sound lawyer, and an able debater, and so acceptably to his constituency discharged the duties that he was renominated and elected and tendered a third nomination, which he declined.

He was three times nominated and elected governor of his State, which fact attests his fidelity and efficiency. As a Senator, for punctuality and promptness in his attendance upon the sessions of the Senate and the meetings of the many committees of which he was a member he had few equals and no superiors. From his entrance to the close of his life he was continuously a member of the District of Columbia Committee and chairman when his party was in control. He was a member of the Committee on Finance during the Forty-ninth to the Fifty-fifth Congress, and served during the Forty-fifth and Forty-sixth Congresses on the Committee on Claims, and was most useful and laborious.

He served as a member of the Committee on Rules during the Forty-eighth to the Fifty-fifth Congress. He was a member of many other committees and gave close attention to his duties on each.

When his party was in control he was unanimously chosen President pro tempore. As a parliamentarian he had no superior in the Senate, and presided with dignity, marked courtesy, and unquestioned impartiality.

Of the 76 members of the Senate when he entered upon his duties on March 4, 1877, the Forty-fifth Congress, only 6 Senators are now members.

During his entire service in this Chamber it was my privilege to be on terms of the closest intimacy and warmest friendship with him. I respected, honored, and loved him for his nobleness of character, his sound judgment, his wise and judicious counsel, and his unquestionable integrity.

Without any disparagement or reflection upon the valuable services of any other members of this Senate, during his long service here I can frankly and truthfully say that in my judgment he had no superior in discharging the varied duties, responsibilities, and obligations devolving upon Senators.

Few men in public life have had intrusted to them the duties and responsibilities, the trusts and the honors assigned to him by the good people of his State. At all times and under all circumstances he fully met the expectations of his constituents, and to the last enjoyed their respect, confidence, and admiration.

In this Chamber we have lost an able, earnest, efficient, incorruptible, and wise Senator. Full of years, full of honors, he has gone, to return no more, leaving to his family, his State, and his country a character, a record, an example worthy of the emulation of all.

Mr. STEWART. Mr. President, the character and career of Senator HARRIS inspire the strongest faith that can possibly be afforded in the perpetuity of our institutions. Rising, as he did, from the ranks of the people by his own unaided exertions, and accomplishing the great results which he did during a long and eventful life, he presents to all young men the great possibilities for advancement which exist in this free country. In no other country on this globe and in no other age could such a career be possible.

When we behold the great and good men which this country has produced and continues to produce, when we find men on all occasions equal to the great emergencies which are presented, no matter how overwhelming they may appear, we feel more and

more confidence in the future of our country, for we know that these examples will inspire those who come after us as the examples of the great men who have preceded us have inspired this generation.

Senator HARRIS was a remarkable man. He had a grasp of intellect which condensed volumes into sentences. He had a fidelity to truth which never allowed him to swerve or go back from it. He remained throughout his long and illustrious life in touch with the people amongst whom he had lived and with whom he had always the warmest sympathy. It was manifest to those who associated with him that in all he did his inspiration was a desire to benefit and serve the people of the United States.

It is not strange that such a sentiment on his part was appreciated by the people of his State and all who had the honor of knowing him. That, sir, was the secret of the confidence which was reposed in him. His confidence in and his reliance on the people inspired them with confidence in return, and so they trusted and honored him. He has furnished an example which gladdens the hearts of all who love their country and who desire to improve the condition of the people.

Mr. CHILTON. Mr. President, while I did not know Senator HARRIS with the intimacy of long personal association, I have since a boy been familiar with his writings, speeches, and public conduct.

The State in which I live has been supplied abundantly from the great State of Tennessee. Many of our best citizens emigrated to Texas from that Commonwealth; and I have noticed that they all seem to know and to love ISHAM G. HARRIS.

So when I first came to the Senate for a short term by appointment of the governor, more than six years ago, I felt that curiosity about Senator HARRIS which always animates younger men to know the actors in great events, sharpened by the recollection of stories told concerning his achievements by those who had long been his personal friends.

When I first saw him, in 1891, he was well-ripened and probably at his best.

I have often watched him, in the cloakroom, in his Senatorial seat, in the chair of the presiding officer, and he always seemed the same. I do not remember ever to have heard him laugh aloud. There was the twinkle in the eye, the manifest enjoyment in the general merriment, but he never appeared to "turn himself loose."

I picture him as he would come into the Senate Chamber. There, in his familiar place on the right of the Vice-President, in the front row, he would take his seat. He hardly seems to say anything as if by previous design. He seems never to make an occasion, but to find it in the current proceedings as set on foot by others. He seems to spy out that something is taking an irregular direction and that he must set it right. He first asks a question or calls for the reading of some document, as if he imperfectly understood it. Then he proceeds to clear up all doubts. First emphasis, then gesticulation—no, not in succession, but an indescribable combination of emphasis and gesticulation.

Attention has often been called to his absolute primacy in the Senate on all questions relating to parliamentary law. Up to the very hour of his last appearance here he was so clear and so magisterial that he never lost his authority in that field.

As has been stated, his service in Congress began in the House of Representatives at the session which convened in December, 1849, and in that, his first session of service, he exhibited that peculiar interest in questions of legislative practice which marked his long Senatorial career, for the reporter makes the following observation touching the proceedings of a particular day:

> Some conversation followed on points of order, in which Messrs. HARRIS of Tennessee, White, Disney, Rumsey, Wentworth, and the Speaker participated.

During his four years in the House I find that he made only one set speech. The Wilmot proviso, with all its exciting incidents, was then the subject of consideration. In that speech we find the same principles, the same habits of thought and manner which marked his life fifty years afterwards. There was brevity, for though the contest was prolonged and the temptation to digress great, he spoke but an hour. There was the strict construction of the Constitution, for he dwelt on the rule that Congress possesses no powers except those expressly delegated by the Constitution or necessary to the exercise of some expressly delegated power; and he, who rarely ever quoted, repeats in that speech the words of another great American in protest against those "vagrant, wandering powers that find no congenial spot on which to rest upon the broad face of the Constitution of the country."

This was his chart of political action in every place of duty. He followed it after leaving Congress in 1853, and it governed his action during all those stirring years which led up to the civil war.

Perhaps the most eventful part of the life of Senator HARRIS was that which related to the great organization of secession. The governors of the Southern States in 1861 were almost without exception men of strong character and ability. The most remarkable of these governors were Brown of Georgia, Letcher of Virginia, Sam Houston of Texas, and HARRIS of Tennessee.

In the difficulties of their surroundings and in vigor of intellectual comprehension, the Texas and Tennessee governors stand highest among this group.

Sam Houston was a strong Union man. The whole secession movement was resisted by him, but, notwithstanding his extraordinary power in Texas, he found himself gradually submerged by a rising wave of public sentiment which finally reached the velocity of a torrent, drove him out of the governor's chair, and took the State out of the Union. There was the spectacle of a man who had been strong in the affections of his State overridden by an excited and determined people, and unable, with all his popularity and influence, to make the slightest headway. He stood almost alone, a Unionist and a conservative, in the midst of organized, indignant, irreconcilable revolution.

The situation of Governor HARRIS in Tennessee was quite a different one. He sympathized with secession, he wanted to take his State out of the Union, and he used his powers and his influence to accomplish the very result which Sam Houston had endeavored to obstruct in Texas. His task was not like that which fell to the hands of the governors in States like South Carolina, Alabama, Mississippi, and Louisiana, where both the people and the executive, with common impulse, hailed the banner of a new confederation. On the contrary, a powerful section of the Tennessee people, led by Andrew Johnson, a great Senator belonging to the same party, confronted Governor HARRIS in his policy of secession.

We need not dwell upon the details of that struggle, but it is enough to say that the courage, tenacity, and generalship of HARRIS prevailed against the combined efforts of Whig and Democratic Union leaders in Tennessee and added that State to the number of those which constituted the Southern Confederacy.

ISHAM G. HARRIS was one of the few public men of whom the people never seemed to tire.

Ordinarily popularity is fleeting. The remarkable changes which come over the House and the Senate in the course of a single decade attest the instability of official tenure; but a few men seem proof against all disfavor; if they are ever criticised their critics are forgotten; if condemned for a vote they are forgiven. To carry opposition to the point of actually defeating their reelection would be considered at home a sort of high treason. So strong is the general confidence in their high purpose and right judgment that it always prevails over minor difficulties when election day rolls around.

Senator HARRIS was one of these rare characters. He was the hero not only of Tennessee but of Tennesseeans scattered throughout the Union. He grew, in their estimation, to be a sort of lineal successor to Andrew Jackson. His name and life and peculiarities always touched their enthusiasm.

To me the most impressive thing in his strong individuality was his willingness always to take responsibility and his absolute unconcern about results—that cheerful faith that the right will take care of itself and that there need be no anxiety on the part of a public man except the anxiety to be right.

I have seen men whom God had blessed with conscience and courage, but not with equanimity, so that, knowing the truth and voting the truth, they were still nervous that they should not be misunderstood and fidgeting about consequences which they were determined to face.

Not so with Senator HARRIS. He seemed to think that a man who acted truly upon his convictions of right held an absolute insurance policy against all disaster at the hands of the people.

What a great life may be worked out on that sort of logic. You may put a small man in Congress, and if he looks at every question as it arises with a heart single and an eye single to finding out the right, in a few years such a dignity will be given to his apparent mediocrity that he will gradually emerge above the level of his fellows and assume a consideration in the country which will make men wonder at the secret of his rise.

If men of moderate mind can be thus lifted by the practice of simple straightforwardness, how splendid becomes the principle when it acts on a man of native intellectual power and force of character? This was the combination in the case of ISHAM G. HARRIS. He was always clear, always firm, always true, always great.

Mr. TURLEY. Mr. President, for more than fifty years the name of ISHAM G. HARRIS has been a household word and a tower of strength in the State of Tennessee. Probably no other man in the history of the State has exercised so potent an influence upon its fortunes and its destiny. Once he served it in the legislature, twice as Presidential elector, twice in the House of Representatives, three times as governor, for four years in war, and four times in the Senate of the United States. Every honor that the people of Tennessee could confer was bestowed on him. Other of her sons may have served her longer in particular departments, but no other

one has served her in so many ways or so long and so faithfully as he did.

His power and influence in his native State may be illustrated by the political change brought about by him in 1856. From 1832, the year in which Andrew Jackson was elected to his second term, to 1856, when James Buchanan was the Democratic candidate—a period of twenty-four years—the State of Tennessee had been a Whig stronghold. In 1856 ISHAM G. HARRIS was an elector at large on the Buchanan ticket. The Whigs selected ex-Governor Neil S. Brown to uphold the principles of their party. The canvass made by those great sons of Tennessee is historic in our State. In the judgment of a people who had been accustomed to listen to such men as Grundy, Gentry, Andrew Johnson, Cave Johnson, Polk, Jones, and others of that class, it was pronounced the most remarkable and profound discussion of great political questions which had ever occurred in the State, and all felt that for years it would settle and control the political character and policy of Tennessee.

Governor Brown was a man of great intellect and matchless powers of oratory. He was a man of winning and popular manners; and he had behind him a compact, powerful party, flushed with a quarter of a century of continuous victory. But nothing could resist the earnestness, the force and power of ISHAM G. HARRIS. The campaign was a death blow to the Whig party, and from that time forth Tennessee has been a Democratic State.

Senator HARRIS was one of those rare men who seemed fitted physically, mentally, and morally for every phase and condition, every changing emergency of life.

His appearance was pleasing and impressive. Above the middle height, his figure was well proportioned and compact. His eyes were piercing and full of intelligence. His features were strong and framed to express and portray every feeling and sentiment of his mind and soul. With an iron constitution, which defied fatigue and disease, he possessed a vitality which seemed inexhaustible.

No one faculty of his mind was unduly developed, but each was fitted for its special functions, and all went to make up a well-rounded, perfect intellect. While he was a man of action rather than of books, yet his information was varied and accurate. He never entered upon the examination of any subject without exhausting all the means of information at his command. Men and affairs he studied well and accurately.

He was both passionate and impulsive; but his impulses were high and honorable, and his fiery passions were controlled by his indomitable will and his strict sense of justice. He was fluent and brilliant in conversation; courteous and gallant in bearing and demeanor. Possessed of an undaunted courage that knew not fear, he had at the same time as kind and sympathetic a heart as ever beat in human bosom. His life was one long series of kind deeds and concealed charities. He was the genius of forceful action, of industry and work. He never tired.

Of his rugged honesty and his unspotted honor I need not speak. They are known of all men. He was ambitious of fame, character, distinction, and achievements; and, while he was aggressive and impatient of opposition, yet no man was ever more thoughtful and considerate of the rights and feelings of others.

There have been greater orators than ISHAM G. HARRIS, but few greater debaters; men more learned in books and theories, but few better versed in all the practical affairs of life. There have been lawyers more distinguished, statesmen more renowned, men better equipped in special fields and for particular work, but it is hard to conceive, take him all in all, of a more forceful and efficient man, a man better qualified to impress himself upon his life and times, than was ISHAM G. HARRIS.

We can see this from his long, adventurous, and remarkable career. A penniless youth, he became a successful merchant before he was 21; a lawyer of prominence and distinction before he was 25; a member of the legislature before he was 30; a member of the House of Representatives at 31; governor of his State at 39; an exile from his country at 47; reduced again to poverty before he was 50, he became once more a merchant, and then a lawyer, and finally a Senator in the Congress of the United States—equally great, forceful, and self-reliant under all these conditions and in all these places and positions.

The universality, if I may so call it, of his character and mind especially marked him as a lawyer. He was equally strong and vigorous in every branch of his profession. His practice embraced all the courts. Those who were thrown with him could scarcely tell when he appeared at his best. Sometimes it seemed in the heat and fire of a great criminal trial, when the life of a client hung on the issue, and again when he was bringing the strength of his intellect to the elucidation of some intricate principle before a learned chancellor or the highest tribunal of his State.

No lawyer in Tennessee ever had greater power and influence on its courts and juries, and I may add here that no client who had a just cause was ever turned away by him because he was unable to bring with him a fee. His services were always open to the poor and distressed without fee and without price.

He could and would go to any just length in behalf of what he believed to be right, but at the same time he was practical and conservative. This latter phase of his character is shown by his conduct after his return to Tennessee from his exile in Mexico and England. The South was in the throes of the reconstruction period; negro suffrage had just been established; passion ran riot; and the feeling of hostility against the General Government was, if possible, more intense than during the time of flagrant war. All eyes were at once turned toward him. By his example, by his conduct, and by his advice he counseled moderation and a dignified acquiescence in the new order of things—the inevitable. And no man in Tennessee or in the South did more to bring about that era of good feeling which now exists between the two sections and to revive in the Southern heart that sense of loyalty to and patriotism for our common country which had been stifled by the fierce strife of civil war.

His fairness, his justice, his frank, outspoken, upright character are evidenced by the strong hold he always had on his political opponents. In his hottest political battles he commanded the respect, the esteem, the admiration of those with whom he contended.

His long career in this body is a part of the history of our country. Of his services here others are better qualified to speak than am I.

I can not recall the time when I did not know him. His older sons were my schoolmates and friends. I was raised to respect him as the greatest of living Tennesseeans. From my earliest manhood up to the time of his death our relations were most intimate and confidential. I can say of him what Judge Haywood, the early historian of our State, said of Gen. James Robertson, one of its noblest pioneers:

> He was a man who by his actions merited all the eulogium, esteem, and affection which the most ardent of his countrymen have ever bestowed upon him. Like almost all those in America who have attained eminent celebrity, he had not a noble lineage to boast of nor the escutcheoned armorials of a splendid ancestry; but he had what was far more valuable, a sound mind, a healthy constitution, a robust frame, a love of virtue, an intrepid soul, and an emulous desire for honest fame.

Mr. BATE. I ask that the speech made by the Senator from Indiana [Mr. TURPIE] on the occasion of the memorial at Memphis, Tenn., the home of Senator HARRIS, as a representative of the Senate, having been selected by the committee, be printed in connection with the proceedings here to-day. He made a speech, and one would know what it was from the man—a very able effort and especially an analysis of Mr. HARRIS as a Senator. It was brilliant, beautiful, logical, and all that can be said about it.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

SPEECH OF HON. DAVID TURPIE AT MEMPHIS, TENN.

In the midst of the dearth and dryness of mind, the mere inertia and indifference that have so much beset our age, save upon the subject as to how riches may be gotten and profits may accrue, it is a goodly relief as well as a wholesome solace to recall the memory of one who chose and cherished an ideal, a standard of life more noble than this—one who devoted his labor, his attention, his time, his great abilities, with incessant diligence, with unfaltering fidelity, to the public service of the people.

ISHAM G. HARRIS, President of the Senate, for more than twenty years a member of that body, was not born in the purple. He was no favored son of wealth or fortune. The circumstances of his early years were undistinguished by any prestige of superior advantage or opportunity. His education was that of the common school and the academy. For the rest he was well taught, being self-taught. He did not disparage the learning or knowledge of the schools, but he gathered wisdom yet more abundantly. Nature had so richly endowed him for the whole course of the journey of life that he needed not to tarry long by the way for other assistance.

He was a man of manifold gifts, and so truly many-sided that it would be presumption in anyone to attempt to describe him except under those aspects in which he came under his observation. In the later years of his Senatorial service he was very often engaged in the discharge of the duties of the Chair. He presided with much dignity, with equal impartiality and decision. His long experience with legislative bodies, his thorough acquaintance with the rules of the Senate, and his thoughtful study of the general principles of parliamentary law had qualified him in the most eminent manner for the position to which he had been elected by the free choice of his colleagues. It was well worth a journey to Washington to see him in the chair in a full Senate at some period of lively colloquy or exciting debate.

Order reigned first in silence save as to the member who was speaking in his place. And this condition was unbroken, undisturbed, continuous; yet as President of the Senate he seldom used

the gavel. The face, the figure, the whole demeanor was such as to require and enforce respect and attention. Questions of recognition were instantly decided. Interrupting messages from the House or from the President were smoothly announced and dispatched with all due celerity and the regular course of discussion was resumed. If a knot or tangle, perchance, occurred in the day's proceedings, it was untied by an explanation from the Chair so succinct in statement, so clear in its tenor and effect, so absolutely fair and candid in its purpose, that all acquiesced therein.

Sometimes near the close of a long and tedious sitting a question of order was raised which required a review of the former proceedings of the Senate for the whole day, or perhaps longer. This review, in his terms and language, was a plain, clear narration of events in the precise order of their occurrence; no step was omitted; nothing forgotten. Every amendment and modification was noticed and the time of its offer. Even the motions that failed—the unsuccessful motion to adjourn, to refer, or to reconsider—were not overlooked. His opinion was an oral transcript of the record during every hour up to the moment when the question in argument arose. It was delivered without note or memoranda, and then followed the final ruling. Such a passage in parliamentary procedure showed beyond question the most retentive power of memory, intellectual acumen and discernment, an accurate knowledge of precedent and practice, a comprehensive grasp of the present and actual condition of affairs so much required in the Presidency of the leading parliamentary body of the world.

Now and then a new Senator, unacquainted with the rules, would take the floor with an impossible motion, one out of time, out of place, contrary to rule. Such an occasion afforded an opportunity for a study of the manner of the President worthy the closest observation. With the shadow of a smile, almost suppressed, upon his face, the Chair, having heard the motion, stated that in his opinion the same could not just then be entertained, always in such an instance giving the reasons for his action, briefly, but firmly, and accompanying the ruling with a suggestion to the honorable Senator of another way in which he might probably accomplish his purpose. This was done not after the fashion of a master toward his pupil, but rather in the tone and manner of civility with which a gentleman engaged in conversation with another upon a topic of some moment, in which both were interested, would remind his friend of a circumstance which he knew quite well, but had for the moment forgotten. Yet he could administer a rebuke when reproof was necessary in the most courtly phrase and with great severity, but the occasion of this exercise of discipline must have been plain, apparent, salient. It must have been some action of the offender in violation of the ordinary rules of decorum and propriety so marked as to overcome, for the time being, the natural kindness of heart and the habitual suavity of the presiding officer. For no man ever participated in the deliberations of a legislative assembly who had a more particular regard or a more considerate deference for the rights, the opinions, the feelings, and sensibilities of others.

His excellence as a presiding officer, his studies and research in the annals of Congress and in the history of precedents in free representative assemblies, caused him for many years to be consulted as an arbiter upon these subjects. It was no uncommon thing for him to be called upon in the open Senate by Senators of either side, sometimes by the Vice-President or other occupant of the chair, to deliver from his seat an opinion in regard to some disputed question of order which was at the time pending.

When he spoke thus in response to an inquiry from his seat, there was quite a difference in his tone and conduct from that which accompanied his utterances when in the chair—a difference easily observed by one accustomed to note his manner. It was seldom expressed in words, always implied by the most courteous but constant intimation. It seemed the result or effect of the change in his position. There was in both instances the same lucid statement of the point in difference, the same temperate, careful, and thoroughly rational discussion of the diverse sides of the controversy, followed by his own conclusion and the course of argument which led him thereto. But in the chair he spoke always as one having authority, an authority derived from the Constitution, vested in him as such by the suffrages of his fellow-members.

When he spoke from his seat upon like questions, his demeanor, his language, and action were no longer those of command, but of advice, of counsel. He was now the elder brother in consultation with his peers. In every mode of implication, by the tone and rhythm of the voice, by gesture, always significant and picturesque, it was made apparent that another now occupied the chair, upon whom devolved the duty of deciding, and those who had honored him by asking his views of the case were alike responsible—answerable for the action which the Senate might take, not at all bound by any judgment of his any further than reason might show its propriety.

This delicacy of adjustment to change of position was one of the most singular characteristics of his whole course. I do not suppose that he was at all conscious of it, or that it was in any wise premeditated. It was in the nature of the man. He was one of those lofty spirits who could afford not only to recognize but to defer to his associates, having such rare and absolute toleration for the freedom of speech and opinions that he declined, in such case, to dictate to others, as he would have spurned dictation to himself.

Too much praise can hardly be given him for the sedulous care, the uninterrupted regularity, with which he performed the duties of his office and of his position as a Senator. He recognized in the most practical way the several obligations which were due from him to the country at large, to his own beloved State, to the Senate, to the committees of that body, to his colleagues in both branches of the Congress, to his very numerous correspondents in all parts of the country. He seemed to have made an allotment of his time to each of these acknowledged claimants, and with respect to an engagement concerning his official action he was of all men the most precise in terms and the most punctual in performance. This regular performance of daily duty had become with him habitual—as manifest in the last days of his active service as in the beginning.

He participated very often in the debates of the Senate, but he seldom spoke at much length, insomuch that those who heard him wished most heartily, not that he had said more—for few could say as much in less compass—but that he had spoken longer. He was very forcible in colloquy, rapid and keen in retort, very able in reply. When he addressed the Senate at greater length, upon some measure of national or general concern, he used great care both in preparation and delivery.

Fact followed fact, statement succeeded statement, argument, with the reasoning in its support, was presented in the most perfect symmetry and order. If a good style has to be defined, as it has been by a high authority, "as the use of proper words in proper places," he had a style most excellent. His voice was a full tenor, clear, musical, resonant; the sound of it lingered in the ear after the words had ceased. To this was added a certain demeanor of the body only partially described in the term gesture, since the whole person seemed to be informed with the spirit of his utterances, and when he kindled into enthusiasm, as he sometimes did, the effect was in the highest degree impressive.

He was by nature an admirable actor, without the slightest trace of art or affectation; yet, in the ordinary course of events, when he rose and addressed the Chair, although something was always said, it was more especially looked for that something was to be done. His executive force, tact, and discretion were well known and highly appreciated, so that it frequently occurred that he was designated by unanimous consent to assume the parliamentary management and conduct of the most important measures. This took place with reference to the revenue bill of 1894. After its introduction and second reading, and toward the close of the general debate, he was selected to take charge of its further progress.

The measure was at that time yet in most perilous case. It was threatened with a deluge of adverse amendments, it was encountered by the sharpest and most capable opposition, it was endangered by the cold indifference of some of those who had voted in support of it, but the Senator from Tennessee did not decline the task thus given him. He was even then well stricken in years, but he was a friend of this measure. He and many others of his side earnestly desired its passage. Under these conditions his eyes were not dim, nor was his natural force abated. Through the prolonged hours of that laborious session, day and night, whenever the Senate convened, during the repeated periods of delay, obstruction, and postponement, he was always in his seat or in his place on the floor.

If any had grown weary, he was always on the alert; if some were even inclined to slumber, he was always awake upon the watch. Those present he encouraged, the absent he chided—he chided, but he sent for them. Message after message, written and verbal, with his compliments, with his regards, with assurances of his highest consideration, only they must come—the absentees must attend. It was hard to decline an invitation from Senator HARRIS. It was usually more effective than a summons from the Sergeant-at-Arms.

One of the most remarkable of his varied accomplishments was that of felicitous importunity, an importunity full of ease and elegance, not discouraged by refusal, biding time in courteous patience, not to be gotten rid of either as to the man or his subject. The eye, the touch, the tone of wistful entreaty, stirred the living, and would, were that possible, have raised the dead into action in behalf of the cause for which he pleaded. The act of 1894 could hardly have failed with such an advocate. He had announced soon after taking charge of the bill that it was possible to pass it. What was possible was accomplished. The measure became the law of the land; and this result was largely due to his parliamentary tact and judgment—his patient, persistent, unwearied assiduity.

And again, at a later period in his life, when the weight of

years must have pressed still more heavily upon his power of endurance, he took upon himself, at the request of those near him, the labor and duty of organizing and uniting those inside of his own political household in favor of the policy of bimetallism—a policy which he always declared involved neither change nor innovation, but was as to our law restoration, as to silver itself restitution, and a safe return to the ancient, long-tried, and well-established usage and practice of our fathers. With what success he prosecuted and completed his portion of this great design the official record of the late national convention specially discloses, and we all are witnesses.

It must have seemed even to his ardent zeal in the beginning a work of mountainous difficulty and of much uncertainty in the event. It involved a correspondence under his direction and supervision with persons residing in every State and Territory and Congressional district of the United States. It required a daily comparison of part with part, a summary of very numerous details, sudden and constant resort to the best method of answer and reply, information wide and accurate, with ceaseless vigilance and circumspection to the close. Such were for many months his labors, worthy of the man and of the cause.

Those versed in modern mechanism and invention have furnished us with a phrase now become quite familiar—"applied science." Called upon to designate in the briefest terms the controlling, guiding principle of a career so greatly prolonged, so highly distinguished, we might justly name it "applied common sense" in its broadest significance and in the most active development.

Action was a necessity of his being. He was as prone to take the initiative, and to keep it, as the sparks to fly upward. Some one, now many years ago, in Washington, spoke to him once about accepting a position upon the Federal bench. "No," he said, "I desire no such position. I do not wish to be tied up like a log in a raft with nothing to do but to float or to drift at the end of a line. My boat must be in the moving current. I must feel the gale; should it come, I must ride out the storm, if I have nothing left but the rudder in my hand."

This readiness to participate actively in affairs was not exercised without care or caution. He was neither rash, reckless, nor indifferent to consequences. His vision, his view of men and events, was clear. He was subject to no delusions. He sometimes failed, as men must who will act while others wait, but he was of valiant heart, strenuous will, and of that fertility in resource which either eluded or defied disaster. Failure, with him, was no finality—rather a cause and occasion for further endeavor.

His life was so crowded with action that it is not known that he had the leisure, even if he had the inclination, to have left behind him a single line of personal history or reminiscence. Moreover, he was a man of strong attachments; in friendship, earnest and sincere. How he loved Memphis, the city of his home and residence! He delighted to speak of its thrift and progress, of its harbor and landings, of its public buildings and other improvements, all of which had felt the fostering hand of his care and solicitude. How inseparably his name is connected with the magnificent transit-way of commerce and travel which, hard by, spans the broad current of the Father of Waters. Often he spoke of his State, always in the language of the warmest affection—his native State, whose great and generous constituencies had so long and so bounteously given him their support and confidence.

The faculty of almost instant adaptation of himself to circumstances of whatever exigency, his manner of molding men to his side and way, his steady advance against insurmountable obstacles, his survival of the rudest shocks of adverse fortune were as manifest throughout his whole course as they are indescribable.

Witness his departure to Mexico at the conclusion of the great civil war, his adventurous sojourn within the domain of that Republic, his voyage to England, for he crossed the ocean not in quest of ease, but of fresh fields of new enterprise; his return to Tennessee and to this city, the reentry upon the business of his profession, his continuous and very successful practice in the courts, the canvass for his first election to the Senate, his successive reelections to that position—these are testimonials written at large to the genius, character, and conduct of one destined to so conspicuous a career.

Last scene of all—his death at the capital—at his place and post of duty, the obsequies in the Senate Chamber, the funeral cortége thence bearing his remains to their final resting place, a whole city in mourning to receive them, a State—the whole sisterhood of States—in sorrowing sympathy with you for a loss so irreparable, commemorating with you, my hearers, also to-day the demise of a great statesman whose course, with all its vicissitudes, has been in the end so grandly crowned with years, with honors, and with the just fame which follows a life so useful and beneficent.

The VICE-PRESIDENT. The ceremonies having been concluded, by virtue of the last of the series of resolutions heretofore adopted the Senate stands adjourned.

The Senate accordingly (at 4 o'clock and 20 minutes p. m.) adjourned until Monday, March 28, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 24, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill making appropriations for the naval establishment for the next fiscal year.

STATISTICS OF LAKE COMMERCE.

Mr. PERKINS. I ask the gentleman to yield to me to make a report.

Mr. BOUTELLE of Maine. I yield to the gentleman to make a report.

Mr. PERKINS. The Committee on Printing makes the following report, and asks its immediate consideration.

The SPEAKER. The gentleman from Iowa submits a report from the Committee on Printing, for immediate consideration.

The Clerk read as follows:

Concurrent resolution No. 23.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed by the Public Printer 10,000 copies of House Document No. 277, Fifty-fifth Congress, second session, entitled Statistics of Lake Commerce, 4,000 of which shall be for the use of the Treasury Department.

Mr. PERKINS. There is an amendment to the resolution.

The Clerk read as follows:

Strike out all after the word "Commerce," in line 5, and add: "4,000 copies for the use of the House, 2,000 copies for the use of the Senate, and 4,000 copies for the use of the Treasury Department."

The SPEAKER. Is there objection?

Mr. BAILEY. I would like to know, if the amendment is agreed to, how the resolution would read?

Mr. PERKINS. It makes another division of the number of copies.

Mr. BAILEY. Well, but you strike out a few words. I understood the Clerk to read——

The SPEAKER. A change of number.

Mr. BAILEY. I understand; but I thought the Clerk read strike out the two words, "vital statistics."

The SPEAKER. The Clerk will report the amendment.

The amendment was again reported.

Mr. BAILEY. Now, what I asked was that the Clerk report the resolution as it would read when amended.

The SPEAKER. The Clerk has so reported the resolution.

Mr. PERKINS. I can tell the gentleman.

Mr. BAILEY. It is utterly impossible to know how it would read by what the Clerk has read.

The SPEAKER. The Clerk will report the resolution as it would read when amended.

The Clerk read as follows:

So as to read: "4,000 copies for the use of the House"——

Mr. BAILEY. I want the whole resolution.

The SPEAKER. The gentleman from Texas wants to hear the resolution read as it would read after it is amended.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed by the Public Printer 10,000 copies of House document No. 227, Fifty-fifth Congress, second session, entitled Statistics of Lake Commerce, 4,000 copies for the use of the House, 2,000 copies for the use of the Senate, and 4,000 copies for the use of the Treasury Department.

Mr. BAILEY. Now, Mr. Speaker, I have not seen this document. I presume that it relates to interstate commerce on the lakes.

Mr. PERKINS. It relates to the statistics of lake commerce. The request is from the Treasury Department. The resolution was introduced by the gentleman from Ohio [Mr. BURTON]; and if the gentleman from Texas needs any further information, I have no doubt the gentleman from Ohio would be glad to give it.

Mr. BAILEY. I will not detain the House by asking that; but I am not perfectly sure that such a document should be printed.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The concurrent resolution as amended was agreed to.

BRIDGE ACROSS ST. FRANCIS RIVER, ARKANSAS.

Mr. McCULLOCH. Mr. Speaker, I desire to ask consideration for the bill (H. R. 5090) to authorize the construction of a bridge across the St. Francis River, in the State of Arkansas, and ask to concur in the Senate amendments.

Mr. BOUTELLE of Maine. Mr. Speaker, is this a request for unanimous consent?

The SPEAKER. It is.

Mr. BOUTELLE of Maine. I will have to refuse the gentleman. Several gentlemen on this side have made similar requests

and I have refused, and justice requires that I should treat all alike.

Mr. McCULLOCH. It is a little bridge bill, with Senate amendments, that can be disposed of in a minute.

Mr. BOUTELLE of Maine. I have been asked by three or four different gentlemen, and have stated that I would be unable to yield; and it will be utterly unfair and unjust for me to do so now. I must ask for the regular order.

The SPEAKER. The question is on the motion of the gentleman from Maine that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. McCULLOCH. Mr. Speaker, I ask that this bill be retained on the Speaker's table.

The SPEAKER. It will lie on the table.

The motion to go into Committee of the Whole House on the state of the Union was then agreed to.

NAVAL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9378) making appropriations for the naval service for the fiscal year 1898–99, and the gentleman from Maine asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. BOUTELLE of Maine. Mr. Chairman, it is the very earnest desire of the Committee on Naval Affairs that this important bill may be acted upon by the House and sent to the Senate as speedily as possible. This bill is reported under somewhat extraordinary circumstances, and I therefore have no hesitation in calling attention to the fact that it has the most liberal provisions for the strengthening and maintenance of the naval establishment that has ever been reported to the House.

The reasons for this are too obvious to require mention from me. The committee to whom the House intrusted the preparation of this bill have not failed to be impressed with the circumstances that surround legislation at this session, and it has been their earnest desire to meet fully and speedily what they believe to be the expectations of the House and of the country in providing this great arm of our military service with all that it could reasonably require to meet every exigency of the public service and every demand for the maintenance of the public honor.

Necessarily, the bill has been somewhat delayed beyond the usual time, by the increased demands from day to day to meet the exigencies that were not foreseen at the beginning of this session, but we have reported our bill after the fullest consideration, after the most ample investigation, and we are confident to-day that the House will sustain the action of the committee in having provided, so far as in their knowledge it was possible, for every demand that could legitimately arise for the strengthening of this branch of the public service during the current fiscal year.

I may be pardoned, Mr. Chairman, for alluding to the fact that in these exciting and somewhat sensational times there have been directed toward the committee of which I have the honor to be the chairman various unjust and untruthful criticisms. I desire to say here to-day, in the only body to which either myself or the committee are responsible, the House of Representatives, which put this task of preparing a bill upon us, and to which we are by law and by right responsible for the report of our stewardship, that any and every intimation, from whatever source it may have proceeded, that this committee has for one instant lacked in a desire to meet the fullest requirements of the executive department in meeting every exigency that has come or may come upon us, is absolutely without foundation.

I have participated in a more or lese active way in the preparation of fourteen annual appropriation bills for the naval establishment, and I can truthfully say that upon all of the other bills preceding this, in the aggregate, there has not been expended a tithe of the thought and care and labor that has been given to this bill. The members of my committee have attended its sessions day after day when their physical condition required that they should have been at their homes.

We have been laboring in season and out of season to meet the extraordinary requirements that have come upon us, and the result is before you. We do not claim that this bill is perfect, but we do not know of a feature that it contains which in our judgment ought not to receive the approval of the House of Representatives and of the country. We have been, it is true, far more liberal with the requirements and estimates of the executive department than would ordinarily be the case.

Every member of experience knows how estimates are drawn, and what the usual course of legislation is in regard to the increased demands for expenditure, but we have recognized that we were preparing legislation under extraordinary conditions of public affairs; and this bill, which is now upon the desk of members, has not only responded to every legitimate requirement of the executive department, but in many of its features has gone beyond it, as in the judgment of the committee was demanded by the exigencies of the situation.

I presume, Mr. Chairman, that most of the members have read the bill, as well as the report of the committee, and I shall be exceedingly brief in the reference I make thereto. This bill carries an appropriation aggregating $35,683,058.68. The amount appropriated in the bill for the last fiscal year was $31,918,626.55. The estimate submitted by the Department for the coming fiscal year was $33,128,234.19. The appropriations carried in this bill exceed the appropriations for the last fiscal year by $3,764,432.13, and are $2,554,824.49 over the estimates submitted by the Department.

This increase extends all along the line. In the first place, we may properly mention the fact that we have again increased the enlisted force of the Navy. In the Annual Report of the Secretary of the Navy, citing the report of the Chief of the Bureau of Navigation, who requested an increase of 1,500 in the enlisted force, the report of the Secretary stated that an increase of 1,000 would, in his judgment, meet the requirements of the service.

Since that time circumstances have changed. The demands upon the enlisted force have increased; and your committee, acting upon their own responsibility and their recognition of the situation confronting us, have increased the enlisted force of the Navy by 2,000, adding 1,750 men and 250 apprentice boys.

Mr. CANNON. What is the total increase?

Mr. BOUTELLE of Maine. I will state again that we have increased the total enlisted force of the Navy by 2,000. We have done this in view of the fact that for the first time in years it has been deemed essential to put into commission all of the vessels of our Navy; and, as is known by all, we have been purchasing additional tonnage abroad. So that the committee felt that it was not only their duty to meet the suggestion of the Secretary for a thousand more men, but to make additional provision for 1,000 beyond that to meet exigencies that have since arisen.

In regard to the officers of the Navy, while it was not originally, in December last when we took charge of this bill, the intention or the expectation to make provision for additional officers upon the appropriation bill, but rather to refer such propositions and consider them under the head of a general reorganization of the naval force, the representations that have been made to the committee recently of the absolute necessity for an increase in the corps of paymasters and an increase in the corps of surgeons were so effective upon the judgment of our committee that in response to the direct personal and official request of the Secretary and of the chiefs of those departments we have authorized an increase of 15 paymasters and 25 acting assistant surgeons of the Navy.

Mr. McMILLIN. Will the gentleman allow a question?

Mr. BOUTELLE of Maine. With great pleasure.

Mr. McMILLIN. The gentleman has said that this bill contemplates an increase of the force of the Navy. I wish to ask from what source that increase is to be taken—from the Naval Militia?

Mr. BOUTELLE of Maine. No, sir; the force to which I refer is the enlisted force of the Navy—the petty officers, seamen, landsmen, marines, and boys.

Mr. McMILLIN. Then this additional force is not taken from the Naval Militia?

Mr. BOUTELLE of Maine. The Naval Militia to which the gentleman refers are not available for that purpose.

Mr. McMILLIN. Why not?

Mr. BOUTELLE of Maine. Because they are enlisted under State laws for specific service, and are not necessarily available for service on board men-of-war; they are not necessarily seamen, and not necessarily expert in the duties of seamanship. They are organized under State laws with certain aid from the Navy Department for certain specific purposes, among which I may state is the protection of the harbors and coast lines within their limit. But they are not available directly, as I understand, for service as seamen, landsmen, and marines on board our ships of war. The men whom we have authorized to be enlisted are men who are to become a permanent part of the enlisted force of the Navy.

Mr. Chairman, I had queried in my own mind whether I would make reference to another fact in this immediate connection. The suggestions of my colleagues on the committee have decided me that I should do so; and I do it more especially because the subject to which I am about to allude has been made the text of some very scandalous and mischievous criticisms, not only upon myself, for which I care little, but upon the legislation which is now presented to this House.

In a leading New York paper of yesterday I read a statement, the exact language of which I will quote, so that there can be no mistake. I want to say to my colleagues in the House that no criticism purely personal to myself could induce me to refer to a matter of this kind, for after fourteen years of public service, in the light of day, among my associates in this House, I do not feel called upon to rise on any occasion to vindicate my integrity or my patriotism.

I received yesterday through the mail a clipping from the New York Sun, a leading and influential paper, which is marked conspicuously with black pencil, "Shame," with three lines under it—"Shame to the M. C. from Maine." And then there is a big, black hand with a finger pointing to a certain paragraph, which is marked.

The editorial thus marked is largely devoted to eulogy—eulogy of good men, great men, patriotic men who have been laboring for their country in these days of trial. And then it goes on to refer to matters in this bill in this way:

So far as naval preparation is concerned, the report of the *Maine* inquiry board finds it as complete as Congress has permitted—

That leaves the brunt of the criticism on Congress. But the article goes on and becomes a little more concrete and individual—

for here we are compelled to note with equal indignation and disgust that the engine rooms of this fleet are less than half supplied with engineers, many ships having but a quarter of their complement and a number of them less than a quarter. Let Congressman BOUTELLE of Maine answer it. The responsibility is his alone. And no one has charged him with being a knave. That a fool can do the more harm of the two is an old story.

Now, Mr. Chairman, I am inclined to agree with the suggestion of some of my committee colleagues sitting near me that perhaps a few words from me in regard to that extraordinary slander are desirable for the enlightenment of the House. I am inclined to think that without some statement from me members of this House and others who should read such a declaration might be led to reflect not only upon myself, but upon the committee for failing to remedy a condition of things which the article sets forth; so I will briefly inform the House of the facts in regard to this matter.

As I stated to you some time ago, it was not the original intention of the committee to deal with increases or reorganizations in the force of naval officers in this appropriation bill. We can only do so by the indulgence of the House and by an elastic interpretation of the rules. We intended to deal with all of these matters in a comprehensive consideration of the various plans of reorganization of the various corps.

A little over a week ago, when my committee had assembled for the express purpose of closing up this bill, I found the Chief of Engineers waiting for me and for the committee, with a letter from the Secretary of the Navy, which, with the permission of the House, I shall put into the RECORD, commending especially to me and to the committee his representation of the absolute need of more engineer officers to run the engines of our ships. The letter was as follows:

NAVY DEPARTMENT, *Washington, March 12, 1898.*

SIR: The Engineer in Chief, Commodore Melville, has presented me the accompanying statement, showing the absolute necessity of more engineer officers, especially in case of any emergency. The matter was fully treated in his annual report, and also urged upon the attention of Congress in the Annual Report of the Secretary of the Navy.

As the Engineer in Chief says, the number of engineer officers now attached to various vessels in commission is barely enough to admit of the performance of their duty in time of peace, and wholly inadequate in time of war, when increased vigilance and constant presence of officers on duty in charge of the machinery will become imperative.

Will you permit me to commend his suggestions to your favorable consideration and ask you to give him an opportunity to lay the matter before you?

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. C. A. BOUTELLE,
Chairman Committee on Naval Affairs, House of Representatives.

Of course we gave the Chief of Engineers a full and courteous hearing. He stated his case, and he proffered to us a paragraph to be incorporated in the appropriation bill. The paragraph that he thus presented, with the indorsement of the Department, embraced a practical reorganization of the Engineer Corps—the active Corps of Engineers. It provided just how many of such a rank and just how many of such a rank that corps should be composed of, practically reorganizing it. This is the paragraph proposed:

Proposed amendment to the bill making appropriation for the naval service for the fiscal year ending June 30, 1899.

Provided, That the active list of the Engineer Corps of the Navy shall be composed of 15 chief engineers with the relative rank of captain, 20 chief engineers with the relative rank of commander, 60 chief engineers with the relative rank of lieutenant-commander, 90 passed assistant engineers with the relative rank of lieutenant, 80 passed assistant engineers with the relative rank of lieutenant (junior grade), 50 assistant engineers with the relative rank of ensign: *And provided further*, That former engineer officers of the Navy who have resigned or been honorably discharged from the Navy with creditable records since January 1, 1882, and who are not above 45 years of age, may be placed on the active list of the Engineer Corps of the Navy in such place and under such regulations as the Secretary of the Navy may approve: *And provided further*, That naval cadets of the engineer division now at sea, and naval cadets of the engineer division of the first class now at the Naval Academy, may, upon the approval of the Secretary of the Navy, become at once eligible for commissions as assistant engineers in the Navy: *And provided further*, That vacancies in the lowest grade of the Engineer Corps of the Navy as above constituted, that may exist after the above provisions have been complied with, may be filled by graduates of recognized technological schools of the United States, subject to such restrictions and examinations as may be prescribed by the Secretary of the Navy.

I asked him what the effect would be in regard to increase, and I understood him to state that they wanted, and that this paragraph would provide, 110 additional assistant engineers. My committee gave him a cordial hearing, and after some conversation, as chairman of the committee I suggested that inasmuch as the Secretary of the Navy had recommended certain other increases in the official corps as essential, we would notify him to attend our meeting the next day, and to bring with him the Chief of the Engineering Bureau and the chiefs of the other bureaus, when we would arrange for legislation that would meet all the requirements for additional officers in the service.

The next morning the Secretary came in response to our invitation, accompanied by the chiefs of the Bureaus of Navigation, Steam Engineering, Medicine and Surgery, and Supplies and Accounts. These gentlemen and the committee discussed the situation. We considered the paragraph of the Secretary's annual report in which he had stated that we needed more line officers, more engineer officers, more surgeons, and more paymasters. The immediate and exigent requirement in the Engineering Bureau was stated to be so serious that we had two vessels at League Island that could not be moved to New York for lack of engineers to run the machinery. And in the course of that conversation it was suggested that in the proposed reorganization, known as the personnel bill, which is intended to compose the long-standing disputes between two of the corps of the Navy, the line and the engineers, there was a paragraph providing that 100 first-class machinists should be enlisted and appointed as warrant officers, to receive liberal pay, and those 100 men should be employed in handling engines, and thereby relieve that number of junior engineer officers.

The Secretary favored it as an excellent provision that, as was understood, would set 100 engineers free, supply their places with 100 of the most skillful machinists that $1,200 a year and warrants in the Navy could bring, and to make up the additional ten more that the Chief of Engineers said was demanded it was proposed that we should immediately commission the two classes of naval cadets who are now serving their two years at sea; that as to the present class in the Academy we should abolish the two years' sea service and immediately commission that class on their graduation from the Academy this summer, which would give eighty-two cadets to be made ensigns and assistant engineers; and in addition to that, that we could permit former engineers of the Navy who are now in private life, who have gone out of the service with honorable records, to be restored to the Navy to provide for all the requirements of the engineer service.

We then considered the question of the additional assistant surgeons and of the additional assistant paymasters, and the Secretary of the Navy was requested by me, speaking for my committee, to put into proper form these suggestions, which had received the tacit approval of the committee, and send them to us in such language as the Department thought would, when inserted in the appropriation bill, prove effective in putting into force its recommendation and wishes on the subjects named.

The next day I received the following letter:

NAVY DEPARTMENT, *Washington, March 14, 1898.*

SIR: I have the honor to inclose herewith the draft of an amendment to the pending bill making appropriations for the naval service for the ensuing year, in which draft is embodied the matters orally agreed upon during my interview with the committee this morning, with the exception of that which relates to the reinstatement of officers late of the Engineer Corps who have honorably resigned or who have been honorably discharged in pursuance of law.

On further consideration, and after conference with the Engineer in Chief, it is hoped that with the additional engineers we shall get by shortening the course at the Naval Academy to four years, it will not be necessary to ask for a general law for reinstatement of such officers, but to leave the matter open for special legislation in individual cases as the committee may elect.

Permit me also to urge the great importance of taking up and passing the personnel bill, which is the work of a board representing the line and Engineer Corps, and which, for the first time in a long period, have, with some concessions on each side, agreed upon that measure, insuring a reorganization of the Navy and securing its efficiency and harmony. It seems to me that the time is very propitious for this enactment, when all parties are inspired by patriotic spirit, and that if the opportunity is now lost the result may be a renewal for years to come of the friction and antagonism which have for so long stood in the way of efficient harmony in the naval service.

Very respectfully,

JOHN D. LONG,
Secretary.

Hon. CHARLES A. BOUTELLE,
Chairman Committee on Naval Affairs, House of Representatives.

The draft of the provisions for insertion in the bill was as follows:

That from and after the passage of this act the students at the Naval Academy shall have the title of midshipmen, and on successfully completing the course at that institution each shall be commissioned in the lowest grade of the line, Engineer or Marine Corps, the two years' course at sea being hereby abolished.

That upon the passage of this act all the naval cadets of the line and engineer divisions who have completed the four years' course at the Naval Academy and are performing duty at sea shall be commissioned in the lowest grade of the line, Engineer or Marine Corps, and the members of each class shall take rank among themselves according to their graduating multiples as was determined at the end of the four years' course at the Naval Academy.

That upon the passage of this act the Secretary of the Navy shall appoint a board for the examination of men for the position of warrant machinists, 100 of whom are hereby authorized. The said examination shall be open, first, to all machinists by trade of good record in the naval service, and if a sufficient number of machinists from the Navy are not found duly qualified,

then any machinist of good character in civil life shall be eligible for such examination and appointment to fill the remaining vacancies.

All subsequent vacancies in the list of warrant machinists shall be filled by competitive examination before a board ordered by the Secretary of the Navy, and open to all machinists by trade, who are in the Navy, and machinists of good character in civil life authorized by the Secretary of the Navy to appear before said board, and where candidates from civil life and from the naval service possess equal qualifications the preference shall be given to those from the naval service.

That the pay of warrant machinists shall be $1,200 per annum for the first three years after date of appointment, and $1,400 per annum thereafter, and they shall be retired under the provisions of existing law for warrant officers. Warrant machinists shall receive at first an acting appointment, which may be made permanent under regulations established by the Navy Department for other warrant officers. They shall take rank with other warrant officers according to date of appointment, and shall wear such uniform as may be prescribed by the Navy Department.

Mr. Chairman, I immediately laid this proposition before the committee. I was in favor of it then. I have been in favor of it ever since. I am in favor of every provision of it now, and without attempting to speak for the committee specifically in regard to this particular suggestion that I am about to make, I have the right to say here, personally, that while I was ready and am ready to provide any men, whether lieutenants or ensigns, engineers or machinists, doctors or paymasters, or any others who are needed to insure the efficiency of the naval service, I firmly believe, based on some experience on the water, or some experience in the Navy, and a considerable experience in naval legislation, that no addition of 100 men could be made to the force of our fleets to-day that would be more valuable to this country and to the service than the appointment of 100 of the first-class machinists of this country in positions of responsibility and rank which have never before been accorded in the Navy to our mechanics; in positions which recognize the dignity of skilled labor, the importance of mechanical proficiency, by awarding not only a high rate of pay for mechanical service, but an official status on board the ships of our Navy that would be honorable alike to themselves and their craft.

Now, what came of that? I do not propose to enter into any discussion of motives, but we all know the strong feeling that is excited in regard to public measures that affect the positions and interests of individuals. And perhaps it is enough for me to say that a desire on the part of a great many people to secure the immediate enactment of a measure affecting the rank and interests of two of the corps of officers in the Navy in some way seemed to become operative in antagonism to these propositions, which were originally formulated in my committee room at a conference of the Secretary of the Navy, the Chief of the Bureau of Navigation and Detail, who is the Adjutant-General of the Navy, the Chief of the Bureau of Steam Engineering, the Surgeon-General, and the Paymaster-General, and subsequently forwarded to me as chairman from the Department in writing, with the request of the Secretary for its passage. Now, why is it not in the bill?

The New York Sun says that Mr. BOUTELLE is responsible for some alleged failure to provide for the engineer force of the Navy. My answer to that is that the absence of that legislation from the printed copy of our bill is due to the personal and official request of the Department, and I am not going to bear responsibility which does not belong to me.

The Assistant Secretary of the Navy came to the Capitol to request, first, that the committee should incorporate an entire code of legislation, reorganizing two of the branches of the Navy, into this appropriation bill, a legislative measure that by no stretch of parliamentary courtesy could be permissible upon it; and as the committee decided that we could not put that into the bill properly, and as everybody knew that it would be subject to a point of order, the committee were requested to eliminate these provisions from the bill, lest their enactment might affect in some way future possible action upon the matter of reorganization.

Naturally I insisted upon something more than a verbal withdrawal of these requests, and I received it, and I have it here to-day. I said to the Secretary that our committee would be guided by the wishes of the Department, because we were trying in every possible way to fortify and sustain them, but that with that legislation drawn up in specific form lying on my desk, with the official request of the Secretary of the Navy for us to incorporate it in the appropriation bill, I could not fail to present and press it, unless I had equally specific authority from the Department for its omission. On the 18th of March, 1898, I received the following letters:

NAVY DEPARTMENT, *Washington, March 18, 1898.*

MY DEAR SIR: I inclose herewith a letter from the Assistant Secretary, stating the result arrived at after his interview with you and with Speaker REED with reference to the personnel bill.

The arrangement is satisfactory to me, as it insures either the personnel bill in its entirety, which I believe to be a consummation vitally important to the service, or, at least, the provisions for warrant machinists and for the commissioning of naval cadets immediately upon the conclusion of the four years' course, so that in either event the additional force necessary by the increase of the Navy for the running of engines will be insured.

Please accept my acknowledgments for the consideration which you and the committee have given to the Assistant Secretary, and believe me,

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. C. A. BOUTELLE,
Chairman Committee on Naval Affairs, House of Representatives.

NAVY DEPARTMENT, *Washington, March 18, 1898.*

SIR: I have been all day before the House Committee on Naval Affairs and in communication with the Speaker, and after much consultation have made them a proposition on which they acted, I stating distinctly that it had to be made on my own authority, and that you might repudiate it. I believe, however, that it is exactly in the line of the views you expressed to me this morning. It is this:

The committee have left out of the appropriation bill the provision for the hundred machinists and for the commissioning of the cadets, it being the understanding that immediately after the appropriation bill has gone to the House they shall take up the personnel bill and report either that bill or else these provisions that they have struck out of the appropriation bill, or whatever combination the committee decide, the Speaker saying that he believes without question that the Committee on Rules will provide for the immediate consideration of this bill, so that it will go through the House, in all probability, very close to the appropriation bill. I have the honor, sir, to recommend that you approve what I have done, and so notify Mr. BOUTELLE, stating to him at the same time that the paymasters and surgeons asked for by the Department should be provided for in the appropriation bill.

Very respectfully,

THEODORE ROOSEVELT,
Assistant Secretary.

The Honorable the SECRETARY OF THE NAVY.

What the Secretary there refers to is the fact that we were urged to give some assurance that we would take up some other bill and pass it in such a way as to render the proposed amendments to the appropriation bill unnecessary. Of course, Mr. Chairman, nobody could give such a promise, pledge, or assurance as that. The only assurance that could be given, and it was given by courtesy and not by right, was that the subcommittee charged with this entirely distinct matter of legislation would bring it up as early as possible and press its consideration. If the bill referred to should not be passed, then no provision will have been made for this pressing want represented to me by the Chief of Engineers a week ago, and we will have to trust to some other legislation to secure it.

Now, Mr. Chairman, I think everybody here understands what I have stated. Such is the situation to-day; and the responsibility for the fact that the naval appropriation bill does not contain specific legislation providing for every alleged need of the Engineer Bureau and of every other bureau rests upon other shoulders than mine. I favored the legislation, and was reluctant to have it omitted from this bill. That is all I have to say upon the subject.

Now, Mr. Chairman, in other respects the committee have sought to meet every requirement, as I have stated before. We probably, at the outset of this session, would not have provided for so large an increase of the Navy as we have in this bill; but confronted as we are with the fact that the United States Government in a crisis has been subjected to the humiliation of raking over the shipyards of Europe to find vessels with which to protect our coast, we have taken the lesson to heart and felt that it was incumbent upon us to go forward with some reasonable degree of activity in making provision for producing our Navy through the labor and skill and impulse of our own citizens, which, if we had done for the last fifteen years in a greater degree, would have saved us the humiliation of hoisting our flag on foreign-built vessels to-day, and have given us the satisfaction of having our flag float over vessels that had been built in our own country, under our own flag, by our own skilled labor.

Mr. SIMPSON of Kansas. If the gentleman will permit me, I desire to ask him a question. I notice that this bill provides for the building of three battle ships.

Mr. BOUTELLE of Maine. It does. I had just referred to that in an incidental way.

Mr. SIMPSON of Kansas. Will the gentleman tell us how long it takes to build a battle ship?

Mr. BOUTELLE of Maine. One of the reasons, and one of the principal reasons, why we made this provision for three battle ships was the fact that it takes so long to build them.

Mr. SIMPSON of Kansas. About how long?

Mr. BOUTELLE of Maine. About three years.

Mr. SIMPSON of Kansas. There is a considerable interest felt in the matter by various gentlemen, who have expressed a wish to know how long it took to build one of these vessels.

Mr. BOUTELLE of Maine. That is a well-known fact.

Mr. SIMPSON of Kansas. About three years?

Mr. BOUTELLE of Maine. About three years, considerably less if under forced conditions working day and night.

Mr. LEWIS of Washington. With an added force of men.

Mr. BOUTELLE of Maine. With an added force of men. That is the reason we want to begin three, because it takes so long to build them.

Mr. SIMPSON of Kansas. It might be possible to build one of them in two years?

Mr. BOUTELLE of Maine. I do not know whether we could build a first-class battle ship in two years. I suppose the gentleman is skirmishing around, basing an idea of some incompatibility of this provision with immediate prospects of war. I will say to the gentleman——

Mr. SIMPSON of Kansas. Oh, no, Mr. Chairman; I have been merely seeking information as to the length of time it takes to build these battle ships.

Mr. BOUTELLE of Maine. All right; it is about three years, or two years and a half if in a hurry. We have provided for building three first-class battle ships. I believe we certainly have not overestimated the demand of the House in that regard. One of the most important factors in naval warfare to-day has become what is known as the torpedo-boat destroyer. She is larger than the torpedo boat, and can take the sea and eat up the small torpedo boats.

In the modern way of conducting naval warfare the small torpedo boat could, if it is not obstructed, destroy the battle ship, but the torpedo-boat destroyer can guard the battle ship to a great extent against them. I will say, briefly, not as an expert in naval warfare, but simply referring to that phase in the development of the torpedo boat, that the torpedo boat is quite effective, and in that regard has changed the methods of warfare to a considerable extent. Men-of-war no longer go into harbors and lie there to be blown up by torpedoes in time of war. They keep the sea. They are safer from attack of torpedo boats, and these small crafts labor with great disadvantage in great sea way.

But with the assistance of the torpedo-boat destroyer, he can keep off the torpedo boats and dispose of them or he can keep in motion at sea outside. With the search light and the rapid-fire battery and the added protection of the torpedo-boat destroyer, we made another stride forward in naval warfare. And so we recommend the construction of six torpedo-boat destroyers and six torpedo boats.

You will have noticed by the newspaper reports—and occasionally a true statement gets into the newspapers, although I would not want you to take it from that authority without looking at the headlines and seeing whether it was printed in yellow—that the Government has been purchasing a few of these torpedo boats abroad, because we believed we were somewhat short. We can build in this country the best torpedo boats in the world, and we ask you to authorize the building of six small boats and six of the large boats.

Mr. CANNON. These boats can be constructed in six to twelve months, can they not?

Mr. BOUTELLE of Maine. These boats can be constructed in from six to seven months, I believe.

Mr. BROMWELL. Will the gentleman allow me a question?

Mr. BOUTELLE of Maine. Certainly.

Mr. BROMWELL. We have all been interested in the description of the various classes of vessels by the gentleman from Maine, but there has been considerable discussion as to the value of the double-turret monitor as compared with the battle ship. I would be glad to hear the gentleman's views on that subject.

Mr. BOUTELLE of Maine. That is entering upon a wide sea of discussion. I do not like to weary the House, and I will be as brief as I can. The House will acquit me of any attempt to speak ex cathedra upon any question. That is a controverted question. There are some of the best men of the Navy who insist that the monitor is a more desirable vessel than the battle ship; they are men of intelligence and experience, and I have great respect for them. I do not know that they are not right, but my impression, my judgment, or the conclusion at which I have arrived is that they are not justified in all of their assumption.

Mr. FOOTE. Will the gentleman permit me?

Mr. BOUTELLE of Maine. I am just answering the question put by the gentleman from Ohio [Mr. BROMWELL].

Mr. FOOTE. I simply wanted to ask the gentleman to go a little into detail as to the relative cost of the two types of vessels.

Mr. BOUTELLE of Maine. I will do so, and give my reasons. That the Ericsson monitor is a most formidable craft, no one can deny. The prime elements of her power are, first, the ability to build a tremendously fortified turret upon a floating platform, which can be made very thick, to resist the impact of shot.

The second prime quality is its very low free board, that presents so small a mark for the enemy's guns; we all recognize that. In making the report from the Committee on Naval Affairs that recommended the first of the seagoing battle ships, I called attention to the controversy between these two types of ships and recommended the battle ships of to-day, which were originated in that bill of 1890.

I recommended them on the ground that there was no essential or typical conflict between the two classes of ships; that the first-class seagoing battle ship recognized every point of excellence in the monitor; that we preserve the revolving turret, the nearly all-around fire, and made it all around as nearly as we could, and that we only sacrificed one principle, and that was the low free board—that is, the low side of the ship—and we sacrificed that solely to enable our ships to go to sea and successfully use the batteries outside the headlands of our ports.

Now, I think every gentleman will recognize at once the distinction. We will take New York Harbor, with a fleet of first-class double-turreted monitors with the same armament that we put on battle ships. In that harbor they would be magnificent powers of defense, but, in my judgment—and in this I reluctantly differ with not a great number, but a number of excellent seamen, whose enthusiasm I think may carry them away—the monitors can not steam out of New York Harbor in any ordinary sea way and successfully attack a fleet of vessels that have equally heavy guns and equally thick turrets and have the advantage of great speed and the ability to man their guns so high above the water that they are not obstructed by the sea.

Many years ago it was my fortune to be an officer aboard a gunboat in the Navy that had the duty of convoying a monitor from Hampton Roads to Pensacola, and my memory is very vivid as to that voyage. It was the *Tecumseh*, that ill-fated vessel that went down by a torpedo explosion in the gates of Mobile Bay, carrying all on board with her.

You all remember that marvelously tragic and pathetic incident when Captain Craven, the magnificent commander of that ship, with a chivalry that recalls that of Bayard in the past, when the explosion occurred and the men were rushing to the few apertures of escape, the captain and the pilot who was with him in the turret reached side by side that avenue of delivery, Captain Craven stepped back and said, "After you, Pilot;" and the pilot was saved and the gallant captain went down.

The vessel to which I was attached towed this monitor into port. And I remember distinctly how upon the very smoothest day, when the water was so glassy you could read a newspaper held over it,the ordinary swell—6, or 8, or 10 inches—when it would meet this inert mass of iron which moved steadily along through the sea, would roll upon the deck, roll forward till it touched the turret, and then break over it. I can not conceive, Mr. Chairman, that the monitors can prove very effective vessels in a sea way, for fighting purposes.

At any rate that is the belief of naval experts. And the fact that there is something in this opinion ought to be shown, it seems to me, by our experience. In improving upon our experience since we built the *Indiana*, the *Massachusetts*, and the *Oregon*, you will notice, if you visit our fleet, that the later ship, the *Iowa*, has been lifted still higher, and that forward her turret is on an elevation considerably above that of the afterdeck—all of which means that it has been found desirable to lift these vessels enough out of the water to enable them to train their guns and fight them even when there is a moderate sea.

Another thing should be considered in that regard. It is true that this method of construction exposes a larger surface of the broadside to the fire of an enemy; but if gentlemen will take the trouble to look over diagrams (which are easily accessible) of the naval ships of the world, and will take the skeleton sketches which have been made of them, which show where the belts of armor are, where the vital portions are, and leave in white those portions which are simply structural and not vital to the ship, it will be found that in eliminating all of that superstructure which enables the ship to be buoyant, to resist the water and keep it out—when you eliminate all of that superstructure which is not essential to the safety or formidability of the ship, you have a line of vital ship above water very little more than the exposure of the ordinary monitor.

My colleague on the committee [Mr. HILBORN] reminds me, in connection with what I said before, that of course we are bound to yield more or less, and more rather than less, to the consensus of judgment of those who have given most thought to the subject; and it is a fact that to-day the nations of the world are devoting themselves to the building of what we term to-day "battle ships." And when we consider that we are building these ships on our own soil, that every ounce of metal that goes into them comes out of American mines, that every rivet is made by the strong right arm of an American citizen, that even the armor plate has been forged in our own workshops, I think gentlemen will be proud, as I am proud, that I am ready to say without any hesitation, basing my statement not upon the flamboyant egotism of Americans or the exuberant patriotism of our own officers, but upon the calm, cold-blooded verdict rendered by the most expert naval architects in England itself, that to-day the first-class battle ship of the United States is the first-class battle ship of the world. [Applause.]

Of course a chance shot might disable a battle ship; but in all that goes to the constitution of impregnability and formidability British authorities to-day—and I could cite you their testimony if I wished to take the time—concede that a comparison of the three battle ships, the *Illinois*, the *Alabama*, and the *Wisconsin*, with the finest ships that England has under construction shows an immeasurable advantage for the American ship.

We have developed ourselves also in speed. The *Columbia* is "the gem of the ocean." She carries the world's record to-day for a war ship crossing the Atlantic. When we had the great naval review a few years ago in New York Harbor, and England sent some splendid specimens of her handicraft here with her admiral on board the *Blenheim*, the last and finest manifestation of European architectural skill, the admiral of the British navy came on board the *New York*, and as I was reminded only a few nights ago by the commander of our fleet on that occasion, that

splendid and gallant officer, Admiral Gherardi, said the British admiral told him freely, "You have a far finer ship than ours." And that has been accomplished in a dozen years.

Mr. ALEXANDER. Is the *Columbia* a battle ship?

Mr. BOUTELLE of Maine. No; the *Columbia* is the very reverse of a battle ship; it is simply a commerce destroyer, built for the express purpose of developing speed—to see just how fast we could make a war ship go.

Mr. FOOTE. The gentleman has not spoken of the cost of the monitors.

Mr. BOUTELLE of Maine. Oh, the cost of the monitor is considerably less than the cost of a battle ship.

Mr. FOOTE. About how much?

Mr. BOUTELLE of Maine. I can not give you a comparison offhand, because we have never built a monitor approaching the size of the battle ships. I do not know how you can make a comparison, because the monitor does not represent what the battle ship does. We have never built any monitor that comprehended any such expenditure as we put upon a battle ship.

Mr. FOOTE. This bill provides for no monitor?

Mr. BOUTELLE of Maine. For no new monitor, because the consensus of judgment is that the battle ships are the vessels required.

I will state to the gentleman one fact. I am not speaking now as an expert; I am not a great naval commander; I had a little personal experience in the Navy for a few years, but that does not count. Let me state the fact that the naval contests of the world in my judgment have been decided by what is known as the line-of-battle ships. All governments have had large ships and small ships, but the great naval battles of the world have been fought by the heavy line-of-battle ships, and in my judgment they always will be.

Mr. FOOTE. Does the chairman of the committee believe that the torpedo boat and the torpedo-boat destroyer provided by this bill are sufficient in number?

Mr. BOUTELLE of Maine. That is a question purely for the House.

Mr. FOOTE. I was asking the chairman of the committee in his official capacity.

Mr. BOUTELLE of Maine. The gentleman understands perfectly that we do not suppose that three battle ships will be all that this country needs, but it was a question with us as to how much we should provide for in this bill and ask the House to appropriate for at this time; and I will say that until within the last two or three weeks we should have felt a great deal of apprehension of failure in undertaking to get the House to do as much as we do in this bill.

Mr. FOOTE. I suppose we should all have a good deal of apprehension, if we had not more than we used to build.

Mr. BOUTELLE of Maine. I meant apprehension as to the result of our effort in the House. I will state to the gentleman from New York that we are not recommending that Congress shall not provide for any more, but we are asking them to provide so much.

Mr. DRIGGS. I should like to ask the gentleman if it is not true that the monitors are practically only fitted for harbor defense and not for the outer line of defense or, in other words, open-sea defense?

Mr. BOUTELLE of Maine. I agree to that entirely.

Mr. DRIGGS. I thought that was so.

Mr. FITZGERALD. I should like to ask the gentleman if there would be any objection on the part of the committee to the incorporation of an amendment to this bill providing that one of these battle ships be named the *George Washington?*

Mr. BOUTELLE of Maine. That will come up under the five-minute rule. That is a proposed amendment. The gentleman knows very well that we do not consider amendments at this time.

Mr. FITZGERALD. I was asking the gentleman whether he would be willing to consent to such an amendment at the proper time.

Mr. BOUTELLE of Maine. George Washington himself would not be in order at this stage of the bill. [Laughter and applause.]

Mr. WALKER of Massachusetts. That is good for home consumption in the gentleman's district just the same.

Mr. FITZGERALD. It is not a case for home consumption. I think it is a very proper thing that one of these battle ships be called the *George Washington*.

Mr. FOOTE. I should like to ask the gentleman one more question, for information.

Mr. BOUTELLE of Maine. Certainly.

Mr. FOOTE. What are the recommendations from the Department in regard to the battle ships and torpedo boats and torpedo-boat destroyers?

Mr. BOUTELLE of Maine. I suppose the House knows perfectly well that when the Secretary's report was made, he suggested one battle ship; but if the gentleman from New York had received as many communications from the Department since then as I have, he would be aware that the Department is looking at things through a very different kind of binoculars from what they did at that time.

Mr. FOOTE. That is the kind of glasses I want to find out about—the kind through which they are looking now.

Mr. BOUTELLE of Maine. Well, the gentleman knows what the change has been in the situation.

Mr. FOOTE. Is there any reason why the information should not be given to the House?

Mr. BOUTELLE of Maine. I thought I gave it.

Mr. FOOTE. No; I asked how many battle ships the Department now recommend. You told me how many they recommended a few weeks ago.

Mr. BOUTELLE of Maine. The Department has made no specific recommendation since then, but it has done something that I felt, and my colleagues felt, and this House will feel obliged to take cognizance of. It has sent men over to Europe to buy from European shipbuilders ships that we ought to build in this country.

Mr. FOOTE. We are sadly aware of that, but I wanted to know whether they had made any recommendation to the committee.

Mr. BOUTELLE of Maine. I do not remember that there has been any specific recommendation. I suppose that the Secretary of the Navy took it for granted that the committee of the House of Representatives would adjust itself to the situation as it developed; and we have attempted to do so.

Mr. FITZGERALD. I should like to ask the chairman of the Naval Committee what prevented the Naval Committee from making these recommendations last year or in the last Congress?

Mr. BOUTELLE of Maine. If you will resolve yourself into a Committee of the Whole on the last Congress and make the inquiry, you may be able to find out. We are legislating for this Congress. [Applause.]

Mr. FITZGERALD. Mr. Chairman, I should like to observe that the gentleman has made a criticism on a committee of this House of which he has been chairman for a great many years, on account of its inaction, and that is not a proper answer.

Mr. BOUTELLE of Maine. Would the gentleman like about a minute and a half more?

Mr. FITZGERALD. I do not care to interrupt the gentleman at this time, but I call the attention of the House to his own answer.

The CHAIRMAN. The time of the gentleman from Maine [Mr. BOUTELLE] has expired.

Mr. MEYER of Louisiana. I ask unanimous consent that the time of the gentleman from Maine be extended without limit.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that the time of the gentleman from Maine be extended without limit. Is there objection?

There was no objection.

Mr. BOUTELLE of Maine. I am humiliated to find that I have occupied the attention of the committee for this length of time, when I only intended to speak a very few minutes.

Mr. Chairman, I perhaps ought to make a reference to two other features of this bill. One of them is the matter of dry docks. The Secretary of the Navy in his annual report made certain specific recommendations of the very great importance of additional dry-dock facilities. In my own judgment there was some exaggeration in the statement that found utterance in the press last year as to the failure of Congress in the past to do its duty, because if the great docks that we had authorized had been properly constructed certain difficulties that did arise would not have occurred.

But it is too late to go back now and hunt for last year's birds' nests. The Secretary of the Navy has earnestly recommended the authorization of additional docks. That those docks will be required in the future is more obvious now than it was six months ago. There are a great many more people in this country to-day who are reconciled to the idea that we must maintain a reasonably strong Navy than there were a year ago or perhaps six months ago.

The Committee on Naval Affairs have taken under consideration all of these recommendations, and after a long period of hearings by the subcommittee, of which the gentleman from California [Mr. HILBORN] is the chairman, they have recommended to the full committee and the full committee indorsed the provisions which are now in this bill for the erection of a dry dock at Portsmouth, N. H., where there is no dock now; for the erection of a new dock at Boston, where there is only an inferior and undersized stone dock; for the erection of an additional dock at League Island, Pa., our only fresh-water yard, unless Mare Island is called a fresh-water yard—the only fresh-water yard on the Atlantic coast.

Mr. BUTLER. The only fresh-water yard on any coast.

Mr. BOUTELLE of Maine. My friend from Mare Island will not admit that the water is brackish there, where they have not a dock large enough to take in our largest battle ship. Mare Island is 900 miles from Port Orchard, where we built a dry dock some years

ago; and for the construction of a steel floating dock at Algiers, La., opposite New Orleans, there being no facility of the kind now anywhere along the Gulf coast.

Members will find the recommendations of the Department in the annual report, and the committee have deemed it wise to make to the House these recommendations for additions in that regard.

Mr. BROMWELL. Are all of these proposed docks of sufficient capacity to dock our largest war vessels?

Mr. BOUTELLE of Maine. I will say to my friend from Ohio that we have been somewhat disappointed in the construction of some of these docks in the past, and that we labored to get the wording of this bill in such shape that it will prevent the possibility of building a dock anywhere hereafter that shall not be calculated to meet the requirements of our largest vessel. The wording in the bill is:

Said dry docks to be not less than 700 feet in length, and of other dimensions sufficient to meet the present and probable future requirements of the largest vessels of the Navy and auxiliary fleet.

Mr. BENNETT. Will the gentleman allow me to ask him a question?

Mr. LEWIS of Washington. Will the gentleman permit me to suggest——

Mr. BOUTELLE of Maine. I will answer one gentleman at a time. I yield to the gentleman from New York [Mr. BENNETT].

Mr. BENNETT. Was the recommendation of the committee appointed by the Navy Department a short time ago to report to Congress on the selection of location of dry docks—was that taken into consideration by the Committee on Naval Affairs?

Mr. BOUTELLE of Maine. I understand it was exhaustively considered by the subcommittee and the full committee.

Mr. BENNETT. Were any of those places selected by the Naval Committee?

Mr. BOUTELLE of Maine. Why, yes; nearly all of them. The only one, I think, was League Island——

Mr. BENNETT. What was the recommendation of the board?

Mr. BOUTELLE of Maine. In regard to League Island?

Mr. BENNETT. Yes.

Mr. BOUTELLE of Maine. They made no recommendation.

Mr. BENNETT. They made no recommendation for the Pacific coast?

Mr. BOUTELLE of Maine. But the gentleman must understand we were not necessarily governed by that report. It was purely advisory.

Mr. BENNETT. I was simply asking for information, to see whether that report had had any weight with the Committee on Naval Affairs or not.

Mr. BOUTELLE of Maine. My understanding is, I will say, that every one of these docks except one has been authorized in this bill according to the recommendations of the Bunce board.

Mr. LEWIS of Washington. I will suggest to the gentleman from Maine, the chairman of the committee, the gentleman from Ohio asked whether these docks will accommodate the large war vessels we have.

I desire to remind the honorable gentleman that the dry dock at Port Orchard, within my district, is able to accommodate the largest vessels we have in the Navy. It has lately accommodated the *Oregon* with perfect ease and complete facility. I take the liberty to make the suggestion lest it may have escaped the honorable gentleman at the time the question was asked.

Mr. BOUTELLE of Maine. I am simply speaking of the additional docks.

Mr. LEWIS of Washington. I thought it might have escaped the gentleman's attention.

Mr. BOUTELLE of Maine. The dock at Port Orchard is a large and admirable dock, and further provision is made for it in this bill.

Mr. JOHNSON of Indiana. And it is in the gentleman's district.

Mr. BOUTELLE of Maine. And an additional recommendation is the fact that it is located in the gentleman's district. [Laughter.]

Mr. LEWIS of Washington. I have no doubt that that dock has derived much benefit from the fact that it is in my district. [Laughter.]

Mr. BOUTELLE of Maine. Now, there is one other topic I wish to refer to. That is the matter of armor. We have debated that——

Mr. ROBBINS. Before you leave the question of dry docks, I desire to ask you a question.

Mr. BOUTELLE of Maine. This whole matter will be discussed under the five-minute rule on these items.

Mr. ROBBINS. I know.

Mr. BOUTELLE of Maine. I am only making a preliminary statement.

Mr. ROBBINS. What I wanted to know is the necessity for the dock at Portsmouth, so near the dock at Boston?

Mr. BOUTELLE of Maine. Great Britain has a dozen docks in one yard. The reason that place is provided is because we have a very extensive plant of over a million dollars invested in machinery and facilities for complete repair of ships that has been invested during the last fifty years, and that a dry dock is an essential part of a navy-yard; and also, I presume, more or less based on the fact that experts in strategy have held for many years that the seat of a foreign war on the ocean would be likely to locate itself somewhere off the New England coast, or between Gardners Bay and Halifax; and also that there is a great depth of water there.

You must remember that the United States coast is of a very peculiar conformation. I do not know how many gentlemen of this House may have had themselves brought into a recognition of the fact that from New York Harbor, from the Jersey beach, Long Branch, and all the way along the coast of the United States to Galveston Harbor there is such a uniform conformation of the shore that a man would have to be very expert when landed in the night to be able to tell where he was. From Bascom down to near Galveston it is a shoal sandy beach all along our coast, and our harbors as we go south suffer in depth of water.

The deepest water is off the coast of the Northern States where the coast is rock bound and the openings to the harbors deeper. In my district, which runs down toward the Bay of Fundy, we have a rise and fall of tide, in some places, of 30 feet, which furnishes harbors that can give any depth required. Portsmouth has more depth of water, and Portland, Me., gives an unrivaled harbor as to depth. As you go south, the depth of water decreases.

I want to say just one word about the matter of armor. As you know, this subject was discussed very thoroughly. A great indisposition was shown on the part of Congress to pay more than $300 a ton. Various propositions were submitted, and finally Congress decided that no armor should be provided at a cost greater than $300 a ton. Under the operation of that limitation it has proved impossible to obtain armor for the three ships now under construction.

I will remind gentlemen that the armor for the *Kentucky* and *Kearsarge*, presumably launched to-day, had already been provided; but these other vessels had no other provision made for their armor except that the builders had themselves supplied that diagonal armor which had to be built in the ship, and are taking chances as to what they will get paid for it. The consensus of judgment in the Department and many with whom I have been able to confer has been that we must raise the limit of cost of this material. I do not want to get into any argument about it, because the facts are plain and clear.

Mr. McMILLIN. Will the gentleman permit me to ask him a question there?

Mr. BOUTELLE of Maine. Certainly.

Mr. McMILLIN. Can the gentleman furnish to the House or to the Committee of the Whole any information as to the actual cost of the production of that armor? We have had a great deal of controversy over it.

Mr. BOUTELLE of Maine. I will state to the gentleman, in answer to that, that there was an exhaustive inquiry made by the Secretary of the Navy in the last Administration, Secretary Herbert, by order of Congress. He went into the matter with all possible effort to obtain the best information, and, in my judgment, exhausted the sources of information. The result of his investigation of the matter was to recommend to Congress that $400 a ton would be a fair price. That is the most authoritative information we have ever received.

Of course, there was discussion, there were suggestions that somebody was ready to make this armor for $250 a ton, but when the test was applied, it proved that no bids were made along that line. The parties who were expected to do that, made an informal proposition that, if the Government would make a contract for twenty years to come, and would agree to buy 6,000 tons of armor a year for twenty consecutive years, they would supply it at a less price, I think $340 a ton.

Mr. BROMWELL. Will the gentleman allow me?

Mr. BOUTELLE of Maine. Certainly.

Mr. BROMWELL. I was one of those who voted for cutting down the price of armor in the last Congress. I voted against the payment of $400 or $500 a ton for the armor and in favor of limiting it to $300, I think it was.

I wish to ask the gentleman from Maine whether or not the company which was represented on that occasion as being willing to furnish this armor did not make that offer, through the gentleman who represented them on the floor, without any qualification as to any subsequent contract; whether or not it was not stated that they were willing to furnish such armor as was needed for the supplying of these vessels at $300 a ton, or less, without any qualification?

Mr. BOUTELLE of Maine. I will say to the gentleman from

Ohio that that will lead to or excite discussion, and I do not want to bring up any of these old matters. I do not want to be discourteous to my friend, but he knows that at times, under the strain and the representation of certain phases of party matters, gentlemen will take certain positions and may afterwards revise their judgment. I think, for the interest of the House and of the service, it is better for us not to enter upon those questions. I do not want to taunt anybody for not fulfilling their promises.

Mr. BROMWELL. It was not for that purpose that I interrupted the gentleman.

Mr. BOUTELLE of Maine. I know that.

Mr. BROMWELL (continuing). It is to put those of us right before the House who voted for reducing the price of the armor.

Mr. BOUTELLE of Maine. I have no doubt whatever in my own mind that the vote of the House limiting the price of armor to $300 was very largely influenced by the statement made here that there was a responsible company that would be glad to furnish it at a less price. But it turned out afterwards that there were certain conditions, as I thought there were at the time, to that offer that made it impossible for the Government to accept it.

Perhaps, for the purposes of this discussion, it will be all that is necessary to state that the Secretary of the Navy was authorized to advertise for proposals for armor not to exceed $300 a ton, and the official report made to this House was that he had received no bid whatever that the Department was authorized to entertain under the law.

Then he went on to state that the Carnegie Company had written them that they did not care to compete, that the Bethlehem Company said they did not care to furnish armor at that price, and that the other company had written an informal proposition that if they could have a contract for twenty years and the Government would buy 6,000 tons of armor a year from them for twenty years, they would built a plant and have it ready within eighteen months, and furnish the armor for $240 a ton. The Secretary of the Navy reported to Congress that that was not a proposition that he had any authority under the law to consider.

Now, we have gone on in that way through two Congresses, and we have got no armor to-day. The fact remains, whatever else may be said, that we never paid any more for our armor than have other governments of the world, and it is to me an astonishing thing that we have been able to build up a plant and get it as cheap as England, France, and Germany. I was reminded by my friend from Ohio that the statement has been made in the newspapers that recent contracts have been made by the American manufacturers to furnish armor to Russia for $525 a ton.

In that connection, I do not want to impress any of my views on the House, but if we are going to build three more battle ships, we are going to complete those on hand, and if we are going to complete them we are going to buy the armor in this country. We are not going abroad to buy it, because we have to pay more for it abroad than we pay here.

I want to inject right here, not in the spirit of "I told you so," but merely to remind gentlemen that we sometimes strain at a gnat and swallow a camel; that while we have for two years prohibited the Department from making contracts with American citizens for the product of American labor, because we thought we could not get it cheap enough, we the other day appropriated $50,000,000, with which the President of the United States has gone abroad and bought ships, paying for them at a rate which would make the price of armor plate much higher than we were paying for it, and gave a bonus of $108,000 on the ship besides that. I do not believe we can afford to do that.

Mr. GROW. Will the gentleman from Maine yield to me just a minute or two on that point?

Mr. BOUTELLE of Maine. If the gentleman wants to ask a question, I will.

Mr. GROW. I want to say a word just upon that point.

Mr. BOUTELLE of Maine. The gentleman can do that when we come to the debate under the five-minute rule. Now, Mr. Chairman, I want it to be distinctly understood that the armor for the three ships provided for in this bill is to be purchased at a price not exceeding a certain sum, computed accurately on the specifications, not to exceed $400 a ton.

Mr. JOHNSON of Indiana. Will the gentleman state for what ships that armor is to be purchased?

Mr. BOUTELLE of Maine. The *Illinois*, the *Alabama*, and the *Wisconsin*, one in California, one at Cramps, and one at Newport.

Mr. JOHNSON of Indiana. We have three war ships now being built for which there is no armor?

Mr. BOUTELLE of Maine. For which there is no provision for armor for the reason stated.

Mr. CANNON. But provision is made in the bill for the armor?

Mr. BOUTELLE of Maine. We do not appropriate for the whole amount because we can not expend it all in a year; but we have appropriated for the amount estimated by the Department as necessary for the coming year for the ships under construction.

Mr. CANNON. The gentleman says, "for the ships under construction."

Mr. BOUTELLE of Maine. Yes, we make no provision for armor plate for the three to be authorized, because there will be no need of armor plate for the coming year; but there is incorporated an amount based upon the estimates of the Department for money to buy that portion of the armor for these three ships that will be completed during the coming year.

Mr. SIMPSON of Kansas. I see that these three ships are to cost three millions exclusive of the armor, and I presume the armament.

Mr. BOUTELLE of Maine. The armament.

Mr. SIMPSON of Kansas. Is it within the gentleman's information as to what the ship will cost when completed?

Mr. BOUTELLE of Maine. We have not the full estimate, but they would cost about two millions and something additional. I want to say to the gentleman from Kansas that they are to cost very much less than they would have cost two years ago. When the first battle ships were built, or authorized, they were authorized at a cost of four millions. We have reduced that since to three millions, and the battle ships now under construction will cost about $2,640,000.

Mr. SIMPSON of Kansas. I have seen an estimate that the *Maine* cost five millions.

Mr. BOUTELLE of Maine. It cost about $4,600,000 when she was built.

Mr. BROMWELL. What is the state of completion of the three battle ships for which we are providing in this bill? Are they so near completion that the armor plate will be needed for them before next July, when this appropriation becomes available?

Mr. BOUTELLE of Maine. No, it will not be needed before that time. But I will say to the gentleman—I am glad he reminded me of it—that in another feature of this bill, in recognition of the exigency now upon us, we have asked the House to pass a provision at the close of the bill that whenever the President in his judgment may deem that any public exigency demands it, each and every provision of the bill may be made immediately available.

We have made more liberal appropriation for the first year on these ships authorized than we ever did before. There is naturally a tendency not to make the bill over and above large, but we have been more liberal because we did not want to run the risk of delaying the work, because we thought under the phases of the situation there might be a disposition to force work more rapidly than usual. We have provided for building the torpedo boats and very liberally for the battle ships.

Mr. Chairman, I do not know that I care to say anything more at this time. I thank the Committee of the Whole very much for its kind consideration.

Now, Mr. Chairman, I should like—although there is some embarrassment in making the suggestion to limit debate immediately after having occupied the time of the House so extensively myself—yet I think everybody will recognize it is of very great importance to get this bill through to the Senate and the President as rapidly as possible, especially in view of the fact that more or less of the generous provision which was made in the $50,000,000 bill, so far as it affects the Navy, can only be available under provisions of law contained in this bill.

I repeat, it is important to get the bill to the Senate as rapidly as possible, and I would like to reach some agreement as to the time for general debate. If the committee will only charitably consider that I, in a certain sense, have been occupying time which would naturally belong to the fifteen members of the committee, I should be very glad to have their charity in that regard.

Mr. MEYER of Louisiana rose.

The CHAIRMAN. Does the gentleman from Maine [Mr. BOUTELLE] make any request?

Mr. BOUTELLE of Maine. I should like to ask my colleague on the committee [Mr. MEYER of Louisiana] what his judgment is as to the amount of time which will be necessary for general debate. Of course the bill must afterwards be debated by paragraphs.

Mr. MEYER of Louisiana. It seems to me that the most judicious course would be to permit the general debate to run along during to-day without limit, and at the expiration of that time we could agree on some limitation. There are a number of gentlemen on this side who desire to speak on the bill.

Mr. BOUTELLE of Maine. I am willing to be governed by the wish of the House. My judgment is—and I think I can not err on this point—that the will of this House will be to fix a limit to this debate. We can afford to talk on almost any other subject with greater or less limit, but we ought to put this bill through with all the rapidity consistent with a reasonable discussion of its merits.

The CHAIRMAN. Does the gentleman from Maine make any motion or request?

Mr. BOUTELLE of Maine. My judgment, when the consideration of the bill began, was that four hours' debate, two on each side, would be ample—I mean from the beginning, including my own remarks. I did not intend to occupy so much time myself.

Mr. CANNON. I should like to occupy ten minutes; but I think I can get that time under the five-minute rule.

Mr. BOUTELLE of Maine. In reply to the inquiry of the Chair, I suggest that general debate be closed at 4 o'clock. [Cries of "No!" "No!"]

Mr. RICHARDSON. Mr. Chairman, the gentleman from Texas, who has been unavoidably called away, requested me to make a statement to the House. He informed me that quite a number of gentlemen had spoken to him asking him to secure time for them to speak in the general debate on this bill. There is no disposition on this side to occupy unusual time in debate, but it is impossible to accommodate gentlemen who desire to speak on this side in so short a time as has been suggested by the gentleman from Maine. We would be very glad indeed if there could be a limit fixed which would be satisfactory, giving us four hours on this side. If gentlemen on the other side do not wish to occupy four hours, they need not take it. The gentleman from Maine has suggested two hours on his side, and allowing us four hours, that would be only six hours for general debate, which I submit to the gentleman is not extravagant.

As the gentleman from Maine will remember, under the five-minute rule we are held to a very rigid account in conducting any discussion. I am not complaining of it; but that being so, it becomes the more important that we should have a little more time in the general debate.

Mr. BOUTELLE of Maine. Does not the gentleman believe that the time I have suggested would more than cover all the time that would be occupied in discussing the merits of the bill?

Mr. RICHARDSON. If the gentleman will pardon me, I do not think so.

Mr. BOUTELLE of Maine. I do. I have received hardly a request for time from anyone who wishes to speak as to the merits of the bill.

Mr. McMILLIN. I approve the course of the gentleman from Maine in occupying the time that he did. I would have been glad if he had occupied more, because he understands this measure. But he will readily admit that there is no more important bill than this before the House, and none more likely to come before it at this session. Our situation is such that there ought to be discussion of a matter so important as the naval defense of the country.

Mr. BOUTELLE of Maine. I say to the gentleman with absolute candor that I shall be glad to consent to the occupation of all the time that can be legitimately occupied in discussing the merits of the bill. But I have had no intimation that would lead me to believe that more than the time I have indicated would be so used. Members desiring the floor want to talk, as a rule, on other subjects. I may be wrong about that. But the matter is in the control of the Committee of the Whole or the House. But it seems to me this bill ought to be put through on its merits as speedily as possible.

Mr. McMILLIN. Yet the gentleman has realized in his own remarks how impossible it is for a member to discuss fully the merits of the bill in even one hour.

Mr. BOUTELLE of Maine. I hoped I had made some contribution to a lucid understanding of it.

Mr. McMILLIN. I am sure the gentleman has.

The CHAIRMAN. The request of the gentleman from Maine is that all general debate close at 4 o'clock.

Mr. RICHARDSON. We hope he will not insist on that.

Mr. BOUTELLE of Maine. Will 5 o'clock be satisfactory?

Mr. RICHARDSON. I will say to the gentleman that gentlemen on this side who have made requests for time want to occupy four hours. Now, that is reasonable.

Mr. BOUTELLE of Maine. Well, we are proposing to give you until 5 o'clock. Do you mean four hours on that side?

Mr. RICHARDSON. That is what we want.

Mr. BOUTELLE of Maine. I shall have to test the judgment of the House on that. That would be eight hours.

Mr. RICHARDSON. But the gentleman says he only wants two hours on that side.

Mr. BOUTELLE of Maine. I never said anything of the kind.

Mr. RICHARDSON. I do not want to misrepresent the gentleman, but he said four hours, one-half on that side.

Mr. BOUTELLE of Maine. I said I thought that would be enough time in which to discuss the merits of the bill, but if gentlemen on the other side are going to indulge in four hours of oratory on all imaginable subjects, we have orators here. [Laughter.] "If there be lords in the southland, there be chiefs in the north." I ask that general debate may close at 5 o'clock.

Mr. LOW. I hope the gentleman will extend that beyond that time. There are a great many gentlemen on this side who would like to speak.

Mr. BOUTELLE of Maine. It is all in the hands of the House.

The CHAIRMAN. The request of the gentleman from Maine is that by unanimous consent general debate upon this bill close at 5 o'clock to-day. Is there objection?

Several members objected.

Mr. BOUTELLE of Maine. I move that the committee rise and fix a time for closing debate on this bill.

The question being taken, on a division there were—ayes 84, noes 71.

Mr. FITZGERALD and Mr. RICHARDSON demanded tellers.

Mr. BOUTELLE of Maine. I hope no gentlemen will insist on filibustering.

Tellers were ordered; and the Chairman appointed Mr. BOUTELLE of Maine and Mr. RICHARDSON.

The committee again divided; and the tellers reported—ayes 93, noes 88.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill (H. R. 9378), and had come to no resolution thereon.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that when the House resolve itself into the Committee of the Whole for the further consideration of the naval appropriation bill all general debate be closed at 5 o'clock to-day.

Mr. RICHARDSON. I move to amend by inserting 4 o'clock to-morrow afternoon.

Mr. BOUTELLE of Maine. I move the previous question on that.

Mr. RICHARDSON. It is too late, after my motion.

The SPEAKER. The gentleman's motion should be that the House resolve itself into the Committee of the Whole House on the state of the Union, and pending that, that general debate be limited. The gentleman from Maine moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, and pending that, moves that all general debate be limited to 5 o'clock, and on that he demands the previous question.

Mr. RICHARDSON. I moved an amendment before the gentleman from Maine moved the previous question.

Mr. BOUTELLE of Maine. I had the floor to move the previous question.

The SPEAKER. One moment. The gentleman from Tennessee was not recognized to move the amendment.

Mr. RICHARDSON. But the gentleman from Maine had not made the motion for the previous question.

The SPEAKER. The gentleman states that he intended to make the motion for the previous question.

Mr. RICHARDSON. I did not hear that.

Mr. OGDEN. He had not made it.

Mr. BOUTELLE of Maine. The gentleman from Tennessee is too good a parliamentarian to make a suggestion of that kind——

Mr. RICHARDSON. The gentleman from Tennessee recognizes that the gentleman from Maine could make the motion, but he did not make it.

Mr. BOUTELLE of Maine. It was my privilege and my duty as chairman of the committee in charge of the bill to make the motion.

Mr. RICHARDSON. But the gentleman did not make it.

Mr. BOUTELLE of Maine. I never had left the floor at all. The gentleman knows that he can not inject motions into another gentleman's time.

Mr. RICHARDSON. I know the gentleman had not sat down——

Mr. McMILLIN. Mr. Speaker, I desire to make this suggestion: It will not be denied that the gentleman from Maine had a right, in connection with his motion to limit debate, to call for the previous question upon that motion; but not having done so and another gentleman rising and moving to amend his motion, that second motion has to go in.

The SPEAKER. The gentleman from Maine states that he rose for the purpose of making that motion.

Mr. McMILLIN. But he did not do it.

Mr. OGDEN. He did not do it.

The SPEAKER. But he did do it before any other gentleman was recognized.

Mr. McMILLIN. But there was a lapse of time, so that any gentleman might presume that he did not intend to make the motion.

The SPEAKER. But the gentleman removed that doubt by saying that he did intend to do so.

Mr. RICHARDSON. We made no point of order on the form of the motion——

The SPEAKER. The Chair desires to say that the matter is entirely within the control of the House, and if the House desires it can vote down the previous question, in which case the matter will then be open for amendment.

Mr. RICHARDSON. Yes; but if the Chair will indulge me for a moment, the gentleman from Maine did not even make his motion in order; but I make no point on that. He did not move to resolve the House into the Committee of the Whole.

Mr. PAYNE. Oh, yes, he did.

Mr. RICHARDSON. No, he did not, and the Speaker corrected him.

The SPEAKER. The Chair corrected him without objection on the part of any member.

Mr. RICHARDSON. I do not object to it, but the Chair put the motion into order and made the gentleman's motion in order. Now, I do not think the Chair is safe in assuming that the gentleman intended to make his motion for the previous question. I have not heard the gentleman make the statement that he intended to move it.

Mr. BOUTELLE of Maine. What did the gentleman from Tennessee think I intended when I took the floor? [Laughter.]

Mr. RICHARDSON. I do not know, if I may be pardoned. If the Chair will allow me to answer that question, which is a reasonable one——

The SPEAKER. Will the House please be in order.

Mr. BOUTELLE of Maine. I call for the regular order.

The SPEAKER. If the House will be in order, the Chair will endeavor to facilitate what the gentleman from Tennessee desires; but he must have silence in the House in order to do it. It is impossible to administer the law or the business of the House unless we can have order so that we can hear what is going on. Will gentlemen have the kindness to take their seats—all gentlemen.

Mr. RICHARDSON. Now, Mr. Speaker——

The SPEAKER. The gentleman from Tennessee desires to ask the gentleman from Maine a question.

Mr. RICHARDSON. I wanted to answer his question as to what I supposed he intended to do. That I am not able to answer, but I am able to say, Mr. Speaker, that the gentleman did not move the previous question before I made my motion to amend. Now, if he says——

Mr. BOUTELLE of Maine. I say most decidedly that I made the motion.

Mr. RICHARDSON. If he says he intended to make the motion, we always accept that, when a gentleman makes that statement.

The SPEAKER. The Chair understands the gentleman from Maine to say that.

Mr. RICHARDSON. I can not go back of the statement of the gentleman from Maine, if he says he intended to.

Mr. BOUTELLE of Maine. If I were you——

The SPEAKER. The Chair understands that the gentleman from Maine stated that he intended to move the previous question, and had the floor for that purpose.

Mr. BOUTELLE of Maine. I never left it, Mr. Speaker.

The SPEAKER. Is the statement of the Chair correct?

Mr. BOUTELLE of Maine. The statement of the Chair is absolutely correct.

Mr. OGDEN. Has the gentleman from Maine the floor still?

The SPEAKER. The question is on the motion of the gentleman from Maine for the previous question.

Mr. OGDEN. I have taken my seat at the request of the Chair, and all other gentlemen have done so except the gentleman from Maine, and he seems to hold the floor even against the Speaker.

The SPEAKER. The gentleman from Maine took the floor to answer a question of the gentleman from Tennessee. The question now before the House is the previous question, asked for by the gentleman from Maine.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. RICHARDSON. Division!

The House divided; and there were—ayes 91, noes 92.

Mr. BOUTELLE of Maine. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The Clerk proceeded to call the roll.

The SPEAKER (interrupting the call). The Chair desires the attention of the House. At the request of gentlemen from both sides of this question the Chair will submit a proposition for an agreement, which is that debate shall continue until 6 o'clock this evening, and from 12 to 1 to-morrow, and then the bill proceed under the five-minute rule. The gentlemen on the other side to receive three hours of what remains.

Mr. MAHON. I will not object if the House will agree, as to-morrow is Friday, private bill day, to give us next Tuesday.

The SPEAKER. Without objection, that will be considered in the agreement.

Mr. RICHARDSON. What day?

Mr. MAHON. Tuesday.

The SPEAKER. Is there objection?

Mr. BOUTELLE of Maine. What is that as to Tuesday?

Mr. RICHARDSON. For the consideration of the Private Calendar.

The SPEAKER. Is there objection?

Mr. RAY of New York. I desire to understand whether that carries over the Friday night session.

The SPEAKER. The Chair understands it will carry over the Friday night session. [After a pause.] The Chair hears no objection; and if there be no objection, the Clerk will not further proceed with the call of the roll.

There was no objection.

Mr. BOUTELLE of Maine. The time to be divided by the Chair according to the understanding.

The SPEAKER. The roll call will be vacated, and the question will be put on the motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill.

The question was taken; and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9378) making appropriations for the naval service for the fiscal year 1898–99.

Mr. MEYER of Louisiana. Mr. Chairman, the introduction and consideration of the annual naval appropriation bill at this time is, I can not but feel, invested with unusual, I might say with extraordinary importance.

Only a few days ago the two Houses of Congress, departing from the customary precedents of legislation, passed after a brief debate, without cavil or a single negative vote, a measure appropriating $50,000,000 "for the national defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, and to remain available until January 1, 1899."

The President had sent no message to Congress asking for this large appropriation, but it was well understood by us all that he desired it and deemed this step to be absolutely necessary. Had twice this sum been estimated to be proper, it would have been voted without hesitation, regardless of party lines. Fifty millions being the sum indicated by the special representatives of the Executive, it was freely given.

This was no mere personal tribute. Had Mr. Bryan been the President instead of Mr. McKinley, it is safe to assert that our opponents would have acted as did those who are opposed to the domestic policy of the Administration.

Mr. Chairman, from every section of our wide country has since then come the approval by the masses of the action of the people's representatives. From millions of our countrymen came shouts of applause, whose echoes sent warning to our enemies that our nation is united to a man in defending the honor and glory and integrity of the Republic.

LOUISIANA'S GREETING.

From my own State of Louisiana comes the greeting of its sovereign people, in convention assembled, which I am proud to submit to this honorable House, and which represents so truly the universal sentiment all over this broad land:

Resolution No. 102, by Mr. Castleman.

Resolved, That the people of Louisiana, in convention assembled, hereby indorse and commend the action of our members of the House of Representatives in voting $50,000,000 to be placed at the disposal of the President to sustain the national honor and enable the proper authorities to place our coast defenses in such condition that they may successfully resist any attack that may be made upon them by any foreign power.

Resolved further, That the secretary be required to forward to each of our members in the House of Representatives a copy of this resolution.

A true and correct copy.

[SEAL.] ROBT. S. LANDRY, *Secretary*.

Attest:

E. B. KRUTTSCHNITT, *President*.

[Applause.]

Mr. Chairman, why, may I ask, do we behold this extraordinary concord of public men of both parties and of the people of every section of the Union? It is due to the fact that we stand confronted with a grave public exigency and a great peril, which to most men was an entire surprise. We are at peace nominally with all countries, but are liable at any moment to be involved in a war with Spain.

WAR NOT DEPENDENT ON ONE SIDE ONLY.

It is true that by the Federal Constitution the power of declaring war is confided exclusively to Congress, and Congress is in session and is likely to continue in session for some months to come. But war is not dependent on one side alone, and very often it is not preceded by formal declaration of war on either side. It comes "like a thief in the night," often without note of warning; yet we have had many people in this country who have argued and acted upon the assumption that a foreign war was out of the

question—an utterly impossible contingency. They have scouted the idea that any military or naval preparation for a possible war was necessary.

Looking to the eastward they beheld 3,000 miles of salt water lying between us and the armed camps of Europe. Invasion was impossible, and therefore they inferred that no foreign fleet would ever bombard our cities, or ravage our coasts, or harass our commerce. All we had to do was to cultivate the gentle arts of peace at home and be good. Foreign nations would respect our weakness and our inability to deliver a return blow. They would be merciful. History would be reversed the laws of human nature and human passion be suspended.

Even the fate of China, caught suddenly some years ago, and without preparation, lying prostrate, after a very short war, before an athlete nation having less than one-tenth of her numbers, carried with it no lesson, no moral, no warning to this class of men. Mr. Chairman, the theater of war, if such must come, will be not on the land but on the sea.

SUFFICIENCY OF OUR ARMY.

So far as our Army is concerned, I freely concede that it requires no addition to place us in a position of defense. It is large enough for peace purposes and can easily and quickly be expanded in event of war. We have a large body of the best officers, trained at West Point, and at the State military schools, and in the war between the States. Our citizen soldiery would make a large force. With a good supply of skillful officers, it requires but a short time to make a good soldier of an American citizen. He is apt, quick, and intelligent. We could soon have a large and effective force.

We have no invasion to fear on the southward; our relations with Mexico are most cordial and sympathetic, with an annually increasing intercourse of trade and commerce binding us together. In fact, we have taken the Republics of the western world under protection and friendship, and have come to the belief that our chiefest honor, not to speak of advantage, lies in an emphatic and honest assertion of the Monroe doctrine, to the author of which, a Virginian, one of the South American States has reared a monument. [Applause.]

With the Dominion of Canada we have, unfortunately, far more friction, but we have with her a very large and growing trade, and there is little prospect of conflict. I see, therefore, no reason for the increase of the Army unless war should become flagrant, and I do see many strong reasons to the contrary. The defense of our cities by proper fortifications is a necessary step that requires no increase of the Army beyond what has already been done, and ought to have been completed long ago.

CAN NOT IMPROVISE A NAVY.

But, Mr. Chairman, you can not improvise a Navy, even with fifty or one hundred millions placed at the discretion of the President. You may have an ample supply of officers, yet even these require experience in the handling of ships and in habits of command. Nor can you make a sailor as quickly as you can a soldier. Still less can you improvise a man-of-war's crew, with a thorough knowledge of all they have to do and possessing the discipline and training needed to make them efficient in sea service and in battle.

But, sir, even if you had a good supply of officers and men, an ample supply of guns in service and in reserve, and other articles needed for equipping or refitting your battle ships and cruisers, there would still remain the necessity for an immediate force of ships, not of commerce but of war ships. A battle ship or an armored cruiser is not built in a day any more than Rome was—not even in the old days of wooden ships could a war fleet be improvised or built expeditiously. The nation that was caught by a war unprepared was bound to suffer, and did suffer severely.

And now, with the development of naval construction, the building of a war vessel, with her complicated machinery, is a gigantic and tedious undertaking. In every country, even with skilled mechanics, the best dock yards, and ample material, it takes a year to build a battle ship. Our battle ships, both of the first and second class, have occupied over two years in construction, sometimes three. So that if war should come upon us suddenly, and we should be overmatched by our enemy in naval force, we would have to suffer all the evils of being driven from the sea for one or two years at least, and the consequent injury to our commerce and to exposed points on the coast, while in our dock yards we would be trying to catch up and remedy the disparity of naval force.

There would still remain the serious problem of making a union or concentration of the new and the old fleet in one force capable of regaining our lost control of the sea.

Our situation is not at all like that of Great Britain and France, each of which has one or two great naval stations, where naval construction and repair on a large scale can be conducted and a fleet built. We have no such stations, as we all know. They remain to be built up and developed in the future.

In view of these facts, which are known not only to the naval expert, but to every intelligent man, it is obvious that to wait for a war and to await naval preparation until war actually arrives, in the hope that a disparity in naval force can be speedily corrected, is an idea unworthy of rational and patriotic men. It is the very acme of human folly.

What has been said in respect to war vessels applies with nearly equal force to the dock yards and dry docks, which are absolutely needed for the cleaning and repair of our war vessels. These dry docks do not, perhaps, demand the same length of time for their construction as battle ships, but they do require many months and careful skill in order to fit them for the uses of the Navy.

The truth of this fact is found in the report of the Secretary of the Navy.

DOCKING THE INDIANA AT HALIFAX, NOVA SCOTIA.

In August last it became necessary to dock the battle ship *Indiana*. It was found that we had no dry dock on the Atlantic or Gulf coast adequate for this purpose, and thus we presented the humiliating spectacle before the world of having to send our grand battle ship on a voyage to a dock yard of a foreign government with which but a few brief months before we were on the brink of a hostile collision, and this for the simple cleaning and repairs for which we should have been prepared in our own yards on the instant.

Mr. ELLIOTT. I would like to correct the statement just made as to the fact that we have no dry dock on the Atlantic coast in which one of the first-class battle ships can be placed, by the statement that the battle ship *Indiana*, on the only occasion that she has been docked in this country, was safely put into the dock at Port Royal, thoroughly cleaned, and was safely taken out without the slightest difficulty whatsoever, and there is no sound reason that can be given why that battle ship should have been sent out of this country to be docked in August last.

Mr. MEYER of Louisiana. Mr. Chairman, I do not propose to enter into a discussion as to the merits of the Port Royal dock. I have always been its friend; but the fact exists and has been demonstrated that at the period named it was inadequate and incapable of docking the *Indiana*, and this only accentuates the need for the additional docks provided in the bill.

I feel assured, Mr. Chairman, that the Secretary of the Navy would never have sent the *Indiana* to a foreign port to be docked without actual necessity. He is a prudent, thoughtful, and able official, and acted in the matter with great reluctance and only from the stress of the situation.

NAVAL PREPARATION AND CONSTRUCTION URGED.

But, Mr. Chairman, on all these questions I take no new position. I merely stand where I have stood ever since I have been in Congress, and especially as a member of the Naval Committee have I urged in season and out of season prompt naval preparation and construction, which shall bear some proportion, at least, to our extended coast and commerce, our vast wealth and resources, our population and our dignity as a Republic, and the great interests, present and prospective, which we may be called on to defend.

I presented these views at more length than I shall to-day in speaking to this House on the naval appropriation bill in February, 1895. On that occasion I gave some brief view of our naval history, and of the achievements of the Navy, and of the progress made in the construction of the new Navy under Secretaries Chandler, Whitney, Tracy, and Herbert.

But, sir, I strongly urged going on with the good work that had been begun. I pointed the danger of foreign complications in the future, and that while we had the wealth and resources which enabled us to become a leading naval power, if we desired, we were then only the seventh of all the nations in naval strength. I made a partial comparison of the additions Great Britain, France, Germany, Italy, and Russia were then making to their armament. All these facts had been stated time and time again by the heads of the Navy Department, but they failed to lead Congress to realize the obvious duty of putting the country in a proper state of defense.

I repeat what I said then, and the years that have elapsed only accentuate the force of my statement, that there is a great misapprehension in the public mind touching the actual and relative strength of the Navy.

OUR "NEW NAVY."

So much has been said in the press and on the stump about the "new Navy" that the public have grossly overestimated its fighting capacity. True, I may assert that the ships we have are of the best, and our personnel active, keen, and equal to the highest traditions of their predecessors.

It is indeed a powerful Navy, compared with the best fleet of wooden ships that the United States or any other nation ever possessed, but it is far inferior to the present navies of France, Germany, and Russia. It is a very small Navy compared with that of Great

Britain. It is inferior to that of Italy, a country nearly bankrupt, with about one-third of our population, and still more inferior in wealth and the interests she may be called on to defend.

The able report of the Secretary of the Navy, Mr. Long, gives us the present strength of our Navy. There are only four battle ships of the first class and two of the second class. One of these, the *Maine*, now lies at the bottom of Habana Harbor, the victim probably of an assassin's foul act, whose instigators, whoever they may be, evidently took no thought from the words of the English statesman, that "assassination has never changed the history of the world." [Applause.]

The loss of one or many American battle ships can not, shall not obstruct the march of events nor stay the progress of a people aspiring to be free from the thraldom and cruelty of a nation once powerful, once great, but now reduced by her own misconduct to a struggle for her own political existence.

So, then, we have only 5 battle ships left. We have 5 more of the first class now being built, and these, the Secretary tells us, will not be ready for service before the latter part of 1899, say eighteen to twenty months from now. Even the torpedo boats—an essential part of our system of coast defense—will not be ready for a considerable time to come.

NAVAL CONSTRUCTION ABROAD.

In the same report the Secretary tells us of the progress of naval construction abroad.

England leads with appropriations for the year 1897-98 amounting to $26,500,000. Including new work, she will complete or have under construction during the year 15 battle ships—equal to three times our existing force, in addition to the great number she had heretofore—12 first-class cruisers, 9 second-class cruisers, 10 third-class cruisers, 56 torpedo-boat destroyers, and other boats, a total of 117 vessels under construction.

France is building 17 vessels, at a cost of some $16,000,000. Japan, a nation newly born, with a very small territory and not half our population, comes next, with a construction of 4 large first-class battle ships, 4 armored cruisers, 6 protected cruisers, 9 torpedo-boat destroyers, and 13 torpedo boats. This construction of Japan is going on with the greatest rapidity. She will soon become the first in naval strength on the Pacific Ocean, and greatly superior to the United States in that quarter.

Germany, Russia, and Italy are building war ships readily.

Spain has increased her naval power during the year by the purchase of 1 and the completion of 2 first-class armored cruisers, 1 protected cruiser, 2 gunboats, and 6 torpedo-boat destroyers. She is also building 4 armored cruisers, 4 protected cruisers, 4 gunboats, 4 torpedo ships, and 3 battle ships, to be fitted with new boilers and guns in France.

The facts stated by the Secretary of the Navy in this report are highly suggestive. It is well to bear in mind that these programmes of naval construction are carried on far more rapidly in Europe than in this country.

This is particularly true in respect to Great Britain, which is building war vessels not only for her own navy, but in her private shipyards for other countries.

I believe it is true that a first-class battle ship, which in this country can not be built in less than two years or more, can be completed and equipped in a single year in Great Britain. It is said that we can build in this country war ships equal to those of any other country in the world.

Doubtless this is true, but there remains an important question worthy of study by our naval experts and by all persons responsible for the conduct of public affairs, and that is, Can we build these war vessels in case of emergency as rapidly as European countries—for example, Great Britain—and if not, how can this deficiency be best and most promptly supplied?

I may add here that the prompt and convenient docking and repair of our war vessels is fully as important as the rapidity of their construction and of their necessary armament.

Mr. Chairman, since the date of the Secretary's last report we have seen a number of newspaper publications, which go to show that in the last few weeks very considerable additions have been made by Russia, Germany, and other nations to their programmes of naval construction.

In some of these cases, as I understand, the money invested is not doled out from year to year in an annual appropriation bill, but is given in a lump sum, or in a mode resembling the contract system which obtains in our important river and harbor work, with the results of increased expedition and greatly increased economy.

I have felt that a full comparison of the fighting strength of our Navy as compared with other countries, and what each country is doing in the way of naval construction, is so important, in order that we may see exactly where we stand, what our danger is, and what our duty is to the people whose honor and security we have in charge, that I have sought and obtained from our Naval Intelligence Bureau—

A COMPARATIVE SUMMARY OF THE PRINCIPAL FLEETS OF THE WORLD, BUILT AND BUILDING.

I beg leave to insert this valuable statement here, and to bespeak for it the most careful consideration.

Comparative summary of the principal fleets of the world built and building.

Classes of vessels.		British Empire.		France.		Russia.		Italy.		Germany.		United States.		Japan.		Spain.		Chile	
		a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.
Fit for line of battle	A	29	9	12	5	10	6	6	2	4	3	4	5	2	3	1	..	..	..
	B	12	..	4	..	4	..	2	..	7	..	..	..	1	..	..	..	1	..
	C	11	..	5	..	..	..	2	..	3	..	1	..	..	..	2	..	1	..
	D	5	..	13	..	6	2	7	..	8	..	6	..	..	..	..	..	1	..
	F	18	4	12	6	10	2	3	4	..	1	2	..	4	4	5	4	1	..
Commerce protection and scouting	G	17	4	2	2	..	2	..	..	1	..	2	..	..	..	..	..	1	..
	H	46	3	16	2	8	..	6	..	9	6	11	..	8	3	1	3	1	1
	I	11	..	6	..	..	..	1	..	..	..	..	..	..	..	6	..	..	..
	J	21	10	14	3	1	..	3	1	7	..	3	..	3	1	..	..	2	..
	K	23	..	..	..	..	..	6	..	1	1	8	..	1	..	3	..	..	..
	L	1	..	13	1	20	..	..	..	6	..	3	..	3	..	5	..	..	1
Coast defense	E	11	..	12	..	21	..	..	..	11	..	19	..	..	..	2	..	..	..
	N	40	..	14	..	13	..	..	..	2	..	..	..	6	..	11	..	..	..
Torpedo attack and defense	M	33	6	13	2	8	..	15	2	8	..	..	..	1	..	11	3	4	..
	O	90	6	..	8	1	14	..	1	9	1	..	3	..	8	6	..	4	..
	P	51	..	43	..	67	..	104	13	65	..	7	8	2	1	10	..	6	..
	Q	39	..	145	28	6	..	4	..	53	..	..	4	22	13	28	..	1	..
	R	104	..	56	..	99	..	69	..	16	..	1	..	4	..	7	..	12	..
Summary:																			
Line		75	13	46	11	30	10	20	6	22	4	13	5	7	7	8	4	4	..
Cruisers		119	17	51	8	23	2	17	1	18	7	27	..	15	4	12	6	4	2
Coast defense		60	..	26	..	34	..	..	..	13	..	13	..	6	..	13	..	..	..
Torpedo flotilla		308	12	257	38	181	14	192	16	151	1	8	15	29	22	60	3	27	..
Unclassified vessels		70	6	102	..	35	..	37	..	18	..	24	..	17	..	96	..	10	..

A. First-class battle ships.
B. Second-class battle ships.
C. Third-class battle ships.
D. Seagoing coast-defense ironclads.
E. Nonseagoing coast-defense ironclads.
F. Armored cruisers.
G. First-class protected cruisers, 6,000 tons and over.
H. Second-class protected cruisers, 3,000 tons to 5,999 tons.
I. Second-class unprotected cruisers, 3,000 tons to 5,999 tons.
J. Third-class protected cruisers under 3,000 tons.
K. Third-class partially protected cruisers under 3,000 tons.
L. Third-class unprotected cruisers under 3,000 tons, not including old and slow ships.
M. Torpedo gunboats.
N. Gun vessels, third class, mounting heavy guns for coast defense.
O. Torpedo-boat destroyers.
P. Torpedo boats, first class.
Q. Torpedo boats, second class.
R. Torpedo boats, third class.

The unclassified vessels comprise all armed vessels not included in the above-mentioned classes, and consist of gunboats, special-service vessels, old and slow cruisers, small gun vessels, and armed dispatch vessels.

Under each nation column *a* contains the number of vessels completed; column *b* the number of vessels building, and shows the present activity in naval construction. Column *a* may be taken as the present naval strength of each nation; columns *a* and *b* combined, as the strength in 1900.

A table showing the number of naval dry docks in each country will be found in Appendix K, Senate Document 107, Fifty-fifth Congress, second session.

RICHARDSON CLOVER,
Chief Intelligence Officer.

FEBRUARY 24, 1898.

It is not necessary for me to comment upon this table. It tells the story of our lack of naval preparation and backwardness as compared with the other great powers of the world far more eloquently than any words of mine could. It may be said that we have been only a few years at work reconstructing our Navy on the lines of modern science and development; but, sir, this work was begun at least fifteen or sixteen years ago, under the Administration of President Arthur, and I do not think the public can be convinced that much greater progress could not have been accomplished.

Mr. GAINES. Will the gentleman allow me a question?

Mr. MEYER of Louisiana. Certainly.

Mr. GAINES. How many ships does this new bill propose?

Mr. MEYER of Louisiana. Three battle ships and 12 torpedo boats.

Mr. GAINES. Not taking into consideration those now in course of construction?

Mr. MEYER of Louisiana. No, sir.

Germany is ahead of us. She began after we did. She has only half our population, far inferior wealth and resources, a small coast line, and, until the North German Canal was lately built, no direct and easy communication with the sea.

Her armies have for centuries been prominent in history, but practically she has not till this generation possessed a navy. With a bound she goes to the front. She has a colonial system, and is able to defend it.

Holding these views as to our duty and the public necessities, I

welcome even the exceedingly modest and reasonable addition of 8 battle ships and 6 torpedo boats and 6 torpedo destroyers proposed by the bill.

ALGIERS DRY DOCK.

With equal satisfaction do I hail the step which proposes to give our war ships adequate docking and repair facilities upon the Atlantic, the Pacific, and the Gulf coasts.

I have steadily favored and urged this general policy. I have especially urged the reasons which recommend and make necessary a dock at Algiers, a part of New Orleans and opposite its main environs. In February, 1897, I discussed this subject in the debate upon the naval appropriation bill. I treated the question from no sectional standpoint, for I favored suitable docks at Puget Sound, New York, Portsmouth, Norfolk, and the New England coast; but it became my duty to present with special emphasis the great importance of going on with the dock at New Orleans, which had been recommended by two separate and successive naval commissions as combining in the highest degree the requisites for a dock upon the Gulf coast.

Unfortunately, nothing was effected at that session, and this year, as I have already stated, we found ourselves without a single dry dock on the coast of either the Gulf or the Atlantic capable of accommodating the battle ship *Indiana*, so that she was obliged to be sent to the port of Halifax, Nova Scotia, a long voyage to a foreign shipyard.

THE COUNTRY AROUSED.

This incident aroused the country. The Secretary of the Navy very properly appointed a special board last August to examine the matter, and upon the reception of its report he strongly presented the subject in his annual report. It is a valuable feature of this document that it gives the comparison of the docking facilities of the principal maritime powers. It presents a melancholy exhibit for this country, but it is well to know the whole truth, so as to be able to provide for the emergency.

DRY-DOCK PROVISIONS IN NAVAL APPROPRIATION BILL.

The bill of the committee has provided for five dry docks, to be constructed at Portsmouth, N. H., Boston, Mass., League Island, Pa., Mare Island, Cal., and Algiers (New Orleans), La., and makes an adequate appropriation for beginning the work. It is possible, indeed, that one or two other places might have been provided for, but it can not be doubted that the points chosen will result in the public good.

This is unquestionably true in regard to the selection of New Orleans, for a dock on the Gulf coast is indispensable in the opinion of naval officers, and naval experts say emphatically that New Orleans is the true point to locate it.

At one time a timber or concrete dry dock was favored for this place, but the naval board recommended in lieu of this "a double-sided steel floating dock of the type known as the combined floating and graving self-docking dock, to be capable of lifting a war vessel of the largest size and deepest draft of water."

Mr. DRIGGS. I desire to ask the gentleman a question, if he will yield.

Mr. MEYER of Louisiana. Certainly.

Mr. DRIGGS. I want to ask if these steel floating docks have been tested until they have been found satisfactory?

Mr. MEYER of Louisiana. For many years docks of this character have been in use in this and other countries. I am informed that the floating dock passed through the same development of material—wood, iron, and steel—as ships, and has kept pace with their development.

A floating steel dock of 17,500 tons is now in operation in Hamburg. In England this development has been especially rapid, and many of them are in successful operation.

Mr. HILBORN. Will the gentleman allow me?

Mr. MEYER of Louisiana. With pleasure.

Mr. HILBORN. I will say that the floating dock has been thoroughly tested and approved. It is a modification of an American invention. It has been adopted and improved by the English, and England on her foreign stations, notably at the Bermudas, uses a floating dock. And Spain has now in the harbor of Habana a floating dock that has a battle ship on it to-day.

Mr. MEYER of Louisiana. I thank my friend.

Mr. KING. Does not the gentleman from California know that the floating dock to which he refers, in the harbor of Habana, has been sunk and disabled? It was sunk when I was there.

Mr. HILBORN. Oh, no; the gentleman has been misinformed, because to-day it has a battle ship on it.

Mr. KING. I was there and know that it was sunk.

Mr. HILBORN. You saw it at a time when it was crippled; but to-day it is floating a battle ship.

Mr. DRIGGS. I should like to ask the gentleman from Louisiana another question, Mr. Chairman.

Mr. MEYER of Louisiana. Certainly.

Mr. DRIGGS. I desire to ask him in relation to the number of dry docks. Last summer, as I remember it, there was a commission appointed and each denomination of docks was considered, and they provided for a certain number of docks. Does this bill provide for a less or a greater number?

Mr. MEYER of Louisiana. The bill provides for a smaller number of docks than the commission recommends. Their report sets forth six docks at various points as "urgently necessary" and five as additional "to place the docking facilities of the country on an adequate footing."

Mr. HILBORN. And one of them a floating steel dock.

Mr. DRIGGS. Thank you.

Mr. MEYER of Louisiana. The reasons assigned by the board for preferring the steel floating dock are:

1. Changes in water level from high and low river do not affect its operation.

2. It is located in fresh water, and expense of maintenance will be small.

3. Great depth of water within mooring distance of wharf.

4. Rapidity with which a floating dock can be constructed to meet the urgent need for a dock on the Gulf of Mexico (ten months being the time estimated for its construction).

The necessity for pushing work of this character is manifest. At the date of the Secretary's report there was no dock on the Atlantic coast capable of accommodating a great battle ship. A few days ago a New York journal which pays close attention to such matters stated that unless the two docks on the Atlantic which are large enough to serve the *Iowa* and *Massachusetts* will soon be ready, it might become necessary to send these ships to Halifax for cleaning.

I trust there will be no opposition to this policy. The entire expenditure, either in construction or maintenance, will not equal the cost of one battle ship with her armament, and it will render our naval establishment efficient both in war and peace. It is a measure of economy at all times.

UNCERTAINTY OF OUR FOREIGN RELATIONS.

In urging as I do and have done the duty of making adequate naval preparations I have not felt it necessary to discuss the Cuban question or the issues now existing or that may arise between this country and Spain.

I trust that peace may be preserved. I value its inestimable blessings. But it is enough for my argument to point out the uncertainty and insecurity of our foreign relations. The lightning's flash of the cables encompassing the world, the speed of steam propellers, and all the agencies of our nineteenth-century progress and wonderful inventions bring the nations of the earth in close and hourly contact with us, and much as we may endeavor to observe the wise advice of the great father of our country, "to extend our commercial relations with foreign nations, but to have with them as little political connection as possible," modern conditions may prevent us. A country great as we have grown to be must take its part and share in the activities and humanities of the civilized world. It is inevitable; no mere theories can avert it. [Applause.]

The fifty-million appropriation unanimously voted by Congress was not only a declaration of our purpose to stand by the country in time of war; it was also a confession by Congress that we are lacking, sadly lacking, in preparation for war, and that whatever money, freely voted, would do to atone for our past neglect and want of foresight would be cheerfully, promptly given.

How much better it would have been if three or four, or better still, six years ago we had put ourselves in a condition of military and naval preparation which we would be only too happy to have to-day.

Such an act, such a wise policy, would have been the surest agency for peace that we could possibly have employed.

A weak and unprotected coast and commerce are always an invitation to aggression by foreign powers.

One of our earlier Presidents—John Adams—observed in one of his messages to Congress—

A mercantile marine and a military marine must grow up together; one can not long exist without the other.

If we are to have an extended commerce, rich and thriving cities on the seaboard, with vast wealth, as we have, or a foreign policy that takes care of our interests, as we ought to have, we must be prepared to defend what we have got, and to enforce our just demands.

Acting on this line, we can not only hold our place among the nations of the earth, but we can preserve "peace with honor." [Applause.]

SEA POWER ESSENTIAL TO NATIONAL GREATNESS.

Mr. Chairman, I trust it is needless for me to enlarge upon the value and importance of sea power. No nation can be complete or great without it. It was sea power that gave preeminence to Athens, Carthage, and Rome in ancient days. The lack of it, as compared with England, enfeebled France in her long struggle with Great Britain from 1792 to 1814, and not even the genius of Napoleon was able to surmount the difficulties growing out of the immense superiority of England on the sea.

The victory of Trafalgar over the fleets of France and Spain

balanced that of Austerlitz, and left England free to exert her arms, money, and vast resources with the certainty that her own soil and industries would be secure against interruption or devastation. Our success over Mexico from 1846 to 1848 was mainly dependent upon our command of the sea to transport armies and their supplies. Even in the hour of peace we find a continual demand for the services of our small Navy.

Mr. Chairman, I have consumed more time than I desired to do, and yet have hardly glanced at the important question before us.

I beg to conclude with a quotation from a letter of John Adams, written in the year 1802. It contains words of wisdom, and if penned with special reference to present conditions it could not be more true and appropriate than it is after the lapse of near a century. It is reenforced by every page of modern history:

> The counsel which Themistocles gave to Athens, Pompey to Rome, Cromwell to England, De Witt to Holland, and Colbert to France I have always given and shall continue to give to my countrymen—that as the great questions of commerce and power between nations and empires must be decided by a military marine, and war and peace are determined at sea, all reasonable encouragement should be given to the Navy.
> The trident of Neptune is the scepter of the world.

[Prolonged applause.]

Mr. BOUTELLE of Maine. Mr. Chairman, I now yield to my colleague the gentleman from West Virginia [Mr. DAYTON] thirty minutes, or so much of it as he may desire.

Mr. DAYTON. Mr. Chairman, inasmuch as this bill now presented for the consideration of the House increases appropriations something more than $3,000,000 over the bill of last year, it is well for the House to clearly understand the provisions that make up that increase. Generally stated, three items constitute it.

First, the increase of the force of 2,000 men and boys, made necessary by the manning and putting into actual service of the ships; second, the increase in the number of vessels that shall hereafter constitute our Navy and provided by this bill, viz, the 8 battle ships, 6 torpedo-boat destroyers, and 6 torpedo boats. In addition to this, the bill has provided for the rebuilding of a gunboat to take the place of the one substantially disabled upon the lakes. The third principal item which has helped to make up this increase is the provision of the bill for the five dry docks that it has been deemed necessary to build at Portsmouth, Boston, League Island, Algiers, and Mare Island.

Mr. Chairman, every thoughtful citizen of the Republic will agree with the Secretary of the Navy that this country is to be congratulated upon the fact that we do not need either the vast military or naval armament required by the other great powers. Our forefathers, chastened by the deadly and protracted struggle of the Revolution, builded better than they knew, and when by the Monroe doctrine they established the principle as one of fixed national policy that we would not allow ourselves to become entangled in the meshes and network of European politics, but that our interests and our action should center alone in the Western Hemisphere, we made way for the dismissal of armies and gave full sweep to the tide of development and national progress that has come to us beyond the wildest dream of one hundred years ago.

Separated as we are by vast seas, we can rest in security and tranquility, notwithstanding the "armed peace" of Europe, with its Franco-Russian alliance, its triple alliance between Germany, Austria, and Italy facing each other, while England, with her characteristic energy, maintains singly and alone a naval armament equal to and able to cope with that of either of the alliances in case it shall become necessary.

We need no navy to protect foreign colonies or to enforce our rule in distant empires. We are not interested in the questions of the East, nor will we be affected if China in the future shall seek to revenge her recent humiliation at the hands of Japan.

But, Mr. Chairman, while we may rejoice in our favorable location and conditions, this sense of security should not cause us wholly to overlook the wise truth proclaimed by the great German chancellor, the man of "blood and iron," Count Bismarck, that the best means of securing and maintaining peace is being prepared, in a measure at least, for war. We must not forget that while oceans intervene between us and other great nations, those oceans are now underlaid with strands of cabled steel, by which communication can be had in a few minutes, and that we are, therefore, necessarily in much closer touch with foreign powers than in years gone by.

We must not forget, either, that the obligation is upon us, not alone from considerations of national pride and the maintenance of the American spirit of self-respect, but also from that of the proper protection of our citizens abroad, to not wholly ignore our naval armament. I am fully persuaded of one thing, and that is, constituting, as we do, a body of 70,000,000 brave, self-reliant, and intelligent people, wholly wedded to the principle of self-government and having proved beyond peradventure that such government can be, and by us is, made as strong, stable, and enduring as any other on earth, we need have little fear of hostile invasion.

Exercising the intelligent freeman's right to agree and disagree upon questions of internal policy, but always ready, when danger from outside threatens, to bury on the instant all differences, to respond with one voice, to follow one flag, to know but one tie—that of American brotherhood—I say, under such conditions as these we need have little fear of being assailed at our own firesides. Too many self-constituted "minutemen" and sentries will spring up to allow that.

I submit, therefore, Mr. Chairman, that any future danger must be met almost altogether by naval forces and naval defenses, and that it is therefore wise policy for us to be liberal to our naval establishment and respond promptly and effectively to its needs and requirements. I submit further, Mr. Chairman, that it is also wise for us as an original proposition, wholly independent of present emergency necessities, to establish a fixed policy of increasing our Navy to a point where we will not be ashamed of it, or, in case of necessity, be compelled to scamper over the globe to buy vessels to meet it.

Mr. Chairman, that being true, I hope—especially after having devoted these long weeks to consideration of the subject—that no one will be misled by the recommendation made by the Secretary of the Navy that we should build but one coast-line, first-class battle ship. The committee must understand that that recommendation was made under other than present circumstances; and I here state, personally, that the Secretary of the Navy is in entire accord with the committee in the recommendation that there shall be three instead of one. I have made this statement after a personal interview with him in regard to the matter. I have made it, too, in order that the three (it seems to me) important features in this bill may not be assailed here upon the question of economy, which is sprung so often in this House.

Mr. Chairman, the other subject, that of dry docks, has been considered long and thoroughly by the Committee on Naval Affairs. Its consideration has been based not only upon the recommendations of the Department, not only upon the report of the board appointed to ascertain and determine how many of these dry docks should be built, but it has been based upon the independent examination made by the committee itself from other and outside sources.

A very strange thing has occurred in this House in the sessions that have gone by. It is to my mind a remarkable thing that heretofore we have been retarded in building dry docks by the fact that points of order have been made against this provision as being new and independent work, and therefore outside of the provisions of the regular appropriation bill.

I sincerely hope and believe that when this measure comes to be considered upon its several provisions there will not be a man in this House who will attempt to raise this point of order and place himself in the strange position of saying that we are authorized to build new battle ships, to build new navy-yards, to build new tool houses and machine shops, to purchase the machinery necessary to build ships, but we are not authorized to erect, as it were, the scaffold upon which they are to be built, repaired, and cleaned. It seems to me that the day for that kind of economy has passed and that the time has come when we must not only furnish our Navy with the navy-yards, tools, and material necessary to repair our vessels, but must also furnish them with the docks to dock them.

Now, Mr. Chairman, I insist that the necessity for this increase in our Navy has been made thoroughly apparent, not only by the incidents and facts which have been transpiring within the last few years, but that the necessity is emphasized by a comparison of the Navy of this great nation of ours, the proudest, the noblest, the most civilized nation of the world, with the navies of the powers. This comparison emphasizes the fact I am insisting upon, that it is wise for us to pass, it is good policy for us to pass, and we shall not be true to the American spirit unless we do pass, almost, I might say, without question, the reasonable, prudent increase authorized by this bill.

I have also a statement—slightly different, I think, from that filed by my colleague from Louisiana [Mr. MEYER]—in regard to the naval equipment of the world. Gentlemen will understand that naval vessels are divided into different classes according to the different uses to which they are to be put. First, as to battle ships and other vessels that are capable for the line of battle.

While England has 75 already built and 13 building of these that can go out into the broad sea to furnish the line of battle; while France has 46 built and 11 building; while Russia has 30 built and 10 building; while Italy has 20 built and 6 building; while Germany has 22 built and 4 building, the United States has 13 built and 5 building. Of the commerce protecting and scouting vessels that are designed to protect commerce, England has 119 built and 17 building; France, 51 built and 8 building; Russia, 23 built and 2 building; Italy, 17 built and 1 building; Germany, 18 built and 7 building; the United States, 27 built and no others building.

Take it all the way through. Take the coast-defense vessels: England has 60; we have 13; France has 26; Russia, 34; Spain, 13; Germany, 13. Of the torpedo boats, England has 308 built and 12 building; France has 257 built and 36 building; Russia, 161 built

and 14 building; Italy, 192 built and 16 building; Germany, 151 built and 1 building; Spain, 60 built and 3 building; Japan, 29 built and 22 building, and we have 8 built and 15 building.

The total navy of England includes, of all these different kinds of vessels, 632 built and 48 building; France, 482 built and 57 building; Russia, 303 built and 26 building; Italy, 266 built and 13 building; Spain, 189 built and 13 building; Japan, 74 built and 13 building; United States, 85 built and 20 building. I insist that when it is stated publicly—and I get this information from reliable sources—that in this coming year England proposes to spend $127,000,000 in the increase of her Navy, Russia will spend for ships alone $83,333,000, Germany will spend $95,000,000, while France will build one battle ship, 8 cruisers, 8 destroyers, and 6 torpedo boats, and Japan will build 3 battle ships, 5 first-class cruisers, 6 second-class cruisers, 3 torpedo vessels, 8 destroyers, and 12 torpedo boats, every self-respecting American citizen must desire that we shall not be so far behind even Japan as we are in this work. [Applause.]

Other important information is contained in this statement. I have not time to read, but will incorporate it in the RECORD, by the leave of the House, for the consideration of the committee, as a part of my remarks.

Mr. Chairman, a few more words, and I am done. I have always deeply deplored the custom so much indulged here, under the license of general debate, of discussing questions foreign to the bill under consideration. I would not for one moment express myself as I am about to do if I did not believe that not only the argument in behalf of the increase of our Navy but also other extraordinary and exceptional reasons justify me.

It is needless for me to call attention to the fact that we now have one less battle ship than when we last discussed in this House a naval appropriation bill. This bill provides for a new *Maine*, but the American heart has not ceased to thrill with horror because the original *Maine* lies a wreck in Habana Harbor with 266 of her brave men buried beneath her. We can not, no matter how hard we may try, believe otherwise than that it would have been impossible for this condition of things to be a stern reality confronting us in any other harbor in the world.

We talk as we will about an accident, and yet the time when and the place where it occurred brings the full realization that there is one nation, or at least one individual, who would destroy us if possible; and while I am in entire accord and sympathy with the wise and patient, yet prompt and patriotic, course pursued by the President in this matter; while I rejoice that nothing has been done in anger and haste, but a full investigation has been ordered by a board selected from the best, bravest, and most sensible body of naval officers to be found on earth, one member of which board I am proud to count as a constituent of mine, nevertheless, while our hearts may be full of sadness and indignation over this *Maine* tragedy, let us not for one moment forget that it is but an incident in a greater and more horrible tragedy transpiring daily before our eyes, and which, I insist, this great, enlightened, Christian nation must stop. [Applause.]

Two hundred and sixty-six brave men are dead to-day as a result of the *Maine* tragedy. Over 200,000 are dead in Cuba and 255,000 more, largely helpless women and children, are being held in imprisonment and starved to death there to-day. We do not know as yet that the Spanish authorities blew up the *Maine* and destroyed the lives of our seamen, but we do know that Spanish authority is responsible for this wholesale deadly murder in the first degree going on within a hundred miles of our shores. [Applause.]

And do not forget, Mr. Chairman, that the only cause for this—the only crime that these pitiful dead and dying have been guilty of—is that, inspired by our example, they have longed and sought for free self-government. And do not forget also, Mr. Chairman, that when this House, almost by unanimous vote, followed by the Senate, declared in favor of belligerent rights for this distracted isle, had Mr. Cleveland acted promptly, at least 100,000 lives would have been saved, Cuba would have been free, and in all human probability the *Maine* would not be to-day a dismantled wreck, but would be peacefully cleaving the sea, manned by men now dead, and flying the proud American flag. [Applause.]

Do not spare in our remembrance, too, Mr. Chairman, that other fact that when the question of belligerent rights was discussed in the Senate, by far the strongest, most earnest, and affecting words in behalf of such recognition came from the lips of the noble, venerated statesman who stands to-day at the head of President McKinley's Cabinet.

Let us look at this question fairly and squarely. Under the Monroe doctrine, if Eastern powers should seek to settle the affairs of Cuba, we would regard it either as humiliation or an affront. The obligation is upon us. In this case we are our brother's keeper, and the blood of dead thousands cry aloud to us out of Cuba's ground.

I do not want war if it can be avoided. I want peace, but with honor and with a sense that I can look my wife and boy at home in the face and feel I have some heart and humanity left in me. I do not want them to think that I can stand by and see other wives and children starved and strangled without a word of protest. With food and raiment in one hand and with its strong power backed by the righteous will of 70,000,000 of freemen, this Administration must intervene, stop this horror, and give Cuba her freedom.

This intervention may be done, I hope, peacefully. If so, God be praised; but if not, and it can only be done by war, let it come. Humanity, mercy, charity, and all the attributes of God Himself will be with us, and Cuba will be free. [Applause.]

Comparative summary of the principal fleets of the world, built and building

Classes of vessels.		British Empire.		France.		Russia.		Italy.		Germany.		United States.		Japan.		Spain.		Chili.	
		a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.
Fit for the line of battle	A.	29	9	12	5	10	6	6	2	4	3	4	5	2	3	1	..	..	..
	B.	12	..	4	..	4	..	2	..	7	..	..	..	1	..	..	1	..	..
	C.	11	..	5	..	..	..	2	..	2	..	1	..	..	..	2	..	1	..
	D.	5	..	13	..	6	2	7	..	8	..	6	..	..	..	..	1	..	..
	F.	18	4	12	6	10	2	3	4	..	1	2	..	4	4	5	4	1	..
Commerce protection and scouting	G.	17	4	2	2	..	2	..	..	1	..	2	..	..	..	..	1	..	..
	H.	46	3	16	2	2	..	5	..	3	6	11	..	8	3	1	3	1	1
	I.	11	..	6	..	..	..	1	..	..	..	..	..	..	..	6	..	..	..
	J.	21	10	14	3	1	..	3	1	7	..	3	..	3	1	..	..	2	..
	K.	23	..	..	..	..	..	3	..	1	1	8	..	1	..	..	3	..	..
	L.	1	..	13	1	20	..	..	..	6	..	3	..	2	..	5	..	..	1
Coast defense	E.	11	..	12	..	21	..	..	..	11	..	13	..	..	..	2	..	..	..
	N.	49	..	14	..	13	..	..	..	5	..	..	..	6	..	11	..	..	..
Torpedo attack and defense	M.	53	6	13	2	8	..	14	2	9	..	..	..	1	..	11	3	4	..
	O.	90	6	..	6	1	14	..	1	9	1	..	8	..	8	6	..	4	..
	P.	51	..	43	..	67	..	104	13	65	..	7	8	2	1	10	..	6	..
	Q.	30	..	145	28	6	..	4	..	53	..	..	4	22	13	26	..	1	..
	R.	104	..	56	..	99	..	60	..	16	..	1	..	4	..	7	..	12	..
Summary:																			
Line		75	13	46	11	30	10	20	6	22	4	13	5	7	7	8	4	4	..
Cruisers		119	17	51	8	23	2	17	1	18	7	27	..	15	4	12	6	4	2
Coast defense		60	..	26	..	34	..	..	..	13	..	13	..	6	..	13	..	..	..
Torpedo flotilla		308	12	257	38	181	14	192	16	151	1	8	15	29	22	60	3	27	..
Unclassified vessels		70	6	102	..	35	..	37	..	18	..	24	..	17	..	96	..	10	..
Total		632	48	482	57	303	26	266	23	222	12	85	20	74	33	189	13	45	2

A. First-class battle ships.
B. Second class battle ships.
C. Third-class battle ships.
D. Seagoing coast-defense ironclads.
E. Nonseagoing coast-defense ironclads.
F. Armored cruisers.
G. First-class protected cruisers, 6,000 tons and over.
H. Second-class protected cruisers, 3,000 tons to 5,999 tons.
I. Second-class unprotected cruisers, 3,000 tons to 5,999 tons.
J. Third-class protected cruisers under 3,000 tons.
K. Third-class partially protected cruisers under 3,000 tons.
L. Third-class unprotected cruisers under 3,000 tons, not including old and slow ships.
M. Torpedo gunboats.
N. Gun vessels, third class, mounting heavy guns for coast defense.
O. Torpedo-boat destroyers.
P. Torpedo boats, first class.
Q. Torpedo boats, second class.
R. Torpedo boats, third class.

The unclassified vessels comprise all armed vessels not included in the above-mentioned classes, and consist of gunboats, special-service vessels, old and slow cruisers, small-gun vessels, and armed dispatch vessels.

Under each nation column *a* contains the number of vessels completed; column *b* the number of vessels building, and shows the present activity in naval construction. Columns *a* may be taken as the present naval strength of each nation; columns *a* and *b* combined as the strength in 1900.

Proposed naval expenditures, 1898.

England proposes to spend	$127,750,000
Russia will spend for ships alone	83,333,400
Germany will spend	95,000,000
France will build—	
Battle ship	1
Cruisers	8
Destroyers	8
Torpedo boats	6
Japan will build—	
Battle ships	3
First-class cruisers	5
Second-class cruisers	6
Torpedo vessels	3
Destroyers	8
Torpedo boats	12

Now, Mr. Chairman, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. ARNOLD].

Mr. ARNOLD. Mr. Chairman, we stand to-day on the verge of an armed conflict, and it were well that our actions be justified by the facts and approved by honorable men everywhere. It is clear that the *Maine* was in a supposedly friendly harbor, and was anchored in a particular spot by direction of the Spanish authorities. Our naval court of inquiry, composed of men of unsullied honor and sterling integrity, it is believed, found that the vessel was blown up by some external force—a mine or torpedo.

As to what particular persons were the active agents we may not be informed directly, but we do know that the only party interested, and the only party which hates the United States and

which was in a position to accomplish the cowardly and infamous act, was Spain. It may not have been officially directed, but the responsibility still exists. Without such direction there is such negligence as would make the party, in criminal law, guilty of manslaughter in a similar occurrence as between citizens of a State. To my mind there is moral and legal responsibility resting upon Spain. Assuming all this to be true—and I believe it to be true—what should be our demands in way of reparation? In this connection, I desire to refer to the suggestion of some un-American citizens, that the controversy be settled by arbitration.

I submit, Mr. Chairman, this can not be done with honor. We have not only lost the *Maine*, which in money can be estimated, but there were ushered into eternity without a moment's warning 266 American sailors, whose lives were dear to them and dear to us, and this can not be estimated or measured. Shall we make merchandise of the lives of our people? Can money purchase human life? Is gold dearer to us than the blood of patriots? No, no! And there can not be and must not be any arbitration. [Applause.] Our honor is at stake and our flag insulted. If I insult any gentleman in this House, should there be arbitration to decide and inform that gentleman whether or not he has been insulted? Again, any agreement to arbitrate is an infamous reflection on the honor and integrity of the gentlemen who composed our court of inquiry.

You may then say that my views would necessarily lead to war. In connection with other facts which I will refer to, relative to Cuba, I unhesitatingly say, yes, war, with all that it implies, unless full damages be immediately paid and the complete independence of Cuba be at once obtained. War is the incarnation of an awful tragedy, but a greater tragedy was enacted when 266 brave American sailors went down to their death through the infamy and treachery of Spain or of some of her subjects. We all love peace, and it is dear to us, but may it never again be said of this great nation that we will purchase peace at the price of honor. [Applause.]

As to our recognition of belligerent rights or the independence of Cuba, I confidently assert we have both a moral and legal right so to do. International law materially differs from constitutional or statute law. First, it is not universal, and is not binding in law or conscience upon any except those nations which have so agreed. In fact, so-called international law is not law in its true sense, but is in the nature of a contract or compact or agreement by common consent. These principles, or rather agreements, are very broad and general in character, and no positive or inflexible rule of action is prescribed.

The result or effect is that each particular case must be determined by the circumstances, surroundings, and facts of that case. But as to our interference in Cuba we have authority and precedents. Grotius says:

> The same justice which binds the individual as an individual must bind him as a state member. The law of nature which penetrates the individual conscience must guide the national conduct. Justice is approved of and injustice condemned by the consent of all good men in every relation of life.

D'Aubigne says:

> There is a God in history. There is a moral power abroad whose dictates neither statesman nor nation can afford to despise.

Maine on International Law says:

> This (Roman) jus gentium is identical with natural law, and this is, in truth, the highest law by which individuals and nations can be governed: highest in the absolute perfection of the rules which it contains; highest in the cogency of the commands which it utters, and highest in the absolute obligation of the duties which it enforces.

Let us now refer to precedents: In 1849 the United States early and promptly—being the first so to do—recognized the independence of far-off Hungary. In 1825 England recognized the independence of the revolted South American colonies of Spain, "because of sympathies, united with English commercial interests." The United States had several years earlier—in 1822—recognized the independence of these same South American republics. In 1802 England instructed its representative in Paris as follows:

> You will state most distinctly His Majesty's determination never to forego his right of interfering in the affairs of the Continent on every occasion in which the interests of his own dominions may appear to him to require it. This right His Majesty possesses in common with every other independent power. It rests upon general principles.

It was in this same spirit and on the same principle that the British ministry defended the bombardment of Copenhagen and the seizure of the neutral Danish fleet.

Another precedent, interesting and pertinent at this time, was the prompt recognition by Spain, in June, 1861, of the independence of the Confederate States in our own land. But it is unnecessary to multiply authority and precedents. The millions spent by our country in preventing filibustering expeditions to Cuba, the loss of tens of millions in commerce, the illegal and revolting imprisonment by Spain of American residents in Cuba, these and many other good reasons demand immediate action, which has been too long, much too long, delayed. The question will never be settled until it is settled right.

But throwing aside all precedents and all injuries, and not even considering the *Maine* disaster, there is a law greater and higher and nobler than any and all international law, the law of common humanity, which not only justifies but demands immediate action at our hands. More than 400,000 innocent and peaceful men, women, and children deliberately starved to death within the last two years, and hundreds, if not thousands, now dying by starvation daily, almost within sight of our shores.

Intensely and sadly interesting as is Senator PROCTOR's and Senator GALLINGER's portrayal of the sad scene, and though we have had full knowledge of the awful crime, no hand has been lifted to save. I have confidence in our present Chief Magistrate. I hope and believe he will measure up not only to his full duty but his opportunities. Washington, because of his labors in the cause of liberty, will live through all time. Lincoln, in the courage, gentleness, and firmness of his great heart, through the emancipation proclamation, will be honored through all the countless ages yet to come.

And to our present Chief Magistrate there has come an opportunity seldom vouchsafed to man to build for himself, in the cause of humanity and freedom, a monument which all the assaults of all time can not destroy, and leave to posterity a glorious name, which will be revered by all men and which will be an inspiration to all in future ages who shall battle for their liberties. [Applause.]

The blood of these murdered people is on the hands of our nation to-day. The whole question has resolved itself into one of annihilation or independence. It has been well demonstrated that Spain can not conquer; so she has been pursuing the policy of annihilation by starvation. Simple and common humanity should now move us to duty too long delayed. Let us do right, though war result, as it probably will. The history of the world, from the slavery of the Israelites under Pharaoh down to this hour, shows that charters of liberty are always written in the blood of heroes.

There can be no peace for Cuba, and we as a nation will ever be annoyed and troubled, until absolute independence is an accomplished fact. Independence is no new thing to the world at large or to ourselves as a nation. Autonomy for Cuba by Spain is a delusion, a snare, and a failure. Many centuries ago autonomy was a fascinating word to Hellenic ears, but it only paved the way to Hellenic subjection, and Greece perished.

In this emergency Providence points the way, duty bids us move on in the pathway of progressive civilization, humanity demands that we march resolutely forward, and justice insists that we punish deceit, perfidy, treachery, cruelty, tyranny, and savagery, which are the predominant traits of Spanish character. I put this statement against that made by General Blanco in Habana a few days ago:

> The present generation will never see another banner than that of Spain at the entrance to the Gulf of Mexico. That banner, representing civilization, progress, liberty, humanity, and religion, will be eternal.

How matchless the irony; how infamous the falsehood!

In the splendid progress and civilization of the last four centuries by the great nations of the world, Spain has not taken one single step forward, and she to-day belongs to the age of barbarism. She deserves no place and should not have a place on the map of the world. Compared with her treatment of Cubans, the Turkish massacres of the Armenians were humane.

It has been said that our intervention may cause foreign complications. This should not deter us from our plain duty; but there is no such danger; any foreign interference would be met by the two great English-speaking people of the world. I would not favor "entangling alliances," but I would not refuse the active kindness of platonic, if not maternal, friendship. In this connection I am reminded of the statement of a prominent Spaniard, a few days ago, that if we became involved with Spain, there was great danger of a revolt against our Government by the late Confederate States. What gross ignorance; what an infamous slander. 'Tis true the South suffered much at the hands of the North during our late strife. Very many of her best and bravest went down to their death; beautiful homes were ruined and desolate; sorrow and despair seemed their only heritage. But, withal, honor, courage, and determination were still theirs, and with these, as part and parcel of ideal manhood, a new South has sprung up, and joining hands with their brethren of the North we are all moving onward and upward to attain to the highest possibilities of this our nation—one God, one flag, one country, one destiny.

And if that flag is ever assailed I know that no hand will be quicker than that of the South to strike down the assailant, and none will more earnestly and quickly respond to defend the honor and glory of this United States.

I will not detain the House longer, except to urge the duty of the hour. That duty is independence and intervention. In the name of the Christ, let us be humane; in the name of humanity, let us be just; in the name of justice, let us do right; and being right, let us dare maintain it. [Loud applause.]

Mr. MEYER of Louisiana. I now yield to the gentleman from Georgia [Mr. TATE].

Mr. TATE. Mr. Chairman, it is not my purpose to discuss in detail theitems of this bill, but, sir, I desire briefly to review and contrast the extravagant appropriations for the past thirty years with the appropriations in the earlier days of this Republic, when its affairs were administered in the interest of all the people, and when economy was in reality practiced; when every dollar collected in taxes from the people was used to meet some legitimate purpose, and when the people of this country were contented, prosperous, and happy.

Beginning with the Administration of President Washington, we find that the net ordinary expenditures of his entire Administration were only $20,024,062.59, and in 1790, with a population of 3,927,214 people, the net ordinary expenditures of this Government amounted to only 95 cents per capita.

During President Adams's Administration, from 1797 to 1800, the people were only taxed, for the entire four years, $21,379,357.62 to pay the net ordinary expenses of the Government, or an average of a little over five millions each year.

President Jefferson, from 1801 to 1804, only spent $17,174,432.96, or a little over four millions each year, and during his second Administration, from 1805 to 1808, only $23,926,355.72 or an average of $5,981,588.93 each year.

The ordinary expenses during President Madison's Administration, from 1809 to 1812, were $36,147,857.98, being an average of $9,036,964.49 for each year.

From 1813 to 1816, during President Madison's second Administration, the expenditures of the Government rose to $108,537,086.88, or an average of $27,134,271.47 each year, and were, during President Monroe's Administration, from 1817 to 1820, only $58,698,087.71, or an average of $14,674,521.92 each year.

From 1821 to 1824, during President Monroe's second Administration, the expenditures of the Government were $45,665,421.88, or $11,416,355.47 each year, and the net ordinary expenses from 1825 to 1828, during President John Quincy Adams's Administration, were $50,501,913.31, or an average of $12,625,478.32 each year.

Then followed President Jackson's Administration, from 1829 to 1832, with an ordinary expenditure of $56,251,200.30, or an average of $14,062,800.07 each year.

From 1833 to 1836, during President Jackson's second Administration, the ordinary expenditures of the Government were $89,532,286.68, or an average expenditure of $22,383,071.67 each year; and during President Van Buren's Administration, from 1837 to 1840, the ordinary expenditures of the Government were $121,729,801.16, or an average of $30,432,450.29 each year.

The ordinary expenses during President Tyler's Administration, from 1841 to 1844, amounted to $82,464,753.49, or an average of $20,626,188.37 each year, and President Polk, from 1845 to 1849, expended $147,342,853.34, or an average expenditure of $36,835,713.33 each year.

The net ordinary expenses of President Taylor's Administration, from 1849 to 1852, amounted to $161,604,204.92, or an average expenditure of $40,401,051.23 each year.

The ordinary expenditures of President Pierce's Administration, from 1853 to 1856, were $219,134,410.13, or an average of $54,783,602.53; and during the Administration of President Buchanan, from 1857 to 1860, were $264,784,285.65, or an average of $66,196,071.41 each year.

This, sir, brings us to the beginning of the war, during which time, from 1861 to 1864, under President Lincoln's Administration, the ordinary expenditures of the Government were $2,024,284,207.29, or an average of $506,071,051.82 each year.

The ordinary expenditures under President Johnson, from 1865 to 1869, amounted to $2,036,522,443.69, or an average of $509,130,610.92 each year, and the ordinary expenditures under President Grant's Administration, from 1869 to 1872, amounted to $665,703,545.87, or an average of $166,425,886.46 each year, and during his second Administration, from 1873 to 1876, amounted to $710,995,283.53, or an average each year of $177,748,820.88.

The ordinary expenditures under President Hayes's Administration, from 1877 to 1880, amounted to $609,383,412.21, or an average of $152,345,853.05 for each year, and during President Arthur's Administration, from 1881 to 1884, the ordinary expenditures were $759,843,002.55, being an average expenditure of $189,960,750.63 each year.

The ordinary expenditures from 1885 to the beginning of the present fiscal year were as follows:

Year.	Amount.	Year.	Amount.
1885	$200,840,678.64	1892	$321,645,214.35
1886	101,902,922.53	1893	356,213,502.31
1887	220,190,602.72	1894	339,683,374.19
1888	214,938,951.20	1895	325,217,308.08
1889	240,905,131.31	1896	302,786,385.98
1890	261,637,202.55	1897	305,774,159.57
1891	317,825,540.37	1898	422,421,605.98

The estimates furnished by the Departments at the beginning of this session of Congress for the next fiscal year, ending June 30, 1899, are $462,647,885.85.

Mr. Chairman, this is a brief review of the net ordinary expenditures of this country from the Administration of President Washington to this date. The entire expenditures of this Government from 1790 to 1850, for sixty years, only amounted to $1,466,767,558.42, and when we consider, sir, that we are now expending more money in three years than we did in the sixty years referred to above we can get some idea of the enormous taxes that are now being collected annually from the people of this country.

But our friends will say, no doubt, to justify these expenditures, that we have increased in population and wealth, and that our expenses are necessarily more. I grant you, sir, that the expenses of the Government would necessarily be more than when this was a weaker or poorer country, but no better test can be made of this question than to take the amount of taxes per capita paid by the people of this country.

If our population has kept pace with our wealth, and it has, certainly our expenditures should not, with the exclusion of the expenses of this country during the late war, increase faster than our population.

Sir, in 1800, with a population of 5,308,483 people, the net ordinary expenditures of the Government were $7,411,369.97, being $1.10 per capita.

In 1810, with a population of 7,239,881 people, the expenditure per capita for each year, from 1800 to 1810, was $2.50 per capita; and from 1810 to 1820, when we had a population of 9,633,822 people, we had an average expenditure of $1.50 per capita per year.

From 1820 to 1830, when we had a population of 12,866,620 people, the expenditures per capita were only $1.80, and from 1830 to 1840, with a population of 17,069,453 people, we had an expenditure of only $1.70 per capita; and from 1840 to 1850, with a population of 23,191,879 people, we had an average expenditure of $2.80 per capita.

During the year 1860 the per capita expenditures of this Government were only $1.92, but on account of the increased expenses of the war, the average per capita in 1870 increased to $4.26, but in 1880 decreased to $3.39; increasing again in 1890 to $5.73 per capita.

In 1891 the expenditures were $6.58 per capita; in 1892, $6.36 per capita; in 1893, $6.88 per capita; in 1894, $6.48 per capita; in 1895, $6.21 per capita; in 1896, $6.10 per capita, in 1897, $6.37 per capita, and for 1898, counting our population at 70,000,000, we spent $6.13 per capita. And the estimates for the year ending June, 1899, is $6.60 per capita.

It will therefore be seen, Mr. Chairman, that the gradual increase of expenditures since the war can not be justified from the standpoint that the population of the country is increasing, nor can it be defended from any other standpoint.

The argument in favor of high-tariff taxation is always put upon the ground of meeting the expenses of the Government. You seldom hear upon this floor, sir, any proposition urging a reduction of expenditures, but year by year all the power of the Government is used in taxing the people to meet these expenditures.

Why not, sir, instead of increasing the taxes reduce the appropriations? In the ordinary business affairs of life when our expenses exceed our income we cut down our expenses or bankruptcy must follow, but this has not been the rule of the Government. While the expenditures have been piled mountain high, taxation must be in proportion, and the people have been taxed and taxed, as we are told, to meet the expenses of the Government, until the power to tax has almost been exhausted.

When we consider that the appropriations during thirty years of peace have almost equaled those necessary to carry on war, no man can justify or defend them. The extravagance that has been practiced in almost every department of this Government for the past thirty years is appalling.

We hear a great deal in these Halls at every session of Congress in reference to cutting down appropriations, but, sir, we have but one lamp with which to light our feet, and that is the lamp of past experience. We can only judge the future by the past, and what has there been in the conduct of the Republican party, which has continued to increase annually the burdens of taxation by extravagant appropriations, to lead us to hope or believe that a reduction in the enormous expenditures of public money is to be made?

Instead of reductions, the figures show that year after year of peace our appropriations have increased in every department of the Government until the taxing power of the Government is at the highest limit and the capacity of the people to pay taxes almost exhausted, and the time has come when a halt must be called.

It seems, sir, that in the National, State, county, and municipal government, and all over this country, extravagance in the expenditure of public money is complained of. Those who advocate extravagant expenditures seem to forget that every dollar

squandered is collected from the people and represents the labor and privation of our citizens, and that every dollar unnecessarily collected suggests an unnecessary expenditure. Money collected from the people in time of peace beyond the amount absolutely necessary to support the economical administration of the Government is robbery. [Applause.]

Sir, there is in my judgment no justification for the enormous increase for the past thirty years in the expenditures of this Government, but there is every reason for a reduction. Such enormous increases justify alarm. We should resist this ever-growing extravagance that has grown up in our country; we should shut down this flood gate of extravagant and unnecessary appropriations or there will be demoralization in the near future. We can not raise our voice too soon, for with this unheard-of increase in the expenditure of the people's money for the past thirty years it is not possible that there can be that purity in public affairs which should exist.

If we are to have honesty and integrity in the administration and conduct of the affairs of this Government we must have economy in our expenditures. We were taught this lesson in the purer and better days of this Republic, and such has been the teachings of history. Extravagant appropriations always breed corruption, which means death to the Government, while economy and integrity in the administration of public affairs is the very foundation on which our Government must rest.

The expenditures of this Government must either be extravagant or economical; there is no middle ground. If economical, integrity and honor will direct and control the affairs of the Government; if extravagant, the people will groan under excessive taxes. We can not have purity in our Government unless we have economy. The standard of public honor will decrease year after year as the unnecessary, base, and extravagant expenditures increase.

Speaking for the people I have the honor to represent and the Democratic party to which I belong, I assert that in times like these, with want and hardship pressing upon the people, that I favor the lowest possible appropriations necessary for the support and economical administration of the Government. If the integrity and purity of this Government are to be preserved, it must be honestly and economically administered.

Mr. Chairman, the necessities—the absolute necessities—of a large portion of our people cry out for economy.

We have heard a great deal at this session of Congress about keeping down appropriations, and I do hope that this will be done. It seems to me, sir, that we have reached the limit, and it is time to call a halt.

If we listen to the heads of Departments who make recommendations, and who are always ready to furnish some excuse why appropriations should be increased, we will never make a reduction.

Sir, upon the slightest pretense or the smallest appropriation for any purpose we are met in the next Congress with a new division or bureau, with a chief and a full set of officials, and a recommendation for additional appropriations to carry it on.

This has gone on until to-day we have an army of officeholders and employees for this Government, a large number of whom are unnecessary and a dead expense.

In this connection it would be of interest to know the great increase in the number of officeholders in this country, and for the purpose of giving this House and the country some idea of how great this increase of the officeholding class has been I will briefly review the same from 1820 to the present time.

It is difficult to find any authentic data on this subject, but from the best I can gather I find that we had 8,694 officeholders in the service of the Government in 1820.

In 1830 we had	12,785
In 1840 we had	17,740
In 1850 we had	31,149
In 1860 we had	38,625
In 1870 we had	69,700
In 1880 we had	103,140
In 1890 we had	183,488

If you will take the census from 1820 to 1860, you will find, by comparing the same with the above statement, that about one person out of every thousand in the United States held a Government job up to 1860, but since that time the Republican party has so increased the number of officeholders of this Government that four persons in every thousand hold a Government office.

This demonstrates one of two propositions: That the average officeholder at this time possesses only one-fourth of the capacity of those who held offices from 1820 to 1860, or that we have a great many more officers than we need, and a trip through the Departments will convince any member of this House, from the number of heels he will find on top of desks, that the latter proposition is true at least, and, in my opinion, both.

Why should we have four people out every thousand drawing a Government salary now when we only had one out of every thousand before 1860? There can be no valid reason offered for it.

The greatest increase, however, in the office-holding class is found in the number of employees of the Government here in Washington. I find that the several Departments had, in 1820, 333 employees here in Washington, and in 1853 there were 723, showing an increase from 1820 to 1853, a period of thirty-three years, of 390. I find that for the thirty-two years from 1853 to 1885 the number of employees increased from 723 to 12,717, being an increase of 11,995.

In 1889 we had 16,234 people employed in the Departments here in Washington. In 1891 this number had increased to 23,144, and the number increased from 1891 to 1896 until we had, in the latter year, 27,576. The increase from 1885 to 1896 was at the rate of 1,363 employees each year, or 113 each month, and when we consider that we have more people holding Government jobs here in Washington than we have soldiers in the Army of the United States, we can more fully appreciate why this office-holding class is referred to so often as "an army of officeholders."

In this connection I desire to say, sir, that while I favor and have at all times voted for and advocated economy in the expenditure of public money in times of peace, yet, if necessary for the defense of the nation, I stand ready to vote for any necessary appropriation that is needed for national defense, and should the present crisis result in war with Spain there will be no braver or more loyal defenders of our flag than the men of the South who wore the gray, and their decendants. [Applause.]

Sir, the history of the United States shows conclusively that the Democratic party has had a uniform policy of economically administering the affairs of the Government, and in opposing the unnecessary increase in public offices; while the Republican party has had a uniform policy of extravagant appropriations, reckless expenditures, and an unnecessary increase in the number of public offices. The position of the Democratic party, since its foundation, upon these two questions to which I have referred, and which I so fully indorse, is expressed in its last platform at Chicago, in the following language:

> We denounce the profligate waste of money wrung from the people by oppressive taxation, and the lavish appropriations of recent Republican Congresses, which have kept taxes high, while the labor that pays them is unemployed and the products of the people's toil are depressed in price, till they no longer repay the cost of production. We demand a return to that simplicity and economy which befits a Democratic government, and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

[Applause.]

The people of this country will soon be called upon to select between the party now in power, that has built up trusts and monopolies from one end of this country to the other, and which advocates the single gold standard and high tariff taxation, and the old Democratic party that brought our people the boon of self-government, that has always favored low taxes and economy, and that has been the uncompromising enemy of monopolies and privileged classes, the friend of the honest laboring man, and the advocate of both gold and silver, the money of the Constitution.

Sir, with a national existence that dates back to the very birth of this Republic, and during all the storms through which this country has passed, the banner of the Democratic party has been continuously borne by the legions of patriotic American citizens as the proud emblem of the very corner stone and foundation of this Republic. Upon its record and history and our principles and admitted economy in public affairs, together with our platform adopted at Chicago, we shall go before the people of this Union.

That we shall elect a majority of the members of this House in the fall election, I believe. That we shall elect the next President of the United States, I am confident. We will witness then, indeed, a united people, enjoying all the blessings of constitutional government, administered in the interests and devoted to the honor and welfare of our whole country. [Loud applause on the Democratic side.]

Mr. MEYER of Louisiana. I yield to the gentleman from New York [Mr. DRIGGS].

Mr. DRIGGS. Mr. Chairman, Boswell, in his immortal Life of Johnson, records the eminent doctor's views upon controversy as follows:

> Why, sir, when you wish a man to have that belief which you think is of infinite advantage, you wish well to him; but your primary consideration is your own quiet. * * * No, sir; every man will dispute with great good humor upon a subject in which he is not interested. I will dispute very calmly upon the probability of another man's son being hanged, but if a man zealously enforces the probability that my own son will be hanged, I shall certainly not be in good humor with him.

I can conceive of no terser language with which to preface my remarks than the above, for respecting most highly and venerating greatly the reasoning faculties and abilities of the members of this House, I trust with the small arguments in my power that I may be able to somewhat prove that increase of the Navy and national defense would be to your "infinite advantage;" and I also believe it is possible to most conclusively show that your primary

consideration for your "own quiet," mutual advantage, progressive greatness, and expansion and extension of commerce absolutely demand that the Navy be considerably augmented and strengthened; therefore I wish well to you.

We do not care about the broils and quarrels of other nations, but if they attempt to quarrel with us, we should be prepared to creditably defend ourselves. My first proposition is: If the commerce of a nation is to be maintained, legislators must grant defense appropriations commensurate with its growth and development, or not only will that commerce fade away and disappear, but the nation itself will decline and eventually fall.

From the earliest ages to the present time history supplies proof upon proof of the absolute truth of this proposition, but in the limited time I have for the discussion of this entire subject it is impossible to cite many of them.

The Phœnicians were the greatest navigators and merchants of antiquity, and for nearly five hundred years their seamanship and commercial activity made them almost absolute masters of the Mediterranean. Finally, however, the merchants and aristocracy, grown richer and richer, refused to spend sufficient money for war ships for the protection of their merchant marine, and this wonderful nation then fell an easy prey to Alexander the Great.

You all remember how Demosthenes plead with the Athenians, in the speeches known as the Philippics, to provide more ships, appropriate more money, or else become conquered by Philip. No heed was paid to the advice, Greece was conquered, and the commercial party was the cause of the subjugation. Hannibal tells us that Rome became mistress of the world because the Carthagenians refused to increase and strengthen their naval force.

The Egyptians, too, during their five thousand years of existence, were repeatedly conquered by maritime powers.

It is only from the deepest vaults of history's storehouse that we are able to portray the greatness and grandeur of ancient Rome, and knowing that her decline and fall are directly attributable to the refusal of her merchants, traders, and pleasure seekers to allow moneys to be appropriated for an increase of her army and navy, we can not but think that here is a terrible example of what may follow insufficient protection to commerce.

During mediæval history one of the most powerful trade confederations that ever existed was the Hanseatic League. This league was a union of many cities banded together for the extension of commerce and the protection of their fleets from piratical attacks. Their great fleets of merchantmen, convoyed by powerful sloops and ships of war, were indeed remarkable evidences of the enterprise of the promoters of the league.

After an existence of four hundred years, through avarice, greed, and foolish sense of safety, the directors failed to provide a sufficient number of war ships for the protection of the fleets, and the league fell, destroyed by the freebooters and pirates of the sea.

Assuming that the epoch of modern history begins with the year 1485, we are able to show the rise and fall of three great powers, the rise being directly attributable to power on the sea, and the fall attributable to failure to strengthen that power when required.

Who has not read the story of the rise and fall of the Dutch Republic? Who has not admired the enterprise, pluck, and push of the Dutch?

Shortly after its birth the republic became the most powerful maritime power in the world. Time and again its fleets, under command of the famous admirals, De Ruyter and Van Tromp, coped successfully with not only the fleets of England, but also with the combined fleets of France and England, and also Spain and France. What was the result? Colony after colony fell into her possession; home and over-sea trade increased so rapidly that in less than one hundred years after its inception the republic is said to have had over 10,000 ships (merchant) engaged in over-sea traffic (by this I mean exports and imports collectively), over 400,000 people made their livelihood through shipping, and her trade amounted to over $150,000,000 annually.

Notwithstanding oft-recurring wars, the nation was enormously prosperous, and as Mahan truly says, it "only shows how the harvest of the sea can lift up to wealth and power a country intrinsically weak and without resources." For about one hundred years this condition of affairs continued, and then her people became involved in party strife, one party favoring the maintenance of the navy and the other the strengthening of the army, while each, in a very half-hearted manner, favored small appropriations for the other. The result was the introduction to the world of political contention over the question of national defense and protection. Sectional and political jealousy grew apace, and the consequence thereof can easily be seen. Neither the navy nor army was strengthened in time of peace.

The commercial aristocracy, feeling satisfied behind their counters and money bags, laughed at the idea of any more wars and used their influence to procure large sums of public moneys for measures other than the common defense, or, as De Witt, one of the greatest statesmen that ever lived, and a Dutchman, says:

> Never in time of peace and from fear of rupture will they take resolutions strong enough to lend them to pecuniary sacrifice beforehand. The character of the Dutch is such that unless danger stares them in the face they are indisposed to lay out money for their own defense. I have to do with a people who, liberal to profusion where they ought to economize, are often sparing to avarice where they ought to spend.

Mr. Chairman, we must not forget that these Dutch burghers were as brave and courageous as any people that ever lived. The world knows how they loved their country, for there is not another instance in history equal to the opening of the dikes so that their beloved soil might be kept from falling into the possession of their enemies. Notwithstanding all this, they refused to appropriate moneys for increased naval defense, and Holland lost her enviable position among the nations of the world, grass grew in the streets of Amsterdam, and the glory and greatness of the Dutch Republic disappeared.

Ah, gentlemen, heed well the story of the Dutch Republic ere you take final action upon this naval appropriation bill.

If time permitted, I could cite the fading of Spain and Portugal as the other evidence of what may follow lack of naval appropriation.

On the other hand, what magnificent and permanent success has remained with England and France, who have always lived up to this truism: Adequate naval protection is essential if commercial greatness is to be enduring.

Alfred the Great was probably the first English Sovereign to recognize the importance of maintaining a navy. From his reign to the time of Cromwell it developed slowly and spasmodically, and then began systematic growth and a definite policy was adopted. An eminent author, speaking of this period, this dawn of the era of England's commercial greatness, says:

> Under Cromwell the English navy sprang rapidly into a new life and vigor. * * * England's rights or reparations for her wrongs were demanded by her fleets throughout the world. * * * Nor were equally strong peaceful measures for the growth of English trade and shipping forgotten.

Cromwell's celebrated navigation act naturally boomed her commerce. This act provided—

> That all imports into England or her colonies must be conveyed exclusively in vessels belonging to England herself or to the country in which the products carried were grown or manufactured.

The master mind of the stern old statesman saw how necessary it was to link navy and commerce together into an unbreakable chain, with each link absolutely dependent on the other for collective strength. Almost without interruption from the date of the navigation act, England has been "mistress of the seas," and her commercial power has grown and increased until her exports and imports are so much greater than those of any other nation that she is also the mistress of the commercial world.

Every historian of note records that the great success of England must be attributed to her naval policy. Practically whatever her people and merchants have asked in the line of war ships her Houses of Parliament have granted. A German historian, speaking of this characteristic, says:

> The English navy simply keeps pace with the absolute requirements of the people, from whom it originally sprang, and thus the maritime power of the country becomes identified with them step by step in their national growth.

The absolute truth of this declaration is shown by the following table, recording as it does the naval strength of the nation at various periods:

War ships.

Date.	Ships of all classes.	Men.	Tons.
1578	24	6,700	10,506
1603	42	8,346	17,055
1658	157	21,930	57,000
1702	272	40,000	159,020
1760	412	70,000	321,134
1783	498	45,000	433,236
1800	707	135,000	668,744
1808	869	143,800	802,800
1814	901	146,000	908,000
1850	585	48,000	570,000
1890	373	05,000	680,000

While the above table seems remarkable, the following showing is even more so:

Merchant marine.

Date.	Tons.	Date.	Tons.
1825	202,870	1870	5,690,780
1835	605,200	1880	6,574,313
1845	1,312,020	1890	7,978,538
1855	4,022,900	1895	8,088,450
1860	4,658,687		

Note carefully this enormous development.

Commerce.

Date.	Imports.	Exports.	Total.
1799	£24,006,700	£35,908,850	£59,970,550
1849	90,546,000	102,705,000	193,051,000
1854	152,389,053	115,821,092	268,210,145
1860	295,290,274	238,905,682	534,195,956
1870	305,257,498	244,080,577	547,338,070
1894	429,433,000	287,358,000	666,791,000

Do these last two tables not show what marvelous results may follow when commerce is taken from the realm of insufficient naval protection and placed under the dominion of strong fleets and liberal laws. Merchant marine increased forty-four fold and commerce eleven fold.

FRANCE.

Richelieu, in 1633, realizing that France could never become truly great unless her sea power developed, endeavored to build a navy, but met with little success, and it was not until the reign of Louis XIV that a definite policy of naval aggrandizement was inaugurated, and then through the ability of Colbert, one of the greatest ministers France has ever had, great life and vigor was given to the development of the fleet.

Colbert's policy was not one of war, for in his memoirs we are repeatedly told that his sole object was "the commercial prosperity and development" of his country, and this was impossible without merchant marine and a sufficient force of war ships to protect that marine and the trade treaties with foreign countries. When Colbert first took office France had only 30 war ships of small size. Twenty-two years later the fleet had increased to 107 ships of the line, not including many smaller vessels. These twenty-two years have frequently been called the "Golden Age" of France. Commerce and the merchant marine grew apace.

In the latter part of the reign of Louis XIV all this changed and the navy rapidly dwindled away, for Louis, to quote from Mahan, "could not or would not see that men-of-war were of little use and life if the peaceful shipping and the industries by which they were supported perished." After the death of Louis XIV the naval power of France dwindled away, and with its disappearance the colonies she had so gloriously developed were lost to her forever.

Finally in 1793 the people arose as one man and demanded the restoration of the navy. The Government, realizing that "the voice of the people is as the voice of God," answered the cry, and from that time France has ever been the second naval power of the world, and her greatness is now established on so firm a foundation that in all probability her power will never again be shaken.

Prior to 1793 French naval development was independent of the desires of the people and depended almost wholly on the commercial and war projects of ambitious monarchs. After 1793 the wishes of the people governed the development; for, with the bitter lesson of 1684–1793 ever before them, the warm-hearted, France-loving Frenchmen would rise in their might against any faction or party that dared attempt a decrease in its naval force.

Prosperous France, our former ally and present friend! Long may she retain her power and strength!

From these historical pictures I have endeavored to prove my first proposition, and, Mr. Chairman, let us not forget that we members of Congress are a sort of a council, an advisory board, not only for the interests of our constituency but for the far greater welfare, growth, and development of our country; and does it not behoove us to consider well the lessons taught by history, remembering the fate of the Dutch Republic, and be careful that the trust reposed in us is well administered? We know of the greatness of England and France, and as we also know that that greatness has come from sea power, let us develop the Navy and build up our coast defenses for the continued success of our commerce and national strength.

UNITED STATES.

Mahan says:

Naval strategy has for its end to found, support, and increase, as well in peace as in war, the sea power of a country.

The founders and early developers of our Union thoroughly appreciated this and from the very beginning adopted a liberal naval policy. What was the result? Our growth and increase in strength were more than phenomenal; they were wonderful. In commerce we took almost at once a place side by side with the richest and oldest nations of the earth and bade fair to leave them all far behind.

Of course the French Revolution and the Napoleonic wars had a great deal to do with our rapid progress, but if our statesmen had not passed liberal laws for the development of our merchant marine and granted generous appropriations for the Navy, we would not have had the means of carrying exports and imports or the war ships for the protection of our fleets of merchantmen.

In 1821 it was said by an eminent English author that—

The United States, though without Eastern possessions, have obtained a high position in trade from their commercial activity and naval superiority.

Down to 1840 two-thirds of the foreign vessels trading to America were of American build. Our ships were not only the pride of the nation but were the envy of the world, for no nation was able to compete with us in this our chosen industry. From 1840 to 1858 our clipper ships were the queens of the seas, and the American flag was known in every port around the globe. Grantham, the English author of the Navigation Papers, written in 1870, says:

It will be recollected that previous to the development of steamships the preponderance of shipping was falling rapidly into the hands of American shipowners. Thirty years ago one of the great objects of interest at the docks in Liverpool was the American sailing packets, and it was considered that a stranger had missed one of the lions of the port who had not visited these celebrated ships.

The same prestige was felt everywhere, on the Atlantic and Pacific oceans, in India, China, and in all the best trades American ships were most in demand.

Ah, those were indeed the halcyon days of American shipping; and, Mr. Chairman, there is not an American to-day who does not look back with pride at the time when the American flag was supreme upon the seas, and there is not one of us who would not hail with satisfaction the dawn of a new era restoring American vessels to the proud pinnacle of greatness held by them in 1845. Ah, Mr. Chairman, the Democratic party may have committed many errors, but it was the Republican party that drove our shipping from the seas.

In 1845 the tonnage of our merchant marine was 2,417,072; 1855, 5,212,001; 1860, 5,353,868; 1880, 4,068,034; 1885, 4,265,934.

Number of United States ships on the Navy list and commissioned.

Year.	Number.	Commissioned for service.	Year.	Number.	Commissioned for service.
1835	52	----------	1850	77	51
1836	51	----------	1851	74	44
1837	53	----------	1852	75	50
1838	53	----------	1853	75	50
1839	54	----------	1854	72	50
1840	63	----------	1855	78	46
1841	63	----------	1856	76	41
1842	63	47	1857	73	34
1843	67	49	1858	81	42
1844	71	54	1859	86	41
1845	75	44	1860	90	55
1846	77	43	1862	336	All.
1847	81	52	1870	85	40
1848	92	66	1880	88	25
1849	78	47	1897	*88	47

*NOTE.—The number 88 includes all ships built and building down to fourth class and gunboats, but not torpedo boats, tugs, sailing ships, or receiving ships.

From this table it is seen that the numerical strength of the Navy has not materially increased since 1847; that is, for the past fifty years. The strength of the individual ships is, of course, much increased; but so has the strength of individual ships in other navies. Our relative strength has decreased. At the close of our war with the South we were the second naval power of the world. To-day we are about the fourth; and at the rate at which Germany and Japan are increasing, we may soon be the sixth.

From 1790 to 1860—seventy years—our merchant-marine tonnage increased during fifty-eight years, and only decreased twelve years. From 1865 to 1887—twenty-two years—it increased only during eleven years. From 1888 to 1897 it has decreased only twice.

Percentage of exports and imports carried in American vessels.

	Per cent.
1825	92.8
1845	81.7
1850	72.5
1860	66.5
1880	17.4
1896	12
1897	11

I believe, Mr. Chairman, that where one nation is absolutely dependent upon another for the carrying of its oversea commerce, that nation runs the greatest risk of not only loss of commercial prestige but disaster. I believe that increased naval power will build up and tremendously increase our commerce, for as the magnet draws the needle, so a liberal naval policy draws commerce and merchant marine. When our naval appropriations have been great and our fleets most powerful, you can see from the above tables that we carried our exports and imports in our own ships; and right here I would like to give a table showing the strength of our Navy during most of our history.

We have identically the same number of ships (47) to-day that we had in 1842, and remember that the 47 commissioned ships of 1842 were proportionately as powerful as those of 1897. In 1842 our exports were $99,877,995 and our imports $96,075,071, while in 1897 our exports were $1,050,993,556 and our imports $764,730,412. Population—1842, 18,000,000; 1897, 73,000,000. Now that we are so rich and powerful, should we not be far more powerful upon the seas than we were in 1842? You say economy is your watchword;

but are you not willing to appropriate a larger percentage of your gross revenue for the Navy and national defense than you have in recent years? You could not be accused of extravagance if you did, for such a charge would malign, would cast reflection upon every statesman from 1794 to 1860, for the following table shows what percentage of the revenues have been alone spent on the Navy:

	Per cent.
1794 to 1820, inclusive, average per annum	14½
1821 to 1840, inclusive	15½
1841 to 1860, inclusive	18½
1861 to 1867, war period	
1868 to 1883, inclusive	2½
1884 to 1897, inclusive	3½
1794 to 1860, inclusive (average)	16½
1868 to 1897, inclusive (average)	3½
Greatest per cent, 1800	31
Lowest per cent, 1879	1½

I know that this is not the age of sentiment, but of practical consideration. Times may be different, but the statesmen of to-day are certainly not more far-seeing or ubiquitous than those of 1794 to 1860. Think of the great men who graced House and Senate and brought lasting honor to American institutions during that period. Think of the great Presidents, and yet they were willing to appropriate an average of 16½ per cent for naval development, while those of the last thirty years have only appropriated an average of 3½ per cent. Is this wisdom, or is it folly? I am inclined to think the latter, for we are not willing to accept that wise precept left us by our fathers, "In time of peace prepare for war." Our fathers believed, too, that "a peaceful, gain-loving nation is not far-sighted, and far-sightedness is needed for adequate military preparation." They knew it, because preparation for war would have prevented the war of 1812.

Read what Presidents Jackson and Polk had to say about the Navy, and you will then see that the ideas held by them are those of the nations of the earth to-day, excepting the United States:

[Messages and Papers of the Presidents, 1817-1833, Richardson, volume 2, page 520.]

ANDREW JACKSON'S SECOND ANNUAL MESSAGE.

Our position in relation to the most powerful nations of the earth and the present condition of Europe admonish us to cherish this arm [the Navy] of our national defense with peculiar care. Separated by wide seas from all those governments whose power we might have reason to dread, we have nothing to apprehend from attempts at conquest. It is chiefly attacks upon our commerce and harassing inroads upon our coast against which we have to guard.

A naval force adequate to the protection of our commerce always afloat, with an accumulation of the means to give it a rapid extension in case of need, furnishes the power by which all such aggressions may be prevented or repelled. With the aid of Congress, in a few years the Government will be prepared in case of emergency to put afloat a powerful navy of new ships almost as soon as old ones could be repaired.

[Messages and Papers of the Presidents, 1841-1849, Richardson, volume 4, pages 412, 413, 414.]

JAMES K. POLK'S FIRST ANNUAL MESSAGE.

I refer you to the report of the Secretary of the Navy for the present condition of the branch of the national defense and for grave suggestions having for their object the increase of its efficiency and a greater economy in its management.

* * * * * * *

It is believed that at all our foreign stations the honor of our flag has been maintained. I am happy to add that the display of maritime force which was required by the events of the summer has been made wholly within the usual appropriations for the service of the year, so that no additional appropriations are required.

The commerce of the United States, and with it the navigation interests, have steadily and rapidly increased since the organization of our Government, until, it is believed, we are now second to but one power in the world, and at no distant day we shall probably be inferior to none. Exposed as they must be, it has been a wise policy to afford to these important interests protection with our ships of war distributed in the great highways of trade throughout the world. For more than thirty years appropriations have been made and annually expended for the gradual increase of our naval forces. In peace our Navy performs the important duty of protecting our commerce, and in the event of war will be, as it has been, a most efficient means of defense.

The successful use of steam navigation on the ocean has been followed by the introduction of war steamers in great and increasing numbers into the navies of the principal maritime powers of the world. A due regard to our own safety and to an efficient protection to our large and increasing commerce demands a corresponding increase on our part. No country has greater facilities for the construction of vessels of this description than ours or can promise itself greater advantages for their employment. They are admirably adapted to the protection of our commerce, to the rapid transmission of intelligence, and to the coast defense.

* * * * * * *

Whatever may have been our policy in the earlier stages of the Government, when the nation was in its infancy, our shipping interests and commerce comparatively small, our resources limited, our population sparse and scarcely extending beyond the limits of the original thirteen States, that policy must be essentially different now that we have grown from three to more than twenty millions of people; that our commerce, carried in our own ships, is found in every sea, and that our territorial boundaries and settlements have been so greatly expanded. Neither our commerce nor our long line of coast on the ocean and on the lakes can be successfully defended against foreign aggression by means of fortification alone.

They are essential at important commercial and militaty points, but our chief reliance for this object must be on a well-organized, efficient Navy. The benefits resulting from such a Navy are not confined to the Atlantic States. The productions of the interior which seek a market abroad are directly dependent on the safety and freedom of our commerce. The occupation of the Balize below New Orleans by a hostile force would embarrass if not stagnate the whole export trade of the Mississippi and affect the value of the agricultural products of the entire valley of that mighty river and its tributaries

It has never been our policy to maintain large standing armies in time of peace. They are contrary to the genius of our free institutions, would impose heavy burdens on the people, and be dangerous to public liberty. Our reliance for protection and defense on the land must be mainly on our citizen soldiers, who will be ever ready, as they ever have been ready in times past, to rush with alacrity at the call of their country to her defense. This description of force, however, can not defend our coast, harbors, and inland seas, nor protect our commerce on the ocean or the lakes. These must be protected by our Navy.

Considering an increased naval force, and especially of steam vessels, corresponding with our growth and importance as a nation, and proportioned to the increased and increasing naval power of other nations, of vast importance as regards our safety, and the great and growing interests to be protected by it, I recommend the subject to the favorable consideration of Congress.

EFFECT OF NAVAL WAR UPON AGRICULTURAL INTERESTS.

In case of war any of the great naval powers would have no difficulty in blockading every one of our great seaports, from Maine to Texas and from California to Washington. This is so generally admitted that it required no extended argument for proof. Therefore does not sea power and increase of the Navy become as important and essential to the rural or farm districts as to the districts along the coast?

You may say destroy the seaport cities and the manufacturers and farmers will rebuild them; but I say destroy your seaports and the manufacturers and farmers will suffer equally with we of the coast. This may seem a bold proposition, but figures will prove its accuracy, and I repeat that my contention is that development of the Navy is of as great importance to the farmer and manufacturer as it is to the residents of the coast. Assuming, for argument, that we were at war with either England, France, Germany, or Italy—I do not consider Spain, for we are far more powerful than she—ere thirty days passed all our great ports of export would be so thoroughly blockaded that commerce would be literally paralyzed.

It may be that I am assuming too much; that you are not willing to admit the idea of a blockade. Very good. I will show, then, what would certainly keep commerce from entering even the seaports. Many of the great railroads have their termini in and near the city of New York. The tracks, warehouses, and elevators of these roads could easily be destroyed by an invading fleet. Take, if you please, the West Shore, New York Central, Pennsylvania, Delaware, Lackawanna and Western, Erie, and Jersey Central railroads. The tracks of the first skirt the Hudson River from Haverstraw to Albany; those of the second from New York to Albany; the third extending from the Hudson River to Newark, where the bridge over the Passaic River could be demolished; the fourth and fifth, from the Hudson River to the Bergen tunnel, a distance not exceeding 3 miles, and the sixth from Jersey City to Elizabeth, including the long bridge over Newark Bay.

On the east we have the New York, New Haven and Hartford Railroad, whose tracks for seventy-odd miles skirt Long Island Sound.

Not only would every foot of these tracks be destroyed, but the road beds would be almost irretrievably ruined. While New York is only one illustration, similar conditions exist in and about Portland, Boston, Philadelphia, Baltimore, Norfolk, and practically every other city on the Atlantic and Pacific coasts. Therefore the surplus agricultural products and manufactures of the Southern, Middle, and Western States would have absolutely no outlet.

By referring to the tables in appendix you will see the results that would ensue.

Though not desiring to burden you with a full argument based on these six tables, I do desire to go into detail of the year 1890. The agricultural exports for that year amounted to $639,820,808, this amount being 73.69 per cent of our total exports. The total value, raised throughout the entire United States, of the ten main crops, wheat, corn, cotton, etc., was $2,460,107,454. Thus the amount exported was a trifle under 25 per cent of the entire crop.

Number of workers and value of farms, etc.

Workers	6,297,580
Value produced	$2,460,107,454
Wages	$1,385,467,600
Value of farms	$13,279,252,649
Value of farm implements, machinery, and live stock	$2,703,015,040
	$15,982,267,689

Now, 25 per cent having been shown to be the amount of total production exported, what relation does it bear to the above table? Why, simply that your production must of necessity be reduced that amount, and this would mean loss of emplyment to 1,574,395 workers and (figuring five persons in all dependent on one worker for maintenance) loss of support to 7,871,975 dependents, and this does not include workers engaged in manufacturing or transportation, and for these I would add, say, 1,000,000, and together forming a total of 8,871,975, or about 8¼ per cent of our total population.

Loss in wages to agricultural workers would amount to $346,366,900 and depreciation of farm values amounting to $3,995,566,921. These last two estimates do not include manufacturers and transporters' wages and valuation, and none of the above figures include the wholesale and retail dealers in other occupations and more or less dependent on the classes mentioned, for I know of no way to compute the above, but I think it reasonable to allow one dependent for each of those in the occupations figured upon, and this would give a total of 17,743,950 dependents not living anywhere near the coast who would be directly interested, affected, and thrown out of employment by any blockade that lasted for three months or longer. The depreciation of property would amount to $8,000,000,000.

The following table gives all the coast cities, and allows for places apt to be injured or destroyed by an invading fleet of war ships. The population is estimated January 1, 1898, and the assessed estimated values from the various tax rolls and without allowing anything for contents of buildings. These figures having been compiled by the Brooklyn Daily Eagle, I believe them to be accurate.

Population and value of real estate of the coast cities of the United States.

Coast cities.	Population.	Real estate.
Portland	42,000	$26,182,095
Boston	550,000	803,860,550
Providence	154,000	135,805,460
New Haven	112,000	59,000,000
Bridgeport	65,000	51,640,636
Hartford	72,000	39,398,785
Greater New York	3,389,753	2,577,277,820
Jersey City	200,000	82,415,220
Hoboken	57,000	35,978,429
Newark	250,000	137,000,000
Yonkers	40,000	30,711,000
Newburg	25,000	9,173,430
Albany	100,000	58,768,650
Troy	64,000	42,411,511
Philadelphia	1,340,000	840,496,650
Baltimore	625,270	280,646,932
Washington, D. C.	277,117	181,256,284
Richmond, Va	100,000	144,094,166
Savannah, Ga	65,000	24,493,678
New Orleans, La	275,000	102,025,922
Add on, say	1,000,000	500,000,000
	8,303,130	5,962,577,218
Pacific Coast	500,000	300,000,000
	8,803,130	6,262,577,218

So, from point of population as well as valuation, the inland communities would be more seriously affected than the coast communities. I believe that 80 per cent of our agricultural and manufacturing people would be affected, but I have only attempted to show the number of people who would be absolutely deprived of all revenue and who would become dependent on their various communities for maintenance and support. I believe, though, that there is a far greater question involved in this discussion. I believe there should be no question of locality where national progress is to be considered.

If the interior requests appropriations for river development, increased postal facilities, public buildings, or agricultural investigation, we of the coast should listen to their appeal and grant what they ask. On the other hand, when we ask for increased coast fortifications and more battle ships, cruisers, and torpedo boats, the interior should heed our request. It seems to me that we would thus be fair and just to each other and above all else we would be doing unto each other as we would that they should do unto us.

We believe "that in union there is strength," but the only way to establish this strength is for the States to absolutely rely upon each other through the medium of Congress for their development along national lines.

I believe that we should prepare so as to preclude the possibility of war, but if war should come, let us show the world that we are "as great in war as we are in peace." Let us be more than slow to anger, but ever ready to defend and protect the honor of the flag, our "Old Glory."

COMPARISON OF NAVAL DEVELOPMENT ABROAD WITH THAT OF THE UNITED STATES.

The expenditures for increasing the strength of the Navy, as well as the amount expended to maintain the naval forces in an efficient condition, are greater in England than in any of the other countries.

The work laid out for the year just passed (1897) is here given in extracts from the report of the first lord of the admiralty:

Briefly summarized, the leading proposals as set forth in the first lord's statement explanatory of the navy estimates for 1896-1897 are as follows:

Net estimates for the year	£21,823,000
Expenditure on new construction	£7,385,000
Number of officers and men	90,750

Three docks, instead of one, to be built at Gibraltar. These are to be, respectively, 700, 600, and 500 feet in length. The entrances are to be 95 feet broad and 33 feet deep on the sills.

List of chief gunners, chief boatswains, and chief carpenters to be increased.

Pay of warrant officers to be increased.

The *Britannia* to be abolished in favor of a college on shore, with a sloop as tender to it.

An increase of £850,000 in the vote for guns and ammunition.

Increase of the amount proposed in the naval-works bill (to be spread over a series of years) from £8,500,000 to £14,000,000. The chancellor of the exchequer to devote his surplus to this object.

An increase in "personnel" to the extent of 4,900 officers and men, to include 500 royal marines. Total strength of navy, 100,050 men.

Surveys to be made for new docks at the Cape and Mauritius.

Keyham Naval Barracks to be extended.

A new naval hospital, of 600 beds, to be built at Chatham.

THE NEW CONSTRUCTIONS.

The new vessels to be constructed are [in 1897]:

Battle ships (improved *Renowns*)	5
First-class cruisers	4
Second-class cruisers	3
Third-class cruisers	6
Torpedo-boat destroyers	28
Total	46

The five battle ships to be 390 feet long and 74 feet beam, with a displacement in each case of 12,900 tons and a draft of about 25 feet 6 inches. Two will be built by contract and three in the royal dockyards, one at Portsmouth, one at Chatham, and one at Devonport. They will all have tubulous boilers.

The four first-class cruisers will be of the *Diadem* class; length on water line, 455 feet; beam, 69 feet; displacement, 11,000 tons; speed, 22 knots. One will be built in a royal yard; the rest by contract.

The three second-class cruisers will be of the *Talbot* class; length, 350 feet; beam, 53 feet 6 inches; displacement, 5,600 tons; speed, 19.5 knots. All these are to be built by contract.

The six third-class cruisers will be of the *Pelorus* class; length, 300 feet; beam, 36 feet 6 inches; displacement, 2,135 tons; speed, 20 knots. One of these is to be built at a royal dockyard; the remaining five are to be given out to contractors, and, indeed, tenders have already been invited.

Tenders for eight of the destroyers have already been given out, four of them to the Palmer Company, of Yarrow-on-Tyne. They are to be 30-knot craft.

It is interesting, in connection with the present estimates, to compare the expenditure and the number of officers and men voted for each of the past eight years, beginning with the financial year 1889-90, the year of the naval-defense act:

Year.	Total net estimates.	Officers and men.	Increase for the year.
1889-90	£13,685,000	65,405	
1890-91	13,786,000	68,800	3,395
1891-92	14,215,100	71,000	2,200
1892-93	14,240,200	74,100	3,100
1893-94	14,240,100	76,700	2,600
1894-95	17,366,100	83,400	6,700
1895-96	18,701,000	88,850	5,450
1896-97	21,822,000	93,750	4,900

THE INCREASE IN PERSONNEL.

There is an increase of 4,900 officers and men provided for in the estimates. They are composed as follows:

Commissioned officers	61
Subordinate officers	30
Warrant officers	8
Seaman-class men	1,900
Artisans	342
Engine-room ratings	2,028
Miscellaneous ratings	131
Royal marines	500

THE INCREASE OF NAVAL ARMAMENTS.

The increase in the amount to be voted for naval armaments compared with last year is £850,000, chiefly composed as follows:

Guns	£369,000
Projectiles and ammunition	348,780
Torpedoes and gun cotton	36,200
Small arms	90,370
Inspections	5,000

During the present financial year—that is, for 1897-98—it is proposed to commence the building of—

Battle ships	4
Third-class cruisers	3
Sloops	2
Twin-screw gunboats	4
Torpedo-boat destroyers	2
Total of new constructions to be undertaken during the year	15

With these vessels, England will have under construction during 1898 this exceedingly large list:

Battle ships	14
First-class cruisers	8
Second-class cruisers	9
Third-class cruisers	10
Sloops	2
Twin-screw gunboats	4
Torpedo-boat destroyers	52
Light-draft steamers for special service	8
Royal yacht	1

Thus the total number of vessels of all classes under construction during the year will be 108. Their aggregate displacement tonnage will be about 380,000 tons, and the aggregate indicated

horsepower about 800,000 horsepower. It is anticipated that during the next financial year 66 of these vessels will be completed for service, including 50 torpedo-boat destroyers.

Seven battle ships and eight cruisers have been rearmed with quick-firing guns during the year 1896–97.

The work in the royal dockyards continues to be carried on with zeal and energy. At the naval yards abroad, and especially at Malta, the work has been very heavy, owing to the increase in number and size of the vessels in commission and to the large number of ships recommissioned abroad.

The magnitude of this addition to the English navy may be better understood when it is known that it exceeds in number our entire seagoing ships, even counting in the ships building.

THE NAVY LEAGUE AND THE NAVY ESTIMATES.

The Navy League have issued a memorandum on the navy estimates. They point out that in six weeks' time it will be too late to influence the policy or to strengthen the resolve of the Cabinet, and proceed to make a number of statements, which may be summarized as follows: Great Britain is not only friendless, but the great powers and the United States of America seem to have found a point of agreement in the evolution of a common hatred to this country. With eighty years' start in the race for empire, Britain has peacefully secured those things which other powers would gladly fight to obtain.

The memorandum takes each power separately and shows why, in the opinion of the Navy League, it is hostile to Great Britain. The memorandum goes on to say that the British fleet has lost the standard of strength in battle ships established by Nelson and confirmed by the committee of admirals in 1889. In 1899 we shall be, relatively to France and Russia, in a worse position than we were in 1889, when the naval defense act was passed, while the actual number of battle ships now available is eighteen below the standard of strength considered necessary in 1889, since which date no revised standard has been put forward. Furthermore, English battle ships of 14,000 tons must be compared with French ships of only 11,000 tons, because of the greater distance to be traveled by British men-of-war, and the consequent need of more coal capacity.

To keep the French alone in port we require at least 60 battle ships. We have 52 built and building. In 1794 Great Britain had 145 ships of the line against 77 French, while the year before Trafalgar we had 175 ships of the line against 50 French. To-day 10 of our 52 battle ships are still armed with obsolete muzzle-loading guns. Our deficiency in cruisers is also very marked. Our officers and seamen are insufficient to man the fleet we already possess, and the deficiency of 700 lieutenants and 300 engineers only makes worse the fact that there is no reserve to repair the waste of war. Two years' training are required to make an able seaman; five years a lieutenant. The average age of the men actively responsible for the control, mobilization, and command of our fleets is 58. Nelson died at 47.

Turning now to the strength of the English navy, we see that it comprises:

Armored vessels (52 of these are first-class battle ships)	95
Cruisers	222
Torpedo boats	258

During the maneuvers of the year 1896 there were 105 vessels and 20,500 men took part in the drill, or, in other words, there were more than double the number of men and as many ships as the United States has at its command engaged in this summer drill.

During the last year the strength of the navy was further increased by the addition of 6,300 officers and men, divided as follows:

Officers	121
Seamen	2,400
Engine-room artificers	205
Stokers	2,000
Marines	1,000
Artisans	514
Total added	6,300

Making total force 100,050 officers and men.

This was further increased by the addition of—

Medical officers	34
Pay officers	30
Chaplains and naval instructors	10

Besides the great amount to be spent by England on her navy afloat, she is looking into the future and preparing fortified bases of supply and refit.

At Gibraltar three large docks and means of repair are being built.

At Dover is being constructed a harbor for supplies and rendezvous. Here the works to be executed are most extensive—13,370 feet of breakwater, inclosing 610 acres at low water, and anchorage in over 5 fathoms for 20 first-class battle ships, together with a large number of torpedo boats.

At Hongkong she is also to increase her naval facilities, and the same at Bermuda, and at Kingston, Jamaica.

NAVAL EXPENDITURE ON SEAGOING FORCES.

Sir Courtenay Boyle supplies some interesting particulars in regard to the aggregate naval expenditure on the seagoing forces of various countries. The total for the United Kingdom during 1895–96 was £31,264,877. In addition to this, India and many of the self-governing colonies expended considerable sums. The expenditure of France on its seagoing force was considerably larger than that of any other European State. The aggregate for 1896 was £10,877,279. The Russian Empire comes next, with an expenditure of £6,440,666. Germany follows, with a total of £4,372,068. Italy nearly equals Germany, with an aggregate of £4,129,984.

The expenditure of Spain was £937,742; Austria-Hungary, £1,122,369; Netherlands, £1,313,169, and Portugal, £649,944. The aggregate naval expenditure on the seagoing force of the United States amounted to £6,180,132. Japan ran the United States very close, with an expenditure of £5,945,919. The expenditure of Brazil was £1,053,486 and that of the Argentine Republic £822,435. This sum is stated to be not sufficiently authenticated, and in regard to Chile the expenditure can not be given.

NAVAL EXPENDITURE AND MERCANTILE MARINE.

The Parliamentary return moved for by Sir John Colomb, M. P., and published a few days ago will be found in this issue (Shipping World, Volume XVII, No. 234, November 24, 1897) in a condensed form. It will satisfy all those who seem to think that the money spent on the Royal navy should bear some relationship to our shipping and over-sea commerce. We may state the—

Maritime trade of the Kingdom at	£822,158,000
That of India at	116,451,095
Self-governing colonies	194,195,168
Other colonies	175,000,000
Value of 10,000,000 tons of shipping	100,000,000
Securities carried yearly, say	250,000,000
Interest in freight carried for foreigners	350,000,000
Making a total of	2,007,804,263

Yes, those stupendous figures will justify a fleet more powerful than the combined navy of the world against us. But surely that is a wild way even for jingoism to reach conclusions. If the other nations of the world had no fighting ships, we should require none. It is our duty to keep a steady eye upon the fleets of all the powers, and take care to maintain a swinging superiority over any probable combination against us. Because Japan spends half her revenue in a single year on fighting ships, we are not called upon to do so. From a revenue of £101,974,000 in 1896 we spent £21,264,377 on the navy. Twenty per cent is a large proportion; it is enough. But in this consideration we must be governed, not by the volume of our over-sea commerce, but by what other powers are doing.

JAPAN'S NAVAL AND MILITARY EXPANSION AND FINANCE.

TOKIO, *January 10, 1898.*

An examination of the budget for 1897–98, just submitted by the Government to the Diet, enables us to form, for the first time, a clear idea of Japan's scheme of military and naval expansion and of the financial expedients devised by her statesmen to meet the greatly increased outlays involved in carrying out the programme. The dates of the inception and completion of this programme are April 1, 1896, and March 31, 1906, respectively.

At the conclusion of the war with China Japan found herself in possession of a fighting fleet of 43 serviceable vessels, independent of 26 torpedo boats, their aggregate displacement being 78,774 tons. Of these, 10, with an aggregate displacement of 15,055 tons, had been captured from China, namely, an armor-clad turret ship (the *Chenyuen*), of 7,335 tons; 2 steel cruisers, 6 steel gunboats, and 1 wooden gunboat. Prior to the capture of the *Chenyuen* (now called the *Chinyen*) Japan did not possess a line-of-battle ship. Her fleet consisted entirely of comparatively small vessels, namely, 4 cruisers of over 4,000 tons each, 4 of over 3,000 tons, 4 of over 2,000, 6 of over 1,500, and the rest gunboats, sloops, etc. She had already determined, however, to acquire two first-class battle ships, and orders had been placed in England for the *Fujiyama* (12,649 tons) and the *Yashima* (12,517 tons). Further, there were on the stocks two steel cruisers (2,700 and 2,800 tons) and a steel dispatch vessel (1,800 tons).

It may be said, therefore, that her fleet consisted, or would very soon consist, of 48 ships, having an aggregate displacement of 111,340 tons, and 26 torpedo boats. In the scheme of expansion mapped out by the Government after the war it was decided to make an addition of about a hundred per cent to the strength of the fleet. No official declaration was published as to the exact nature of the ships to be added, but it is tolerably certain that the following list is approximately correct:

	Tons.
4 line-of-battle ships of 15,140 tons each	60,560
4 first-class cruisers of 7,500 tons each	30,000
3 second-class cruisers of 4,850 tons each	14,550
2 third-class cruisers of 3,200 tons each	6,400
3 torpedo gunboats of 1,200 tons each	3,600
1 torpedo depôt ship of 6,750 tons	6,750

Thus the number of ships to be added was 17 and their displacement 121,860 tons. The programme further included 11 torpedo-boat destroyers and 39 torpedo boats. Hence the Japanese navy would consist in 1906 of 65 ships, with an aggregate displacement of 233,100 tons, 11 torpedo catchers, and 115 torpedo boats. The cost of carrying out this scheme was estimated at 213,250,000 yen, approximately. Of course the whole was not to be spent on ships. It was divided thus:

[The value of the yen is about 97 cents.]

	Yen.
Shipbuilding	126,047,973
Armament	66,927,498
Admiralty, torpedo corps, and naval institute buildings	20,328,905

Ten years was the time fixed for consummating the scheme, and the expenditures in the various fiscal years were put, in round numbers, thus (the Japanese fiscal year being from April 1 to March 31):

	Yen.		Yen.
1896–97	22,000,000	1901–2	15,800,000
1897–98	60,000,000	1902–3	5,150,000
1898–99	43,000,000	1903–4	2,400,000
1899–1900	33,800,000	1904–5	590,000
1900–1	20,800,000	1905–6	72,000

To meet the outlay of two hundred and ninety-five millions, required to place the army and navy on their new footing, Japan's

chief available asset was the Chinese indemnity—a sum of 345,000,000 yen, in round numbers (omitting interest on deferred installments, since China had the option of avoiding payments of interest by prompt discharge of her whole indebtedness). Plainly, the indemnity, assuming its due receipt, would amply cover the proposed expenditure. But when Japan came to cast up her accounts at the close of the war, she found that a sum of 80,000,000 yen was required to strike a balance. This deficit might have been met by a further issue of the domestic war loan, but the Government preferred to employ the indemnity for the purpose.

Thus reduced, the indemnity would furnish only 265,000,000 yen for purposes of military and naval expansion. Moreover, the indemnity was not yet an asset in hand. A portion of it had been paid, but the remainder could not be counted on with absolute certainty. And there was another point to be considered. Side by side with the above expenditures for nonproductive purposes, the Government desired to adopt measures for promoting the nation's prosperity; as, for example, the establishment of an iron foundry; the expansion of the telephone service; the improvement of State railways; contributions to the capital of industrial and agricultural banks, etc.

The sums required for these objects aggregated 70,500,000 yen, and adding to this 30,000,000 yen (the difference between the remaining portion of the indemnity, namely, 265,000,000 yen, and the outlay on account of military and naval expansion, namely, 295,000,000 yen), it resulted that 100,500,000 yen had to be obtained from some independent source. The Government resolved, therefore, to issue a public-undertakings loan of 135,000,000 yen, spread over seven years, the installments to be 8,250,000 yen in 1896–97, 59,250,000 yen in 1897–98, 41,000,000 yen in 1898–99, 10,250,000 yen in 1898–1900, and so on.

It will be seen from the above that Japan's severest financial strain is to be experienced in the interval between April 1, 1897, and March 31, 1899. Her expenditure on account of military and naval expansion in the fiscal year 1897–98 will aggregate 79,000,000 yen, approximately, and she will have to float a loan of 59,250,000 yen; and her corresponding expenditure during the year 1898–99 will be 61,000,000 yen, when the loan to be floated will be 41,000,000 yen.

The figures here set down are close approximations only. Perplexing details are avoided. As a matter of fact, if China adheres to the programme of payments mapped out in the Shimonoseki treaty and does not avail herself of the option of discharging her indebtedness at an early date, she will have paid by May 8, 1902, not 345,000,000 yen, but 377,000,000. In that case the assets available for Japan's armaments and so forth will be 32,000,000 yen greater than the estimate shown above, and the total funds accruing from the indemnity and the domestic loan will exceed by some 67,000,000 yen the expenditure to be defrayed out of them.

Turning now to the question of a permanent addition to the national revenue for the purpose of supporting the increased expenditure (21,500,000 yen) on account of expanded armaments, we find that four measures have been adopted—namely, the imposition of two new taxes and the increase of two already existing. The new taxes are a registration tax and a trade tax. Without entering into details, it will be sufficient to say that the former is a small impost upon the public registration of all transactions, whether personal, financial, industrial, or commercial; the latter a charge on money-making occupations of every kind. Each tax was originally expected to yield an annual income of about 6,000,000 yen, which estimate experience has thus far shown to be fairly accurate. The two taxes to be increased were the tax on sake (an alcoholic beverage made from rice) and the tax on tobacco. There can be no doubt that in both these taxes the Japanese Government possesses elastic sources of revenue.

THE NAVAL EXPANSION OF JAPAN AND RUSSIA.

Mr. Charles Cramp, of the well-known shipbuilding firm of Philadelphia, has recently been visiting the shipyards of Europe, and he has been surprised at the amount of work which is being done for the Japanese. He comes to the conclusion that unless Russia and the United States awaken to their position in the Pacific, Japan will be able to defy either of them in three years, and both together in less than ten years.

He states that the development of the Japanese navy since the war is not to be described as progress; it is a cyclone, Japan being second only to England in naval activity, being ahead of France, much in advance of Germany, and vastly in the lead of Russia and the United States. Moreover, her ships are all of the best and highest types of naval architecture. During the course of his travels he observed the following ships under construction for the Japanese:

1. Three 14,800-ton battle ships, which are well advanced, at Armstrong's, Thompson's, and the Thames Iron Works, respectively.
2. One battle ship of about 10,000 tons, commencing at Armstrong's.
3. Four first-class armored cruisers of 9,600 tons displacement and 20 knots speed: Two at Armstrong's, one at the Vulcan Works, Stettin, and one at the Forges et Chantiers, France.
4. Two 5,000-ton protected cruisers of about 23 knots speed—one at San Francisco and one at Philadelphia.
5. One protected cruiser of 4,300 tons and about 23 knots, at Armstrong's.
6. Four 30-knot torpedo-boat destroyers, at Yarrow's.
7. Four more of similar type, at Thompson's.
8. Eight 90-ton torpedo boats at the Schichau Works, Elbing.
9. Four more of similar type at the Normand Works, France.
10. Three 3,000-ton protected cruisers of 20 knots, three torpedo gunboats, and a dispatch vessel, at the imperial dockyard, Yokosuka, Japan.
11. A fifth armored cruiser of the type already described (9,600 tons and 20 knots) to be built at Yokosuka.

And he has no hesitation in saying that the vessels Japan is building in shipyards of England, France, and Germany are superior to any vessels those nations are building for themselves, class for class. Discussing the question against whom the naval power of Japan is destined to be turned, he evidently thinks it will be Russia, for there are many points on which differences may arise between that power and Japan.

The Russian navy estimates for next year have been prepared, and they show a total of £8,250,000 as compared with £5,500,000 five years ago, but of that amount a considerable part is to be spent on naval harbors, barracks, arsenals, and workshops. For instance, £1,750,000 is to be spent on the extension of Vladivostok Harbor, and on ice-breaking steamers to test practically the experiment of keeping it open throughout the winter, and other considerable sums are to be spent on other harbors and on dredgers.

About four and one-half millions are to be spent on shipbuilding, or about £700,000 more than in the previous year. Some of the ships are of large size, but neither in speed nor in equipment do they seem to have been kept so nearly up to date as those being built for Japan. As regards the number of ships, Mr. Cramp comes to the conclusion that in the race for naval supremacy in the Pacific Japan is gaining, while Russia and the United States are losing ground.

It is quite evident that after the next struggle which takes place Japan will be in a stronger position to retain the stakes and the spoils of victory than she was on the conclusion of the war with China, and, therefore, that it is probable when the next treaty comes to be signed at Shimonoseki, the representatives of Japan will not be found so pliant as they were on the occasion of the last, when they had to resign some of their original claims on account of the intervention of European diplomacy. The Japanese show plainly that they have more faith in ships and guns than in diplomacy.

THE GERMAN NAVY BILL.

A special edition of the Imperial Gazette gives an account of the navy bill which will be laid before the Imperial Diet on Tuesday, and accompanies its statement with an explanation and defense of the naval policy of the Government. It turns out that the Government will ask the Reichstag, in addition to voting the estimates for the coming financial year, to express its approval of a programme determining the strength to which it is intended to bring the German navy during the seven financial years 1898–1905.

The present declaration of the Government describes the programme of 1873 as inadequate, and at the same time it demonstrates that even that programme has remained unfulfilled in consequence of the neglect of the Reichstag to supply new ships in place of those which had been superannuated or transferred into inferior classes. Thus the programme of 1873 declared that 14 battle ships were necessary, and at present only 7 are available. Two of the remaining battle ships in existence are in need of repairs which will take a year and a half to execute, and 3 are still on the stocks.

But the Government has now come to the conclusion that, in view of the increased naval strength of other nations and also of the extended interests of the German Empire, it is necessary to make provision for 17 battle ships, furnishing 2 squadrons of 8 ships, together with a flagship for the admiral in command.

What the Imperial Diet is asked to do is summarized in the following statement:

The strength in ships of the German navy, exclusive of torpedo boats, training ships, special-service vessels, and gunboats, is to be fixed as follows: There should be ready for service 17 line-of-battle ships, 8 armored ironclads for coast defense, 9 large and 26 small cruisers. Two battle ships and 3 large and 4 small cruisers are to be provided as a reserve force.

A fleet of this strength is regarded by the German Government as adequate for the duties which may devolve upon it, but at the same time the number of ships proposed is considered to be indispensable. At present, if the ships which will be available for service or which will be in construction on April 1, 1898, be included, the German navy consists of 12 battle ships, 8 ironclads for coast defense, 10 large cruisers, and 23 small cruisers. It follows that, in order to realize the Government plans, 7 battle ships and 2 large and 7 small cruisers must be built before the close of the financial year 1904–05.

The scheme of the Government, of course, takes into account the necessity for always being able promptly to substitute new ships for superannuated ones. The period of efficiency for battle ships and ironclads for coast defense is reckoned at twenty-five years, for large cruisers at twenty years, and for small cruisers at fifteen years. The Imperial Diet will be asked to undertake that the votes for renewals shall invariably find a place in the estimates at the proper time.

The personnel asked for under the bill is as follows:

(1) One and one-half times the full complement for ships in foreign waters.
(2) Full complements for the ships belonging to the active home fleet, one-half of the torpedo boats, all training ships, and special service vessels.
(3) Two-thirds of full complement of engine personnel and one-half of full complements of other personnel for the reserve ships of the home fleet and the second half of the torpedo boats.
(4) The necessary complements for land service.
(5) A margin of 5 per cent additional on the whole. The bill sails very close to the wind in its endeavor to meet the objections of the opposition, since it modifies its provisions with regard to these standards by adding that, although the above principles will be authoritative, yet the yearly strength of these different categories of the naval personnel will continue to be determined by the annual estimates.

In preparing the bill the Government has been guided by the following considerations: The naval interests of the German Empire require the presence abroad of 8 large cruisers, 2 in East Asia and 1 for Central and South America; of 10 small cruisers, 3 in East Asia, 3 for Central and South America, 2 for East Africa, and 2 for the South Seas; of 4 gunboats, 2 for East Asia and 2 for West Africa, and of 1 stationary vessel for Constantinople. But in the present year there were available for the purposes enumerated only 2 large and 8 small cruisers, 2 gunboats, and 1 station ship; and in order to provide even this force for foreign service the home fleet had to be deprived of 3 of its best cruisers.

* * * The Government, however, does not withhold from the Imperial Diet and the country an approximate estimate of the amounts of money which will be required for fresh constructions and renewals, as well as a tabular statement of the probable amounts of the yearly estimates for the navy up to the financial year 1904–5. The total expenditure contemplated for the seven years for new constructions, including artillery and torpedo armament, is estimated at 162,000,000 marks. The cost of renewals for the same period will amount to 211,000,000 marks.

The installments not yet voted for ships now in course of construction amount to 63,500,000 marks. When the cost of 3 gunboats and 7 torpedo-boat divisions, together amounting to 46,000,000 marks, as well as the additional expenditure for maintenance and for increase in the personnel, is taken into account, it is estimated that the average annual increase in the ordinary expenditure will be 4,000,000 marks in the coming seven years, as contrasted with 3,000,000 marks average yearly increase during the last seven years.

An important undertaking is given by the Government with regard to the sums to be demanded for fresh constructions. The Imperial Gazette states that at the end of seven years the item of "fresh constructions for the increase of the fleet" will disappear, and all that will subsequently be wanted will be new ships to take the place of superannuated vessels in order to maintain the standard strength of the navy.

Should the bill be carried by the support of the Clericals, that party will assuredly fix upon this declaration and endeavor to bind the Government to it. On the other hand, the improbability that Germany at the end of seven years will be prepared to renounce all idea of attempting anything more than the maintenance of her fleet in the strength which it will then possess may deter many who might otherwise have been inclined to support the bill from accepting it as a final settlement.

The Government, however, endeavors to win over those whom such consideration may cause to hesitate by pointing out that for tactical reasons the standard of 17 battle ships of the line is not only a necessary minimum, but also in a sense an imperative maximum. What is required is the formation of a fighting line, consisting of two tactical units in the form of 2 squadrons of 8 ships each, together with a flagship for the admiral in command.

Of course the necessary attendant cruisers will be required, as well as the indispensable reserves. But the deputies are asked to believe that with the dominating idea of "tactical units" in its mind the Government would never on any account dream of asking them or their successors in a future Reichstag to provide more than the number of ships contemplated in the bill.

As regards cruisers, the official statement points out that, while in England two of these vessels are reckoned necessary for every battle ship and in France the complement of cruisers varies between one and two per battle ship, the German admiralty is going to be content with 6 large and 16 small cruisers to 17 battle ships of the line and 8 ironclads for coast defense.

The following statement is submitted by the Government, the first amount under each heading representing in millions of marks the naval estimates for the current financial year, the succeeding seven amounts representing the contemplated estimates for each financial year from 1898 to 1905:

	1897–98.	1898–99.	1899–1900.	1900–1.	1901–2.	1902–3.	1903–4.	1904–5.
Constructions, including artillery and torpedo armament	49.1	51.4	55.5	64.6	64.3	62.4	56.5	53.6
Other nonrecurrent expenditure	9.0	7.7	8.7	8.7	8.7	8.7	8.7	8.7
Recurrent expenditure	59.4	62.6	67.4	71.4	75.4	79.4	83.4	87.4
Total naval estimates	117.5	121.7	131.6	144.7	148.4	150.5	150.6	149.7

Total amount demanded for the septennate, 997,200,000 marks. [A mark equals 24 cents.]

The official statement concludes as follows:

"While safeguarding the rights of the Imperial Diet and abstaining from a resort to fresh sources of revenue, the Government does not aim at a boundless naval plan, but has in view as its sole object the creation within a definite period of a national navy the strength and efficiency of which are estimated within such limits as to render it adequate for the effective maintenance of the interests of the Empire on the seas."

GERMANY'S ACTIVE NAVAL FORCE—EIGHTY-TWO WAR VESSELS TO BE HELD IN READINESS FOR SERVICE.

BERLIN, *March 2, 1898.*

The budget committee of the Reichstag to-day adopted, in accordance with the Government proposals, section 1, paragraph 1, of the naval bill, fixing the number of ships to be held in readiness for service as follows: A flagship, 18 battle ships, 12 large cruisers, 30 small cruisers, 8 coast-defense ironclads, and 13 gunboats, besides torpedo boats, school ships, and small gunboats.

FRANCE.

Budget of the navy.

According to Mr. Kerjégu, reporter of the budget, the propositions of the budget committee are to the effect of opening for the navy department credits amounting to 285,534,427 francs, being an increase over the credits for 1897 of 20,261,404 francs.

This considerable increase of expense is to be applied almost exclusively to those branches whose mission it is to create the fleet and develop its efficiency and strength.

The appropriation for new constructions for 1897 was 85,067,543 francs; for 1898 it will be 102,186,294 francs. The credits necessary for maintenance and repairs for 1897 were 26,205,942 francs; for 1898 they will be 30,570,959 francs. Finally, the sum to be devoted to the organization of points of refitting for the fleet in Corsica and Africa are not inferior to the amount for last year, and for the navy alone they will amount to 1,489,000 francs. [A franc equals 19 cents.]

Nine years are necessary for the programme of shipbuilding now in course of execution, and the credits up to 1905 on this head will be 721,815,000 francs, being an annual average of about 90,000,000 francs, but in 1901 the annual sum will become 120,000,000. The average eight years' outlay will not, however, be more than 2,000,000 francs above that of the six previous years. Refitting of ships in 1898, 1899, and 1900 will cost 20,381,000 francs. A million will be expended at Bizerta for making it a naval station, and considerable works will also be undertaken next year in Corsica, Algeria, and Dakar, making altogether 1,489,000 francs. In 1898 the amount allotted for shipbuilding will be 102,000,000 francs, and for repairs 30,000,000 francs.

The northern squadron will be kept up to its full strength for eight months instead of six, and the Mediterranean reserve division will be kept complete by having ships corresponding to every class in the active squadron. The armament and trial trips of several ships in advance of the estimated date will entail supplementary outlay. M. de Kerjégu maintains that the number of ships is too small, that some are too slow, or of too small a range, and that they are of such different types that scarcely any two are alike.

The cost, moreover, is too great and the period of construction too long. In spite of the reduction shown in the cost of the battle ships *Charles Martel*, *Charlemagne*, and *Gaulois*, the cost is 20 or 25 per cent greater than in England. France, moreover, lacks cruisers. While England has 195 and is building 42, France has 46 and is building 16. The speed, moreover, ought to be increased.

RUSSIA.

The budget of 1897–98 amounts to 68,055,420 rubles ($52,538,784) for ordinary expenses, plus 6,000,000 rubles ($4,632,000) incidental expenses for new constructions, plus 15,500,000 rubles ($11,966,000) for Vladivostok, and contains the following principal items:

	Rubles.
New ships and armament	27,304,693
Maintenance	11,244,371
Barracks, etc	4,014,513
Arsenals	4,487,556
Depots on land	7,421,595
The arsenal Alexander III, at Libau	3,705,439
Vladivostok	3,000,000
Total	61,178,148

[1 ruble = $0.772.]

New military port.—Russia is undertaking the construction of a large military port, to be called "Ekaterinograd," on the coast of Lapland, between the White Sea and the Norwegian border. Work has already been commenced on a railway connecting it with St. Petersburg. This port is of great importance to the political world, since it indicates that Russia is no longer satisfied with seeing her squadron imprisoned in the ice of the Baltic, for the new port will be free from ice, owing to the influence of the Gulf Stream.

Russia is also building two ice-breaking ships, the invention of Admiral Makaroff. These are to open a canal for the purpose of allowing her ships to pass from Kronstadt to the White Sea by winter.

The Baltic and Black Sea Canal.—The great canal, the total length of which will be nearly 1,000 miles, and which is to connect the Baltic with the Black Sea, is to be commenced next spring, the surveys for it being in an advanced state. The new waterway is to be 217 feet wide at the ordinary water level, and 117 feet at the bottom. Its depth being 28½ feet, the largest war vessels will be able to pass through it. The canal commences at Riga, and it will follow the course of the river Dūna as far as Dūnaburg. Here the great excavations will begin which will connect the canal with

Lepel, on the Beresina. That river will be utilized as far as its junction with the Dnieper, when the latter will be followed to its mouth, near Cherson.

Of the whole length of the canal, 875 miles will be canalized rivers, leaving only 125 miles for the excavator. The canal will have eighteen ports—at Riga, Jakobstadt, Dünaburg, Lepel, Borissov, Robruisk, Kieff, Pergaslav, Kuneff, Cherkassy, Krementshug, Verchnedieprovsk, Yekaterinoslav, Alexandrovsk, Nikopol, Berislavi, Aleshki, and Cherson. The enlargement of the two terminal ports of Riga and Cherson, on the Baltic and Black Seas, respectively, is at the present time being actively proceeded with.

The canal is to be substantially constructed so as to allow vessels to proceed at a uniform speed of 6 knots. At that speed it will take one hundred and forty-four hours to make the whole journey. The canal is to be lighted by electricity, to avoid stoppages at night. Its total cost is estimated at £20,000,000, and the work of construction will probably take four years.

CHINA.

Three arsenals are about to be constructed: The first at Kianchan in the north, the second at Namkivan, and the third at Mirsbay, near Hongkong. Plans are also being prepared for 2 battle ships of 12,000 tons each, 2 protected cruisers, 2 gunboats, and 6 torpedo-boat catchers, contracts for which will be given out shortly.

SPAIN.

Under construction, 3 battle ships, 4 armored cruisers, 4 protected cruisers, 4 gunboats, 4 torpedo boats.

In 1880 Germany was not a strong naval power. During that year, however, reconstruction of the war fleet was favorably considered and liberal appropriations were made. Note the consequence: Enormous increase of commerce, tremendous expansion of range of commercial activity, and above all the strengthening of love and pride in the hearts of the Germans for the Fatherland. Germany's example can well be followed by us.

The New York Journal of Commerce, commenting upon our phenomenal foreign commerce of 1897, published the following table:

The years next (to 1897) in order of magnitude were 1891, 1892, 1896, and 1890, as will be seen from the subjoined table. The exports were $94,000,000 above the highest previous record, which was in 1896, and $129,000,000 above the next highest year, 1891. The imports were $61,000,000 more than in 1896, but were much below those of 1895, 1892, 1891, and 1890, and compared with ten years ago they show an increase of only $17,000,000.

For the four years succeeding 1893 the imports have averaged only 75 per cent of the amount of the exports, while for the three normal years 1887, 1888, and 1889 the imports and exports, within a fraction, evenly offset each other. For the four later years combined the exports exceeded the imports by $353,000,000. In this reckoning no account is taken of the gold movement; nor yet of the imports or exports of silver, which, since 1893, have added about $35,000,000 net per year to the value of the exports. We append a statement of the imports and exports of merchandise for each of the last eleven calendar years:

Calendar year.	Exports.	Imports.	Total trade.
1897	$1,099,000,000	$742,000,000	$1,841,000,000
1896	1,005,000,000	681,000,000	1,686,000,000
1895	824,000,000	801,000,000	1,625,000,000
1894	825,000,000	676,000,000	1,501,000,000
1893	876,000,000	776,000,000	1,652,000,000
1892	938,000,000	841,000,000	1,779,000,000
1891	970,000,000	828,000,000	1,798,000,000
1890	857,000,000	823,000,000	1,680,000,000
1889	827,000,000	770,000,000	1,597,000,000
1888	692,000,000	725,000,000	1,417,000,000
1887	715,000,000	709,000,000	1,424,000,000

Comparing the above figures for the calendar year 1897 with those of fiscal years (ending June 30), the periods for which compilations are usually made, it is found that—

"The imports of last year were exceeded by the imports of the fiscal years 1889 to 1893, 1896, and 1897. The domestic exports and the total of domestic and foreign exports last year were never before equaled in either a fiscal or a calendar year. The domestic exports, $1,099,000,000, have been most nearly approached in the fiscal years 1897 and 1892.

"The domestic exports exceeded $900,000,000 in no fiscal year except 1892 and 1897, when they exceeded a billion dollars. They were between eight and nine hundred million dollars in 1880, 1881, 1883, 1890 to 1894, and 1896 and 1897. The excess of exports of merchandise over imports, $356,000,000, is far beyond any fiscal year, the excesses being over two hundred millions only in the years 1878, 1879, 1881, 1892, 1894, and 1897. The total volume of foreign trade, $1,841,760,374, was exceeded by sixteen millions in 1892. The aggregate has exceeded $1,700,000,000 in only two other years, 1891 and 1892."

Considering the bad times throughout the world during the past ten years, I can only think that history is repeating itself as far as our commerce and naval development are concerned.

About the year 1885 we began the reconstruction of our Navy, appropriating as follows:

Total amounts authorized for increase of the Navy since 1885, including armor, armament, rebuilding old monitors, etc.

Year.	Amount.	Year.	Amount.
1885	$1,895,000	1892	9,400,000
1886	3,500,000	1893	7,125,000
1887	10,048,362	1894	9,955,000
1888	5,760,000	1895	13,304,000
1889	6,605,000	1896	11,500,000
1890	8,120,000		
1891	4,400,000	Total	*91,612,362

* This figure represents the total expenditure during the twelve years for rebuilding the Navy.

Comparing our commerce of last year (1897) with 1887 we find that our exports have increased $384,000,000, while our imports have increased only $33,000,000, thus showing that our exporters are satisfied that Congress intends at last to provide a naval force of sufficient strength to protect their rights.

I desire to refer to the report of the Secretary of the Navy for our present condition:

NAVY DEPARTMENT, *Washington, D. C., November 15, 1897.*

To the President:

The present effective fighting force of the Navy consists of 4 battle ships of the first class, 2 battle ships of the second class, 2 armored cruisers, 16 cruisers, 15 gunboats, 6 double-turreted monitors, 1 ram, 1 dynamite gunboat, 1 dispatch boat, 1 transport steamer, and 5 torpedo boats. There are under construction 5 battle ships of the first class, 18 torpedo boats, and 1 submarine boat.

There are 64 other naval vessels, including those used as training, receiving, and naval-reserve ships, tugs, disused single-turreted monitors, and some unserviceable craft.

There is, further, the auxiliary fleet. This consists, first, of more than 30 subsidized steamers which comply with the requirements of the postal act of March 3, 1891, with regard to their adaptability to naval service, and to an armament of main and secondary batteries; second, of a very much greater number of large merchant-marine steamers, which can be availed of at any time of need.

These auxiliaries, ranging from 2,000 to 12,000 tons, will, if occasion require, form a powerful fleet of ocean cruisers, capable of swift and formidable attack upon an enemy's commerce. Their great coal capacity will also enable them to remain a long time at sea in search of the whereabouts of hostile vessels.

The country is to be congratulated upon the results obtained in the rebuilding of the Navy. While its ships are not as many—and it is not necessary they should be—as those of some other great powers, they are, class for class, in power, speed, workmanship, and offensive and defensive qualities, the equal of vessels built anywhere else in the world.

Since the last annual report of the Secretary of the Navy was submitted the following vessels have been conditionally or finally accepted, and are now a part of the effective force of the Navy:

Name of vessel.	Type.	Speed required by contract.	Speed obtained on trial.	Date of preliminary acceptance.	Date of final acceptance.	Date of commission.	By whom built.
		Knots.	*Knots.*				
Oregon	Seagoing battle ship	15	16.78	June 26, 1896	Dec. 31, 1896	July 15, 1896	Union Iron Works.
Brooklyn	Armored cruiser	20	21.91	Sept. 28, 1896	May 6, 1896	Dec. 1, 1896	Wm. Cramp & Sons.
Wilmington	Gunboat	13	15.08	May 17, 1897	Sept. 25, 1897	May 13, 1897	Newport News Co.
Helena	do	13	15.50	May 24, 1897	Oct. 8, 1897	July 8, 1897	Do.
Annapolis	do	12	13.17	May 19, 1897	Sept. 21, 1897	July 20, 1897	Lewis Nixon.
Iowa	Seagoing battle ship	16	17.09	June 22, 1897	.....	June 16, 1897	Wm. Cramp & Sons.
Nashville	Gunboat	14	16.20	June 25, 1897	.....	Aug. 19, 1897	Newport News Co.
Vicksburg	do	12	12.71	July 8, 1897	.....	Oct. 23, 1897	Bath Iron Works.
Newport	do	12	12.39	do	.....	Oct. 5, 1897	Do.
Wheeling	do	12	12.38	Aug. 6, 1897	.....	Aug. 10, 1897	Union Iron Works.
Marietta	do	12	13.02	do	.....	Sept. 1, 1897	Do.
Porter	Torpedo boat	27½	28.63	Feb. 12, 1897	Aug. 12, 1897	Feb. 20, 1897	Herreshoff Manufacturing Co.
Foote	do	24½	24.53	July 28, 1897	.....	Aug. 7, 1897	Columbian Iron Works.

The coast-defense monitor *Puritan* was completed at the navy-yard, New York, and placed in commission December 10, 1896.

Table showing the condition of work on vessels now under construction, where building, percentage of completion November 15, 1897, and probable date of completion.

Name of vessel.	Type.	Where and by whom building.	Estimated percentage of completion Nov. 15.	Estimated date of completion.
Kearsarge	First-class battle ship	Newport News S. and D. D. Co., Newport News, Va.	48	Aug., 1899.
Kentucky	do	do	47	Do.
Illinois*	do	do	30	Sept., 1899.
Alabama*	do	Wm. Cramp & Sons, Philadelphia, Pa	31	Do.
Wisconsin*	do	Union Iron Works, San Francisco, Cal	24	Sept., 1899.
Princeton	Gunboat	J. H. Dialogue & Son, Camden, N. J	94	Feb., 1898.
Rodgers	Torpedo boat	Columbian Iron Works, Baltimore, Md	85	May, 1898.
Winslow	do	do	96	Dec., 1897.
Rowan	do	Moran Bros. Co., Seattle, Wash	88	Feb., 1898.
Dahlgren	do	Bath Iron Works, Bath, Me	12	Aug., 1898.
T. A. M. Craven	do	do	12	Do.
Farragut	do	Union Iron Works, San Francisco, Cal	14	July, 1898.
Davis	do	Wolff & Zwicker Iron Works, Portland, Oreg	65	Mar., 1898.
Fox	do	do	54	Apr., 1898.
Morris	do	Herreshoff Manufacturing Co., Bristol, R. I	Begun.	July, 1898.
Talbot	do	do	56	Mar., 1898.
Gwin	do	do	56	Do.
Mackenzie	do	The Chas. Hillman S. & E. B. Co., Philadelphia, Pa	68	Feb., 1898.
McKee	do	Columbian Iron Works, Baltimore, Md	30	Apr., 1898.
Stringham	do	Harlan & Hollingsworth Co., Wilmington, Del	Begun.	Jan., 1899.
Goldsborough	do	Wolff & Zwicker Iron Works, Portland, Oreg	Begun.	Do.
Bailey	do	Gas Engine and Power Co., and Chas. L. Seabury Co., Consolidated, Morris Heights, New York City.	Begun.	Do.
Plunger	Submarine torpedo boat	Columbian Iron Works, Baltimore, Md	65	May, 1899.

*The probable date of final completion of the *Illinois*, *Alabama*, and *Wisconsin* is based on the supposition that armor will be provided in due season.

The vessels under construction should be completed during the coming year, except the 5 battle ships, which will probably not be ready for service before the latter part of 1899. Of the latter, the *Kearsarge* and *Kentucky* are nearly half completed. About three-quarters of their armor has been delivered, a part of which has been secured in place on the ships. The other 3, the *Alabama*, *Illinois*, and *Wisconsin*, were begun subsequent to the last annual report. With the exception of a small amount of diagonal casemate armor, which the ship contractors have agreed to furnish at the price fixed by law, it will be necessary to preliminarily accept them without armor, in accordance with the terms of the contract for their construction.

The Illustrated American of January 8, 1898, says:

How like to China in some things we are after all!

Germany seizes one of China's seaports, and China hardly makes a protesting sound.

She keeps silent because she can not resist, and it seems more dignified to acquiesce with seeming immobility than to set up a ridiculously feeble squeak, like a trapped mouse.

Yet China is the most multitudinous nation on earth. She has riches and resources untold. Her men with training might make very fair soldiers.

Without feeling the expense she could have fortified every port and bought a fleet equal to the entire naval strength of Germany, and infinitely more formidable, because so close to the base of supplies and repair.

But China has no military patriotism. Her Government is too sleepy to comprehend the danger or too senile to meet it.

We have plenty of patriotism, but do we make a much better showing materially?

Japan's great navy could wipe our Pacific squadron from the seas and shell San Francisco before our North Atlantic squadron could double Cape Horn.

A concentration of the superior German navy could overwhelm our Atlantic fleet by sheer force of numbers, while German transports could land at any one of a dozen of our smaller Atlantic ports a disciplined army of enormous size.

A military coalition of European powers against us could exact its own terms in a single fortnight from nearly all our seacoast cities, if not from the nation itself.

We are the best fighters in the world, but what have we to fight with? We have illimitable resource for a prolonged war; but modern wars are generally finished in a few weeks.

We have a gallant little fleet, but we have not a dry dock on the Atlantic coast large enough to repair a battle ship.

In the old days of wooden navies a victorious ship could mend her timbers and masts and be ready to fight again in twenty-four hours; but the modern battle ship is so complicated and delicate that, even if triumphant in a duel, her wounds would drive her home for long repairs.

We have a few coast defenses, but they are ridiculously inadequate.

The statesman mind of Tilden urged on the country the complete fortification of our coasts, but none heeded him.

If any European power, capable of engaging our little fleet, should at the same time throw even 100,000 trained soldiers upon our shores, could we successfully face such an army in a fortnight?

It is a crime against the continuance of peace for Congress to keep us so defenseless. We have trusted to the mutual jealousies of the foreign powers for the prevention of any attack upon us. We have trusted to our luck.

But can we expect to escape forever? Like England, are we not hated more deeply each year? Dislike or hate is the price that power or promise of continued greatness must pay among nations as among individuals.

Nothing under the canopy but a powerful navy, adequate coast defenses, and a modern army able to be mobilized and to act together in one week can be safely banked on to discourage a foreign attack.

SIGNS OF THE TIMES.

It is a fundamental truth warranted by history that the control of the seas, and especially along the great lines drawn by national interest or national commerce, is the chief among the merely national elements in the power and prosperity of nations. It is so because the sea is the world's great medium of circulation.

Mr. Chairman, we have seen the great naval preparations being made by all the nations of the Old World, including Japan, and does it not seem as though they were looking ahead to the signs of the times? What are they?

China apparently to be partitioned.

Nicaragua Canal surely to be built.

Increasing jealousy among all nations of each other.

Territorial extension and expansion.

Have we not firmly declared for the maintenance of the Monroe doctrine?

Have we not declared that we will protect our trade treaties against all assaults?

Have we not affirmed that we propose, when it is built, to build the Nicaragua Canal?

Above all else, is not every nation upon earth, excepting Russia, jealous of us, envious of our great commercial success? Every nation must expect rivals in the race for commercial supremacy. When that nation, however, wins the laurel of greatest success, rivalry ceases, and jealousy and envy take its place, and sooner or later, upon some pretext or other, that nation will be drawn into a quarrel with some one or several of its vanquished competitors. This is our condition to-day.

I have frequently heard it said on the floor of this House that we have no colonies. Literally speaking, true, but figuratively speaking, false, for the creations of American brains and the kindness of mother earth have made the markets of the world your colonies of commerce. Take the reports of our consuls and you will see that the American electric light, motor, telephone, telegraph, sewing machine, locomotive, printing press, harvesting machines, armor plate, breadstuffs, and scores of other articles are slowly but surely capturing the foreign markets.

With this great success has now come the jealousy and envy of which I spoke. In our national infancy and youth we cared naught about the enmity of any power because we were prepared to resist all attacks; but now in our manhood are we prepared, and can we acquit ourselves with honor if foreign complications arise, if we do not keep pace with the naval developments of other powers? I think not. Take, if you please, the present complications in China. The honor of opening China to the world belongs to the United States. What are we going to do if our favorable trade treaties with that nation are interfered with and our rapidly growing commerce is destroyed?

Simply enter a more or less vigorous diplomatic protest, for what else can we do? We have not sufficient naval strength to compel heed to our protest, and our armed hand is not heavy enough to cause the least worriment to the powers involved in the Chinese problem. Oh, would that we had a powerful fleet, so that we might say, with the division of China, we have nothing to do, but we do propose to protect to the extent of our entire resources our trade rights and commercial treaties with that nation. This is what would have been done prior to 1860. Will we prepare so that it may be done now?

NICARAGUA CANAL.

Ere Father Time swings his scythe through many more years all writers and statesmen believe the Nicaragua Canal will be built, and then, through our treaty with Nicaragua, what becomes our duty?

The Dickinson-Ayron treaty, ratified June 20, 1868, says:

The United States hereby agree to extend their protection to all such routes of communication as aforesaid, and to guarantee the neutrality and innocent use of the same.

It also makes provision for United States protection for persons and property along the route if for any reason Nicaragua does not furnish that protection. This brings us to the Monroe doctrine.

England owns and has strongly fortified Jamaica, and between Jamaica and Haiti is the best and shortest channel leading to and from the Nicaragua Canal; so, with Haiti in the possession of any continental power and Jamaica in possession of England, a major part of the commerce to and from the canal would have to pass almost under the guns of these powers.

What a magnificent base of supplies for any continental fleet, merchant or war, Haiti would be. I might add another source of trouble with a foreign power might easily arise through the continued growth and development of trade jealousy on the part of her people toward us. So it seems to me that we should prepare for war upon the sea in proportion to the preparation being made by most of the continental powers.

We may never have war with any power, but this is not the millennium. The era of eternal peace has not arrived, would to heaven it had, for no one can possibly abhor the awful horrors of war more than I do; no one detests jingoism more than I.

We have, however, said most emphatically to the world that some of the doctrines of our fathers we propose to defend at all times. We must live up to that declaration or else lose our place forever as one of the great powers. We have, indeed, set a high standard of patriotism for the conduction of affairs on the Western Hemisphere. If we believe in the Monroe doctrine, we must be ready and thoroughly prepared to defend it against any nation or coalition of nations attempting to destroy any of its tenets.

Mr. Chairman, I believe that the saying, "The pen is mightier than the sword," has long since been weighed in the balance and found wanting, for the pen of diplomacy, of statecraft, aye, of government itself, becomes woefully weak unless fortified and supported by the strong sword arm of a united, patriotic, and country-loving people who hold dear the truths established by their ancestors. You say the Monroe doctrine is an ideal, and if we live up to its ideas, its teachings, we will have occasional friction with some foreign power. True, it is an ideal, and also true that it may cause friction. What if it does?

I contend, sir, that a nation must be ever ready to defend, ever ready to fight for a principle grown sacred by years of open acknowledgment. We have openly declared that the truths of this doctrine are just, wise, and honorable. The peace-at-any-price people say, "Away with the Monroe doctrine!" while patriots reply, "We will relegate to the realm of everlasting contempt nonbelievers in the doctrine established by Monroe, believed in by Lincoln, strengthened by Grant, and rejuvenated by Cleveland." [Applause.]

Ah, Mr. Chairman, this is not jingoism; this is the true patriotism, and patriotism has ever been esteemed honorable, ever considered essential to the strength and welfare of a nation. The greatest nations of the world's history, ancient and modern, have been those that held patriotism in the highest regard.

When an English naval officer plants the English flag upon newly-discovered territory and amid the roar of heavy guns declares it to be English soil, the breeze takes up the "boom" of the cannon and wafts it to far-distant England. Soon comes back the echo with "We will defend the newly acquired territory to the extent of our resources. God save the Queen!"

Only a few days ago in our own land we had a magnificent display of patriotism. How did our people receive the action of this House on Tuesday, March 8? Ah, when the electrical messenger told the people of Maine what had been done here, they sent him forward on his journey with "Say to the people of the Vineyard State, 'My country;'" the people of California replied, "Go on to the people of Flowerland and say to them, 'My country, 'tis of thee;'" the Floridians sent him on to the far-distant Pacific with "My country, 'tis of thee, sweet land of liberty," and the Washingtonians replied, "Thy name I love," while the American people, taking up the words, sang in a mighty, united chorus:

My country, 'tis of thee,
Sweet land of liberty,
Thy name I love!

Patriotism is indeed a noble passion. May it never weaken in the hearts of the American people. [Applause.]

Through illiberal laws and lack of naval protection the American merchant marine has almost faded away; but increase the Navy, provide adequate protection, and despite these unjust laws American ingenuity will find a way to make the American flag once again supreme upon the seas. [Applause.]

APPENDIX A.

TABLE I.—*Exports—Per cent of exports.*

Year ending June 30—	Domestic merchandise other than manufactures.					
	Agriculture.		Mining.		Forest.	
	Values.	Per cent.	Values.	Per cent.	Values.	Per cent.
1860	$256,580,972	81.13	$999,465	.31	$10,299,959	3.26
1870	381,188,483	79.35	5,026,111	1.10	14,897,963	3.27
1875	420,306,570	76.95	6,469,181	1.15	19,165,907	3.43
1876	456,113,515	76.67	7,122,989	1.20	18,076,668	3.04
1877	450,734,148	72.63	8,770,769	1.39	19,943,200	3.14
1878	536,192,873	77.07	6,732,119	.97	17,750,396	2.55
1879	546,476,708	78.12	6,405,813	.92	16,336,943	2.34
1880	685,961,091	83.25	5,863,222	.71	17,221,268	2.11
1881	730,294,943	82.63	7,401,282	.84	19,486,051	2.20
1882	552,219,819	75.31	8,175,692	1.11	25,580,264	3.50
1883	619,269,449	77.00	10,446,719	1.30	28,636,199	3.56
1884	536,315,318	73.98	15,032,256	2.07	26,222,959	3.62
1885	530,172,966	72.96	15,797,885	2.18	22,014,839	3.03
1886	484,954,595	72.82	13,654,286	2.05	20,961,706	3.15
1887	523,073,798	74.41	11,758,662	1.67	21,126,273	3.01
1888	500,840,086	73.23	17,993,895	2.63	23,991,092	3.51
1889	532,141,490	72.87	19,947,518	2.73	26,997,127	3.70
1890	629,820,808	74.51	22,207,755	2.64	29,473,084	3.49
1891	642,751,344	73.69	22,054,970	2.53	28,715,713	3.29
1892	799,328,232	78.69	20,692,885	2.04	27,957,423	2.75
1893	615,382,986	74.05	20,020,020	2.41	28,127,113	3.38

Year ending June 30—	Domestic manufactures.		Value total exports of domestic merchandise.
	Values.	Per cent.	
1860	$40,345,892	12.76	$316,243,423
1870	68,279,704	15	455,208,341
1875	92,678,814	16.57	559,237,638
1876	101,637,548	17.08	594,917,715
1877	133,933,549	21.16	632,980,854
1878	123,807,193	17.79	695,749,980
1879	117,015,720	16.73	699,538,742
1880	102,856,015	12.48	823,946,353
1881	114,233,219	12.92	883,925,947
1882	134,704,346	18.38	733,230,732
1883	134,238,089	16.09	804,223,632
1884	136,372,887	18.81	724,964,852
1885	147,187,527	20.25	736,682,946
1886	136,541,978	20.50	665,964,529
1887	136,735,105	19.45	703,022,923
1888	130,300,087	19.05	683,862,104
1889	138,675,507	18.99	730,282,609
1890	151,102,376	17.87	845,293,328
1891	168,927,315	19.37	872,270,283
1892	158,510,937	15.61	1,015,732,011
1893	158,023,118	19.02	831,060,785

TABLE II.—*Exports of main cereals.*

Fiscal year.	Corn.		
	Bushels.	Aggregate value.	Average value per bushel.
1875-76	40,493,572	$33,265,280	$0.672
1876-77	70,860,986	41,021,275	.587
1877-78	85,461,096	48,033,358	.562
1878-79	86,206,252	40,655,120	.471
1879-80	98,169,877	53,298,247	.543
1880-81	91,908,175	50,702,669	.551
1881-82	43,184,915	28,845,890	.667
1882-83	40,586,825	27,756,082	.683
1883-84	45,247,490	27,648,044	.611
1884-85	51,824,416	28,008,863	.540
1885-86	63,655,433	31,730,922	.498
1886-87	40,307,252	19,347,361	.479
1887-88	24,278,417	13,355,950	.550
1888-89	69,592,929	32,982,277	.474
1889-90	101,973,717	42,658,015	.418
1890-91	30,768,213	17,632,687	.574
1891-92	75,451,849	41,590,469	.551
1892-93	46,067,274	24,587,511	.534
1893-94	65,324,841	90,211,154	.462
1894-95	27,601,137	14,650,767	.529
1895-96	99,902,595	37,836,562	.378

Fiscal year.	Wheat.		
	Bushels.	Aggregate value.	Average value per bushel.
1875-76	55,073,122	$68,382,899	$1.241
1876-77	40,325,611	47,135,562	1.169
1877-78	72,404,961	96,872,016	1.338
1878-79	122,358,996	130,701,079	1.068
1879-80	153,252,795	190,546,305	1.243
1880-81	150,565,477	167,698,485	1.113
1881-82	95,271,809	112,929,719	1.185

TABLE II.—*Exports of main cereals.*—Continued.

Fiscal year.	Wheat.		
	Bushels.	Aggregate value.	Average value per bushel.
1882–83	106,385,828	119,879,341	$1.126
1883–84	70,349,012	75,026,678	1.066
1884–85	84,653,714	72,933,097	.862
1885–86	57,759,209	50,202,715	.87
1886–87	101,971,949	90,716,481	.89
1887–88	65,789,261	56,241,168	.853
1888–89	46,414,129	41,652,701	.897
1889–90	54,387,767	45,275,906	.832
1,20–91	55,131,948	51,420,272	.932
1891–92	157,280,351	161,399,132	1.026
1892–93	117,121,109	93,534,970	.798
1893–94	88,415,230	59,407,041	.672
1894–95	76,102,704	43,805,663	.575
1895–96	60,850,080	39,709,868	.655

Fiscal year.	Oats.		
	Bushels.	Aggregate value.	Average value per bushel.
1877–78	3,715,479	$1,177,926	$0.344
1878–79	5,452,136	1,618,644	.296
1879–80	766,306	308,129	.402
1880–81	402,904	186,899	.463
1881–82	625,690	298,349	.476
1882–83	461,495	233,843	.506
1883–84	1,760,376	700,694	.309
1884–85	4,191,692	1,589,640	.379
1885–86	5,672,694	1,944,772	.343
1886–87	440,283	179,634	.408
1887–88	332,564	143,284	.434
1888–89	624,226	245,562	.393
1889–90	13,692,776	4,510,055	.329
1890–91	953,010	405,706	.426
1891–92	9,435,078	3,842,559	.407
1892–93	2,380,643	951,920	.39
1893–94	5,750,206	2,027,935	.352
1894–95	569,977	200,793	.304
1895–96	13,012,590	3,497,611	.268

TABLE III.—*Total production of the United States of the main cereals.*

Year.	Indian corn.	Wheat.	Oats.
	Bushels.	*Bushels.*	*Bushels.*
1850	592,071,104	100,485,940	146,584,179
1860	838,792,742	173,104,924	172,643,185
1870	760,944,549	287,745,626	282,107,157
1880	1,754,861,535	459,479,503	407,858,900
1885	1,936,176,000	357,112,000	629,409,000
1886	1,665,441,000	457,218,000	624,134,000
1887	1,456,161,000	456,329,000	659,618,000
1888	1,987,790,000	415,868,000	701,735,000
1889	2,112,892,000	490,560,000	751,515,000
1890	1,489,970,000	399,262,000	523,621,000
1891	2,060,154,000	611,780,000	738,394,000
1892	1,628,464,000	515,949,000	661,035,000
1893	1,619,496,131	396,131,725	638,854,850
1894	1,212,770,052	460,267,416	662,086,928
1895	2,151,139,000	467,103,000	824,444,000
1896	2,283,875,000	427,684,000	707,346,000

TABLE IV.—*The cotton supply of the United States for sixty-nine years.*

Year.	Bales.	Year.	Bales.	Year.	Bales.	Year.	Bales.
1829	870,415	1846	2,100,537	1866	2,193,987	1883	6,992,234
1830	976,845	1847	1,778,651	1867	2,019,774	1884	5,714,053
1831	1,038,848	1848	2,347,634	1868	2,593,993	1885	5,669,021
1832	987,487	1849	2,728,596	1869	2,439,039	1886	6,550,215
1833	1,070,438	1850	2,096,706	1870	3,154,946	1887	6,513,624
1834	1,205,324	1851	2,355,257	1871	4,352,317	1888	7,017,707
1835	1,254,328	1852	3,015,029	1872	2,974,351	1889	6,935,082
1836	1,360,752	1853	3,262,882	1873	3,930,508	1890	7,313,728
1837	1,422,930	1854	2,930,027	1874	4,170,388	1891	8,655,518
1838	1,801,497	1855	2,847,339	1875	3,832,991	1892	9,038,707
1839	1,360,532	1856	3,527,845	1876	4,669,288	1893	6,717,142
1840	2,177,835	1857	2,939,519	1877	4,485,423	1894	7,527,211
1841	1,634,945	1858	3,113,962	1878	4,811,265	1895	9,892,766
1842	1,683,574	1859	3,851,481	1879	5,073,531	1896	7,162,473
1843	2,378,875	1860	4,669,770	1880	5,757,397	1897	8,714,031
1844	2,030,409	1861	3,656,006	1881	6,589,329		
1845	2,394,503	1862–1865	(*)	1882	5,435,845		

*No record.

TABLE V.—*Per cent of total production exported.*

Year.	Cotton.	Wheat	Corn.	Mineral oil.
1867	68.32	8.32	1.85	46.56
1868	66.90	11.90	1.63	52.34
1869	57.01	13.27	.91	60.01
1870	65.98	20.72	.24	61.37
1871	72.39	22.30	.96	69.63
1872	67.44	16.88	3.60	54.60
1873	65.47	20.80	3.67	57.85
1874	70.03	32.54	3.86	51.23
1875	70.69	23.60	3.53	46.59
1876	70.75	25.56	3.86	68.09
1877	68.97	19.73	5.66	64.54
1878	71.23	25.29	6.49	54.02
1879	67.74	35.82	6.33	50.42
1880	65.73	40.18	6.43	31.41
1881	68.47	37.38	5.46	44.29
1882	67.23	31.82	3.71	39.21
1883	67.20	29.33	3.58	54.13
1884	67.56	26.49	2.99	53.55
1885	68.96	25.86	2.95	61.11
1886	64.68	26.48	3.35	50.21
1887	68.71	33.66	2.48	50.67
1888	65.83	26.23	1.74	49.37
1889	69.33	21.31	3.57	46.09
1890	68.15	22.31	4.85	36.06
1891	67.36	26.60	2.15	29.73
1892	65.13	36.88	3.72	37.35
1893	65.99	37.20	2.89	45.10
1894	71.20	41.47	4.11	53.26
1895	69.83	31.46	2.36	50.76
1896	65.00	27.07	4.70	43.34
1897	.....	33.96	7.83	.....

TABLE VI.—*Total value of the ten main crops and exports of the United States, from 1870 to 1895.*

Year.	Ten main crops.	Exports.	Approximate per cent exported.
1870	$1,671,161,288	$361,188,483	20
1875	1,735,474,964	430,306,570	24
1880	2,107,111,980	685,961,091	32
1885	1,908,312,018	530,172,906	23
1890	2,460,107,454	629,820,808	25
1895	2,086,512,122	615,362,986	29

APPENDIX B.

Table showing foregoing data of all countries, in condensed form.

[New York World Almanac.]

Class of vessels.		Great Britain.	France.	Germany.	Italy.	Austria-Hungary.	Russia.	Spain.	Denmark.	Netherlands.	Turkey.	Portugal.	Sweden and Norway.	United States.*
Battle ships, first class		29	15	6	8	.....	14	1	.....	.....	1	.....	.....	9
Guns of same	H. G.	114	57	36	38	.....	124	17	.....	.....	10	.....	.....	136
	S. B.	1,257	615	164	315	.....	332	18	.....	.....	10	.....	.....	297
Battle ships, second and third class		24	9	10	2	10	4	2	.....	3	8	1	.....	2
Guns of same	H. G.	254	76	93	27	80	41	29	.....	20	75	3	.....	18
	S. B.	575	216	102	112	204	79	22	.....	37	105	6	.....	27
Seagoing coast-defense		6	12	8	7	3	7	.....	26	7	6	2	8	6
Guns of same	H. G.	24	22	24	32	12	20	.....	78	32	40	6	28	30
	S. B.	82	202	116	58	66	84	.....	21	91	63	45	120	54
Nonseagoing coast-defense		11	12	11	.....	4	21	2	.....	17	3	.....	13	14
Guns of same	H. G.	38	18	11	.....	4	83	3	.....	18	6	.....	26	24
	S. B.	91	86	22	.....	12	156	6	.....	100	8	.....	45	6
Armored cruisers		18	13	7	8	2	14	8	.....	.....	.....	.....	.....	2
Guns of same	H. G.	184	78	14	30	10	137	14	.....	.....	.....	.....	.....	26
	S. B.	679	259	256	313	100	287	194	.....	.....	.....	.....	.....	26
Protected and partially protected cruisers		123	47	13	23	8	3	12	5	10	6	4	2	16
Guns of same	H. G.	525	46	54	52	12	26	92	34	86	44	.....	2	109
	S. B.	2,372	1,085	231	495	40	53	161	48	160	32	48	20	232
Unprotected cruisers		3	14	6	.....	2	20	4	1	2	2	3	4	5
Guns of same	H. G.	38	160	48	.....	21	59	20	8	10	29	22	24	18
	S. B.	34	189	45	.....	2	224	25	6	4	16	6	24	16
Gunboats, first class		42	16	2	.....	.....	12	11	9	36	.....	.....	21	18
Guns of same	H. G.	79	18	2	.....	.....	16	11	9	34	.....	.....	31	107
	S. B.	38	49	.....	.....	.....	52	6	46	84	.....	.....	49	123

H. G. Heavy guns or primary battery. S. B. Secondary batteries or light guns. * This column is inserted for purposes of comparison.

Table showing foregoing data of all countries, in condensed form—Continued.

Class of vessels.	Great Britain.	France.	Germany.	Italy.	Austria-Hungary.	Russia.	Spain.	Denmark.	Netherlands.	Turkey.	Portugal.	Sweden and Norway.	United States.*
Gunboats, second and third class	20	33	1	2	8	2	13	.....	15	12	2	.....	.....
Torpedo-boat destroyers	103	17	18	18	11	39	17	.....	6	6	5	6	3
Torpedo boats:													
First class	51	46	104	117	30	88	11	6	20	12	12	.....	18
Second class	32	149	54	4	5	6	28	5	12	30	9	37	1
Third class	107	54	16	70	35	97	9	13	31	4	27	20	3
Hulks and stationary vessels	139	86	12	3	9	2	6	6	16	3	.....	7	29
Subsidized vessels	28	12	10	16	.....	36	14	.....	.....	54	.....	.....	4
Obsolete vessels	32	30	5	7	5	3	50	2	23	12	23	37	11
Dispatch, training, transports, repair, tugs, and miscellaneous vessels	219	105	47	55	21	96	25	61	24	86	44	38	66
Officers	2,243	2,220	967	705	617	1,260	1,000	146	540	302	367	176	†963
Seamen	58,916	49,300	17,830	20,406	11,900	36,000	16,300	1,109	8,320	20,000	4,096	6,780	†12,600
Marines:													
Officers	746	1,640	226	83	76	382	400	40	43	84	18	123	.....
Soldiers	17,842	27,800	2,500	440	720	2,800	6,920	264	1,700	1,200	608	1,200	.....
Total active list	79,947	80,920	21,513	21,724	13,313	40,532	24,620	1,559	10,600	22,276	5,089	8,279	13,562
Naval reserves	83,000	84,350	37,000	19,600	2,000	45,000	25,000	4,000	10,000	36,000	4,000	12,500	2,800

*This column is inserted for purposes of comparison.

†Includes Marine Corps.

This table gives to us nine battle ships; this includes those under construction.

Mr. MEYER of Louisiana. I yield to the gentleman from Mississippi [Mr. FOX].

Mr. FOX. Mr. Chairman, in considering a great appropriation bill in Committee of the Whole on the state of the Union I trust it is not improper to submit some remarks on the condition of the masses who have to pay this and all other appropriations. On January 20, page 807 of the RECORD, the chairman of the Ways and Means Committee said:

I think it is a serious mistake for the Representatives of the South who desire to improve their economic conditions to forget that there can be no progress except as it is based on an improvement in the standard of living and an improvement in the earnings of the masses.

He also said:

The laws which bind the people of this country tend to the gradual increase of the earnings of the masses upon which prosperity depends.

There is no greater economic truth, there is no more profound political wisdom, than the statement that all prosperity must be based on the uplifting of the masses, who produce all the wealth of the country. This is the very essence of genuine Democracy as taught by Jefferson. Democratic policies and the principles enunciated in the Chicago platform, the greatest platform, embodying more political wisdom than any other platform ever promulgated, are all based on the doctrine enunciated by the gentleman from Maine.

I deny, however, that Southern Representatives forget this great principle. I assert that they as much as any other Representatives on this floor strictly adhere to it. The distinguished chairman of the Committee on Appropriations the other day said:

I have never yet seen the Constitution stand in the way of any Representative when it was his interest to get something for his people.

I say this is not true of Southern Representatives. They have at all times stood here on this floor and pleaded for a strict observance of the Constitution as the only guarantee of the rights of the masses; and it was a Southern Representative, the distinguished and honored leader of the minority here, who was pleading for the Constitution when the gentleman from Illinois ridiculed it and made the statement which I have quoted.

I deny that the laws of this country as they exist to-day tend to the gradual increase of the earnings of the masses. I charge the fact to be that under the leadership of the gentleman from Maine laws have been enacted that utterly ignore the great principle referred to; and instead of tending to bring about a gradual increase of the earnings of the masses, tend to the impoverishment of the masses and the enrichment of the few. If there should be a gradual increase of the earnings of the masses, there is bound to be a decrease in the accumulation of wealth by the few, and we would soon have the ideal state of things advocated by Thomas Jefferson when he said:

Let us found a government where there shall be no extremely rich men and no abjectly poor ones; let us found a government upon the intelligence of the people and the equitable distribution of property.

Instead of this, the concentration of wealth in the hands of a few has been progressing within the past thirty years, until $3,000,000,000 of property have been taken by taxation from the consumers of the country and given to the capitalists, and to-day 1 per cent of the families of the country hold more wealth than the remaining 99 per cent.

It is said that within sixteenth months, from October 6, 1896, to January 29, 1898, the deposits in the New York banks have increased from $372,000,000 to $722,000,000, and the holdings of legal-tender money from $109,000,000 to $316,000,000, and that they now hold more than one-eighth of all the money in the country outside of the United States Treasury. Accepting the doctrine of the gentleman from Maine, that prosperity depends upon the gradual increase of the earnings of the masses, on what does he predicate his assertion that there is general prosperity in the country when all the wealth of the country and all the earnings of the masses are being rapidly accumulated in the coffers of a few bankers as the deposits of great corporations and a few men of wealth, especially when everybody knows that these vast sums of money, so great that the common mind can have no comprehension of their magnitude, are themselves the earnings of the masses, of which they have been robbed by the most iniquitous system of taxation that ever disgraced a civilized nation, and that the moneyed power has become so great, its influence in controlling elections and shaping legislation so irresistible, that there is not a law on the statute books to-day relating to the currency of the country or to taxation that is not shaped with direct reference to the policy of making the rich richer and the poor poorer?

The fact is that the Republican party, notwithstanding the conservative and patriotic mass of the people have done everything to avoid it, has raised the issue of capital against labor, money against blood, luxury against toil, greed against patriotism, robbery against honor. [Applause.] Sentiments have been expressed here and policies advocated by gentlemen distinguished for their high personal character which show a depravity in political conscience and a want of regard for the rights of property and of individuals that is alarming.

On the 31st of January, in discussing the Teller resolution providing for the payment of United States bonds at the option of the Government in silver, the gentleman from Pennsylvania [Mr. DALZELL], referring to the honor of the nation, the highest evidence of which and the noblest manifestations of which, as he seems to think, are the payment of the bonds in gold when demanded, said:

It is more sacred than the traditions and heroisms of our history; more sacred than the memories of our heroes; more sacred than the graves of our dead.

And the RECORD shows that there was loud applause on the Republican side.

This is a clear, frank, and distinct statement of the attitude of the Republican party. The bondholders, instead of the negroes, are now the wards of the nation, and their right to demand gold is "more sacred than the memories of our heroes; more sacred than the graves of our dead," although it is confessed that under the contract they can be paid in silver, although it requires all the earnings of the masses to pay them, although no employee of the Government is paid in gold, and although no citizen can collect a private debt in gold unless the contract provides that it shall be paid in gold.

From the statements of representatives of capital on this floor one would think there was no patriotism or sense of national honor except with the bondholders. Suppose in case of war volunteers should be called for, to spill money into the Treasury instead of to spill blood on the battlefield, how many dollars would

be obtained? Suppose instead of conscripting men there should be a confiscation of money, where would be the patriotism of the bondholders?

The shedding of blood in defense of the country is patriotism, the lending of money at a high rate of interest and the exacting in payment of two dollars for one is greater patriotism. The trouble is the blood shedders never have any money to lend and the money lenders never shed any blood, and the shedders of blood have to pay the interest. And in the issue raised of money against blood, money has much the best of it. [Applause.]

And now a word about my own section and the agricultural classes whom I have the honor to represent. And in speaking of them and their industrial condition I shall not be intimidated by the agents and representatives of corporations on this floor who cry out "calamity howlers" when anyone undertakes to show the true condition of the masses, whose prosperity is based on "an improvement of their standard of living and an increase of earnings."

I once heard a fable illustrating the point. A wolf had fastened its fangs in the throat of a lamb, and when the lamb began to struggle and bleat, the wolf said: "Lie still, you infernal calamity howler! I am not going to do anything but suck your blood." Another thing: I wish to express the hope that I will not subject my State to be insulted as it was the other day by the gentleman from Madisonville, Ohio [Mr. SHATTUC], who, because I told some unpalatable truths about the corporations which he represents controlling elections, took a cowardly advantage of his seat on this floor to utter a base slander against the people of Mississippi, notwithstanding he had enjoyed their generous hospitality, which had been extended to him on the idea that he was a gentleman, and then he threatened that railroad companies would be revenged on me because I had told the truth.

The gentleman also tried to excite the prejudices of railroad employees against me by pretending that I said that they had no comprehension of political principles, when the gentleman knows, if he has any comprehension of English grammar or of the English language, that I said nothing of the kind.

But I want to call the attention of the House, and of the country especially, to the cotton producers of the South, who constitute a large per cent of the masses whose prosperity, as the gentleman from Maine says, depends on a gradual increase of their earnings.

The gentleman from Maine, in the speech to which I have already referred, made the distinct admission that as 70 per cent of the cotton production of the world is in the United States, the production of cotton and of cotton goods can not be protected or benefited by a protective tariff. He also said substantially that the manufacture of cotton goods in New England was being ruined by competition from Southern mills, because in the South factory hands work eleven hours a day, while in New England they are allowed to work only ten hours a day.

Everybody who has the slightest knowledge of the facts knows that this is not true, and that the great advantages that the manufacturer in the South has over the New England manufacturer are due to other causes which have already been stated on this floor. But what I wish to call attention to is the astounding and alarming threat of the gentleman from Maine, since he has discovered that his pet theory of a protective tariff is a failure, to protect New England manufacturers against Southern competition by an amendment to the Constitution of the United States so as to prevent Southern factory hands from working longer than New England factory hands; and the gentleman from Maine professes to base his advocacy of this measure on a love for humanity and a desire to elevate the standard of living among the laborers of the South.

Let me say to the gentleman that if it is a sincere sympathy with human toil that is moving him, all over the great agricultural regions of the South and West men, women, and children on the farms are working fifteen hours a day for a bare existence. Many of these people have few of the comforts of life and none of its luxuries. The gentleman from Maine talks about the low price of cotton being caused by overproduction. Thousands of these people card, spin, and weave every yard of cloth they wear because they have no money with which to buy manufactured goods, for the reason that 5 cents per pound for cotton does not pay the cost of production. And the fall of the price of cotton to 5 cents is not caused by the fact that more cotton is produced than can be consumed.

The truth is that many people are unable to buy the cotton goods they really need because cotton has fallen to 5 cents. It is valuable to the country that the gentleman from Maine has distinctly admitted that so far as the cotton industry is concerned a protective tariff is an unjust tax without any benefit. An equally important admission the gentleman has made is that the ruin of cotton manufacturers in New England is caused in a great measure by the rapid decline in the price of cotton. He has at last learned, and I hope from his candid statement the country will learn, that after all the prosperity of all industries depends largely upon the prosperity of the farmers. This being true, it is important to inquire what has caused the want of prosperity among this class of our people.

Why is there not a gradual increase in the earnings of the agricultural classes, who form 30 per cent of the masses? In the first place, a protective tariff brings no benefit to them, but compels them to pay an enormous tax, not only to defray the expenses of the Government, but to build up other industries. The farmer with a family whose home is not worth over $2,000 pays as much tax to the General Government as Rockefeller, who is reputed to be worth over $100,000,000—a man who is worth more than the value of all the farms, including lands, fences, and buildings, in either of the States of Maine, New Hampshire, Vermont, Connecticut, Delaware, South Carolina, Florida, Alabama, Mississippi, Louisiana, Arkansas, Washington, or Oregon.

The revenues of the Government are raised, not by a tax on what you have, but on what you do not have and what you are obliged to buy. There can never be prosperity in this country until this monstrous system of taxation is abolished and the revenues of the Government are raised by a tax on property and not on toil. There is not a civilized nation on earth, except the United States, that has not an income tax.

There never was a political economist of any repute, from Adam Smith to this time, who has not advocated an income tax; and we want to warn the capitalists of the country that if they do not cease their anarchistic policy of robbing the toilers of the country of their earnings, and come forward like honest men and pay their share of the taxes, they may precipitate a conflict that will make them wish they had never been born.

In the next place, I wish to call attention to the fact that it is now the fixed policy of the Republican party "to fix more firmly," to use the language of Secretary Gage, the gold standard. That is to say, that gold shall be the only money of the country, and all other kinds and forms of currency must be based on and redeemed in gold.

The absurdity of this proposition is emphasized by the fact that all the gold in the country would not more than pay the expenses of the Government for one year, that the Government does not collect one single cent of its revenues in gold, and if its policy to pay all its obligations in gold when demanded is to be continued, there is no possible way to obtain it except to buy it by the issuance of bonds, and thus perpetuate the power of bondholders to control the administration of Government and dictate its financial policy.

There is absolutely no gold whatever in circulation in the country. "Currency" literally means to run around. The only running around that gold ever does is to run into the coffers of the banks. We want a currency that will call at the hovel of the workingman as well as at the palace of the rich. We want a currency that will call on the laborer who works in the field, factory, and mine as well as on the banker and bondholder. In this connection I wish to call your attention to some remarkable utterances of a remarkable man.

Secretary Gage, instead of going through the country learning the wants of the masses and catching his inspiration from them, so as to devise a financial policy that would "increase their earnings and improve their standard of living," has been junketing over the country, being banqueted by bankers and imbibing their financial views as well as their wines.

On the 18th of March, at a banquet given by the Chamber of Commerce at Cleveland, Mr. Gage said:

> A change in the money, whether that change be to one of higher or lower commercial value than that previously in use, would cause a universal derangement in prices and a perfect dislocation in the relation of things to each other.

The next day, at a banquet given in his honor by the Chamber of Commerce at Pittsburg, he said:

> Whatever disturbs general faiths and confidences unsettles commerce and disturbs industry. Unhappily, the disturbing influences are numerous, and by their interposition from time to time suffering and ruin results. Wars and fears of wars, crop failures, widespread industrial revolts, shocks arising from the betrayal of great fiduciary duties, these are some of the adverse influences. But none of these, nor several of them associated, are as harmful as the doubts and fears which arise from the apprehension of a radical change in the money standard, to which all commodities and all credits stand finally related.

If the distinguished Secretary and his coconspirators had remembered these great truths in 1873 and been guided by them, there would to-day be unexampled prosperity among all classes in this country. There was then a change in the money from a lower to a higher commercial value, and it did cause a universal derangement in prices and a perfect dislocation in the relations of things to each other.

The radical change from the double standard of both gold and silver to the single gold standard, and the consequent fall of prices,

which has continued up to this day to such an extent that in spite of the tariff it has brought about the ruin of even the New England cotton industry, has, to use the language of Mr. Gage, been more harmful and caused more suffering and ruin than wars, crop failures, widespread industrial revolt, and betrayal of great fiduciary duties. And yet the Secretary invokes these great principles to fix more firmly the gold standard upon the country.

Having brought about the concentration of all the wealth of the country in the coffers of a few by a disregard and violation of these principles, he proposes now by invoking them to perpetuate the ruin he has wrought and fix more firmly the gold standard upon the country. He proclaims now, as financial wisdom, what he heretofore denounced as financial heresy. We want to return to the money of the Constitution, the free coinage of gold and silver at the ratio of 16 to 1 and legal-tender notes issued by the Government. We want a financial system that will foster, not the accumulation of wealth in the hands of a few, but the general distribution of wealth among the masses, so that, in the language of the gentleman from Maine, the prosperity of the masses may be promoted by an improvement in the standard of living and an improvement in their earnings.

Gentlemen, you can not satisfy the country by calling attention to the prosperity of a favored few. The good of the country will not be promoted except by a general prosperity of all. It is vicious legislation to promote the prosperity of certain classes at the expense of other classes. It is no function of government to help one class of people to make a living or to get rich by taxing the masses. I want to deny that there is prejudice among the masses in this country against capital.

Capital and combinations of capital are absolutely necessary to carry on the great industries of this country, and the people are perfectly willing to encourage capital in these industries and are perfectly willing for capital to realize a legitimate profit. But we want to warn you that you must keep your hands off the United States Treasury, which is filled by the sweat and toil of the laboring classes alone of the country. We want to warn you that this Government must be administered by the people and for the people.

The masses all over this country are not anarchists, are not repudiators, and ask for nothing but equality of opportunity, so that every man may reap the rewards of his own toil. This is their inalienable right, to which they are entitled by every law of God, morality, and justice. This right they are determined must be respected; and if the time ever comes, which may God forbid, that there must be an irrepressible conflict between capital and labor, it will not be precipitated by the toiling masses, who, now as ever, are willing to shed their lifeblood and spend their little fortunes in the service of their country, which they love so well. [Applause on the Democratic side.]

Mr. MEYER of Louisiana. I yield to the gentleman from New York [Mr. Low].

Mr. LOW. Mr. Chairman, one of the most gratifying scenes I have ever witnessed in any assemblage was the grand exhibition on the floor of this Chamber when this House, without one dissenting voice, passed the $50,000,000 appropriation bill for the purpose of upholding the honor and integrity of our country.

Mr. Chairman, scientists have said that reason returns to the human mind just before the spirit leaves the body. When peace seemed ready to leave our land (after a long period of tranquillity) reason returned to Congress, and, to atone for Congresses' shortcomings, eagerly voted to pass this emergency appropriation. The passage of that $50,000,000 appropriation bill was a monumental evidence, true and significant, that Congresses, by neglecting our Navy, had forgotten their lessons in the history of the United States.

Think of it. A country like ours, with its inexhaustible iron and coal mines, its shores on the Atlantic and the Pacific dotted with matchless shipbuilding plants, with the best labor in the world at their command, is obliged, when a war cloud appears, to enter foreign markets, seeking war ships to strengthen its Navy. Who will dare say that there has not been an unpardonable neglect somewhere?

The feeble condition of the nation's combative forces and its attributive causes will amply justify the tenor of my proposed remarks on the present appropriation bill.

Of all the yearly appropriation bills that come up before Congress, the naval bill should stand preeminently the most important, because American policy, in matters where foreign governments are concerned, demands a constant augmentation of an arm of our country's offense and defense, without which this great nation and its institutions would sooner or later become subservient to more powerful ones.

In discussing any naval bill it is interesting, likewise instructive, to examine the map of the world, note the geographical positions of the different countries that are prominent factors among the nations of the earth, then consider the fact that each maritime nation of the Old World maintains a naval fleet commensurate with its foreign interests. It is well to remember that nations, like individuals, vary in their customs, habits, and dispositions. Some are grasping and selfish, ready to take every advantage of time and opportunity for self-aggrandizement and power, to the detriment of the less vigilant or weaker nation. It can not be disputed that our country, being separated from the powerful nations of the Old World by vast oceans, has had a comparative immunity from foreign foes.

But the development of sciences in every field of human interest, together with new inventions, which have followed one another with wonderful rapidity, have revolutionized, among other things, the slow methods of communication and transportation by land or sea. Touch the electric button at London, Paris, Berlin, or St. Petersburg, and orders can be flashed under the sea for the rapid concentration of fleets in any given waters.

Ocean highways to-day have their steam fliers emulating the lightning express trains of our trunk lines; hence, the great distances between this country and the old nations of the world have been annihilated, and the immunity we once enjoyed is inverted, and we would be unable to-day to enforce any positive policy like the Monroe doctrine, not from the lack of patriotism, but from a continued lack of a reasonable interest in the development of our Navy.

Now, let us see what attention other nations have given to their navies while we have been moving along at a snail's pace.

Forest timber, that was always scarce in many of the old countries for shipbuilding, has been supplanted by iron, which is illimitable in the Old World. And since the adoption of iron and steel in shipbuilding foreign maritime nations have multiplied their naval fleets with astonishing rapidity, strengthening their respective national interests and policies in the same ratio, far outstripping our country in this direction, and leaving our Navy in about the fifth class. I ask if this is just to constituents who elected us to represent them in the National Legislature? With the march of time, population has increased throughout all nations, impelling a constant expansion of trade and commerce.

New lands have opened up with promising fields for trade and traffic, and others are being discovered every day, which stimulates the greed of nations for preferred rights and privileges. Treaty rights and international law are too often ignored, while the gains of a selfish nation are being prosecuted against the vested rights of a weaker one, as the frequent changes in the boundary lines of some countries bear evidence. Too much study can not be given to these conditions while measuring up the required strength of our Navy.

Until we commenced to build our modern battle ships our Navy was one of the weakest of maritime nations. Public interest took the matter up, which gave an impetus to rehabilitating the Navy and increasing it toward a standard commensurate with the demands of our great commercial interests. The result is that we can boast of having some of the most modern battle ships afloat—American in material, American in design, and American in mechanism.

The bosoms of American citizens swell with pardonable pride when reference is made to our modern war ships. But with all the growth of this marine arm of our country's service, our Navy is still numerically weak, particularly in armored cruisers, torpedo destroyers, and torpedo boats. The torpedo destroyer is a vessel that can go to sea in any kind of weather and steam 20 or 25 knots an hour without washing a man overboard, in the manner in which the young ensign, Mr. Breckinridge, lost his life from the deck of the torpedo boat *Cushing* off the harbor of Habana a short time ago.

Torpedo boats like the *Cushing* are not calculated to go outside of headlands except in a smooth sea. In the first place, they have very little free board and in their construction everything is sacrificed for speed; and with this end in view all the materials, such as frames, deck beams, and plating, are of the lightest kind consistent with safety in smooth water, where their trial trips are made and where they get a rating of 25 or 30 knots an hour. But take any of them outside in an ordinary sea, and I do not hesitate to say not one of them could make over 10 miles an hour, and then they would be like a half-tide rock, the sea breaking over them constantly.

The effective sphere of torpedo boats is at the mouth of our rivers, harbors, and bays. A torpedo destroyer or catcher is nothing more than a seagoing torpedo boat three or four times the tonnage of the ordinary torpedo boat, with this advantage: They are constructed with heavier material, greater free board, and carry a light battery, and if too much weight and material are not sacrificed for speed, they can go to sea in any kind of weather and steam well up to their maximum rate.

At this time I want to call the attention of the House to my estimate of the naval requirements during the first session of the Fifty-fourth Congress. I was absolutely confident that our Navy

was totally inefficient in torpedo boats and in torpedo-boat destroyers, and to strengthen the Navy in this direction I introduced a bill empowering the Secretary of the Navy to contract for and build fifty torpedo boats and five torpedo-boat destroyers.

Before introducing that bill, and to be assured that I was correct in my views, I consulted many of our most experienced naval officers, who heartily sustained my views; but neither the Naval Committee nor the House seemed to think it necessary to make the expenditure.

To assure you that I knew what I was talking about, and was familiar with the weak points of our Navy, I have only to state that this Government is searching the markets of the world to-day for torpedo boats and torpedo-boat destroyers.

Thus far we have been able to purchase but one, a small 17-ton boat, which is about to be shipped on board of one of the Atlantic steamers for New York. Up to the present time our agents abroad have been unable to purchase a single torpedo-boat destroyer, and the result is that our Navy is without a single one to-day. Had my bill passed during the session it was introduced, we could have had the torpedo boats and the torpedo-boat destroyers in commission to-day. This matter I will leave to the House for digestion.

Now, one word about the usefulness of a torpedo boat. Its mission is to protect our bays, rivers, and harbors, and along our coasts, where it can run into some little bay, inlet, or small harbor, ready to run out at nighttime and discharge her projectile at an enemy and get away. A torpedo-boat destroyer accompanies the fleet and watches the approach of small torpedo boats, drives them back, and, if necessary, sends a torpedo after them—a sort of watchdog for the fleet. They are indispensable in time of war.

Mr. Chairman, it is true that the expenses of this Government have exceeded its income for several years. It is a well-known fact that the appropriations for several years past have gone beyond the lines of mercantile economy. But it makes no difference whether this nation has been prosperous or not, whether the Government's expenses have exceeded its income or not, the fact remains that we have the same interests to protect, the same lines of seacoast defense to guard, the same commercial interests to watch, and the same position in the family of nations to maintain. These functions can not be performed with a feeble navy. Besides, the numerical strength and the caliber of guns are potent factors in preserving peace and solving diplomatic questions.

The American people are peaceful—slow to wrath. The pastime of contest has no charm for them. But when the honor of their country or its institutions are threatened, the American becomes aroused and his patriotism breaks all peace bands, and every man becomes a combatant, ready not only to protect this great Republic of ours, but to punish its assailants. But he must have something to fight with. Are we not as a people inclined to be boastful? Stump declamation, telling the masses what a great country we have and what a noble people we are and what we can do, does not protect our interests, let alone win a victory.

Permit me to read an extract from Assistant Secretary Roosevelt's address before the Naval War College at Newport last June:

> Tame submission to foreign aggression of any kind is a mean and unworthy thing; but it is even meaner and more unworthy to bluster first, and then either submit or else refuse to make those preparations which can alone obviate the necessity for submission. I believe with all my heart in the Monroe doctrine, and I believe also that the great mass of the American people are loyal to it; but it is worse than idle to announce our adherence to this doctrine and yet to decline to take measures to show that ours is not mere lip loyalty. * * * If we possess an immense navy, small is the chance indeed that we shall ever be dragged into a war to uphold the Monroe doctrine. If we do not possess such a navy, war may be forced on us at any time.

If I remember correctly, the gentleman from Arkansas said in case of foreign trouble the loyal citizens of his Commonwealth would flock to our shores in defense of our institutions. No one doubts his statement; but that does not add a single ship to our Navy. Can we, unarmed, meet a foreign foe? Can we cope with a foreign nation without ship for ship, gun for gun? Whose duty is it, if not the duty of Congress, to watch the barometer of events and note when it indicates disturbances or foretells future possibilities?

It gave us a warning in the Chilean controversy a few years ago. Our Navy at that time was not powerful enough to guarantee success at the start. The Venezuelan boundary dispute was another warning, and the present strained relations with Spain over Cuban affairs is still another. We are not without warnings. Why, no later than last December two German training ships entered the harbor of Port au Prince and demanded the payment of $30,000 in gold from the Haitian Government; also an apology to the German Emperor for some alleged indignity to the German chargé d'affaires.

On a failure to comply with these terms inside of four hours, bombardment of the city would immediately take place. That was a condition of affairs which certainly circumscribed the possibility of an ultimate infringement upon the Monroe doctrine.

It seems to me after such warnings that it would be a crime against this great Republic if Congress failed to make every provision to protect American interests by rapidly increasing our war ships to a maximum that will make our fleets a menace to all nations that should attempt to impinge our American policy. The people demand this protection and are bitterly complaining from the want of foresight on the part of its past and present national legislators.

This country has not seen the end of war, nor of foreign disputes or international controversies. International peace conferences may resolve and resolve, and they may sing their panegyrical hymns of peace, yet, Mr. Chairman, the lion and lamb are not fraternizing, neither are swords being beaten into plowshares nor spears into pruning hooks, for just so long as there is a powerful nation on the one side, and a weak one on the other, disputes will arise, and the stronger will take advantage of the weaker. Such is the history of nations from the beginning of the world to the present day.

Why is it, Mr. Chairman, that this Republic, which was founded by intelligent, brave, heroic, and fighting stock (which qualities have been inherited by their descendants, who have, North and South, East and West, always demonstrated the courage of their convictions) is without a powerful navy, ready at a moment's notice to meet any emergency to sustain the American policy? Is it because Congresses forgot their responsibilities and wandered from the domain of American vigilance, the watchward of our fathers, and left the old ship of state swinging to her anchor without a watchman or lookout?

Is it not a fact that there has been too much politics in legislation—too many selfish interests centered in Congressional districts? I believe in politics, likewise in partisanship; but, above all, I believe in country first. The better American, the nobler partisan. It is true that every member of this House represents some district; but when a member takes his seat in the National Legislature, he represents, as a member of that great body, every foot of space within the boundary lines of the United States, and every act of his affects in some degree the common weal of the nation.

How often, under the cloak of public improvements, have vast sums of public moneys been wasted in useless improvements to perpetuate political careers?

Citizens who have followed the trend of national legislation will tell you that the public moneys which have been wasted in deepening unnavigable creeks and rivers would have gone far toward building and keeping up our Navy to its proper strength, power, and effectiveness.

While Congress should be more conservative in its appropriations, it can not, in the interests of the people of the United States, economize in appropriations for the maintenance of its Navy—the sheet anchor of our country. It watches over our institutions and resolutely defends every American policy enunciated and established since the Declaration of Independence. [Applause.]

No matter what political strifes we have, or whether the affairs of our Government are administered by a Republican or a Democratic Administration, the Navy never swerves from its line of duty, which is as fixed and true to this Republic as the needle is to the Pole.

The Navy makes no invidious distinctions between parties or sections. Its functions are absolutely American. Keep up our Navy, to the end that it may be equal to and ready for any emergency.

This means peace—peace with honor. [Applause.]

In closing, I will say that no matter what mistakes may have been made in the past, our duty is with the present; and permit me to say that no assemblage clothed with initiative power ever had within its reach a better opportunity to win the encomium of the people and illuminate the pages of history than the present Congress by inaugurating a new departure in its naval legislation on lines so liberal, patriotic, and American that all succeeding Congresses shall follow our precedent as the only safeguard to protect American policy. [Applause.]

Supplementing my remarks, I would suggest the establishment of a board of American admiralty, to consist of five naval officers of long and practical experience, whose duty it shall be to make recommendations to Congress, from time to time, through the Secretary of the Navy, for the perfection of our Navy and keeping it up to a proper standard, as recent developments have already demonstrated its total inadequacy in certain respects.

The Navy of the United States should be a modern one, thoroughly up to date in every particular, and Congress should have at all times in making appropriations the benefit of the views of the most enlightened naval authorities.

Had such a board been in existence during the past ten years

we would not be in foreign markets to-day buying war ships, and the keel of every torpedo boat, torpedo-boat destroyer, and war ship of our Navy would bear the imprint of an American hammer. [Applause.]

Comparative summary of the principal fleets of the world, built and building

Classes of vessels.		British Empire.		France.		Russia.		Italy.		Germany.		United States.		Japan.		Spain.		Chile.	
		a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.	a.	b.
Fit for the line of battle	A	29	9	12	5	10	6	6	2	4	3	4	5	2	3	1	..	..	..
	B	12	..	4	..	4	..	3	..	7	..	..	..	1	..	..	1	..	..
	C	11	..	5	..	..	..	2	..	3	..	1	..	..	..	2	..	1	..
	D	5	..	13	..	6	2	7	..	8	..	6	..	..	..	..	1	..	..
	F	18	4	12	6	10	2	3	4	..	1	2	..	4	4	5	4	1	..
Commerce protection and scouting	G	17	4	2	2	..	2	..	..	1	..	2	..	..	..	..	1	..	..
	H	46	3	16	2	2	..	5	..	3	6	11	..	8	3	1	3	1	1
	I	11	..	6	..	..	..	1	..	..	..	..	..	..	..	6	..	..	..
	J	21	10	14	3	1	..	8	1	7	..	3	..	3	1	..	2	..	..
	K	23	..	..	..	..	..	3	..	1	1	8	..	1	..	3	..	..	..
	L	1	..	13	1	20	..	..	..	6	..	3	..	3	..	5	..	..	1
Coast defense	E	11	..	12	..	21	..	..	..	11	..	13	..	..	..	2	..	..	..
	N	49	..	14	..	13	..	..	..	2	..	..	..	6	..	11	..	..	..
Torpedo attack and defense	M	33	6	13	2	8	..	15	2	9	..	..	..	1	..	11	3	4	..
	O	90	6	..	8	1	14	..	1	9	1	..	3	..	8	6	..	4	..
	P	51	..	43	..	67	..	104	13	63	..	7	8	2	1	10	..	6	..
	Q	30	..	145	28	6	..	4	..	53	..	..	4	22	13	26	..	1	..
	R	104	..	56	..	99	..	69	..	16	..	1	..	4	..	7	..	12	..
Summary:																			
Line		75	13	46	11	30	10	20	6	22	4	13	5	7	7	8	4	4	..
Cruisers		119	17	51	8	23	2	17	1	18	7	27	..	15	4	12	6	4	2
Coast defense		60	..	26	..	34	..	..	..	13	..	13	..	6	..	13	..	..	..
Torpedo flotilla		308	12	257	38	181	14	192	16	151	1	8	15	29	22	60	3	27	..
Unclassified vessels		70	6	102	..	35	..	37	..	18	..	24	..	17	..	96	..	10	..

A. First-class battle ships.
B. Second-class battle ships.
C. Third-class battle ships.
D. Seagoing coast-defense ironclads.
F. Armored cruisers.
G. First-class protected cruisers, 6,000 tons and over.
H. Second-class protected cruisers, 3,000 tons to 5,999 tons.
I. Second-class unprotected cruisers, 3,000 tons to 5,999 tons.
J. Third-class protected cruisers under 3,000 tons.
K. Third-class partially protected cruisers under 3,000 tons.
L. Third-class unprotected cruisers under 3,000 tons, not including old and slow ships.
M. Torpedo gunboats.
E. Nonseagoing coast-defense ironclads.
N. Gun vessels, third class, mounting heavy guns for coast defense.
O. Torpedo-boat destroyers.
P. Torpedo boats, first class.
Q. Torpedo boats, second class.
R. Torpedo boats, third class.

The unclassified vessels comprise all armed vessels not included in the above-mentioned classes, and consist of gunboats, special-service vessels, old and slow cruisers, small gun vessels, and armed dispatch vessels.

Under each nation column *a* contains the number of vessels completed; column *b* the number of vessels building, and shows the present activity in naval construction. Column *a* may be taken as the present naval strength of each nation; columns *a* and *b* combined as the strength in 1900.

FEBRUARY, 1898.

Mr. MEYER of Louisiana. Mr. Chairman, I now yield to the gentleman from North Carolina [Mr. SKINNER].

Mr. SKINNER. Mr. Chairman, the provision for our Navy in this crisis of our history is of international importance and of universal interest, as it carries with it, as it should, extraordinary provisions and authority.

Standing as we do on an isthmus connecting the dead and unborn—the fathers of our liberty who have gone before us and the sons that are to come after us, in joy or sorrow—we should in this serious crisis pause and dedicate our hearts to our country, to humanity, and to liberty, and our minds to sacred, sober contemplations on our duty to ourselves, to the human family, and to that Being who stood by our fathers in the great day of their fiery trial and by whom we will be held accountable for the manner in which we shall direct and deliver the responsible trust which in His inscrutable wisdom has been imposed upon us.

Mr. Chairman, the brow of civilization at this hour of the world's history seems to be wrinkled with the frowns of war. Not an instant of time within four centuries can be recalled when the rumors of war so simultaneously and universally reverberated.

No great war in actual progress, but preparations for war everywhere. Japan has voted in preparation for war her yens, Russia her rubles, England her pounds sterling, the United States her dollars, and Spain has hawked her depreciated credit on every market to obtain the means and sinews of war.

There is war in Cuba, and we should have made this declaration of truth to the world long ago and had the powers of the earth to know and feel with absolute certainty that this country by inspiration, inheritance, and obligation is the ally, guardian, and protector of suffering humanity and liberty, certainly on this continent. There is preparation for war between this country and Spain. All Europe is growling at each other over a division of the Chinese spoils. Japan is rushing her military forces to her Pacific coast, England is fighting Mahdi in Central Africa and her rebelling tribes in North India. In South America Argentina is preparing for a conflict with Chile, and in Crete the conditions of Moslems and Christians are anything but quiet.

The spirit of apprehension and preparation covers and encircles the globe. And if these great powers, by design or complication, shall be drawn into active hostile engagements, with the modern improved destructive implements of warfare, no man can foretell the end, the result, or the consequences.

War is our business, but to whom is given
To die or triumph? That determine, Heaven.

The face of the whole civilized world may be changed.

All our accumulated and inherited wealth of letters, learning, history, science, ingenuity, genius, invention, discovery, progress, civilization, and light here and to the eternal shores may be lost or relegated to a dark age for centuries. Who can foresee, who can foretell? Or the very preparation and appearance of war may solve the great problems of the age, by emancipating nations and men from dependence upon and servitude to the sordid metals and making them more reliant upon their own credit and resources, relegating this relic of barbarism to the realm of commodities, and establishing an equitable basis of distribution for all human national and international transactions, and ushering in the twentieth century with the United States of the World formulated upon that sound and solemn and sacred compact which will be approved on earth and ratified in heaven?

"Nation shall lift no sword against nation. Neither shall they learn war any more."

When learning and art, and especially religion, shall weave ties that shall make war fratricide.

Mr. Chairman, under these conditions it may be statesmanship, consummate diplomacy, and wise patriotism and prophetic caution to prepare for the seeming conflict, with the reserved, patriotic, and Christian hope that the very preparation may avert war and command peace. Prepare wisely, abundantly, with deliberation for defense, yea for aggression, when involving suffering humanity on this continent or kindling the torches of liberty in Cuba, until her shores shall be a continuous circle of light, creating that beautiful circlet in the South Atlantic, that shall increase in size as it broadens, until it bears in the music of its waves this joyous news to every shore of civilization.

War, grim-visaged and destructive, is a relic of barbarism, and should be avoided, if possible, in the interest of Christian peace and civilization and their benign blessings. The brave, honorable Americans and the valuable sinews that we would have to employ and sacrifice in destructive war we need to husband and employ in fighting the battles of peace, whose victories are as renowned as those of war.

We need employ them to bring more comforts to American homes, in enlightening the minds, Christianizing the hearts, and bettering the condition of American masses. We need employ them in still further developing and enriching our already marvelously great country, in extending our commerce on land and sea, in constructing our great inland waterways, in building the Nicaragua Canal, connecting us with the Orient, and other great projects made possible by American genius and enterprise. Desirable as all of these may be and are, yet, if need be, we would make one and all of them a willing sacrifice upon the altar of starving humanity and liberty.

Mr. Chairman, it would seem in this day of light and Christian reason that all international differences could and should be arbitrated. If our quarrel, so just, as we know and feel it to be, was with any other nation in the world, we might indulge the hope for a peaceful settlement, giving adequate actual indemnity for the *Maine*, immediate and substantial relief to the starving Cubans and independence to Cuba upon just and honorable terms. But a history of the rise and fall of Spain, with her invariable record of cruelty, of persecution, of bigotry, of tyranny, of hostility to every sentiment of human freedom, common justice, and enlightenment, forbids us to indulge in the hope of this happy solution. The slavery to which Spain doomed its subjects in the Western Hemisphere was not more cruel than its oppression of the people of Holland or its tyranny over its own people at home.

After all, it may be Divine design and retributive justice that has brought this proud, tyrannical, long-sinning nation to judgment, to confront the Republic of liberty, equality, justice, and civilization, where the wage, the issue, is the triumph of justice, truth, liberty, humanity.

With the God of these attributes and the Father of nations to direct our councils in peace and our armies and navies in war, we should not, we do not, fear the result.

Mr. Chairman, I am a great believer in retributive justice and providential intervention where the welfare of the human family is involved.

I was born in a land cursed with a system of slavery, which was antagonistic to the spirit and letter of our Constitution and

institutions; and when we refused to surrender it peacefully, in my early youth I witnessed it wiped away by an issue of fire and blood, and I have lived, although a personal sufferer, to thank God and to regard the result as a blessing in disguise, making our country stronger, richer, and more hopeful and happier.

I read that in the fourteenth and fifteenth centuries oppressions fell upon and tyranny reigned over the people of Europe, and the oppressed fled from tyranny. They were providentially guided to a home and refuge then beyond the sunset. Their first work was to dedicate this country to God and liberty. They felled the forest and builded the country. The earth responded to their labors and the population multiplied.

But with the development of the country was also developed the sturdy spirit of independence, and when oppression came the spirit of '76 created the formal Declaration of Independence, to my mind and heart on the brightest day that ever beamed upon the moral world. This declaration and its emblem cheered the half-clad and half-fed heroes at Valley Forge, waved over the redoubts on Bunker Hill, floated from the masthead of the *Bon Homme Richard*, kissed the breezes of victory on the waters of Erie and Champlain, and waved in triumph over the army of Wellington on the immortal field of Chippewa, and Cornwallis at Yorktown, tearing liberty's ensign from the British lion.

We read in sacred history that when heavy oppression fell upon the children of Israel, when they were compelled "to make brick without straw," that a leader was raised up for them. They were given a pillar of cloud by day and a pillar of fire by night. The sea was caused to open and they pass as upon dry land, and the waters to recede and destroy their pursuing oppressors. They were given a law of government from amid the lightnings of Sinai. When they were hungry the heavens issued bread, and when thirsty the rocks issued water. The same Providence, in his own time and way, cares for the starving Cubans. He has given this country to them as their promised land, and these people as their guardians, defenders, and protectors; and this has been brought about in a way that we would not shrink from the obligation and responsibility, if we could, and we could not, with respect, if we would.

Mr. Chairman, in this solemn, serious, and anxious moment the American in the White House should, as he does, command our unqualified sympathy, confidence, and approval. Divided as we may be politically, racially, or sectionally, at the water's edge we are one, and our unity is represented by that emblem; and our President and Commander-in-Chief—his policy shall be our policy, his settlement or action shall be ours also.

He has carried with him to prayer, to church, to private and official relation in life the secrets and responsibilities of the crisis. He has demeaned himself with Christian patience, fortitude, and consummate statesmanship, so as to receive the approval of his people and the respect and admiration of the civilized world. We can trust him to develop his own policy; that policy we are sure will be a humane, liberty-loving, broad American policy, such as all Christendom will applaud and approve.

Mr. MEYER of Louisiana. I yield to the gentleman from Massachusetts [Mr. FITZGERALD].

[Mr. FITZGERALD addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOUTELLE of Maine having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 5865. An act to authorize the Monroe Railway and Construction Company to construct a bridge across Red River at or near Grand Ecore, La.; and

H. R. 1803. An act for the relief of Joseph P. Patton.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. ISHAM G. HARRIS, late a Senator from the State of Tennessee.

Resolved, That as a mark of respect to the memory of the deceased, the business of the Senate be now suspended, to enable his associates to pay proper tribute of regard to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as an additional mark of respect, the Senate, at the conclusion of these ceremonies, do adjourn.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. MEYER of Louisiana. I yield to the gentleman from North Carolina [Mr. KITCHIN].

[Mr. KITCHIN addressed the committee. See Appendix.]

Mr. DOCKERY. Mr. Chairman, I shall support the bill now pending to maintain and increase the American Navy. The necessity for additional war ships is so obvious that argument becomes unnecessary. The barbarous character of the warfare waged by Spain in Cuba is no longer in dispute. The awful desolation and destruction of human life carried on there under Spanish rule are now no longer matters of contention. For months the American correspondents in Cuba have recited in our press the harrowing details of slaughter, rapine, starvation, and extermination inaugurated by Weyler, and so appalling is the story that the American people have been loath to believe it. But the statements of Senator PROCTOR, Senator GALLINGER, Senator THURSTON, and other eyewitnesses recently returned from the island fully vindicate the honor and veracity of the American press correspondents.

Indeed, Mr. Chairman, language seems impotent to depict, much less to exaggerate, the cruelties perpetrated by Spain in her efforts to exterminate the Cuban population. The wholesale carnival of blood visited by the early Spanish Conquistadores upon the unresisting aborigines of the West Indies, Mexico, and Peru at the beginning of her sovereignty over America, the atrocities of the Duke of Alva in the Netherlands, the massacre of the Armenians by the Turks, and the scalping of helpless women and children by the Apaches do not surpass the recent crimes of Spain in Cuba. It is estimated that more than 400,000 Cubans have already perished by Spanish cruelty. I declared months ago that the United States should not longer hesitate to intervene in behalf of Cuba's freedom.

Every hour of delay only intensifies the sufferings and miseries of the hapless Cubans. The dictates of humanity and of civilization peremptorily forbid further delay. It can not be that this great country will much longer tolerate on the American continent Spanish atrocities like those of the Dark Ages. The time for action, for intervention, for interference, for swift and sudden cessation, has come. Sir, I believe the President will respond to the unanimous desire of the American people and go, with Congress and the nation, to the end, without halting or looking back. I am convinced that he desires to start aright. Surely he must be nearly ready for the march. It now seems that war is inevitable. Mr. Chairman, if it is necessary, let it come, and let it drive the cruel, treacherous Spaniard from the Western World. Whether the outcome of present conditions be war or peace, we should build up and strengthen the American Navy. [Applause.]

Mr. MEYER of Louisiana. I now yield thirty minutes to the gentleman from Wyoming [Mr. OSBORNE].

Mr. OSBORNE. Mr. Chairman, as a general proposition, I am opposed to discussing subjects not directly connected with the legislation we have under consideration; but the fact that misleading statements have been made upon this floor during the discussion of monetary legislation, statements which, in my opinion, ought not to be permitted to go to the country unanswered, and the further fact that they, under our rules, can be answered in no other manner, must be my excuse for craving the indulgence of the House at this time.

I listened, Mr. Chairman, to the speeches made by gentlemen on that side of the Chamber during the debate on the Teller resolution. I have more recently listened to the speech upon the financial question made by the distinguished gentleman from New York [Mr. ALEXANDER], and I now want to say that in my hearing since I served as a member of this body there has not been an argument advanced offering a legitimate defense of the single gold standard. We have heard our great reform leader maliciously traduced; we have heard our cause abused; we have listened to unjustifiable predictions of dreadful impending calamities that will befall us after silver is remonetized; but I have not heard a single argument based on defensible premises; not an argument backed up by historical deductions or logical reasoning.

Right in this connection, Mr. Chairman, I want to remark that any cause which must be upheld by ridiculous untruths or by mystifying half-truths can but prove a menace to the liberties of the people, and on general principles, without further argument, merits the stamp of their righteous condemnation. We have been told repeatedly that the conservative people of this country do not want to experiment with any new financial system during these critical times, a statement which naturally conveys the idea that bimetallism is something new, is an experiment. We deny this allegation.

Bimetallism has been thoroughly tried and has never failed to keep this body politic sound in wind and limb. It was in use away back in our colonial days. It was established as the American financial system in 1792, shortly after the declaration of our independence as a nation. It remained in continuous use and served us faithfully until stolen from us by the dastardly conspiracy of 1873. It was while silver and gold were recognized as our money of ultimate redemption, money endowed with full debt-paying capacity, that we laid the foundation for and erected here the grandest nation on earth.

We during that period created wealth which was justly distributed amounting to enough to buy the countries of Russia, Turkey, Egypt, Norway, Sweden, Denmark, South Africa, Australia, and all of South America, with their lands, palaces, factories, mines, ships, flocks, jewels, crowns, money, all of their wealth of every

description, wealth that had been accumulating for centuries, while our country was comparatively new. We then, Mr. Chairman, were a bold, a fearless, a proud leader of nations, not as to-day a stumbling follower, not an humble supplicant for permission to legislate for ourselves.

We coined and issued all of our own money, and every dollar of that money was worth a hundred cents. It was all sound, all honest, and yet we did not find it necessary to keep a reserve fund of $100,000,000 in the Treasury as a guaranty that our debts would be paid. The honor, the integrity, the enterprise, and patriotism of the American people were a sufficient guaranty that we would meet all just demands, as they ought to be now. We had in those days neither 50-cent silver dollars nor 200-cent gold dollars. Our dollars were all at a parity; each was at a parity with the other, and, above all, the products of toil were at a parity with them. We not only had honest dollars, but we had honest pounds of cotton, honest bushels of wheat, and honest days labor. We had neither idle men nor idle money; they were both employed earning fair compensation.

We are told, however, that the nation has more wealth to-day than it had in 1873. True; but who to-day owns the wealth of this nation? Under your system of confiscation a large portion of the earnings of the masses has been misappropriated by the few. Four per cent of our people have been permitted under this system to absorb more than 80 per cent of the nation's entire wealth. In the States of New York and Massachusetts, where the greatest wealth is concentrated, we find existing the greatest proportion of poverty. In these States, around which an insurmountable wall of protective tariff has been erected, one-third of the support of families falls upon helpless women and children, who ought to be at home by the fireside. They have been driven into the factory and sweat shops because husbands, fathers, and brothers can not earn enough to provide food and raiment for those dependent upon them.

Never was humanity so cold and hungry, never were so many out of employment, as at the present time. The concentration of wealth, Mr. Chairman, in the hands of a few individuals does not mean universal prosperity. Prosperity depends not upon the accumulation of wealth, but upon its just distribution, and such prosperity as has been forced upon a few favored individuals by vicious legislation means distress and poverty among the actual producers of that prosperity. So we say the history of events warrants us in making the assertion that it is not the experiment we are advocating; we are merely warning you against the continuance of your experiment, which has brought so much suffering to humanity. We demand, not an experimental financial system, but that old-fashioned, that tried and true, that constitutional financial system which was recommended by Jefferson, approved by Washington, and subsequently indorsed by Jackson, Lincoln, and Blaine, true patriots, who to-day, if they were among us, would, in all probabilty, be termed anarchists and repudiators.

The distinguished gentleman from New York [Mr. ALEXANDER] asks if there has ever been an international agreement, or if there is any hope of an international agreement. In answer to the gentleman we say there has never been an international agreement; there is not the slightest hope of an international agreement; there has never been the remotest necessity for an international agreement, and we do not care whether there ever is an international agreement. We have managed to get along very nicely without an international agreement.

Before the resumption of specie payment, when we had neither gold nor silver in circulation, we had no trouble in settling our trade balances with foreign countries and in retaining their confidence. During that time our growth in wealth, in population, and in commercial importance was without a parallel in history. Just think of it. This great nation, with its industrious and enterprising people, a nation whose productive capacity of all the world needs is only limited by what the world demands of us, a nation which Gladstone tells us has the foundation for the greatest continuous empire ever established by man, a nation which we were told by General Grant could support 500,000,000 of people, and yet to-day, with but 70,000,000 of people, 10,000,000 of them are suffering for the actual necessities of life.

A nation whose internal commerce even now during these critical times exceeds the foreign commerce of all the world, a nation whose commerce is one-third of the commerce of the entire world, a nation whose internal commerce is 96 per cent of our entire commerce, leaving but 4 per cent of our trade with foreign countries—and yet for the sake of this 4 per cent, this mere bagatelle, the greater portion of which will come to us anyway, they tell us that we must wait until England and other foreign countries will permit us to legislate for ourselves.

We contend, Mr. Chairman, that it is not necessary to ask the consent of England. We contend that it is extremely unwise to ask the advice of foreigners who are not in sympathy with our American institutions upon matters pertaining to the welfare of the American people. England, a creditor nation, will never give her consent. She has always favored scarce and dear money, and when I say this I do not refer to industrial England, I refer to bondholding England.

If the industrial masses of England could to-day vote on this question, they, by an overwhelming majority, would vote in favor of the double standard, the double measure of values. But bondholding England, the few who own the dollars, want those dollars scarce; they want dear dollars, realizing that dear dollars mean the ruination of American producers. Why, away back more than one hundred years ago, this same class of money sharks paralyzed the commerce of our American colonies by commanding that no more paper bills be issued, and then destroyed the legal-tender function of those in existence.

They again at one time by counterfeiting our colonial currency endeavored to so weaken confidence in it as to produce a disastrous contraction. But in 1783 it was generally presumed throughout the world that our independence, both financial and political, was established for all time to come through the valorous deeds of an American ancestry. We since that time have been boasting of our independence, of the freedom we enjoy under this republican form of government, of our fortunate escape from British bondage, little dreaming that in an unguarded moment our old enemy, taking advantage of our inexperience in crafty legislation, had, through her Benedict Arnolds on this side of the Atlantic, again drawn us within her relentless grasp by destroying one-half of our debt-paying money.

The British bondholder did not dare to openly advocate an enlargement of our debts or a system of confiscation which would cut in half the prices of our farm products, realizing that such a bold maneuver would in all probability arouse again the spirit of 1776, but by a little legislative legerdemain she, through her pliant tools on this side, accomplished the identical object by depriving us of one-half of the money which we are obliged to pay our debts with. We repeat England, a creditor nation, has always favored dear money, and ours, a debtor nation, should, for self-preservation if for no other reason, oppose her selfish policy.

We are the most deeply interested in maintaining an honest dollar, because in the development of this new country—and our development has but begun—an enormous debt has been created, payable in honest dollars. And what is an honest dollar? Our definition of an honest dollar is a dollar that costs no more to buy, a dollar that measures no more of the products of toil, than the dollar originally borrowed. We are willing to pay in this kind of dollars. We are willing to pay in honest dollars. We are willing to pay in 100-cent dollars; but we protest against paying in dishonest dollars, in dollars made dishonest by unconstitutional laws, and in taking this position we are not advocating repudiation, as is charged. We are merely condemning confiscation.

If we are an independent people, as we boast, let us stop paying unjust tribute to those who would destroy our independence. Let us wipe from our statute books those unconstitutional laws which are obstructing our development as a nation, laws which are despoiling our producing masses to enrich the idle classes, laws which are throttling the very existence of American manhood. Let us follow the advice given by that illustrious American, James G. Blaine, who said:

> I consider gold and silver the money of the Constitution—indeed, the money of the American people anterior to the Constitution. The responsibility of restoring silver to its ancient and honorable place devolves on the Congress of the United States. If we act here with firmness, the influence of our example will be potential with other countries.

And what further did Mr. Blaine say? Did he advise us to beg England for permission to legislate for ourselves? Did he advise us to send Wolcott commissions abroad to prostitute the dignity of American manhood for the amusement of foreign scoffers? No. That illustrious American, James G. Blaine, further advised that we "make Europe recognize American silver by first remonetizing it ourselves."

Gentlemen insist that the idea of remonetizing silver is but the flitting dream of a few deluded cranks who want silver to advance in value because the Western mine owners will thereby be benefited. And then, with almost the same breath, they proceed to tell us that value can not be legislated into money. There was scarcely a leader on the other side of the Chamber who, during the debate on the Teller resolution, did not insist that we can not legislate value into money, that the bullion value of the silver in a dollar is 50 cents, that this is the intrinsic value of the silver, and that we can not legislate any more value into it. Now, if we can not legislate value into money, the remonetization of silver will not cause silver to advance in value, and all this talk about the fabulous fortunes which are to accrue to the imaginary silver miners' trust is without foundation.

We know, however, Mr. Chairman, that we can legislate value into money. We know that money has no value except by legislation; that the remonetization of silver will cause it to advance to $1.29 per ounce; that as soon as it is remonetized one ounce of silver will be worth one-sixteenth of an ounce of gold. We judge

the future by what the history of the past has clearly demonstrated. We want it to advance, not because it will benefit the mine owners, but because it will benefit 99 per cent of the American people.

To be sure, the mine owners, in common with others, will be benefited, but this is a matter of minor importance. Fifty per cent added to the value of our silver output will increase the mine-owners' income but about $35,000,000 a year, while 50 per cent added to the value of our wheat and cotton crops will increase the farmers' income on these two products alone not less than $200,000,000 a year.

If the gold worshipers are jealous of our Western mine owners, they can go out West and compete with them.

The privilege of prospecting and mining in the Western country is not monopolized by a close corporation as is the case with some of the leading industries in the East. But do you know, sirs, that in the State of Colorado, our greatest silver-producing State, and our greatest gold-producing State, too, by the way—I say do you know that in the State of Colorado the value of her farm products is double and the value of her factory products is more than quadruple the value of her entire silver output? While if silver had never been demonetized the mine owners would have realized during the last thirty-five years something like $270,000,000 more than they have realized, during the same time the cotton planters would have realized not less than $2,000,000,000 more and the wheat grower not less than $3,500,000,000 more than they have realized.

Without itemizing the greatly increased profits which would have accrued on other products of the farm, I feel justified in stating, after a careful study of the most reliable statistics to be obtained on this subject, that the loss sustained on farm products alone during the last thirty-five years, while the price of the dollar has been steadily appreciating and the price of all commodities steadily depreciating, reaches the enormous sum of $35,000,000,000. One billion dollars a year has been lost by this system of contraction. One billion dollars a year means about $3,000,000 a day. That is more than it cost on both sides to conduct the late civil war. Just think of it! A greater continuous drain on the American farmer, day after day, year after year, decade after decade, than that occasioned during the five years of that dreadful civil war.

Why, this loss is more than double your entire tariff-revenue receipts, your internal-revenue receipts, and your miscellaneous Treasury receipts combined. Yet we are told that other questions are more important, that we must leave this British financial legislation upon our statute books until haughty England and a few poor deluded American anglomaniacs kindly condescend to let free Americans legislate for themselves.

The cause of this almost incomprehensible loss is finally attributed by our friends on the other side to overproduction of commodities. And yet statistics prove that from 1853 to 1873 the world's annual increase in the production of all commodities was 2.8 per cent, and yet prices advanced during that period 20 per cent. From 1873 to 1893, the succeeding period of twenty years after the demonetization of silver, the world's annual increase in the production of all commodities was but 1.6 per cent, and yet prices fell during the latter period 32 per cent, and are now, as we all know to our sorrow, with but one or two abnormal exceptions, lower than ever before since the discovery of this continent.

No, Mr. Chairman, it is not overproduction of commodities; it is underproduction of money which prevents a proper distribution, and hence a normal consumption of the commodities we are producing. There can be no overproduction of breadstuffs or wearing apparel while the masses are cold and hungry. In 1873 the American people were consuming about 6 bushels of wheat per capita, and they were paying $1.30 a bushel for wheat. In 1895, they were consuming but a little more than 3 bushels of wheat per capita, and yet wheat had fallen to 67 cents a bushel. Now, it is fair to presume that our people needed as much bread in 1895 as they did in 1873, but they could not earn the money to buy the bread they actually needed, notwithstanding the fact that wheat had fallen almost 50 per cent in value.

Your falling prices have curtailed the field for employment. The farmer and the laboring man can not earn the money with which to buy of the country merchant. The country merchant can not buy of the jobber, the jobber can not place his orders with the manufacturer. The factory closes, and then goes up the cry, "Vote for a higher tariff in order that our factories and mills may once more be opened. It is more necessary to open our factories and our mills than it is to open our mints." You heard that in the last campaign, and, strange as it may seem, a great many farmers, producers, and laboring men are still voting that old ticket; still voting for a higher tariff; still permitting themselves to be drawn deeper and deeper into the meshes of this relentless money power by that siren cry.

They seem to forget that it is not more taxation and less money they need, but less taxation and more money. Why, my friends, if overproduction is the cause of falling prices, what remedy are you going to offer? How will you stop prices from falling if overproduction is the cause? Will you stop producing? Will you close your factories and stop cultivating the farm, and thus reenforce the great army of American tramps by thousands and thousands of new recruits taken from the ranks of honest toil?

No, Mr. Chairman, neither the perpetuation of the present vicious system of taxation, which has added steadily to the tax on consumption until the industrial masses, owning but one-tenth of this nation's property, are obliged to pay nine-tenths of the nation's taxes, nor your bankers' monetary system can blow up from this vast expanse of distress and impoverishment that great tidal wave of prosperity for which you are so anxiously longing. I will tell you what it is doing. It is arousing a vast tidal wave of public indignation which will in the not far distant future sweep you and your trust-breeding laws out of existence. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DRIGGS. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The time is in the control of the gentleman from Louisiana [Mr. MEYER].

Mr. MEYER of Louisiana. Inasmuch as the two gentlemen who were to have the remainder of the time on this side are absent, I of course have no objection to granting the gentleman's request.

The CHAIRMAN. The time of the gentleman from Wyoming is extended five minutes.

Mr. OSBORNE. I read again from the speech of the distinguished gentleman from New York [Mr. ALEXANDER]:

> Free-silver men have been active and persistent, going up and down the land enforcing their views, printing pages of speeches in the CONGRESSIONAL RECORD, and mailing them free of cost throughout the country. Their campaign has been continuous. Defeat did not stop them, and delayed hopes do not discourage them.

Now, if we must apologize to the gentleman for being active, I want to say to him that we still have confidence in the patriotism of the American people. We believe the American people want to do right. We believe the American people will do right when they ascertain in which direction the finger of justice beckons them. The strength of our cause is the justice of our cause, and we have but to educate the people upon this great economic question in order to have them behind us in our fight.

We are active, we are persistent, and we have met nothing to discourage us in the work. In the preliminary skirmish of 1896 our dauntless leader polled six and one-half million votes. He polled more votes than had ever before in the history of this nation been cast for the Presidential candidate of any political party, and that splendid result was achieved notwithstanding the fact that the wealth of two continents was poured in here to deprive American citizens of their constitutional right to cast a free and untrammeled ballot. [Applause on the Democratic side.]

To be sure, we met with a temporary defeat in that contest, but that defeat only served—let me sound the warning—it only served to more thoroughly amalgamate the conscientious reform forces of all the reform political parties. Let me say to the gentleman further that we are to-day more closely united than ever, and we have registered a vow never to cease our efforts in this good work until the wrongs of the common people are righted. [Applause on the Democratic side.] We won a victory in that campaign, for we, in the city of Chicago, after one of the fiercest struggles ever recorded in the history of American politics, rescued the standard of Democracy from the hands of the traitorous leaders who had so basely prostituted the sacred trust reposed in them, and to-day, thank God, consecrated anew to the principles so fearlessly upheld by Jefferson, Democracy still lives to bless mankind. [Applause on the Democratic side.]

We made the issue in that contest, and that was a victory. We inscribed upon our banner a platform recommending the enlargement of our primary money, protesting against placing the burden of taxation upon the shoulders of those least able to bear it—a platform in spirit reiterating the words of warning uttered by Daniel Webster:

> The liberties of the people can not long endure in a country where the tendency is to concentrate wealth in the hands of the few.

Now, Mr. Chairman, in conclusion, as that was our platform in 1896, it is still our platform, and will continue to be our platform until there is once more restored to this country a government for and by those governed.

We not only have our platform framed ready for you to criticise, but the American people have already nominated a candidate for the Presidency upon that platform, one who when elected will fulfill its every pledge. Continue to heap your abuse upon him, if you will, but that abuse only tends to magnify his unsullied Americanism. He stands before the American people possessing the statesmanship of a Jefferson, the courage of a Jackson, the eloquence of a Webster, yet with all the gentleness and honesty

of an Abraham Lincoln. [Applause on the Democratic side.] The day is coming, it is not far distant, my friends, when all true Americans of every political creed, of every class, and of every section will unite in thanking God that there has been raised from the common people a William J. Bryan to bless the common people. [Applause on the Democratic side.]

Mr. MEYER of Louisiana. I yield to the gentleman from Texas [Mr. DE GRAFFENREID].

[Mr. DE GRAFFENREID addressed the committee. See Appendix.]

Mr. MEYER of Louisiana. Mr. Chairman, I had promised the remainder of the time apportioned to this side to two gentlemen who are not present. I therefore yield the remainder of the time that I have.

The CHAIRMAN. The gentleman from Louisiana [Mr. MEYER] yields the balance of his time.

And then, on motion of Mr. BOUTELLE of Maine, the committee rose; and the Speaker having resumed the Chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill (H. R. 9378) and had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 8618. An act for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Habana, Cuba.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BRUMM, until Monday evening, on account of important business.

To Mr. HICKS, for ten days, on account of important business.

And then, on motion of Mr. BOUTELLE of Maine (at 5 o'clock and 54 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the Presbyterian Church of Murfreesboro, Tenn., against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of W. W. Jackson against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Interstate Commerce Commission submitting certain items disallowed by the accounting officers of the Treasury—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting draft of a joint resolution for printing the Statistical Abstract of the United States—to the Committee on Printing, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GROSVENOR, from the Committee on Mines and Mining, to which was referred the bill of the House (H. R. 7442) to amend section 2323 of the Revised Statutes of the United States, relating to tunnel rights, reported the same without amendment, accompanied by a report (No. 809); which said bill and report were referred to the House Calendar.

Mr. HOOKER, from the Committee on Rivers and Harbors, to which was referred the joint resolution of the House (H. Res. 175) for a survey of the harbor at Sheboygan, Wis., reported the same without amendment, accompanied by a report (No. 810); which said joint resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution of the House (H. Res. 174) for the improvement of the harbor at Port Washington, Wis., reported the same without amendment, accompanied by a report (No. 811); which said joint resolution and report were referred to the House Calendar.

Mr. RICHARDSON, from the Committee on the District of Columbia, to which was referred House bill 7613, reported in lieu thereof a bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia, accompanied by a report (No. 818); which said bill and report were referred to the House Calendar.

Mr. BERRY, from the Committee on Rivers and Harbors, to which was referred the concurrent resolution of the House (House Con. Res. No. 25) for the improvement of the Big Sandy River in Kentucky, reported the same with amendment, accompanied by a report (No. 821); which said concurrent resolution and report were referred to the House Calendar.

Mr. MUDD, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 771) to incorporate the National Florence Crittenton Mission, reported the same without amendment, accompanied by a report (No. 823); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3472) to incorporate The Masonic Temple Association of the District of Columbia, reported the same with amendment, accompanied by a report (No. 824); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7523) granting an increase of pension to Mary Speier, reported the same without amendment, accompanied by a report (No. 812); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1825) to increase the pension of David Parker, reported the same with amendment, accompanied by a report (No. 813); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8834) granting a pension to John B. Hays, reported the same with amendment, accompanied by a report (No. 814); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6988) for the relief of Emory T. Hipple, reported the same with amendment, accompanied by a report (No. 815); which said bill and report were referred to the Private Calendar.

Mr. BRUMM, from the Committee on Claims, to which was referred the bill of the House (H. R. 3754) for the relief of The William Cramp & Sons Ship and Engine Building Company, of Philadelphia, Pa., reported the same with amendment, accompanied by a report (No. 816); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2299) granting a pension to Caroline A. Slocum, reported the same with amendment, accompanied by a report (No. 819); which said bill and report were referred to the Private Calendar.

Mr. CURTIS of Kansas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 9282) transmitting and referring the claim of the Turtle Mountain Band of Chippewa Indians to the Court of Claims under the provisions of the Bowman Act, an act approved March 3, 1883, and for other purposes, reported the same without amendment, accompanied by a report (No. 820); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2669) granting a pension to Henry H. Tucker, reported the same with amendment, accompanied by a report (No. 822); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

From the COMMITTEE ON THE DISTRICT OF COLUMBIA: A bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia—to the House Calendar.

By Mr. JENKINS: A bill (H. R. 9429) to authorize the acquisition of certain real estate for the purpose of a site for a hospital for the treatment of contagious diseases—to the Committee on the District of Columbia.

By Mr. EVANS: A bill (H. R. 9430) to amend the internal-revenue laws relating to distilled spirits, and for other purposes—to the Committee on Ways and Means.

By Mr. SPARKMAN: A bill (H. R. 9475) to furnish the Supreme Court reports and the reports of various courts of appeals of the United States to certain courts—to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: A joint resolution (H. Res. 194) for the creation of a joint commission—to the Committee on the Post-Office and Post-Roads.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BOUTELL of Illinois: A bill (H. R. 9431) granting a pension to Byron F. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9432) to correct the record of Stephen W. Coakley—to the Committee on Military Affairs.

Also, a bill (H. R. 9433) for the relief of Emma P. Drake—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 9434) granting a pension to Alice Bozeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9435) to remove the charge of desertion from the military record of Lewis Rankin—to the Committee on Military Affairs.

Also, a bill (H. R. 9436) granting a pension to William H. McKeny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9437) granting a pension to Henderson M. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9438) to increase the pension of William R. Wiggins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9439) for the relief of David Bolling—to the Committee on Claims.

Also, a bill (H. R. 9440) to increase the pension of William Ewin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9441) to increase the pension of George W. Rhodes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9442) to increase the pension of John M. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9443) granting a pension to James C. Finn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9444) granting a pension to C. D. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9445) granting a pension to William Newby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9446) granting a pension to Sallie Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9447) granting a pension to Augustus Voigt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9448) to remove the charge of desertion from the record of Jeremiah McDaniel—to the Committee on Military Affairs.

By Mr. COX (by request): A bill (H. R. 9449) for the relief of the estate of Mrs. E. M. Booker, deceased, late of Columbia, Tenn.—to the Committee on War Claims.

By Mr. DE GRAFFENREID: A bill (H. R. 9450) to remove the charge of desertion from the record of James Morris—to the Committee on Military Affairs.

By Mr. MARSHALL: A bill (H. R. 9451) granting a pension to Josiah B. Deeter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9452) for the relief of B. Frank Yazel—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 9453) granting an increase of pension to John W. Case, of Carlisle, Ind.—to the Committee on Invalid Pensions.

By Mr. ODELL: A bill (H. R. 9454) for the relief of Jeronemus S. Underhill—to the Committee on Claims.

Also, a bill (H. R. 9455) granting an increase of pension to Richard Atkinson—to the Committee on Invalid Pensions.

By Mr. OGDEN: A bill (H. R. 9456) for the relief of the estate of Edward Eley, deceased, late of Natchitoches Parish, La.—to the Committee on War Claims.

By Mr. PUGH: A bill (H. R. 9457) for the relief of Samuel Berry—to the Committee on War Claims.

By Mr. ROBBINS: A bill (H. R. 9458) granting increase of pension to Daniel W. Dougherty, of Saltsbury, Pa.—to the Committee on Invalid Pensions.

By Mr. STARK: A bill (H. R. 9459) granting an increase of pension to Alonzo Lewis, of Stockham, county of Hamilton, Nebr.—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 9460) granting a pension to Levi Caldwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9461) granting an increase of pension to Ellen C. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9462) granting a pension to Phronie A. Woodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9463) granting a pension to Elisabeth S. Spaulding—to the Committee on Invalid Pensions.

By Mr. TAYLOR of Alabama: A bill (H. R. 9464) for the relief of Franklin W. King—to the Committee on Pensions.

Also, a bill (H. R. 9465) for the relief of Elisha B. Lott—to the Committee on Pensions.

By Mr. ELLIS: A bill (H. R. 9466) to pension John H. Boyd—to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 9467) to pension William F. Davisson—to the Committee on Invalid Pensions.

By Mr. KNOX: A bill (H. R. 9468) granting a pension to Emma A. Andrews, widow of Daniel W. Andrews—to the Committee on Invalid Pensions.

By Mr. CALLAHAN: A bill (H. R. 9469) for the relief of J. A. Courtney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9470) granting an increase of pension to Ahi, S. Loudermilk—to the Committee on Invalid Pensions.

By Mr. HARMER: A bill (H. R. 9471) for the relief of Joseph B. Hughes, late private Company D, Eighty-first Regiment New York Volunteer Infantry, and late private Company B, One hundred and nineteenth Pennsylvania Volunteer Infantry—to the Committee on Military Affairs.

By Mr. PACKER of Pennsylvania: A bill (H. R. 9472) for the relief of Samuel Finch—to the Committee on Military Affairs.

By Mr. STALLINGS: A bill (H. R. 9473) granting an increase of pension to James R. Cook—to the Committee on Pensions.

By Mr. SKINNER: A bill (H. R. 9474) for the relief of R. T. Priddy, executor of John D. Priddy, deceased—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Elizabeth Lodge, No. 444, of Elizabeth, Pa.; Hancock Lodge, No. 231, and Our Lodge, No. 407, Knights of Pythias, of Coal Center, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petition of Washington Lodge, No. 13, Amalgamated Association of Iron and Steel Workers, of Pennsylvania, favoring the passage of the anti-injunction bill and the bill for the relief of American seamen—to the Committee on Labor.

By Mr. ADAMS: Resolution of the Philadelphia (Pa.) Board of Trade, in favor of House bill No. 8066, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Union No. 1, Steel and Copper Plate Printers' Union, of Philadelphia, Pa., protesting against any change in the manner of printing Government securities at the Bureau of Engraving and Printing—to the Committee on Appropriations.

By Mr. BARHAM: Petitions of the Woman's Christian Temperance Union of Dows Prairie, Cal., and the Society of Christian Endeavor of Albion, Cal., for the passage of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Colusa and Nimshew, Cal., for the bill forbidding the interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Quincy and Napa, Cal.; the Young People's Society of Christian Endeavor and citizens of Albion, Cal., and American citizens of Redding, Cal., and vicinity, to forbid the sale of intoxicating beverages in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BELFORD: Petition of the Chamber of Commerce of Cincinnati, Ohio, for an appropriation for the maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. BELL: Petitions of R. L. Chambers, C. L. Johnson, N. S. Gandy, and other citizens of Colorado Springs, Colo., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Grand Junction and Durango and Board of Education of Aspen, Colo., favoring a bill providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Durango and Mancos and Asbury Methodist Episcopal Church, of Denver, Colo., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories and to forbid interstate gambling by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance unions and certain churches and societies in the State of Colorado, favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BOUTELLE of Maine: Petition of Martha F. Peavey, of Bangor, Me., for a pension—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance Union of Greenville, Me., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. BRODERICK: Petition of the Reform Bureau and a meeting of citizens of Washington, D. C., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on the Judiciary.

By Mr. BROMWELL: Petitions of the Woman's Christian Temperance Union of Hartwell, Ohio, for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Hartwell, Ohio, to forbid the sale of intoxicating liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BRUCKER: Resolution of the Bay County Ministerial Association of the State of Michigan, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BURLEIGH: Petition of the Methodist Episcopal Church of Sturgeon Bay and Young People's Society of Christian Endeavor of St. Albans, Me., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Young People's Society of Christian Endeavor of St. Albans, Me., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: Resolutions of Hall of Improvement Lodge, No. 197, of Clifton Heights, Pa., and Larkin Lodge, No. 78, of Chester, Pa., Knights of Pythias, in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petitions of the Woman's Christian Temperance unions of Jennersville and Blue Rock, Methodist Episcopal Church of Springfield, and churches of Honeybrook, Pa., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union, Springfield Methodist Episcopal Church, and others, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL: Petition of members of the fire department and others, of Xenia, Ill., protesting against the passage of Senate bill No. 2736, in relation to the regulation of insurance—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Rhoads Post, No. 586, Grand Army of the Republic, Department of Illinois, in favor of House bill No. 6553, in relation to the free transmission of certain classes of matter through the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. CAPRON: Petitions of the Woman's Christian Temperance unions of Kingston, Hope Valley, and Usquepaugh, and Christian Endeavor Society of Hope Valley, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance unions of Usquepaugh and Hope Valley, and Christian Endeavor Society of Hope Valley, R. I., to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of certain churches and societies of Phenix, Hope Valley, and Usquepaugh, R. I., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Aso, petitions of certain churches and societies of Kingston, Hope Valley, and Usquepaugh, R. I., asking for the passage of the bill to raise the age of protection for girls—to the Committee on the Territories.

By Mr. CASTLE: Petitions of the Woman's Christian Temperance unions of Pylema and Turlock, and Christian Endeavor Society of Ceres, Cal., favoring the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Turlock, and Young People's Society of Christian Endeavor of Ceres, Cal., favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government building, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. CLARKE of New Hampshire: Petitions of the Epworth League of North Grantham, First Baptist Church of Newport, and Woman's Christian Temperance Union of East Washington, all in the State of New Hampshire, for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of Epworth League of North Grantham, First Baptist Church of Newport, and Woman's Christian Temperance Union of East Washington, N. H., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. COUSINS (by request): Petition of the Congregational Church of Fairfax, Iowa, to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Congregational Church of Fairfax, Iowa, praying for the enactment of legislation to protect State anti-cigarette laws, to forbid interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. CRUMP: Resolution of Bay Division, No. 306, Order of Railway Conductors, of West Bay City, Mich., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of various labor organizations in the State of Michigan, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, petitions of a public meeting at North Branch, Mich., and 150 citizens of Sanilac Center, Mich., in favor of the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DALZELL: Resolutions of Maddoc Lodge, No. 229; of South Side Lodge, No. 158, Knights of Pythias, of Pittsburg, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, resolutions of the Christian Endeavor Society of Mount Washington Presbyterian Church, of Pittsburg, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DAVEY: Resolution of the constitutional convention of Louisiana, asking for an appropriation to complete the monument erected on the plains of Chalmette, in the parish of St. Bernard, to celebrate the battle of New Orleans—to the Committee on the Library.

By Mr. DINGLEY: Petitions of Sabina Lodge of Good Templars, Popham Beach, Me., and Monthly Meeting of Friends, of Durham, Me., for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petitions of Sabina Lodge of Good Templars, Popham Beach, and Monthly Meeting of Friends, of Durham, Me., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of Sabina Lodge of Good Templars, of Popham Beach, and Monthly Meeting of Friends, of Durham, Me., for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIS: Petition of the Reform Bureau and citizens of Washington, D. C., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ERMENTROUT: Petition of Charles Stoughton, for the building of the Harlem Kills Canal as a war measure—to the Committee on Railways and Canals.

Also, memorial of the American Paper and Pulp Association, favoring increased foreign transportation and the Nicaraguan Canal—to the Committee on Foreign Affairs.

Also, resolution of the National Grange, Patrons of Husbandry, favoring postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the Pennsylvania Division of the Travelers' Protective Association, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOOTE: Petitions of citizens of Elizabethtown, N. Y., urging the passage of the Lodge immigration bill—to the Committee on Immigration and Naturalization.

Also, petitions of the Woman's Christian Temperance Union of Franklin, N. Y., favoring the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Franklin, N. Y., for the passage of a bill forbidding the sale of liquor in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GILLETT of Massachusetts: Petitions of the Methodist Episcopal Church of Athol, Mass., asking for the passage of bills to protect State anti-cigarette laws and to forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Second Advent Church of Athol, Mass., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building—to the Committee on Public Buildings and Grounds.

Also, petition of the Second Advent Church of Athol, Mass., for the passage of a bill forbidding the interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. GRIFFIN: Petition of 41 citizens of La Crosse, Wis., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HANDY: Petition of the Woman's Christian Temperance unions of Bridgeville and Townsend, Del., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of Woman's Christian Temperance unions of Bridgeville and Townsend, Del., and Methodist Episcopal Church of Camden, Del., favoring the passage of bills to protect State anti-cigarette laws, to forbid interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. HENDERSON: Petition of Honey Creek Monthly Meeting of Friends, of New Providence, Iowa, in favor of bills to raise the age of protection for girls and to forbid the interstate transmission of lottery messages by telegraph, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Honey Creek Monthly Meeting of Friends, of New Providence, Iowa, praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Honey Creek Monthly Meeting of Friends, of New Providence, Iowa, against the sale of intoxicants in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENRY of Connecticut: Petition of Volunteer Council, No. 38, Order of United American Mechanics, and others, of Rockyhill, Conn., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. HOOKER: Petitions of the First Methodist Episcopal Church and Universalist Church of Friendship, N. Y., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Young People's Union of the Universalist Church of Sherman, N. Y., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: Petitions of the Woman's Christian Temperance unions of South River, Millstone, and East Millstone, N. J.; First Baptist Church, First Presbyterian Church, and Methodist Church of Lambertville, N. J., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary,

Also, petitions of the Woman's Christian Temperance unions of Millstone, East Millstone, Lambertville, and South River; First Baptist Church, First Presbyterian Church, and Methodist Church of Lambertville, N. J., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Atlantic Highlands Baptist Church, of Monmouth County, N. J., for the passage of a bill to protect anti-cigarette laws—to the Committee on the Judiciary.

By Mr. JETT: Six petitions of John I. Foulkes and others, J. F. Upham and others, Pettibone, Sawtell & Co., Vogers, Porter & Myer, J. C. Hollanday and others, Marshall Field & Co., and other firms, of Chicago, Ill., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of North Dakota: Petition of the Methodist Episcopal Church, Christian Endeavor, and Woman's Christian Temperance Union, of Absaraka, N. Dak., Methodist Episcopal Church of Reynolds, and Woman's Christian Temperance Union of Fessenden, N. Dak., for the passage of bills to forbid interstate gambling by telegraph, and to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church, Christian Endeavor, and Woman's Christian Temperance Union, of Absaraka, Cooperstown, and Fessenden, and Methodist Episcopal Church of Reynolds, all in the State of North Dakota, against the sale of intoxicants in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union, Christian Endeavor, and Methodist Episcopal Church, of Absaraka; Methodist Episcopal Church and Epworth League, of Reynolds; Woman's Christian Temperance unions of Fessenden and Cooperstown, all in the State of North Dakota, praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

By Mr. KERR: Petitions of the Woman's Christian Temperance Union, Congregational Church, and public schools, of New London, Ohio, asking for the passage of bills to forbid the interstate transmission of lottery messages and other gambling matter by telegraph, and to protect anti-cigarette laws and raise the age of consent to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union and Congregational Church, of New London, Ohio, to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KETCHAM: Petitions of the Woman's Christian Temperance Union of Wassaic, N. Y., and Schultzville Christian Church, of Clinton Corners, N. Y., for the passage of bills to raise the age of protection for girls, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Wassaic, N. Y., and Schultzville Christian Church, of Clinton Corners, N. Y., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KNOX: Paper to accompany House bill granting a pension to Emma A. Andrews, widow of Daniel W. Andrews—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: Petitions of the Woman's Christian Temperance unions of Roadstown, and Freesburg, and Presbyterian Church of Greenwich, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Roadstown and Freesburg, and Presbyterian Church of Greenwich, N. Y., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. LOVERING: Petition of the Woman's Christian Temperance Union of Bridgewater, Mass., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Bridgewater, Mass,, favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. McCORMICK: Papers to accompany House bill No. 9372, granting a pension to Matilda E. Outhel—to the Committee on Invalid Pensions.

By Mr. MEEKISON: Petition of the Woman's Christian Temperance Union and churches at Ridgeville Corners, Ohio, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Ridgeville Corners, Henry County, Ohio, to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Paper to accompany House bill for the relief of John W. Case—to the Committee on Invalid Pensions.

By Mr. ODELL: Petition of Fred W. Northrop and 72 citizens of Sing Sing, N. Y., for the passage of a bill to prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. PARKER of New Jersey: Petition of Erwin T. Bussman and 61 citizens of Newark, N. J., protesting against the passage of a bill to restrict immigration—to the Committee on Immigration and Naturalization.

Also, petitions of Bethel Presbyterian Church and Woman's Christian Temperance Union, of East Orange, and De Groot Methodist Episcopal Church, of Newark, N. J., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of East Orange, N. J., praying that the age of protection for girls be raised to 18 years in the District of Columbia and the Territories, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union, Bethel Presbyterian Church, of East Orange, and De Groot Methodist Episcopal Church, of Newark, N. J., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Eighth Avenue Methodist Episcopal Church, of Newark, N. J., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. PRINCE: Petition of the United Presbyterian Church and Young People's Christian Union of Aledo, Ill., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. RAY of New York: Petition of the Woman's Christian Temperance Union of Kendall, Wis., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Reform Bureau and citizens of Washington, D. C., favoring the passage of a bill to limit absolute divorce to cases of adultery in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. ROBBINS: Resolution of Charity Lodge, No. 488, Knights of Pythias, in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. SAUERHERING: Petition of F. M. Pulser and 28 citizens of Kilbourn, Wis., in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SHAFROTH: Petitions of the Woman's Christian Temperance Union of Denver, Colo., for the passage of bills forbidding the interstate transmission of lottery and other gambling matter by telegraph, to protect State anti-cigarette laws, and to raise the age of protection to 18 years—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Denver, Colo., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHERMAN: Petitions of Department Grand Army of the Republic of Virginia, Department Grand Army of the Republic of Alabama, Paper Trade Association of Boston, Mass., Master Builders' Association of Boston, Mass., and Holland Patent (N. Y.) Grange, No. 636, Patrons of Husbandry, in favor of House bill No. 7180 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SHOWALTER: Petitions of the Woman's Christian Temperance Union of Rochester, Pa., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Bruin, Pa., for the passage of bills to prohibit the interstate and mail circulation of newspaper descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Bruin, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SIMPSON of Kansas: Petition of the Southwest Kansas Conference of the Methodist Episcopal Church, in favor of bills to raise the age of protection for girls and to forbid the interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Southwest Kansas Conference of the Methodist Episcopal Church, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SOUTHARD: Petition of the Walding, Kinnan & Marvin Company and other firms of Toledo, Ohio, urging bankruptcy legislation—to the Committee on the Judiciary.

By Mr. SPRAGUE: Resolutions of the Boston Paper Trade Association, New England Metal Association, New England Confectioners' Club, and Bay State Division of the Brotherhood of Locomotive Engineers, all of Boston, Mass., urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Paint and Oil Club, of Boston, Mass., in favor of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

By Mr. STARK: Petitions of the Woman's Christian Temperance unions of Cedar Bluffs, Fairmont, Hebron, and Valparaiso, United Brethren Church and Methodist Episcopal Church of Seward, and First Presbyterian Church of Fairmont, all in the State of Nebraska, for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain churches and Woman's Christian Temperance unions of the State of Nebraska, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the sale of alcoholic liquors in Government buildings—to the Committee on the Judiciary.

By Mr. STEWART of New Jersey: Petition of Hackensack Valley Council, No. 182, Junior Order United American Mechanics, of Hackensack and vicinity, State of New Jersey, in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of Washington Camp, No. 4, Patriotic Order Sons of America, of Trenton, N. J., for the passage of the Lodge immigration bill—to the Committee on Immigration and Naturalization.

Also, petition of the First Reformed Church of Little Falls, N. J., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the First Reformed Church of Little Falls, N. J., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. STEELE: Petition of the board of governors, Indianapolis Board of Trade, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SNOVER: Petition of the Woman's Christian Temperance Union of Algonac, Mich., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Algonac, Mich., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of citizens of Jeddo and Carsonville, Mich., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES W. STONE: Petition of H. M. Clark and 19 citizens of Pennsylvania, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Sheffield, Warren County, Pa., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STROWD of North Carolina (by request): Petitions of citizens of Henderson, N. C., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. UPDEGRAFF: Petition of J. H. Ellsworth, C. E. Hunting, and 39 other citizens of McGregor, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. VINCENT: Papers to accompany House bill No. 7191, granting an increase of pension to Frederick E. Vance—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petition of the Woman's Christian Temperance Union of North Bergen, N. Y., asking for the passage

of a bill to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of North Bergen, N. Y., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WEYMOUTH: Petition of the Young Woman's Christian Temperance Union of Billrica, Mass., for the passage of the anti-cigarette law—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Billrica, Mass., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 25, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

NAVAL APPROPRIATION BILL.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. BOUTELLE of Maine. Mr. Chairman, I yield the remainder of the time to my colleague from Illinois [Mr. FOSS] to close general debate.

Mr. FOSS. Mr. Chairman, "to provide for the common defense" has always been the tie which has bound individuals, families, and communities together in the earliest beginnings of every nation. When a nation becomes great and prosperous it should be a matter of no less concern to provide for its defense in a manner that shall be commensurate with its growth and position.

Our foes must either be domestic or foreign. To overcome the former we have a small standing Army and the National Guard of the several States; but we rely for our main defense upon the patriotism of our people.

To defend ourselves from foreign foes we must depend primarily upon the strength of our fortifications and the prowess of our Navy. The maintenance of our Navy is, therefore, a matter of national concern.

I represent a district in the middle West, about midway between the Alleghany Mountains on the east and the Rocky Mountains on the west, over which no cannon shot from any man-of-war upon the seaboards has found its way, yet the people of my district are fully as much interested in building up the American Navy as their more exposed brethren along the Atlantic and Pacific coasts. What is true of the Seventh Congressional district of Illinois is undoubtedly true of all the districts of this country. Indeed, it was but a few days ago that the Representatives upon this floor, irrespective of party or locality, voicing the unanimous sentiment of the people, voted $50,000,000 for the national defense, which is now being used for the buying of ships and the putting of this country in a position where if war becomes necessary it will be able to successfully maintain its honor. [Applause.]

Never in our history has the American Navy been nearer to the hearts of the people than at this hour. In silence and in sorrow the American people for many days have been looking toward Havana, where sleep their "unreturning brave;" but to-day, in silence, more portentous, their eyes are fixed upon the American Navy, the defender of the living and the guardian of the honor of the dead.

If an emergency be upon us, the American Navy is ready to meet it. In every great crisis in the history of this country the American sailor has never failed to gloriously perform his duty. I desire to recall for a brief moment the splendid past of the American Navy, and then sketch the growth and development of our new Navy of to-day, and lastly to state some of the reasons why I believe we should continue the policy of strengthening our Navy in the future.

I am not here to snatch one laurel from the wreath which adorns the brow of the American soldier, but only seek to pay a tribute of deserved respect to the American sailor. The sailor on the sea has always supplemented the efforts of the soldier on the land, and the great results which have been achieved have been due to the combined strength of both.

The brilliant achievements of the American sailor in the war of our national independence, when our Navy at first consisted of only a small fleet of eight vessels, in command of Commodore Essex Hopkins, early inspired a feeling of pride in our Navy. The names of Biddle and Barry and Nichols and Whipple and of others I might mention recall the daring and bravery of that period.

What schoolboy has not read with admiration the story of John Paul Jones, as with the *Ranger* he ransacked the coasts of England and Scotland, or pictured him upon the deck of the *Bon Homme Richard*, when, amid the storm and smoke of battle, the English captain of the *Serapis* inquired: "The *Richard*, ahoy! Have you struck your colors?" And the doughty Jones replied: "No; I have not yet begun to fight." That battle established the prowess of the American Navy upon the sea.

Who, sir, has not read with satisfaction of our naval achievements in the war with the Barbary powers,

> How Truxtun fought, how Somers fell,
> How gallant Preble's daring host
> Triumphed along the Moorish coast,
> Forced the proud infidel to treat,
> And brought the Crescent to their feet.

The next great conflict was the war of 1812, which gave us the freedom of the seas. Search history through, and where will you find as gallant a band of sea captains as those who walked the decks of the American ships during that struggle?

There were Decatur and Bainbridge and Lawrence, whose dying words, "Don't give up the ship," emblazoned on a canvas, became the oriflamme of victory to Perry and his fleet upon Lake Erie. There was Porter, who so gallantly defended the *Essex* in the fight with the *Phœbe* and the *Cherub*, where our Farragut, then a boy, is said to have first engaged in naval warfare. There was Hull, by whose skillful seamanship the old *Constitution*, which the English contemptuously called "a bundle of pine boards under a bit of bunting," outsailed the English fleet, and later overcame the *Guerrière*. There was MacDonough, whose brilliant victory on Lake Champlain made him one of the commanding figures of all naval history.

Says a recent historian:

> The Republic of the United States owed a great deal to the excellent make and armament of its ships, but it owed still more to the men who were in them.

Then, again, in our war with Mexico, the Navy played an important part, for it was under the fire of its guns that our Army was landed at Vera Cruz, and through the combined efforts of both sailor and soldier that the war terminated to the glory of our country.

Now I come to speak of the Navy of 1861, which Lincoln called "Uncle Sam's webfoot." When Fort Sumter was fired upon, we had 90 vessels, of which 42 were in commission and of these 31 were scattered upon the seas. We had 7,600 seamen in the service, and about 1,400 officers.

Yet during the war our Navy grew to 671 vessels and 52,000 seamen, and 7,500 additional officers were enrolled. The American Navy contributed in no small degree to the grand results of that war. I will not say that they would have been otherwise without it. I leave that to Him who overrules the destinies of peoples and of nations, but that the war would have been ended as soon as it was in all human probability without the aid and assistance of the American sailor no candid student of history will affirm.

The blockading of the Eastern and Southern ports; Dupont's terrible circle of fire off Port Royal; the silencing of the *Merrimac* by the *Monitor*, called "the cheese box of Ericsson;" the opening of the Mississippi by Foote and Porter; the capture of New Orleans; the terrible fight in Mobile Bay, where Farragut, wrapped in the shrouds of the *Hartford*, directed the "grand, wild storm of battle;" the daring of Cushing, and the sinking of the *Alabama* by the *Kearsarge* tell their own story of the achievements of the American Navy in the late war.

No historian can ever write a complete history of that great contest and leave out the daring of the American sailor any more than he could write it and leave out the bravery of the American soldier. The one cooperated with the other, and both together, inspired by the same devotion to a common cause, preserved the Union of the North and the South, which time is fast cementing into a peace, a perpetual peace, in the everlasting bonds of American brotherhood.

> A union of lakes and a union of lands,
> A union that time can not sever,
> A union of hearts and a union of hands,
> And the flag of our Union forever.

After the war our Navy was put upon a peace footing, and decaying time reduced it still further, until in 1881, there were but few pieces left. The most powerful navy in the world, in the short

space of sixteen years, had dropped to that low estate where it ranked only about twentieth.

The first definite step toward the building up of the new Navy was taken on June 29, 1881, by William H. Hunt, Secretary of the Navy, who at that time appointed a board of naval officers, with Rear-Admiral John Rodgers at its head, to report upon the Navy, and "to determine the requirements of a new navy." On November 7, 1881, this board reported and recommended the building during the eight years following of enough vessels to make our Navy consist of 21 ironclads, 70 unarmored cruisers, 20 torpedo gunboats, and 5 rams. In his report of that year Secretary Hunt called the attention of Congress to the condition of our Navy in these words:

The condition of the Navy imperatively demands the prompt and earnest attention of Congress. Unless some action be had in its behalf it must dwindle into insignificance. From such a state it would be difficult to revive it into efficiency without dangerous delay and enormous expense. These things ought not to be. While the Navy should not be large, it should at all times form a nucleus for an emergency. Its power for prompt and extended expansion should be established. It should be sufficiently powerful to assure a navigator that in whatever sea he shall sail his ship he is protected by the Star and Stripes of his country.

But no actual work began upon the building up of the new Navy until William E. Chandler became Secretary of the Navy. In his report of November 29, 1882, he likewise called the attention of Congress and the country to the deplorable condition of our ships. He reported that the available armored vessels were only 13 single-turreted monitors, and the available cruising war vessels of the Navy were but 37. He recommended that we repair those old ships only where the estimated cost of repairs would not exceed 20 per cent of the estimated cost of a new ship of the same size and of like material, and this provision was made by Congress.

The next step in the building up of the new Navy was the authorization in the naval appropriation act of March 3, 1883, of the building of the new cruisers the *Atlanta*, the *Boston*, the *Chicago*, and the dispatch boat *Dolphin*, sometimes called the A, B, C, and D of the new Navy.

Later, under act of March 3, 1885, Congress authorized the construction of the *Newark*, the *Charleston*, the *Yorktown*, and the *Petrel*. Thus under the Administration of President Arthur began the building up of the new Navy with the authorization of eight war vessels.

Secretary Whitney succeeded Secretary Chandler, and in his first report of November 13, 1885, he called especial attention to the needs of the Navy and recommended more ships, and on August 3, 1886, Congress authorized the construction of two ironclads of about 6,000 tons each, the unfortunate *Maine* and the *Texas*.

At first the Department seemed to favor English plans and purchased some for one of our ships. That Administration had yet to learn that you can no more build American ships upon English plans and make them a success than you can sail the greater ship of state upon English theories and English notions.

It was during the consideration of the naval appropriation bill that the present distinguished chairman of the Naval Committee, on July 24, 1886, offered an amendment in Committee of the Whole, providing that only materials of American manufacture should be used in the construction of our ships. That amendment, though passed in the Committee of the Whole, was defeated in the House, but, nevertheless, his contention ultimately succeeded, for the subsequent action of the Senate resulted in authorizing the Secretary of the Navy to invite proposals for the domestic manufacture of armor and gun metal, and ever since then, in every act for new ships of war, the clause has been invariably inserted that "in all their parts said vessels shall be of domestic manufacture."

Instead of buying our armor and steel abroad we now started in upon the policy of making our own country independent of all countries of the world in the matter of the construction of our ships. To use the words of Secretary Whitney, this was accomplished in two ways:

The first step was the discontinuance of all purchases of armor and gun steel abroad, and the second step was to permit the wants of the Department for armor and gun steel to accumulate until contracts could be made of such magnitude as to induce competition of domestic manufacturers, upon the condition of their erection of a plant in this country adequate to the manufacture of both iron and gun steel up to the standard of European requirements.

By this time the armor and armament of the Navy already authorized by Congress involved the expenditure of nearly $9,000,000. The Navy Department accordingly advertised for bids for all its requirements of armor and gun steel for ships of war, stipulating that it should be of domestic manufacture and allowing two and one-half years for the building of a plant.

The result of this was a contract, made with the Bethlehem Iron Company, by which a plant was built at Bethlehem, Pa., for the manufacture of the armor and gun steel required. Later, in 1890, the Carnegie Company also secured a contract from the Department for armor. Under this wise policy of Congress we have to-day plants of sufficient number and size not only to build our ships, but also to furnish the armor and steel necessary for their complete armament.

To quote the words of Secretary Tracy, of the Harrison Administration, who succeeded Secretary Whitney, in his report of November 30, 1889:

We have proved that at a time when war-ship construction seemed almost a lost art in this country American mechanics could create it anew and place the United States where it was seventy years ago, when the vessels of this Navy were the best of their class afloat. We have fostered and developed a branch of industry in America which may, if kept up, attract to itself no inconsiderable share of the profits that now go to shipbuilders abroad.

Secretary Tracy further recommended the increase of the Navy, and was of the opinion that our future Navy should consist of 20 battle ships, 20 coast-defense ships, and 60 cruisers, or 100 vessels in all. In his report he said:

The necessities of our vulnerable position therefore demand the immediate creation of two fleets of battle ships, of which 8 should be assigned to the Pacific and 12 to the Atlantic and Gulf.

It was during his administration that Congress, under act of June 30, 1890, authorized the construction of the 3 large coast line battle ships, the *Indiana*, the *Massachusetts*, and the *Oregon*, and, on July 19, 1892, the 1 seagoing battle ship, the *Iowa*.

During the last Administration, Mr. Herbert, who had previously been chairman of the Committee on Naval Affairs of the House, became Secretary of the Navy. He was well informed as to all matters pertaining to it, and did much toward increasing its efficiency. On March 2, 1895, two battle ships were authorized, the *Kearsarge* and the *Kentucky*, and on June 10, 1896, three others, the *Alabama*, *Illinois*, and *Wisconsin*.

Since this Government began to build up the new Navy each Secretary has differentiated somewhat from his predecessors in his policy, so that our Navy to-day, although not as large as some of the navies of other countries, yet presents some points of special superiority and at the same time a general completeness in itself.

Secretary Chandler, as we have seen, prescribed the policy of repairing the old ships that were worthy of repair and recommended the building of cruisers. Then came Secretary Whitney, who offered inducements for the construction of plants for the manufacture of our armor and steel, and also recommended the building of the first two ironclads. After him came Secretary Tracy, who urged the building of still larger ships, and it was under his administration that our first-class battle ships were built.

After him followed Secretary Herbert, who believed in the efficiency of torpedo boats. All of them have been great Secretaries and have pursued wise policies in the building up of our Navy. And now our present Secretary, Mr. Long, whose administration will equal if not rival those of his predecessors, urges especially upon Congress the building of more ships and the construction of dry docks along our Eastern, Southern, and Western coasts.

Since 1883 Congress has authorized the construction of 9 first-class battle ships, 2 second-class battle ships, 2 armored cruisers, 1 armored ram, 6 double-turreted monitors, 13 protected cruisers, 3 unprotected cruisers, 10 gunboats, 6 composite gunboats, 3 of a special class, and 22 torpedo boats.

We have expended nearly $375,000,000 for the naval establishment since 1882. Of this, eighty-one millions has been expended for the construction of new vessels, nearly two millions for the equipment of new vessels, and forty and one-half millions for armor and armament of new vessels, making in all a total of nearly $124,000,000 for the construction, equipment, and armament of new vessels.

To-day our Navy compares favorably with the navies of the world. According to the table furnished by the Office of Naval Intelligence, our Navy ranks sixth. England is first, France second, Russia third, Italy fourth, Germany fifth.

Maclay, in his interesting history of the Navy, says:

In point of numbers our ships are inferior to those of several naval powers, but taking ship for ship in their several classes, those of the United States will be found to stand at the head of the list, and in case of war they may be expected to give as good an account of themselves as our cruisers did in the last war with Great Britain.

Some few years ago Mr. J. H. Byles, the designer of the steamships *City of Paris* and *City of New York*, one of the most prominent naval architects in the world, after visiting our shipyards and inspecting our designs, paid this high encomium on the construction of our ships at the meeting of the Institute of Naval Architects in London:

The American designers and builders have shown that they are equal to producing vessels quite equal to their promises, and at least equal to the best European practice.

Speaking of the armored cruiser *New York*, he said:

Compared with the *Edgar* class, this vessel is much more powerfully armored and much better protected; her sustaining sea speed will probably be greater.

Referring to our coast-line battle ships, he said:

They are distinctly superior, in most respects, to any European vessels of the same displacement, and for the purposes intended, protecting the American coast line, they seem to be a match for any ships afloat.

And we have further English authority upon the superiority of our ships. Wilson, in his celebrated work entitled Iron Clads in Action, compares our seagoing battle ship *Iowa*, which has a tonnage of 11,500 tons, with the English ship *Majestic*, which has a tonnage of 15,000 tons, 3,500 tons more than the *Iowa*, and concedes that there is not much to choose between them.

Thus we have demonstrated that in fifteen years our country can build a navy on American plans, and of American manufacture—in short, under a policy distinctly American—that to-day inspires the just pride of every American citizen.

A distinguished American once said:

The cannon and the ball that defend your land should be "native here." * * * The steel that edges the sword and points the bayonet of your defense should be of national metal.

And so, likewise, our American battle ship, the guardian of our national honor upon the sea, not only floats an American flag, but represents, from the top of her masthead to the keel beneath the wave, the strength of American material, the genius of American engineering, and the superiority of American workmanship.

So much for our ships. What of our men? The active personnel of our Navy to-day consists of 1,494 officers and 11,000 petty officers and enlisted men, 2,650 marines, and 750 apprentices. In addition to these we have the Naval Militia of the several States, which in time of war would be of very material assistance to the Navy. They number in all, officers and enlisted men, nearly 5,000, and I may say Illinois leads the list. [Applause.]

The men in the Navy stand high in public estimation. They are of superior character, and have a keen sense of duty and a patriotic devotion to their country. The older men have demonstrated their ability to fight "in our late unpleasantness;" and while the younger men have had little opportunity to display the stuff of which they are made, yet it can be said that they have always shown a willingness to meet emergencies as they have arisen. [Applause.]

If war should come and we were obliged to rely upon our Navy to protect the honor of this country upon the sea, the American people would soon discover that the men in the Navy to-day are fully as brave, daring, and eager to meet the foe as the American sailors of the past, "whose faith and truth on war's red touchstone rang true metal."

The 264 seamen of the *Maine* who went down to their watery graves in the harbor of Havana, the marine orderly, Bill Anthony, who, amid the terrible confusion and consternation, which followed the explosion, calmly reported to his captain, "Sir, I have to inform you that the ship has blown up and is sinking," the coolness and nerve displayed by Captain Sigsbee, the last one to leave the ship in that awful hour, demonstrate that every man in the American Navy to-day, from the humblest seaman to those in command, is ready to maintain the honor of our country. [Applause.]

The American people do not want war. But they prefer war with honor to peace with dishonor. Sir, they stand a solid phalanx behind their President to sustain him in this trying hour.

If war should be necessary to preserve the honor of this country, the American people have such an abiding confidence in the character, the statesmanship, and the patriotism of William McKinley, Commander in Chief of both Army and Navy, as to know that he who so bravely fought to keep our flag aloft upon the land will never permit it to go down upon the sea. [Applause.]

The question is frequently asked, "Why should we increase our Navy?"

John Adams once said that "naval power is the natural defense of the United States." Our policy has always been to build up a navy for defense and not for offense. We do not need a navy as large as the navies of the other leading countries of the world by reason of the isolated position of our country from foreign countries; but nevertheless there is a necessity for a navy large enough to protect our own interests upon the American Continent.

In the first place, we need a navy to protect our seacoasts, which extend along the Atlantic, the Gulf, and the Pacific for more than 13,000 miles.

In the second place, we need a navy to protect the rights of American citizens wherever they may reside in all parts of the world.

In the third place, we need a navy to protect our commerce along our coasts and with foreign countries. During the past year our foreign commerce nearly reached the sum of $2,000,000,000. The navy is the natural ally of commerce, and with its increasing strength will come the building up of the American merchant marine, for no man will put his money into ships unless he knows that the American flag will be protected in every port and harbor of the world. It is an old saying and one worthy of all acceptation that "trade always follows the flag." This has been especially demonstrated in the case of Great Britain, which has the greatest navy of the world.

At the present time the condition of our merchant marine is deplorable. In 1825 Webster said: "We have a commerce which leaves no seas unexplored, and navies which take no law from superior force." At that time 93 per cent of the foreign carrying trade of this country was borne in American ships; in 1830, 90 per cent; in 1835, 85 per cent; in 1840, 83 per cent; in 1845, 81 per cent; in 1850, 72 per cent; in 1855, 75 per cent; in 1860, before the war, 66 per cent; in 1865, only 28 per cent, a loss of 38 per cent in those five years.

These facts testify to the truth expressed by Sir Charles Wilson, an English authority, when he stated, "If there is one point clearer than another in the history of commerce, it is this, that when a state can not effectually protect its carrying trade in time of war, that trade passes from it and does not return."

In 1870 our ships handled 35 per cent of the carrying trade; in 1875, 26 per cent; in 1880, 18 per cent; in 1885, 17½ per cent; in 1890, 13 per cent; in 1895, nearly 12 per cent, and in 1897 we reached the lowest figure, of about 11½ per cent.

The Republican party, in its national platform adopted at St. Louis in 1896, pledged itself to the building up of the American merchant marine in these words:

We favor the early American policy of discriminating duties for the upbuilding of our merchant marine and the protection of our ships in the foreign carrying trade, so that American ships, the product of American labor employed in American shipyards, sailing under the Stars and Stripes, and manned, officered, and owned by Americans, may regain the carrying of our foreign commerce.

Let us, then, rebuild the American merchant marine and restore it to its former state of national greatness, where it will again send a thrill of pride along the vertebræ of every American citizen. The American merchant marine and the American Navy; the one to bear our commerce and the other to protect it!

While our commercial policy is to build up the industries of this country and to supply the home market, which we propose to hold against all the world, yet, nevertheless, as time goes on we will seek more and more foreign markets in which to sell the surplus of our products.

Closely identified with the building up of our foreign commerce is the importance of building the Nicaragua Canal, which will not only bind the Atlantic and Pacific coasts together, but also at the same time bring the port of New York hundreds of miles nearer than Liverpool to the coasts of China and Japan, which are now opening up to the light of modern civilization and will be the great markets of the future.

Standing like sentinels, guarding the eastern and western entrances of this canal, will be the Island of Cuba, now struggling to be free, and that of Hawaii, seeking annexation to this country. The right settlement of these important questions is closely connected with the extension of our foreign commerce and the future commercial policy of this country.

This leads me to another important reason why we should favor the continued enlargement of our Navy. The maintenance of our foreign policy depends primarily and fundamentally upon the strength of our arm upon the sea. Our foreign policy has been one of growth. A hundred years ago Washington, in his remarkable Farewell Address, laid down this principle:

The great rule of conduct for us in regard to foreign nations is to have with them as little political connection as possible.

And further he stated:

It is our true foreign policy to steer clear of permanent alliances with any portion of the foreign world—

and cautioned us to beware of European entanglements. This was the initial foreign policy of this country and one which we have maintained ever since. Our Republic at that time was an infant in swaddling clothes, and perhaps it was not wise to then announce the important corollary which unmistakably followed.

It remained for James Monroe, twenty-seven years afterwards, when our Republic had reached the full standard of its majority and had met and whipped the greatest naval power of the world, to restate in substance what Washington had declared and the plain inference to be drawn from it, that—

Our policy in regard to Europe which was adopted at an earlier stage of the wars which so long have agitated that quarter of the globe nevertheless remains the same, which is not to interfere in the internal concerns of any of its powers. * * * But in regard to these continents circumstances are eminently and conspicuously different. * * * We should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

Under the inspiration of that sentiment, the so-called Monroe doctrine, which is the cardinal principle of our foreign policy, the Spanish-American colonies then struggling for liberty, were nerved to greater activity and most of them achieved their independence. We are responsible in no small degree for the freedom of the Spanish-American countries. We blazed the pathway along which they have come. Francisco Miranda, the first leader of

South American independence, at the age of 24 years, enlisted in our war of the Revolution and was upon the staff of Washington.

Indeed, it is written of Bolivar, the great South American liberator, who was frequently called the second Washington, that upon a visit to the United States he paid homage at the tomb of the Father of our Country and there, recalling the greatness of that life and its splendid devotion to the cause of liberty, dedicated his own to Venezuelan independence.

Sir, the seed that was sown amid toil and sacrifice more than two hundred and seventy years ago out of love for man and in fear of God on our wild New England coast was planted there to grow, and to-day, looking back over a hundred years, we can see its fruits scattered all over the American continents.

One hundred years ago there was but one republic in the Western Hemisphere; to-day we have nineteen. One hundred years ago the free territory was only 5 per cent of the total area of America; to-day it is 76 per cent, and if you count Canada, which has an autonomy of its own, about 98 per cent.

In the light of the past, there can be but one destiny for all Spanish-American countries, and that is their complete overthrow of all foreign dominion, the establishment of their independence, and their commercial and defensive union with our country, which inspired their action, nerved their arm, and joyfully awaits the entrance of them all into the great sisterhood of American republics.

That distinguished Englishman, James Bryce, mistakes the full mission of this country when, in his able article in the December number of the Forum, he says:

> The United States has already a great and splendid mission in building up between the oceans a free, happy, and prosperous nation of 200,000,000 people.

It is that and more. The mission of our country is like that of every citizen within it, twofold: First, to build up itself, and, secondly, to aid in the upbuilding of others. [Applause.]

Over and above these splendid words of Mr. Bryce I place those of that other Englishman, that great commoner, John Bright, who in 1862, in a speech at Birmingham, in replying to Gladstone that the North must lose and that the Union could not be preserved, said:

> I can not believe, for my part, that such a fate will befall that fair land, stricken though it now is with the ravages of war. I can not believe that civilization in its journey with the sun will sink into endless night in order to gratify the ambition of the leaders of this revolt. * * * I have another and a far brighter vision before my gaze.
>
> It may be a vision, but I will cherish it. I see one vast confederation stretching from the frozen North in unbroken line to the glowing South, from the wild billows of the Atlantic westward to the calmer waters of the Pacific main. And I see one people, and one language, and one law, and one faith, and over all that wide continent the home of freedom and a refuge for the oppressed of every race and of every clime.

Lastly, we need a navy as security for peace. In fact, the strongest security of peace is the strength of an armed resistance. Washington said:

> To be prepared for war is one of the most effectual means of preserving peace.

[Applause.]

We have hailed with great satisfaction the efforts which have been made in the past, and which I trust will be continued, to consummate a treaty between the two great English-speaking nations on the globe by which all international disputes will be settled in the arena of international arbitration. But let us remember that a weak power has seldom, if ever, been able to secure arbitration as against a strong one. It is not likely that England would have arbitrated the Venezuelan boundary question unless our Government had stepped in and called upon her to do so. There is one thing that will always force arbitration, and that is national prowess. [Applause.]

While to-day we are desirous for lasting peace with all nations, yet let us not delude ourselves with the idea that we must necessarily discourage means of defense, for England, France, and Russia are spending more money upon their navies to-day than they have in any previous years of their existence.

On February 5 the following information was specially cabled to the New York Tribune:

MILLIONS FOR ENLARGING THE NAVY.

> The naval budget, the most important features of which have been adopted by the Chamber of Deputies, embodies a programme which is considered in naval circles the French counterpart of the British naval defense act of 1889, for it commits France for a period of five years, from 1898 to 1903, to the active prosecution of a policy requiring an average annual expenditure in the single item of building new ships amounting to $22,500,000, being 25 per cent above the highest estimate for this purpose ever voted by any French Parliament.
>
> The full significance of this is apparent when taken in connection with the corresponding simultaneous increase in the Russian naval budget, which devotes $13,750,000 to building new Russian ships. Consequently, France and Russia together will spend during 1898 over $36,250,000 for new ships alone, which, by a singular coincidence, tallies closely with the $36,500,000 which England decided to expend for the same purpose during the same period.

The reign of universal peace has not yet come. Universal peace will come only when universal justice has been attained. The struggle of the human race is, after all, a struggle for universal justice in its desire to achieve the perfect liberty of mankind. Liberty is a mighty stream; it reaches back through all the ages that are past and rushes on through all the ages yet to come, until its mighty current loses itself in the boundless ocean of the Creator's love. [Applause.]

So long as the oppressed of other lands are bowed down under the heel of military despotism; so long as the Turks mercilessly slay the innocent Christians in Armenia; so long as the Cretans are restless under the domination of allied power; so long as the Cubans are fighting their war of American independence—God speed their coming deliverance; so long as the cry of humanity in any part of the world for enlarged liberty finds no encouraging response, so long will universal peace be only the dream of the mind and the wish of the heart. [Applause.]

When universal liberty and universal justice shall have become one, when the golden rule shall have become the accepted principle of international law, and when the teachings of the lowly Nazarene shall have become the established conduct of nations as well as of individuals, then, and not until then, will "the war drums beat no longer and the battle flags be furled in the parliament of man, the federation of the world." [Long-continued applause.]

Statement showing the total amount appropriated annually since 1882 for the naval establishment and the amounts appropriated annually during the same period for construction, equipment, and armament of new vessels.

Fiscal year for which appropriation was made.	Total appropriation for the naval establishment.	Appropriated for the construction of new vessels.	Appropriated for equipment of new vessels.	Appropriated for armor and armament of new vessels.	Total amount appropriated for the construction, equipment and armament of new vessels.
1882	$14,749,443.66				
1883	15,395,613.44				
1884	15,980,437.80	$2,300,000.00			$2,300,000.00
1885	9,242,496.82	1,541,500.00	$108,600.00	$500,000.00	2,150,100.00
1886	21,689,750.39	2,057,340.80			2,057,340.80
1887	17,053,780.59	2,595,861.00		343,000.00	2,938,861.00
1888	23,925,483.79	4,920,000.00		6,128,302.00	11,048,302.00
1889	19,553,428.82	3,800,000.00	2,500.00	2,175,000.00	5,977,500.00
1890	22,456,113.48	4,055,000.00		2,500,000.00	6,555,000.00
1891	24,015,580.19	5,475,000.00		2,500,000.00	7,975,000.00
1892	31,427,544.94	13,107,000.00	400,000.00	4,000,000.00	17,507,000.00
1893	23,013,752.56	7,000,000.00	400,068.48	2,000,000.00	9,400,068.48
1894	20,779,407.08	6,875,000.00	250,000.00		7,125,000.00
1895	24,679,914.41	5,994,725.00		4,000,000.00	9,994,725.00
1896	28,236,956.02	8,405,201.30	125,000.00	4,837,670.00	13,367,871.30
1897	29,836,066.46	6,870,600.00	297,000.00	4,371,454.00	11,539,054.00
1898	32,574,062.43	6,550,359.00	162,628.00	7,220,796.00	13,933,783.00
Total	374,609,877.88	81,547,587.10	1,735,796.48	40,576,222.00	123,859,605.58

EDWIN STEWART,
Paymaster-General, U. S. N.

BUREAU OF SUPPLIES AND ACCOUNTS,
February 14, 1898.

Comparison of the principal fleets of the world in battle ships, coast-defense vessels, and torpedo boats, including those building or ordered.

Country.	Battle ships.	Coast-defense vessels.	Cruisers.	Torpedo boats.
Great Britain	80	60	133	308
France	51	26	57	209
Russia	40	34	35	187
Italy	28		18	208
Germany	28	13	23	152
United States	19	13	27	23
Japan	11	6	19	40
Spain	14	13	20	61

Among the battle ships are included all vessels which might be employed in the line—i. e., battle ships, seagoing coast-defense vessels, first-class monitors, and large armored cruisers.

RICHARDSON CLOVER,
Chief Intelligence Officer.

FEBRUARY 12, 1898.

Since the above statement was made we have lost the *Maine*, a second-class battle ship.

Table showing the number of petty officers and enlisted men in the Naval Militia organizations of the several States on January 1, 1898.

State.	Petty officers.	Enlisted men.	Total in service.
California	86	300	386
Connecticut	32	133	165
Florida	46	140	186
Georgia	44	181	225
Illinois	94	429	523
Louisiana	43	220	263
Maryland	32	208	240
Massachusetts	86	355	441
Michigan	33	160	193
New Jersey	46	318	364

Table showing the number of petty officers and enlisted men, etc.—Continued.

State.	Petty officers.	Enlisted men.	Total in service.
New York	43	429	472
North Carolina	41	189	230
Ohio	22	194	216
Pennsylvania	40	176	216
Rhode Island	25	105	130
South Carolina	24	128	152
Virginia		44	44
Total petty officers and enlisted men			4,445
Total commissioned officers			412
Grand total			4,857

Table of the vessels in the United States Navy.

Name.	Displacement.	Type.
FIRST-CLASS BATTLE SHIPS.		
	Tons.	
Alabama	11,525	Seagoing coast-line battle ship; two 13-inch barbette turrets.
Illinois	11,525	Do.
Indiana	10,288	Seagoing coast-line battle ship; two 13-inch barbette turrets, four 8-inch barbette turrets.
Iowa	11,340	Seagoing coast-line battle ship; two 12-inch barbette turrets, four 8-inch barbette turrets.
Kearsarge	11,525	Seagoing coast-line battle ship; two 13-inch barbette turrets, two 8-inch turrets superposed.
Kentucky	11,525	Do.
Massachusetts	10,288	Seagoing coast-line battle ship; two 13-inch barbette turrets, four 8-inch barbette turrets.
Oregon	10,288	Do.
Wisconsin	11,525	Seagoing coast-line battle ship; two 13-inch barbette turrets.
SECOND-CLASS BATTLE SHIPS.		
Texas	6,315	Armored battle ship; two 12-inch turrets.
ARMORED CRUISERS.		
Brooklyn	9,215	Armored cruiser; four 8-inch barbette turrets.
New York	8,200	Armored cruiser; two 8-inch barbette turrets.
ARMORED RAM.		
Katahdin	2,155	Harbor-defense ram.
DOUBLE-TURRETED MONITORS.		
Amphitrite	3,990	Iron low freeboard coast-defense monitor; two steel barbette turrets.
Miantonomoh	3,990	Iron low freeboard coast-defense monitor; two compound armor turrets.
Monadnock	3,990	Iron low freeboard coast-defense monitor; two steel barbette turrets.
Monterey	4,084	Steel low freeboard monitor; two steel barbette turrets.
Puritan	6,060	Iron low freeboard coast-defense monitor; two steel barbette turrets.
Terror	3,990	Iron low freeboard coast-defense monitor; two steel turrets.
SINGLE-TURRETED MONITORS.		
Ajax	2,100	Low free-board single-turret monitor.
Comanche	1,875	Do.
Canonicus	2,100	Do.
Catskill	1,875	Do.
Jason	1,875	Do.
Lehigh	1,875	Do.
Mahopac	2,100	Do.
Manhattan	2,100	Do.
Montauk	1,875	Do.
Nahant	1,875	Do.
Nantucket	1,875	Do.
Passaic	1,875	Do.
Wyandotte	2,100	Do.
PROTECTED CRUISERS.		
Atlanta	3,000	Protected cruiser.
Baltimore	4,413	Do.
Boston	3,000	Do.
Charleston	3,730	Do.
Chicago	4,500	Do.
Cincinnati	3,213	Do.
Columbia	7,375	Do.
Minneapolis	7,375	Do.
Newark	4,098	Do.
Olympia	5,870	Do.
Philadelphia	4,324	Protected cruiser.
Raleigh	3,213	Do.
San Francisco	4,098	Do.
UNPROTECTED CRUISERS.		
Detroit	2,089	Cruiser.
Marblehead	2,089	Do.
Montgomery	2,089	Do.

Table of the vessels in the United States Navy—Continued.

Name.	Displacement.	Type.
GUNBOATS.		
	Tons.	
Bancroft	839	Gunboat.
Bennington	1,710	Do.
Castine	1,177	Do.
Concord	1,710	Do.
Helena	1,392	Light-draft gunboat.
Machias	1,777	Gunboat.
Nashville	1,371	Light-draft gunboat.
Petrel	392	Gunboat.
Wilmington	1,392	Light-draft gunboat.
Yorktown	1,710	Gunboat.
COMPOSITE GUNBOATS.		
Annapolis	1,000	Composite gunboat.
Marietta	1,000	Do.
Newport	1,000	Do.
Princeton	1,000	Do.
Vicksburg	1,000	Do.
Wheeling	1,000	Do.
SPECIAL CLASS.		
Dolphin	1,486	Steel dispatch boat.
Vesuvius	929	Steel dynamite gunboat.
Training ship	1,175	Composite training ship for Naval Academy.
TORPEDO BOATS.		
Cushing	105	Torpedo boat.
Ericsson	120	Do.
Foote	142	Do.
Rodgers	142	Do.
Winslow	142	Do.
Porter		Do.
Du Pont		Do.
Rowan	182	Do.
Dahlgren	146.4	Do.
T. A. M. Craven	146.4	Do.
Farragut	273	Do.
Davis	132	Do.
TORPEDO BOATS—continued.		
Fox	132	Torpedo boat.
Morris	103	Do.
Talbot	46½	Do.
Gwin	46½	Do.
Mackenzie	65	Do.
McKee	65	Do.
Stringham	240	Do.
Goldsborough	247.5	Do.
Bailey	235	Do.
Plunger	168	Submarine torpedo boat.
Stiletto	31	Torpedo boat; wooden.

In addition to the above enumerated 9 first-class battle ships, 1 second-class battle ship, 2 armored cruisers, 1 armored ram, 6 double-turreted monitors, 13 single-turreted monitors, 13 protected cruisers, 3 unprotected cruisers, 10 gunboats, 6 composite gunboats, 3 special class, 22 torpedo boats, and 1 wood torpedo boat, we have also 5 iron cruising vessels, 11 wooden cruising vessels, 6 sailing vessels, 14 tugs, and 14 wooden vessels (unfit for sea service), or 140 vessels in all.

The CHAIRMAN. There are three minutes of time remaining to the gentleman from Maine.

Mr. BOUTELLE of Maine. Mr. Chairman, I move that the Clerk proceed with the reading of the bill by paragraphs.

The CHAIRMAN. The gentleman from Maine surrenders the balance of the time, and the Clerk will proceed with the reading of the bill.

The Clerk read as follows:

PAY OF THE NAVY.

For the pay of officers on sea duty; officers on shore and other duty; officers on waiting orders; officers on the retired list; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; general storekeepers; receiving ships and other vessels; extra pay to men reenlisting under honorable discharge; interest on deposits by men; pay of 12,750 petty officers, seamen, landsmen, and boys, including men in the engineers' force and for the Coast Survey Service and Fish Commission, and of 1,000 boys under training at training stations and on board training ships, and for men detailed for duty with naval militia at the pay prescribed by law, $9,125,460. And the Secretary of the Navy is hereby authorized to enlist at any time after the passage of this act as many additional men as in his discretion he may deem necessary to man the ships in commission: *Provided*, That the total number of men and boys in the general service and under training shall not exceed 12,750 men and 1,000 boys.

Mr. STEWART of New Jersey. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, somewhat more than a month ago our proud ship *Maine*, officered and manned by as brave and as heroic a crew as ever went down to the sea in ships, with explosion and havoc was engulfed in the dark waters of Habana Harbor. It was night,

and those brave men were wrapped in slumber, mayhap dreaming of future fame and glory or of home and loved ones there. The buoyancy of youth made their sleep deep and vigorous, and doubtless clothed their dreams in roseate hues. From dreamland they were summoned by the black usher of death through the deep and strange waters to the mysteries of eternity.

Their virtues
Will plead like angels, trumpet-tongued, against
The deep damnation of their taking-off;
And pity, like a naked new-born babe,
Striding the blast, or heaven's cherubim, horsed
To the sightless couriers of the air,
Shall blow the horrid deed in every eye,
That tears shall drown the wind.

Since that fatal and fateful night our relations to Spain and Cuba have been a series of humiliations and reproaches. It would seem that some awful calamity was necessary to arouse this nation and Congress to a realization of their duty toward a murdered neighbor. Talk of the Armenian outrages or the atrocities of the "Unspeakable Turk!" Why, they pale into misdemeanors merely compared with the bloody crimes committed under Spanish misrule in Cuba. Almost one-half of the population of that fair island has been sacrificed by the murderous policy of the monster Weyler. Speak of autonomy to a people thus slaughtered! Spain, always cruel and always deceitful, that offers in the gloved hand what appears to be a rose, but, when grasped, is a stinging thorn. A nation of hypocrisy, of false glamour, of meretricious pretenses, her fair promises ending in cruel disappointment or betrayal. As the poet tenderly and sorrowfully exclaims, depicting these disappointments and broken promises and hopes:

So floating down a languid stream,
The lily leaves oft lilies seem,
Reflecting back the whitened beams
Of morning's slanting sun;
But as I near and nearer came,
I missed the lily's fragant flame.
The gay deceit was o'er;
No snow-white lily blossomed fair,
There came no perfume on the air,
Only an idle leaf lay there
And wantoned in the sun.

Mr. Chairman, no matter what the judgment of the board of inquiry may be as to the responsibility for the sinking of the battle ship *Maine*, whether by submarine mine or other explosion or from within, in the name of God and of humanity this great nation should declare the island free and independent, and drive the soldiery of embruited and degenerate Spain from off its fair and fertile soil. [Loud applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAYNE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House was requested:

S. 4037. An act to correct the military record of James Denny;
S. 4124. An act for the protection of song birds;
S. 2673. An act for the relief of William A. Cowles;
S. 3871. An act to authorize the Montgomery-Elmore Bridge and Improvement Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.;
S. 4206. An act extending the time for the construction of a wagon and motor bridge across the Missouri River at St. Charles, Mo., as provided by act approved June 3, 1896;
S. 1354. An act granting a pension to Burton Packard;
S. 1901. An act to place Lieut. Col. and Bvt. Maj. Gen. Alexander Stewart Webb on the retired list of the United States Army;
S. 244. An act to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri;
S. 4137. An act amending section 4492 of the Revised Statutes of the United States, relating to barges.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. BARTHOLDT. Mr. Chairman, when, a few weeks ago, Congress unanimously voted to place $50,000,000 at the disposal of the President for national defense, the American people rejoiced, and the nations of the world stood dumfounded and spellbound. Such an inspiring spectacle of political unanimity, such a ready subordination of historical or party differences to the common cause of the nation, such a display of genuine patriotism, had never been witnessed either here or elsewhere, either in this age or any other. It was the God-like voice of a reunited people proclaiming American power, national unity, and the triumphant success of popular self-government. [Applause.]

In order to lessen the effect of that historical vote, to break the spell, European and particularly Spanish newspapers have seen fit, in a vain attempt to comfort their readers, to point to the variety of races and nationalities living in the United States, whose very presence, they imagine, justifies the conclusion that our boasted unanimity and harmony do not really exist, but are only perfunctory and skin-deep. One Spanish diplomat even went so far as to assert in so many words that in a war with any European power the adopted citizens of this country would be found to be a weak spot in Uncle Sam's armor. It is on this point, Mr. Chairman, that I crave the opportunity to say a few words.

I am loath to treat these aspersions seriously and would prefer to offer them up as a ridiculous contribution to the gaiety, not of nations, but of the American people, were it not for the fact that this rot is finding a sporadic echo and reecho among a class of people here who imagine themselves to possess an exclusive patent upon loyalty and patriotism and never tire in drawing invidious distinctions between native and adopted citizens of the United States. Nothing, in my judgment, can be more unseasonable than to accentuate such differences now, and I can not imagine a more propitious time than the present to advocate the cause and spirit of true fraternity.

The other day when we had the $50,000,000 bill under consideration, and when we heard so much truly patriotic talk, I sat silently in my seat thinking that my vote would, perhaps, be the most eloquent speech I could make on the subject. But ever since that time I have patiently waited for some one to rise in his seat, not himself an adopted citizen, who would feel called upon to do justice to the true sentiments of that numerous element of our population which has become part and parcel of our body politic through the process of naturalization.

Somehow I felt that these people had a right to expect such vindication, and really there is none of us too great to do them reverence. There is not a man on this floor who does not represent some of them, and who does not know that they bled upon every American battlefield from Lexington to Appomattox. Yet nothing has as yet been said on this floor to refute the implied slanders of these foreign editors and their native echoes.

We are apt to regard the theory of the brotherhood of man as a beautiful dream hardly to be realized; but in tempests on the ocean, in the face of a common danger, I have seen that fraternal spirit manifested in a way which would have gladdened the heart of the most orthodox of Christians. So, in the face of the present great emergency, I may be pardoned for saying it myself, for saying it in behalf of the adopted citizens of our country, that they are no longer English, German, Irish, Scandinavian—that they are nothing if not, one and all, heart and soul, Americans! [Applause.]

I have the honor, and have had for the last six years, of representing a district 75 per cent of whose population is German-born or of German extraction. It is a veritable Gibraltar of patriotism—so much so that I invite comparison. I challenge anyone to point out a spot in the United States, and I care not where you go, either to Puritan New England, or the Cavalier States of the South, or the pioneer country of the far and omnivorous West, where you can find more genuine loyalty, more faithful devotion to the flag, more honest love of country, than in the Tenth district of Missouri, with its preponderance of German-American voters.

It was due to the loyalty of the older men of that district that Missouri was saved to the Union, and to-day nowhere in the country would the call of the President for volunteers to defend the flag meet with a more enthusiastic response than in the heart of the territory which embraces South St. Louis and stretches all around the great metropolis of the Mississippi Valley and touches, both north and south of it, the "Father of Waters."

The CHAIRMAN. The gentleman's time has expired.

Mr. BARTHOLDT. I should like to have about five minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent for an extension of his time for five minutes. Is there objection? (After a pause.) The chair hears none.

Mr. BARTHOLDT. But it is not for my district alone that I desire to speak on this occasion. I know I voice the sentiments of every German-American in the country when I say, For America—America against England, America against Spain, America against Germany, America against the world, America right or wrong, always for America! [Applause.]

This is not brag and bluster, Mr. Chairman. All I have to do in corroboration of this sentiment is to refer to American history. These adopted citizens may, as a prominent German-American of this city has recently expressed it, speak their native tongue, as did the heroes of Camp Jackson, may sing the songs of the Fatherland, read the poems of their immortal poets, enjoy the paintings of their artists, may admire the philosophy of Humboldt and the statesmanship of Bismarck, but when it comes to the question on which side they will fight, if that question should ever be seriously asked, you will find them, where they ever have been found, marching under the Stars and Stripes to the inspiring tune of Yankee Doodle, doing their patriotic duty as brave and consistent American citizens toward the country of their choice. [Applause.]

Mr. GAINES. They will march under the tune of Dixie as well.

Mr. BARTHOLDT. I accept the amendment of the gentleman

from Tennessee, because the tunes of Dixie and Yankee Doodle have recently been blended, and the combined harmony is grander. [Applause.]

They claim no superiority over others, but yield to none in patriotic devotion to the Government and the flag, and therefore have a right to resent any and all discriminations on account of their birthplace. They have come from love of liberty and a praiseworthy desire to better their condition, and have identified themselves for good with our institutions and destinies. They live and die, love and hate, and fight as Americans. The United States is their and their children's country and the Star Spangled Banner their only flag.

In the present emergency they do not wish for war, but they do not wish peace either if it can not be preserved honorably. They are calm, quiet, conservative, but also quick to respond to their country's call; ready to shed their lifeblood for what the President and Congress should proclaim to be America's cause. So let us hear no more of such distinctions and discriminations between the citizens of our country!

I thank my colleague for having yielded to me, and I thank the House for its attention. [Applause.]

The Clerk read as follows:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders, and for traveling expenses of apothecaries, yeomen, and civilian employees, and for actual and necessary traveling expenses of naval cadets while proceeding from their homes to the Naval Academy for examination and appointment as cadets; for rent and furniture of buildings and offices not in navy-yards; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; stationery and recording; expenses of purchasing-paymasters' offices of the various cities, including clerks, furniture, fuel, stationery, and incidental expenses; newspapers and advertising; foreign postage, telegraphing, foreign and domestic; telephones; copying; care of library, including the purchase of books, photographs, prints, manuscripts, and periodicals; ferriage, tolls, and express fees; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; canal tolls and pilotage; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction, at home or abroad, in maintenance of students and attachés and information from abroad, and the collection and classification thereof, and other necessary and incidental expenses, $300,000.

Mr. HARTMAN. I move to amend by striking out the last word. I now ask unanimous consent that I may be permitted to proceed for twenty minutes beyond the five minutes allowed under the rule.

The CHAIRMAN. The gentleman from Montana asks unanimous consent that he be allowed twenty minutes in addition to the five minutes allowed under the rule. Is there objection?

Mr. BOUTELLE of Maine. I am obliged to insist that the rule which requires that remarks shall be directed to the bill be enforced.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana? Does the gentleman from Maine wish to be understood as objecting?

Mr. BOUTELLE of Maine. I said I objected to any infringement of the rules.

The CHAIRMAN. The question is whether there is objection to the request for extension of the gentleman's time for twenty minutes beyond the five minutes allowed under the rule. Is there objection to that request?

Mr. BOUTELLE of Maine. Does the gentleman desire to address the House upon the merits of this bill?

Mr. HARTMAN. I do not, sir.

Mr. BOUTELLE of Maine. Then I must object.

Mr. HARTMAN. I move to strike out the last word; and I will ask at the end of five minutes to have my time extended.

The CHAIRMAN. The gentleman from Montana will proceed.

Mr. HARTMAN. Mr. Chairman, it will be observed by every gentleman who does me the honor of listening to my remarks that the platform which I am about to present to be adopted by the Republican party at its convention in 1900 is an exact and accurate reflection of Republican sentiment, Republican thought, and Republican purpose, as evidenced by the Republican papers and by the gentlemen who represent that party upon this floor and elsewhere. This is the platform:

In obedience to the instructions of those who dictate the policies and control the actions of the Republican party, we, their representatives and delegates in national convention assembled, renew our declared allegiance to their interests, our acquiescence in their wishes, and our eternal fidelity to their commands.

We cordially indorse the Administration of our great leader, MARCUS AURELIUS HANNA, President de facto of the Republic, which has so sacredly kept faith with the trusts and corporations by generously reimbursing them with legislative and executive favors for the enormous sums so liberally and patriotically contributed by them to the Republican party in the campaign of 1896 to "preserve the honor and integrity of the nation."

We specifically condemn the platform of the Republican national conventions of 1888 and 1892 in opposition to "all combinations of capital organized in trusts or otherwise to control arbitrarily the condition of trade among our citizens."

We heartily commend the Republican national convention which met at St. Louis in 1896 in declining to condemn or criticise trusts, and we hereby declare it to be the present and future policy of the Republican party to foster and encourage trusts, to the end that further and greater contributions may be secured with which to enable us to "purify the ballot" and "preserve the honor and integrity of the nation."

The Republican party is unreservedly for "sound money." We said so in 1896, but most of us did not know what we meant by it then. But the bondholders, creditors, and bankers, who know all about the science of money, have told us that we meant the gold standard, greenback retirement, and bank issue and control of paper money. We therefore, recognizing their intellectual and moral superiority, declare our complete and abiding confidence in their wisdom and unselfish patriotism, and cheerfully obey their orders, announce our perpetual loyalty to the plan of the Secretary of the Treasury to "commit the country more thoroughly to the gold standard," retire the greenbacks and Treasury notes, and give to the banks the exclusive right to issue or refuse to issue paper money to enable the people to transact their business; and we further solemnly declare that any man who dares question the infallibility or perfection of this financial policy is an "anarchist," a "repudiationist," and personally "dishonest" and "corrupt."

In unmeasured terms we express our utter detestation and disgust with the Republican national conventions of 1888 and 1892 for the "wild-eyed," "long-haired," "anarchistic," "Populistic," "socialistic," "communistic" language contained therein, as follows:

"The Republican party is in favor of the use of both gold and silver as money and condemns the policy of the Democratic Administration in its efforts to demonetize silver."—*Platform 1888.*

"The American people from tradition and interest favor bimetallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal."—*Platform 1892.*

We would use harsher language in denouncing this blatant nonsense of these two Republican conventions were it not that one William McKinley, who is supposed by some ill-informed people to be President of the United States, was chairman of the platform committee of the convention of 1888 and permanent chairman of the convention of 1892, and we do not desire to seriously embarrass him. We further declare that the Republican party has not changed its platform or faith on the financial question, and anybody that says that it has is a "liar," a "footpad," and a "border ruffian."

With our faces turned toward Wall street, from whence all blessings flow, for support and sustenance, we solemnly declare that when the Republican convention at Minneapolis asserted that "the American people, from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money," it meant to declare unequivocally for gold alone as "standard money," and any man who does not understand it that way is a "lunatic and ought to be confined in an asylum."

We indorse the lofty and patriotic sentiment expressed so eloquently by our distinguished ally, Hon. John M. Palmer, in the campaign of 1896, to the effect that he would rather live in a monarchy than in a republic where the principles of the Chicago platform prevailed.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. HARTMAN. I move to strike out the last two words.

Mr. BOUTELLE of Maine. It was my duty and the duty of other members of the House to call the gentleman to order before; but I did not desire to interfere with the gentleman's use of his five minutes.

Mr. HARTMAN. Upon what ground could the gentleman have called me to order?

Mr. BOUTELLE of Maine. That you are not addressing yourself to the measure before the House.

Mr. HARTMAN. I am not addressing myself to the measure before the House, Mr. Chairman, but I am doing what every single member of the House has been doing under the privilege accorded him by the rules.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARTMAN. I move to strike out the last two words.

The CHAIRMAN. The gentleman can not make another motion while one is pending.

Mr. HARTMAN. Very well; I give notice that later on I will finish the reading of this platform if it takes a week.

Mr. McMILLIN. The gentleman has a right to move an amendment to his first motion. Certainly that parliamentary right is not to be done away with. Under the rules, Mr. Chairman, an amendment is in order.

The CHAIRMAN. The gentleman from Montana made no such motion.

Mr. HARTMAN. I made a motion to strike out the last word.

The CHAIRMAN. Certainly; and that motion being pending, the gentleman did not move to amend his former motion.

Mr. HARTMAN. I move to amend the pending motion by striking out the last two words.

The CHAIRMAN. Very well; the Chair recognizes the gentleman.

Mr. HARTMAN (continuing the reading)—

Following the instructions of those who dictate our policies, control our conventions, and manage our Administration, we bow in worshipful adoration at the feet of Grover the Fat——

Mr. BOUTELLE of Maine. I call the gentleman to order.

The CHAIRMAN. The gentleman from Montana will suspend. The gentleman from Maine will state his point of order.

Mr. BOUTELLE of Maine. My point is that the gentleman is not addressing himself to the merits of the measure before the House.

The CHAIRMAN. The Chair sustains the point of order. The gentleman from Montana will proceed in order.

Mr. BAILEY. I appeal from the decision of the Chair, if the Chair intends to hold that in the Committee of the Whole on the state of the Union it is not permissible for a gentleman to address himself to the general condition of the country.

The CHAIRMAN. The Chair intends to make a distinction

between general debate in Committee of the Whole and debate under the five-minute rule; and the Chair does not intend to hold——

Mr. BAILEY. But there is no such distinction either in the rules of this House or in the practice of this body.

The CHAIRMAN. There has been a distinction, according to the recollection of the Chair, in the practice of this body——

Mr. BOUTELLE of Maine. May I read the rule for the information of the Chair?

The CHAIRMAN. The Chair will hear the gentleman from Maine on the point of order.

Mr. BOUTELLE of Maine. Paragraph 5 of Rule XXIII——

Mr. HARTMAN. Does this come out of my time?

The CHAIRMAN. The gentleman from Maine is discussing the point of order.

Mr. BOUTELLE of Maine. Paragraph 5 of Rule XXIII provides that—

When general debate is closed by order of the House, any member shall be allowed five minutes to explain any amendment he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment; and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by the unanimous consent of the committee.

Mr. HARTMAN. Now, Mr. Chairman, if the gentleman has completed his statement, I desire to be heard upon the point of order.

The CHAIRMAN. The Chair has once ruled upon the point of order, but if the gentleman desires to discuss the point of order the Chair will hear him.

Mr. HARTMAN. Mr. Chairman, I want to call attention to this fact, because I am sure, from my knowledge of the Chairman, that he desires to be entirely fair in this matter——

Mr. BARRETT. Mr. Chairman, may we have order, so that we can hear?

The CHAIRMAN. The committee will please be in order.

Mr. HARTMAN. I submit, Mr. Chairman, that during all the debate which has taken place here to-day and yesterday the utmost latitude has been accorded to gentlemen. The gentleman from Missouri [Mr. BARTHOLDT], a most excellent gentleman, was given all the latitude and permission to discuss questions that he saw fit, under the five-minute rule, not under the general debate. Now, I ask the attention of the Chair: In support of the amendment which I have made I submit that the remarks which I am about to submit—and to which I ask the Chair to listen, so that he may know I am right—that those remarks are as applicable to my amendment as the remarks of the gentleman from Missouri [Mr. BARTHOLDT] were to his. Now, it is only a few lines, and I ask the attention of the Chair to it.

The CHAIRMAN. The question before the Chair is not whether the remarks of the gentleman from Montana are as pertinent to his amendment as the remarks of the gentleman from Missouri were to his. No one raised the question of order upon the gentleman from Missouri. It is not a question of comparison. It is simply a question whether the remarks of the gentleman from Montana are pertinent to his amendment.

Mr. HARTMAN. Now, Mr. Chairman, until I have submitted the remarks—and there are only nine lines here—you can not tell whether they are pertinent or not.

The CHAIRMAN. The Chair ruled upon the remarks that the gentleman has already made.

Mr. HARTMAN. Very well; now I will submit some additional remarks. [Applause and laughter.]

Mr. BAILEY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BAILEY. I am going to submit what I have to say after the gentleman from Montana has concluded what he has to say.

Mr. HARTMAN. There are only nine lines here.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BAILEY. I appeal from the decision of the Chair, and on that appeal I desire to be heard.

Mr. GROSVENOR. I move to lay that appeal on the table.

Mr. BAILEY. There is no table in Committee of the Whole.

Mr. GROSVENOR. Then there is no appeal.

Mr. BAILEY. There is an appeal from the decision of the Chair in the Committee on the Whole.

Mr. GROSVENOR. Mr. Chairman, I should like to submit a motion like this, that no remarks made——

The CHAIRMAN. The gentleman from Texas [Mr. BAILEY] has the floor, but if the gentleman from Texas will permit the Chair to hear the gentleman from Ohio, the Chair will be obliged to him.

Mr. BAILEY. Certainly; so that I do not lose the floor.

Mr. GROSVENOR. I want to suggest to the Chairman that there is a perfect remedy for all this right within his own hands, that remarks made after the Chair has decided the gentleman out of order shall not go into the CONGRESSIONAL RECORD. There you have got the remedy against this sort of filibustering.

The CHAIRMAN. The gentleman from Texas appeals from the decision of the Chair, and desires to discuss the appeal.

Mr. MCMILLIN. Mr. Chairman, in response to what the gentleman from Ohio has said, in order that we may not have any infraction of the proprieties of the House or the committee, it is only necessary to remind him that the Committee of the Whole has no jurisdiction of the matter of the RECORD.

Mr. GROSVENOR. Oh, yes, it has.

Mr. BAILEY. And neither has the Chairman nor the Speaker the absolute control over what goes into that RECORD, and anybody who undertakes, without the authority of the House itself, to determine what shall appear in that RECORD violates not only a duty——

Mr. FOOTE. I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York rises to a parliamentary inquiry.

Mr. BAILEY. I desire to complete that sentence, but I will allow myself to be interrupted in the middle of a sentence by the gentleman from New York.

Mr. FOOTE. I beg the gentleman's pardon. I did not mean to go so far. I wished to ask how much time there was left. I did not know but that might be a solution of the whole question.

The CHAIRMAN. The gentleman from Texas [Mr. BAILEY] is discussing an appeal from a decision of the Chair.

Mr. BAILEY. Mr. Chairman, there is an old maxim that hard cases make bad law. The judges sometimes, in order to avoid what appears to them to be an injustice in a particular case, establish a rule that operates harshly and unjustly in ninety-nine other cases. I apprehend that the Chairman of the Committee of the Whole is about to perpetrate a similar folly. In order to deny the gentleman from Montana [Mr. HARTMAN] an opportunity to deliver his sentiments upon the general state of the country, the Chair is about to decide, indeed the Chair has decided, that the gentleman from Montana must confine himself to the particular amendment which he has offered.

Mr. HARTMAN. Just a moment. I want to interrupt the gentleman from Texas. I want to assure the gentleman from Texas that I am not offering my sentiments, but the sentiments of the Republican party. [Applause on the Democratic side.]

Mr. BOUTELLE of Maine. Mr. Chairman, that is clearly not in order, even in discussing an appeal.

Mr. BAILEY. That makes very little difference as to the question of order. Mr. Chairman, the very amendment which the gentleman from Montana has submitted shows that it is well-nigh impossible to speak to that amendment and that amendment only, and yet that is the amendment submitted in ninety cases out of every hundred in this House upon which these five-minute speeches are delivered.

I appeal to the memory of the eldest in the service here, I appeal to every man on both sides if he will not bear me witness that nine times out of every ten the motion is to strike out the last word. And yet I defy the eldest in the House to say when any man ever addressed himself to that specific motion to strike out the last word. It is a formal motion, so understood in the immemorial practice of the House, that when a gentleman desires to speak for five minutes during the consideration of the bill by paragraphs he simply moves to strike out the last word, and upon that he delivers his sentiments. Even if he should discuss the paragraph under consideration, he would not be discussing his amendment, and under the decision of the Chair he would not be permitted to discuss the paragraph unless he discussed the amendment.

Now, Mr. Chairman, there is such a thing as teaching instructions that will come back to plague you. It may be that you rely upon our sense of common fairness not to invoke rules against you which you unjustly enforce against us, and you have ample ground for that opinion, because every member on this side sat here and heard the gentleman from Missouri [Mr. BARTHOLDT] speak until he had concluded what he had to say, and no man made a point of order against him.

Mr. BOUTELLE of Maine. If the gentleman from Texas will permit me, if my attention had been called, or I had heard—I was for a moment diverted from listening to the debate—if I had heard the gentleman from Missouri discussing anything else than the provisions of this bill, I should have called him to order.

Mr. BAILEY. It was not for a moment, because the gentleman from Missouri [Mr. BARTHOLDT] occupied several moments, and he followed the gentleman from New Jersey. The gentleman from Maine [Mr. BOUTELLE] in charge of this great bill, carrying an enormous sum of money, was not heeding the debate upon the very first paragraph of it.

Mr. BOUTELLE of Maine. Oh, well, if the gentleman from Texas thinks——

Mr. BAILEY. I take the gentleman's word for it.

Mr. BOUTELLE of Maine. If the gentleman from Texas thinks

that is up to his size of statesmanship, why, I am perfectly willing to let it go at that. [Applause on the Republican side.]

Mr. BAILEY. I might be trying to reduce myself to the size of statesmanship represented on that side of the House. [Applause on the Democratic side.]

Now, Mr. Chairman, I am sincerely in earnest in appealing to the Chair not to write into the records of this Congress a decision like that. I will venture the assertion that the Chair with his utmost research can not find a parallel for it in the records of the House.

The CHAIRMAN. The Chair has an authority here.

Mr. BAILEY. Then I will pause, without asking the Chair to read it himself, and will ask the Chair if he will lend it to me long enough so that I can read it.

The CHAIRMAN. The Chair will call the gentleman's attention to it. The ruling was made on January 30, 1897, when the gentleman from New York [Mr. PAYNE] was in the chair, in the consideration of the Agricultural bill. The ruling was that the gentleman from Colorado [Mr. SHAFROTH], who was discussing the question of silver, should not proceed in that discussion. There was an appeal from the decision of the Chair——

Mr. BAILEY. Upon what ground?

Mr. HOPKINS. Upon the same point made against the gentleman from Montana.

The CHAIRMAN. The point was raised in these words:

I raise the point of order that the gentleman is not speaking to the paragraph now pending.

That was the point of order raised. That point of order was sustained. There was an appeal from the decision of the Chair, and the decision of the Chair was sustained.

Mr. BAILEY. I ought to have said, and if I had been as cautious as I usually am, I would have said you could not have found that decision before this Congress.

The CHAIRMAN. That was in the last Congress.

Mr. BAILEY. The 30th of January, 1897, was a Republican Congress, with a Republican Chairman, enforcing the Republican doctrine to prevent the free speech that has been heretofore allowed upon the floor of this House. [Applause on the Democratic side.] That is the whole of it. And you might just as well confess it now, for I know that any appeal to the Chair falls on deaf ears.

Mr. BOUTELLE of Maine. Then your talk is dilatory. [Laughter on the Republican side.]

Mr. BAILEY. That is the first sensible observation I have heard from the gentleman from Maine in a long time. [Laughter and applause on the Democratic side.]

Mr. BOUTELLE of Maine. I shall wait patiently to hear the first sensible observation from the gentleman from Texas. [Laughter and applause on the Republican side.]

Mr. BAILEY. The truth is, the gentleman from Maine, as we all know, is easily excited, and ever since that unfortunate disaster that destroyed the battle ship that bore the name of his State, I have been apprehensive that a similar occurrence was going to happen in his case. [Great laughter on the Democratic side.]

Mr. WILLIAMS of Mississippi. Spontaneous combustion.

Mr. BAILEY (continuing). And there would be no doubt of the fact that it was an explosion from the inside if it should occur. [Laughter and applause on the Democratic side.]

Mr. BOUTELLE of Maine. I hope it would not prove so disastrous to me as it does to the gentleman from Texas. [Laughter on the Republican side.]

Mr. BAILEY. Mr. Chairman, the gentleman from Maine was right. What I have been saying was intended to consume the time of the House, and to expend enough of it to prove that it would be better for him to have allowed the gentleman from Montana to proceed than it was to strangle him in this fashion.

Mr. BOUTELLE of Maine. And, Mr. Chairman, that is exactly what this whole performance means. There is a purpose demonstrated [cry of "Ruling!"] that there are ways in which the time of this House can be wasted other than by an enforcement of the rules. Now, Mr. Chairman, I ask that we have a vote.

Mr. CANNON. A single word.

Mr. McMILLIN. Mr. Chairman——

Mr. CANNON. On the appeal of the gentleman from Texas I just want to say a word. I am quite as jealous of the rights of members in Committee of the Whole as is the gentleman from Texas. The right of one is the right of another. The right of a member in Committee of the Whole is the right of each member of the committee.

Now, the gentleman from Montana avows his purpose, in a manly way, not to discuss the bill. There is no confusion about that. He says that he proposes to talk about other matters. Now, when a member of the Committee of the Whole is in charge of an appropriation bill he could not proceed and complete his bill without the aid of the Committee of the Whole, or with its approval, unless, with due discretion, he made points of order in questions like this. Sometimes points of order are not made, and where there is no hurry about time or where it is clearly the time of the committee and each member of it, you could go on and have your discussion; but so far as I recollect, invariably when the point of order has been invoked under the five-minute rule the ruling has always been the same way. I recollect when the sundry civil bill was under discussion I made the point of order several times, and it was sustained and acquiesced in without much friction on the part of the House.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me to ask him a question?

Mr. CANNON. Certainly.

Mr. WILLIAMS of Mississippi. Does the gentleman ever remember in all his long service in this House a single instance where any member of the committee had moved to strike out the last word and then addressed himself to his amendment?

Mr. CANNON. That is a very proper question, and I will answer it. I will say to the gentleman that to strike out the last word is a pro forma amendment, to enable a member of the Committee of the Whole to discuss the paragraph that is, in fact, before the committee; and if any member of this committee desires to make the point of order, it is the right of the member to make the point of order if the discussion wanders away from the paragraph. Now, as to whether it is best to make it or not, that is another question. Now, then, all I desire to say is I am quite as much interested as any member of the committee in seeing the fullest discussion; but there comes a time when, if the Committee of the Whole is to perform its function, the rules must be enforced.

Mr. BAILEY. I want to ask the gentleman one question.

Mr. McMILLIN. Mr. Chairman——

Mr. BAILEY. I want to ask the gentleman from Illinois if he will stand here and say that he has seen this side of the House attempt to waste time on more than three occasions during this session? And in each instance it was where this side had been denied a fair opportunity for debate.

Mr. CANNON. I am not here to criticise that side.

Mr. BAILEY. Is not that a fact within the knowledge of the gentleman?

Mr. CANNON. I am not here to criticise either side of the House. We are all members of the Committee of the Whole. I made a point of order upon a gentleman on that side of the House in the consideration of the sundry civil appropriation bill, and upon one on this side of the House; and, without referring to either side, it is merely a question of the orderly transaction of business, and it is therefore in the power of any member of the Committee of the Whole to invoke the rules, if he sees proper to do so, when you come to the question of right. That is all that I am seeking to discuss.

Mr. WILLIAMS of Mississippi. May I ask the gentleman from Illinois a question before he sits down?

Mr. CANNON. Certainly.

Mr. McMILLIN. Mr. Chairman, I shall not trespass upon the time of the House at any great length, and yet it strikes me there are one or two phases of this question that ought to be called to the attention of the committee. You are seeking to adopt a new system for the government of speech in this House. The Chair has not claimed that the first precedent that can be cited is in excess of fifteen months old, out of one hundred years of American history. It will be remembered that the other day when there was an effort to again invoke that rule, a distinguished gentleman, an able parliamentarian, under circumstances similar to these, held that the gentleman did not have the right to speak. An appeal was taken from the ruling of the Chair, and the committee stood equally divided on the question, and that ruling was only sustained by the Chair voting to sustain his own ruling.

Outside of that there was an equal division, with a large majority of the House in sympathy, politically, with the occupant of the chair. We can not make fish of one and fowl of another; if we could do it, we ought not do it. It will not be denied that from the time the House met this morning and went into Committee of the Whole, a little after 12 o'clock, every man who took the floor spoke on every subject he wished to speak on—from Madrid, Spain, to Washington, D. C.—things that have no more to do with the bill than the question, "Who struck Billy Patterson?" There was no complaint whatever. [Laughter.]

The gentleman from Maine [Mr. BOUTELLE] in charge of the bill never complained, the gentlemen who stand by him on that side of the House did not complain, but the minute a gentleman rises on this side and varies from the very rule they have permitted to be violated (according to their contention on that side) a point of order is made and they propose to shut him off. Suppose you do shut him down, what is the result? You, Mr. Chairman, are called upon to say that the rule that has generally prevailed that a member has a right to discuss things not pertinent to the amendment offered in Committee of the Whole shall be changed. Then all of that fictitious debate, or all of that debate which has been had for one hundred years since the organization of the Committee of the Whole, on a motion to strike out the last word, goes for naught.

I take it that if we enforce the ruling the Chairman is called

upon to make now and prevent the gentleman from Maine from taking the floor and making a speech upon a subject not connected with the bill, he will hardly be able to open his mouth during the balance of this discussion. [Laughter.]

Sir, are you going to say that when a gentleman moves to strike out the last word that is all he shall discuss? If you do not say that, then you say that there are some things out of order that he may discuss, and you will determine arbitrarily what shall and what shall not be discussed under the rule.

Mr. HOPKINS. May I ask the gentleman a question?

Mr. McMILLIN. Yes.

Mr. HOPKINS. By moving to strike out the last word, or the last two words, it changes the paragraph, and if a member speaks on the paragraph he is speaking to the amendment, is he not?

Mr. McMILLIN. The ruling you are asking the Chairman to enforce literally is that only the amendment under consideration shall be the subject of discussion. Refinement can not get rid of that.

Mr. HOPKINS. Does not the gentleman see that a motion to strike out the last word, or the last two words, changes the entire paragraph?

Mr. McMILLIN. It may or it may not.

Mr. HOPKINS (continuing). So that it brings the whole paragraph under the consideration of the committee, and if the gentleman speaks to the paragraph, he is speaking to the amendment.

Mr. McMILLIN. The gentleman is already trying to prepare the way to escape out of this evident entanglement. He is beginning to provide means by which the ruling you are asking the Chair to make shall not be enforced. It strikes me that if it is enforced in one case it shall be in the other; you can not give discretionary powers to the Chair and say that you will cut off one member and not cut off another. The House, with all its willingness to surrender its rights, would hardly be willing to make a surrender to that extent.

Mr. HOPKINS. The general practice has been that a motion to strike out has been treated as extending the time for discussing the paragraph or amendment under consideration, and it is an innovation to allow gentlemen to proceed as the gentleman from Montana is seeking to proceed this morning.

Mr. McMILLIN. Sir, it is not an innovation. You are the innovator. I need only paraphrase the gentleman's own remark by saying the motion to strike out the last word has always been accepted as a means of discussing anything a member desired in Committee of the Whole. Now you are asking to change that rule, and it seems to me that the committee ought to be slow to change it. I do not know whether it will do any good to raise my voice in a feeble way in this House against it, but I raise it anyhow. It is wrong and deserves condemnation.

Mr. HOPKINS. If it will not disturb the gentleman, I should like to make another suggestion. As I understand, an agreement was made between gentlemen on both sides of the House in regard to the limitation of general debate, so as to allow any gentleman that desired to make a set speech to have full opportunity for expressing his views. Now, the very object of entering into an arrangement of that kind was to provide against introducing into the discussion under the five-minute rule any speeches of the character of that which the gentleman from Montana proposes to make. I insist that it would have been fairer and better if the gentleman from Montana had a set speech of the character he now indicates, that he should have presented it to the Committee of the Whole under the general debate.

Mr. McMILLIN. Mr. Chairman, to the last utterance of the gentleman from Illinois [Mr. HOPKINS] about the opportunity that my friend from Montana had to speak in general debate, I have only to reply that the same right existed as to the gentleman from Missouri [Mr. BARTHOLDT]; yet when he was not discussing the bill, unanimous consent was given to extend his time. The gentleman from Illinois sat there, and not only heard the gentleman from Missouri, but applauded him. I do not complain of that; I say it was right; the sentiments of the gentleman from Missouri were patriotic. But I do insist that the same measure of justice shall be meted out to the two sides of this House.

Again, the gentleman has said that when a motion is made to strike out the last word, the whole paragraph comes under discussion, because such an amendment may change the whole paragraph; yet he has never seen a man rise in this House and show himself foolish enough to begin to discuss what effect the striking out of the last word will have on the paragraph. We may have to do it now under the proposed ruling. Thus you get into absurdities any way you go in undertaking to enforce this new construction of the rules. The old beaten path of allowing freedom of speech in this House ought to be followed, and the black flag ought to be raised against any other proposition. [Applause.]

And, sir, if there is any effort by enforcing this new ruling to interfere with freedom of speech here, gentlemen who are interested in maintaining free speech ought to hold gentlemen on the other side to a strict construction of their rules, by which they will be forced to take what they give to others.

Now, I want to progress with this bill as much as anybody. Naval appropriations should and must be made. But the gentleman from Maine [Mr. BOUTELLE], who talks so loudly in favor of the observance of the rules, will admit—and I am willing to put it to him whether he will not admit—that he has violated the rules of the House by bringing in this bill. Provision after provision has been incorporated in the bill, although known to be in violation of the fixed rules of the House. And, Mr. Chairman, I will put you on notice—and I suppose you have not heard it before—that you will be called upon to override the rulings of this committee and the House in order to pass some of the important appropriations that are in this bill.

We had better, if we want to have clear sailing, do justice to all and not undertake to bridle that freedom of speech for which our fathers died and which we ought to spend our lives in trying to preserve. [Applause.]

Mr. SHAFROTH. Mr. Chairman, I should like to be heard a moment upon this appeal. It is true that the gentleman from New York [Mr. PAYNE] was in the chair when I attempted to address the Committee of the Whole under the five-minute rule upon a subject which was foreign to the appropriation bill then under consideration. An appeal was taken; and the House held against me on that question. But, Mr. Chairman, I venture the assertion that there has not been a Chairman of any Committee of the Whole House on the state of the Union other than that gentleman who has so held; and I want to call the attention of the Chair to a ruling of the Chairman of the Committee of the Whole on the state of the Union when the legislative, executive, and judicial appropriation bill was under consideration on the 5th day of March, 1896.

The gentleman from Montana [Mr. HARTMAN] was at that time addressing the House under the five-minute rule upon the action of President Cleveland in making certain remarks in New York concerning the Western States. The gentleman from Montana was called to order by Mr. Miles, then a Representative from the State of Maryland, and upon the point of order being raised, the Chair held that the utmost liberality of debate should be allowed under the five-minute rule, and overruled the point of order. An appeal was taken from the decision of the Chair, and the ruling was sustained. I desire now to read the exact point of order and the exact ruling of the Chair upon it.

Mr. VINCENT. Was that a Republican House?

Mr. SHAFROTH. That was a Republican House—it was in the Fifty-fourth Congress. I read from page 2503 of the CONGRESSIONAL RECORD, volume 28, part 3—proceedings of March 5, 1896.

Mr. BRUCKER. Who was the Chairman of the Committee of the Whole?

Mr. SHAFROTH. The gentleman from Iowa, Mr. HEPBURN, was at that time in the chair.

Mr. MILES. Mr. Chairman, I rise to a point of order. I make the point that the remarks of the gentleman from Montana are not relevant to the matter pending before this committee, and I call for the reading of the rule on that subject.

The CHAIRMAN. What rule does the gentleman desire to have read?

Mr. MILES. I do not remember the number of the rule, but it is the one which requires that remarks on this floor shall be relevant to the subject under consideration.

The CHAIRMAN. The Chair will state to the gentleman from Maryland that in the five-minute debate the largest liberty is accorded to gentlemen to discuss questions, and they are not held rigidly to the rule which he invokes.

Mr. MILES. Mr. Chairman, I desire to take an appeal from the decision of the Chair. This is a liberty which I do not believe has ever been countenanced in the American Congress before. [Derisive laughter.]

The CHAIRMAN. Discussion is unnecessary. The question is, Shall the opinion of the Chair stand as the judgment of the committee?

The question being taken, the decision of the Chair was sustained.

Now, Mr. Chairman, the remarks which were then being made were absolutely and totally irrelevant to the measure which was pending before the House, the legislative, executive, and judicial appropriation bill. They had no relation to any pending amendment, because the amendment which the gentleman from Montana had made was to strike out the last word. It was upon that amendment that he proposed to discuss President Cleveland's address in New York City, a discussion which was entirely foreign to the subject-matter. But the gentlemen on the other side of this House voted almost unanimously to sustain the Chair in permitting him to proceed.

Mr. McMILLIN. Will the gentleman from Colorado [Mr. SHAFROTH] state who was in the chair at that time?

Mr. SHAFROTH. The gentleman from Iowa, Mr. HEPBURN.

Mr. PAYNE. Mr. Chairman, at the risk of wasting time and prolonging this discussion unduly I want to say a word or two.

The general discussion of subjects foreign to bills under consideration in Committee of the Whole has grown up in this House on general appropriation bills because of the theory that the House was in Committee of the Whole on the state of the Union.

As nearly as I can find out, it grew out of the practice formerly of referring the President's message to the Committee of the Whole on the state of the Union, and discussing, upon that reference, every subject that any member might have in his mind. That practice gradually extended to general debate on appropriation bills in the Committee of the Whole, and, as gentlemen say, it has often been indulged in under the five-minute rule; but when any member reads the rule for debate under the five-minute rule, he can not for a moment claim but that the rule itself confines the debate strictly to the explanation of the amendment which the member offers. Now, it has been objected here that a motion to strike out the last word can not be debated. The gentleman from Tennessee [Mr. MCMILLIN] says a man would be a fool to attempt to debate or to confine himself to that motion. Well, if this is so, then the motion itself must be a senseless motion, if a man can not say anything sensible upon such a motion as that.

Mr. MCMILLIN. It is a fiction.

Mr. PAYNE. But I do not agree with the gentleman from Tennessee that the motion means nothing. Generally the motion to strike out the last word, if it prevailed, would destroy the whole paragraph. It would be as effectual as though the gentleman moved to strike out the whole paragraph.

Mr. MCMILLIN. Will my friend permit me a question right there?

Mr. PAYNE. Oh, yes; if you have not got through discussing this.

Mr. MCMILLIN. In your long experience have you ever heard a man, at any time, discuss the effect of that motion to strike out the last word of the paragraph?

Mr. PAYNE. If the gentleman would possess himself in patience, I think I would have covered that before I got through. The motion to strike out the last word would generally, if it prevailed, be as effectual as a motion to strike out the whole paragraph, or, in other words, the motion involves the whole paragraph. Now, a gentleman, under such a motion as that, can discuss anything in the paragraph to which that amendment refers. When gentlemen confine themselves to debating the paragraph, they confine themselves strictly within the language, within the strictest construction of the language, of the rule, and so every gentleman who has ever debated a motion to strike out the last word, which involves the whole paragraph, if he has confined himself to the paragraph in question, has confined himself strictly not only under the language of the rule, but has debated the amendment which he has offered.

Mr. HARTMAN. May I interrupt the gentleman? Do I understand the gentleman to say that every gentleman who debates the motion to strike out the last word confines himself to a discussion of the paragraph?

Mr. PAYNE. I thought I had made myself plain.

Mr. HARTMAN. I have been trying to hear the gentleman the best I could.

Mr. PAYNE. I said every time a gentleman spoke to a motion to strike out the last word, which motion, if it prevailed, would destroy the paragraph, and then has proceeded under the rule to explain his amendment, to say something germane to the amendment, he has talked about the paragraph and can discuss the whole paragraph.

Mr. HARTMAN. I did not understand the gentleman before, there is so much noise in this part of the Chamber.

Mr. PAYNE. It has been the practice, Mr. Chairman, for a great many years to discuss everything under the sun on a motion to strike out the last word, but it never has been in order, even although it has been the practice.

Mr. BAILEY. Will the gentleman from New York permit me to ask him if the practice for a great many years does not of itself become the rule of procedure?

Mr. PAYNE. Why, Mr. Chairman, the gentleman will remember that in the Fifty-first Congress the principal argument that was made against the change in the practices in the House of Representatives was that we were overturning the rules and precedents and rights of a hundred years; and now every gentleman who ever indulged in any of that kind of declamation is glad in his heart that we did overturn the rules and the practices of a hundred years——

Mr. BAILEY. And that is what you are going to do now—overturn the practice.

Mr. PAYNE. And that we got down to business in the House of Representatives, and the transaction of business.

Mr. BAILEY. Do I understand the gentleman from New York [Mr. PAYNE] to admit frankly that he is asking the Chair to overturn the practices of the House for a hundred years?

Mr. PAYNE. Oh, I think the gentleman from Texas is not so dull but what he can see what the gentleman from New York is saying. Now, Mr. Chairman, this practice of moving to strike out the last word is a practice which delays the proceedings of the House of Representatives as much as any of the practices of filibustering did prior to the Fifty-first Congress, as much as the absenting of members and refraining from voting, and all that sort of thing did prior to the Fifty-first Congress. The question is whether the House of Representatives will enforce its rules and stop this kind of delay in legislation. That was the question which was presented when I happened to be in the chair as Chairman of the Committee of the Whole, a question raised by the gentleman in charge, I think, of the Indian appropriation bill for the first time. The rule was read. The rule seemed plain.

Mr. COX. I should like to ask the gentleman just one question. I have very great confidence in your judgment about this matter. Now let me call your attention to one thing. A gentleman is speaking under the five-minute rule, and the question of order is raised that the remarks are not pertinent to that section, and the Chair decides that they are not. Now, what do you do with what he has said?

Mr. PAYNE. Well, I never had any supervision of the RECORD myself.

Mr. COX. Then the gentleman from Ohio [Mr. GROSVENOR] answered that question by saying——

Mr. PAYNE. You are getting onto a new question now.

Mr. COX. By saying you would strike it from the RECORD. Now, does not the whole question reach down to this, that the Chairman decides how a man shall speak, if that is so?

Mr. PAYNE. If the gentleman will possess himself in patience for a moment. Of course the gentleman understands that when a gentleman is called to order and the Chair decides that he is not in order, it is the duty of that gentleman to take his seat, and he can not proceed until the House allows him to proceed in order.

Mr. COX. Yes.

Mr. PAYNE. That is all, so far as that is concerned; I do not supervise the RECORD, not even my own speeches.

Mr. COX. I am glad to hear it.

Mr. PAYNE. But to come back to what I was talking about. The gentleman is trying to lead me away.

Mr. COX. I am glad to hear that you do not indorse the views of the gentleman from Ohio.

Mr. PAYNE. The rule seems to be very plain, and after consideration of the subject, because it was not the first time I had thought about it, I believed it was my duty, as Chairman of the Committee of the Whole, when that objection was made, to rule in accordance with the rules of the House, and I did so; and there was a debate and an appeal, and on the vote the Chair was sustained. Now, that ruling has been repeated time and again since. I have made it in the chair myself. The gentleman from Illinois [Mr. HOPKINS], I think, has made it. Other gentlemen who have occupied the chair in Committee of the Whole have made it. The gentleman who is now in the chair [Mr. SHERMAN] has sustained it before on other bills, and I think but once has there ever been an appeal taken from the decision of the Chairman on that subject.

The House received it as a matter of course, and I supposed that every gentleman who had carefully read the rules had come to the conclusion that the rule was so plain on that subject that there was no use of further controversy or of trying to get back to the old order of things. As I say, the rule is plain. It seems to me this House ought to enforce its rules whenever they are invoked. Of course the Chairman is not going to call a member to order. The Chairman never does call a member to order, or very seldom, when he is indulging in remarks that are out of order. But whenever a member brings it to the attention of the Chair, whenever a member of the committee or of the House brings any point of order to the attention of the Chair, it is the duty of the Chair then and there to enforce the rules as he understands them.

Another ruling that the gentleman from Tennessee [Mr. MCMILLIN] referred to was a ruling that was made when a bill was up for discussion under general debate, it being a private bill. The gentleman from Delaware [Mr. HANDY] desired to make a public speech, a political speech——

Mr. HANDY. And he did so.

Mr. PAYNE. And was indulging in that kind of a speech. The gentleman had gone on for some time. The attention of the Chair was not called to it by any member. Finally the gentleman in charge of the bill made the point of order that the gentleman was not talking to the bill. We were not in the Committee of the Whole House on the state of the Union, but we were in Committee of the Whole on the Private Calendar, on a private bill, and when the point was raised, there seemed to be but one conclusion to arrive at. The gentleman was not discussing the bill, and there was no rule that would allow him to go into general debate upon other subjects upon a private bill, and the Chair sustained the point of order.

Mr. HANDY. Will the gentleman permit me to interrupt him?

Mr. PAYNE. Certainly.

Mr. HANDY. In the case to which the gentleman refers the gentleman from Delaware repeats now what he said to the gentleman from New York [Mr. PAYNE] when he was in the chair, namely, that the gentleman from Delaware was speaking to the bill.

Mr. PAYNE. Well, the House afterwards indulged the gentleman to the fullest extent, and he occupied half an hour, making the same speech, and he vindicated the decision of the Chair at least and the decision of the committee, in that he did not talk to the bill at all during that speech.

Mr. HANDY. That was a matter of a difference of opinion between the Chair and myself.

Mr. PAYNE. The gentleman from Tennessee [Mr. McMILLIN] says that was decided by a tie vote in the committee, the Chair voting to sustain his own decision.

Mr. WILLIAMS of Mississippi. And if the gentleman will excuse me for the interruption, if the gentleman from Delaware [Mr. HANDY] had thought it proper and right to vote to sustain himself the Chair never would have had the opportunity to sustain himself by voting on a tie vote. [Applause on the Democratic side.]

Mr. PAYNE. The point here is different. If the gentleman from Delaware wants to make a speech, I will yield to him.

Mr. HANDY. I would like to repeat a little of the history of that transaction. The gentleman from Delaware refrained from voting as a matter of delicacy on a question between himself and the Chair; but when the Chair announced the tie vote and proceeded to vote in his own favor, the gentleman from Delaware, with a good deal of lung power, tried to vote the other way, and the gentleman in the chair [Mr. PAYNE] did not hear him.

Mr. PAYNE. Very probably. If the gentleman has said all he wants to say, I would like to proceed.

Mr. HANDY. That is a complete chapter at the present.

Mr. PAYNE. No; I will complete the chapter when you get through. [Cries of "Vote!" "Vote!"]

Now, upon that special point of order there was a strict party vote on each side of the question. The Chair had just decided the question, and decided the point of order against the gentleman speaking on subjects foreign to the bill, and the occupant of the chair had no hesitancy in voting to sustain his own decision. The rules had not changed, and the debate in the Committee of the Whole did not show any reason why the ruling should be changed. That is all there was in that precedent. It does not apply to this, which relates simply to the five-minute debate upon the paragraph.

Mr. BOUTELLE of Maine. Mr. Chairman——

Mr. HANDY. Mr. Chairman——

The CHAIRMAN. The gentleman from Maine is recognized.

Mr. HANDY. I want to be heard on the appeal before the question is put, Mr. Chairman.

Mr. BOUTELLE of Maine. Mr. Chairman, I believe I have the floor. It became my duty to call this gentleman to order.

Mr. HARTMAN rose.

Mr. BOUTELLE of Maine. I do not think he ought to disturb——

Mr. HARTMAN. I do not think I am making as much disturbance as the gentleman is. I desire to be recognized upon this appeal.

The CHAIRMAN. The gentleman from Maine is recognized.

Mr. BOUTELLE of Maine. It is the duty of this House to attend to public business. The public business before this committee now, and the only public business to which it can possibly apply itself under the rules, is the consideration and disposal of the appropriation bill for the naval establishment, for which this country is anxiously awaiting. It is perfectly obvious that the procedure to which we have been subjected during the last three-quarters of an hour is not in the interest of the transaction of public business. We are here to do business, and, taking in consideration that time was awarded for this debate yesterday to the full extent requested on that side——

Mr. HANDY. Not at all.

Mr. BOUTELLE of Maine. To the last minute required——

Mr. HANDY. Not at all.

Mr. BOUTELLE of Maine. I am talking about the agreement that I perfected with gentlemen upon that side. We ought to be able to proceed to-day, in regular order, and without obstruction, and without filibustering, to dispose of this great public measure of vital importance to the interests of this Government. I ask the Chair to submit this question and let us decide this appeal now and for all times that when the Committee of the Whole are engaged in the transaction of legitimate business they will not permit it to be obstructed and delayed through the performance of men infusing political harangues that are manifestly out of order, and, when so declared, arrogantly claim in defiance of the rule that they are in order, and then proceed to discuss some moot questions of parliamentary law in order to obstruct the public business. Let us have a vote.

Mr. FOOTE. Mr. Chairman, I move that since this has been discussed, we now proceed to a vote.

Mr. BOUTELLE of Maine. I move to close debate on this appeal.

Mr. RICHARDSON. I raise the point of order.

Mr. BAILEY. I make the point of order that you can not close debate on an appeal.

Mr. BOUTELLE of Maine. I move that this debate be closed.

Mr. BAILEY. You can not close debate on an appeal.

Mr. HARTMAN. Am I not to be recognized?

Mr. RICHARDSON. I make the point of order——

Mr. BOUTELLE of Maine. This question is not debatable.

Mr. RICHARDSON. The motion is not in order.

Mr. BAILEY rose.

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BAILEY. I rose to make the point of order that under the rules it is permissible to move to close debate on the paragraph, but not upon an appeal.

Mr. RICHARDSON. That is clearly the case.

Mr. BAILEY. That is the plain rule.

Mr. BOUTELLE of Maine. I understand it is not, under the practice of the House.

A MEMBER. Who told you that?

Mr. BOUTELLE of Maine. I obtained the information from one better informed than myself, not being so conceited as some gentlemen whom I might name. [Laughter.]

The CHAIRMAN. The Chair understands the gentleman from Texas to make a point of order.

Mr. BAILEY. My point of order was that debate upon a paragraph may be closed by a vote in the Committee of the Whole, but the Committee of the Whole has no power to close debate except upon a paragraph. The question before the committee is not a paragraph, but an appeal; and the very fact that the Committee of the Whole by express rule is authorized to close debate on a paragraph is proof that without that authority they could not close debate at all.

The CHAIRMAN. It seems to the Chair that it must——

Mr. RICHARDSON. If I may be pardoned, I desire to suggest that the matter of appeal is wholly within the discretion of the Chair and not subject to the rule.

Mr. BOUTELLE of Maine. Then I ask as speedy a ruling as possible. [Laughter.]

The CHAIRMAN. The Chair desires to hear the gentleman from Tennessee.

Mr. RICHARDSON. Mr. Chairman, there is no better settled practice, though this is not a rule, that the discussion of an appeal is wholly within the discretion of the Chair. If the Chair wants to hear a member five minutes or one minute, he can do so. If he wants to hear any member debate it, he can do so.

Now, as long as there is some gentleman on the floor who thinks that he has some information bearing in some way upon the question before the committee, I have never known the Chairman abruptly to close debate and make his ruling. The Chairman generally hears from members who, in a respectful way, state that they desire to offer something which they think sheds some light on the pending question. As long as gentlemen address themselves to the Chair and make that statement, I think the present occupant of the chair will hear a reasonable discussion upon it. It may become necessary sometimes for the Chairman to shut off debate, but that has not arisen yet. The time may come, Mr. Chairman—and I say this is a most important question—when the position of the two parties may be changed very radically. At the next session of this House I submit that the gentlemen on that side, now in the majority, if they become the minority in the next House, will raise a very different voice from the voice they now raise if it shall be undertaken to suppress debate and enforce the rule they now ask to enforce here.

Now, upon the point of order——

The CHAIRMAN. The gentleman from Tennessee must be proceeding by unanimous consent, for this motion is not debatable.

Mr. RICHARDSON. I submit that it is in order——

The CHAIRMAN. Debate upon the motion is not in order.

Mr. RICHARDSON. But I submit that the motion is not in order. The Chair can close debate, but there is no motion in this committee, and none under the rules of the House, by which any gentleman can close debate on an appeal. Why, if that was the case, you would not be permitted as a Chairman of the Committee of the Whole to hear any views upon the subject. The most ignorant, if there be any such on the floor—I will not say that, but the least informed member could take away from the Chair the opportunity of hearing debate by simply moving to close debate on a proposition that the Chair might desire to hear, and yet he would be precluded by the motion to close debate on an appeal.

Mr. BOUTELLE of Maine. Will the gentleman answer me a question?

Mr. RICHARDSON. I will.

Mr. BOUTELLE of Maine. I want to ask the gentleman from Tennessee, in all candor, if he believes that a ruling which would permit the gentleman from Montana [Mr. HARTMAN] to go on and make the kind of speech he is making would conduce to the speedy disposition of this great public measure?

Mr. RICHARDSON. I will answer the gentleman frankly. I was not in and I was not fortunate enough to hear the remarks of the gentleman from Montana——

Mr. BOUTELLE of Maine. It had no relation whatever to the subject-matter of this bill——

Mr. RICHARDSON (continuing). And therefore I can not express an opinion——

Mr. BOUTELLE of Maine. Will the gentleman answer my question?

Mr. RICHARDSON. I am answering the question. I am quite willing to say that not one-tenth of the time would have been consumed by the gentleman from Montana if the gentleman from Maine had allowed the gentleman from Montana to go on that has been occupied in this discussion.

Mr. BOUTELLE of Maine. Is the gentleman from Tennessee willing to answer candidly the question I asked him?

Mr. RICHARDSON. Yes; I will answer further by saying that you will never save time by an effort to enforce a rule so harsh, so contrary to all the practices and precedents of this House for one hundred years, as the one you now seek to invoke. It is absolutely impossible in any House to suppress debate in that way. I have been a member of this House for nearly fourteen years, I passed through the stormy scenes of the Fifty-first Congress, and I never saw any attempt on the part of the Chairman there to suppress debate like this under the five-minute rule. You can not do it; you must permit some reasonable debate. The gentleman says that yesterday we agreed to limit debate and that we were given all we wished. There was a compromise agreement, but the gentleman has no right to say that we were given all the time we desired under that agreement. It was a compromise. Now, I hope that no such rule as that now asked for will be enforced. I venture to say that no political party ever did enforce any such rule, and I venture to say that the Republican party, if they attempt to enforce it now, will regret it before this session is over, and they will surely regret it before the next one closes its labors. [Applause.]

The CHAIRMAN. The Chair would like to make a ruling. He has heard all the discussion he cares to upon this point of order. Beyond question the gentleman from Tennessee is correct, providing he was speaking to the question of a point of order. It always has been held that the Chair can conclude discussion of a point of order when he desires, when his mind is satisfied upon the point, for that is the real purpose of permitting the discussion; but it does not necessarily follow that the Chair can bring to an end debate upon an appeal from the decision already made. Discussion in that case is not to satisfy the mind of the Chair, but of the members of the committee. But without passing upon whether or not the Chair can bring that debate to a conclusion, the Chair does hold that it is within the power of the committee to bring the debate to a conclusion, and therefore will put the motion of the gentleman from New York, that debate be now closed.

Mr. HARTMAN. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARTMAN. I happen to be the party directly interested in the matter which is contained in this appeal, and I want to know whether under the rules of the House the party who takes the appeal is not permitted to close the debate?

The CHAIRMAN. The party who took the appeal was the gentleman from Texas, and he has discussed it fully. It is not a proper parliamentary inquiry under the circumstances.

Mr. HARTMAN. I ask permission that I may close the debate on this question.

Mr. STEELE. Let us have the regular order.

The CHAIRMAN. The regular order is demanded. The question is upon the motion of the gentleman from New York that debate now close on the appeal.

The question being taken; there were on a division (called for by Mr. BAILEY)—ayes 111, noes 95.

Mr. BAILEY. I demand tellers.

Tellers were ordered; and Mr. BOUTELLE of Maine and Mr. BAILEY were appointed.

The committee again divided; and the tellers reported—ayes 129, noes 106.

So the motion to close debate was agreed to.

The CHAIRMAN. The question is now, Shall the decision of the Chair stand as the judgment of the committee?

The question being taken, there were on a division (called for by Mr. BAILEY)—ayes 120, noes 92.

Mr. BAILEY. I call for tellers.

Tellers were ordered; and Mr. BOUTELLE of Maine and Mr. BAILEY were appointed.

The committee again divided; and the tellers reported—ayes 116, noes 99.

So the decision of the Chair was sustained.

Mr. MCMILLIN. I move that the gentleman from Montana be permitted to proceed in order.

The CHAIRMAN. The gentleman from Tennessee moves that the gentleman from Montana be permitted to proceed in order.

Mr. BOUTELLE of Maine. I think that ought to be permitted.

The motion was agreed to.

Mr. BOUTELLE of Maine. Of course that means that the gentleman proceed under the five-minute rule.

The CHAIRMAN. The gentleman will proceed in order under the five-minute rule.

Mr. HARTMAN. Mr. Chairman, referring to the amendment which I have offered to this bill, it being an amendment to strike out the last two words, as an amendment to the motion to strike out one last word of the paragraph of this bill, I desire to say that the proposition which makes it entirely proper and appropriate to the present discussion is this, that if the bill itself pertains to the state of the Union and either adds or detracts from its welfare, then the paragraph pertains to it, and if the paragraph pertains to it, the last word pertains to it, and if that pertains to it, the last two words pertain to it.

Now, in support of that amendment, I desire to submit to the House about nine lines, to which I ask attention, and which I have prepared:

Following the instructions of those who dictate our policies, control our conventions, and manage our administration, we bow in worshipful adoration at the feet of Grover the Fat—him who gave us wisdom and an honest financial policy——

Mr. BOUTELLE of Maine. I call the gentleman to order.

The CHAIRMAN. The gentleman from Montana will suspend.

Mr. HARTMAN continued speaking during the rapping of the Chairman.

The CHAIRMAN. The gentleman from Maine calls the gentleman from Montana to order. The gentleman from Montana will suspend his remarks. The gentleman from Maine will state his point of order.

Mr. BOUTELLE of Maine. I make the point of order, Mr. Chairman, and insist that the language which the gentleman persisted in using after he was called to order shall not be printed in the RECORD. I make the point of order that he is not proceeding in order, but is abusing the privilege accorded to him by this committee by persisting in that which the committee has just decided by a vote to be out of order.

The CHAIRMAN. The point of order is sustained.

Mr. BAILEY. On that point of order I desire to be heard.

The CHAIRMAN. The point of order has been decided.

Mr. BAILEY. On that point of order I desire to be heard.

Mr. BOUTELLE of Maine. I make the point of order on the gentleman from Texas that he is making a dilatory proposition.

Mr. BAILEY rose.

The CHAIRMAN. This same proposition has just been fully discussed; the Chair has once passed upon it, and the Committee of the Whole has passed upon the decision of the Chair, so that the Chair prefers to hear no further discussion.

Mr. BAILEY. I wish to occupy but a moment or two. I want to call the attention of the Chair to a matter which I think bears upon this question.

The CHAIRMAN. On that statement the Chair will hear the gentleman.

Mr. BAILEY. I want to remind the Chair that in the Fifty-fourth Congress the gentleman from Montana was delivering a more bitter invective against Mr. Cleveland, who was then President, than he has uttered here to-day against either Mr. Cleveland or the Republican party; yet while he was assailing Mr. Cleveland, who was then President, and a point of order was made by a gentleman who then occupied a seat on this side of the Chamber, the Chairman of the Committee of the Whole, a distinguished Republican, now, as then, a member of this House, overruled the point of order and declared that the gentleman from Montana could proceed. He did proceed; and in the RECORD of that Congress there appears that speech, a more terrific arraignment of Mr. Cleveland than anything the gentleman has uttered now.

Is the Republican party willing to say to the country that when the gentleman from Montana denounced Mr. Cleveland he should be permitted to proceed, but when, consistently with his own course, he turns and denounces the Republican party for the same crime, he shall be silenced by the majority of this House? [Applause.] It is a poor rule that does not work both ways; and if it was not an infraction of the rules of this House in the Fifty-fourth Congress to denounce the then President of the United States, it certainly ought to be permissible now that he is in retirement, where I hope he will remain forever, to put his name in the RECORD, without a motion to expunge it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BAILEY. I appeal from the ruling of the Chair.

Mr. BOUTELLE of Maine. I make the point of order that that motion is a dilatory motion, clearly, the House having just decided the identical question.

The CHAIRMAN. The Chair sustains that point.

Mr. BAILEY. The point now is that the gentleman from Maine moves that what the gentleman from Montana has uttered shall

not become a part of the RECORD. That is not the question that the committee passed on a moment ago.

The CHAIRMAN. That is not the point which the Chair passed on.

Mr. BOUTELLE of Maine. That is not the point of order I raised.

The CHAIRMAN. The Chair has passed upon the identical question. It was passed upon half an hour ago, and it was from that ruling that the appeal was taken.

Mr. BAILEY. Then the Chair does not respond to the suggestion of the gentleman from Maine, or to his motion, that the remarks of the gentleman from Montana shall not become a part of the RECORD.

Mr. BOUTELLE of Maine. I did not move that they be stricken from the RECORD.

Mr. BAILEY. The gentleman certainly did.

Mr. BOUTELLE of Maine. I said I demanded that it should be done, in the discretion of those having charge of the RECORD.

The CHAIRMAN. Will the committee be in order? Will all gentlemen be seated?

Mr. BAILEY. Including the Chair. [Laughter.]

The CHAIRMAN. The rule provides that the Chair shall stand while making a decision. The Chair sustains the point of order of the gentleman from Maine. The Chair declines to entertain the appeal of the gentleman from Texas, for the reason that the identical question was decided but a few moments ago, an appeal taken, and the committee sustained the Chair.

Mr. BAILEY. And being decided wrongly then, would be decided wrongly again!

The CHAIRMAN. The Clerk will read.

Mr. HARTMAN. I rise to a question of personal privilege.

Mr. DINGLEY. I make the point of order that no question of personal privilege can be raised in Committee of the Whole.

The CHAIRMAN. The Chair is of the opinion that no question of personal privilege can be raised in Committee of the Whole.

Mr. DINGLEY. That is my point, that no question of personal privilege can be raised in Committee of the Whole.

Mr. BAILEY. I submit that that question has been heretofore decided by the gentleman from Ohio [Mr. GROSVENOR] when he was occupying the chair, and decided the other way.

Mr. GROSVENOR. If the Chair will give me a moment, I think there will be no difficulty——

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. GROSVENOR. A very bitter discussion upon this question arose in the Fifty-first Congress. The Chairman of the Committee of the Whole decided, over the objection made by the gentleman from Illinois [Mr. CANNON], that where the matter of privilege arose in the transactions of the Committee of the Whole the right to raise a question of privilege appertains, and upon an appeal from the decision of the Chair the decision was sustained.

I think that the Chair will see the propriety of that rule. I have no pride in upholding that ruling, but the Chair will see that to rule otherwise would be to make it impossible for a member charged with some misconduct in the very conduct of the business of the Committee of the Whole to once purge himself under the cover and protection of a question of personal privilege.

The CHAIRMAN. Has the gentleman from Texas the reference to that decision in the Fifty-first Congress?

Mr. BAILEY. The case to which I desired to call the attention of the Chair was the decision by the gentleman from Ohio [Mr. GROSVENOR] to which he has referred.

Mr. GROSVENOR. Drawing the distinction between the ordinary question of privilege that comes from outside utterances or circumstances and narrowing it down to something that happened in the proceedings of the committee.

Mr. BAILEY. I think that is a proper distinction. I do not think that a gentleman would have the right to rise in the Committee of the Whole, say his character as a member of the House had been assaulted, and occupy the time of the committee in that way; but this grows out of a transaction in the committee itself.

Mr. MCMILLIN. I was going to suggest, Mr. Chairman, that if the distinction which the gentleman from Ohio has made is a true distinction, and that right does exist, then the Chair will have to hear the gentleman from Montana [Mr. HARTMAN] before he can determine whether it falls within the rule or not.

The CHAIRMAN. The Chair would have to take the gentleman's statement as to whether or not he desired to speak upon such a matter; and of course the Chair would always do that with any member of the House or of the committee.

Mr. HARTMAN. Mr. Chairman——

The CHAIRMAN. Before the gentleman proceeds the Chair will rule, complying with the precedent, without looking it up, which the gentleman from Ohio [Mr. GROSVENOR] and the gentleman from Texas state was made in the Fifty-first Congress. He will be governed by that ruling, and will hear the gentleman from Montana, provided he desires to speak upon a matter of personal privilege which has arisen now.

Mr. HARTMAN. Mr. Chairman, the present contention pending before the House has assumed to this extent a personal relation to myself that it involves a criticism on the part of the House of matters which I have been presenting to it; and I submit to the Chair that every single word that has been uttered by myself here to-day has full and complete justification and precedent, from the time of the establishment of our Government down until the ruling on the part of the gentleman from New York [Mr. PAYNE] in the Fifty-fourth Congress. And, Mr. Chairman——

Mr. DINGLEY. Mr. Chairman, I make the point of order that that does not raise a question of personal privilege.

Mr. HARTMAN. I intend to confine myself to the question of personal privilege.

The CHAIRMAN. The gentleman has not yet spoken to the question of personal privilege.

Mr. HARTMAN. Mr. Chairman, the gentleman from Maine rises here and states that the remarks that I am submitting are submitted for the purpose of interfering with the passage of the great naval appropriation bill, of which he is in charge.

Mr. BOUTELLE of Maine. Mr. Chairman, is that a question of personal privilege?

The CHAIRMAN. The Chair thinks that it is not a question of personal privilege.

Mr. HARTMAN. Well, Mr. Chairman, I intend to make my statement, and I do not intend to be intimidated by the gentleman from Maine or any other gentleman. [Cries of "Oh!" on the Republican side.]

Mr. PAYNE. I call the gentleman to order.

The CHAIRMAN. The gentleman will please be in order.

Mr. PAYNE. I insist that the rule shall be enforced; that the gentleman be obliged to take his seat.

The CHAIRMAN. The gentleman from Montana, having been called to order, will take his seat.

Mr. BAILEY. The words must be taken down.

The CHAIRMAN. The Chair recognized the gentleman upon the theory that he desired to speak to a question of personal privilege.

Mr. BAILEY. A question of order, Mr. Chairman. Before the gentleman is compelled to resume his seat the words to which objection has been made ought to be taken down.

Mr. PAYNE. Not at all. There was no demand to take his words down.

Mr. BAILEY. Then, Mr. Chairman, I submit that it is not in order to call a member to order and force him to resume his seat and to listen to any statement of the Chair until the Chair has decided that the gentleman is not in order.

The CHAIRMAN. The Chair had decided that the gentleman was not in order, because he was not speaking to a question of personal privilege.

Mr. BAILEY. I had not understood the Chair so to decide.

The CHAIRMAN. Oh, yes; the Chair twice stated to the gentleman that he was not speaking to a question of personal privilege.

Mr. BAILEY. I was absent from my seat for a moment, having gone to the cloakroom with a headache.

Mr. GROSVENOR. Mr. Chairman, one word. A parliamentary inquiry.

I would like to have the gentleman from Texas hear what I say. It would not do to incorporate that sort of practice, where a member calls another member to order, and have a decision of the Chair without the language being taken down.

Mr. DALZELL. Oh, no.

Mr. GROSVENOR. Otherwise you would have nothing to decide except what, in the mind of the Chair, are the unparliamentary remarks of the member; and therefore, upon his being challenged, the rule and practice is that the language is taken down, and then the Chair rules upon it.

Mr. BAILEY. That is all we contend for.

Mr. DALZELL. Mr. Chairman, the gentleman from Ohio confuses two different cases. When a member is called to order, the rule prescribes that he shall take his seat, and shall not be allowed to proceed unless some other member move that he proceed in order. That is one case. Another case is where a party is called to order and his words demanded to be taken down. [Cries of "Regular order!"]

Mr. SHAFROTH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SHAFROTH. I desire to call the attention of the Chair to a ruling in the Manual. It reads as follows——

Several MEMBERS. What page?

Mr. SHAFROTH. Page 457 of the Manual:

If a member is called to order for words spoken in debate, the committee shall rise and the Chairman report to the House the language taken down.

The CHAIRMAN. That is a different case.

Mr. DALZELL. That is not this case. [Cries of "Regular order!"]

The CHAIRMAN. The gentleman from Montana rose to a question of personal privilege. If the gentleman will confine himself to the question of personal privilege, he then can have the floor.

Mr. PAYNE. Oh, no; he proceeded without permission of the committee, having twice been called to order, and twice ruled out of order and took his seat.

The CHAIRMAN. If that point of order is raised, it must be sustained.

Mr. HARTMAN. Mr. Chairman——

Mr. BAILEY. I make the motion that he be permitted to proceed in order.

Mr. DALZELL. I hope that will be voted down.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. DALZELL. Division.

The committee divided; and there were—ayes 91, noes 110.

Mr. BAILEY. Tellers, Mr. Chairman.

Mr. SIMPSON of Kansas. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SIMPSON of Kansas. If I understood it correctly, the motion we just voted on was a motion to allow the gentleman from Montana to proceed in order.

Several MEMBERS. Regular order!

Mr. SIMPSON of Kansas. Therefore the vote is that he can not proceed in order. [Cries of "Regular order!"]

The CHAIRMAN. The gentleman is stating a parliamentary inquiry.

Mr. WILLIAM A. STONE. It can not be.

Several MEMBERS. Regular order!

Mr. SIMPSON of Kansas. The vote is that he can not proceed in order. Is that what the vote was?

The CHAIRMAN. The vote that he shall proceed in order is negatived.

Mr. SIMPSON of Kansas. Then he can not proceed in order.

The CHAIRMAN. The gentleman from Texas asks for tellers.

Mr. WILLIAMS of Mississippi. Another parliamentary inquiry.

The question was taken; and tellers were ordered.

The CHAIRMAN. The gentleman from Texas, Mr. BAILEY, and the gentleman from Maine, Mr. BOUTELLE, will take their places as tellers.

Mr. BAILEY. Mr. Chairman, I will ask the Chair to appoint my colleague, Mr. COOPER, to act as teller.

The CHAIRMAN. The gentleman from Texas, Mr. COOPER, will take his place as teller.

The committee again divided; and the tellers reported—ayes 100, noes 104.

The CHAIRMAN. The noes have it; the motion is lost; and the Clerk will read.

Mr. BAILEY. I submit that there are two amendments to be disposed of. The gentleman from Montana has two amendments.

Mr. HARTMAN. I ask for a vote on those amendments.

The CHAIRMAN. The first is an amendment to the amendment to strike out the last two words.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BAILEY and Mr. HARTMAN. Division.

Mr. BOUTELLE of Maine. I make the point that the demand is dilatory.

Mr. BAILEY. I suppose that we are always entitled to a vote.

The CHAIRMAN. The Chair will not sustain that point of order.

The committee divided; and there were—ayes 16, noes 66.

Mr. BAILEY. I demand tellers.

Mr. PAYNE. I make the point of order that that demand is dilatory, and made for the purpose of delay. The gentleman voted in the affirmative himself.

The CHAIRMAN. The Chair will sustain the point of order.

Mr. BAILEY. I submit, Mr. Chairman, that even the Speaker of this House held that the demand for yeas and nays is not subject to the point of order that it is dilatory.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BAILEY. I appeal from the decision of the Chair.

Mr. PAYNE. I make the point of order that that is dilatory.

The CHAIRMAN. The Chair sustains the point of order. The question is upon the pending amendment.

Mr. BAILEY. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BAILEY. I want the Chair to specify in the record of this House——

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. BAILEY. What the decision is.

Several MEMBERS. Regular order!

Mr. BAILEY. And what I desire to inquire is, if gentlemen will possess their souls in patience, if the Chair has stated the ground upon which he overruled the demand for tellers.

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. BAILEY. It is one the Chair could not very well answer.

The CHAIRMAN. The question is on the amendment.

Mr. HARTMAN. I ask that the amendment be stated.

The CHAIRMAN. It has once been stated.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BAILEY and Mr. HARTMAN. Division!

The committee divided; and there were—ayes 62, noes 99.

Mr. BAILEY. I demand tellers.

Mr. DINGLEY. I make the point of order that that motion is also dilatory.

Mr. BAILEY. Mr. Chairman, upon that I desire——

Mr. PAYNE. Mr. Chairman, I desire to say one word, if the gentleman from Texas will allow me. The motion is to strike out the last two words—a pro forma amendment, an amendment that is invariably withdrawn in Committee of the Whole—and it shows upon its face that all of this is simply done for delay.

Mr. BAILEY. Mr. Chairman, I desire to remind the Chair that the gentleman from New York has declared that striking out the last word might change the whole effect of the law. I desire further to say that you would, if you sustained that point of order, destroy the last safeguard of the minority in this House. [Applause.]

A dishonest man and dishonest men have been in the chair. [Applause.] A dishonest man might deliberately make a false count, and if you deny the right to have that count verified by tellers, you will destroy the last safeguard of the minority of this House. It is a very much more serious question than the mere matter of filibustering. I am free to say that I started out to consume double as much time as was denied to the gentleman from Montana, and I intend to do it every time the majority refuse a reasonable time for debate; but we have reached a point that presents a graver issue.

The CHAIRMAN. The gentleman is not discussing the point of order.

Mr. MCMILLIN. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The Chair does not care to hear any further discussion.

Mr. BLAND. Mr. Chairman, I desire to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLAND. Is not the demand for tellers a questioning of the Chair itself and the Chair's decision? Does it not call in question the count of the Chair; and when that is brought into question, shall the Chair say there shall not be a revision of that count?

The CHAIRMAN. The gentleman is not presenting a parliamentary inquiry.

Mr. BLAND. I present it as a parliamentary inquiry, if the Chair does not know that calling for tellers is a questioning of the count? I say that no self-respecting House will submit to any such ruling.

The CHAIRMAN. Gentlemen will please be in order. Will all gentlemen be seated and will the Committee of the Whole come to order. Does the gentleman from Tennessee [Mr. MCMILLIN] wish to discuss the point of order?

Mr. MCMILLIN. I desire to discuss the point of order briefly. I should not do so did I not think this a very important question, involving the rights of the House and the integrity of its proceedings. While this may be an insignificant amendment—I will not discuss that, and this may not be a momentous time; I will not discuss that—the rules of the House and the Constitution of the United States have provided certain muniments for the ascertainment of the will of this committee and the House. One of them is that when sitting in the House the right to demand the yeas and nays exists with the members and can not be cut off. That has never been denied during the history of the Government.

There has never been a suggestion that it should be denied. Furthermore, in all the time that we have had questions of filibustering presented during the occupancy of the chair by the present able Speaker, and during the occupancy of the chair by Speaker Carlisle and Speaker Keifer, even this right to say that the result announced was not the true result was never denied; it has always been conceded that after there had been an aye-and-no vote, it was the privilege of any member to call for a recapitulation of the vote, although it took as much time as it did to take the vote by tellers.

Now, Mr. Chairman, concurrently with this right to have a vote by yeas and nays in the House has been this immemorial right to have a verification of the vote by tellers in Committee of the Whole. The former was wisely instituted for the purpose of enabling members to make a record, and in Committee of the Whole, in absence of the record, it was the right to question the

count of the Chairman as accuracy by tellers. This was never denied. I can not see how that right can ever be surrendered by a self-respecting House of Representatives without the destruction of one of its most important prerogatives. And if it is to be done, although this action may not be momentous, although the question here may be settled one way or the other and the country not go to wreck, how can we tell that the action of to-day will not be a precedent for to-morrow and the custom for succeeding time?

If the Chair can refuse tellers in one case, he can in all cases, and the will of the Chairman becomes the law of the committee. All a man has to do is to get in the Chair and his will will be law. He can put any kind of a corrupt job into an appropriation bill that his cupidity or want of principle may suggest or tolerate. [Applause.]

Sir, I take great delight in saying that I do not believe that the present occupant of the chair is capable of any such conduct. Were he absent I would say more in commendation of him and of his usual conduct of the affairs both of the House and of the Chair. But this important right of the minority should not be surrendered without protest, and will not be surrendered without my denouncing it as a wrong that has had no precedent in this or in any other House. Our system of government is a wise one; let us preserve it. The minority have rights; let us observe them. You had better spend hours or even days in debate and delay this bill a few hours than to pass it by reckless, unjust revolution.

The CHAIRMAN. The Chair is ready to rule——

Mr. GROSVENOR. Mr. Chairman, I am not quite willing that this matter should go to a decision upon the statement of the gentleman from Tennessee [Mr. McMILLIN]. I think that in the warmth of his argument he has forgotten that the real point here is not the question of verifying the vote upon the motion to strike out the last word. The rule of the House has conferred upon the presiding officer the right to say when a motion is dilatory and to refuse in that event to recognize it. Now, the motion to strike out was made as a mere pro forma matter. Whatever may be said about the effect of the amendment, we understand—and that is the practice of the House—that these pro forma amendments are usually made to be withdrawn.

Now, it is the duty of the Chair to say when a motion is dilatory; and it does not make any difference what that motion is. We are conforming to the rules of the House. The rules of the House do not say that a decision that a motion is dilatory shall be made only upon a motion to adjourn or only upon a motion to appeal or only upon a motion to take a recess, but any motion that is made for the mere purpose of delay may be thus condemned by the Chair.

The essence, therefore, of this controversy is this: It is not a question whether or not the count of the Chair upon this question was truly made or was accidentally wrong. The real question is, Was the motion made in good faith or was it dilatory? Now, can the gentleman from Tennessee say that a motion for tellers to verify the count of the Chair on a motion to strike out the last word—a word which I presume the gentleman can not now give, nor the paragraph to which the motion applied—will the gentleman say that the Chair is usurping authority when he says that a demand for tellers upon that kind of a motion, under the present condition of things, is a dilatory motion? If the Chair so decides, and the conscience of the Chair has been concurred in by the judgment of the House, that, it seems to me, conforms strictly to the rules of the House; and the gentleman is assailing the rules when he assails the Chair.

Mr. BAILEY. I desire to ask the gentleman from Ohio [Mr. GROSVENOR]—and I ask it for information, because I was not in the House on the occasion to which I am about to refer—whether it is not true that, pending a bill to reimburse the Methodist Publication Company, the point was made, upon a demand for tellers, that the demand was dilatory, and the point was overruled by the Chair? I am informed by those around me that that is true. I was not in the House at the time.

Mr. GROSVENOR. I do not know whether it is true or not; but that does not affect this question. The duty of the Chair on that occasion was to decide the question, and having decided it, he had conformed to the rule of the House. The duty of the Chair in this case is similar.

Mr. BAILEY. But the Chair at that time overruled the point of order made upon a demand for tellers on the ground that the point of order that such a demand is dilatory can not be made, just as the Speaker of the House overruled a point of order that a demand for the yeas and nays was dilatory, holding that such a point of order can not be made.

Mr. GROSVENOR. The yeas and nays are provided for in the Constitution, and no rule of the House can affect that proposition.

Mr. BAILEY. As I have said to the gentleman from Ohio, I was not in the House on the occasion to which I have referred, but my information was that this very question was raised and decided as I have stated.

Mr. GROSVENOR. I do not remember as to that; but I have this to say, that the ruling on a question of this kind depends upon the surrounding conditions at the time. If the Chairman made a ruling of the character which the gentleman states on the occasion referred to, and put it upon the ground that a demand for tellers can not under any circumstances be refused, that is one thing; but if the Chair simply overruled the point of order, that is altogether another thing, because generally in so ruling the Chair simply says, "My mind has not met the mind of the gentleman who has made the point of order, and I can not say that this is a dilatory motion."

Mr. WILLIAM A. STONE. I should like to make a parliamentary inquiry. What is the question we are discussing?

The CHAIRMAN. The point of order.

Mr. WILLIAM A. STONE. As I understand, the point of order has been decided by the Chair.

The CHAIRMAN. The Chair stated that he was ready to rule; but he has not decided the point of order.

Mr. McMILLIN. I wish to ask the gentleman from Ohio this question, because it seems to me important to see what would be the result of these rulings before we establish them: Suppose that upon the question of an important appropriation going into a general appropriation bill the Chair should refuse to entertain a demand for tellers, what would be the remedy?

Mr. GROSVENOR. My remedy would be an appeal to the conscience of the House. I would make a motion to rise——

Mr. McMILLIN. That is the very point to which I wanted to bring the gentleman. Suppose the same spirit that induced the Chairman to refuse to entertain the first motion should prompt him to refuse to entertain the motion that the committee rise, how would the gentleman get at "the conscience of the House?"

Mr. GROSVENOR. I am trying to appeal to the conscience of the gentleman from Tennessee, who knows that this is a dilatory motion.

Mr. McMILLIN. I know that this right to demand tellers has never been interfered with before.

The CHAIRMAN. The committee will indulge the Chair for one moment. The Chair has no desire to make a ruling which will cut off any member from the exercise of an honest right, and if the gentleman from Texas assures the Chair that in good faith he makes this demand for tellers, the Chair will request the gentleman who raised the point of order to withdraw it.

Mr. JETT. Is it to be presumed that any member on this floor makes any motion otherwise than in good faith?

The CHAIRMAN. Not when he disclaims it.

Mr. BAILEY. I resent, as an insult to a member of the House, the demand on the part of the occupant of the chair that he shall file an inventory of his motives. Sir, I am exercising my right, and neither you nor the power behind you can compel me to stand here and say what my motives are. [Applause on the Democratic side.]

Mr. BOUTELLE of Maine. Because it does not require any statement. We understand exactly what they are. They are to obstruct this bill.

The CHAIRMAN. The Chair is ready to rule. The committee will please be in order.

Mr. WILLIAMS of Mississippi. A point of order on the gentleman from Maine——

The CHAIRMAN. The Chair is ready to rule, and does not care to hear any further discussion.

Mr. HOPKINS. I desire to be heard on one subject. [Cries of "Rule!" "Rule!"]

Mr. COCHRAN of Missouri. I desire to make a point of order——

The CHAIRMAN. The committee will be in order.

Mr. HOPKINS. The suggestion which I desire to make is——

The CHAIRMAN. Before anything further is done the committee will please come to order.

Mr. HOPKINS. That suggestion—— [Cries of "Order!" "Order!"]

The CHAIRMAN. It is not only the privilege but the duty of the Chair, as it seems to me, at all times when a question of order is raised, to consider the circumstances under which it has been raised. Here a purely formal amendment to strike out the last word is made——

Mr. FITZPATRICK. Mr. Chairman——

The CHAIRMAN. Will the gentleman permit the Chair to make his statement? The vote is taken upon that amendment. The vote shows that the Chair is not likely to have been mistaken, the total being 62 to 99. It is not so close as to indicate that the Chair erred in his count or in his conclusion as to whether the motion is carried or lost.

Mr. FITZPATRICK. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas [Mr. BAILEY], who made the demand for tellers, stated in his remarks that he had started out this afternoon for the purpose of consuming time.

Before taking his seat he had not stated that he had any other purpose at the present time.

Mr. BAILEY. I am unwilling to allow that statement to stand unchallenged, because I distinctly said that we had now met a question vastly more important than anything that had gone before it, and that the denial of a demand for tellers was the destruction of the last safeguard of the minority in this House, and I insisted upon it as the right of the minority.

The CHAIRMAN. But the Chair attempted to ascertain from the gentleman whether or not he made the demand in good faith, and the gentleman declined to answer the question.

Mr. BAILEY. I do. I now resent any demand on the part of the Chair to have me stand here under cross-examination and state what my motives are. [Applause on the Democratic side.]

The CHAIRMAN. The Chair will now conclude his statement. The gentleman having stated some time ago that he started out this afternoon for the purpose of consuming time, and as it seems perfectly apparent that the demand is made clearly for the purpose of consuming time, the Chair sustains the point of order.

Mr. BAILEY. I appeal from the decision of the Chair on that.

The CHAIRMAN. The gentleman from Texas appeals from the decision of the Chair.

Mr. DALZELL. I make the point of order that that is dilatory, Mr. Chairman.

Mr. WILLIAM A. STONE. I move to lay the appeal on the table.

A MEMBER. You can not do that in Committee of the Whole. [Cries of "Oh!" on the Democratic side.]

Mr. DALZELL. I insist on my point of order.

The CHAIRMAN. The gentleman from Pennsylvania raises the point that the appeal is dilatory.

Mr. BAILEY. I should like to refer the suggestion of the gentleman from Pennsylvania [Mr. WILLIAM A. STONE] to the Hon. John Wanamaker. [Laughter.]

Mr. PAYNE. I hope the gentleman from Texas will be in order for a moment.

The CHAIRMAN. The committee will please be in order.

Mr. WILLIAMS of Mississippi. One point on that, if the Chair pleases——

The CHAIRMAN. Will the committee please be in order?

The Chair sustains the point of order raised by the gentleman from Pennsylvania.

The Clerk will read.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I desire to say one thing upon that——

The CHAIRMAN. The point of order is sustained.

Mr. WILLIAMS of Mississippi. I wish to quote from the gentleman from Ohio, that we should appeal to the conscience of the House.

The Clerk, proceeding with the reading of the bill, read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses arising at home or abroad, but impossible to be anticipated or classified, exclusive of personal services in the Navy Department, or any of its subordinate bureaus or offices, at Washington, D. C., $7,000.

Mr. HARTMAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Montana moves to strike out the last word. [Applause and laughter on the Democratic side.] The committee will be in order.

Mr. HARTMAN. Mr. Chairman, I ask unanimous consent that I may be permitted to proceed for thirty minutes.

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. Objection is made.

Mr. HARTMAN. I ask unanimous consent that I may proceed for twenty-five minutes.

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. Objection is made.

Mr. HARTMAN. I ask unanimous consent that I may proceed for twenty minutes.

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. Objection is made.

Mr. HARTMAN. I ask unanimous consent that I may proceed for fifteen minutes.

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. Objection is made.

Mr. HARTMAN. I ask unanimous consent that I may proceed for ten minutes.

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. The gentleman from Montana asks unanimous consent that he may be permitted to proceed for ten minutes. Is there objection?

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. Objection is made.

Mr. HARTMAN. I ask unanimous consent that I may proceed for five minutes beyond the five-minute limit.

Mr. BOUTELLE of Maine. I object.

The CHAIRMAN. Objection is made.

Mr. HARTMAN. Now, Mr. Chairman, in the five minutes that I am allotted under the rule, I desire to call attention to a few remarks which have been submitted here this afternoon by the gentleman from Maine in charge of this bill. The gentleman from Maine suggests that the remarks that have been intended to be submitted by myself, and that have been cut off by him, were intended to prevent and delay the passage of this great naval appropriation bill. That statement is absolutely without any foundation whatever.

On the contrary, I stand here ready to cast my vote in favor of the bill which the gentleman has presented here to this body; but he is the man who is responsible for delay. Just two hours and four minutes ago I rose here and asked permission of this House to occupy the time of the House for a few minutes. The gentleman from Maine interposed his objection—interposed that objection, Mr. Chairman, after the same right had been accorded to members upon that side of the Chamber without any objection whatever from members upon this side.

I submit, sir, that it is an unjust discrimination against members of this body. I have occupied the time of the House but twenty-seven minutes prior to this time during this session of Congress. Only the other day—I invite the attention of the gentleman from Maine to the fact, for if I make a mistake I want to be corrected—only the other day, when the Post-Office appropriation bill was up, the gentleman from Maine [Mr. BOUTELLE], if I am not sadly mistaken, gave us to understand that great latitude would be accorded in the debate upon this great bill. Now we are met with the denial of all right to debate it at all.

Mr. Chairman, I intend to continue until the gentleman from Maine and the other side of the House understand that they can not throttle free speech in this body. [Applause on the Democratic side.] That is all there is at stake here to-day. It is not a matter of the little amendment which I propose. It is not a matter of whether I can be heard or not. The question is, Can any man be heard here under the ruling which has obtained here this afternoon? That is all there is.

Mr. WILLIAMS of Mississippi. And can the House be appealed to?

Mr. HARTMAN. And I intend to continue this matter just so long as this side of the House will stand by its leader, Mr. BAILEY, and continue it until we ascertain whether or not there is only one side of the House that can be heard, or whether this side has any rights here at all.

Now, Mr. Chairman, I intend to present another plank of the platform, to which I have no doubt objection will be made. [Laughter on the Democratic side.] We have a serious apprehension of a growing disposition of the American people to investigate public questions——

Mr. BOUTELLE of Maine. Mr. Chairman, I call the gentleman to order.

The CHAIRMAN. The gentleman from Montana will suspend.

Mr. HARTMAN continued to read, amid great confusion, the Chairman rapping for order.

Mr. HARTMAN. Did the Chair call me to order?

The CHAIRMAN. The Chair requested the gentleman from Montana to suspend.

Mr. BOUTELLE of Maine. I insist upon order, Mr. Chairman.

The CHAIRMAN. So does the Chair.

Mr. HARTMAN. There is so much confusion that it is difficult for me to hear the Chair now. [Laughter on the Democratic side.]

The CHAIRMAN. The gentleman from Maine calls the gentleman to order. He raises the point of order that he is not speaking to the point of order. The Chair sustains the point of order.

Mr. BAILEY. I move that the gentleman from Montana be permitted to proceed in order.

Mr. BOUTELLE of Maine. That is a dilatory proposition, Mr. Chairman.

Mr. DINGLEY. The rule permits no such motion as that.

The CHAIRMAN. The gentleman from Maine raises the point of order that the rule permits no such motion.

Mr. FITZPATRICK. May I ask a question?

The CHAIRMAN. The gentleman will suspend until the Chair looks at the rule.

Mr. FITZPATRICK. A parliamentary inquiry.

The CHAIRMAN. The gentleman will permit the Chair to look the rule over.

Mr. FITZPATRICK. Then it has come to the point that we can not be permitted even an inquiry.

The CHAIRMAN. If the gentleman will permit the Chair to read the rule, he will hear his inquiry. [After a pause.] What is the inquiry?

Mr. FITZPATRICK. The inquiry is this: The Chair decides that the gentleman can not proceed out of order; the House has decided that he can not proceed in order. Will you please inform us how we can proceed? [Laughter and applause on the Demo-

cratic side.] We can not proceed out of order or in order. How are we to proceed?

The CHAIRMAN. The Chair will not attempt to educate the gentleman on the rules of the House. The question is on the motion that the gentleman from Montana be permitted to proceed in order, and the gentleman from Maine raises the point of order on that.

Mr. DINGLEY. I ask that paragraph 4 of the rule be read, so that we may understand.

The CHAIRMAN. The Clerk will read the rule.

The Clerk read as follows:

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another member, to explain, and the House shall, if appealed to, decide on the case without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case require it, he shall be liable to censure or such punishment as the House may deem proper.

Mr. DINGLEY. The motion is not in order.

Mr. BAILEY. Mr. Chairman, the very rule that requires the member to resume his seat is coupled with this, and it is the same sentence, unless upon motion of some member he shall be permitted to proceed.

Mr. DALZELL. Be permitted "to explain."

Mr. BOUTELLE of Maine. Be permitted "to explain."

Mr. BAILEY. To proceed with his explanation.

Mr. DALZELL. Oh, no; that is too thin.

Mr. BAILEY. Mr. Chairman, the fact is that motion is always that a member be permitted to proceed in order; but I do not intend that the gentleman from Maine shall afford the Chair an opportunity to find a technical escape from my motion; and apprehending that the Chair will decide as the gentleman from Maine has requested him to decide, that the motion that I have made is not in order, I withdraw that and move that the gentleman from Montana be permitted to explain; and I suppose that that motion is so plainly in order that even the gentleman from Maine will not ask the Chair to overrule it.

Mr. DINGLEY. This is not debatable.

The CHAIRMAN. The gentleman from Texas moves that the gentleman be allowed to proceed to explain.

Mr. LACEY. I make the point of order that substantially the same question as this has been passed upon by the committee by a vote.

Mr. BAILEY. Oh, no.

Mr. LACEY. The gentleman now makes a different motion, that he shall proceed now to make an explanation. The gentleman from Montana attempted to read a certain article that was not in order; and now he attempts to read the same again.

Mr. RICHARDSON. The gentleman is mistaken; it is not the same at all.

The CHAIRMAN. The motion is not debatable. The question is on the motion made by the gentleman from Texas [Mr. BAILEY] that the gentleman from Montana [Mr. HARTMAN] be allowed to proceed to explain.

The question was taken; and on a division (demanded by Mr. BAILEY), there were—ayes 101, noes 121.

Mr. BAILEY. Tellers, Mr. Chairman!

Tellers were ordered; and the Chairman appointed Mr. BOUTELLE of Maine and Mr. BAILEY as tellers.

Mr. BAILEY. Mr. Chairman, I desire to be excused, and that the Chair will appoint my colleague, Mr. COOPER.

The CHAIRMAN appointed Mr. COOPER of Texas.

Mr. COX. Mr. Chairman, before I cast my vote, I rise to a parliamentary inquiry.

The CHAIRMAN. The committee is dividing.

Mr. COX. It was not dividing when I made my application.

The CHAIRMAN. Tellers had been ordered.

The committee again divided; and the tellers reported—ayes 104, noes 116.

So the motion was rejected.

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from Montana [Mr. HARTMAN].

Mr. BOUTELLE of Maine. Mr. Chairman, I move to close the debate on the pending paragraph.

The question was taken; and on a division (demanded by Mr. BAILEY) there were—ayes 103, noes 95.

Mr. BAILEY. I demand tellers, Mr. Chairman.

Mr. HOPKINS made the point of order that the demand for tellers was dilatory, but subsequently withdrew it.

Tellers were ordered; and the Chair appointed Mr. BOUTELLE of Maine and Mr. COOPER of Texas tellers.

The committee again divided; and the tellers reported—ayes 109, noes 100.

So the motion to close debate was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Montana [Mr. HARTMAN].

The amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

BUREAU OF NAVIGATION.

Transportation, recruiting, and contingent: For expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for men and boys, and all other expenses attending the recruiting for the naval service, and for the transportation of enlisted men and boys at home and abroad; for heating apparatus for receiving and training ships, and extra expenses thereof; for freight, telegraphing on public business, postage on letters sent abroad, forriage, ice, apprehension of deserters and stragglers, continuous-service certificates, discharges, good-conduct badges, and medals for boys, schoolbooks for training ships, packing boxes and materials, and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen, and impossible to classify, $45,000.

Mr. BOUTELLE of Maine. Mr. Chairman, I move that all debate be closed on this paragraph.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Mississippi. How can anything be closed before it has been opened? [Laughter.]

Mr. BOUTELLE of Maine. We will show you in a minute.

The question was taken; and upon a division (demanded by Mr. BAILEY) there were—ayes 114, noes 87.

Mr. BAILEY. Tellers, Mr. Chairman!

Tellers were ordered; and the Chairman appointed Mr. BAILEY and Mr. BOUTELLE of Maine tellers.

Mr. BAILEY. Mr. Chairman, I ask that my colleague, Mr. COOPER of Texas, be appointed, as I am sick.

The CHAIRMAN appointed Mr. COOPER of Texas as one of the tellers.

The committee divided; and the tellers reported—ayes 108, noes 92.

So the motion to close debate was agreed to.

Mr. BAILEY. Mr. Chairman, I desire to offer the following amendment to the paragraph just read: In line 15, page 4, strike out the words "forty-five" and insert the word "thirty;" so that it will read "$30,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BAILEY].

The question was taken; and on a division (demanded by Mr. BAILEY), there were—ayes 80, noes 107.

Mr. BAILEY. I demand tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN appointed Mr. COOPER of Texas and Mr. BOUTELLE of Maine tellers; who reported—ayes 70, noes 103.

So the amendment was rejected.

Mr. BAILEY. Mr. Chairman, I ask unanimous consent that the gentleman from Montana [Mr. HARTMAN] may be permitted to print his remarks, so as to save the time.

Mr. BOUTELLE of Maine. I object, Mr. Chairman.

The CHAIRMAN. Objection is made by the gentleman from Maine. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

Gunnery exercises: For prizes for excellence in gunnery exercises and target practice——

Mr. MAGUIRE. Mr. Chairman, I rose to offer an amendment to the last paragraph before the Clerk began reading.

The CHAIRMAN. The Chair did not see the gentleman from California.

Mr. SIMPSON of Kansas. Mr. Chairman, I want to amend that paragraph, too.

Mr. STEELE. The Chairman is not responsible because the gentleman was too slow.

Mr. WILLIAMS of Mississippi. The gentleman was not too slow; he was bellowing like a wild bull.

Mr. McMILLIN. Mr. Chairman——

The CHAIRMAN. The Chair did not see any gentleman rise before the Clerk began to read. The Clerk will conclude the reading of the paragraph.

The Clerk continued the reading, as follows:

diagrams and reports of target practice; for the establishment and maintenance of targets and ranges, for hiring established ranges, and for transporting to and from ranges, $6,000.

Mr. McMILLIN. Mr. Chairman, what I wanted to say, but was prevented by the reading, was that the gentleman from California [Mr. MAGUIRE] clearly brought himself within the rule to entitle him to offer an amendment.

Mr. WILLIAMS of Mississippi. It was not the fault of the gentleman from California that the Chair did not see him, for he was crying in a loud voice like one in the wilderness. [Laughter.]

Mr. BOUTELLE of Maine. Mr. Chairman, is debate in order?

The CHAIRMAN. Certainly.

Mr. BOUTELLE of Maine. What is the last language read? Let us know where we are.

The CHAIRMAN. Line 21, page 4.

Mr. BOUTELLE of Maine. I ask, Mr. Chairman, that the Clerk proceed with the reading.

Mr. HANDY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HANDY. For the purpose of offering an amendment to the paragraph last read.

The CHAIRMAN. If the gentleman desires to offer an amendment, will he kindly do it?

Mr. HANDY. With the greatest of pleasure, if the Chair will give me a chance. In line 21, page 4, I move to amend by striking out the word "six" and inserting the word "twelve." On that amendment, when reported, I would like to be heard.

The amendment of Mr. HANDY was read, as follows:

On page —, line 21, strike out "six" and insert in lieu thereof "twelve;" so as to read "$12,000."

Mr SIMPSON of Kansas rose.

The CHAIRMAN. The gentleman from Delaware is recognized to speak upon his amendment.

Mr. SIMPSON of Kansas. I wish to move an amendment to that motion.

The CHAIRMAN. The gentleman from Delaware has the floor.

Mr. HANDY. Mr. Chairman, this paragraph, on page 4 of the bill, beginning on line 17 and running to line 21, provides for prizes to be given for excellence in gunnery exercises and in target practice, and for other expenses in connection with target practice. Now, all the ships we build and all the guns we put in them and all the sailors we recruit to go on them center, so far as use and purpose are concerned, in the successful and accurate firing of the gun. This paragraph which looks to rewards for successful target shooting with the great guns of our Navy is therefore of more importance than the small sum involved appears to indicate. My amendment proposes to increase the amount of this appropriation from the pitiful sum of $6,000 to a larger figure—to $12,000. I would increase the sum so as to offer larger prizes to the gunners and stimulate more accurate shooting.

Many gentlemen here may not be aware of the difficulty of accurate shooting with the great guns on our ships of war. In the first place, these guns have to be shot at long range; 10 or 12 miles is the limit of distance that the object to be hit may be from the gun. That object is a moving object, and under present conditions and with the present speed of ships of war, it may be moving very rapidly, possibly over 20 miles an hour. If the object shot at be 10 miles distant and be moving at the rate of 20 miles an hour, it will be, when the shot reaches its objective spot, one-eighth of a mile from the place where it was when the gun was fired.

The difficult problem may be to aim the gun in such a way that when the shot has traversed the 10 miles of intervening space it will strike exactly an eighth of a mile ahead of the spot where the object was when the shot was fired. This very difficult task, Mr. Chairman, has to be accomplished on a movable platform. The gunner on board a ship of war does not have steady ground beneath his feet; he has under him the rolling deck of the vessel. On this kind of a platform, with a huge gun, and with this great range, he must make a most skillful calculation in order to send that shot to its proper place.

Of course, Mr. Chairman, it is more than probable that in any action in which our ships of war may be engaged, there will be very little ammunition spent at these long ranges. The captains of our ships of war will feel more like retaining their ammunition until the hostile object is within, say, 3,000 yards. Most of the discharges will probably be within 1,500 yards. Notwithstanding the great range of the modern guns, the best opinion is that the naval battles of the future will be fought with the ships comparatively close together. But even at 1,500 yards it requires great skill and great aptitude to become a good gunner in shooting these great guns on ships of war. It seems to me, therefore, that an appropriation of only $6,000 for the purpose of offering gunnery prizes is a very meager one.

One great element of strength of the American Navy, if ever we come into conflict with the navy of any other nation, will be found in the superior accuracy of our gunners. Our Navy may be, so far as strength on paper is concerned, about on a par in certain respects with the navy of Spain; but if ever there comes a conflict between one of our ships and a Spanish ship, the superiority of the gunnery of our men will be certain to tell, and will be far more than sufficient to overbalance——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HANDY. I ask consent to continue for thirty minutes longer.

Mr. BOUTELLE of Maine. I move that all debate on the pending section and amendments thereto be now closed.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the time of the gentleman from Delaware be extended for five minutes.

The CHAIRMAN. The gentleman from Maine has made a motion, now in order, to close debate.

Mr. WILLIAMS of Mississippi. I ask the gentleman to withdraw that motion.

Mr. BOUTELLE of Maine. For what purpose?

Mr. WILLIAMS of Mississippi. So that the Chair may put to the House my request for unanimous consent that the time of the gentleman from Delaware be extended for five minutes.

Mr. BOUTELLE of Maine. It is impossible for me to do that, as the gentleman must understand, in view of the filibustering obstructions which have occupied so much of the time this afternoon.

Mr. WILLIAMS of Mississippi. The delay has been caused by the unadulterated obstinacy of the gentleman from Maine.

The question being taken, on motion of Mr. BOUTELLE of Maine, to close the debate on the paragraph and all amendments, there were—ayes 106, noes 75.

Mr. BAILEY. I call for tellers.

Tellers were ordered; and Mr. BOUTELLE of Maine and Mr. COOPER of Texas were appointed.

The committee again divided; and the tellers reported—ayes 110, noes 72.

So the motion to close debate was agreed to.

The question being taken on the amendment of Mr. HANDY, it was rejected.

Mr. SIMPSON of Kansas. I move to amend by striking out, in line 21, on page 4, the words "six thousand dollars" and inserting "fifteen thousand dollars."

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON of Kansas. Before that question is submitted, I ask unanimous consent for five minutes to make a few remarks.

Mr. BOUTELLE of Maine. I call for the regular order.

The CHAIRMAN. The gentleman from Maine demands the regular order. The question is on the amendment.

Mr. WILLIAMS of Mississippi. What is the regular order?

The CHAIRMAN. The amendment offered by the gentleman from Kansas.

Mr. WILLIAMS of Mississippi. Did the gentleman from Maine move to close debate upon the pending paragraph and all amendments, or simply upon the pending amendment?

The CHAIRMAN. He moved to close all debate on the paragraph and amendments.

The question being taken on the amendment of Mr. SIMPSON of Kansas, it was rejected.

Mr. LENTZ. I move to amend by striking out, in line 21, on page 4, the word "six" and inserting the word "sixty," so as to read "$60,000."

The CHAIRMAN. The gentleman from Ohio moves to strike out, in line 21, page 4, the word "six" and insert the word "sixty." As many as favor the amendment will say "aye."

Mr. LENTZ. Mr. Chairman, I should like to have a few minutes in which to discuss that amendment.

The CHAIRMAN. Debate has been closed upon the paragraph and amendments.

Mr. LENTZ. I am asking unanimous consent.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that he be allowed to discuss the amendment.

Mr. PAYNE and Mr. BOUTELLE of Maine objected.

The CHAIRMAN. Objection is made. The question is on agreeing to the amendment.

The amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

Ocean and lake surveys: For ocean and lake surveys; the publication and care of the results thereof; the purchase of nautical books, charts, and sailing directions, and freight and express charges on same; preparing and engraving on copper plates the surveys of the Mexican coasts, and the publication of a series of charts of the coasts of Central and South America, $14,000.

Mr. HANDY. I desire to reserve a point of order upon that paragraph.

Mr. BAILEY. I was about to make the point of order. The gentleman from Delaware reserves the point of order.

The CHAIRMAN. The gentleman from Delaware reserves the point of order against the paragraph.

Mr. HANDY. In order that the gentleman from Maine can make an explanation.

Mr. BOUTELLE of Maine. Mr. Chairman, I will very briefly explain this paragraph with pleasure. This item provides for the continuation of the surveys of the lakes and of the ocean which have been carried on for a number of years by the Hydrographic Bureau, and for the purpose of supplying charts of the Mexican coasts and the publication of a series of charts of the coasts of Central and South America. I move that all debate be closed upon this section and amendments.

Mr. LENTZ. A point of order.

The CHAIRMAN. A point of order has been reserved. Does the gentleman raise a point of order; and what is it?

Mr. BAILEY. It is reserved. I am willing to hear all the explanation anybody desires to make.

Mr. BOUTELLE of Maine. I have made all the explanation

necessary, Mr. Chairman. I make the motion that all debate on the paragraph and amendments thereto be closed.

Mr. WILLIAMS of Mississippi. You can not do that until the point of order is decided.

Mr. BAILEY. That motion is not permissible until the point of order is disposed of.

The CHAIRMAN. The gentleman should state his point of order. He has not done so.

Mr. BAILEY. It is that this paragraph involves new legislation, and I reserved it supposing that the gentleman from Maine would touch upon that, and inform the House whether this does or does not contain new legislation.

Mr. BOUTELLE of Maine. This does not contain any new legislation, Mr. Chairman.

Mr. LENTZ. Mr. Chairman, a parliamentary inquiry. The gentleman from Maine having been yielded to by the gentleman from Texas to make an explanation, does that give him the privilege to make a motion to close debate?

The CHAIRMAN. The gentleman from Maine had the floor in his own right. It was not yielded to him by the gentleman from Texas. The gentleman from Delaware [Mr. HANDY] reserved the point of order, and the gentleman from Maine proceeded to explain the paragraph. Now the gentleman from Texas makes the point of order, as the Chair understands——

Mr. BAILEY. That the present law for surveying the lakes does not provide for the publication of a series of charts of the coast of Central and South America.

Mr. HANDY. And Mexico.

The CHAIRMAN. The Chair would be glad to hear the gentleman from Maine in reference to that.

Mr. WILLIAMS of Mississippi. He has called the previous question on himself; how can he?

Mr. BOUTELLE of Maine. What is the point of order?

The CHAIRMAN. The point of order is that the existing law does not provide for the preparation of plates and surveys of the Mexican coast and the coast of Central and South America.

Mr. BOUTELLE of Maine. The only reply necessary is to state that this appropriation is a continuation of appropriations under the law, which have been made year after year, ever since I have had anything to do with appropriation bills. The work has been in progress continuously. No point of order can lie.

Mr. HANDY. Mr. Chairman, I urge on the attention of the Chair that provisions in former appropriation bills for surveying other places do not give this committee authority to report an appropriation for surveys on the coasts of Mexico and to provide for a series of charts at another place or in another series. For instance, it would not be held by the Chair that these former surveys could authorize a provision in this bill to make a search for the North Pole, and a survey of the northern coast of Greenland, and to make maps of the northern seas and to print charts——

Mr. WILLIAMS of Mississippi. Of town lots in South Africa.

Mr. HANDY. Of town lots in South Africa, as suggested by the gentleman from Mississippi. This provision seems to be subject to a point of order, and I am much astonished at the very brief explanation which the gentleman from Maine [Mr. BOUTELLE] has vouchsafed to give. He has stood here objecting all day to debate proceeding upon other subjects than the bill. If the gentleman from Maine [Mr. BOUTELLE] is about to discuss the point of order, I should like to hear his discussion. I should like it to be a little louder, so I can hear it. [Laughter.]

The CHAIRMAN. The committee will please be in order. Will all gentlemen please be seated? The Chair is quite as desirous of hearing the gentleman as he is of being heard.

Mr. HANDY. I was not speaking of being heard myself, Mr. Chairman; but I saw the gentleman from Maine [Mr. BOUTELLE] in a businesslike manner go and talk privately with the Chair, and I suggested that if he was going to talk to the point of order I should like to hear him. The explanation he has given on the floor has been very brief. Now we have gotten down to the actual facts of the bill, and he makes a few remarks and says that they constitute all the House is entitled to hear, that that is enough, and he moves to shut off all debate. He seems as little willing to discuss the bill with me as he was to discuss the Republican platform with the gentleman from Montana [Mr. HARTMAN]. What is he willing to discuss to-day, anyhow? [Laughter.]

Mr. BOUTELLE of Maine. Has the gentleman stated his point of order?

Mr. HANDY. I have not only stated it, but I have argued it to my satisfaction.

Mr. BOUTELLE of Maine. And with great ability.

Mr. HANDY. And, I hope, convincingly.

The CHAIRMAN. The Chair finds the precise provision in regard to the same coasts in the previous bill.

Mr. BAILEY. All this would have been saved if it had been stated in the beginning.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BOUTELLE of Maine. I stated it so the gentleman from Texas ought to have understood it.

The Clerk, proceeding with the reading of the bill, read as follows:

Outfits for naval apprentices: For bounties for outfits of 750 naval apprentices, at $45 each, $33,750.

Mr. BAILEY. Mr. Chairman——

Mr. BOUTELLE of Maine. Mr. Chairman——

Mr. LENTZ. Mr. Chairman——

Mr. BOUTELLE of Maine. I move that all debate on this paragraph be closed.

The CHAIRMAN. The Chair will recognise the gentleman from Texas [Mr. BAILEY], who rises to present an amendment, as the Chair understands. The committee will please be in order.

Mr. BAILEY. I desire to reserve a point of order.

Mr. OGDEN. I rise to a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The committee will be in order. The gentleman from Texas has the floor.

Mr. BAILEY. I yield to the gentleman from Louisiana to make a parliamentary inquiry.

Mr. OGDEN. I want to raise a parliamentary inquiry. I understood the gentleman from Maine to move that debate be closed on the paragraph, and it has not been adopted. The Clerk immediately went on to read the next paragraph.

The CHAIRMAN. No such motion has been made. The gentleman from Texas was recognized and he is entitled to the floor.

Mr. BAILEY. The gentleman from Louisiana was referring to the preceding paragraph.

Mr. OGDEN. The preceding paragraph.

Mr. HENDERSON. We got through with that without the motion.

Mr. OGDEN. There was no vote taken on it.

Mr. BAILEY. The mistake of the Chair was that the Chair supposed that a disposition of the point of order disposed of the whole matter; but that was not true, of course.

Mr. EVANS. If no amendment was offered, it did dispose of it.

The CHAIRMAN. The Clerk will read, unless the gentleman from Texas has something to submit.

Mr. OGDEN. I insist that no vote has been taken on the preceding paragraph.

Mr. EVANS. There was no need to take any vote.

The CHAIRMAN. There is no motion pending on the preceding paragraph.

Mr. BAILEY. Now, Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Texas rise?

Mr. BAILEY. To reserve the point of order.

The CHAIRMAN. Against the paragraph ending with line 7?

Mr. BAILEY. Yes.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. BAILEY. And in order that we may save a repetition of what occurred a moment ago on the preceding paragraph, I desire to ask the chairman of the Committee on Naval Affairs if existing law provides for these bounties?

The CHAIRMAN. It does. It is precisely identical with the previous bill.

Mr. WILLIAMS of Mississippi. He asked the gentleman from Maine.

Mr. BOUTELLE of Maine. This is the very provision that has been in appropriation bills for years, under the general law providing for the naval apprentices, and this is a provision similar to that which has been made here year after year, to carry out the law in regard to naval apprentices. Now, Mr. Chairman, I yield the floor.

Mr. BAILEY. I never yielded the floor.

The CHAIRMAN. The gentleman from Texas has the floor.

Mr. HANDY. Will the gentleman from Texas permit me to ask him a question?

Mr. BAILEY. Certainly.

Mr. HANDY. This bill provides bounty for 750 naval apprentices. Can the gentleman succeed in finding out from the gentleman from Maine [Mr. BOUTELLE] whether the present bill does not increase the number of apprentices or boys in the Navy to 1,000, and therefore whether there should not be more bounty proposed?

Mr. BAILEY. Mr. Chairman, in response to the very courteous reply of the chairman of the committee, I desire to say that I did not know that the laws of the United States had been giving bounties so long; and if I had known it I would heretofore have made the very motion I am going to make now. If it is intended to pay these apprentices for their services, then it ought to specify "for compensation" instead of "for bounty." If it is not a payment for their services, but is a mere gratuity, then I do not believe that the Government ought to be giving it to apprentices in the Navy any more than it ought to be given to laborers on the farms and in the factories of this country.

The Government ought no more to pay a bounty to a man in its employ who draws a salary from its Treasury than it ought to pay a bounty to the farmers and laborers of this country who contribute their sweat to pay the salaries of Government officials. If this is a bounty, I desire to strike it out; and if it is in the nature of compensation, then I desire to change the expression.

Mr. BOUTELLE of Maine. Mr. Chairman, I have twice already stated to the committee that it needs no explanation, because members of this body do not need an explanation on a subject of this kind. I have stated that this provision is in accordance with the terms of a very well understood and familiar law for the enlistment of apprentices in the United States Navy. Every bill that I have reported here, every bill that I have known to be reported here, has contained an item similar to this for this express purpose. I will not affront the intelligence of the members of this House by assuming that any of them believe that this appropriation is for an illegal purpose. It is simply to enable the Navy Department to carry out existing law for the enlistment of apprentices of the United States Navy, and I trust that that explanation is satisfactory.

Mr. SIMPSON of Kansas. Mr. Chairman, the gentleman——

The CHAIRMAN. The gentleman from Maine still has the floor.

Mr. BOUTELLE of Maine. Have I the floor for a motion? I move that all debate upon the pending paragraph and amendments be closed.

Mr. LENTZ. I would like to ask the gentleman a question.

Mr. WILLIAMS of Mississippi. I move an amendment to the motion.

Mr. BOUTELLE of Maine. And on that motion I desire to be heard.

Mr. WILLIAMS of Mississippi. I move an amendment to the motion.

The CHAIRMAN. The motion is not debatable.

Mr. WILLIAMS of Mississippi. But it is subject to amendment; and I move to amend it so as to make it read that all debate upon the pending paragraph be closed in twenty minutes.

Mr. SIMPSON of Kansas. Thirty.

The CHAIRMAN. The gentleman from Maine moves that all debate upon the paragraph and amendments be closed, and the gentleman from Mississippi moves to amend that so as to read that all debate upon the pending paragraph be closed in twenty minutes.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. WILLIAMS of Mississippi and others. Division!

The committee divided; and there were—ayes 91, noes 114.

Mr. BAILEY. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Texas, Mr. BAILEY, and the gentleman from Maine, Mr. BOUTELLE, will take their places as tellers.

The committee again divided; and the tellers reported—ayes 78, noes 100.

So the amendment to the motion was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Maine.

Mr. BOUTELLE of Maine. Mr. Chairman, I now move that the committee rise. I wish to speak to that motion. I wish simply to say——

The CHAIRMAN. This is not a debatable question. [Cries of "Regular order!"]

The question was taken; and the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9378) making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes, and had come to no resolution thereon.

PERSONAL PRIVILEGE.

Mr. BOUTELLE of Maine. Mr. Speaker——

Mr. PEARSON. Mr. Speaker——

Mr. BOUTELLE of Maine. For what purpose does the gentleman rise?

Mr. PEARSON. I rise to present a question of personal privilege, and I speak in my own right. It will not take more than a minute. A newspaper published in my State, known as the Raleigh News and Observer, in its issue of yesterday charges me with violating the franking privilege. I desire to state that the charge as applied to me is entirely untrue, and the evidence of it I hold in my hand; and I ask the privilege of inserting in the RECORD the correspondence in question along with the publications which prompted this correspondence.

Here are the facts: My clerk mailed twenty letters, all of the same form, tenor, and effect. Six of them were addressed to members either of this body or of the Senate. They were mailed in the Capitol, put in the boxes of Members and Senators, and probably delivered in the Capitol. The other letters, in identical words, were sent to North Carolina, and, as I understand, were stamped. I knew nothing of the facts, except as given me by this clerk, nor do I know whether his construction of the law is correct. Members around me differ on this point, and it being a question of doubt and of propriety, I resolved it in favor of the Government immediately upon hearing of the matter and before any complaint was made, except my criticism of the clerk's action.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

The correspondence referred to is as follows:

HOUSE COMMITTEE ON FOREIGN AFFAIRS,
Washington, D. C., March 21.

DEAR SIR: I am informed that at a conference of Populists, held at Raleigh on the 16th instant, the following resolution was adopted:

"*Resolved*, That the spirit of the recommendatory address by the national chairman of the People's Party and the silver Republican party invoking the union of all forces favoring reform of the financial system is cordially indorsed, since such reform was the inspiration of the People's Party, and is now the greatest purpose."

In view of the successful cooperation of the Republicans and Populists of North Carolina, in 1894 and 1896, I take the liberty of asking if you indorse this resolution, and if, in the approaching Congressional election, you favor cooperation or fusion with the Democratic party.

I trust that you will find it convenient to reply at an early date.

Very respectfully,

RICHMOND PEARSON.

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES, U. S.,
Washington, D. C., March 23, 1898.

DEAR SIR: As private secretary to Representative PEARSON, I mailed on the 21st instant six letters which, though relating to public matters, would not strictly be included in the term of "official business." It was simply an inadvertence on my part, and I am directed to inclose six 2 cent stamps which should have been used on the letters except for this mistake.

Very respectfully,

GEO. H. MILLS.

The SECRETARY OF THE TREASURY,
Washington, D. C.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., March 25, 1898.

SIR: I have to acknowledge the receipt of your letter of the 23d instant, in which you state that as private secretary to Representative PEARSON you inadvertently mailed six letters which, though relating to public matters, would not strictly be included in the term "official business," and, as directed, you therefore inclose six 2-cent postage stamps which should have been used on the letters except for this mistake.

The sum of 12 cents has been deposited in the Treasury in your name on account of Conscience, and duplicate of certificate of deposit No. 24673, issued this day by the Treasurer of the United States for the amount, is herewith inclosed.

Respectfully, yours,

W. B. HOWELL,
Assistant Secretary.

Mr. GEORGE H. MILLS (care Hon. R. PEARSON),
House of Representatives, Washington, D. C.

Mr. BOUTELLE of Maine. I move that the House do now adjourn.

Pending the motion to adjourn—

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 1803. An act for the relief of Joseph P. Patton; and

H. R. 5865. An act to authorize the Monroe Railway and Construction Company to construct a bridge across Red River at or near Grand Ecore, La.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4037. An act to correct the military record of James Denny—to the Committee on Military Affairs.

S. 4124. An act for the protection of song birds—to the Committee on Agriculture.

S. 2673. An act for the relief of William A. Cowles—to the Committee on Claims.

S. 3871. An act to authorize the Montgomery-Elmore Bridge and Improvement Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.—to the Committee on Interstate and Foreign Commerce.

S. 4206. An act extending the time for the construction of a wagon and motor bridge across the Missouri River at St. Charles, Mo., as provided by act approved June 3, 1896—to the Committee on Interstate and Foreign Commerce.

S. 4137. An act amending section 4492 of the Revised Statutes of the United States, relating to barges—to the Committee on the Merchant Marine and Fisheries.

S. 1354. An act granting a pension to Burton Packard—to the Committee on Invalid Pensions.

S. 1901. An act to place Lieut. Col. and Bvt. Maj. Gen. Alexander Stewart Webb on the retired list of the United States Army—to the Committee on Military Affairs.

S. 244. An act to provide for the purchase of a site and the erection of a public building thereon at Joplin, in the State of Missouri—to the Committee on Public Buildings and Grounds.

LEAVE OF ABSENCE.

By unanimous consent, Mr. STRAIT was granted leave of absence indefinitely, on account of sickness.

The motion to adjourn was then agreed to.

And accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a communication from the chairman of the Light-House Board submitting an estimate of deficiency—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the commissioners of the Gettysburg National Military Park submitting a draft of a bill for protecting ornamental and other trees on Government reservations, etc.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Surgeon-General of the Army recommending an increase in the number of hospital stewards—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties for the fiscal year ending June 30, 1897—to the Committee on Ways and Means, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mary K. Lewis, administratrix of Joseph C. Lewis, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of A. G. W. Sango, administrator of Lewis Moore, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 5883) to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes, reported the same without amendment, accompanied by a report (No. 825); which said bill and report were referred to the House Calendar.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8349) granting additional powers to railroad companies created by laws of the United States and operating lines in the Indian Territory, reported the same without amendment, accompanied by a report (No. 826); which said bill and report were referred to the House Calendar.

Mr. BENNETT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for, reported the same with amendment, accompanied by a report (No. 828); which said bill and report were referred to the House Calendar.

Mr. BRODERICK, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 1136) to raise the age of protection for girls in the District of Columbia to 18 years, reported the same with amendment, accompanied by a report (No. 829); which said bill and report were referred to the House Calendar.

Mr. CORLISS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3154) to amend an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the villages of Houghton and Hancock," approved March 3, 1891, reported the same without amendment, accompanied by a report (No. 830); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 3963) to permit certain parties to intervene in the equity cause of the United States against Morris and others pending in the supreme court of the District of Columbia, reported the same with amendment, accompanied by a report (No. 831); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 399) to provide for promoting Capt. William N. Tisdall, United States Army, now on the retired list, to the rank of major, reported the same without amendment, accompanied by a report (No. 827); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3025) increasing the pension of William S. Demott, reported the same without amendment, accompanied by a report (No. 832); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9388) for the relief of Ralls Lodge, No. 33, Ancient Free and Accepted Masons—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 9427) granting a pension to Mrs. Sallie Horn—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 9426) granting a pension to Lysander M. Davis—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DALZELL: A bill (H. R. 9476) requiring the filing of bonds by owners of vessels in certain cases—to the Committee on the Judiciary.

By Mr. LITTLE: A bill (H. R. 9477) to amend section 8 of the act of Congress approved March 2, 1896, granting a right of way to the Fort Smith and Western Coal Railroad Company through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. JENKINS: A bill (H. R. 9478) to amend an act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895—to the Committee on the Judiciary.

By Mr. WHEELER of Alabama: A bill (H. R. 9479) to provide for the safety of the country and to protect its honor and prestige—to the Committee on Military Affairs.

By Mr. JENKINS: A bill (H. R. 9480) to amend section 4 of the act of Congress entitled "An act relating to the supreme court of the District of Columbia," approved June 21, 1870, and for other purposes—to the Committee on the District of Columbia.

By Mr. DOVENER: A bill (H. R. 9481) to create a permanent reservation on Annette Island, southeastern Alaska, for the use of the Metlakahtla Indians and other natives of Alaska—to the Committee on Indian Affairs.

By Mr. LOVE: A bill (H. R. 9509) for improvement of Leaf, Chickasahay, and Pearl rivers, Mississippi—to the Committee on Rivers and Harbors.

By Mr. HAY: A joint resolution (H. Res. 195) calling upon the Secretary of War for information concerning the port of Sabine Pass—to the Committee on Rivers and Harbors.

By Mr. SLAYDEN (by request): A joint resolution (H. Res. 196) to have the Secretary of War submit certain plans and estimates to Congress—to the Committee on Rivers and Harbors.

By Mr. BOUTELLE of Maine: A resolution (House Res. No. 262) for a rule for a vote on the naval appropriation bill—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BAIRD: A bill (H. R. 9482) for the relief of the estate of Martha Keller, deceased, late of East Carroll Parish, La.—to the Committee on War Claims.

By Mr. BOUTELLE of Maine: A bill (H. R. 9483) granting a pension to Mrs. Sarah A. Campbell—to the Committee on Invalid Pensions.

By Mr. BREWER: A bill (H. R. 9484) for the relief of A. W. Davis, of Autauga County, Ala.—to the Committee on War Claims.

By Mr. CATCHINGS: A bill (H. R. 9485) for the relief of Grace Ann Mitchell, of Jonestown, Miss.—to the Committee on War Claims.

By Mr. ELLIS: A bill (H. R. 9486) for the relief of Mrs. C. A. Lester, of John Day, Oreg.—to the Committee on Invalid Pensions.

By Mr. FENTON: A bill (H. R. 9487) granting a pension to Bvt. Brig. Gen. John A. Turley—to the Committee on Invalid Pensions.

By Mr. GAINES (by request): A bill (H. R. 9488) for the relief of William J. Thomas, of Springfield, Tenn.—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 9489) amending the record of John Terry, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 9490) for the relief of Abel Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9491) granting an increase of pension to Julia Weeks—to the Committee on Pensions.

By Mr. HAY: A bill (H. R. 9492) for the relief of the heirs of Sarah Jane Benner, deceased, late of Shenandoah County, Va.—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 9493) to pension Hiram C. Rogers, of Allerton, Iowa—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 9494) to remove charge of desertion from Thomas G. Warner—to the Committee on Military Affairs.

By Mr. LENTZ: A bill (H. R. 9495) to pension Fannie Sullivan—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 9496) for the relief of Anna B. Clark (formerly Worline)—to the Committee on Military Affairs.

By Mr. McEWAN: A bill (H. R. 9497) granting a pension to Catharine Crowley—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9498) granting a pension to Francis M. Bline—to the Committee on Invalid Pensions.

By Mr. MITCHELL: A bill (H. R. 9499) for the relief of Augustus P. Green—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 9500) to carry out the findings of the Court of Claims in the case of the estate of John Hutchinson, deceased—to the Committee on War Claims.

By Mr. SAYERS: A bill (H. R. 9501) for the relief of D. C. Dunn, of Austin, Tex.—to the Committee on Claims.

By Mr. STEWART of Wisconsin: A bill (H. R. 9502) granting a pension to Eliza Sickler—to the Committee on Invalid Pensions.

By Mr. STURTEVANT: A bill (H. R. 9503) granting a pension to Mary Woodmansy—to the Committee on Invalid Pensions.

By Mr. SULLIVAN: A bill (H. R. 9504) for the relief of M. A. Reinhart, of Benton County, Miss.—to the Committee on War Claims.

By Mr. SWANSON: A bill (H. R. 9505) for relief of R. C. Payne—to the Committee on Claims.

Also, a bill (H. R. 9506) to pension Christina Wilson—to the Committee on Pensions.

Also, a bill (H. R. 9507) for relief of W. D. Haynes—to the Committee on Claims.

By Mr. BARNEY: A bill (H. R. 9508) to remove the charge of desertion against John J. Herlihy—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALEXANDER: Resolution of representatives of the New York State legislature, respecting change of time of holding the Pan-American Exposition from 1899 to 1901—to the Committee on Appropriations.

By Mr. BELL: Resolutions of Lodge No. 196, Brotherhood of Railway Trainmen, of Leadville, Colo., in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Cortez, Montezuma County, Colo., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. BELKNAP: Resolution of the board of directors of the Board of Trade of Chicago, Ill., in favor of House bill No. 8066, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Interstate and Foreign Commerce.

By Mr. BOUTELLE of Maine: Petition of J. C. Towle and others, of Bangor, Me., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BRUCKER: Petition of the Woman's Christian Temperance Union of Laingsburg, Mich., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Laingsburg, Mich., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of the Methodist Episcopal Church of Searsmont, Me., favoring the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Fairfield, Me., for the passage of the anti-cigarette law—to the Committee on the Judiciary.

By Mr. BUTLER: Petition of citizens of Aston Township, Delaware County, Pa., for the passage of a bill which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. CHICKERING: Petitions of Henderson Lodge, No. 164, Independent Order of Good Templars, and First Methodist Episcopal Church of Henderson, N. Y.; Baptist Church, Congregational Church, and Christian Endeavor Society of Philadelphia, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the First Methodist Episcopal Church and Henderson Lodge, No. 164, Independent Order of Good Templars, of Henderson, N. Y., and Methodist Episcopal Church of Philadelphia, N. Y., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNELL: Petitions of the Baptist Pastors' Conference of Scranton and vicinity, Pennsylvania, for the passage of bills forbidding the interstate transmission of lottery and other gambling matter by telegraph, to protect State anti-cigarette laws, and to raise the age of protection to 18 years—to the Committee on the Judiciary.

Also, petition of the Baptist Pastors' Conference of Scranton, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNOLLY: Petition of J. N. Demsey and 63 citizens of Taylorville, Ill., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Resolutions of the pastors of the Evangelical Lutheran Church (Synodical Conference) of Pittsburg, Pa., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DAVEY: Ten petitions of numerous citizens of the city of New Orleans, La., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DE VRIES. Petitions of the Woman's Christian Temperance Union, the Christian Church, and First Congregational Church of Oroville, Cal., for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph, to protect State anti-cigarette laws, and to raise the age of protection to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union, Christian Church, and First Congregational Church of Oroville, Cal., to forbid the sale of intoxicating liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DINGLEY: Petition of the Methodist Episcopal Church of Livermore Falls, Me., for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Methodist Episcopal Church of Livermore Falls, Me., for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. DINSMORE: Petition of F. A. Pickard and others, to prohibit the granting of licenses for the sale of intoxicants within districts where the same is prohibited by local laws—to the Committee on Alcoholic Liquor Traffic.

By Mr. DORR: Papers to accompany House bill No. 7577, for the relief of David Wentz—to the Committee on Invalid Pensions.

Also, petitions of Coals Church, North Baptist Church, and Woman's Christian Temperance Union of St. Albans, W. Va.,

praying for the enactment of legislation to protect State anti-cigarette laws, to forbid interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union and certain churches of St. Albans, W. Va., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ERMENTROUT: Petition of Heidelbach, Ickelheimer & Co. and other merchants, bankers, and underwriters of New York City, protesting against the passage of House bill No. 9077, changing the site of the New York custom-house—to the Committee on Public Buildings and Grounds.

By Mr. FISCHER: Protest of bankers, brokers, underwriters, and others of New York City, against the passage of House bill No. 9077, changing the site of the custom-house—to the Committee on Interstate and Foreign Commerce.

Also, protest of the Seneca Nation of Indians, Salamanca, N. Y., against the statements contained in report of Senate, Document No. 145—to the Committee on Indian Affairs.

By Mr. FLETCHER: Petition of the Chamber of Commerce and other citizens of Minneapolis, Minn., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petitions of First Baptist Church of Harvey, Ill., to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the First Baptist Church of Harvey, and Calvary Presbyterian Church of Chicago, Ill., favoring the bill which forbids the sale of alcoholic liquors in Government Buildings—to the Committee on Public Buildings and Grounds.

By Mr. GAINES (by request): Petition of I. W. Beavers, administrator of Ancynetta Lenox, deceased, late of Humphrey County, Tenn., praying that her war claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petitions of B. Herman, I. Hirshburg, and other citizens of Tennessee, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also (by request), petitions of the Woman's Christian Temperance Union of Nashville, Tenn., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also (by request), petition of the Woman's Christian Temperance Union of Nashville, Tenn., favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. HANDY: Petitions of the Woman's Christian Temperance unions of Nassau and Newark, Del., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Nassau and Newark, Del., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HAY: Five petitions of citizens of Shenandoah County, Va., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Indiana: Resolutions of the Indianapolis Board of Trade, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Mississippi: Petition of the County Teachers' Association of Claiborne County, Miss., favoring the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. HEPBURN: Paper to accompany House bill granting a pension to H. E. Rogers—to the Committee on Invalid Pensions.

By Mr. HULL: Petition of citizens of Des Moines, Iowa, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the First Presbyterian Church of East Des Moines, Iowa, against the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of the First Presbyterian Church of East Des Moines, Iowa, favoring the passage of bills providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. HUNTER: Papers to accompany House bill for the relief of Thomas G. Warner—to the Committee on Military Affairs.

By Mr. HURLEY: Petition of banks, insurance companies, and prominent business firms of New York City, protesting against the passage of House bill No. 9077, changing the site of the custom-house—to the Committee on Public Buildings and Grounds.

By Mr. McCALL: Petitions of the Paint and Oil Club and Master Teamsters' Association, all of Boston, Mass., favoring a treaty of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

By Mr. McCLEARY: Petitions of the First Presbyterian Church and Woman's Christian Temperance Union, of Balaton, Minn., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the First Presbyterian Church, of Balaton, and Woman's Christian Temperance unions of Balaton and Garvin, Minn., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the First Presbyterian Church and others, of Balaton, Minn., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. McDOWELL: Petitions of the Presbyterian Church, Methodist Episcopal Church, and Woman's Christian Temperance Union, of Pataskala, Ohio, favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union and Presbyterian Church, of Pataskala, Ohio, and vicinity, to forbid the sale of intoxicating beverages in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MARSHALL: Petition and papers in support of House bill No. 9451, granting a pension to Josiah B. Deeter—to the Committee on Invalid Pensions.

Also, paper to accompany House bill No. 9452, for the relief of B. Frank Yazel, of Mason County, Ky.—to the Committee on Military Affairs.

By Mr. NORTHWAY: Petitions of the Woman Christian Temperance Union of Chester Crossroads, Ohio, for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Chester Crossroads, Ohio, favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Chester Crossroads, Ohio, favoring the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls—to the Committee on the District of Columbia.

By Mr. OGDEN: Resolution of the constitutional convention of Louisiana, asking for an appropriation to complete the monument erected on the plains of Chalmette, in the parish of St. Bernard, to celebrate the battle of New Orleans—to the Committee on the Library.

By Mr. OTJEN: Resolution of George C. Drake Post, No. 225, Grand Army of the Republic, of Milwaukee, Wis., in favor of the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. PAYNE: Three petitions of citizens of Clifton Springs, N. Y., and vicinity, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Baptist Church of Crosby, Methodist Episcopal Church of Ledyard, and Woman's Christian Temperance Union of Preble, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Preble, Center Union of Venice, and Methodist Episcopal Church of Ledyard, N. Y., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph,

and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. RICHARDSON: Papers relating to the claim of Abel Burch, of Calhoun, Ga.—to the Committee on War Claims.

By Mr. ROBBINS: Resolution of a committee of citizens of Irwin, Pa., relating to Government immigrant inspectors who violate the law in relation to the admission of immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of Oscar Lodge, No. 435, of West Bethany, Pa., Knights of Pythias, in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petition of the Methodist Episcopal Church of Freeport, Pa., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Indiana: Petition of Friendship Lodge, No. 70, Machinists, of Fort Wayne, Ind., in favor of the passage of the anti-injunction bill and the seamen's bill—to the Committee on Labor.

By Mr. RUSSELL: Petitions of the Christian Endeavor Society and Advent Church of Woodstock Valley, Christian Endeavor Society of North Ashford, and Second Congregational Church of New London, all in the State of Connecticut, to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of certain churches and societies of New London, Woodstock Valley, and North Ashford, Conn., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid interstate transmission of gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Second Congregational Church of New London, Conn., asking for the passage of the bill to raise the age of protection for girls—to the Committee on the District of Columbia.

By Mr. SHERMAN: Petitions of Department Grand Army of the Republic, State of Illinois; Batavia (N. Y.) Board of Trade; Wholesale Grocers' Association, Boston, Mass., and Auburn (N. Y.) Business Men's Association, in favor of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Petition of 599 citizens of Grand Rapids, Mich., for the passage of bills to forbid the interstate transmission of lottery messages and other gambling matter by telegraph; to forbid the sale of intoxicating beverages in all Government buildings; to raise the age of protection for girls to 18 in the District of Columbia and the Territories; to enact a Sabbath law for the national capital; to prohibit the reproduction of prize fights by kinetoscope in the District of Columbia and the Territories and the interstate transmission of such devices; to prohibit the transmission by mail or interstate commerce of newspaper descriptions of prize fights; to substitute voluntary arbitration for railway strikes; to exclude illiterate immigrants; to forbid publication of suicides, and to validate State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. SMITH of Illinois: Petition of citizens of Cairo, Ill., favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. SPRAGUE: Resolution of the Master Teamsters' Association of Boston, Mass., in favor of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

Also, resolution of the Wholesale Grocers' Association of Boston, Mass., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: Papers to accompany House bill No. 2206, granting an increase of pension to John F. Early, of Wilbur, Nebr.—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Petition of the Military Order of the Loyal Legion of the United States, headquarters Commandery of the State of Minnesota, for an appropriation for the erection of permanent monuments of lines of battle, etc., at Gettysburg, Pa.—to the Committee on Military Affairs.

By Mr. STEWART of Wisconsin: Petition of citizens of Hurley, Wis., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Crandon, Wis., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAM A. STONE: Petition of citizens of Bennett, Charleroi, and vicinity, Allegheny County, Pa., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Woman's Christian Temperance Union of Allegheny, Pa., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Allegheny, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Allegheny, Pa., and Christian Endeavor Society of the Mount Washington Presbyterian Church, of Pittsburg, Pa., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. STURTEVANT: Petition of Lodge No. 64, Order of Railway Conductors, of Erie Pa., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: Petition of the Woman's Christian Temperance Union of Naponee, Nebr., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of teachers of the Indianola public schools, in favor of the bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of Our Young People's Society of Superior, Nebr., and the Congregational Church of Naponee, Nebr., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. TODD: Petitions of the Woman's Christian Temperance unions of Benton Harbor, Bethel, California, Vicksburg, and Coldwater, Mich., and citizens of Butler and Burr Oak, Mich., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Homer, Christian Endeavor Society of the Wesleyan Methodist Church of Pittsford, and Harriet E. Orcutt and 60 other citizens of South Butler, Mich., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, memorial of Marien S. Todd, narcotic superintendent of the Fourth Congressional district of Michigan, on the use of narcotics—to the Committee on the Judiciary.

Also, resolution of the Michigan State board of health, protesting against the passage of the bill restricting vivisection—to the Committee on the District of Columbia.

Also, protest of John A. Downer and 20 others, of Olivet, Mich., against the passage of a general bankruptcy bill—to the Committee on the Judiciary.

Also, petitions of the American Federation of Labor and Cigar Makers' Union No. 205, of Battle Creek, Mich., in favor of House bills Nos. 6092 and 7389 and Senate bills Nos. 35 and 95, in the interests of labor—to the Committee on Labor.

Also, petitions of the Woman's Christian Temperance unions of Batavia and Grand Ledge, Mich., and Ladies' Aid Society of the Congregational Church of Grand Ledge, Mich., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. TONGUE: Petitions of the Cumberland Presbyterian Church, Friends' Church of Chehalem, Methodist Episcopal churches of Mount Tabor and Montavilla, Oreg.; Christian Church, Young People's Society of Christian Endeavor, Baptist Young People's Union, and Epworth League, of Amity, and Oregon State Normal School, all of the State of Oregon, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. VINCENT: Petition of College Hill Union, Woman's Christian Temperance Union, of Manhattan, Kans., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petitions of the College Hill Union, Woman's Christian Temperance Union, of Manhattan, Kans., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

By Mr. WANGER: Resolution of Defiance Lodge, No. 335, Knights of Pythias, of Newtown, Bucks County, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petitions of the Woman's Christian Temperance Union of Churchville, Bucks County, Pa., asking for the passage of a bill

to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Churchville, Pa., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WHITE of North Carolina: Resolutions adopted by colored citizens of Macon, Ga., in behalf of the Baker family of South Carolina—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG of Pennsylvania: Petition of Nonpareil Lodge, No. 20, Knights of Pythias, of Philadelphia, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

Also, petition of the Travelers' Protective Association of Philadelphia, Pa., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Association of Manufacturers, asking for the passage of Senate bill No. 753, for the establishment of an international bank—to the Committee on Banking and Currency.

Also, letter of C. H. Duell, Commissioner of Patents, in relation to supplying the Official Gazette to the Central Manual Training School, at Philadelphia, Pa.—to the Committee on the Library.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 26, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. BAILEY. Mr. Speaker, I rise to correct the RECORD. Yesterday afternoon, immediately before the adjournment of the House, the gentleman from North Carolina [Mr. PEARSON] asked unanimous consent to insert some matter in the RECORD. That matter appears this morning, and it is almost wholly of a political character, and does not, as I conceive, affect the question of personal privilege that he raised.

Now, in view of the action of the House yesterday with reference to the speech of the gentleman from Montana [Mr. HARTMAN], I shall feel constrained to move to strike from the RECORD that part of the remarks of the gentleman from North Carolina which gives a quotation from the New York Tribune. But before I do that I desire to repeat what I said yesterday, that there is no danger in allowing the utmost latitude of debate, and I shall not raise any question about the matter printed by the gentleman from North Carolina if the gentleman from Montana can be permitted to insert what he desires to say in the RECORD. The leave granted to the gentleman from North Carolina clearly did not embrace the matter which he has printed.

The SPEAKER. If that is the case, it ought not to be in the RECORD.

Mr. PEARSON. Will the gentleman from Texas allow me a question?

Mr. BAILEY. Certainly.

Mr. PEARSON. What part of the correspondence does the gentleman object to? I asked and received permission by the unanimous consent of the House to print the correspondence and print the publications which gave rise to the correspondence; and the two articles taken from the two papers, the New York Tribune and the Raleigh News and Observer, both bear upon the same question, and that is the attitude of the national parties.

Mr. BAILEY. There was absolutely no intimation that there was any political matter in it. In fact, it was asked by the gentleman from Mississippi [Mr. WILLIAMS], although I do not discover that the RECORD recites it——

Mr. PEARSON. If the gentleman will allow me, no one asked me that question.

Mr. BAILEY. The gentleman from Mississippi [Mr. WILLIAMS] asked the gentleman from North Carolina if there was anything political in it. The gentleman from North Carolina may not have heard it, but the gentleman from Mississippi certainly asked the question.

Mr. PEARSON. I certainly did not hear it.

Mr. BAILEY. I am willing to believe that.

Mr. PEARSON. There were a good many things said yesterday that were not heard——

Mr. BAILEY. And some things printed that ought not to have been printed.

Mr. PEARSON (continuing). I did not even hear the grunt of the gentleman from Maine. [Laughter.]

Mr. BAILEY. That was the gentleman's own fault, because it was so distinct that almost anybody could have heard it. [Laughter.]

Now, I desire, Mr. Speaker, to know if the gentleman from North Carolina proposes to resist the request——

Mr. PEARSON. Will the gentleman from Texas allow me? The only objectionable feature in this matter is a quotation taken from the paper supposed to be controlled by William Jennings Bryan. Does not the gentleman indorse that?

Mr. BAILEY. I would indorse anything William Jennings Bryan would say on a public question at this time [applause], but, Mr. Speaker, the gentleman from North Carolina had been accused of abusing the franking privilege, and he comes in here and prints matter that now brings the very thing complained of under the franking privilege of the House. I do not accuse the gentleman of having that purpose in view, but as a matter of fact the accusation of his abuse of the franking privilege can no longer be made, because the very matter that he is charged with improperly franking before he has now made frankable under the leave of the House, and I think it a clear abuse of the leave to print.

Mr. PAYNE. Mr. Speaker, if I understood the gentleman from North Carolina last evening, he said he had sent certain matter through the mail to representatives in Congress of both Houses under his frank; that he did not know himself whether that was an abuse of the franking privilege or not, and that he desired to print the matter that he had franked, with some other matter which he held in his hand; that the whole of it might go in, and the House could see whether there was any abuse of the franking privilege or not, and he was willing to stand by it. To that the House gave unanimous consent.

Mr. BAILEY. The gentleman from North Carolina admitted that he had decided it was not frankable. He said:

> I knew nothing of the facts, except as given me by this clerk, nor do I know whether his construction of the law is correct. Members around me differ on this point, and it being a question of doubt and of propriety, I resolved it in favor of the Government immediately upon hearing of the matter and before any complaint was made.

So he himself resolved that it was not frankable, but he proceeds at once to make it frankable. Now, I desire to say that since there is some question about it, we might as well compare the RECORD with the stenographer's notes, and the stenographer's notes will throw some light upon the matter.

The SPEAKER. The request made by the gentleman from North Carolina was: "I ask the privilege of inserting in the RECORD the correspondence in question along with the publications which prompted this correspondence." The Chair put the question, "Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none."

Mr. BAILEY. And the gentleman from Mississippi [Mr. WILLIAMS], very distinctly heard on this side of the floor, inquired whether there was any political matter in it; and our understanding was that there was not.

Mr. GROSVENOR. I rise to a parliamentary inquiry. What is the question before the House? Under what rule of order is this debate proceeding?

The SPEAKER. The gentleman from Texas [Mr. BAILEY] desires to correct the RECORD, and he gave notice that he would move to correct it. This is a preliminary discussion on that point—somewhat informal, but the Chair thinks the RECORD ought to be correct.

Mr. BAILEY. In order to make this proposition entirely formal, I move to strike out from the RECORD all on page 3584, after the word——

Mr. PEARSON. We can not hear what the gentleman is saying. It is important to me at least that I should hear.

Mr. BAILEY. I ask the Clerk to read my motion.

The Clerk read as follows:

> Strike out from the RECORD all on page 3584 after the words "correspondence and publications referred to are as follows," and all on page 3585 preceding the words "House Committee on Foreign Affairs."

Mr. HOPKINS. I rise to a parliamentary inquiry.

The SPEAKER. The Chair will hear the gentleman.

Mr. HOPKINS. This matter, as I understand, was put in the RECORD by unanimous consent. Can a part of the House strike it out upon motion after it has been put in by unanimous consent?

Mr. BAILEY. If improperly inserted, certainly.

Mr. HOPKINS. That does not appear.

The SPEAKER. The Chair thinks that the fact of the matter having been put in the RECORD by unanimous consent gives it no more force than if it had been done by a majority.

Mr. WALKER of Massachusetts. Mr. Speaker, having had large experience in regard to striking matter from the RECORD

[laughter], as the older members of the House are aware, I move you that the whole subject be referred to the Committee on Printing——

Mr. BAILEY. The gentleman has not the floor for the purpose of making that motion.

Mr. WALKER of Massachusetts. I will ask to be recognized to make that motion when the gentleman yields the floor.

Mr. BAILEY. I take it that the gentleman can not obtain the floor upon a parliamentary inquiry, and then, having it for that purpose, proceed to make a motion.

Mr. WALKER of Massachusetts. I did not get the floor upon a parliamentary inquiry.

Mr. BAILEY. The gentleman distinctly stated that he rose to a parliamentary inquiry at the same time the gentleman from Illinois [Mr. HOPKINS] rose.

Mr. WALKER of Massachusetts. I sought the floor in my own right.

Mr. BAILEY. The gentleman from Illinois and the gentleman from Massachusetts both rose for the same purpose, and so stated to the Chair. But that is immaterial. The gentleman could not get the floor at all if not for a parliamentary inquiry, because I was occupying the floor and had not yielded it.

Now, Mr. Speaker, reserving what time may be left after the gentleman from Delaware [Mr. HANDY] concludes, I yield him such time as he may desire to discuss this question.

Mr. HANDY rose.

Mr. WALKER of Massachusetts. I believe I am entitled to the floor.

The SPEAKER. The Chair recognizes the gentleman from Delaware.

Mr. HANDY. Mr. Speaker, I think I can demonstrate to the House—and I ask the attention of members—that this newspaper article which appears in the RECORD under the auspices of the gentleman from North Carolina [Mr. PEARSON] appears there without the authority of the House. The request of the gentleman for unanimous consent, as printed in the RECORD (which, by the way, is not the request the gentleman submitted to the House), reads as follows:

> I ask the privilege of inserting in the RECORD the correspondence in question, along with the publications which prompted this correspondence.

Certainly this newspaper article of a partisan character in the New York Tribune is not a part of the correspondence.

Now I shall show beyond all dispute that it can not be a publication which prompted that correspondence. In inserting it in the RECORD as a publication which prompted the correspondence, the gentleman from North Carolina [Mr. PEARSON] violated the privilege which was given him on the floor. If gentlemen of the House will refer to the first letter of that correspondence as it appears in the RECORD, they will find it is dated March 21. I have in my hand a copy of the New York Tribune containing the article, which appears as if it prompted the gentleman's letter of March 21; and that article, Mr. Speaker, was published on March 22, the day after he had written the letter.

Mr. PEARSON. The gentleman will allow me to say——

The SPEAKER. The House will be in order. This is a matter which ought to be determined with reference to the propriety of the RECORD; and the Chair hopes that all the facts will be brought before the House. Does the gentleman from Delaware yield to the gentleman from North Carolina?

Mr. HANDY. With the greatest pleasure in the world, for a question or for a brief explanation.

Mr. PEARSON. The gentleman from Delaware knows me well enough to know that I would not abuse the privilege of this House or the privileges that belong to a member by reason of the law. It was for that very reason that I felt constrained to deny the charge made in this newspaper publication in Raleigh. It was considered to be too trivial for the broad-minded men in this House, but it was not too trivial for certain narrow-minded men in that State. And it was addressed to them.

Now, as to the question of propriety in this matter, I have asked the gentleman from Ohio, who has one opinion, and I have asked the gentleman from Illinois [Mr. CANNON], who has another opinion, as to the matter. It is really a question of propriety which can not be settled unless the whole correspondence goes in.

Mr. HANDY. It is not to any correspondence that I object. It is to the publication of——

Mr. PEARSON rose.

Mr. HANDY. The gentleman will pardon me. It is to the publication of a partisan newspaper article published after the correspondence had been written, an article that had nothing to do with the correspondence.

Now, Mr. Speaker, I have in my hand the stenographer's notes of the actual request that was submitted for unanimous consent. Those notes read as follows:

> Mr. PEARSON. Mr. Speaker——
> Mr. BOUTELLE of Maine. For what purpose does the gentleman rise?

The House may remember that the gentleman from Maine [Mr. BOUTELLE] was at that time assuming the privilege of recognizing gentlemen on the floor [laughter], so he threw that remark in. Mr. PEARSON continued:

> I rise to present a question of personal privilege. It will not take more than a minute. A partisan newspaper published in my State, known as the Raleigh News and Observer, in its issue of yesterday charges me with violating the franking privilege. I desire to say that the charge is entirely untrue, and the evidence of it I hold in my hand, which I shall ask the privilege of inserting in the RECORD. It is this question simply:
>
> My clerk mailed twenty letters of the same form, effect, and tenor. Six of them were addressed to members either of this body or the Senate. He thought that they did not need stamps, and did not put them on. The other letters of the same kind which he sent to the State were stamped. I do not know myself how the matter is, or how the law is, or should be, and I desire to put the correspondence, the facts, the explanation of the letter in the RECORD.
>
> The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

To that the House of Representatives gave its unanimous consent, and why should we not give consent to such a request? When the gentleman from North Carolina has been accused of violating his franking privilege, and tells this House that he holds in his hands the evidence to refute that charge, and asks this House that he may put in the RECORD the correspondence, the facts, and the explanation of the letters, who would object?

The next morning, Mr. Speaker, we find in the RECORD three letters, one of which appears to be the letter which was franked, another of which appears to be the letter where his secretary contributed 12 cents to the conscience fund of the United States, and the third of which appears to be the Treasury's formal acknowledgment of the receipt of 12 cents to the conscience fund. That much is an explanation; that much is a refutation of the facts. But in addition to those letters, bearing not in the least upon the gentleman's abuse of the franking privilege, bearing not in the least upon the correspondence, there appears more than a column of a partisan article taken from the New York Tribune, printed a day after he wrote the letters and after his clerk had mailed them under the franking privilege. [Applause on the Democratic side.]

Mr. PEARSON. The gentleman ought to be very careful about the facts. He will not state that the letter which I wrote was dated before this newspaper article.

Mr. HANDY. I will.

Mr. PEARSON. That is the letter of this clerk which explains his action.

Mr. HANDY. It is not. It is the letter of RICHMOND PEARSON. It is as follows:

> HOUSE COMMITTEE ON FOREIGN AFFAIRS,
> *Washington, D. C., March 21.*
>
> DEAR SIR: I am informed that at a conference of Populists, held at Raleigh on the 16th instant, the following resolution was adopted:
>
> "*Resolved*, That the spirit of the recommendatory address by the national chairman of the People's Party and the Silver Republican party, invoking the union of all forces favoring reform of the financial system, is cordially indorsed, since such reform was the inspiration of the People's Party, and is now the greatest purpose."
>
> In view of the successful cooperation of the Republicans and Populists of North Carolina in 1894 and 1896, I take the liberty of asking if you indorse this resolution, and if, in the approaching Congressional election, you favor cooperation or fusion with the Democratic party?
>
> I trust that you will find it convenient to reply at an early date.
>
> Very respectfully,
>
> RICHMOND PEARSON.

On March 22, in the New York Tribune, appeared this article, while the letter in question is dated on March 21. Here is the article, which was telegraphed from Washington on March 21. It appeared on March 22, and under no construction of the unanimous consent granted to the gentleman could that article appear in the RECORD.

Now, Mr. Speaker, all day yesterday, a Democrat, or rather a silver Republican, wanted to put in the RECORD some partisan matter, and the House would not let him do it; but late in the afternoon the gentleman from North Carolina, sensitive under the charge that he had been accused of using the franking privilege wrongfully, arose to a question of personal privilege and laid the foundation for franking an article which had appeared in the New York Tribune. That is the only connection this article can possibly have with his franking privilege.

He laid the foundation then in order that he might frank that article in his district in the future. That was never consented to by the House. If we are going to stand here and maintain the integrity of unanimous consent, gentlemen can not afford to get unanimous consent to print one thing in the RECORD and then the next day have the RECORD show another thing, to which the House did not consent and would not have been willing to consent. The gentleman from Mississippi [Mr. WILLIAMS] sat there, and he raised that question. He said, "Is there anything political in it?"

Mr. PEARSON. I did not hear that.

Mr. HANDY. The gentleman from North Carolina did not

hear it. I will believe him. I have known him personally. I have liked the gentleman from North Carolina, and I am not animated here by a personal spirit of unfriendliness. He knows, and every gentleman who knows our relations knows, that our relations have been extremely friendly, and I still entertain them; but I could not sit here, sir, and read with patience the RECORD this morning, where my political friend from Montana [Mr. HARTMAN] was shut out and denied the privilege of franking to his own people his own speech, while the gentleman from North Carolina [Mr. PEARSON], by what looks to me like a subterfuge, obtained the consent to frank to his people a partisan article from the New York Tribune.

The article which the gentleman put in the RECORD related to fusion. He is interested in fusion. He represents a fusion of Populists and Republicans. The movement to make Populists and Democrats fuse hurt his political feelings most tremendously. [Laughter.] He wanted something that would persuade the Populists of North Carolina that their true alliance was with the Republicans, and he went to the New York Tribune and got this article and put it in this RECORD, Mr. Speaker, without the consent of the House. I do not see how this House can possibly, in the face of the facts, refuse to pass the motion of the gentleman from Texas [Mr. BAILEY] to strike it out.

Mr. RICHARDSON. It is wholly at variance with the gentleman's statement.

Mr. PEARSON. Mr. Speaker——

Mr. BAILEY. I am entitled to the floor; but I will yield to the gentleman.

Mr. STEELE. I think the gentleman is entitled to the floor in his own right.

The SPEAKER. The Chair thinks this is a matter which concerns us all, and it ought to be settled upon principles that will be satisfactory to every member of the House; and the gentleman from Texas [Mr. BAILEY] having the floor, yields it to the gentleman from North Carolina.

Mr. BAILEY. For the purpose of any statement that he desires to make.

Mr. WALKER of Massachusetts. May I ask, Mr. Speaker, that the motion be read?

Mr. PEARSON. Perhaps it would be better for me to take the floor in my own right.

The SPEAKER. The gentleman from Massachusetts [Mr. WALKER] asks that the motion be submitted.

Mr. BAILEY. The gentleman from Massachusetts can not take me off the floor to make that request.

The SPEAKER. The Chair thinks the gentleman from Massachusetts is entitled to know what the motion is.

Mr. BAILEY. To know what the motion is? I thought when the Chair used the word "submit" that he meant to put the motion to the House.

The SPEAKER. Not at all.

Mr. BAILEY. I ask for the reading of the motion in my time.

The SPEAKER. The Clerk will read the motion.

Mr. BROWN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BROWN. I should like to ask if the gentleman from North Carolina is not entitled to the floor in his own right and not in the time of the gentleman from Texas?

The SPEAKER. The gentleman from North Carolina can speak in his own right when the time comes, but he has had time yielded to him by the gentleman in charge of the motion.

Mr. STEELE. And he hurts his cause by it.

The SPEAKER. The Clerk will read the motion.

The Clerk read as follows:

I move to strike out from the RECORD all on page 3584, after the words "the correspondence and publications referred to are as follows," and all on page 3585 preceding the words "House Committee on Foreign Affairs."

Mr. BAILEY. Now, Mr. Speaker, I will not ask that the RECORD, as edited by the gentleman from North Carolina, be corrected further than to make it conform to the motion which I have made, because as the RECORD appears there might be some ground for the contention which gentlemen on that side were about to make that the permission the House had granted to the gentleman from North Carolina authorized the printing of that article from the New York Tribune. I do not think, even under the statement as it appears in the RECORD, it being so wholly disconnected with the matter which precedes and which succeeds it, that it could have been by any fair intendment included in the request for unanimous consent.

The gentleman from North Carolina himself will see that it would become necessary at least to correct the RECORD so that by no kind of construction would we be asking the House to strike out of the RECORD something which we had consented to go into it. If the gentleman from North Carolina is willing that this motion prevail without resistance, then I shall not ask to correct the RECORD any further, except to strike out the words "publications which led to it."

Mr. Speaker, it has always impressed me as a small proceeding, this effort to correct the RECORD. The country will get at the truth of any matter, where the truth deeply concerns it. My judgment is that the country knows very little and cares less about what the CONGRESSIONAL RECORD contains, as a rule, and I have frequently felt that it was making much ado about nothing. I was only constrained to take the action I have because of the evident intention on the part of the other side of the House not only to hold this side to the rules most rigidly as to what we speak, but to insist that what was spoken shall be printed exactly as it was spoken.

On a previous day of the session a long time was wasted in the House over the question whether the word "most" should be inserted where a member had edited his manuscript to make it read "many," and that, too, in the face of the fact that the gentleman not once, but repeatedly, declared that he believed he had used the word "many," and was certain that he intended to use it.

Yet all the power of that side was summoned, a roll call was forced, and by the verdict—I should should say by the edict of the majority, for that is the better word—a word different from the one which a gentleman on this side of the Chamber protested that he had used was incorporated in the RECORD.

Even that might not excuse us. Even that might not have provoked us to resort to this; but yesterday when a gentleman occupying a seat on this side of the Chamber, or, at least, who is in political sympathy with this side of the Chamber, attempted to deliver a speech he was called to order, and the strictest rules were invoked against him, and notwithstanding the fact we stood here and cited from the RECORD a parallel instance where that very gentleman, under similar circumstances, had been permitted by the Republican majority in the Fifty-fourth Congress to proceed, his right yesterday was not only abridged but denied.

Then, after we had consumed some two hours, and we desired to consume no more, I asked unanimous consent that the gentleman from Montana should be permitted to print his remarks. Promptly an objection came from that side of the House. He was not only silenced, but he was denied a permission seldom refused to anyone in this House. In less than an hour after the gentleman from Montana had been denied permission to print what he desired to say the gentleman from North Carolina rose and preferred a similar request. While the objection to the request of the gentleman from Montana was still ringing in our ears, we accorded to the gentleman from North Carolina a permission which had been denied the gentleman from Montana an hour before.

I simply recite these facts in order that the House and country may understand our fairness toward you and the unfairness with which you return our liberality. Having been denied a reasonable request on this side, and this side having granted what we supposed was a reasonable request upon that side, and it being demonstrated in the morning's RECORD that our permission has been grossly abused, we saw no other course open to us but to move a correction of the RECORD.

I am sure that the gentleman from North Carolina himself, upon reflection, will admit not only the propriety, but the justice of my motion, because, however honest he may have been, he was honestly mistaken, for the RECORD shows the letter about which the question arose was dated the 21st of March, and the article which he prints as having led up to the correspondence was printed in a paper dated a day after his letter was written. Certainly the gentleman from North Carolina will not attempt to answer our demand for the correction of the RECORD. Does the gentleman desire to interrupt me?

Mr. PEARSON. "The gentleman from North Carolina" is going to second the motion.

Mr. BAILEY. Well, then, I desire to acknowledge that the gentleman from North Carolina is infinitely fairer than his associates on that side of the Chamber. [Applause on the Democratic side.]

Mr. PEARSON. I desire to say something in my own behalf and in my own time.

Mr. BELL. You did not draw the distinction between the actual record and the printed RECORD.

Mr. BAILEY. I said I was going to waive that, and leave that to the gentleman himself, and only shall insist from the words "publications leading up to that" be stricken out.

Mr. PEARSON. Mr. Speaker, there are two publications. The publication which inspired my letter of inquiry was dated, I think, March 17. The Tribune article explains it.

Mr. BAILEY. It is understood, Mr. Speaker, that I reserve the balance of my time.

The SPEAKER. The gentleman reserves the balance of his time.

Mr. STEELE. I do not think it is understood at all. The gentleman has yielded the floor.

The SPEAKER. The gentleman so states.

Mr. PEARSON. Mr. Speaker, there are certain questions of

fact, certain questions of propriety, and certain questions of delicacy of conduct here which require me to speak, and I trust that I can speak somewhat at leisure. I know the gentleman from Maine who has charge of the appropriation bill desires to go on with it; but, Mr. Speaker, it is absolutely essential that I shall recite certain facts.

I desire to state that there are two publications—one of them taken from the Raleigh News and Observer, as much of it as appears in the form of this letter, and the other from the New York Tribune, which I had in the envelope at the same time, and both of which I assure the gentleman from Texas would have been read yesterday if he had not exhausted the patience of the House before I got the floor.

Mr. BAILEY. That is a fair return for my acknowledging your fairness.

Mr. PEARSON. The gentleman will not outdo me in fairness, in justice, or in courtesy. He knows that he himself was so fatigued that he could not get up and shake hands with the gentleman from Maine and count the gentlemen pass between them in the endless whirligig which took place yesterday.

Mr. BAILEY. The gentleman from North Carolina knows that I stated at the time that I was suffering with a headache and had a high fever, as I have at this minute.

Mr. PEARSON. That is what I said.

Mr. BAILEY. You said that I "was so fatigued." I was sick, and the gentleman knew it, as I am this morning.

Mr. PEARSON. If the gentleman prefers the word "sick" to "fatigued," very well. My point is the same. When I first saw this, I asked the gentleman from Maine [Mr. BOUTELLE] to let me get up and speak. He said that he thought it would hardly be proper, but when the committee rose and the House resumed its sessions, then I could be recognized in my own right on a question of personal privilege.

Now, the publication dated "March 21, House of Representatives," to which my name is signed, appears in the Raleigh News and Observer, that is to say, the conference, I think, was held March 16—I am not quite sure about it; it may have been the 17th. I saw that article, and, Mr. Speaker, I desire to say that I realized at once that at least five seats in the House of Representatives now occupied by members from North Carolina depended upon the attitude which they would assume with reference to that matter which took place in the city of Raleigh at a conference of Populists, I think on the 16th of this month. I saw it on the 17th; and I have written letters to each one of the gentlemen, and it becomes essential for me to state facts which I did not know at the time. My clerk brought the letters into the Capitol, as he tells me, and they were distributed through the post-office here. He did not put stamps on them because he understood that was not the practice. He related the facts to me and I was at least doubtful about it, and so I resolved the doubt and made him take the pitiful 12 cents to the Treasury and get a formal receipt for it.

I would rather be criticised for doing a trivial act of that sort than to have the slightest suspicion upon my good faith. I will state to those gentlemen, who know the value of a good name in the country they represent, that there is nothing so trivial but that it may be magnified by political opponents.

Mr. HANDY. Let me say to the gentleman from North Carolina that we do not criticise him in the least in regard to the franking of these letters. Our criticism is made exclusively and solely on the publication in the RECORD this morning of the New York Tribune article.

Mr. PEARSON. I do not want to detain the House long, but I want the House to understand my character and motives. I had in this envelope the quotations of the New York Tribune, which bear upon the same question which I had proposed to my Populist colleagues—that is to say, "the Populists are receiving the fusion proposition with coldness, and in many sections with absolute disfavor."

I am not going to read the whole article, but I could get it in here now, because I am going to say, along with the gentleman from Texas, that it being a matter to which he would have objected, although I had it in my hand at the time and intended to print it, I will not abuse his courtesy, nor will I abuse his kindness in yielding that unanimous consent. I indorse his proposition and will vote for his motion.

I desire, however, Mr. Speaker, to say this: I feel rather keenly the fact that a courteous question proposed by a colleague to his colleagues in this House bearing upon their attitude on this question, "Do you propose in the coming election to cooperate or fuse with the Democratic party?" knowing as they know here that every man of them sits here by reason of Republican votes, should be answered by "You have abused the franking privilege; and I will take the privilege of assuring my friends from Texas and Delaware that I would rather have as my colleague a Democratic gentleman than——

The SPEAKER. The Chair thinks the gentleman must confine himself to the question.

Mr. PEARSON. Well, Mr. Speaker, I will wind up with this assertion——

Mr. STROWD of North Carolina. Finish the statement.

Mr. FOWLER of North Carolina. Finish the statement like a man.

The SPEAKER. If the gentleman does, the Chair wants it understood that it is done by unanimous consent.

Mr. SHUFORD. Let the gentleman finish his statement. Let him say who the other party is.

The SPEAKER. The Chair is only performing his duty in recalling the gentleman from North Carolina to the question under discussion.

Mr. DINGLEY. Will the gentleman from North Carolina allow me a suggestion?

Mr. PEARSON. Certainly.

Mr. DINGLEY. I understand the gentleman proposes to ask unanimous consent to withdraw the article from the RECORD?

Mr. PEARSON. Mr. Speaker, I will close with the statement that I was in favor, and I am now in favor, of allowing the request of the gentleman from Montana. I voted with my party, but I want to be fair. I know the privilege has been abused of putting matters in the RECORD, and I put this there simply because it related to the same question which was being agitated in North Carolina and which was the motive of my letter of inquiry to my colleagues. I see that the gentleman from Texas [Mr. BAILEY] is correct in the matter, and I willingly and cheerfully consent to the adoption of his motion.

Mr. DINGLEY. Why not ask unanimous consent to withdraw it?

Mr. SIMPSON of Kansas. Mr. Speaker, before the gentleman from North Carolina [Mr. PEARSON] takes his seat I would like to ask him a question. The gentleman made a statement that he would rather sit with a Democratic gentleman as a colleague than—— Now, I would like to ask him what he was going to call a Populist? [Laughter.] He did not finish his statement.

Mr. PEARSON. What I was about to say was that I would rather sit with a Democratic gentleman—— [Cries of "Regular order!"]

Mr. SIMPSON of Kansas. I want to hear the gentleman's reply to my question. [Cries of "Regular order!"]

Mr. PEARSON. That I would rather sit with a Democratic gentleman anywhere than with a Populist traitor anywhere. [Laughter.]

The question being taken on agreeing to the resolution, it was agreed to.

Mr. BAILEY. Now, Mr. Speaker, there is a still further correction which I think ought to be made. Of course the words "publication which prompted this correspondence" should be stricken out and in lieu thereof it should read, "I desire to put the correspondence or facts or explanations in the RECORD."

The SPEAKER. If there be no objection, the correction will be made in accordance with the suggestion of the gentleman from Texas.

There was no objection.

NAVAL APPROPRIATION BILL.

On motion of Mr. BOUTELLE of Maine, the House resolved itself into Committee of the Whole on the state of the Union (Mr. SHERMAN in the chair) and resumed the consideration of the naval appropriation bill. The pending paragraph was the following:

Outfits for naval apprentices: For bounties for outfits of 750 naval apprentices, at $45 each, $33,750.

The CHAIRMAN. The pending question is upon the motion to close debate on the paragraph just read.

The motion was agreed to.

Mr. BAILEY. I move to amend the paragraph by striking out, in lines 4 and 5, the words "bounties for;" so that the paragraph will read:

For outfits of 750 naval apprentices, etc.

The word "bounties" is not appropriate and should be stricken out.

The question being taken, the amendment was rejected.

The Clerk read as follows:

Arming and equipping Naval Militia: For arms, accouterments, signal outfits, boats and their equipments, and the printing of the necessary books of instruction for the Naval Militia of the various States, and to enable it to collect and tabulate information relative to the defense of the coast, under such regulations as the Secretary of the Navy may prescribe, $60,000.

Mr. ELLIOTT. I move to amend by inserting, after the word "accouterments," in line 16, page 9, the word "clothing."

Mr. BOUTELLE of Maine. What is the reason for this proposition?

Mr. ELLIOTT. I will explain it. The object of the amendment is to provide the Naval Militia with clothing in addition to the other articles provided for them in this bill. It seems to be a very curious fact that such a provision as I now propose has never before been inserted in the law. There can be no question that the Naval Militia, especially at the present time, occupy a most important position in this country, yet we find they are not provided with this essential part of their equipment.

Gentlemen are no doubt aware that in the provision for the National Guards, the appropriation being $400,000, clothing is provided for that body of troops, and there seems to be no reason why similar provision should not be made for the Naval Militia. In fact, Mr. Chairman, there are much stronger reasons for providing the Naval Militia with clothing than for providing the National Guards with clothing. The Naval Militia are all of them at places which, from the very nature of the case, are exposed to attack. They are certain to be called into service before the National Guards are; and it is a fact that the Naval Militia of three States have now been called upon for temporary service. The service of the Naval Militia is also much more onerous than that of the National Guards.

If anyone supposes that the duties which the Naval Militia are called upon to perform are of a holiday character, he is very much mistaken. The work imposed upon them, when they are called out for practice, is very onerous indeed. It differs from the National Guard in this respect, that while the National Guard are under their own officers, the Naval Militia in all their exercise, practice, and drill are under the officers of the Navy. I speak from personal knowledge when I say that the duties the Naval Militia have been called upon to perform in times of peace are very difficult and arduous indeed.

I hope the House will see the reasonableness of adopting this amendment, which has, as I understand, the indorsement of the Department. Indeed, I was informed that the provision had been inserted in the bill. I hope that this very proper addition to the outfit of the Naval Militia will be agreed to.

Mr. BOUTELLE of Maine. Mr. Chairman, up to this time the Government of the United States has never assumed to clothe the Naval Militia. This militia is composed of State organizations with certain ramified relations to the Government of the United States. The relations of the Navy Department to these organizations up to this time have found expression in an annual appropriation of $50,000 for furnishing the organization with certain articles of equipment such as are named in this paragraph—arms, accouterments, signal outfits, boats, and such other things as the Navy Department is better qualified to furnish than any other Department.

To divert a portion of this money for the purpose of clothing the Naval Militia would be to absorb the whole appropriation and cause a demand for more money before the real object of the appropriation could be complied with. It has never been contemplated to make any such provision as this; and I do not think it is contemplated now to enlarge in this way the scope of this appropriation. I think it would be unadvisable certainly, with the amount now appropriated, which is $10,000 more than ever before. We have this year placed the appropriation at the exact figure requested of the committee by a delegation representing the chief officers of the Naval Militia throughout the country. It will be obvious, of course, to members that to divert any portion of this $10,000 for the purpose of providing clothing for this militia would be practically to defeat the object of the appropriation itself. There has been no suggestion before our committee for anything of the kind from anybody connected with the Naval Militia.

The CHAIRMAN. The question is on the amendment of the gentleman from South Carolina [Mr. ELLIOTT] to insert in line 16, page 9, after the word "accouterments," the word "clothing."

The amendment was rejected.

Mr. FOOTE. I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

In line 21, page 9, after the word "prescribed," strike out the word "sixty" and insert "one hundred;" so that it will read, "$100,000."

Mr. FOOTE. Mr. Chairman, in support of that amendment, I wish to state that I went to the Department yesterday and Mr. Roosevelt said that this amount of money was too small, when it is contemplated that more arms, especially more small arms, will soon be needed for the arming of the reserve. In accordance with these ideas of the Department, Mr. Chairman, I offer the amendment making the amount $100,000.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire simply to repeat and impress upon the members of the House what I stated before, that we have appropriated annually $50,000 to these purposes, and this year, at the request of representative officers of the Naval Militia, we have increased the appropriation by $10,000, being the entire amount which they desired; and I have had no intimation or suggestion from any source, either from the Department or from the officers of the Naval Militia, that they desired any addition to that.

Mr. FOOTE. Mr. Chairman, I wish to state in reference to that that I had an intimation yesterday from the Navy Department in this very regard, and I think the members of this House are fully able to judge as to the necessity of providing small arms in the way of arming these new corps that will soon have to be sent out.

Mr. BOUTELL of Illinois. Mr. Chairman, I should like to speak to this amendment.

I was heartily in favor of the amendment proposed by the gentleman from South Carolina [Mr. ELLIOTT], and it was my understanding with the gentleman from South Carolina, and I had supposed with the Chair, that the amendment which I had prepared, which is the same as the amendment of the gentleman from New York [Mr. FOOTE], should be submitted, and that the two might be argued together, and that the vote might be taken on them consecutively after they both had been argued.

I am heartily in favor of this amendment increasing the appropriation from sixty thousand to one hundred thousand dollars.

Mr. Chairman, the events that are so rapidly transpiring before us have shown that a strong Navy is necessary to provide for the common defense and promote the general welfare of our own people.

The unusual character of these events and the suddenness of their occurrence have also brought home to us a realizing consciousness of the position which we now occupy in the great family of nations, together with the privileges and prerogatives as well as the duties and obligations which that position imposes upon us. For more than a century we have been pursuing our course as a nation, free from all foreign entanglements and alliances, engaging in foreign wars only long enough to bring them to a speedy and victorious conclusion, and to demonstrate to the nations of the world the desirability of remaining at peace with the United States. And now, in the progress of events, we have reached that position where we are entitled to assume, on the North American Continent, the same position that belongs to the great powers of Europe in reference to the affairs of Europe, the contiguous portions of Asia and Africa, and the adjacent islands.

It means, Mr. Chairman, that the time has come in the course of events when we as a nation are called upon to determine the most delicate problem that can ever be brought before us as a nation, namely, the problem of intervention in the affairs of a friendly power. Mr. Chairman, it is admitted by all that the six great powers of Europe have assumed and have the right to interfere to prevent, among the smaller nations of Europe or the adjacent portions of Asia and Africa, long-continued, cruel, and barbarous war. This right of intervention has been permitted there, not only with the consent of all the civilized world, for maintaining the peace of Europe and the balance of power, but also——

Mr. WHEELER of Kentucky. Mr. Chairman, a point of order.

The CHAIRMAN. Does the gentleman rise to a parliamentary inquiry?

Mr. WHEELER of Kentucky. Does the Chair hold that the remarks of the gentleman are pertinent to the amendment offered by him?

The CHAIRMAN. The Chair holds that the remarks are pertinent to the bill. The gentleman will proceed.

Mr. WHEELER of Kentucky. I understood the Chair yesterday to hold that debate upon other matters than the pending amendment could only be made in general debate and not under the five-minute rule.

The CHAIRMAN. The Chair thinks that the remarks of the gentleman from Kentucky are not in order.

Mr. WHEELER of Kentucky. They are as much in order as the other.

Mr. BOUTELL of Illinois. I hope to be able to show the gentleman the orderly sequence of my remarks as applying to this very amendment. I say it has also been recognized by the world that these six great powers of Europe have the right to intervene, and they have repeatedly intervened, with the approval of the civilized world, to prevent long-continued, revolting, and atrocious cruelties that were repugnant to the sense of the civilized and enlightened world. I know that intervention between two foreign powers is one thing, and I know that intervention in the internal affairs of one nation is a much more delicate problem to consider and to answer aright.

I know that, as in the case of individuals, one might readily interfere in the quarrel or altercation of friends on the public highway, and I know that it would be an altogether different thing to invade the sanctity of a man's home and there interfere in his domestic affairs. But if one knew that within a man's castle he was strangling his own child, one would break through all restraints and in the cause of humanity rescue the innocent. [Applause.]

I say, Mr. Chairman, that in the course of events, as the greatest and most enlightened power on the North American Continent, the question is now brought before us of our intervention in the affairs of Spain in the management of her subjects in Cuba. And what I want to say is this, that just as we recognize the right of the six great powers of Europe to intervene to prevent cruelties and atrocities that are repugnant to the enlightened sense of the world, so on the North American Continent it is not only the prerogative, but the duty of the United States to intervene under similar circumstances. [Applause.]

So, Mr. Chairman, it seems to me that the time is at hand when we must intervene in Cuba.

Mr. MADDOX. Mr. Chairman, I should like to know what section this speech refers to?

The CHAIRMAN. It refers to the section covered by lines 15 to 21, inclusive, on page 9.

Mr. MADDOX. I do not want to object, but I want to inquire where the gentleman from Maine [Mr. BOUTELLE] is?

Mr. BOUTELL of Illinois. I am trying to fill his place as well as I can. [Laughter.]

The CHAIRMAN. The Chair trusts the gentleman will confine himself to a discussion of this section, and not of the entire bill.

Mr. BOUTELL of Illinois. Mr. Chairman, I will endeavor to confine myself entirely to an argument for the increase of the Naval Militia appropriation to the extent of $100,000.

The CHAIRMAN. The gentleman's time has expired.

Mr. MADDOX. I am not objecting. I just wanted to know where the gentleman from Maine [Mr. BOUTELLE] was.

Mr. COOPER of Wisconsin. I ask unanimous consent that the gentleman have five minutes more.

Mr. HAY. I object.

Mr. BOUTELL of Illinois. I move to strike out the last word.

Mr. VINCENT. I ask unanimous consent that the gentleman may be permitted to make his speech in his own way.

The CHAIRMAN. Objection has been made to the extension of his time. The gentleman moves to strike out the last word, and is recognized for five minutes.

Mr. BOUTELL of Illinois. Now, Mr. Chairman, it seems to me that the time has come when we, as representatives of the people, conscious of the position which we as a nation occupy, sensible not only of our privileges and prerogatives, but of our rights and duties, should intervene in the relations of Spain to Cuba——

Mr. LOUD. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LOUD. I make the point of order, Mr. Chairman, that this discussion is no more pertinent to the section that we are now on than the discussion of the silver question which was proposed yesterday was, and I hope our side of the House at least——

Mr. BOUTELL of Illinois. I think that the gentleman from California will see that my motion to increase this appropriation for the Naval Militia is properly under discussion in my remarks.

Mr. LOUD. I have been waiting for five minutes and listening patiently for the gentleman to come to the section, and he has been discussing intervention in Cuba.

Mr. BOUTELL of Illinois. That is because it is our duty to intervene in Cuba, and that will demand at once the service of the Naval Militia.

The CHAIRMAN. The Chair must admit that he has been so interrupted that he has not been able to follow the gentleman's argument closely at all.

Mr. LOUD. I hope our side of the House, Mr. Chairman, will not provoke——

The CHAIRMAN. The Chair will simply say to the gentleman that it is the intention of the Chair to hold all gentlemen to discussion of the section under consideration, and trusts the gentleman from Illinois will proceed with that idea in view.

Mr. BOUTELL of Illinois. I would like, in response to the gentleman from California, to state to the House——

Mr. LOUD. I do not want to enter on the course we had yesterday. Such discussion as this on our side is going to lead to discussion on the other side, which has as much right as we have.

Mr. LENTZ. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. LENTZ. When the gentleman from Illinois has the floor, is it proper for the gentleman from California to make a speech for him and put words in his mouth?

The CHAIRMAN. That is not a parliamentary inquiry. The gentleman from California has not done so. The gentleman from Illinois will proceed.

Mr. BOUTELL of Illinois. Mr. Chairman, I have no disposition whatever to travel outside the rules of this House; and I wish to say before I was interrupted by the gentleman from California that my reason for an increase of this appropriation for the Naval Militia is because I realize the attitude which this House must take within a very few days. [Applause.] Now, I say that the United States, exercising its prerogatives and sensible of the duties which have been imposed upon it, must intervene in the struggle between Spain and her subjects in Cuba. The duty of the United States is clear. It should intervene immediately and say to Spain that the long-continued, hopeless, and cruel war in Cuba should cease, and cease at once, and that the inhuman atrocities to which the Cubans are subjected must be stopped at once.

This intervention should not be based upon any mercenary motives growing out of loss or damage to our commerce; it should not be influenced by any visions of territorial aggrandizement; least of all should it proceed from political or partisan considerations. Neither should we be influenced in our action by any desire to establish any special form of government in the Island of Cuba. Our action should proceed solely on the grounds of enlightened humanity. We should say to Spain, with no envy, hatred, or malice, that the present government by starvation in Cuba must end. If we intervene on this ground, and on this ground alone, we shall have the encouraging sympathy of all civilized nations, the approval of posterity, the blessing of a suffering and helpless people, and over and above all and better than all, the benediction of the God of nations.

If this intervention shall result in war let the responsibility rest with Spain. If it shall result in Cuban independence it will be because Spain will be unable to deal justly and peaceably with her own subjects. When we intervene we must be prepared to enforce our demands.

A few days ago by an unprecedented action of Congress there was placed at the disposal of the President the sum of $50,000,000. Then word was flashed from the Pearl of the Antilles to the Pillars of Hercules that if there is to be peace between the United States and Spain it must be an honorable peace, but if there must be war it shall be victorious war.

In performing our duty in this crisis the Navy will play a most important part.

Mr. LOUD. I raise the point of order that the gentleman is not discussing the section.

The CHAIRMAN. The Chair is constrained to sustain the point of order. The gentleman from Illinois will proceed in order in the discussion of the section.

Mr. BOUTELL of Illinois. Mr. Chairman, this is a motion, made by the gentleman from New York, increasing the appropriation for the Naval Militia from $60,000 to $100,000. The story of the Naval Militia is a most interesting one and embraces a period of only ten years. From the earliest times our people have borne arms. Every healthy American boy has known the use of firearms from the time of John Smith and Miles Standish to the present time. Only within the last ten years has there been added to the branch of our National Guard a Naval Militia. It was first organized in the State of Massachusetts, and during the last ten years Naval Militia companies have been organized in 17 States. The complement of officers and men in the different States was, a few weeks ago, as follows: Illinois, 566; New York, 520; Massachusetts, 479; California, 424; New Jersey, 405——

Mr. GAINES. Mr. Chairman, is the gentleman's time unlimited?

The CHAIRMAN. The gentleman's time is not unlimited. It has not expired.

Mr. BOUTELL of Illinois. Louisiana, 280; Maryland, 267; Pennsylvania, 234; Ohio, 233; North Carolina, 230; Florida, 220; Michigan, 212; Georgia, 197; Connecticut, 183; South Carolina, 168; Rhode Island, 144; Virginia, 48, or a total of 4,810. Since that enumeration has been made these different battalions have increased until there are now over 5,000 of Naval Militia of the United States, and Illinois heads the list.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEWIS of Washington. Mr. Chairman, I wish to add voice in support of the amendment offered by the gentleman from New York. I would accept the reasons given by the gentleman from Illinois, and I desire to add to those reasons that in discussing an amendment looking to the increase of the defensive forces upon sea or those upon land it is infinitely appropriate that this House shall be brought to a knowledge of all the conditions which may make such an increase necessary. If it be true, as I gather from the remarks of gentlemen it is, that this Government in any wise expects to intervene in the affairs of any other country, either by peace or by force, it must be recognized by the House that history records instances more innumerable than can be mentioned that war has inevitably followed from such interventions.

It was the history of the intervention of Great Britain, France, and Russia in 1827 in behalf of Greece. It was the result of the intervention of the great powers in 1860 to stop the persecution of the Christians in the land of the Armenians. It has been the continuous cause of conflict in Egypt since the intervention of Great Britain in 1882 in that land. It is infinitely proper at this

time, Mr. Chairman, that we should pause to consider that if, for the cause of humanity or liberty, personal or political, this nation should find it appropriate and proper in the exercise of a just discretion for public liberty to intervene in behalf of any people, it should pause, stop, and consider what would be the natural result of such action and to consider the causes that have followed similar courses in other lands.

If this course has made it necessary that the navies of the world be increased, why are not such instances proper for discussion on the floor of this House, in order that we may profit by the examples? We are reminded by the dispatches that the flotilla of that nation which stands in a threatening attitude toward us is moving to the gates of Hampton Roads, to assail, if need be, the gateways of our country. Then by every precedent of defense, every precedent of military provision, it is the duty of the Government to move out and meet the enemy of the United States rather than to let her come to the ports of entry and make war and destruction upon the people of the Union.

Has not the gentleman from Illinois the right to demonstrate these facts before you in order to give the House advice, counsel, and information? I respectfully assert that not only is such his privilege, but such is his duty. It has ever been the duty, says Vattel, who is supported by all the eminent writers since his day, that a nation need not wait for an assault upon it by its enemy, but it should prepare to advance, resent, defeat, and overthrow whatever that advance may be, whether it comes from the individual or whether it comes from the nation. This may now be necessary. We are fools to disguise it any longer, we are timid to temporize with it, we are not patriotic if we any longer delude ourselves. It is unfair to this House that any member shall stand here for a moment and disguise the fact that we are on the eve of a serious encounter, which may mean life or death for the honor of this country.

This is the hour in which we should prepare to meet it, this is the time to prepare to meet it. If it is necessary to "Cry havoc and let slip the dogs of war," then let it be done. None of us desire war, none of us hope for it. We all pray to Heaven against its coming; but there is an hour when action becomes necessary, when it is necessary for us, in view of the conduct of that nation across the sea to send back the message which John Randolph sent her insolent prince, saying:

As we were not bullied by the British lion, we will not be frightened by the Spanish jackal.

[Applause.]

It is necessary that we should prepare to meet the emergency whenever it arises, and for that reason it seems to me we should, and I trust this House may, be liberal in increasing this appropriation, both for the defense of the Union and the maintenance of the cause of those who are struggling for liberty and justice. [Applause.]

Mr. CANNON. Mr. Chairman, I move to strike out the last two words. I would be glad to ask the question of the gentleman from Maine, What was the estimate for the Naval Militia?

Mr. BOUTELLE of Maine. Fifty thousand dollars.

Mr. CANNON. The bill carries $60,000.

Mr. BOUTELLE of Maine. That was the result of a request made of the committee in a hearing given by us to representatives of the naval officers of the militia of different States.

Mr. CANNON. I desire to ask the gentleman a further question, Whether the Secretary of the Navy has by estimate or letter requested the increase of this item beyond the $60,000?

Mr. BOUTELLE of Maine. I am not aware of any such request. I will say further on that line that the $60,000 was deemed ample for the object embraced within the authorization of this paragraph, and if any addition should be made, it would probably be applied to other provisions which are not enacted into law.

Mr. CANNON. I desire to ask if it is not true, if there be an emergency in the country, the $50,000,000 appropriated for public defenses is not available in this item if further expenditure under the discretion of the President should become necessary?

Mr. BOUTELLE of Maine. I should have no question about it.

Mr. CANNON. I am satisfied that that is the case, and if that be the case, it is sufficient to take care of the emergency; and it seems to me after the answer of the gentleman from Maine we had better proceed to enact this bill and to trust the President with the ample emergency appropriation to care for the public service in this respect.

Mr. LENTZ. Will the gentleman from Illinois allow me a question.

Mr. CANNON. Certainly.

Mr. LENTZ. Why would it not be well to move to strike out "sixty" and insert "fifty," so that it shall read "$50,000"? Why add the extra $10,000?

Mr. BOUTELLE of Maine. I will say to the gentleman that this is the regular provision, according to the estimates of the Department, for maintaining all the relations established by law between the Navy Department and these various organizations.

Mr. LENTZ. I understood the gentleman to state in the beginning, in answer to the gentleman from Illinois, that this sum is $10,000 more than the usual appropriation.

Mr. BOUTELLE of Maine. It is $10,000 increase, at the request of and on the representations made by the officers of the Naval Militia of the various States, which satisfied the committee that the growth of the organization and the increase of its needs would warrant this increase.

Mr. LENTZ. I understood the gentleman to say, in answer to the gentleman from Illinois, that he had neither a request nor a report——

Mr. BOUTELLE of Maine. For anything additional to what appears in the bill.

Mr. HANDY. Did not the gentleman say that $50,000 was all the Navy Department had asked for?

Mr. BOUTELLE of Maine. I said the Navy Department had estimated for $50,000; that we had granted $10,000 additional on the representations made to the committee by the national officers of the Naval Militia, to which was superadded the recommendation of the Navy Department that we should grant the request.

Mr. HANDY. Then in that way the Navy Department ask for this $10,000.

Mr. BOUTELLE of Maine. They are fully in sympathy with the request of the officers of the militia.

Mr. HANDY. Did they in any formal or informal way ask for this additional appropriation?

Mr. BOUTELLE of Maine. I will search the files and see whether there was any request in writing or not. My impression is that we did have a letter from the Secretary or the Assistant Secretary.

Mr. FOOTE. Is it not true that at the time when this bill was in preparation the Department had not in contemplation any trouble with any foreign nation; and was not this bill largely based on previous bills? Does it not carry but a small amount more than previous bills? In other words, was not this bill drawn on a peace footing?

Mr. BOUTELLE of Maine. No; not as I would understand the gentleman's meaning. We are on a peace footing to-day technically; but at the time when the visits and the representations were made to us by the officers of the Naval Militia the public mind was very much inflamed; there was then a great deal of war talk in the newspapers, as there is now.

Mr. FOOTE. Is it not a fact that this bill carries but little more than previous bills?

Mr. BOUTELLE of Maine. The gentleman means on this item?

Mr. FOOTE. No; not especially.

Mr. BOUTELLE of Maine. Well, then, that question is not germane to this paragraph.

[Here the hammer fell.]

Mr. LOW. Mr. Chairman, I can heartily support this amendment. The Naval Reserve is a valuable adjunct to our Navy, particularly on our seacoast. It has been in existence about five years. It is composed of some of the best young men in the country, who have been drilling every week with small arms and also taking lessons in seamanship. The amount of the appropriation that has been made from year to year has been $50,000. Now, with the war cloud in sight, the appropriation has been increased by the committee $10,000.

I assure gentlemen of this committee that in the event of hostilities breaking out this Naval Militia force will be of great assistance, particularly in our seaports, to assist in protecting the coast and also manning some of the forts. The men composing this force are not only drilled in heavy ordnance, but in light. I do hope that some encouragement will be given to these young men now that there is an opportunity for them to show what they can do.

Mr. GROSVENOR. I should like to ask the gentleman from New York [Mr. LOW], who, I believe, is a member of the committee, what use this money would be put to in the event that it should be appropriated and the Naval Reserve of which he speaks should be called into service? Is it not a fact that the Naval Reserve would then be carried on the muster roll of the Navy and be paid out of the appropriations of Congress for the pay of the Navy? Do not the Navy and the Army furnish with arms the men who go into active service?

Mr. LOW. That is so, under this bill.

Mr. GROSVENOR. I want to vote every dollar necessary; but what I want to know is, What are you going to do with this $40,000 additional if these men are shortly, in the event of war, to be placed on the muster roll of the Navy?

Mr. LOW. In the first place, I will say to the gentleman that in the event of the Government wishing to concentrate this body of men in New York, they could order them even from Illinois.

Mr. GROSVENOR. And pay them?

Mr. LOW. And pay their transportation to and fro.

Mr. GROSVENOR. And pay them their regular pay, also?

Mr. LOW. Yes, sir.

Mr. GROSVENOR. And so in reference to clothing and every other item?

Mr. LOW. Aside from that, they might need extra boats.

Mr. GROSVENOR. And the Government would furnish the extra boats. We have the information that it bought eighteen yesterday.

Mr. LOW. I am referring to boats to go around in; they have not enough even for our own ships.

Mr. GROSVENOR. Is this militia to be a State organization, or is it to be a United States organization?

Mr. LOW. My colleague [Mr. FOOTE] will answer the gentleman.

Mr. BOUTELL of Illinois. I should be glad to answer the gentleman from Ohio and also to give the information to the House.

Mr. FOOTE. I shall be very glad to state what I know on this subject. The only authority we have to arm the Naval Reserve is under this clause. Now, if we do not provide a larger appropriation, then, in the event of our having to call on this Naval Reserve, we shall come up against this very clause allowing only $60,000 for buying arms, accouterments, signal outfits, and everything of that kind for the militia.

Mr. GROSVENOR. Where is the authority for increasing the number of the Naval Militia?

Mr. FOOTE. The Naval Militia, as the gentleman will remember, is a State organization, built up by the various States; and the increase will come not from Congress, but from the States. We have naval militiamen now without arms.

The CHAIRMAN. Debate is exhausted. If there be no objection, the pro forma amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The question is now on the amendment of the gentleman from New York to strike out, in line 21, page 9, the word "sixty" and insert "one hundred;" so as to make the appropriation $100,000.

The amendment was rejected, there being—ayes 46, noes 57.

Mr. CORLISS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Amend by adding at the end of line 21, on page 9, the following:

"And the Secretary of the Navy is hereby authorized and empowered to use any part of the share of money heretofore or herein appropriated for arming or equipping the Naval Militia forces of the State of Michigan in repairing the damage to the *Yantic* caused by collision during her transportation from the Boston Navy-Yard to Michigan as the Secretary may deem proper and advisable."

Mr. BOUTELLE of Maine. Mr. Chairman, on behalf of the committee I accept that amendment.

The amendment was agreed to.

Mr. ELLIOTT. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Insert in line 21, page 9, after the word "dollars," the following:

"And the Secretary of the Navy is hereby authorized to apply such part as he may deem necessary of the Naval Militia appropriation now on hand to the credit of any State to furnishing clothing to the Naval Militia of such State."

Mr. ELLIOTT. I hope the gentleman will accept that.

Mr. BOUTELLE of Maine. I raise the point of order against that amendment.

The CHAIRMAN. The gentleman from Maine raises a point of order against the amendment.

Mr. ELLIOTT. I do not see how it violates the rule.

The CHAIRMAN. The amendment of the gentleman from South Carolina relates to the appropriation now on hand—money in the hands of the Secretary?

Mr. ELLIOTT. Yes; that is the purport of it.

The CHAIRMAN. Will the gentleman from Maine state his point of order?

Mr. BOUTELLE of Maine. My point of order is, first, that it is a change in existing law, there being no law now providing for furnishing clothing for the Naval Militia; and further, that it is precisely what has been passed upon by the House and refused only a few moments ago.

Mr. ELLIOTT. As to the latter point, Mr. Chairman, the former amendment applied to the pending appropriation. This amendment applies to the appropriation now available for such purposes.

Mr. BOUTELLE of Maine. This would change the scope of the existing law so far that it might absorb, and very likely would absorb, the entire appropriation, and deprive all of the other purposes now prescribed by law of the opportunity to receive any part of this fund.

Mr. DOCKERY. I should like to ask the gentleman if he knows what the unexpended balance is that is sought to be appropriated?

Mr. BOUTELLE of Maine. It makes no difference about that.

Mr. DOCKERY. It may not make any difference to the gentleman in charge of the bill.

Mr. BOUTELLE of Maine. It makes no difference on the point of order.

Mr. DOCKERY. I understand that, but I thought possibly the gentleman had the information. It seems to me it is clearly subject to the point of order.

The CHAIRMAN. Will the gentleman from Maine give his attention for a moment? Is there any existing law providing for furnishing clothing to the Naval Militia?

Mr. BOUTELLE of Maine. There is no such law.

Mr. ELLIOTT. The only law is contained in each appropriation bill.

Mr. BOUTELLE of Maine. It is not contemplated or requested, or even suggested officially, that I am aware of.

The CHAIRMAN. On that statement of the gentleman from Maine, the Chair thinks that the point of order should be sustained. The Chair sustains the point of order. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

BUREAU OF EQUIPMENT.

Equipment of vessels: For purchase of coal for steamers' and ships' use, including expenses of transportation, storage, and handling the same; hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; canvas for the manufacture of sails, awnings, hammocks, and other work; water for steaming purposes; stationery for commanding and navigating officers of ships, equipment officers on shore and afloat, and for the use of courts-martial on board ship, and for the purchase of all other articles of equipment at home and abroad, and for the payment of labor in equipping vessels and manufacture of equipment articles in the several navy-yards; foreign and local pilotage and towage of ships of war; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments, and repairs to same; libraries for ships of war; professional books and papers, and drawings and engravings for signal books; naval signals and apparatus, namely, signals, lights, lanterns, rockets, running lights, compass fittings, including binnacles, tripods, and other appendages of ships' compasses; logs and other appliances for measuring the ship's way, and leads and other appliances for sounding; lanterns and lamps, and their appendages, for general use on board ship, for illuminating purposes, and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; photographic instruments and materials; musical instruments and music; and installing and maintaining electric lights and interior signal communications on board vessels of war, $1,483,653.40.

Mr. MAHON. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

In line 9, on page 12, after the word "hammocks," insert the following:

"Testing the McAllister-McIlhenny system of armor plating for war vessels."

Mr. BOUTELLE of Maine. Mr. Chairman, I make the point of order on that.

Mr. MAHON. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire to discuss the point of order?

Mr. MAHON. I have a short statement here which it will take only about three minutes to read. Then, if the gentleman thinks it is out of order, I shall not object. I shall not waste the time of the committee, but I ask the gentleman to reserve his point of order in order that this statement may be read.

The CHAIRMAN. The gentleman from Pennsylvania asks that the Clerk read a statement. Is there objection?

There was no objection.

The Clerk read as follows:

The McAllister-McIlhenny system of armor plating is the invention of two young engineers who are well versed in the manufacture of steel. This system has not and will not be patented, as it is of no value except for use on vessels of war; therefore there can be no claims for royalty should the Government decide to adopt it.

The plan is based on scientific principles, and from such tests as the inventors could afford to make has proven to be superior to solid plates. The idea is to use, for example, six plates, 2 inches thick, instead of one solid plate 12 inches thick; the plates to be separated by washers or distance pieces, and the intervening spaces are to be filled with cellulose or similar material. The main idea is to take advantage of the elasticity of the metal, as each plate in turn will have to be bent in until it touches its adjoining plate, before it can be punctured. In the present system of harveyized armor plate, the outer surface alone, for a depth of about 2 inches, is hardened, whereas the center of the plate is steel of but the ordinary hardness. With the proposed system the lighter plates can all be made uniformly hard, thus insuring six harveyized surfaces to but one for the solid plate. The principal advantage of this system is the great reduction in its cost of manufacture. While the solid armor plate varies in cost from $400 to $325 per ton, the McAllister-McIlhenny plating can be made for less than $100 per ton.

Another advantage is that such plating can be made by almost any ordinary steel-plate rolling mill, thus taking it out of the hands of but one or two steel mills which at present control the manufacture of armor plate in this country. It can also be made much more rapidly than the solid plating, which, under existing circumstances, is a decided advantage.

The inventors of this system ask no compensation whatever for its use by the Government.

The plan of manufacture has been submitted to many of the armor experts, and all agree that it is of sufficient promise to warrant a thorough test at the hands of the naval officials.

As the Government alone is to be benefited by the adoption of such a system, it would be in the interests of economy to appropriate this small amount which may develop an armor plate whereby millions of dollars can be saved in the building of battle ships at no sacrifice of their efficiency.

Mr. BOUTELLE of Maine. Now I ask that the amendment may be reported again.

The CHAIRMAN. Does the gentleman from Maine raise the point of order against the amendment?

Mr. BOUTELLE of Maine. I do.

The CHAIRMAN. Does the gentleman desire to have the amendment read?

Mr. BOUTELLE of Maine. I should like to have the amendment read again.

The amendment was again reported.

Mr. BOUTELLE of Maine. My point of order is, first, that it is not germane to this paragraph. It could not possibly be included under the head of Bureau of Equipment; and secondly, that it is out of order because it is new legislation. I will state to the gentleman from Pennsylvania that no such legislation is necessary, because the Government maintains a proving ground for the purpose of making experiments of this kind, and anything that has merit can be tested by the Department without any such legislation.

Mr. GAINES. I desire to ask the gentleman from Maine if he maintains that these parties have a right to demand of the Government that it shall test this process at the Government proving ground?

Mr. BOUTELLE of Maine. I say that the Government is supplied with facilities and with authority to make all experiments that in its judgment or in the judgment of its officers will tend to advance the public interest.

Mr. GAINES. Then what harm can there be in putting in here a provision providing for that?

Mr. CANNON. That would compel the Government to do it.

Mr. BOUTELLE of Maine. That is a matter of judgment for every gentleman on the floor to determine for himself. It is not in order at this point of the bill. It is enacting new legislation, and is not, in my judgment, desirable.

The CHAIRMAN. The Chair will be glad to have the discussion confined to the point of order.

Mr. BOUTELLE of Maine. I have nothing to say on the point of order.

Mr. GAINES. I want to get some information from the gentleman from Maine, and I think he can give it.

Mr. BOUTELLE of Maine. What is it?

Mr. GAINES. Will you please explain to the House the process of experiment down there, and who pays for it?

Mr. BOUTELLE of Maine. I do not desire to take up the time of the House to do that at this time.

Mr. GAINES. I do not think the House would object.

Mr. BOUTELLE of Maine. It is not pertinent to this point of order.

Mr. GAINES. I think I will show to the House a little later on why the gentleman does not explain it.

Mr. MAHON. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Pennsylvania desire to speak on the point of order?

Mr. MAHON. This section of the bill is for the Bureau of Equipment. It provides for the purchase of hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, etc. I do not see why this would not be in order, to test the armor which is as much a part of the equipment of a vessel as any of these things. Now, Mr. Chairman, the Secretary of the Navy is provided with money to make tests, but the plates must be provided by the armor makers. These two young naval officers, of whom one is an expert who inspects all the steel that goes into these vessels, ask no appropriation; but this means that the Secretary of the Treasury can expend a few hundred dollars in having a plate prepared to stand this test.

Mr. CANNON. Will my friend allow me to ask him a question right there? If this provision is not adopted, can the test be made?

Mr. MAHON. No, sir.

Mr. CANNON. Very well; then it is new legislation. It provides for something being done that can not, under existing law, be done.

Mr. MAHON. The Secretary of the Navy can not buy anchors or cables except under this bill.

Mr. CANNON. Oh, yes.

Mr. MAHON. No; he can not.

Mr. GAINES. The gentleman from Maine says there is a provision for this, and I ask him is there a provision by which these gentlemen can go down there and demand that the Government shall conduct such experiments, and demand the use of these machines?

Mr. BOUTELLE of Maine. It is perfectly obvious that it is not permissible for every man in the United States, of seventy-odd millions of population, to go somewhere and demand that something be done. We have proving grounds for testing all appliances and all materials that are deemed desirable to test, that present such facts and such arguments in their favor as will convince the officers who are experts that the material is desirable.

Mr. MAHON. This is to determine that question with reference to these materials.

Mr. TODD. Can the gentleman tell the House whether it is a patented process; and if so, who are the owners of the patent, and whether any officers of the Government have any interest in it, either as owners or attorneys?

Mr. MAHON. No; it is young men who are in the employ of the Government. Government officers can not receive a royalty on a patent that is used while they are in the service.

Mr. TODD. The reason I asked the question is because in a report already submitted to Congress (Senate Report No. 1453, Fifty-fourth Congress, second session) it is shown that officers of the Navy, away up in the Government employ, had secured an interest in certain patents for making naval armor, and, in collusion with other Government officials and the armor-plate manufacturers, had forced the Government to pay immense royalties for the use of patents, and the people have been robbed of millions of dollars.

It is in evidence (Pages VI–VII) that a commander in the United States Navy, while drawing pay from our Government, was actually working against it, and received a salary from the steel company of $5,000 per annum, besides dividends on $20,000 of stock (which the company probably donated to him) of 20 per cent per annum, so that he received for working against his Government $10,000 per year while he was drawing heavy pay as a supposed trusted officer.

But this corruption in Government does not stop here. A Republican Secretary of the Navy is shown to also have had very questionable relations in these transactions. Patents injurious to the nation's interest and in the interest of the steel trust were "expedited" by him while Secretary of the Navy, and he has since been in the employ of the trust as "counsel" against the nation which had honored him with its confidence. (See Pages VII, XX–XXI, etc.) The policy of the trusts seems to be to "retain" influential officers both in the legislative and executive departments of Government, and thus secure such action as the interests of the trusts rather than those of the nation require.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

Contingent, Bureau of Equipment: For freight and transportation of equipment stores, packing boxes and materials, printing, advertising, telegraphing, books, and models; stationery for the Bureau; furniture for equipment offices in navy-yards; postage on letters sent abroad; ferriage, ice, lighterage of ashes, and emergencies arising under cognizance of the Bureau of Equipment unforeseen and impossible to classify, $15,000; and section 431, Revised Statutes, is hereby amended by striking out the word "navigation" and inserting the word "equipment."

Mr. CONNOLLY. Mr. Chairman, I reserve the point of order as to the last clause of this paragraph—the clause providing that section 431 of the Revised Statutes be amended.

The CHAIRMAN. The gentleman reserves the point of order on that clause of the section.

Mr. HILBORN. Mr. Chairman, in response to the suggestion of the gentleman from Illinois as to the change of section 431 of the Revised Statutes, I desire to say that this was done at the request of the Department itself. The Hydrographic Bureau was found to be in the wrong bureau, and it was deemed advisable to change that to another bureau; and that is all the effect of that change of the statute.

Mr. CONNOLLY. Mr. Chairman, that Hydrographic Bureau or Office has been a part of the Bureau of Navigation for thirty-two years, and the necessity for a change never seems to have occurred before. If there is a necessity for that change, it ought to be brought before the House in a measure depending upon the propriety of the change itself, and not be brought in here in this way as a part of an appropriation bill, and in the very objectionable way by striking out one word of a section of the Revised Statutes, so that if anyone desires to know what the law is he must take a copy of the Revised Statutes and read the section as it is there and then take this statute and see what word of that section is stricken out.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. CONNOLLY. I therefore feel that the point of order should be insisted upon.

Mr. HILBORN. Mr. Chairman, in the earlier days of our Navy Department navigation was more important than it is now. In the days of wooden ships the navigating officer was more of a factor than he is now, when our ships are built of metal and machinery constitutes so great an element.

Mr. CONNOLLY. The gentleman will remember that that section was first made a part of the Revised Statutes in 1866. We were then using armor-plated vessels, and had been during the war of the rebellion.

The CHAIRMAN. The Chair does not see what that has to do with the point of order.

Mr. HILBORN. What is that?

The CHAIRMAN. The Chair fails to see what the suggestion of the gentleman from California has to do with the point of order.

Mr. HILBORN. This is a point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Contingent, Bureau of Yards and Docks: For contingent expenses that may arise at navy-yards and stations, $20,000.

Mr. GAINES. Mr. Chairman, I want to call the attention of the House——

The CHAIRMAN. What motion does the gentleman make?

Mr. GAINES. I move to strike out the last word. I want to call the attention of the House, since we are passing on a provision touching on the purchase of coal for the use of the Government, to a comparison of prices between the cost of coal in Pennsylvania and the South.

We are producing down in Alabama and Tennessee, and I take it other portions of the South, material used in the manufacture of armor plate. Both sets of figures are authentic.

The Eastern prices are taken from Secretary Herbert's report of 1897, and are the figures at which these materials are sold to the Government, in the shape of armor plate, by Carnegie. The Southern rates are equally as authentic, given me last summer by Col. A. M. Shook, vice-president of the Tennessee Coal, Iron and Railroad Company, one of the largest iron and coal concerns in the United States, doing business in Tennessee and Alabama.

Pig iron is sold by this company and the Sheffield Company, as shown by the testimony taken by the Armor Factory Board, at from $5.60 to $6 per ton. Tabulating these figures, we have a remarkable showing in favor of the South.

	Carnegie & Co.	South.
Pig iron ..... per ton..	$12.50	$6.00
Iron ore ..... do....	3.05	.50
Slack coal	1.00	.25
Coke ..... per ton..	2.50	1.75
Limestone	1.15	.45
Total	20.20	8.95

Difference in favor of the South, $11.25.

Yet, Mr. Chairman, in the face of these facts, not one ton of coal has been purchased in the South in our preparation for war in Cuba, so far as my vigilance has been able to ascertain, although this Southern region is a thousand miles nearer to Key West than the territory that has furnished it.

Mr. Chairman, I want now to advert to a matter which the gentleman from Maine [Mr. BOUTELLE] studiously avoided just now when I questioned him, and that is the expense that the Government undergoes in testing this armor plate. He says we have a testing ground, and we are now providing for that expense. I want now to know who pays the expense of the test? Say twelve armor plates are sent down here for examination.

The most defective looking one is picked out to stand the test. It is put up and shot at. It is purposely destroyed, as near as possible. If it stands the test, the other eleven are presumed to be even better than this, are accepted, and the Government pays for the whole twelve, including the cost of testing.

Now, who stands the loss of this twelfth plate that is shot at? If the plate stands the test, the Government loses; if not, the contractor bears the loss. The plate, on an average, for one ship is from 2,600 tons to 2,800 tons, which has cost the Government on an average of $617 a ton, and there are 40 tons to the battle ship plates, the smaller plates being from 10 to 15 tons.

In other words, we pay for twelve plates and get eleven we use for plate. We pay for the powder; we pay for the whole experiment in the event we succeed. Now, I do not know of just such an inevitable and dead loss to any other Government on earth. England has an armor-plate factory, and we do not hear of it. She stands first in the calendar of our great naval nations. France is next, and has an armor-plate factory——

Mr. DALZELL. Will the gentleman from Tennessee allow me an interruption?

Mr. GAINES. Certainly.

Mr. DALZELL. There is no nation on the face of the earth that has an armor-plate factory except Russia.

Mr. GAINES. I am glad that the gentleman admits that Russia has one. I will show him in a minute that he is mistaken as to the other countries. I have here a letter from the chancellor and attaché of the French embassy. France has Government armor factories; and they have all sorts of factories that go to make that nation second only to England.

Mr. SWANSON. What legation?

Mr. GAINES. The French legation. I will read the letter, if I can find it. It is here, I know.

Mr. DALZELL. There are numerous armor-plate factories scattered all over Europe; there are a number in France and in England, but there is no Government armor-plate factory except in Russia.

Mr. GAINES. I have the letter here——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES. I hope I may be allowed to proceed long enough to read this letter. This is signed by the representative of the legation here. I read:

EMBASSADE DE FRANCE, AUX ETATS UNIS,
Washington, D. C., January 25, 1898.

DEAR SIR: My inability to confer before this with the military attaché of this embassy prevented me, to my regret, from replying any sooner to your favor of the 13th instant. France builds a part of her men-of-war, armor plate, and artillery in Government establishments. The rest is constructed by private industries. This mode is followed so as to allow the Government to be independent of private industries in time of peace. On the other hand, in case of war, the Government needs the assistance of private industries, and it would be too late to improvise them in cases of emergencies. For these reasons recourse is had to both sources of production.

Very truly, yours,

JULES BOEUFVE, *Chancellor.*

Hon. JOHN W. GAINES, M. C.,
Washington, D. C.

Now, Mr. Chairman, I also have another letter here from the secretary and chargé d'affaires of the Italian embassy, Count Vinci:

AMBASCIATA DI S. M. LI RE D'ITALIA,
Washington, D. C., January 18, 1898.

SIR: I beg to acknowledge the receipt of your letter of January 13, to which I take pleasure in answering.

In a general way I can say that the Government of Italy owns the navy-yards and its own docks where the war ships are built, and owns its plants for the manufacture of war material and naval construction, also for the forging of armor plates. However, no law prevents the Royal Government to make its ordnance to private industry, and in the late times some of our naval constructions were entirely committed to them; so that a combined system is probably to prevail in the future.

Be pleased to accept, sir, the expression of my consideration.

Respectfully, yours,

COUNT VINCI,
Chargé d'Affaires for Italy.

Hon. JOHN W. GAINES,
Member of the House of Representatives.

Now, Mr. Chairman, England stands first, and has her armor-plate factory; France stands second, and has hers; Russia stands third, and has hers, says the distinguished authority from Pennsylvania [Mr. DALZELL]; Italy stands fourth, and has hers; the United States stands fifth, without any of her own; Spain stands sixth, and has hers; while Japan stands seventh, and has hers and is preparing to build more.

I believe there are authorities of high standing that say that Japan in her naval force stands second only to England. She has one armor factory, and her agent has just left this country, where he has been gathering information preparatory to erecting another. I hold in my hand a clipping from the Detroit Tribune of January 31, 1898, which says in part:

By establishing a Government arsenal at Woolwich, Great Britain has made a saving of about 50 per cent on the production of her war machinery, and private firms found that they could no longer charge fancy prices because the nation was their patron. This will no doubt prove true in the case of the United States.

This editorial was espousing the cause of building a Government armor factory in that city.

Now, Mr. Chairman, one or two points more and I will not further trench upon the kind attention of the House. The gentleman from Maine [Mr. BOUTELLE] on Monday stated that Mr. Secretary Herbert recommended a $400 proposition to this House for the purchase of armor plate. The gentleman from Ohio [Mr. BROMWELL] stated that he voted for the $300 proposition because an Illinois concern had agreed to make it for $300. I want to say that the gentleman from Ohio was mistaken; that there was no Illinois proposition considered; that the $300 proposition was made upon the testimony taken by this House and by the Senate upon that subject.

Commander Elmer states that the cost of armor plate should be no more than $250. Commodore Rodgers stated it should be no more than $250. Germany is paying $250 for her armor plate, and so upon the testimony elicited by the two committees they reported that $300 was the proper amount, and upon that report this House adopted the $300 proposition. Now, they say the reason why we can not get the $300 proposition to go through was because we could not get any bids. Well, of course, if that is the case, that is a complete excuse; but why set that up?

It is because we have only two armor-plate factories in the country that are working for the Government, and the way they do is that they will not bid against each other. The Government gives them all the work that we have to do. Indeed, this bill provides that this armor-plate business shall be confined exclusively to the manufactories of the United States, when we have but two and they will not compete.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. DALZELL. Mr. Chairman, I do not desire to occupy any time; I only want to say that when this subject is properly before the committee and when it is in order under the rules of the

House, I propose to discuss it. It is manifest that the paragraph under discussion has no reference whatever to armor plate.

Mr. GAINES. I am well aware of that, but the interruption of the gentleman from Pennsylvania turned me to that subject from "coal," which I desired to discuss.

The CHAIRMAN. Does the gentleman from Tennessee withdraw his amendment?

Mr. GAINES. I do.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Civil establishment, Bureau of Yards and Docks: Navy-yard, Portsmouth, N. H.: For one clerk, at $1,400; one mail messenger, at $2 per diem, including Sundays; one messenger, at $900; one foreman laborer and head teamster, at $4 per diem, including Sundays; one janitor, at $900; one pilot, at $3 per diem, including Sundays; in all, $5,885.

Mr. PETERS. Mr. Chairman, the appropriation which this bill contemplates can not, under all the circumstances, fail to meet the approval of every loyal American who appreciates the situation. For years it has been a sad reflection upon our wisdom and foresight that until recently the strength of our Navy has been wholly incommensurate to the strength and dignity of the nation. It has been a cause of reproach to us that some of the weakest and most insignificant nations of the earth could have swept our commerce from the seas. With our imperfect coast defenses we were practically at the mercy of the foreign invader. It seems that only an extraordinary exigency like the present could arouse us from our lethargy and awake us to a realization of our humiliating and perilous position.

Here we have stood, halting, hesitating to grapple with the weakest, the rottenest, the most corrupt Government that ever disgraced the earth; because we were not ready to defend ourselves; halting, hesitating, waiting, while the cries and groans and agonizing appeals of the starving and dying are ringing in our ears. [Applause.] Nay, even our own President is insulted, our countrymen are imprisoned and murdered, our ships destroyed before our very eyes, while the voice of the people is calling in no uncertain tone, demanding that in the name of God and humanity we take the decisive step which will stop this reign of carnage. [Applause.] Cuban belligerency was the remedy, but now it is war. [Applause.]

Mr. Chairman, is it possible that any argument is needed to convince this House that our Navy ought to be strengthened? All the nations of the earth, even the most insignificant, are increasing their navies. Shall we fall behind in the march of progress? Can any one deny that our vast and increasing commerce must be protected? Can we afford to fail in maintaining our dignity before the world? We ought with as much alacrity and unanimity to vote for this bill as we voted for that fifty millions for the President. That appropriation may have been a mistake, because it should have been one hundred millions instead of fifty. This may be a mistake only because it is inadequate. Let us no longer hang our heads in shame at the mention of our Navy, but build one commensurate with the greatness of our nation.

I am as much in favor of this bill as I am opposed to any appropriation for increasing the standing Army. An efficient Navy and strong coast defenses will give us dignity in the eyes of the world and protect us from foreign encroachments. It is but obedience to nature's first law of self-defense. A large and expensive Army can serve no purpose whatever, except as a menace to our own people. A standing Army does not insure peace; it has the opposite effect of inciting hatred and violence. The protection we need is against foreign invaders, and only a Navy is effective for that purpose. In emergencies we need only to call upon our citizens. They are always ready. The American volunteer is as good a soldier as ever trod the field of battle. [Applause.]

It seems to me that the desirability and absolute necessity of this proposed naval appropriation is so apparent that the question is not debatable. The only question to-day is, What kind of a Navy? If we had a formidable Navy, the Spanish flotilla to-day would not be steaming toward America. If the Spanish flotilla is on its way, further hesitation and delay are dangerous. [Applause.]

A war between the United States and Spain at this time would be fraught with deep significance. It would result not only in the freedom of Cuba, but the exaltation of a principle which would be an object lesson to the world for all time. It would not be simply the United States pitted against Spain; it would be the opposing forces which have been at work shaping human destiny through all the ages. On the one hand, the shriveled and decrepit survival of a semibarbarous system of oppression, cruelty, inhumanity, and violence; on the other, civil and religious liberty, equality, human rights, progress. On the one hand, the divine right of kings; on the other, the divine right of man. [Applause.] Why need we shrink from such a conflict? Such a war would be a blessing to the world. [Applause.]

Mr. Chairman, it is a matter of congratulation to the country, and to this House in particular, that the prospect of a foreign war has had the salutary effect of cementing the Union as it has never been before. This effect is perhaps nowhere more noticeable than upon the floor of this House. That there exists a kindlier feeling and a more courteous manner between members of opposing parties must be apparent to everyone, notwithstanding the occasional undignified exchange of sharp personalities, which by their frequency in the past have sometimes subjected this body to severe criticism. Of late, however, these exhibitions have, as a rule, given way to genuine expressions of lofty patriotism, worthy of our glorious heritage and the exalted position we occupy among the nations of the earth.

The people of the United States at the first alarm of war have rushed together in defense of the nation's honor with a magnificent abandon which has been the astonishment and admiration of the world. This final and beautiful reconciliation between the North and the South is especially gratifying to us who are affiliated by ties of blood to both sections. In a country like ours, of such wide extent and diversified resources, it is but natural that there should be some conflict of interests, and sectionalism more or less pronounced the inevitable result. It is but fulfilling a law of nature that every man's point of view is the standpoint of his own personal interests. Only the broadest and most liberal patriotism can cause a representative of the manufacturing East to put himself in the place and view with sympathy the position of the new South with her growing industries, proving herself so apt a pupil of New England.

Much has been said about these two sections in recent discussions on this floor and but little in behalf of the West. The West, in her struggle for recognition, must stoutly maintain her own claims or be, as she has been, utterly ignored. For, be it understood, in all our glorious country no section has been so misunderstood and so underrated as the West. The great West, with its capacity to feed the world, its boundless resources of mineral and agricultural wealth, its population representing the youth, the energy, the ambition, the patriotism, and the intelligence of the ideal American citizenship—this section, I say, which any man might be proud to call his home, has been misunderstood, and underrated, and ignored, and discriminated against.

The natural outgrowth of this state of things is the much-abused and maligned Populist party, which is the exponent of all that is best of pure Americanism. The two States, Kansas and Nebraska, which are now controlled by that party, stand in the vanguard of progressive States. The percentage of illiteracy in these States is less than any two States in the Union. These two States present more nearly the ideal of pure democracy which possessed the founders of the Republic. The old question is flung back at us to-day, "Can any good come out of Nazareth?" The same answer is applicable as of yore, "Come and see."

The people who compose this much-maligned party are the bone and sinew of the land—intelligent farmers and wage earners, who earn their bread by the sweat of their brow—honest, God-fearing men, the type of men who always come to the country's rescue in the hour of peril. Many of them are the sons of Revolutionary sires. It is for these, the rank and file, the great masses of the common people, for whom the Populist party stands sponsor. [Applause.] The Populist party is a protest against the encroachments of plutocracy and every un-American barnacle which has fastened itself upon the old ship of state.

It sounds a solemn warning against the present rapid drift from the simplicity of our fathers. It is the advocate of progress, of reform, of liberty, equality, fraternity; of all that is highest and best in American institutions. Is it a matter of wonder, then, that this party, established upon the sure foundations of truth and justice, has, in the face of scorn and ridicule, already lived to see its principles accepted and ingrafted upon the old parties, and while official recognition has been grudgingly given it, yet has steadily and unfalteringly maintained its position? That this party is a wonderful factor for good is an unquestionable fact. The cause of its rise and growth has been unjust discrimination; discrimination not only against a class but against a section—a section upon which the country depends for its very sustenance.

This appropriation, like most of appropriations which have passed this House, will directly benefit the East. We of the West have no seaboard cities, no shipyards, no dry docks, no factories or manufactories to be directly benefited; yet we are ready to take our guns in hand, to cross the continent, and join with you in giving our lives and treasure in our country's defense. [Applause.] In saying this I voice the sentiment of the Populist party. [Applause.]

There are two appropriations which I most heartily indorse. One is to build up a formidable navy; the other is to provide for the old soldiers.

We are all conscious that this is a most solemn and trying hour. We have hoped and prayed that war might be averted. But we stand face to face with the inevitable. The President's course since the fifty millions appropriation has met with universal approval. Congress and the country have waited with marvelous

patience for him to work out a definite policy. At last his supreme hour has come. His duty is clear. If he performs it, he will be supported to a man. If he falters or wavers, a mighty and irresistible storm of indignation will sweep over this country.

Vox populi, vox Dei. [Applause.]

The Clerk read as follows:

Navy-yard, Brooklyn, N. Y.: For dredging Whitney Basin and Wallabout, to continue, $50,000; quay wall between dry dock No. 1 and Main street, $60,000; quay wall, coal dock, to complete, $30,000; grading and sewering between dry dock and Clinton avenue, to continue, $10,000; grading and paving causeway and roads around docks, $20,000; storehouse for steel (for construction and repair), $17,500; oil and varnish storehouse (supplies and accounts), $46,300; paving streets, $5,000; addition to electric-light system, $15,000; replacing storehouse (building No. 31), condemned as dangerous and removed, $49,837; conversion of building No. 8 into two-story fireproof storehouse for ordnance material, to be immediately available, $24,500; in all, $323,137.

Mr. LENTZ. Mr. Chairman, I observe in the paragraph just read the words "paving streets, $5,000." I should like to know the meaning of that. Where are the streets for the paving of which we are appropriating $5,000?

Mr. HILBORN. Outside of the reservation itself the Government is an abutting proprietor, and has to pay, like anybody else, its share for the improvement of the streets.

Mr. CUMMINGS. Allow me to say that there are many miles of streets in the Brooklyn Navy-Yard on land owned by the Government.

Mr. LENTZ. I understood the gentleman from California [Mr. HILBORN] to say that these streets are on the outside.

Mr. CUMMINGS. No, they are in the navy-yard proper—within the walls. These streets are being used continually for the transportation of heavy material, and they get out of order just as much as the streets in the commercial parts of the great cities of the United States where heavy drays are used. It is absolutely necessary that these streets should be kept in order, especially at a time like this.

Mr. HILBORN. I made a mistake in the statement I just made. I had in mind another case, where we have made an appropriation for improving the streets outside of the Government grounds at Annapolis.

Mr. LENTZ. I only wanted to say that if an appropriation of this kind is to be made——

Mr. SHAFROTH. Is not this a departure from the practice of the United States?

Mr. CUMMINGS. It is not.

Mr. SHAFROTH. I mean the paving of streets on the outside.

Mr. CUMMINGS. I think there is no navy-yard in the United States where there is any paving on the outside of any of the public grounds except at Annapolis, and there a special arrangement has been made with the city authorities, under which they pay part of the expense and the Government pays the other part.

Mr. HILBORN. When the gentleman from Ohio [Mr. LENTZ] first raised this question, I supposed he was referring to the case at Annapolis. That is the only case of the kind.

Mr. LENTZ. Then, as I understand, the streets for the paving of which we expend $5,000 are within the Government grounds?

Mr. HILBORN. They are all within the reservation—all on the land of the United States.

The Clerk read as follows:

Naval station, Port Royal, S. C.: Quay wall, $15,000; repair shop (for steam engineering), $50,000; for the payment of the amounts awarded to the owners of the several tracts of land at the naval station, Port Royal, S. C., recently condemned for the use of the United States, in addition to the amount heretofore appropriated for the purchase of land at that station, $20,325.50; in all, $85,325.50: *Provided*, That none of the above amounts appropriated for the naval station at Port Royal shall be available or used until the United States shall have acquired all right and title to the land claimed by Agnes A. Niver adjacent to the land where the dry dock now is, and involved in litigation in the United States Court of Claims, except that $1,000 of the $15,000 appropriated for the quay wall may be used to preserve the same.

Mr. ELLIOTT. I make a point of order on the proviso at the close of the paragraph just read. It is a change of existing law. It provides that none of the $85,000 appropriated in this paragraph shall be expended "until the United States shall have acquired all right and title to the land claimed by Agnes A. Niver adjacent to the land where the dry dock now is."

My contention is that this is a change in existing law, there being now no law providing for the acquiring of that property. Section 3736 of the Revised Statutes of the United States, relating to the subject of acquiring lands, provides:

No lands shall be purchased on account of the United States except under a law authorizing the purchase.

No law can be produced authorizing the purchase of this property. Nor can it be contended that it is a part of the property now owned by the United States and upon which the dry dock stands, because it would be absurd to pretend that the Government is to buy its own land. Besides, as the Chairman will observe, the language of the proviso is, "adjacent to the land where the dry dock now is." Here is a plain direction that the United States shall acquire a piece of property for the acquirement of which there is no authority of existing law.

Can anyone doubt, Mr. Chairman, as to what the duty imposed upon the Secretary of the Navy would be if this matter went through as it now stands? Why, he would have to acquire title to that property if he could. The whole appropriation for this most important station and dry dock is made dependent upon the United States acquiring title to property which, as appears from the proviso, the United States does not own. Of course it goes without saying that the United States does not own the property if it is required to acquire the title of any person.

Mr. OGDEN. The property seems to be in litigation now in the Court of Claims.

Mr. ELLIOTT. There is now a suit pending, it appears by the proviso, over this property in the Court of Claims. It is required that the United States shall acquire title to it. It seems to me that the provision is plainly subject to the point of order. It could have no meaning unless it were intended that the proper officers of the Government should feel bound, upon the passage of this bill, to acquire title to that property. Therefore it is intended to be a change of law. I do not see how there can be any question on the subject.

Mr. DAYTON. I desire, on behalf of the Committee on Naval Affairs, to call the attention of the Chair, on this point of order, to the fact that if it should be held to be well taken, it would simply destroy the appropriation entirely, because an examination of the proviso will make very plain and very clear the fact that it is simply a limitation upon an appropriation that is provided by this provision. Of course the limitation is proper, it being a new appropriation; and if the point of order should go against it, it will go against the whole section. It seems to me that that is all that is necessary to be said upon the point of order. When it comes to the question of the wisdom of this proviso, then the committee desire to be heard.

Mr. LENTZ. Will the gentleman allow me to ask him a question?

Mr. DAYTON. Yes.

Mr. LENTZ. Have we not a naval station at Port Royal now?

Mr. DAYTON. Why, certainly, we have a naval station at Port Royal.

Mr. LENTZ. Then if the proviso should fall, why would that defeat the appropriation?

Mr. DAYTON. Simply because this provision as a whole makes an appropriation to that naval station, to be available upon certain conditions. That is no violation of the rule, and therefore the appropriation goes with the proviso.

Mr. WILSON. Will the gentleman from West Virginia allow me to ask him a question?

Mr. DAYTON. Yes.

Mr. WILSON. Will not the appropriation stand if the proviso is stricken out?

Mr. DAYTON. It would stand if it were amended so that it would be an independent and unconditional appropriation.

Mr. WILSON. By striking out the proviso, do you not effect that amendment?

Mr. DAYTON. I say that when that amendment is made, I desire to be heard as to the wisdom of it; but upon the point of order, the appropriation stands here as a conditional appropriation.

Mr. WILSON. Then the point of order would strike out your proviso, if it is sustained.

Mr. DAYTON. The point of order, it seems to me, can not change the character of the appropriation.

Mr. ELLIOTT. This is not simply a limitation upon the expenditure of money, but it is a matter foreign to the particular subject under consideration. It is not a direction how the money shall be spent, which would be putting a limitation upon it, but it is a plain requirement of law that the United States shall acquire title to this property. As I said a moment ago, could anyone doubt if this bill passes that it would be the duty of the Secretary of the Navy to acquire title to that property? The whole $85,000 is tied up, suspended, hung up in the air, upon the condition that the Government shall acquire that piece of property. And you observe——

Mr. CLARDY. Do I understand you to say that there is no law by which the United States Government can acquire title to land that it needs for public purposes?

Mr. ELLIOTT. Only in certain cases. They can acquire title for certain purposes.

Mr. CLARDY. Is it not competent for the United States Government, the same as any public corporation, to condemn land for the purposes of the Government? Could they not acquire title to this land in the same way?

Mr. ELLIOTT. There must be an act of Congress authorizing the condemnation. There is no general law on the subject authorizing the condemnation of land in all cases. There must be an act authorizing the condemnation.

Mr. CLARDY. Do you mean there must be an act for every specific condemnation?

Mr. ELLIOTT. Yes; either a special act or a general law covering certain classes of property. This is not one of those cases covered by any general law.

Mr. DAYTON. If the gentleman will pardon me, simply to illustrate the point of order, I suppose it would be conceded by him, would it not, that this House could refuse to make any appropriation at all to this station?

Mr. ELLIOTT. I do not see that that bears on the point of order.

Mr. DAYTON. Then if the House can refuse to make any appropriation at all, it can certainly make an appropriation conditional in its character and limited to the occurrence of certain events.

Mr. ELLIOTT. But not upon a condition that involves new legislation; and here is legislation requiring the United States to acquire title to property for which there is no law now in force.

Mr. DAYTON. Then, if that be true, will not the whole provision go out?

Mr. ELLIOTT. That has been answered already most satisfactorily by my colleague [Mr. WILSON]. The appropriation would be perfectly good without the proviso, and I am making a point of order only on the proviso.

Mr. ROBBINS. I should like to ask the gentleman from South Carolina what part of the $85,000 is tied up by the litigation with Agnes A. Niver? I admit that it is hardly pertinent to the point of order.

Mr. ELLIOTT. Why, it applies to the whole appropriation, for the machine shop and everything else.

Mr. ROBBINS. I know it applies to the whole appropriation, but what part is tied up?

Mr. SOUTHARD. I will explain to the gentleman just how it stands. We have a dry dock at that point, and a machine shop——

Mr. DAYTON. It seems to me this is not pertinent to the point of order. When the amendment is made, if there be one, the committee stand ready to explain these things.

The CHAIRMAN. It seems to the Chair clearly that this is a limitation. Following the line of decisions that have been made in that respect and so regarding this proviso, the Chair overrules the point of order.

Mr. ELLIOTT. I wish to offer an amendment.

The amendment was read, as follows:

In line 22, page 23, strike out the remainder of the paragraph down to and including line 5 on page 24.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from South Carolina.

Mr. ELLIOTT. Mr. Chairman, as to the propriety of that proviso, the committee will understand that all of the appropriations for the perfection of that dry dock are tied up and suspended until the United States shall acquire title to a piece of property that is in dispute. It seems, Mr. Chairman, that there is a suit pending over some property adjacent to the dry dock, not a part of the dry dock, but adjacent to it.

Now, in this condition of things the Naval Committee placed this proviso in the bill, and wants the Committee of the Whole to adopt a legislative declaration in favor of a party who is suing the United States for the value of the use and occupation of the property. That would be a legislative declaration in behalf of the claimant's title. The United States claims this property, and is in possession, and the action of the House would be a declaration that the United States is not the owner of the property, but that the title is in the claimant, Mrs. Niver. I think it very bad policy to adopt this proviso.

As I said, that dock is one of the most important in the country. It has already taken in the battle ship *Indiana*. She went in and out without any difficulty. This is just the time when a dock of that sort is most needed, and it is proposed to tie up indefinitely the appropriation for its improvement. How can anyone know when that litigation will be terminated? When the Court of Claims decides the case, there may, and probably will, be an appeal to the Supreme Court, and it would be pending there for at least two or three years, during the whole of which time nothing could be done for the improvement of the dock. Now, how is the United States to acquire title to a piece of property which it owns?

They can not compel Mrs. Niver to convey the property, and the United States can not condemn it, because the United States now claims the land and is in possession of it; so how can this proviso ever be carried into effect? How can the matter ever be determined? The United States will be absolutely powerless, because Mrs. Niver may refuse to sell the land and the United States can not condemn it. So it is an impossible condition that the committee has asked to be inserted in the bill. Moreover, the question of title can not be decided in this suit. I quote from the case of Hill against The United States in 149 U. S. Reports of the Supreme Court, page 593:

A claim by a person asserting title in land under tide water for damages for the use and occupation thereof by the United States for the erection and maintenance of a light-house, without his consent and without compensation to him, but not showing that the United States have acknowledged any right of property in him as against them, is a case sounding in tort on which the circuit court of the United States has no jurisdiction under the act of March 3, 1887, chapter 359.

So that the title can never be determined in this suit.

Mr. LENTZ. I would like to hear what the gentleman is saying. I have not been able to hear even at this distance.

The CHAIRMAN. The point of order is well taken. The committee will be in order, and the gentleman will suspend until we have order.

Mr. ELLIOTT. This suit must ultimately be dismissed on a question of jurisdiction, and therefore no adjudication can be had upon the question involved. I submit again——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENTZ. Mr. Chairman, I agree with the gentleman who has just taken his seat, that it would be extremely bad policy to procrastinate in the use of this appropriation until certain litigation can be disposed of. We all know what litigation means; we all know that it runs on and on for years and years; and this is no time for delay in improving naval stations. It has been shown by argument after argument made on the floor of this House that we need an expenditure not merely of $50,000,000, but of hundreds of millions to put our Navy and our coast defenses in a proper condition.

With such a nation as this, I say it is pusillanimous, petty, small business to talk about delaying this matter until certain litigation can be terminated. Let us go on and expend this money and make the improvement, if we do encroach on somebody's acre. Government has this right at all times, and particularly in a time like this. The Government is amply able to pay for the land at the proper time. We know not whether anybody has any title adverse to the Government. I repeat it, that this is not the occasion for delay for such a trifle as that. With this Spanish flotilla approaching our country, we ought to expend millions at once, so that no hostile fleet will ever again approach the American Continent.

Why, take the Franco-Prussian war for example. We hear a great deal about international law. I say there is a growth in international law just as there is in the means of lighting and transportation. In 1870 what was the cause of the Franco-Prussian war? It was suspected by the French that the house of Hohenzollern would put Leopold on the throne of Spain. After Leopold declined the proffered crown, Emperor Napoleon III demanded that King William should not only prevent Leopold from ascending that throne, but that he should agree then and there that at no time in the future should any descendant of the Hohenzollern family ever become a candidate for the crown of Spain.

Why? Because they declared it was a menace to the peace of France and the peace of Europe to unite the interests of these two powers. And because the Prussian King refused to enter into any such agreement as that, French troops were on German soil within a few weeks, and that led to the Franco-Prussian war and a victory that will forever remain the glory of Germany. I say that the Spanish navy does not approach this country for any good purpose; it is a menace to our peace and the peace of the Western Hemisphere, and it is boys' play to stop now and talk about acquiring title. This money ought to be expended to-morrow and this naval station prepared for immediate action.

That is my view of this question, and I hope that this amendment of the gentleman from South Carolina will be voted for unanimously—with the same unanimity that was shown when we voted for the fifty million appropriation a few days ago. It is along the same line. There is no use deceiving ourselves. The nation that stands idle and impotent while an enemy approaches with all the accouterments of war is nothing less than a coward; and I am not willing to say, as a member of this House, that the people of my district are afraid to appropriate millions of dollars to prepare at every point on the coast of this country to meet such an enemy; and this station is only a part of the necessary machinery of war not only against Spain, but against every country in the world.

Mr. Chairman, I said that we have new international law. The Monroe doctrine is new international law. And all decent nations will join in making more new law to meet the brutality and barbarity that now shocks all mankind aware of the conditions in Cuba. Nobody was ever burned at the stake for opinion's sake where the bigot who fanned the flames was not the wrongdoer while the sufferer was doing God's will. No people on the face of the earth will starve to death, as the Cubans are now doing, rather than surrender, unless they are doing God's service. Cuban women and children have suffered more than being burned at the stake, and for the American people to stand idle now, seeing these Cubans from day to day sink dead into old mother earth from starvation, is cowardly and mean on our part.

Our hearts must be petrified, like those of the Spaniards, to see that going on at our very doorsteps without protest or intervention. Let us expedite this bill. Let us appropriate more for the Navy, and in the name of humanity not wait for the disposition of a case at court. [Loud applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. Mr. Chairman, I speak on behalf of the committee in opposition to this amendment. I want to say to the members of the Committee of the Whole House that the effort to inspire the belief that this appropriation is necessary as an emergency measure, with all due respect, has no foundation whatever. This is simply an appropriation for a naval station providing for the additional quay wall, a repair shop, and for the purchase of additional real estate at a point where this naval station is located.

Mr. LENTZ. Will the gentleman permit me a question?

Mr. DAYTON. I will after I get through. The trouble and difficulty about this is that the committee has the honest and sincere belief that it is not wise to increase our station there, either by purchase of land or by the building of new and additional works, until we have the land that gives us the entry into the dry dock so that we can use it. That is precisely the condition we have confronting us in regard to this matter.

Mr. LENTZ. Will the gentleman now permit me a question?

Mr. DAYTON. I will if it is brief.

Mr. LENTZ. Do not you admit by what you are saying that we need immediately an appropriation of $50,000 for the repair shop and $15,000 for the wall?

Mr. DAYTON. Not as an emergency.

Mr. LENTZ. I did not say as an emergency.

Mr. DAYTON. I want to say that before the repair shop and quay wall can be well built, in my humble judgment, we could whip two or three nations like Spain. [Laughter.] But that is neither here nor there. The motion is on the permanent improvement of this naval station, and we are confronted with this situation, that the land between low-water mark and high-water mark, right at the very entrance of the dock we have built there, is claimed by a private party, and it is in litigation in the United States court. We now have in the Court of Claims a claim for $20,000 for the use of this land so far.

This land is held under a grant of the commonwealth of the State the members of which are here insisting that we should go on and improve the buildings at this naval station, if this sworn claim is true, before we have any right to enter the dock at all. Now, I want to call the committee's attention to the fact that these gentlemen who represent this station are persistent and urgent in asking us to make an appropriation when that claim has been pending in the Court of Claims five years, and neither they nor the Department, until the 28th of February last, have ever asked that it might be advanced and determined. Therefore your committee deemed it wise and proper to have an end to this litigation.

I suggest that the Navy Department, as well as the people interested in this naval station down there, should see to it that this claim is adjudicated instead of compelling us to take simply the ex cathedra opinion of the Department that there is nothing in that claim, that it is not a proper charge, and that the title is in fact in the United States. If it be true that there is nothing in it, then this claim of Agnes A. Niver ought not to appear here, on the one hand, asking us to give her $8,000 or $10,000 out of this appropriation for another piece of land, and at the same time claiming $20,000 from us for the very piece of land that furnishes an entrance to the very dry dock whereby we have any interest there at all. This matter could be settled, if it is such an easy claim, within the next sixty or the next thirty days, when this appropriation then will become available.

The CHAIRMAN. The gentleman's time has expired.

Mr. ELLIOTT. Mr. Chairman——

Mr. DAYTON. I ask, Mr. Chairman, that the debate on this paragraph be now closed.

Mr. ELLIOTT. Mr. Chairman——

The CHAIRMAN. The gentleman from West Virginia moves that the debate on this paragraph—with amendments?

Mr. DAYTON. With amendments.

The CHAIRMAN. With amendments be now closed.

Mr. ELLIOTT. Mr. Chairman, I have a right, I think, to speak in opposition to the gentleman's amendment. I rose to address the Chair as soon as the gentleman's time had expired and I think the Chair recognized me.

The CHAIRMAN. The Chair had not recognized the gentleman from South Carolina, because the gentleman from West Virginia moved to close debate.

Mr. ELLIOTT. The gentleman's time had expired, and he did not have the floor when I rose to address the Chair.

Mr. DAYTON (to Mr. ELLIOTT). Can we have an agreement that if you can have five minutes to close debate we can have three minutes on this side?

Mr. ELLIOTT. If my colleague can have five minutes, I will agree.

Mr. DAYTON. Then, Mr. Chairman, I insist on my motion.

The question was taken; and on a division (demanded by Mr. ELLIOTT) there were—ayes 77, noes 42.

Mr. ELLIOTT. I demand tellers, Mr. Chairman.

Tellers were refused, not a sufficient number voting therefor.

The CHAIRMAN. If there is no objection, the informal amendment will be withdrawn. The question now is on the amendment offered by the gentleman from South Carolina [Mr. ELLIOTT], and the Clerk will again report the amendment.

The Clerk again read the amendment.

The question was taken; and on a division (demanded by Mr. ELLIOTT) there were—ayes 12, noes 63.

So the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

Repairs and preservation at navy-yards and stations: For repairs and preservation at navy-yards and stations, $400,000.

Toward the construction of four timber dry docks, $200,000 each; in all, $800,000; said dry docks to be not less than 700 feet in length, and of other dimensions sufficient to meet the present and probable future requirements of the largest vessels of the Navy and auxiliary fleet. One of these docks to be located at the navy-yard, Portsmouth, N. H., to cost, when completed, not exceeding $825,000; one at the navy-yard, Boston, Mass., to cost, when completed, not exceeding $825,000; one at the navy-yard, League Island, Pa., to cost, when completed, not exceeding $825,000; and one at the navy-yard, Mare Island, Cal., to cost, when completed, not exceeding $825,000.

Mr. CANNON. Mr. Chairman, I desire to give notice at this point that when we reach the next two paragraphs, providing for a dry dock at Algiers, La., and the third paragraph on page 27, providing for a survey for a dry dock at Galveston, I shall, if no one else does, make the point of order upon these provisions, for I think the public service does not require the construction, on the ground that the construction has not been authorized or commenced.

I give this notice now, so that the House may understand that, while I do not make the point of order on the paragraph which has just been read, I do it in simple fairness that the House may be in possession of my intention to make the point of order upon the remaining paragraphs, so that each member may act according to his own judgment.

Mr. HANDY. Will the gentleman permit a question?

Mr. CANNON. Yes, sir.

Mr. HANDY. If I understand the gentleman, his point of order will be aimed at all dry docks which it is proposed to establish anywhere on the Gulf coast.

Mr. CANNON. There is no naval station at either of these points on the Gulf coast. I merely give that notice.

Mr. ROBBINS. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "fleet," in line 9, page 26, strike out these words: "One of these docks to be located at the navy-yard, Portsmouth, N. H., to cost, when completed, not exceeding $825,000."

Mr. DOCKERY. Has the point of order been reserved?

Mr. CANNON. Gentlemen may have been misled; they may have thought that I reserved the point of order.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. ROBBINS] has offered an amendment and desires to speak on it.

Mr. HOPKINS. I desire to reserve a point of order against Portsmouth, before any discussion is had.

The CHAIRMAN. The gentleman from Illinois [Mr. HOPKINS] reserves a point of order against the amendment offered by the gentleman from Pennsylvania.

Mr. HOPKINS. And the original text.

The CHAIRMAN. The gentleman is too late to make any point of order upon the original text, after an amendment has been offered and accepted. He will be regarded as reserving the point of order against the amendment.

Mr. ROBBINS. Mr. Chairman, when the chairman of the Committee on Naval Affairs [Mr. BOUTELLE of Maine] was explaining this bill at the opening of the general debate, I asked him to explain the necessity for a dry dock at Portsmouth, N. H., within less than 60 miles of another dry dock, that at Boston. He stated that he would make the explanation under the five-minute rule. I desired him to explain the necessity for the expenditure of the large sum of money proposed in this bill (which we are told is only an appropriation looking toward the construction of this immense dock, presumably to be followed in years to come by appropriations of much larger sums) for a dry dock at Portsmouth, within this close proximity to Boston, where the Government has now a large navy-yard and an immense dry dock. These docks are too close together. As I have said, we were promised an explanation by the gentleman from Maine under the five-minute debate. It is not necessary that we have so many dry docks at one part of our coast. Our great war ships are built to sail the high seas; not to lie in dry docks.

Mr. BINGHAM. Will the gentleman allow me to say in regard to the dock at Boston that it is the smallest dock in the country.

Mr. ROBBINS. Very well; they are building a large one there.

Mr. BINGHAM. Oh, no.

Mr. ROBBINS. I am not saying anything against the dry dock at Boston. I challenge the attention of the Committee of the Whole to this fact, that we ought not to be carried off our feet in making expenditures for dry docks because we are approaching,

in all probability, a foreign war. None of the money appropriated in this bill will be available unless in case of great emergency until after the 30th of next June; and these new dry docks proposed in this bill can not be constructed and completed for years to come. So that we ought to consider carefully this appropriation for a dry dock at Portsmouth, N. H. Is it necessary? Is it properly located?

Some time ago there was a board appointed by the Secretary of the Navy to locate dry docks on the coast of the United States. The report of that board, filed last August, and approved by the Secretary of the Navy, states just where dry docks ought to be established. It recommends that the Atlantic coast of the United States be divided into certain strategic districts for naval defense, as follows: The first one of them extending from the Bay of Fundy to Cape Cod; the second from Cape Cod to Sandy Hook; the third from Sandy Hook to Cape Henry; the fourth from Cape Henry to Cape Sable; the fifth, the coast line bordering on the Gulf of Mexico; the sixth, the southern portion of the Pacific coast, and the seventh, the northern portion.

Mr. Chairman, this naval board, acting under the direction of the Secretary of the Navy, has divided the coast into these districts, designating where navy-yards and dry docks should be located. They also report as to points where dry docks "are urgently necessary," Boston, Norfolk, New York City, Port Royal, New Orleans, and Mare Island. But there is no report made in favor of a dry dock at Portsmouth, N. H. If we follow up this report we find it provides as follows:

The board in its summary recommends as sites for "docks urgently necessary" Boston, New York, Norfolk, Port Royal, New Orleans, and Mare Island. The ground on which they proceeded in this recommendation appears in the following quotation from their report:

"Acts of Congress have repeatedly required that navy-yards, and dry docks, their most essential and costly structures, shall be located with due regard to the commercial as well as the naval interests, and commissions have been from time to time appointed to select such sites. The reports of these commissions have furnished the board valuable information in the discharge of its duties. In its instructions to these commissions the Navy Department has formulated the special requirements of a site for a navy-yard to be—

"1. A situation upon a good harbor of sufficient size, depth, and accessibility for vessels of the largest size and heaviest draft.

"2. A favorable position with respect to the principal lines of defense.

"3. A local security from water attack due to position and natural surroundings.

"4. Ample water frontage of sufficient depth and permanence, and with currents of moderate rapidity.

"5. A favorable position with respect to the lines of interior communication (by rail or otherwise) with the principal sources of supply.

"6. That the character of the ground shall be suitable for the construction of excavated docks and basins and for heavy structures.

"7. Proximity to centers of labor and supplies of material.

"8. Healthiness of the climate and its suitability for outdoor labor.

"9. The existence in the vicinity of an ample supply of good potable water."

We find this board declares that Portsmouth is not available as a location for a dry dock. On this point they say explicitly:

That while, on account of its lack of some of the enumerated requisites, the board does not include Portsmouth, N. H., in its list of recommendations, yet in view of the fact that its otherwise well-equipped yard has no dock at all except a worn-out floating wooden dock built in 1851, so far worthless that its lifting capacity is reported to be only 1,500 tons, a dock should be built there commensurate with the use of the yard. If there is a navy-yard, there should be a dock.

Now, why should this Congress assume a wisdom that neither the Secretary of the Navy nor his expert board from the Navy Department undertake to assume? Why should we undertake to place a dry dock at Portsmouth when these expert authorities say emphatically that the location "lacks the requisites" for the proper operation and maintenance of a dry dock?

I can understand why we ought to have a dry dock at Boston, Mass.; because we have always had a navy-yard there. That is one of the districts that the Secretary of the Navy and his naval board have designated on the Atlantic coast as a proper location for a dry dock. I can understand why a dry dock is necessary at New York City; because of the large navy-yard at Brooklyn and the vast commercial interests of the port. I can understand why one fresh-water station in the country is necessary in order to keep the hulls of our steel battle ships clean by laying them up while out of commission in a fresh-water basin, and as League Island is the only fresh-water reserve basin, and the only navy-yard on fresh water, it is necessary to have a dry dock there.

There is great necessity for a large dry dock at Norfolk on account of the splendid harbor, always free from ice and snow, and capable of receiving at all times the largest ships. There should be proper docking facilities on the Gulf of Mexico, and this board have recommended New Orleans. This board also ask for a dock for the Pacific squadron at Mare Island, Cal., in addition to the dock we already have at Puget Sound, and I am content to follow their suggestions in all these. They are the experts of this case. Their recommendations have been adopted by the Secretary of the Navy, and, in my judgment, it would be a safe rule for us to adopt them also.

But, Mr. Chairman, not a single reason that applies to locating a dry dock at League Island, a dry dock at Norfolk, and one on the Gulf, and one new dry dock on the Pacific coast, applies in the case of Portsmouth, N. H. There in a frozen harbor, "lacking the enumerated requisites," against the recommendation of the board, it is proposed to spend $825,000. Let us save this sum of $800,000 that is to be applied merely, as the bill says, toward the construction of this dry dock. We are at present in the face of a grave crisis. A hostile fleet approaches our shores; our Naval Militia, as we have heard this morning in the debate on this very bill, is unequipped.

The great body of the National Guard of the United States, the reserve force upon which we must draw if we are to answer the call of humanity and go forth to liberate Cuba, are many of them without modern arms and without clothing to bear the heat and burden of this conflict. No word of mine shall hinder or delay the passage of this bill. This measure is the usual appropriation bill; it takes effect at the close of the fiscal year ending the 30th of June next. What we most want is to guard the money in our Treasury now that it be not expended in a useless venture, but be available for the national defense when needed. It will require men and money and warships to meet the coming crisis. Cuba must be free. We have asserted our guardianship of this hemisphere. We have said to all the world, "You shall not interfere in the affairs between Spain and Cuba."

While we have occupied this position, over 200,000 helpless women, old men, and children, all noncombatants and peaceful, have been deliberately starved to death on the island, and half a million more are in immediate danger of starvation. We can not escape our responsibility. This condition of affairs has excited the indignation of our people, intruded itself into our very lives, unsettled business, and aroused our people until public sentiment demands action, and action at once. And then, sir, we will be better off with one less dry dock and $800,000 more in our Treasury with which to fight Spain and carry liberty and bread to Cuban patriots.

Suffering humanity appeals to us for relief. Patriots fighting as our forefathers fought for freedom cry to us for help, and, sir, it is the duty of this great nation to hear and answer these calls. We go upon no war of conquest, but we should go bearing alms in our hands for the starving and guns on our shoulders for their Spanish oppressors. And when the work for humanity, this mission of mercy, is finished, if we have money left we can build this and other dry docks that the Navy Department does not recommend.

Let us, I say, take this $800,000 and apply it in this case of emergency to something that will defend the national honor and carry to those who expect from us help and relief that help and relief which they have a right to receive.

Mr. DOCKERY. Mr. Chairman, will the gentleman yield for a question?

Mr. ROBBINS. With pleasure.

Mr. DOCKERY. If I understood the gentleman from Pennsylvania, it seems that not only is a hostile fleet approaching this country, but some hostile movement is to be made or is now being made against the Treasury.

Mr. ROBBINS. It looks like it in this item.

Mr. DOCKERY. The gentleman's seat is so far around to the side of the House that I am not quite sure that I caught correctly the reading of the report of the Secretary of the Navy, but if I did, I understand the Secretary of the Navy in express terms to disapprove of this proposition for a dry dock at Portsmouth, N. H.

Several MEMBERS. Oh, no.

Mr. DOCKERY. Is that a correct understanding?

Mr. ROBBINS. The board disapproved it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENTZ. I ask that the gentleman's time be extended for five minutes, in order that he may answer these questions.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Ohio that the time of the gentleman from Pennsylvania [Mr. ROBBINS] be extended five minutes. Is there objection?

There was no objection.

Mr. ROBBINS. I am much obliged to the committee.

In reply to the question that was asked me by the gentleman from Missouri [Mr. DOCKERY], I will say that the Secretary of the Navy referred this whole matter of dry docks to a board of naval officers, presumed to be experts, to make a report on it. They made a report last August, which was published in the annual report of the Secretary of the Navy, and that board reported explicitly, giving a list of requisites that were necessary to a place where a dry dock should be located—namely, abundance of water, nearness to the supply of labor, that it should be at a navy-yard already established, and convenient for the repair of ships—and on account of the lack of some of these enumerated requisites the board does not include Portsmouth, N. H., in its list of recommendations. It goes on to say that there is a navy-yard there and that it would be well to have a dock, but it says that it does not include it among the docks that it does ask for.

And that is what I ask the gentlemen of this committee to consider. That is the point to which I direct your attention—that they name the dry docks already retained in this bill, the construction of dry docks at Boston, New York, Norfolk, Port Royal, New Orleans, League Island, and Mare Island, and they explicitly say that Portsmouth, N. H., has not the requisites that these other places have, and they do not recommend a dry dock there.

Now, I want the committee to understand my objection to this. The objection that I make to it is that it is a useless piece of extravagance. A dry dock is a very expensive improvement to the Navy. We have witnessed a scandal about the dry dock at Brooklyn, where hundreds of thousands of dollars have been expended upon a dry dock that turns out, the first time that a battle ship is placed in it, to be utterly useless and worthless.

It is true that is no reason why we should not construct other dry docks; but I say let us take this fabulous sum of money, $800,000, that we propose to expend at a place where the naval board do not recommend that a dry dock ought to be constructed—let us take that money and apply it to something in keeping with the extraordinary circumstances and conditions that confront the country.

Mr. BOUTELLE of Maine. Will the gentleman be kind enough to point out where the board disapproves of a dry dock at Portsmouth?

Mr. ROBBINS. I have not time to refer to that again. Let us finish the ships on our docks. Let us buy armor plate for them and put them in commission for use in the naval defense. Let us go abroad, if necessary, because we have been stinting our ships and refusing to finish them, and buy armor for them. Let us go abroad and purchase other ships for the existing emergency. Let us raise armies. Let us at this time, gentlemen of the committee, expend this $800,000 in a way that will show that the United States, in the presence of a crisis, understands the emergency confronting it and is determined to meet it to the fullest protection of our national honor. Mr. Chairman, I want this item stricken out for the reason that I believe it is a useless piece of extravagance, and for no other reason.

Mr. BOUTELLE of Maine. As the gentleman from Pennsylvania, in the course of the ten minutes accorded by the committee, omitted to give the citation for the remarkable statement that he made, that a committee of naval officers had absolutely disapproved of the building of a dry dock at Portsmouth, N. H.——

Mr. ROBBINS. I have just read from the report of the Secretary of the Navy.

Mr. BOUTELLE of Maine. I hope the gentleman will please cite it. He stated very emphatically——

Mr. ROBBINS. Page 14 of the report of the Secretary of the Navy for 1897.

Mr. BOUTELLE of Maine. And you cite that as a basis for what part of your remarks?

Mr. ROBBINS. That this dry dock is not desirable. I cited first, on page 13, what they did recommend, and then I cited page 14, where the board in their report, which the present Secretary of the Navy adopts, explicitly states that Portsmouth is not included as a place for a dry dock, because it lacks some of the enumerated requisites.

Mr. BOUTELLE of Maine. Of what?

Mr. ROBBINS. Of the report of the Secretary of the Navy for 1897.

Mr. BOUTELLE of Maine. And what did you find there?

Mr. ROBBINS. I have read it to you.

Mr. BOUTELLE of Maine. The RECORD will show to-morrow, but that will be too late. Did I or did I not understand the gentleman to say very emphatically that somebody, somewhere, representing the Navy Department or the Navy, had disapproved of the building of a dry dock at Portsmouth?

Mr. ROBBINS. Here is what I did say, just what the report says.

Mr. BOUTELLE of Maine. Oh, no; I understood you to make a statement——

Mr. ROBBINS. That is what I said, what the report says.

Mr. BOUTELLE of Maine. Do you now say that either the Secretary of the Navy, or any naval board, sitting on this subject, has ever disapproved of the building of a dry dock at Portsmouth, N. H.?

Mr. ROBBINS. Mr. Chairman, I quoted the language, and that is all I have got to say about it. Let the board speak for itself.

Mr. BOUTELLE of Maine. I will relieve the gentleman from any further embarrassment.

Mr. ROBBINS. It was just what I read.

Mr. BOUTELLE of Maine. I am very sorry the gentleman's memory is so poor. Josh Billings said a great many very apt things, and I do not know of anything that he ever said that I thought so valuable as the suggestion that "it's a great deal better not to know so many things than it is to know so many things that ain't so." Now, if a naval board ever reported that there ought not to be a dry dock at Portsmouth, N. H., I never have discovered it. I do not find it in the report of the board that I hold in my hand.

If the Secretary of the Navy, at any time or anywhere, has disapproved of providing the Portsmouth Navy-Yard with a dry dock, I never have heard it and have had no reason to believe anything of the kind. As a matter of fact, I will preface my further remark with the statement that if the gentleman has flattered himself that he is touching any point that is particularly sensitive to me——

Mr. ROBBINS. Oh, no; I do not think that.

Mr. BOUTELLE of Maine. Because this dry dock of the navy-yard happens to be located adjoining the border of my State, he not only makes a great mistake of fact, but a great mistake in the person.

Mr. ROBBINS. I utterly disclaim any intention of being personal.

Mr. BOUTELLE of Maine. The Secretary of the Navy——

Mr. COCHRAN of Missouri. Will the gentleman from Maine yield for a question?

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from Missouri?

Mr. BOUTELLE of Maine. I desire to make my statement without being interrupted. The gentleman understands perfectly well that certain statements have been made, and I have been asked to furnish information in reply, and I say now I ought to have the opportunity to do that. I decline to yield. In the first place, the navy-yard at Portsmouth, N. H., is one of the oldest naval stations in the United States. We have invested there millions of dollars in machine shops and other facilities for the building and repair of ships. There is no dry dock there that is worthy of the name at this stage of naval construction. There is an old balance dock that is practically useless.

Mr. LENTZ. Will the gentleman from Maine permit a question? It is with reference to this bill. You say we have invested millions of dollars in machine shops there. Do you mean that the Government has?

Mr. BOUTELLE of Maine. The Government has.

Mr. LENTZ. Millions of dollars?

Mr. BOUTELLE of Maine. Why, unquestionably. Here is one of the oldest navy-yards in the United States. What is the point of the gentleman's question?

Mr. LENTZ. I wanted the information; that is all. I wanted to know whether you meant that the Government or the people who were in the business of building ships had this money invested there?

Mr. BOUTELLE of Maine. Recognizing the gentleman's manifest need of information, I am very glad to furnish it. [Laughter.] Now, in the first place, the Bunce board, which was organized to make a report on desirable places for the location of dry docks——

Mr. COCHRAN of Missouri. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from Missouri?

Mr. BOUTELLE of Maine. Yes; I will. I am satisfied from the gentleman's appearance that he needs the information.

Mr. COCHRAN of Missouri. I should like to inquire of the chairman of the Naval Committee if the Department has ever recommended that there should be a dry dock built at that place?

Mr. BOUTELLE of Maine. Now, if the gentleman will hold his breath just one minute and a quarter, I will answer him. [Laughter.]

Mr. COCHRAN of Missouri. Mr. Chairman——

Mr. BOUTELLE of Maine. Let me answer the question. Here it is right here.

Mr. SIMPSON of Kansas. How about holding your breath? [Laughter.]

Mr. BOUTELLE of Maine. On page 14.

Mr. SIMPSON of Kansas. A parliamentary inquiry.

The CHAIRMAN. The Chair will insist on order before he listens even to a parliamentary inquiry. [After a pause.] The gentleman from Kansas rises to a parliamentary inquiry.

Mr. SIMPSON of Kansas. Mr. Chairman, the gentleman from Maine, in interrupting the gentleman from Missouri, made it a point that he should hold his breath a minute and a half. [Laughter.] Now, I want to know if he is supposed to hold his breath during this time the Chair is trying to get order? [Laughter.]

The CHAIRMAN. Owing to the leniency of the Chair, that time would be excluded from the time that the gentleman is to hold his breath. [Renewed laughter.]

Mr. BOUTELLE of Maine. Now, Mr. Chairman, what the French fellow-citizens of my friend from Medicine Lodge would call the entente cordiale having been restored, I will state on page 14 of the report of the Secretary of the Navy, which the gentleman from Pennsylvania cites as the basis of his contention that

the Navy Department does not approve of a dry dock at Portsmouth, there is this reference to it:

That while, on account of its lack of some of the enumerated requisites—

That is based on the statement of the Bunce board, in which we do not agree—

the board does not include Portsmouth, N. H., in its list of recommendations, yet in view of the fact that its otherwise well-equipped yard has no dock at all, except a worn-out, floating wooden dock built in 1851, so far worthless that its lifting capacity is reported to be only 1,500 tons, a dock should be built there commensurate with the use of the yard. If there is a navy yard, there should be a dock.

I hope the questions of both gentlemen have been answered. In addition to that, I might say that a bill drawn by the Navy Department at the request of a distinguished member of another body, that incorporated that recommendation and desire there in regard to dry docks, was introduced in the Senate and subsequently introduced here, I think, by the gentleman from New Jersey [Mr. LOUDENSLAGER], which enumerates and specifies the amounts that the Department desire to be appropriated and expended for dry docks; and that bill included a paragraph providing a dry dock at Portsmouth, precisely as has been inserted in this bill.

I do not think it ought to be necessary to say that there is nothing in the suggestion that Boston is not very far away from Portsmouth. Why, every great naval power in the world has five to seven, sometimes a dozen, docks at one naval station. In this very bill we are providing for two great dry docks for the navy-yard at League Island. We have there to-day a dock large enough to take in any ship of the United States save the larger battle ships, and in this bill provision is made for one capable of taking the largest battle ships that may ever be built, and our action in the committee has not been to look at this matter through local spectacles or personal prejudice, but because we recognized the appropriateness of the place.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELLE of Maine. I should like to have two minutes more.

The CHAIRMAN. The gentleman from Maine desires that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BOUTELLE of Maine. We have located one at League Island, because we have there the only station on the Atlantic coast which is located in fresh water, a great desideratum in a navy-yard, especially in these days of steel ships. We are building there, and we have made a liberal appropriation for dredging out at this place a great reserve basin, where when the war clouds shall have swept over and peace has settled over our land and this world, we can put in reserve, at a very small expense, under the care of skillful men, a large portion of the costly ships that are making our Navy so expensive in time of war or threatened war. Therefore we have provided a second dock for the navy-yard, in which to retire these vessels when we send them up to be put in reservation in this basin of fresh water.

That is all I desire to say in regard to the Portsmouth Navy-Yard, except that it is unrivaled in depth of water, and has every requisite that we could think of for a desirable naval station, and located in a country where shipbuilding has long been a principal art and industry of the people. The Portsmouth Navy-Yard and the Boston Navy-Yard, as is known to everyone who has ever studied the coast line of this country as related to naval warfare, are nearest the probable location of naval collision with a foreign power on the Atlantic. That is all I desire now to say.

Mr. SIMPSON of Kansas. I would like to ask the gentleman a question before he takes his seat.

Mr. BOUTELLE of Maine. If the gentleman asks questions, I must talk.

Mr. SIMPSON of Kansas. What is the draft of water at Portsmouth?

Mr. BOUTELLE of Maine. You not only look so funny, but you talk so funny that you take all the wind out of my sails. [Laughter.]

Mr. SIMPSON of Kansas. What is the draft of water?

Mr. SULLOWAY. It is never less than 60 feet.

Mr. BOUTELLE of Maine. This gentleman can wade there without getting out of his depth. [Laughter.]

Mr. SIMPSON of Kansas. That was not so funny, after all.

Mr. DOCKERY. I yield to the gentleman from Illinois to offer a substitute for the paragraph in my time.

Mr. CANNON. Mr. Chairman, I desire to offer the following amendment as a substitute for the paragraph, and will be glad to be recognized after the gentleman from Missouri.

Mr. DOCKERY. I hope the House will give attention to the reading of the substitute offered by the gentleman from Illinois.

The Clerk read as follows:

Strike out, on page 23, lines 4 to 19, inclusive, and insert in lieu thereof the following:

"Toward the construction of three timber dry docks, to be located at such navy-yards as the Secretary of the Navy may indicate, $300,000 each; each dock to be not less than 700 feet in length, and of other dimensions sufficient to meet the present and probable future requirements of the largest vessels in the Navy and auxiliary fleet, and each to be constructed under a contract, which is hereby authorized, not to exceed $825,000."

Mr. DOCKERY. Mr. Chairman, I desire the attention of the committee for a brief time. I read from the report of the Secretary of the Navy of date November 15, 1897. Referring to the report of the board appointed by him, he says, on page 13:

The board, in its summary, recommends as sites for "docks urgently necessary" Boston, New York, Norfolk, Port Royal, New Orleans, and Mare Island.

That is the recommendation of the board appointed by Secretary Long. The Secretary further says, on page 14:

As the New England coast is our first exposure to European attack, there should certainly be such a dock upon it; and this site [Boston] is the one which meets all the requisites above quoted as essential or desirable, and which would be a source of considerable revenue to the Government from its commercial use. It is the center of the largest commercial and industrial activities in New England, is in the most favorable relation to coast defense, is close to a large body of mechanics of high skill and experience, and a new dock there has been repeatedly recommended in past years by the Bureau of Yards and Docks and other naval authorities.

Mr. Chairman, if the proposition to locate a dock at Portsmouth is agreed to, it will give to New England two dry docks, when one is ample for the public service.

Again, Mr. Chairman, referring to the proposed dock at Portsmouth—and the committee will note that it is not listed among the docks "urgently necessary"—the Secretary of the Navy said in November last that on account of its lack of some of the essential requisites, the board does not include Portsmouth, N. H., in its list of recommendations. In the same connection, it appears that the Secretary notes nine essential requisites for a dock which have already been read by the gentleman from Pennsylvania. The Secretary says because Portsmouth lacks some of the essential requirements he does not include it among the list of docks recommended as urgently necessary.

Mr. BOUTELLE of Maine. The gentleman will find it on page 14.

Mr. DOCKERY. I have read it, have I not? I have not misquoted anything. As I have said, Mr. Chairman, so I repeat now, that the committee and the gentleman from Maine will not misunderstand: The Secretary of the Navy, an accomplished official, formerly a member of this House, recommended six sites for docks as "urgently necessary," and Portsmouth, N. H., was not on the list. The Secretary says on page 14 that he does not include it because it does not measure fully up to the requirements. He says, however, that if there is a navy-yard maintained there, it should be provided with a dock, but the dock is not listed among those "urgently necessary."

Mr. BOUTELLE of Maine. Where does he say that? He says no such thing in this volume.

Mr. DOCKERY. The Secretary enumerates on page 13 the docks urgently recommended, and further declares on page 14 that this navy-yard should have a dock, but it is not enumerated in the list of those "urgently necessary." I want my friend to understand that, because I do not desire to misquote the Secretary of the Navy or put the gentleman from Maine in a false position.

Mr. BOUTELLE of Maine. You inadvertently did just now.

Mr. DOCKERY. I will state the facts again so that the gentleman will understand them. The Secretary named six places for docks in his opinion urgently necessary. He also recommends an additional one at Portsmouth, N. H., if a navy-yard is to be maintained there, but among the list enumerated as urgently necessary he does not include Portsmouth.

Mr. BOUTELLE of Maine. The gentleman had better read it again.

Mr. DOCKERY. Does not the gentleman from Maine understand it?

Mr. BOUTELLE of Maine. I can understand it when I read it as well as I can by the gentleman's yelling it.

Mr. LENTZ. They all understand it except the gentleman from Maine.

Mr. DOCKERY. I will read it again. The list is Boston, New York, Norfolk, Port Royal, New Orleans, and Mare Island. Nowhere in that list of docks "urgently necessary" appears the name of Portsmouth.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. OGDEN. Mr. Chairman, I move that the gentleman have five minutes longer.

There was no objection.

Mr. DOCKERY. Mr. Chairman, I am in favor of strengthening the power of the United States on the seas. I am in favor of building up our Navy just as rapidly as can be done consistently with progressive naval architecture and the condition of the Treasury. I desire to go forward and accomplish that result, and I know that docks are necessary. I trust, however, that with the present emergency confronting us this House will not vote to take from the Treasury $850,000 of the people's money for a dock

not recommended by the Secretary of the Navy as "urgently necessary."

I desire to provide first for the docks he recommends as urgently needed. I believe the amendment offered by the gentleman from Illinois will fully meet the demands of our present necessities and that the able Secretary of the Navy should have the discretion to locate the docks where required by the public interest. Mr. Chairman, I shall support the amendment, because I believe it is in the interest of the naval service.

Mr. CANNON. Mr. Chairman——

Mr. BOUTELLE of Maine. Mr. Chairman——

The CHAIRMAN. The gentleman from Illinois has the floor.

Mr. CANNON. I will yield to the gentleman from Maine for a moment.

Mr. BOUTELLE of Maine. Mr. Chairman, I will reply very briefly to the suggestion made by the gentleman from Missouri [Mr. DOCKERY], because this involves a little question of accuracy. I never abused the confidence of this House to my knowledge, I never made a statement on the floor of this House that I did not expect every man within the reach of my voice to believe was made in good faith. And when I questioned the accuracy of the statement of the gentleman from Missouri, it was done upon what I supposed was a reasonable knowledge of the literature upon this subject.

I cited the recommendation of the Secretary of the Navy—that and nothing else. The gentleman from Missouri rises and comments upon that and attempts to parry the effect of the Secretary's direct recommendation that a dry dock should be built at Portsmouth by stating that in another portion of his report—I am making this statement with great care now—if I misstate the gentleman, I want him to correct me right here—the gentleman read on another page what he said was a report of the Secretary of the Navy in which the Secretary enumerated certain docks as absolutely necessary, the Portsmouth dock not being among them.

Mr. DOCKERY. That is correct.

Mr. BOUTELLE of Maine. It is not correct; it is absolute misinformation. It may be true that I have repeated the gentleman's statement correctly, if that is what he means to say; but he has been absolutely misinformed or has misread——

Mr. DOCKERY. Let me say that I read from the Secretary's report, page 13.

Mr. BOUTELLE of Maine. I know exactly what the gentleman read from; and if I have stated correctly the gravamen of the gentleman's remarks, he misinformed the House—unintentionally, I have no doubt.

On page 13 of the Secretary's report he does not enumerate certain dry docks as urgently necessary in his opinion, but says this—and if there is any gentleman here who can not understand this language at the first reading, I hope he will get the report and study it—the Secretary says, on page 13:

The board—

The board is not the Secretary; the board is the Bunce board, which made the report. He says:

The board in its summary recommends——

Mr. DOCKERY. That is the way I read it.

Mr. BOUTELLE of Maine. Yes; but you did not so state it, and the House did not get that impression. The Secretary says:

The board in its summary recommends sites for "dry docks urgently necessary"—

"Dry docks urgently necessary" being quoted. That is what the board recommended. But the Secretary appointed the board to advise the Department as to its action; and upon a revision of the report of the board the Secretary, giving his judgment upon that report, on page 14 says that he recommends the construction of a dock at Portsmouth, N. H., and he gives his reasons therefor. That is all I want to say.

Mr. DOCKERY. I do not dissent from the gentleman's statement; that is the way I read it

Mr. CANNON. Mr. Chairman, I want to ask the indulgence of the Committee of the Whole upon this subject. I want to discuss these dry docks in connection very briefly with the battle ships, and I would be glad to have ten or fifteen minutes, if I should desire that much time. I intend to speak to the bill, and nothing else.

Mr. SHAFROTH. I ask unanimous consent that the gentleman have fifteen minutes.

There was no objection.

Mr. CANNON. Mr. Chairman, I believe it to be the desire at heart of every member of this committee in the present emergency to provide to the best advantage for the public service, and from that standpoint I am going to talk about this appropriation for the docks, and also incidentally, a little later on, when we reach that subject, about the appropriation for the battle ships.

We have plenty of docks in the United States to dock all our vessels except the first-class battle ships. I think there is no dispute upon that point. The first-class battle ships, few in number, can not be docked anywhere in the United States, except at New York; at Hunters Point, in San Francisco Bay; on Puget Sound, and at Port Royal—four points in all.

Mr. BOUTELL of Illinois. They can not dock a battle ship at San Francisco Bay.

Mr. CANNON. Yes, sir; they can dock a battle ship at San Francisco Bay, as I will show in a few minutes.

Mr. HILBORN. Do I understand the gentleman to say that a battle ship can be docked at Hunters Point?

Mr. CANNON. Oh, yes, sir. The *Oregon* was docked at Hunters Point.

Mr. HILBORN. But she was docked before her guns and armor were on.

Mr. CANNON. Precisely. But I will just close this matter right now by reading a telegram from the Secretary of the Navy, addressed to myself:

NAVY DEPARTMENT, *March 24*.

Hunters Point dry dock will take battle ships only when lightened up to 23 feet draft.

[Cries of "Oh!" "Oh!"]

Mr. BOUTELL of Illinois. That is exactly what my colleague on the committee stated.

Mr. CANNON. Will gentlemen be good enough to hear me read this through and then comment on it? This is a question of fact that we can not afford to differ about if we can find out what the fact is.

The Union Iron Works dry dock is not of sufficient size for battle ships. Will accommodate monitors as large as the *Amphitrite* and protected cruisers as large as the *Atlanta*.

JOHN D. LONG.

Yesterday morning—and now I ask the attention of my friend from California [Mr. HILBORN]—I went down and had an interview with Commander Endicott, of the Bureau of Yards and Docks, a very intelligent official, and I asked him what was meant when it was said in the telegram that Hunters Point would only take battle ships when they were lightened up to 23 feet draft. He said: "I mean that the *Oregon* was docked at Hunters Point, and can be again with safety and facility if the coal is taken out of her bunkers." Said I, "Without taking off the guns?" "Yes," said he, "if the coal is taken out of her bunkers." "Well," said I, "are you in the habit of docking battle ships with the bunkers full of coal?" He said he thought not. Now, so much for the question of fact.

Mr. BOUTELLE of Maine. Let me ask my friend right there if the dock which he refers to is owned by the Government?

Mr. CANNON. No; I understand not.

Mr. BOUTELLE of Maine. Are there any shops there?

Mr. CANNON. Oh, the second or third best shipbuilding plant on earth.

Mr. HILBORN. How far is that from Hunters Point?

Mr. CANNON. Hunters Point is on San Francisco Bay, with plenty of water to get into it, and so is the Union Iron Works.

Mr. BOUTELLE of Maine. I thought you were referring to another Hunters Point.

Mr. CANNON. No; Hunters Point, Calfornia, with full depth of water. Now, I want to say further that there is only one battle ship, I believe, upon the Pacific coast, or contemplated to be upon the Pacific coast in the immediate future. Am I corrrect about that?

Mr. SOUTHARD. No.

Mr. CANNON. How many more than one?

Mr. SOUTHARD. This bill provides for the building of another.

Mr. CANNON. No; I am speaking of those ready for action. The *Oregon*, I believe, has left, and we have got two docks there that can take the *Oregon*, one on the Sound and the other at Hunters Point. Now, I am speaking about immediate use.

Now, let me go a step further. New York has a dock, about to be completed, that will take these battle ships, to be done by the 1st of April. Port Royal, if we had a sufficient number of water——

A MEMBER. A sufficient depth of water.

Mr. CANNON. A sufficient depth of water, or a sufficient number of water, as a constituent out in Illinois calls it. If we had a sufficient depth of water, that would be a good dock. Now, I had a little more conversation with Commander Endicott. I said to him, "In these times of emergency, Commander, suppose you had a dry dock that would take in the largest battle ship at Mare Island Navy-Yard, could you dock it?" Said he, "No; I could not, with safety."

If there was a dry dock at Mare Island Navy-Yard which would take the *Oregon* or a first-class battle ship, it is in substantially the same condition that Port Royal would be. We dare not go into it. I am talking now about what Commander Endicott said. "Well," said I, "what is the matter? We have got a navy-yard at Mare Island?" Remember, I am now quoting Commander Endicott, of the Bureau of Yards and Docks.

Mr. HILBORN. Did you ask him if there was not 30 feet of

water in front of the yard there now, made by the dredging that is going on?

Mr. CANNON. Suppose there were a thousand feet of water in front of the yard, if there is only 20 feet of water leading up to it. How are you going to get over that 20 feet?

Mr. HOPKINS. Jump. [Laughter.]

Mr. CANNON. Somebody says "jump." Well, now——

Mr. HILBORN. Why will not the gentleman be fair? The gentleman knows, I suppose, that there is a shallow place of about 2 miles, where it will cost about a couple of hundred thousand dollars to get 30 feet of water. He knows also that the pilots of San Francisco take ships over that shoal, ships drawing 28 feet of water at mean tide. Does the gentleman know that?

Mr. CANNON. I know this, that——

Mr. HILBORN. The gentleman knows that there is a space between the Golden Gate and Mare Island Navy-Yard—a space of over 28 miles—and that there is a little shoaling over perhaps 2 miles; but even that is not serious enough to interfere with the commerce of that port. It is on the line of the great inland commerce of the State, and all of these great wheat ships that go over there have never found the bottom. Ships of 28 feet draft go over there every day, and any battle ship that we have got could go from the Golden Gate to the Mare Island Navy-Yard to-day, including the *Oregon*.

Mr. CANNON. I will have to ask to have the courtesy of the House a little later on, to extend my time.

Mr. HILBORN. Certainly; but I did not want this to go unchallenged. The *Oregon* was built in San Francisco. She was ordered to go to Mare Island, and Mr. Scott, the builder, as he stated before our committee the other day, was willing to dock her there, but as there was some shoaling near Mare Island, which has since been removed, the Department declined to have her go there; but Mr. Scott says now that she can go there, and she can.

Mr. CANNON. Well, I want to say to my friend that I have as much pride in the service of my country and in all its navy-yards and in all its harbors as anybody. I am making no attack upon the gentleman or upon his navy-yard, except as the navy-yard is now connected with the well-being and service of my country. I am only seeking to tell the truth about it.

I say again that Commander Endicott, of the Bureau of Yards and Docks, told me no longer ago than yesterday that neither he nor any other officer dared take a battle ship to Mare Island.

Why, I hold in my hand the report of the Chief of Engineers. He says it will take $318,950 to dredge the channel 800 feet wide, to get up to the navy-yard from San Francisco Bay. It has not been dredged. It has filled up as you have improved the land. In the rainy season the water descends and the sediment fills it up. You have got to dredge it and keep dredging it. Now, my point is this: For three years to come if a battle ship is docked in San Francisco Bay it must be docked in the Hunters Point dry dock, where the *Oregon* was docked, and where she can be docked again if you take the coal out of her bunkers.

Mr. HILBORN. Will the gentleman allow me to ask him another question? Does he not know that since then the *Oregon* has had her bilge-keels put on and that she can not get into that dock at all?

Mr. CANNON. Commander Endicott says she can. That is my authority. Commander Endicott says she can; and if she can not be docked at the Hunters Point dry dock, she can not be docked anywhere in San Francisco Bay for three years to come.

Mr. HILBORN. Is Endicott a civil engineer or a naval officer?

Mr. CANNON. A naval officer of the Bureau of Yards and Docks. This conversation was had with him yesterday.

Mr. TATE. Will the gentleman from Illinois allow me to interrupt him?

Mr. CANNON. I should like to go on a little longer.

Mr. TATE. I should like to make one suggestion. In a letter dated March 23 John M. Wilson, brigadier-general, Chief of Engineers, United States Army, makes the following statement in reference to the depth of the channel at Mare Island:

> The latest charts on file show a possible channel of 16½ feet depth at the average of the lower low waters from Mare Island Navy-Yard through Mare Island Strait to San Pablo Bay, and a channel thence to San Francisco Bay with a least depth of 3¾ fathoms (22½ feet) at the mean of the lowest low water of each twenty-four hours.

Mr. CANNON. I have stated my information. Here is the report of the Chief of Engineers. In my committee room there is a Coast Survey chart.

Now, I am proud of Mare Island Navy-Yard. I am proud of Boston Navy-Yard. I am proud of the New York Navy-Yard, the League Island Navy-Yard, and the Norfolk Navy-Yard; but notwithstanding that fact, is it good economy now to come in here and provide for the building of five dry docks that can not be constructed short of two or three years' time? Is that good economy? It costs $850,000 apiece to build them.

Now, if I had my way about it, I would take the provision and move, as an amendment, three timber dry docks located at points to be fixed by the Secretary of the Navy. This is no time for controversy about localities. It is a time for efficient service and for action that will bring us the best service in the least time.

Now, I want to call your attention to one other thing. I hold in my hand a letter from Judge Payson, our former colleague in this House. This letter is written by him as the attorney for the Newport News Dry Dock and Shipbuilding Company, which he claims is the greatest shipbuilding plant on earth, and in which letter he says, as attorney for that company, that ground is to be broken within two or three days for a dry dock 1,140 feet long and 90 feet in breadth, which will at one and the same time take the two greatest battle ships not only constructed, but that are talked about being constructed; that that dock will be done within twelve months from this day. Well, now, there is relief in sight. I will put this letter in the RECORD. It is as follows:

1229 MASSACHUSETTS AVENUE,
Washington, D. C., March 21, 1898.

DEAR MR. CANNON: Referring to your inquiry as to the construction of a new dry dock at the shipyard of the Newport News Shipbuilding and Dry Dock Company at Newport News, Va., I have the honor to state:

First. Details of plans are now being perfected so that excavation will be begun in a few days now. The dry dock will be 1,140 feet long, 90 feet wide at bottom, taking a ship of 95 feet beam, with a middle gate, thus taking in two vessels at one time if necessary, and costing approximately $1,000,000.

The size of the dock accommodating at one time any two of the largest battle ships in the world.

The depth of water over the sill will be 30 feet.

The dock will be completed within one year from this date. Its construction will be pushed with the energy characteristic of this yard.

I show you with this, a blue print of the preliminary plans of the new dry dock, as well as existing dry docks, all located practically in the center of the shipyard, with shops of all kinds close at hand, complete to-day with the largest and most improved machinery known to shipbuilding.

This company has at this time the most extensive and best modern shipbuilding and ship-repairing plant in the world, and will enlarge and improve upon what it has in connection with the new dry dock. As illustrating, work is approaching completion upon a new hoisting crane, with a capacity of 150 tons, to be located below the old dry dock and at a wharf near the proposed dry dock, for utilization with it.

The wharfage facilities of this company are abundant, as shown by the blue print, and will accommodate any ships afloat or contemplated in the world.

This company recognizes the necessity of such a dry dock within the United States and on the Atlantic coast, that this nation shall not depend upon the courtesy of a foreign nation when dockage of our large cruisers and battle ships is necessary for any purpose.

The harbor of Newport News is one of the best in the Union, and it is the intention of the officers of this company to put its works and yard in condition to propose to the Government to do any character of work or repairs with the utmost expedition, and by a large percentage more economically than the same can be done at any Government yard.

For extensive repairs upon cruisers or battle ships the advantage of having a very large force of skilled mechanics ready for immediate work is apparent, as is also the ready availability of the immense plant and machinery which this company has and will maintain.

Moreover, it is ready and willing to enter into a contract with the Government, giving its work immediate preference and treating any contract as one of urgency when desired by the Government, working day and night if desired in urgent cases.

Undoubtedly very much minor repairing should and will be done at the Government yards, but it is submitted to you that such advantages as can be offered by this company in its new dock, shops, and yards and appliances can not be hoped for, as to larger work upon the great ships in our Navy, in the national navy-yards.

The advantages which this company has, briefly alluded to above, will be placed at the disposal of the Government whenever it desires the use of any upon the most reasonable terms, and always at a large percentage less than the Government could provide for itself, and secure results at a great profit to itself over work done at its own yards.

This I am authorized to state for the company.

Yours, truly,

L. E. PAYSON,
Attorney for the Newport News Shipbuilding and Dry Dock Company.

Hon. J. G. CANNON.

P. S.—I hand you herewith a printed card showing details of the works of the company as they were in 1893. They have been considerably enlarged since.

Further than that, he states that that company stands ready to contract with the Government to do this work, touching this docking, for less than the Government can do it itself. Well, now, I am not here as the attorney for that shipbuilding company; but there is our earliest relief, and there is where, if we are entering upon a season of emergency, we can find construction of dry docks in one-third of the time they can be built by the provisions of this bill, without a dollar of cost to the United States Treasury, and that dock is going in, and the Government is not going to pay anything and does not have to appropriate anything. I say again the committee may authorize dry docks up to five or fifty, but that dock is going in, and I have thought proper to call attention to it.

Mr. BOUTELLE of Maine. What is the gentleman's proposition?

Mr. CANNON. It is the Newport News dock.

Mr. BOUTELLE of Maine. What is that dock?

Mr. CANNON. A private dock.

Mr. BOUTELLE of Maine. What relation has it to the Government?

Mr. CANNON. None on earth, except that the dock will be there. It can be used in twelve months, and at a less cost to the Government than we could use the docks provided for in this bill if they were ready to-day. I am speaking of how we can best supply the emergency that is upon us.

Mr. BOUTELLE of Maine. What is the compensation?

Mr. CANNON. I refer the gentleman to the letter.

Mr. BOUTELLE of Maine. I know all about the proposition. This is a proposition of a joint stock business, the Government going into partnership, to run a dry dock.

Mr. CANNON. Oh, no; it is not the floating steel-dock proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOW. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from New York asks that the time of the gentleman from Illinois may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Well, I would like ten.

Mr. HARTMAN. I ask unanimous consent that the gentleman have fifteen minutes.

The CHAIRMAN. The gentleman from Montana asks unanimous consent that the gentleman from Illinois have fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Now I will ask for order, please.

The CHAIRMAN. The committee will be in order.

Mr. RIDGELY. Will the gentleman yield to a question?

Mr. CANNON. Yes.

Mr. RIDGELY. The bill as it is now provides for a dock at Mare Island, not exceeding $800,000, and according to your statement we have official information that it will take something near $300,000 to dredge the channel leading to it.

Mr. CANNON. Yes.

Mr. DAYTON. That statement ought not to be made.

Mr. RIDGELY. And a perpetual expense to keep that channel open to it.

Mr. CANNON. My information is the dredging will have to continue.

Mr. HILBORN. There never has been a dollar expended in keeping that channel open.

Mr. CANNON. Has the channel filled up?

Mr. HILBORN. I do not know.

Mr. CANNON. Do not you want it dredged?

Mr. HILBORN. Yes; so as to enable it to take in battle ships. There never has been a dollar expended on it.

The CHAIRMAN. The committee will be in order. Let us have some semblance of order at least, if it does not last.

Mr. CANNON. If we will all keep our heads, we can talk about this matter from a business standpoint. I have no place to urge, nor have I any place to discriminate against in the location of these docks. I am trying to find what is the best interest of the public service. Now, having said that, I would state that I should be willing to build two docks at New York if the service indicated the need, and two at Boston if the service indicated them, another at League Island if the service indicated it, and another on the Sound and at San Francisco if the service indicated it; but you must remember a dry dock means a navy-yard. You have got to have the machinery.

A little later on I shall make a point of order against Algiers, opposite New Orleans, because there is no machinery, no navy-yard. A little later on I will make a point of order against Galveston, because there is no machinery; and this is not a time to establish additional navy-yards in the present condition of the country. For twenty-five years we have been trying to get away from navy-yards, and keeping them only for repairs. We have been minimizing navy-yards, and by following that policy there have been built up at Philadelphia, at Union Iron Works, San Francisco, at Wilmington, and at Newport News shipbuilding yards equal to the best on earth, by private enterprise, in all of which the Government can and does get its work done, in construction, 20 and 25 per cent cheaper than it can do it in its own navy-yards.

I believe in that policy. I want to hold fast to it. In this time of doubt, in this time of anxiety, in this time of emergency, I do not want anybody, taking advantage of the patriotic spirit of the country, to pass a bill making naval appropriations that in the name of providing for the present emergency looks out for construction of ships, navy-yards, or docks that will not be completed until three or four years from now, and has no more to do with the present emergency than I have with the emergencies that existed twenty years ago.

Now, what is there besides these navy-yards? Three battle ships, to cost, when complete, $5,000,000 apiece. Now, I want to say, touching the Committee on Naval Affairs, an able committee, presided over—and I take pleasure in saying it—by the gentleman from Maine, by profession in early life a sailor, a gallant naval officer of the late war, and having in my judgment as much technical knowledge touching these matters as anybody in the House—substantially I indorse this bill.

It is a good bill. I want to say, however, when they propose to build these five dry docks, and when they propose to go a step further and build three battle ships that can not be built for three and four years to come before they go into commission, I say, in my judgment, that is seeking to take advantage of the present interested condition of the country, and in the name of emergency get legislation and appropriation that can not be gotten if it was not for the present emergency, and does not assist us in the present emergency.

Mr. BOUTELLE of Maine. Will my friend yield for one question? Of course I appreciate his kindly compliment. The gentleman is an old, experienced legislator, and flattery from him means a great deal to me. But I do not want him to defeat my bill or emasculate it under the guise of compliment. I want to ask my friend from Illinois if he thinks that leaving out of this bill the provision for immediately, or as immediately as possible, starting the construction of three additional ships for our line will give the country that additional protection any sooner than it will by putting them in and beginning them now? If it takes three years to build them, the sooner we begin, if we want them, the better. [Applause.] I hope my friend will pardon me one further word——

Mr. CANNON. I want to reply to the applause.

Mr. BOUTELLE of Maine. You can not destroy that. The Democrats insist upon applauding me almost every time I get up. [Laughter.]

I want to say, as chairman of the committee, and for the committee itself, that we have had no suggestion from any source complaining of our granting too much in the way of new shipbuilding, but we have had lots of criticism that we did not provide for more. If we were to gauge the duty of the committee by the talk on this floor and in the other Chamber and what we read in the newspapers, we should have provided far more liberally than we did.

Mr. CANNON. Now, Mr. Chairman, I want to begin where I left off. I commend the gentleman's bill. It authorizes the construction of torpedo boats, torpedo destroyers, and other vessels that are necessary for the Navy, and if we are to have early trouble, the most of them can be completed and used, possibly, before it will cease. I want to say to my friend, without criticising his bill, that it might properly include more of these boats that can be quickly constructed and brought into early action.

Mr. BOUTELLE of Maine. I will move to amend by adding any number my friend will name.

Mr. CANNON. Well, I would move to strike out two of the battle ships and put in the equivalent in boats that will be ready to help us fight, if we have any fighting to do.

Mr. BOUTELLE of Maine. You want to strike down the fighting line and put up a mosquito fleet. [Laughter.]

Mr. CANNON. I know, Mr. Chairman, it is a thankless job when the great patriotic heart of the country is stirred to its depths to stand and criticise or suggest anything touching what is labeled "national defense," even although the provision in no way contributes to that defense, but I have a duty to perform to myself and to the country, and whatever the result may be I will perform it as best I can.

Now, then, what does this bill do? In the three battle ships and in the dry docks it authorizes an expenditure of $20,000,000, in round numbers, including other contracts that are not appropriated for in this bill. I give it in round numbers, and $15,000,000 of that is for three battle ships which can not be placed in commission within thirty-six months from this time.

Mr. BOUTELLE of Maine. That is the reason we want to start them now.

Mr. CANNON. Now, I listened with great interest to the gentleman from Maine when he discussed the merits of the battle ships and the monitors. I do not know much about it myself, but that very discussion threw much doubt over my mind, because I thought there was a doubt in his mind which was superior—the one wonderfully expensive and the other inexpensive.

Mr. BOUTELLE of Maine. I do not want a wrong impression to prevail. I placed myself absolutely behind the consensus of the best judgment of the most skillful experts of the combined navies of the world, and was modest in expressing my own opinion, although I concurred with them.

Mr. CANNON. Now, if this was something touching gentlemen's own private affairs, what would you do? You would say that the utility of the battle ship has not yet been demonstrated on the seas and the oceans of the world. You would say that perchance they are now about to be tried. Many people fear they may be, but I should be glad if, with honor and justice, they may not be; but many people believe they will be.

Now, as we can not build these three ships in time enough to use—it will be three years before they can be completed—I ask gentlemen, as practical business men, if it is not the best policy to spend our money touching such ships as we can bring shortly into action and let us see the battle ships tested before we bond the

Government for $15,000,000 to build three more battle ships that may by the test of war be rendered obsolete before they can be completed? [Applause.]

Mr. SOUTHARD. Will the gentleman from Illinois allow me?

Mr. CANNON. Certainly.

Mr. SOUTHARD. How soon can we build any battle ship or any other boat and have it ready for use?

Mr. CANNON. I am informed that it will be three years' working stress, if I may use that word, before a battle ship can be completed. Three years ago this month the Kentucky and Kearsarge were authorized, and they were launched on Thursday last, and can not be completed for use in a year from this time.

Mr. SOUTHARD. I said any boat.

Mr. BOUTELLE of Maine. How soon could you get your naval defense ready—this broom brigade that you propose? [Laughter.]

Mr. CANNON. We can get some of it in three, some in four, and some of it in six months. We can convert, and we are converting, various vessels, as the gentleman knows, for use in his broom brigade, or my broom brigade, if he chooses to call it so—many useful ships, our revenue cutters, and some of our light-house tenders are to be available.

Mr. SOUTHARD. Those are the vessels you do not want to authorize.

Mr. CANNON. I do want to authorize them. Everything that will properly equip my country, protect it in the immediate or present emergency, I want to see authorized; I want to see purchased. I want to see put in motion everything that is necessary to do it. This House, less than two weeks ago, in one short paragraph, appropriated $50,000,000 for that very purpose.

Mr. BOUTELLE of Maine. Yes; and the appropriation of $50,000,000 which we the other day placed at the disposal of the President of the United States was rendered necessary as to its leading purpose by the stress in which we found ourselves because we had failed to make such appropriations in time. And the President has been obliged to ransack the "bargain counters" of Europe to try to get something that we can put afloat under the American flag—something fit to meet aggression from the other side of the ocean. [Applause.]

If we are going to fight any nation of the world, we have got to meet the equipments of the world; and we can not do it with ferryboats and tugboats and yachts, as we did in 1861–1864.

Mr. HILBORN. I wish to ask the gentleman from Illinois a question right in the same line.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. HARTMAN. I ask unanimous consent that the gentleman from Illinois be allowed to finish his remarks without limit as to time.

There was no objection.

Mr. CANNON. I yield to the gentleman from California [Mr. HILBORN] for a question; and then I will try to answer him and the gentleman from Maine together, if I can.

Mr. HILBORN. Does the gentleman know that we have scurried over the whole world to find a good battle ship, and that there is not a battle ship in the world for sale to-day—not one? We can buy all the gold that we want, but we can not buy a fighting ship in the whole world.

Mr. CANNON. I will answer the gentleman with great pleasure, because if I am not right in my views touching a proper policy, I want to get right.

The gentleman says we can not buy battle ships. That may be true. It may be true that three years ago we ought to have commenced building battle ships. But whether we made a mistake then or not is not the question. The question is, What shall we do now? That is the practical question. The gentleman from Maine says, "Build three battle ships, to be completed four years from now." What does the Secretary of the Navy say? He says, "Build one."

Mr. BOUTELLE of Maine. That is not fair.

Mr. CANNON. That is his report.

Mr. BOUTELLE of Maine. That is not fair.

Mr. CANNON. Well——

Mr. BOUTELLE of Maine. I appeal to my friend; that is not fair. That report of the Secretary of the Navy was made long before this war cloud had come over the horizon.

Mr. LENTZ. I rise to a point of order. A few minutes ago we extended the time of the gentleman from Illinois for the purpose of allowing him to finish his remarks, but not for the purpose of allowing half a dozen intervening speeches. I object to these interruptions.

Mr. CANNON. Well, I will try to get along.

The CHAIRMAN. The Committee of the Whole will please come to order. Gentlemen will resume their seats.

Mr. CANNON. I will say to my friend from Maine that I take the report of the Secretary of the Navy, submitted to Congress under the law on the first Monday of last December. While we have had this trouble upon the country two years and over——

Mr. BOUTELLE of Maine. Will my friend please allow me to suggest right there——

Mr. CANNON. I am going to render your question unnecessary.

Mr. BOUTELLE of Maine. That since that time we have lost one of our battle ships, and the Secretary of the Navy has been pouring in requests to our committee ever since for increased appropriations.

Mr. CANNON. I am going to ask you a question, and if it embarrasses you, I will withdraw it. [Laughter.]

Mr. BOUTELLE of Maine. All right.

Mr. CANNON. I am speaking now to the gentleman with the highest respect. Does my friend believe on his judgment and experience that it is wise and expedient to enter upon the building of battle ships at this time?

Mr. BOUTELLE of Maine. I will answer the gentleman with absolute frankness and absolute promptness, that to-day, if my advice were asked regarding the best interests of this country as to naval expenditures, I would ask that the number of ships we have authorized be doubled. [Applause.]

And I would find my ample justification for that advice in the fact that to-day, while it is conceded that we can build in our own country, from American materials, by the strong right arms and with the skilled mechanism of our own workingmen, the finest, the fleetest, and the most powerful ships, and the most invulnerable armor in the world, we are humiliated by the spectacle that agents of the United States are to-day, as I have stated, ransacking Europe to buy inferior ships at an enormous price.

I want to see the work carried on here. I want the flag to be defended by American ships, built by American workmen, and manned by American sailors. [Applause.]

Mr. CANNON. Now, then, I have read between the lines that this bill proposes—how many ships? Three battle ships. Why does it not carry six? Why does it not carry nine?

Mr. BOUTELLE of Maine. Because we were afraid you would organize and defeat us.

The CHAIRMAN. The gentleman from Maine is not in order.

Mr. RICHARDSON. We all recognize the belligerent rights of the gentleman from Maine. [Laughter.]

Mr. BOUTELLE of Maine. I will not interrupt the gentleman from Illinois again.

The CHAIRMAN. Will the Committee of the Whole kindly come to order? Will gentlemen be seated and refrain from conversation?

Mr. CANNON. Mr. Chairman, I submit to the gentleman from Maine and the committee that if in their opinion it was not wise to authorize the building of three battle ships last December that could not be completed for four years, much less is it wise to do so now, when we have the possibility or probability of immediate war upon our hands, which, if it comes, can not last until these battle ships are completed.

Mr. Chairman, this House and the Congress have not been laggard in making provision for the public defense. They are ready again when it is necessary, with the same unanimity heretofore exhibited, in my judgment, to make further provision.

Now, I make these remarks for what purpose? With any considerable hope that two of these three battle ships will be stricken out? No; not with any considerable hope. With any considerable hope that six would not go through? No. That nine or ten would not go through? No. But I make them for the purpose of showing to this House that it is not always the highest grade of patriotism that makes expenditure of money for any and all purposes.

Every dollar that is necessary, yes; but not to be flushed by those who, perchance, may desire contracts. [Applause.] And I am not now referring disrespectfully to any American citizen or any member of the House. My countrymen have a right to want contracts if they can get them. But if they do get them, when it is not to the best interest of the public service and for the national defense, through my action as a legislator, then it is my fault. That is the object of my remarks.

I have been in this House, first and last, for almost a quarter of a century. I have seen the tide ebb touching expenditures. I have seen much of investigation and much of inquiry, and much of criticism touching the expenditures that were made during that most wonderful of all wars, the late civil war, and for eight or ten years after its close. Many expenditures were made that were better to have been left unmade; but upon the whole it was a magnificent outcome.

I do not make these remarks here this afternoon with the desire in the slightest to dampen the ardor of any American citizen or anybody in the confines of our boundary, in Congress or out of Congress, but I make them for the purpose, if I can, of bringing the committee, with loyal hearts and cool heads, to consider these propositions from a business standpoint and to make those appropriations that will best care for the public defense in the present

emergency and that will squander the least amount of money in the future, after our troubles are over. [Applause.]

Mr. DAYTON. Mr. Chairman, any member of the Naval Committee who would seek to answer the argument of the gentleman from Illinois [Mr. CANNON] in the five minutes allotted to him must necessarily labor under serious disadvantages; but as a member of that committee I do not desire that these remarks shall pass wholly without observation from the members of that committee.

I want to call the attention of the House to the fact that the chairman of the Committee on Appropriations—and I say it kindly—has a weakness for finding fault with the appropriations that do not come from his own committee room, no matter how much or how little they may be; and I want to call attention further to the fact that while this House promptly voted to put $50,000,000 at the disposal of the President for the emergency which it was thought, and which the gentleman himself stated to us, threatened the country, yet this same gentleman springs up in opposition when the Naval Committee, in the discharge of a plain duty, asks that a few millions be appropriated to prevent such emergencies springing up before the country in the future. [Applause.]

It is not a wise policy, gentlemen, for us to be in that position where these emergencies can arise, and while a man may stand here and proclaim his patriotism, I want to say that the broader, the nobler, the greater patriotism of an American citizen is to provide liberally for the American defense, so that emergencies can not arise to make it necessary to scamper all over God's green earth, under a special appropriation, to buy the battle ships that can not be bought. [Applause.]

A nation looks at the future as an individual does, and we must lay our plans and we must have our policies; and it is a very strange thing for a great leader of a party in power to stand here, it seems to me, after having asked for a great emergency appropriation, to oppose a broad policy that would make every American citizen proud of the American Navy, proud of the fact that the American flag upon an American ship, protected by the wholesome fear of American power, can go in peace into any harbor in the world without the vessel that bears it being blown up and destroyed.

But, Mr. Chairman, inasmuch as this amendment proposes to meet the question of dry docks, I want to call attention to the weakness of the position that has been taken by the chairman of the Committee on Appropriations. I want also to call attention of the gentleman from Missouri [Mr. DOCKERY] to the fact that he has not, it seems to me, comprehended the care and the diligence and caution exercised by the Naval Committee in fixing these appropriations and in fixing the points where these dry docks are to be built.

He must remember that the Secretary of the Navy, under the Bunce board that was appointed to investigate this matter, suggests that there shall be built six dry docks in various portions of the country and that certain other repairs should be made, which would involve a total expenditure of $5,725,000; and, on the other hand, that that board and the Secretary of the Navy, too—for he has adopted it—have recommended that for adequate docking facilities in addition there should be built four or five more, the total cost of which would be $5,400,000.

Therefore, if we should follow out the recommendations of the Secretary of the Navy, there would be a total expenditure of over $11,000,000 on this one item of dry docks, while the total expenditure authorized for the five docks carried in this bill is $4,250,000 only. This has been brought about, gentlemen of the committee, by the thorough examination of the Naval Committee, and the ascertainment by that committee that substantial, efficient wooden docks can be built at these five places at a considerably less cost, and the expenditure of a million and a half dollars less than recommended by the Secretary of the Navy.

[Here the hammer fell.]

Mr. BOUTELLE of Maine was recognized.

Mr. BOUTELLE of Maine. I yield to my colleague [Mr. HILBORN].

The CHAIRMAN. The Chair desires to recognize the gentleman from New Hampshire [Mr. SULLOWAY], if the gentleman from Maine does not desire to take the floor.

Mr. BOUTELLE of Maine. Mr. Chairman, I think I will meet the manifest wish of the House if I move to close debate on this paragraph and amendment.

The CHAIRMAN. The Chair had agreed to recognize the gentleman from New Hampshire [Mr. SULLOWAY].

Mr. BOUTELLE of Maine. I should not desire to take him from the floor.

Mr. SULLOWAY. I should prefer a vote now. [Applause.]

The CHAIRMAN. The question is on the motion of the gentleman from Maine [Mr. BOUTELLE], to close debate on the paragraph and amendment.

The motion was agreed to.

The CHAIRMAN. The question is first on the amendment presented by the gentleman from Pennsylvania [Mr. ROBBINS], which the Clerk will report.

The Clerk read as follows:

Strike out, in line 9, page 26, after the word "fleet," the following:

"One of these docks to be located at the navy-yard, Portsmouth, N. H., to cost, when completed, not exceeding $825,000."

The question was taken; and on a division (demanded by Mr. DOCKERY) there were—ayes 64, noes 107.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now is upon the substitute offered by the gentleman from Illinois [Mr. CANNON], which the Clerk will again report.

The Clerk read as follows:

On page 26, strike out all of lines 4 to 19, inclusive, and insert:

"Toward the construction of three timber dry docks, to be located at such navy-yards as the Secretary of the Navy may indicate, $200,000 each, each dock to be not less than 700 feet in length, and of other dimensions sufficient to meet the present and probable future requirements of the largest vessels of the Navy and auxiliary fleet, and each to be constructed under a contract, which is hereby authorized, not to exceed $825,000."

The CHAIRMAN. The question is on agreeing to the substitute.

The question was taken; and the Chairman announced that the "noes" appeared to have it.

Mr. CANNON. I believe I will have a division—just a count.

The committee divided; and there were—ayes 78, noes 107.

Accordingly the amendment was rejected.

The announcement of the result was received with applause.

Mr. BOUTELLE of Maine. Mr. Chairman, does that dispose of the paragraph?

The CHAIRMAN. That disposes of the paragraph.

Mr. BOUTELLE of Maine. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the naval appropriation bill (H. R. 9378) and had come to no resolution thereon.

THE GALLERIES.

The SPEAKER. The Speaker is authorized by the rules to set apart different portions of the galleries for different purposes. One portion of the gallery has been set apart for the use of members and their families and visitors. The Chair is informed that the admission to these galleries has not been confined to the rule, as decided upon by the House.

On ordinary occasions perhaps it makes very little difference, but on occasions when it is expected that the galleries are likely to be filled, it causes great inconvenience, and the families of members are sometimes excluded. On conferring with the Doorkeeper, the Chair thought it wise that the accommodations should be somewhat enlarged, and also that the rules should be strictly carried out. The Chair thought he ought to say this to the House, so that if there was any objection to be made upon the subject, it could be made, because the Chair desires simply to satisfy the members of the House and their families and others entitled to these privileges.

Mr. FITZPATRICK. I should like to ask a question.

The SPEAKER. Will the gentleman state it?

Mr. FITZPATRICK. Does admission to the members' gallery mean merely the immediate family of the member or the political family of the member? [Laughter.]

The SPEAKER. It does not mean the political family.

Mr. FITZPATRICK. Does it mean that a Representative's secretary can not sit in the members' gallery?

The SPEAKER. Such is the understanding of the rule by the Chair—that it is for members' families and their visitors.

Mr. FITZPATRICK. Where shall we put the member's secretary?

A MEMBER. Put him to work.

The SPEAKER. The Chair thinks perhaps the member's office might be one place. [Laughter.]

Mr. FITZPATRICK. Sometimes he knows more than the Representative.

The SPEAKER. Sometimes—well, no; the Chair can not agree to that.

Mr. BAILEY. I want to suggest——

The SPEAKER. The Chair desires simply to carry out the wishes of the House.

Mr. BAILEY. I want to suggest that while constituents happening to be here in the city might not be visitors within the meaning of the Chair's construction or within the rule, still they are here, and I take it no member of the House would want to be forced to carry a friend from his district into the other gallery. Yet, under that absolute interpretation, a member would not be permitted to carry a friend from his district who was visiting the Capitol into the members' gallery.

The SPEAKER. The Chair does not think that it is the intention of the rule that a member in the gallery can not be accompanied by those he sees fit; but still that deprives other members' families to that extent. The Chair desires to say there are continually requests of such kind, that galleries set apart for other purposes should be opened, which is contrary to the rules of the House; and of course such requests are very difficult to meet. The Chair wanted members simply to understand, so that they could give preference as they pleased.

Mr. BAILEY. My understanding is, on special occasions the galleries are set apart and admission is by card—a very proper practice upon great occasions. And I only desire to say that I am very much inclined to think that the galleries ought to be opened. I have some doubt about reserving any part of the galleries of the House of Representatives for any particular people.

The SPEAKER. It may be——

Mr. BAILEY. But the rules of the House do reserve them.

The SPEAKER. The rules do reserve them.

Mr. BAILEY. And I am myself very much inclined to conform to the rules. But as the Chair was laying the matter before the House, I desire to say my judgment is, it is entirely proper for a member of this House to take into the members' gallery any friends whom he knows and who happen to come here from a distance. If he would be willing to take them into his home and introduce them to his family, he ought to be permitted to take them into the gallery.

Mr. WILLIAMS of Mississippi. When they are visitors to Washington.

Mr. CUMMINGS. Mr. Speaker, I would like to ask if I understand that on that side [the east side] the place reserved for members and their families has been enlarged?

The SPEAKER. It has.

Mr. CUMMINGS. How much?

The SPEAKER. It has been doubled since I first came here.

Mr. CUMMINGS. Then it runs out to that door?

The SPEAKER. It does.

Mr. CUMMINGS. I understand these three rows and these three rows over there [indicating] are for members and their families, and nobody else.

The SPEAKER. For visitors.

Mr. CUMMINGS. Then these over there [on the west side]?

The SPEAKER. Those are reserved.

Mr. CUMMINGS. They are for the visitors, so that a member, if a constituent visits him, can give him a card which will admit him to that gallery.

The SPEAKER. The one on the left of the Chair, but not on the right of the Chair.

Mr. BAILEY. While this matter is up about the rules of the House, I want to say to the Chair that the Doorkeeper or somebody under him has taken the sofas from the Democratic side of the House, and taken all but one. I should like myself to inquire by what authority the Doorkeeper has removed a convenience for the members of the House from the Hall of the House.

The SPEAKER. The Clerk has charge of the furniture of the House.

Mr. BAILEY. He has charge of the furniture, but not of the conveniences, not so as to authorize him to come in here and take the sofas put here for the convenience of members. If he has that right, he would have as much right to take my chair or my desk away as he has to take away the sofas that since I have been a member of this House have been provided for the comfort of members.

The SPEAKER. The Chair will inquire into the matter.

Mr. BOUTELLE of Maine. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Navy submitting an estimate of deficiency in the appropriation for steam machinery—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting estimates of deficiencies in appropriations for the Geological Survey—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting an estimate of deficiency for army and navy pensions—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a copy of a report from the Chief of Engineers on the subject of improving Bridgeport Harbor, Connecticut—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ODELL, from the Committee on the District of Columbia, to which was referred the joint resolution of the House (H. Res. 189) authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes, reported the same with amendment, accompanied by a report (No. 833); which said joint resolution and report were referred to the House Calendar.

Mr. KING, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 9205) to authorize the extension eastwardly of the Columbia Railway, reported the same with amendment, accompanied by a report (No. 843); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3663) granting a pension to George Barnes, reported the same without amendment, accompanied by a report (No. 835); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6680) granting a pension to Mrs. Janet Wemple, reported the same without amendment, accompanied by a report (No. 836); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1835) granting an increase of pension to Robert P. Wild, reported the same with amendment, accompanied by a report (No. 837); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5105) granting a pension to Margaret H. Townsend, reported the same without amendment, accompanied by a report (No. 838); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2203) granting a pension to George G. Vogel, reported the same with amendment, accompanied by a report (No. 839); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8197) for the relief of Mrs. Mary B. Hulings, reported the same with amendment, accompanied by a report (No. 840); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4611) granting a pension to Marcia C. Barnes, reported the same with amendment, accompanied by a report (No. 841); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr., reported the same with amendment, accompanied by a report (No. 842); which said bill and report were referred to the Private Calendar.

ADVERSE REPORT.

Under clause 2 of Rule XIII, Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3508) for the relief of the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, Va., reported the same adversely, accompanied by a report (No. 834); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9434) granting a pension to Alice Bozeman; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GROUT: A bill (H. R. 9510) authorizing the Secretary of War to recognize the organizations of the Sons of Veterans, United States of America, as part of the military provincial reserve of the United States Army—to the Committee on Military Affairs.

By Mr. MEYER of Louisiana (by request): A bill (H. R. 9511) to further increase the naval establishment of the United States—to the Committee on Naval Affairs.

By Mr. KLEBERG: A bill (H. R. 9512) to make available $57,476 heretofore appropriated, and to apply the same for dredging the harbor at Brazos de Santiago, Tex.—to the Committee on Rivers and Harbors.

By Mr. BARHAM: A bill (H. R. 9513) to construct a telephone from Table Bluff to Salmon Creek, in Humboldt County, Cal.—to the Committee on Interstate and Foreign Commerce.

By Mr. BRADLEY: A bill (H. R. 9514) to authorize the Secretary of the Navy to inquire into the feasibility of having a graving dry dock cut from solid rock at Fort Hamilton, borough of Manhattan, city of New York, and State of New York—to the Committee on Naval Affairs.

By Mr. GIBSON: A bill (H. R. 9515) to codify the laws relating to pensions—to the Committee on Revision of the Laws.

By Mr. BAIRD: A bill (H. R. 9532) to authorize the Monroe Railway and Construction Company to construct a bridge across Ouachita River, at or near Monroe, La.—to the Committee on Interstate and Foreign Commerce.

By Mr. LOVE: A joint resolution (H. Res. 197) to create a commission to examine into the postal service—to the Committee on the Post-Office and Post-Roads.

By Mr. McCALL: A resolution (House Res. No. 263) authorizing the Committee on the Judiciary to inquire into certain declarations alleged to have been made by Justice Andrew C. Bradley of the supreme court of the District of Columbia—to the Committee on the Judiciary.

Also, a memorial of the legislature of the State of Massachusetts, for an amendment to the Constitution—to the Committee on the Judiciary.

By Mr. SIMPKINS of Massachusetts: A memorial of the legislature of the State of Massachusetts, for an amendment to the Constitution—to the Committee on the Judiciary.

By Mr. FITZGERALD: A memorial of the legislature of the State of Massachusetts, for an amendment to the Constitution—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: A memorial of the legislature of the State of New Jersey, in behalf of William A. Newell, the founder of the Life-Saving Service of the United States—to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT: A memorial of the legislature of the State of Massachusetts, for an amendment to the Constitution—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRODERICK: A bill (H. R. 9516) granting a pension to Mary S. Belding—to the Committee on Invalid Pensions.

By Mr. BURTON: A bill (H. R. 9517) granting an increase of pension to Richard Tiner—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 9518) granting an increase of pension to George W. Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9519) for the relief of Uriah Barnes—to the Committee on Military Affairs.

Also, a bill (H. R. 9520) granting a pension to Emily H. Harrison—to the Committee on Invalid Pensions.

By Mr. FISCHER: A bill (H. R. 9521) to remove the charge of desertion standing against the name of Henry Alfred Collins—to the Committee on Military Affairs.

Also, a bill (H. R. 9522) to remove the charge of desertion standing against the name of Henry B. Mackey—to the Committee on Military Affairs.

Also, a bill (H. R. 9523) granting a pension to Christian Fabel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9524) to remove the charge of desertion standing against the name of Thomas Fagan—to the Committee on Naval Affairs.

Also, a bill (H. R. 9525) granting an increase of pension to Ann Graves—to the Committee on Pensions.

By Mr. HOOKER: A bill (H. R. 9526) granting an increase of pension to Samuel S. Randolph—to the Committee on Invalid Pensions.

By Mr. LYBRAND: A bill (H. R. 9527) granting a pension to Julia A. Coughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9528) granting a pension to William L. Fawcett—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9529) for the relief of Jacob Rinehart—to the Committee on Military Affairs.

Also, a bill (H. R. 9530) granting pensions to James E. Arvin, Teresa Arvin, and Anna Arvin—to the Committee on Invalid Pensions.

By Mr. SAUERHERING: A bill (H. R. 9531) for the relief of Hagan Larson, of Madison, Wis.—to the Committee on War Claims.

By Mr. EVANS: A bill (H. R. 9533) granting a pension to Mary S. Stanhope—to the Committee on Pensions.

By Mr. FARIS: A bill (H. R. 9534) to increase the pension of William Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9535) granting a pension to Mike Noonan, alias Charles Wilson—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ARNOLD: Petition of the National Wholesale Lumber Dealers' Association for the passage of a general bankruptcy bill—to the Committee on the Judiciary.

By Mr. BARHAM: Petition of the Woman's Christian Temperance Union of Redding, Cal., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. BARNEY: Petitions of the Wisconsin State Federation of Labor, the Federated Trades, and the Building Trades of Milwaukee, Wis., in favor of (1) the eight-hour law; (2) Senate bill No. 35, relative to use of writ of injunction; (3) Senate bill No. 95; (4) against convict-labor competition—to the Committee on Labor.

Also, petitions of the Retail Clerks' Association and Journeymen Barbers' Union, all of Sheboygan, Wis., asking for the passage of House bill No. 6095, protecting free labor against convict labor—to the Committee on Labor.

Also, petition of business men of Waukesha, Wis., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of Milwaukee, Wis., relative to an act to regulate commerce so as to give it the largest degree of efficiency—to the Committee on the Judiciary.

Also, resolution of the Chamber of Commerce of Milwaukee, Wis., in favor of the pure-food bill—to the Committee on Ways and Means.

Also, letter of officers of the National Federation of American Homing Pigeon Fanciers of Milwaukee, Wis., favoring the passage of the McEwan bill in relation to federation lofts for carrier pigeons in the coast and lake cities—to the Committee on Naval Affairs.

By Mr. BARRETT: Resolutions of the Chamber of Commerce of Boston, in favor of the principles of arbitration to settle all international questions, expressing sympathy for the suffering people of Cuba, and pledging support to whatever course the President and Congress may take for their assistance—to the Committee on Foreign Affairs.

By Mr. BELKNAP: Petition of the Woman's Christian Temperance Union of Oneida, N. Y., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM: Resolutions of Centennial Lodge, No. 100, and Columbia Lodge, No. 70, Knights of Pythias, of Philadelphia, Pa., praying for the passage of House bill No. 6468, providing for the granting by the Government of a lease right, with hot-water privileges, to a piece of ground on the United States reservation at Hot Springs, Ark., for the purpose of establishing a national Pythian sanitarium—to the Committee on the Public Lands.

Also, resolution of the National Wholesale Lumber Dealers' Association, for a just and uniform bankruptcy law—to the Committee on the Judiciary.

By Mr. BOOZE: Petitions of J. E. Hurst & Co. and 34 others, D. W. Janowitz and 32 others, H. G. Ransberg and 40 others, William H. Fisher and 32 others, F. W. & E. D. Ammann and 32 others, James K. Smith and 40 others, W. F. Spring and 23 others, Block, Sheridan, Wilson & Co. and 33 others, all citizens of Baltimore, Md., in favor of the passage of the so-called anti-scalping

ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BRODERICK: Petitions of the Presbyterian, Methodist Episcopal, Congregational, and Christian churches, of Highland, Doniphan County, Kans., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of four churches of Highland, Kans., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BROMWELL: Petitions of citizens of Cincinnati, Ohio, and vicinity, for the passage of a bill to prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. BULL: Resolutions of the Paint and Oil Club of New England, in favor of a treaty of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

Also, petitions of the Woman's Christian Temperance Union, First Baptist Church, Epworth League, and Methodist Episcopal Church, of Middletown, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of certain churches of Middletown, R. I., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Territories.

Also, petition of certain churches of Middletown, R. I., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of certain churches of Middletown, R. I., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Wholesale Lumber Dealers' Association, in favor of the passage of a general bankruptcy bill—to the Committee on the Judiciary.

By Mr. CAPRON: Petitions of the Paint and Oil Club and Master Teamsters' Association, all of Boston, Mass., favoring a treaty of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

By Mr. CONNELL: Resolution of Sheridan Lodge, No. 210, Knights of Pythias, of Peckville, Lackawanna County, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. CURTIS of Kansas: Petition of citizens of Topeka, Kans., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORD: Petition of Joseph Mangen and 80 citizens of Penns Grove, N. J., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. DAVIDSON of Wisconsin: Petition of the Military Order of the Loyal Legion of the United States, headquarters Commandery of the State of Wisconsin, for an appropriation for the erection of permanent monuments of lines of battle, etc., at Gettysburg, Pa.—to the Committee on the Library.

By Mr. DOLLIVER: Petitions of the Brotherhood of Locomotive Engineers of Boone, Iowa, and numerous citizens of Algona, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DOVENER: Petition of P. G. Hardman and 72 citizens of Janelew, Lewis County, W. Va., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Wesley Methodist Episcopal Church, of Wheeling, W. Va., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Wesley Methodist Episcopal Church, of Wheeling, W. Va., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Wesley Methodist Episcopal Church, of Wheeling, W. Va., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the Wesley Methodist Episcopal Church, of Wheeling, W. Va., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

By Mr. FITZGERALD: Petitions of the Boston Paper Trade Association and Wholesale Grocers' Association of Boston, Mass., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of W. H. Bucknam and others, of Boston, Mass., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the American Paper and Pulp Association, of New York State, in support of Senate bill No. 753, for the establishment of an international bank and certain other bills now pending in the House—to the Committee on Banking and Currency.

Also, petition of the Chamber of Commerce of Cincinnati, Ohio, for an appropriation for the maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

Also, petition of banks, insurance companies, and prominent business firms of New York City, protesting against the passage of House bill No. 9077, changing the site of the custom-house—to the Committee on Public Buildings and Grounds.

Also, petition of the Master Builders' Association of Boston, Mass., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Paint and Oil Club of Boston, Mass., in favor of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

Also, resolution of the Master Teamsters' Association of Boston, Mass., in favor of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

By Mr. FLETCHER: Resolutions of officers and members of Battery B, First Infantry, Minnesota National Guard, asking for the passage of House bill No. 2876, to promote the efficiency of the militia and making an appropriation of not less than $1,000,000—to the Committee on the Militia.

By Mr. FOSS: Resolutions of the board of directors of the Board of Trade of Chicago, Ill., favoring the passage of House bill No. 8036, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. GROUT: Petition of Fred H. Sargeant, of Newfane, Vt., in favor of the passage of a bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HILL: Petitions of the First Congregational Church, Universalist Church, and Second Congregational Church of Danbury, Conn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of certain churches of Danbury, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of certain churches of Danbury, Conn., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. HITT: Petition of citizens of Amboy, Ill., in favor of legislation abolishing ticket brokerage—to the Committee on the Judiciary.

Also, petitions of citizens of Pecatonica, Ill., and Congregational Church, Christian Endeavor Society, and South Baptist Church, of Belvidere, Ill., favoring the passage of a bill to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petitions of the Woman's Christian Temperance Union, three churches, and one relief corps of Pecatonica and certain churches and societies of Belvidere, Ill., for the bill forbidding the interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of certain citizens of Pecatonica and Belvidere, Ill., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of certain citizens of Belvidere and Pecatonica, Ill., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of certain citizens of Pecatonica and Belvidere, Ill., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of certain citizens of Belvidere and Pecatonica, Ill., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of certain citizens of Belvidere, Ill., praying for

the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of certain citizens of Belvidere and Pecatonica, Ill., urging the passage of a bill to prohibit the transmission by mail of newspaper descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

By Mr. HOPKINS: Petitions of the Woman's Christian Temperance unions of Sandwich, Dekalb County, and Bristol, Kendall County, Ill., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Sandwich and Bristol, Ill., in favor of the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOWE: Petition of Anna C. Hull Woman's Christian Temperance Union, of Brooklyn, N. Y., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Brooklyn, N. Y., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. KITCHIN: Petitions of the Board of Trade of Asheville and citizens of East Durham, N. C., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LAWRENCE: Petitions of the Baptist and Congregational churches and Young People's Society of Christian Endeavor of Holyoke, Mass., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of certain citizens of Holyoke, Mass., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. LIVINGSTON: Petition of citizens of Riverdale, Ga., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: Petition of Washington Camp, No. 6, Patriotic Order Sons of America, of Trenton, N. J., in favor of the Lodge bill for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petitions of the Woman's Christian Temperance Union of Vineland, N. J., to raise the age of protection for girls to 18 years and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. LYBRAND: Petitions of the Woman's Christian Temperance unions of West Oxford, Findlay, and Rushsylvania; Young People's Society of Christian Endeavor of the Presbyterian Church and of the Disciple Church of Rushsylvania; Mary Wood Allen Union, of Findlay, and the Methodist Episcopal Church of Oxford, Ohio, asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of certain societies of Findlay and Rushsylvania, Ohio, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. McDOWELL: Papers in support of House bill to correct the military record of Stephen J. Anson—to the Committee on Military Affairs.

Also, petitions of the Woman's Christian Temperance Union of Roscoe, Ohio, and United Presbyterian Church of Wooster, Ohio, to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Roscoe, Ohio, and United Presbyterian Church of Wooster, Ohio, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MAHON: Resolutions of Kearney Lodge, No. 159, of Chambersburg, Pa., Knights of Pythias, in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. MANN: Resolution of the Board of Trade of Chicago, Ill., in favor of House bill No. 8066, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Interstate and Foreign Commerce.

By Mr. MEYER of Louisiana: Resolution of the constitutional convention of Louisiana, asking for an appropriation to complete the monument erected on the plains of Chalmette to celebrate the battle of New Orleans—to the Committee on the Library.

Also, six petitions of citizens of New Orleans, La., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MIERS of Indiana: Paper to accompany House bill for the relief of Jacob Rinehart—to the Committee on Military Affairs.

By Mr. MILLER: Petition of the Twentieth Street Baptist Church, of Huntington, W. Va., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. MOODY: Petitions of the Woman's Christian Temperance unions of Haverhill and Amesbury, Mass., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Amesbury and Haverhill, Mass., to forbid the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Owen L. Waller and others, concerning certain alleged judicial utterances of Mr. Justice Bradley—to the Committee on the Judiciary.

By Mr. NORTHWAY: Petition of Lodge No. 526, Brotherhood of Railway Trainmen, of Kent, Ohio, and Nickle Plate Division, No. 145, Order of Railway Conductors, of Conneaut, Ohio, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Resolutions of Rawlins Lodge, No. 4, of Rawlins; Cheyenne Lodge, No. 2, of Cheyenne, and Lander Lodge, No. 10, of Lander, Knights of Pythias, all in the State of Wyoming, in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. OTJEN: Petition of the Military Order of the Loyal Legion of the United States, headquarters Commandery of the State of Wisconsin, for an appropriation for the erection of permanent monuments of lines of battle, etc., at Gettysburg, Pa.—to the Committee on the Library.

By Mr. PAYNE: Petitions of citizens of Canandaigua and vicinity, New York, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Port Byron and Palermo, N. Y., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Port Byron, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. POWERS: Petitions of the Woman's Christian Temperance unions, churches, and citizens of Burlington, Starksboro, and Shaftsbury, Vt., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of citizens of Starksboro, Burlington, Mechanicsville, and Bristol, Vt., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. REED: Petitions of the Baptist Church of Buxton Center, the Congregational churches of Groveville and Buxton Lower Corner, York County, Me., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBBINS: Petition of Hebron Lutheran Church, of Leechburg, Pa., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Interstate and Foreign Commerce.

By Mr. SAUERHERING: Petitions of the Young Men's Christian Association and Young People's Society of Christ Presbyterian Church, of Madison, Wis., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of Christian societies of Madison, Wis., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHERMAN: Petitions of the Clothing Manufacturers'

Association, Boston, Mass.; Department Grand Army of the Republic, State of Colorado; Department Grand Army of the Republic, Oklahoma, and Department Grand Army of the Republic, State of Wyoming, in favor of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of citizens of Middletown, Conn., protesting against the passage of Senate amendment No. 4 in the Indian appropriation bill, restricting the power of the President in the appointment of United States Army officers as Indian agents—to the Committee on Indian Affairs.

Also, resolution of the Connecticut Dairymen's Association, favoring House bill No. 4584, to create State trade-marks, and to protect foreign and interstate commerce—to the Committee on Patents.

By Mr. SPRAGUE: Resolutions of the Boston Chamber of Commerce, in favor of the principles of arbitration to settle all international questions, expressing sympathy for the suffering people of Cuba, and pledging support to whatever course the President and Congress may take for their assistance—to the Committee on Foreign Affairs.

By Mr. STEELE: Petition of Hayes & Ready and other wholesale firms of Indianapolis, Ind., favoring a bill (H. R. 7134) to amend section 3449 of the United States Revised Statutes—to the Committee on Ways and Means.

Also, resolution of Huntington Lodge, No. 55, Brotherhood of Railway Trainmen, of Huntington, Ind., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: Papers to accompany House bill for the relief of Henry B. Simons—to the Committee on Invalid Pensions.

Also, petition of J. R. Shrek and 50 others, of Harvard, Nebr., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal churches of Wauneta and Boxelder, Nebr., and C. A. Tucker, of Wauneta, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Boxelder, Nebr., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. UPDEGRAFF: Petition of the Woman's Christian Temperance Union of Cresco, Iowa, to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Cresco, Iowa, favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. VINCENT: Petitions of the Methodist Episcopal Church and United Presbyterian Sabbath school, of Jamestown, Kans., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Jamestown, Kans., in favor of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. VAN VOORHIS: Petition of P. S. Lucas and 40 citizens of Dresden, Ohio, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Spencers Station and Chester, and Meeting of Friends of Chester, Ohio, for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Chester and Spencers Station, Ohio, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of citizens of Chester and Spencers Station, Ohio, to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

By Mr. YOUNG of Pennsylvania: Petition of Harmony Lodge, No. 45, Knights of Pythias, of West Philadelphia, Pa., indorsing House bill No. 6468, granting a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

Also, resolutions of Fairmount Lodge, No. 333, Brotherhood of Locomotive Firemen, of Philadelphia, Pa., in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY *March 28, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

PENSION STATISTICS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 21st instant, a statement showing, by classes, the number of all pensioners on the rolls at this time, and especially the number of persons drawing pensions under special acts of Congress, also the percentage of men, on the one hand, and women and children on the other, drawing pensions by special act of Congress; which was referred to the Committee on Pensions, and ordered to be printed.

SUPERVISING SURGEON-GENERAL'S REPORT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 21st instant, the preliminary report upon the operations of the Marine-Hospital Service for the fiscal year ended June 30, 1897; which, with the accompanying papers, was referred to the Committee on Public Health and National Quarantine, and ordered to be printed.

DISTRICT WATER SUPPLY.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of January 22, 1898, a letter from the Surgeon-General of the Marine-Hospital Service, inclosing the report of the director of the hygienic laboratory of the Marine-Hospital Service, conveying the results of bacteriological and other investigations relative to the pollution of the water supply of the city of Washington; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

[A message in writing was received from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries.]

PETITIONS AND MEMORIALS.

Mr. GALLINGER. I present a memorial in reference to the possession of Annette Island by the Indians of Metlakahtla. It is a protest against the Government permitting white persons to enter that island for the purpose of mining, and so forth. This protest is signed by Alice B. Coleman, president; Mary C. Reynolds, secretary; Gertrude L. Davis, treasurer, and Mrs. James McWhinnie, superintendent of the Alaska work of the Woman's American Baptist Home Mission Society.

Having some personal knowledge of the work that Rev. Mr. Duncan has done for the Indians of Alaska at New Metlakahtla, I desire to express the hope that Congress will be very careful in dealing with that question and not permit the whites to go upon that island to despoil it, possibly to interrupt seriously the work of that most estimable man, who has given his life to the civilization and Christianization of those Indians. I move that the memorial be referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. GALLINGER presented petitions of the Woman's Christian Temperance unions of Lyman, Rindge, Manchester, Newport, and Center Sandwich, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Lyman, Rindge, Manchester, and Newport, all in the State of New Hampshire, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Lyman, Rindge, Newport, Center Sandwich, and Manchester, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. SEWELL presented a petition of Mickleton Grange, No. 111, Patrons of Husbandry, of New Jersey, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Woman's Christian Temperance unions of Burlington, Asbury Park, and Trenton, and of Chapter 3163, of the Epworth League, of Pennington, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other

gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Beverly, Burlington, and Asbury Park; of the congregations of the Broad Street Methodist Episcopal Church of Trenton; the Methodist Episcopal Church of Port Norris, the Swedish Zion Church of Trenton, and of the Hamilton Avenue Methodist Episcopal Church of Trenton; of Chapter 3163, of the Epworth League, of Pennington, and of Trenton Post, No. 1, of Trenton, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance Union No. 3, of Trenton and Asbury Park; of Chapter No. 3163 of the Epworth League, of Pennington; of the congregations of the Swedish Zion Church of Trenton, the Broad Street Methodist Episcopal Church of Trenton, the Hamilton Avenue Methodist Episcopal Church of Trenton, the Scott Reformed Episcopal Church of Beverly, and of the Baptist Church of Beverly; of the Young People's Society of Christian Endeavor of the Bethany Presbyterian Church of Trenton; of Trenton Post, No. 1, of Trenton, and of Mercer Division, No. 260, Sons of Temperance, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Burlington, Vt., and a petition of the Woman's Christian Temperance Union and members of the congregations of sundry churches of Starksboro and Huntington, all in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Burlington, Vt., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented petitions of Birchard Post, No. 65, Grand Army of the Republic, of Newfane and Townshend; of the Woman's Christian Temperance Union of Burlington; of the Woman's Christian Temperance Union and members of the congregations of sundry churches of Starksboro and Huntington, and of the congregation of the Methodist Episcopal Church of Bristol, all in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. HANSBROUGH presented a petition of sundry citizens of Minnie Lake, N. Dak., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented sundry petitions of citizens of Knox, Fairmount, and Minnie Lake, all in the State of North Dakota, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented sundry petitions of citizens of Knox, Fairmount, and Minnie Lake; of the Woman's Christian Temperance Union, the Independent Order of Good Templars, the congregations of the Methodist Episcopal Church, the Congregational Church, and the Ladies' Aid Society of Hope, all in the State of North Dakota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented sundry petitions of citizens of Knox, Minnie Lake, and Fairmount; of the Woman's Christian Temperance Union of Elliott; of the Woman's Christian Temperance Union of Lakota; of the Woman's Christian Temperance Union, the Independent Order of Good Templars, the congregations of the Methodist Episcopal Church and the Congregational Church, and the Ladies' Aid Society, of Hope, and of the congregation of the Methodist Episcopal Church of Maza, all in the State of North Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of sundry citizens of Minnie Lake and Knox; of the Woman's Christian Temperance unions of Elliott and Lakota; of the Woman's Christian Temperance Union, the Independent Order of Good Templars, the congregations of the Methodist Episcopal Church and the Congregational Church, and the Ladies' Aid Society, of Hope, and of the congregation of the Methodist Episcopal Church of Maza, all in the State of North Dakota, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of the Paint and Oil Club of New England and a petition of the Master Teamsters' Association of Boston, Mass., praying for the ratification of a treaty with the Dominion of Canada and the Crown colony of Newfoundland; which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the legislature of the Commonwealth of Massachusetts, relative to an amendment to the National Constitution enabling Congress to enact laws regulating the hours of labor; which were referred to the Committee on Education and Labor.

He also presented petitions of the Wholesale Grocers' Association of Boston; of Paul Revere Lodge, No. 485, Brotherhood of Locomotive Firemen, of Charlestown, and of the Paper Trade Association of Boston, all in the State of Massachusetts, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Neal Dow Prohibition Club, of West Hingham, Mass., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the congregation of the Baptist Church of Sterling, Mass., and a petition of the congregation of the Congregational Church of Sterling, Mass., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Congregational Church and the Baptist Church, of Sterling, and of the Methodist Episcopal Church of Athol, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM presented a petition of the board of directors of the Board of Trade of Chicago, Ill., praying for the enactment of legislation to authorize and encourage the holding of a national exposition of American products and manufactures in the city of Philadelphia, Pa., in June, 1899; which was ordered to lie on the table.

He also presented a petition of G. W. Tilton Lodge, No. 375, Brotherhood of Railroad Trainmen, of Chicago, Ill., praying for the passage of Senate bill No. 3662, concerning carriers engaged in interstate commerce and their employees; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Rock Falls, Ill., and a petition of the congregation of the First Baptist Church of Harvey, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Rock Falls, Ill., and a petition of the congregation of the First Baptist Church of Harvey, Ill., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance Union of Rock Falls, of the congregation of the Calvary Presbyterian Church of Chicago, and of the congregations of the First Baptist Church of Harvey, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Grand Army of the Republic, Department of the State of Illinois; of the Clothing Manufacturers' Association of Boston Mass.; of the Grand Army of the Republic, Department of the Territory of Oklahoma; of the Grand Army of the Republic, Department of the State of Colorado; of the Grand Army of the Republic, Department of the State of Wyoming; of the Board of Trade of Batavia, N. Y.; of the Business Men's Association of Auburn, N. Y., and of the Wholesale Grocers' Association of Boston, Mass., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. GEAR presented sundry petitions of citizens of Mason City, Iowa, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Cresco, Iowa, and a petition of the congregation of the Friends' Church of Smyrna, Iowa, praying for the enactment

of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Cresco, Iowa, and a petition of the congregation of the Friends' Church of Smyrna, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Cresco, Iowa, and a petition of the congregation of the Friends' Church of Smyrna, Iowa, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Cardiff Grange, No. 175, Patrons of Husbandry, of Iowa, and a petition of Buena Vista Lodge, No. 544, Patrons of Husbandry, of Iowa, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of Buena Vista Grange, No. 544, Patrons of Husbandry, of Iowa, and of Cardiff Grange, No. 175, Patrons of Husbandry, of Iowa, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Buena Vista Lodge, No. 544, Patrons of Husbandry, of Iowa, and of Cardiff Grange, No. 175, Patrons of Husbandry, of Iowa, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PASCO presented the petition of George H. Packwood, department commander, Grand Army of the Republic, of Florida, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. TILLMAN presented the memorial of A. T. Williams, B. L. Jones, and 40 other citizens of South Carolina, remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. ALLEN presented a petition of sundry citizens of Milldale, Nebr., praying for the enactment of legislation to secure protection against adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented a petition of the congregation of the Methodist Episcopal Church of Overton, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church of Overton, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Methodist Episcopal Church of Overton, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. MITCHELL. I present a memorial of sundry citizens of the District of Columbia remonstrating against the adoption of section 9 of Senate bill No. 3837, to regulate insurance in the District of Columbia. I move that the memorial be printed as a document and referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. TURPIE presented a petition of C. N. Bell Lodge, No. 158, Brotherhood of Railroad Trainmen, of Garrett, Ind., praying for the enactment of legislation to substitute voluntary arbitration for railroad strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Board of Trade of Indianapolis, Ind., and a petition of the directors of the Commercial Club of Indianapolis, Ind., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented memorials of Broom Makers' Union No. 17, of Bakers and Confectioners' Union No. 18, and of the American Agents' Association, all of Indianapolis, in the State of Indiana, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. ROACH presented a petition of the congregation of the Methodist Church of Neche, N. Dak., and a petition of the Presbyterian Church of Neche, N. Dak., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Fessenden, of the congregation of the Methodist Episcopal Church of Neche, of the Woman's Christian Temperance Union of Cooperstown, and of the congregation of the Presbyterian Church of Neche, all in the State of North Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of Cooperstown, of the congregation of the Methodist Episcopal Church of Neche, and of the Woman's Christian Temperance Union of Fessenden, all in the State of North Dakota, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Fessenden, of sundry citizens of Kelso, of the Young Woman's Christian Temperance Union of Larrimore, and of the congregation of the Methodist Episcopal Church of Neche, all in the State of North Dakota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. FAULKNER presented a petition of the Woman's Christian Temperance Union and the congregation of the Coalsmouth Baptist Church, of St. Albans, W. Va., and a petition of the congregation of the Wesley Methodist Episcopal Church, of Wheeling, W. Va., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union and the congregation of the Coalsmouth Baptist Church, of St. Albans, W. Va., and a petition of the congregation of the Wesley Methodist Episcopal Church, of Wheeling, W. Va., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Coalsmouth Baptist Church, of St. Albans; and of the Woman's Christian Temperance Union of St. Albans; of the congregations of the Wesley Methodist Episcopal Church, of Wheeling; the Presbyterian Church of Buckhannon, the United Brethren Church of Buckhannon; and the Methodist Episcopal Church of Buckhannon, all in the State of West Virginia, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. HARRIS presented a memorial of Local Union No. 18, Coopers' International Union, of Kansas City, Kans., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. BATE presented petitions of Lookout Division, No. 148, Order of Railway Conductors, of Chattanooga, Tenn.; of the Southern Baptist Press Association of Asheville, N. C., and of the Interstate Merchants' Association, of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. MASON presented petitions of the Christian Endeavor Society of the Presbyterian Church, the congregations of the Methodist Episcopal Church and the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church, the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere, in the State of Illinois, praying for the enactment of legislation to prohibit the interstate and mail circulation of newspaper descriptions of prize fights; which were referred to the Committee on the Judiciary.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church, the congregation of the Methodist Episcopal Church, the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church, the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere, in the State of Illinois, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which were referred to the Committee on Education and Labor.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church, the congregations of the Methodist Episcopal Church, the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church,

the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere, in the State of Illinois, praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the interstate transmission of materials of the same; which were ordered to lie on the table.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church, of the congregations of the Methodist Episcopal Church, the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church, the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere, in the State of Illinois, praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church, of the congregations of the Methodist Episcopal Church, the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church, the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere, in the State of Illinois, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the congregation of the Marie Methodist Episcopal Chapel, of Chicago; of the Young People's Society of Christian Endeavor of the First Congregational Church of Abingdon; of the congregation of the First Congregational Church of Abingdon; of the Woman's Christian Temperance unions of Sandwich, Bristol, and Aledo; of the congregations of the Free Methodist Church, the Baptist Young People's Union of the South Baptist Church, the North Belvidere Woman's Christian Temperance Union, the Epworth League, the Woman's Christian Temperance Union of South Belvidere, the Christian Endeavor Society of the Presbyterian Church, the German Evangelical Church, the Baptist Young People's Union of the First Baptist Church, the South Baptist Church, the Christian Endeavor Society of the Congregational Church, the Congregational Church, and the Methodist Episcopal Church, all of Belvidere; of the Independent Order of Good Templars of Aledo, and of members of the Sunday school of Roanoke, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government Buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church, of the congregations of the Methodist Episcopal Church, the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church, the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere; of the Woman's Christian Temperance unions of Sandwich and Bristol; of the Woman's Foreign Missionary Society of Chicago; of the congregation of the Marie Methodist Episcopal Chapel of Chicago; of the Young People's Society of Christian Endeavor of the First Congregational Church of Abingdon; of the congregation of the First Congregational Church of Abingdon; of the Independent Order of Good Templars of Aledo; of the congregation of the Friends' Church of Western Springs; of the Epworth League of Alpha; of the Christian Sunday School of Roanoke, and of the Woman's Christian Temperance Union of Aledo, all in the State of Illinois, praying for the enactment of legislation to protect anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church; of the congregations of the Methodist Episcopal Church and the Congregational Church, the Christian Endeavor Society of the Congregational Church, the South Baptist Church, the Baptist Young People's Union of the First Baptist Church, the German Evangelical Church, the Woman's Christian Temperance Union, the Epworth League, the Baptist Young People's Union of the South Baptist Church, and the Free Methodist Church, all of Belvidere; of the Woman's Christian Temperance unions of Sandwich and Bristol; of the Woman's Foreign Missionary Society of Chicago; of the congregation of the Marie Methodist Episcopal Chapel of Chicago; of the Young People's Society of Christian Endeavor of the First Congregational Church of Abingdon; of the congregation of the First Congregational Church of Abington; of the Independent Order of Good Templars of Aledo; of the congregation of the Friends' Church of Western Springs; of the Epworth League of Alpha; of the Christian Sunday school of Roanoke, and of the Woman's Christian Temperance Union of Aledo, all in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented the memorials of M. M. Armstrong and 50 other citizens, of Thomas S. Hughes and 52 other citizens, of C. M. Debch and 52 other citizens, of F. Brown and 52 other citizens, of E. J. Gill and 52 other citizens, of W. Eisendrath and 53 other citizens, of H. Burns and 52 other citizens, and of G. H. Couther and 52 other citizens, all in the State of Illinois, remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of W. F. Hynes Lodge, No. 48, of Peoria, Ill., and a petition of sundry citizens of Polo, Ill., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented sundry memorials of citizens of Ashland, Effingham, Elmwood, Trenton, and Clinton, all in the State of Illinois, remonstrating against the enactment of legislation to establish a division in the Treasury Department regulating insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Clyde Grange, No. 33, Patrons of Husbandry, of Clyde, N. Y., praying for the establishment of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Ministers' Union of Charleston, S. C., praying for the enactment of legislation giving relief to the family of Frazier Baker, late postmaster at Lake City, S. C.; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FAIRBANKS presented a petition of the Young People's Society of Christian Endeavor of the First Presbyterian Church of Huntington, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented the petition of W. M. McKinnie and 39 other citizens of Fort Wayne, Ind., and the petition of A. D. Cruder and 39 other citizens of Fort Wayne, Ind., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a memorial of the Journeymen Bakers and Confectioners' Union No. 18, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented the petition of J. C. Peters and 24 other citizens of Cayuga, Ind., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented a petition of Prospect Lodge, No. 162, Brotherhood of Locomotive Firemen, of Elkhart, Ind., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

Mr. THURSTON presented sundry petitions of citizens of Brainard, Scribner, West Point, Fremont, Wisner, Omaha, and Wahoo, and of Harvey Lodge, No. 95, Order of Railway Conductors, of McCook, all in the State of Nebraska, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of Our Young People's Society of Superior, of the congregation of the Methodist Episcopal Church of Servard, of the Woman's Christian Temperance Union of Peru, of the Young People's Society of Christian Endeavor of the Baptist Church of Peru, of the Woman's Christian Temperance Union of Cedar Bluffs, and of the congregation of the First Baptist Church of Ord, all in the State of Nebraska, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Peru and Cedar Bluffs, of the congregation of the First Baptist Church of Ord, and of the Young People's Society of Christian Endeavor of the Baptist Church of Peru, all in the State of Nebraska, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Peru and Cedar Bluffs, of the Woman's Club of

Lincoln, of the congregation of the First Baptist Church of Ord, of the Young People's Society of Christian Endeavor of the Baptist Church of Peru, and of the teachers of the public schools of Indianola, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. McBRIDE presented a petition of the Woman's Christian Temperance Union of Myrtle Creek, Oreg., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Myrtle Creek, Oreg., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Myrtle Creek, Oreg., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of Surprise Grange, No. 233, Patrons of Husbandry of Oregon, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Surprise Grange, No. 233, Patrons of Husbandry, of Oregon, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the congregation of the Methodist Episcopal Church of Cottage Grove; of the Young People's Society of Christian Endeavor of Forest Grove; of the congregations of the Methodist Episcopal Church, the Congregational Church, the Baptist Church, the First Presbyterian Church, and the United Presbyterian Church, of Albany; of the Woman's Christian Temperance Union of The Dalles; of the congregation of the Methodist Episcopal Church of Montavilla; of the congregation of the Methodist Episcopal Church of Mount Tabor, and of the Independent Order of Good Templars of The Dalles, all in the State of Oregon, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. WILSON presented a petition of the Young People's Society of Christian Endeavor of the Church of Christ of Garfield, Wash., and a petition of the congregation of the Methodist Episcopal Church of Garfield, Wash., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Young People's Society of Christian Endeavor of the Church of Christ of Garfield, Wash., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Young People's Society of Christian Endeavor of the Church of Christ of Garfield, Wash., and a petition of the congregation of the Methodist Episcopal Church of Garfield, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN presented a petition of the Memorial Association of the Park Presbyterian Church, of Baltimore, Md., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Memorial Association of the Park Presbyterian Church, of Baltimore, Md., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of South Baltimore Division, No. 99, Brotherhood of Locomotive Engineers, of Baltimore, Md., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. MALLORY presented a petition of the Orlando Tract and Missionary Society, of Orlando, Fla., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the South Florida Annual Conference of the African Methodist Episcopal Zion Church, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. JONES of Arkansas presented the petition of F. A. Pickard, mayor, and sundry other citizens of Eureka Springs, Ark., praying that a Government license for the sale of intoxicating liquors be refused in every State, county, and district prohibited by the State or local laws; which was referred to the Committee on Education and Labor.

Mr. FRYE presented a petition of sundry citizens of Searsmont, Me., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the congregation of the Methodist Episcopal Church of Dresden, Me., and a petition of the congregation of the Congregational Church of Turner, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Turner Grange, Patrons of Husbandry, of Turner Center, Me., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. CHANDLER presented petitions of Starr King Grange, No. 125; of Camelia Grange; of Merrimac River Grange, No. 4; of Windham Grange, No. 182; of Richmond Grange, No. 147; of Lawrence Grange, No. 117; of Lafayette Grange, No. 208; of Mount Prospect Grange, No. 242; of Cheshire Grange, No. 131; of Cardigan Grange, No. 267; of Silver Mountain Grange, No. 196; of Blue Mountain Grange, No. 232, and of Advance Grange, No. 20, Order of the Patrons of Husbandry, all in the State of New Hampshire, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of Sunapee Lake Grange, No. 112; of Granite Lake Grange, No. 115; of Mount Washington Grange, No. 116; of Marlboro Grange, No. 118; of London Grange, No. 121; of New Hampton Grange, No. 123; of Carroll Grange, No. 160; of Choconia Grange, No. 165; of Salem Grange, No. 168; of Hampton Falls Grange, No. 171; of Hillside Grange, No. 174; of Lovell Union Grange, No. 178; of Windham Grange, No. 182; of Wyoming Grange, No. 54; of Morning Star Grange, No. 62; of Valley Grange, No. 63; of Mount Calm Grange, No. 70; of Mount Hope Grange, No. 77; of Olive Branch Grange, No. 79; of Cocheco Grange, No. 81; of Spofford Grange, No. 83; of Campton George Grange, No. 93; of Ezekiel Webster Grange, No. 94; of New London Grange, No. 35; of Antrim Grange, No. 98; of Harmony Grange, No. 99; of Monadnock Grange, No. 103; of Bartlett Grange, No. 104; of Pembroke Grange, No. 111; of Sugar River Grange, No. 190; of Silver Mount Grange, No. 196; of Warren Grange, No. 200; of Cherry Mountain Grange, No. 201; of Charlestown Grange, No. 204; of Mount Dustin Grange, No. 246; of Lafayette Grange, No. 208; of Northwood Grange, No. 209; of Moosilauk Grange, No. 214; of Sugar Hill Grange, No. 222; of Mountain Laurel Grange, No. 215; of Dover Grange, No. 225; of Ashuelot Grange, No. 129; of Pilot Grange, No. 229; of Umbagog Grange, No. 231; of Rye Grange, No. 233; of Wiers Grange, No. 248; of Park Grange, No. 249; of Cape Horn Grange, No. 254; of Coos Grange, No. 256; of Lovell Grange, No. 5; of Piermont Grange, No. 219; of Hudson Grange, No. 11; of Nashua Grange, No. 13; of Pinnacle Grange, No. 18; of Cold River Grange, No. 19; of North Star Grange, No. 27; of Thornton Grange, No. 31; of Londonderry Grange, No. 44; of Miller Grange, No. 34; of Lancaster Grange, No. 48; of White Mountain Grange, No. 50; of Joe English Grange, No. 53; of Sutton Grange, No. 11; of Pelham Grange, No. 244; of Walpole Grange, No. 125; of Lebanon Grange, No. 126; of Lake Shore Grange, No. 128; of Ossipee Mountain Grange, No. 130; of Excelsior Grange, No. 136; of Riverside Grange, No. 137; of Great Meadow Grange, No. 138; of Freedom Grange, No. 140; of Atkinson Grange, No. 143; of Mount Grace Grange, No. 158; of Sunapee Mountain Grange, No. 144; of Pistareen Grange, No. 146; of Honor Bright Grange, No. 153; of Fitzwilliam Grange, No. 154, and of Surry Grange, No. 156, Order of Patrons of Husbandry, all in the State of New Hampshire, praying for the enactment of legislation to secure to people of the rural sections of the country free rural mail delivery; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Valley Grange, Mount Washington Grange, Marlboro Grange, Surprise Grange, Morning Star Grange, Mount Colin Grange, Mount Hope Grange, Olive Branch

Grange, Cochico Grange, Spofford Grange, Sutton Grange, Campton Grange, New London Grange, Antrim Grange, Harmony Grange, Monadnock Grange, Bartlett Grange, Pembroke Grange, Sunapee Lake Grange, Granite Lake Grange, Lebanon Grange, Ashuelot Grange, Lake Shore Grange, New Hampton Grange, Walpole Grange, Ossipee Grange, Excelsior Grange, Riverside Grange, Great Meadow Grange, Atkinson Grange, Pistareen Grange, Honor Bright Grange, Fitzwilliam Grange, Mount Israel Grange, Carroll Grange, Choconia Grange, Salem Grange, Hillside Grange, Lovell Grange, Union Grange, Windham Grange, Sugar River Grange, Silver Mountain Grange, Warren Grange, Cherry Mountain Grange, Charlestown Grange, New Durham Grange, Merrimack River Grange, Wyoming Grange, Joe English Grange, White Mountain Grange, Lancaster Grange, Londonderry Grange, Hudson Grange, Thornton Grange, Miller Grange, North Star Grange, Plymouth Grange, Park Grange, Cold River Grange, Coos Grange, Cape Horn Grange, Wiers Grange, Mount Dustin Grange, Pelham Grange, Rye Grange, Umbogary Grange, Pilot Grange, Dover Grange, Sugar Hill Grange, Piermont Grange, Moosilauke Grange, Mountain Laurel Grange, North Wood Grange, Lafayette Grange, and Nashua Grange, Order of Patrons of Husbandry, all in the State of New Hampshire, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of G. W. Nutter and 20 other citizens of Corinna, Me., remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

Mr. BUTLER (for Mr. NELSON) presented a petition of the officers and members of Company B, First Infantry, National Guard, State of Minnesota, and a petition of the officers and members of Company E, First Infantry, National Guard, State of Minnesota, praying that House bill No. 2876, to promote the efficiency of the militia, be amended so that the annual appropriation for the National Guard shall be not less than $1,000,000; which were referred to the Committee on Military Affairs.

Mr. HOAR presented resolutions adopted by the Chamber of Commerce of Boston, Mass., extending sympathy to the suffering people of Cuba and commending the calm, dignified attitude and conduct of the President of the United States in the present crisis; which were referred to the Committee on Foreign Relations.

He also presented a petition of the Reform Bureau and sundry citizens of Washington, D. C., praying for the enactment of legislation to limit absolute divorces in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

Mr. COCKRELL presented a petition of sundry citizens of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the Home Missionary Society and of the congregation of the Methodist Episcopal Church of Carondelet; of the Ladies' Missionary Society of the Grand Avenue United Presbyterian Church, of St. Louis; of the Woman's Christian Temperance Union of Luray, and of the congregation of the Carondelet Methodist Episcopal Church South, of St. Louis, all in the State of Missouri, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of Typographical Union No. 158, of Springfield, Mo., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented the petition of William Leatherman, of Fulton, Mo., and a petition of the Interstate Merchants' Association of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PLATT of Connecticut presented a petition of the Woman's Christian Temperance Union of Danielson, Conn., and a petition of the Epworth League of Old Mystic, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Danielson, of the congregation of the Methodist Episcopal Church of Old Mystic, of the congregation of the First Baptist Church of Groton, and of the congregation of the First Methodist Episcopal Church of Meriden, all in the State of Connecticut, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Westfield Congregational Church of Danielson, the Methodist Episcopal Church of Danielson, the Baptist Young People's Society of Christian Endeavor of Danielson, the Methodist Episcopal Church of Old Mystic, the First Baptist Church of Groton, the Baptist Young People's Union of the Central Baptist Church of Norwich; of the congregation of the First Methodist Episcopal Church of Meriden, and of the congregation of the First Congregational Church of Meriden, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of New Britain; of the congregation of the Westfield Congregational Church, of Danielson; of the congregation of the Methodist Episcopal Church of Danielson; of the Baptist Young People's Society of Christian Endeavor of Danielson; of the Society of Christian Endeavor of the Baptist Church of Old Mystic; of the congregation of the First Baptist Church of Groton; of the congregation of the First Methodist Episcopal Church of Meriden, and of the congregation of the First Congregational Church of Meriden, all in the State of Connecticut, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. HAWLEY presented a petition of the Young People's Society of Christian Endeavor of Woodstock Valley, Conn., and a petition of the Young People's Society of Christian Endeavor of North Ashford, Conn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Third Congregational Church of Guilford, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the congregations of the Universalist Church, the Second Congregational Church, and the First Congregational Church of Danbury, and of the Second Congregational Church of New London, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquor in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the First Congregational Church, the Universalist Church, and the Second Congregational Church of Danbury, and of the Second Congregational Church of New London, all in the State of Connecticut, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Christian Endeavor Society of Woodstock Valley; of the Christian Endeavor Society of North Ashford; of the congregations of the Third Congregational Church of Guilford, the First Congregational Church, the Second Congregational Church, and the Universalist Church of Danbury, and of the congregation of the Second Congregational Church of New London, all in the State of Connecticut, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WILSON, from the Committee on Public Lands, to whom was referred the amendment submitted by himself on the 15th instant, relative to a proposed amendment of an act entitled "An act for the relief of settlers on railroad lands," approved June 22, 1874, intended to be proposed to the sundry civil appropriation bill, reported it with amendments, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

Mr. PLATT of Connecticut, from the Committee on Patents, to whom was referred the bill (S. 4168) for revising and perfecting the classification of letters patent and printed publications in the Patent Office, reported it with an amendment, and submitted a report thereon.

Mr. CHILTON, from the Committee on the Judiciary, to whom was referred the bill (H. R. 7337) for the removal of suits from the courts of the State of Texas to the courts of the United States in the State of Texas, reported it without amendment.

Mr. LODGE, from the Committee on Printing, to whom was referred the amendment submitted by Mr. MORGAN on the 21st instant, relative to the installment of a pneumatic-tube system between the Public Printing Office and the Capitol Building, intended to be proposed to the sundry civil appropriation bill, reported it with amendments, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

REPORT ON DISTRICT CHARITIES.

Mr. McMILLAN. I submit an additional report from the Joint Select Committee to Investigate the Charities and Reformatory Institutions in the District of Columbia. I move that in addition to the usual number 2,000 copies be printed and bound in cloth for the use of the joint select committee.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BUTLER (for Mr. NELSON) introduced a bill (S. 4252) granting an increase of pension to Russell L. Moore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 4253) granting an increase of pension to George Richard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4254) granting a pension to Sarah Ann Fletcher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 4255) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher; which was read twice by its title, and referred to the Committee on Patents.

Mr. HANSBROUGH introduced a bill (S. 4256) to establish a high court of patents, trade-marks, and copyrights; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PROCTOR introduced a bill (S. 4257) to increase the pension of Mary M. Strong, widow of the late Brig. Gen. Thomas J. Strong; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLEN introduced a bill (S. 4258) granting a pension to Mrs. Nancy Jackson, of Lincoln, in the State of Nebraska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4259) to grant a pension to Amelia F. Seywert (with accompanying papers);

A bill (S. 4260) granting a pension to Mary E. V. Jones (with an accompanying paper);

A bill (S. 4261) granting an increase of pension to Mary Schyllander (with accompanying papers);

A bill (S. 4262) granting a pension to John W. Wycoff (with accompanying papers); and

A bill (S. 4263) to grant a pension to Charlotte S. Rhind.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4264) to correct the military record of Thomas Woodruff (with accompanying papers);

A bill (S. 4265) to correct the military record of George C. Shiplett (with an accompanying paper); and

A bill (S. 4266) to remove the charge of desertion from the military record of Charles A. Bell (with accompanying papers).

Mr. HANNA introduced a bill (S. 4267) for the relief of Mrs. Lavinia M. Payne; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Claims.

Mr. TURPIE introduced a bill (S. 4268) granting an increase of pension to Benjamin A. Burtram; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 4269) granting a pension to Margerett Ferriter; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 4270) to amend military record of James H. Gould; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4271) granting a pension to Caroline Luebke; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McBRIDE introduced a bill (S. 4272) for the relief of certain settlers on lands within the limits of railroad land grants; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FAIRBANKS introduced a bill (S. 4273) removing the charge of desertion from the name of Calvin Weaver, of Lebanon, Ind.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4274) increasing the pension of John W. Rollins, of Danville, Ind.; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KENNEY (by request) introduced a bill (S. 4275) to promote the efficiency of the Navy; which was read twice by its title, and referred the Committee on Naval Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 130) relative to an increase of chaplains in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

ERECTION OF TEMPORARY FORTIFICATIONS IN STATES.

Mr. BACON introduced a joint resolution (S. R. 129) relative to suspension of part of section 355 of Revised Statutes, relative to erection of forts, fortifications, and so forth; which was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in any case of emergency where in the opinion of the Secretary of War the immediate erection of any fort or fortification may be deemed important and urgent, and where the legislature of the State in which it is proposed to erect such fort or fortification shall not be in session, so much of section 355 of the Revised Statutes of the United States as prohibits the erection of said fort or fortification until the consent of said legislature has been given shall be suspended so far as to authorize the construction of any temporary fort or fortification upon the written consent of the owner of the land upon which said temporary fort or fortification is to be placed.

Mr. BACON. Mr. President, in moving the reference of the joint resolution, I desire to say simply one word. Under the law as it now exists the War Department is prohibited from spending any money upon forts, fortifications, or any structures of that kind until the consent of the legislature of the State in which the land is situated has been obtained. It is important that there should be a suspension in cases of emergency, and the joint resolution which I have introduced is simply one suspending so much of section 355 of the Revised Statutes as makes the consent of the legislature a prerequisite to the erection of any fortification where the consent of the owner of the land has been secured.

Mr. GRAY. Will the Senator read that provision?

Mr. BACON. The Senator from Delaware asks that I read the section of the Revised Statutes, which I will proceed to do. Section 355 is as follows:

SEC. 355. No public money shall be expended upon any site or land purchased by the United States for the purposes of erecting thereon any armory, arsenal, fort, fortification, navy-yard, custom-house, light-house, or other public building, of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land or site may be to such purchase has been given. The district attorneys of the United States, upon the application of the Attorney-General, shall furnish any assistance or information in their power in relation to the titles of the public property lying within their respective districts. And the Secretaries of the Departments, upon the application of the Attorney-General, shall procure any additional evidence of title which he may deem necessary, and which may not be in the possession of the officers of the Government, and the expense of procuring it shall be paid out of the appropriations made for the contingencies of the Departments, respectively.

The circumstance which has brought this matter immediately to my attention arose upon an application to the War Department to erect a fortification at a certain point in Georgia. I have a communication from the Chief of Engineers, which was authorized by the Secretary of War, consenting to the erection there provided so much of this statute as requires the consent of the legislature shall first be suspended by act of Congress.

Whether the Secretary of War is entirely right in his construction—that he would be prohibited in a case where the land was donated or a consent has been given by the owner thereof for such fortification to be constructed—is not a question which it is necessary for us now to stop to determine. The statute, it is true, says in case of purchase. This is a time when prompt action is needed.

The only purpose of the joint resolution is to authorize the Secretary of War, in a case where he deems it important, to erect a temporary fortification; that when he determines it to be a case of emergency, he shall, in the exercise of his discretion, go ahead and do it without waiting for the consent of the legislature, which can only be obtained when the legislature is in session. In the case in point the legislature is not in session, and will not be in session until next October, and it is important that there should be no delay, that there should be no question, that there should be no controversy among those who are charged with this public duty as to whether they have the authority.

Mr. GRAY. I shall ask that the joint resolution may go over.

Mr. BACON. I hope the Senator from Delaware will not ask that it may go over. If he objects, of course, under the rule, I am compelled to submit, though, in the present emergency, I very much regret it.

Mr. PASCO. I suggest that the Senator from Georgia can accomplish all he desires by making his joint resolution apply to this particular case. Certainly it is an unfavorable time for any general legislation upon this subject in a hasty manner. If he makes it apply to the particular case, referring to his own State, I shall not be disposed to object; but if there is to be any general legislation it ought to be considered by a committee of the Senate and acted upon after proper and due consideration.

Mr. BACON. I have no disposition, of course, to have any legislation apply to the States of either of the Senators if they may not so desire. I regard it as an emergency in the case of the State of Georgia, and I ask that the joint resolution be amended so far

as to insert the words "in the State of Georgia" in the appropriate place. I have not the joint resolution before me, and consequently can not suggest the place in the same where the insertion should be made.

In order that Senators may not misunderstand the joint resolution, I will state that it does not propose to do anything over the objection of a State. It is not proposed to do anything to which the State will be assumed to have objected. It is designed for the protection of the State and merely provides for an emergency when the State is not in a position to give the consent which the law now requires, acting upon the assumption that the State would consent if it had the opportunity.

Mr. HAWLEY. Mr. President, I have conversed with the Chief of Engineers upon this matter and he is quite seriously embarrassed in regard to several places. He dare not take the responsibility of beginning even a minor fortification in any place where the Government has no title to the land, and he is very much embarrassed by it. If it be thought wise, it would be a great relief to him to have the joint resolution passed. I suggest as a mitigation of the apparent violation of State rights that notice be sent to the governor and that he be asked whether he has any objection. That would help it a little.

Mr. MORGAN. What is the order of business, Mr. President?

The VICE-PRESIDENT. Objection is made to the consideration of the joint resolution, and it lies over until to-morrow.

Mr. BACON subsequently said: I desire to ask that the joint resolution which I introduced this morning relative to the construction of fortifications may be referred to the Committee on Military Affairs; and in doing so I desire to say simply a word.

The restriction in the statute of the United States is not for the protection of State rights, as some gentlemen seem to assume, but it is for the protection of the property of the United States, and for this purpose prohibits the investment of money in the construction of fortifications until the title of the Government has been assured. The joint resolution simply proposes to waive this precaution on the part of the United States Government and to suspend the operation of that statute so far as to permit the erection of temporary fortifications upon the consent of the owner of the land.

I ask that the joint resolution may be referred to the Committee on Military Affairs.

The VICE-PRESIDENT. That reference will be made, in the absence of objection.

DESTRUCTION OF THE BATTLE SHIP MAINE.

Mr. MORGAN. I ask that the message of the President of the United States, sent in this morning, be read at the desk.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Secretary read as follows:

To the Congress of the United States:

For some time prior to the visit of the *Maine* to Havana Harbor our consular representatives pointed out the advantages to flow from the visit of national ships to the Cuban waters, in accustoming the people to the presence of our flag as the symbol of good will and of our ships in the fulfillment of the mission of protection to American interests, even though no immediate need therefor might exist.

Accordingly on the 24th of January last, after conference with the Spanish minister, in which the renewal of visits of our war vessels to Spanish waters was discussed and accepted, the peninsular authorities at Madrid and Havana were advised of the purpose of this Government to resume friendly naval visits at Cuban ports, and that in that view the *Maine* would forthwith call at the port of Havana.

This announcement was received by the Spanish Government with appreciation of the friendly character of the visit of the *Maine*, and with notification of intention to return the courtesy by sending Spanish ships to the principal ports of the United States. Meanwhile the *Maine* entered the port of Havana on the 25th of January, her arrival being marked with no special incident besides the exchange of customary salutes and ceremonial visits.

The *Maine* continued in the harbor of Havana during the three weeks following her arrival. No appreciable excitement attended her stay; on the contrary, a feeling of relief and confidence followed the resumption of the long-interrupted friendly intercourse. So noticeable was this immediate effect of her visit that the consul-general strongly urged that the presence of our ships in Cuban waters should be kept up by retaining the *Maine* at Havana or, in the event of her recall, by sending another vessel there to take her place.

At forty minutes past 9 in the evening of the 15th of February the *Maine* was destroyed by an explosion, by which the entire forward part of the ship was utterly wrecked. In this catastrophe 2 officers and 264 of her crew perished, those who were not killed outright by her explosion being penned between decks by the tangle of wreckage and drowned by the immediate sinking of the hull.

Prompt assistance was rendered by the neighboring vessels anchored in the harbor, aid being especially given by the boats of the Spanish cruiser *Alfonso XII* and the Ward Line steamer *City of Washington*, which lay not far distant. The wounded were generously cared for by the authorities of Havana, the hospitals being freely opened to them, while the earliest recovered bodies of the dead were interred by the municipality in a public cemetery in the city. Tributes of grief and sympathy were offered from all official quarters of the island.

The appalling calamity fell upon the people of our country with crushing force, and for a brief time an intense excitement prevailed, which in a community less just and self-controlled than ours might have led to hasty acts of blind resentment. This spirit, however, soon gave way to the calmer processes of reason and to the resolve to investigate the facts and await material proof before forming a judgment as to the cause, the responsibility, and, if the facts warranted, the remedy due. This course necessarily recommended itself from the outset to the Executive, for only in the light of a dispassionately ascertained certainty could it determine the nature and measure of its full duty in the matter.

The usual procedure was followed, as in all cases of casualty or disaster to national vessels of any maritime State. A naval court of inquiry was at once organized, composed of officers well qualified by rank and practical experience to discharge the onerous duty imposed upon them. Aided by a strong force of wreckers and divers, the court proceeded to make a thorough investigation on the spot, employing every available means for the impartial and exact determination of the causes of the explosion. Its operations have been conducted with the utmost deliberation and judgment, and while independently pursued no attainable source of information was neglected, and the fullest opportunity was allowed for a simultaneous investigation by the Spanish authorities.

The finding of the court of inquiry was reached, after twenty-three days of continuous labor, on the 21st of March instant, and, having been approved on the 22d by the commander in chief of the United States naval force on the North Atlantic Station, was transmitted to the Executive.

It is herewith laid before the Congress, together with the voluminous testimony taken before the court.

Its purport is, in brief, as follows:

When the *Maine* arrived at Havana she was conducted by the regular Government pilot to buoy No. 4, to which she was moored in from 5½ to 6 fathoms of water.

The state of discipline on board and the condition of her magazines, boilers, coal bunkers, and storage compartments are passed in review, with the conclusion that excellent order prevailed and that no indication of any cause for an internal explosion existed in any quarter.

At 8 o'clock in the evening of February 15 everything had been reported secure, and all was quiet.

At forty minutes past 9 o'clock the vessel was suddenly destroyed.

There were two distinct explosions, with a brief interval between them.

The first lifted the forward part of the ship very perceptibly. The second, which was more open, prolonged, and of greater volume, is attributed by the court to the partial explosion of two or more of the forward magazines.

The evidence of the divers establishes that the after part of the ship was practically intact and sank in that condition a very few moments after the explosion. The forward part was completely demolished.

Upon the evidence of a concurrent external cause the finding of the court is as follows:

At frame 17 the outer shell of the ship, from a point 11½ feet from the middle line of the ship and 6 feet above the keel when in its normal position, has been forced up so as to be now about 4 feet above the surface of the water therefore about 34 feet above where it would be had the ship sunk uninjured.

The outside bottom plating is bent into a reversed V shape (Λ), the after wing of which, about 15 feet broad and 32 feet in length (from frame 17 to frame 25), is doubled back upon itself against the continuation of the same plating, extending forward.

At frame 18 the vertical keel is broken in two and the flat keel bent into an angle similar to the angle formed by the outside bottom plates. This break is now about 6 feet below the surface of the water and about 30 feet above its normal position.

In the opinion of the court this effect could have been produced only by the explosion of a mine situated under the bottom of the ship at about frame 18 and somewhat on the port side of the ship.

The conclusions of the court are:

That the loss of the *Maine* was not in any respect due to fault or negligence on the part of any of the officers or members of her crew;

That the ship was destroyed by the explosion of a submarine mine, which caused the partial explosion of two or more of her forward magazines; and

That no evidence has been obtainable fixing the responsibility for the destruction of the *Maine* upon any person or persons.

I have directed that the finding of the court of inquiry and the views of this Government thereon be communicated to the Government of Her Majesty the Queen Regent, and I do not permit myself to doubt that the sense of justice of the Spanish nation will dictate a course of action suggested by honor and the friendly relations of the two Governments.

It will be the duty of the Executive to advise the Congress of the result, and in the meantime deliberate consideration is invoked.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
March 28, 1898.

Mr. DAVIS. Mr. President, I call for the reading of the findings of the court of inquiry.

The VICE-PRESIDENT. There being no objection, the Secretary will read the findings.

The Secretary read as follows:

U. S. S. IOWA (1st rate),
Key West, Fla., Monday, March 21, 1898—10 a. m.

The court met pursuant to the adjournment of yesterday.

Present: All the members and the judge-advocate.

The record of last day's proceedings was read over and approved.

The court was then cleared for deliberation.

After full and mature consideration of all the testimony before it, the court finds as follows:

1. That the U. S. battle ship *Maine* arrived in the harbor of Havana, Cuba, on the 25th day of January, 1898, and was taken to buoy No. 4, in from 5½ to 6 fathoms of water, by the regular Government pilot.

The United States consul-general at Havana had notified the authorities at that place the previous evening of the intended arrival of the *Maine*.

2. The state of discipline on board the *Maine* was excellent, and all orders and regulations in regard to the care and safety of the ship were strictly carried out.

All ammunition was stowed in accordance with prescribed instructions, and proper care was taken whenever ammunition was handled.

Nothing was stowed in any one of the magazines or shell rooms which was not permitted to be stowed there.

The magazines and shell rooms were always locked after having been opened, and after the destruction of the *Maine* the keys were found in their proper place in the captain's cabin, everything having been reported secure that evening at 8 p. m.

The temperatures of the magazines and shell rooms were taken daily and reported. The only magazine which had an undue amount of heat was the after 10-inch magazine, and that did not explode at the time the *Maine* was destroyed.

The torpedo war heads were all stowed in the after part of the ship, under the ward room, and neither caused nor participated in the destruction of the *Maine*.

The dry gun-cotton primers and detonators were stowed in the cabin aft, and remote from the scene of the explosion.

Waste was carefully looked after on board the *Maine* to obviate danger. Special orders in regard to this had been given by the commanding officer.

Varnishes, driers, alcohol, and other combustibles of this nature were stowed on or above the main deck and could not have had anything to do with the destruction of the *Maine*.

The medical stores were stowed aft, under the ward room, and remote from the scene of the explosion.

No dangerous stores of any kind were stowed below in any of the other storerooms.

The coal bunkers were inspected daily. Of those bunkers adjacent to the forward magazines and shell rooms four were empty, namely, B3, B4, B5, B6. A15 had been in use that day, and A16 was full of New River coal. This coal had been carefully inspected before receiving it on board. The bunker in which it was stowed was accessible on three sides at all times, and the fourth side at this time on account of bunkers B4 and B6 being empty. This bunker, A16, had been inspected that day by the engineer officer on duty.

The fire alarms in the bunkers were in working order, and there had never been a case of spontaneous combustion of coal on board the *Maine*.

The two after boilers of the ship were in use at the time of the disaster, but for auxiliary purposes only, with a comparatively low pressure of steam, and being tended by a reliable watch.

These boilers could not have caused the explosion of the ship. The four forward boilers have since been found by the divers, and are in a fair condition.

On the night of the destruction of the *Maine* everything had been reported secure for the night at 8 p. m. by reliable persons, through the proper authorities, to the commanding officer. At the time the *Maine* was destroyed the ship was quiet, and, therefore, least liable to accident caused by movements from those on board.

EXPLOSIONS.

3. The destruction of the *Maine* occurred at 9.40 p. m. on the 15th day of February, 1898, in the harbor of Havana, Cuba, she being at the time moored to the same buoy to which she had been taken upon her arrival. There were two explosions of a distinctly different character, with a very short but distinct interval between them, and the forward part of the ship was lifted to a marked degree at the time of the first explosion. The first explosion was more in the nature of a report like that of a gun, while the second explosion was more open, prolonged, and of greater volume. This second explosion was, in the opinion of the court, caused by the partial explosion of two or more of the forward magazines of the *Maine*.

CONDITION OF THE WRECK.

4. The evidence bearing upon this, being principally obtained from divers, did not enable the court to form a definite conclusion as to the condition of the wreck, although it was established that the after part of the ship was practically intact, and sank in that condition a very few minutes after the destruction of the forward part.

The following facts in regard to the forward part of the ship are, however, established by the testimony:

A portion of the port side of the protective deck, which extends from about frame 30 to about frame 41, was blown up, aft, and over to port. The main deck, from about frame 30 to about frame 41, was blown up, aft, and slightly over to starboard, folding the forward part of the middle superstructure over and on top of the after part.

This was, in the opinion of the court, caused by the partial explosion of two or more of the forward magazines of the *Maine*.

5. At frame 17 the outer shell of the ship, from a point 11½ feet from the middle line of the ship, and 6 feet above the keel when in its normal position, has been forced up so as to be now about 4 feet above the surface of the water, therefore about 34 feet above where it would be had the ship sunk uninjured.

The outside bottom plating is bent into a reversed V shape (Λ), the after wing of which, about 15 feet broad and 32 feet in length (from frame 17 to frame 25), is doubled back upon itself against the continuation of the same plating, extending forward.

At frame 18 the vertical keel is broken in two, and the flat keel bent into an angle similar to the angle formed by the outside bottom plating. This break is now about 6 feet below the surface of the water, and about 30 feet above its normal position.

In the opinion of the court this effect could have been produced only by the explosion of a mine situated under the bottom of the ship at about frame 18 and somewhat on the port side of the ship.

6. The court finds that the loss of the *Maine* on the occasion named was not in any respect due to fault or negligence on the part of any of the officers or members of the crew of said vessel.

7. In the opinion of the court the *Maine* was destroyed by the explosion of a submarine mine, which caused the partial explosion of two or more of the forward magazines.

8. The court has been unable to obtain evidence fixing the responsibility for the destruction of the *Maine* upon any person or persons.

W. T. SAMPSON,
Captain, U. S. N., President.
A. MARIX,
Lieut. Com., U. S. N., Judge-Advocate.

The court, having finished the inquiry it was ordered to make, adjourned at 11 a. m. to await the action of the convening authority.

W. T. SAMPSON,
Captain, U. S. N., President.
A. MARIX,
Lieut. Com., U. S. N., Judge-Advocate.

U. S. FLAGSHIP NEW YORK,
Off Key West, Fla., March 22, 1898.

The proceedings and findings of the court of inquiry in the above case are approved.

M. SICARD,
Rear-Admiral, Commander in Chief of the United States Naval Force on the North Atlantic Station.

Mr. DAVIS. I move that the message, report, and testimony be ordered printed and referred to the Committee on Foreign Relations.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Minnesota.

Mr. PETTUS. Does the motion include the evidence?

The VICE-PRESIDENT. It includes the evidence. The Chair hears no objection, and the order is made.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the immediate use of the Senate 2,000 additional copies of the message of the President of the United States transmitting the report of the naval board upon the destruction of the U. S. S. *Maine* and of the report of the naval board and the testimony taken by said board, said copies to be delivered to the Senate document room.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CARTER submitted an amendment relative to the use of pneumatic tubes in the mail service, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. GALLINGER submitted an amendment relative to the use of hand roller presses for plate printing of notes, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GORMAN submitted an amendment relative to the purchase of the patent on controlling mechanism for turrets, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

DEPARTMENT OF COMMERCE AND INDUSTRIES.

On motion of Mr. FRYE, it was

Ordered, That 1,000 copies of the Senate document, report of hearing in relation to bill (S. 624) to establish the department of commerce and industries, ordered printed by resolution of the Senate of March 24, 1898, be supplied to the Senate Committee on Commerce.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. Mr. President, on Thursday last the Senate kindly consented to grant to the Committee on Pensions an hour to-day about this time for the purpose of considering unobjected pension cases now on the Calendar. I understand the Senator from Mississippi [Mr. MONEY] desires to address the Senate in relation to observations he made in Cuba during a recent trip to that island; and as the galleries are expectant in view of that announced fact, I rise to request that the order for the consideration of pension bills be changed from to-day until to-morrow after the routine morning business, so that the Senator from Mississippi may now proceed with his remarks.

The VICE-PRESIDENT. Is there objection to the change of order from to-day until to-morrow at 1 o'clock for the consideration of private pension bills on the Calendar? The Chair hears no objection, and that is the order.

AFFAIRS IN CUBA.

Mr. MONEY. Mr. President, as one of the party of members of this Congress who lately visited the Island of Cuba by the invitation of Mr. Hearst, proprietor of the New York Journal, and following the example of my associates on that voyage, I have purposed for a short while to give to the Senate and the country the impressions which I received there from what I saw and from what I heard from creditable sources.

It looks like a work of supererogation for me to address the Senate when the Senator from Vermont [Mr. PROCTOR] in his cool, clear, impartial, unprejudiced manner has laid his conclusions before the country, followed by the Senator from New Hampshire [Mr. GALLINGER], equally clear, equally cogent, graphic, both of them falling below the conservative mark, and the remarks of the Senator from New Hampshire, somewhat tinged with a sympathetic glow. Then came that magnificent and impassioned piece of eloquence from the Senator from Nebraska [Mr. THURSTON], that not only laid the fearful facts of this case before the Senate, but invested them with a depth and solemnity of feeling that is rarely seen or heard in this Chamber.

Nevertheless, Mr. President, feeling that in this critical moment, this moment of gravest crisis, even the humblest speaker must assume a responsibility in addressing himself to this question, I venture without hesitation to take that responsibility and to perform what I conceive to be my solemn duty to the Senate and to the country.

We have before us, Mr. President, a proposition, first, that appeals to the humanity of the country to feed the starving, to clothe the naked, and to nurse the sick of that afflicted island. I desire to say here that I stand committed to any proposition, either private or public, to afford all the relief that we can give to the Cuban people, some of whom, alas, are to-day beyond the reach of charity or help.

Mr. President, before we can possibly understand the suffering that exists to-day—not exaggerated by sensational newspapers, but so direful in its details as to absolutely torture the credulity of the eyewitness and make him doubt his senses—and before we propose a remedy, we must examine into the causes, and that will require at my hands a short historical retrospect, which I will give without any arrangement.

We have heard on this floor and elsewhere throughout the country denunciation of General Weyler as the cause of all the misery that has spread through the most beautiful island in the world. The Captain-General's was not the brain that conceived, but his was the hand that executed. He was the mere instrument of another; and this whole business, which has logically come down to a state of famine and starvation and of the wholesale extermination of a brave and generous people, was a deliberate and cold calculation that emanated from the brain of Canovas.

In the war that ran from 1868 to 1878 extermination was the policy of Canovas; and when Campos was called to command in the field and in the civil government of Cuba, in a letter to the prime minister he said:

> There are but two alternatives—one is to grant these people their just rights and the other is extermination, and I refuse to be the instrument of the latter.

Obeying those humane impulses, with which he had always been credited, Martinez Campos negotiated what was called the agreement of Zanjon, which brought the rebels back to their allegiance, with the promise of autonomy similar to that which is now proposed, but not so broad.

Canovas, then prime minister, refused to submit to the Spanish Cortes the agreement for ratification, and was dismissed from power. Then Campos, who was called to the ministry as its premier, submitted it and had it ratified by the Cortes. In the interval of time, with all the violated promises and broken pledges made by that agreement, the Cubans, more desperate than ever before, again appealed to arms under circumstances the most discouraging; and again, by the hand of fate, it seems that Canovas was placed at the head of the ministry, and again the old policy of extermination was resolved upon, and General Weyler (Martinez Campos again retiring as being an unfit instrument) was placed in command to carry out the designs of Canovas, when it was cruelly proposed to drive from their homes hundreds of thousands of people, to apply the torch to their dwellings, so that they could not return to them for shelter, and shut everybody found outside the military zone in the garrisons and towns and fortresses. Then a deliberate resolve was made that the Cuban people should be exterminated by famine; and to this hour no man can show one single measure of relief which has come from the country which has inflicted untold horrors upon those people.

Mr. President, let us inquire who are the reconcentrados? Are they insurgents who took up arms in their desperate appeal to the God of battles to establish their liberties? Not one of them. Those people are the poor peasantry of Cuba; they are people against whom there has never been anything alleged by any Spanish partisan—not one single act of disloyalty or of disobedience—people whose allegiance to the Spanish Crown has never in any manner or shape, to my knowledge, been questioned.

Those people, with perhaps an indifference to their liberties, yet with natural sympathy for the people of their own flesh and blood, were quietly cultivating their fields; and it was for the further reason that those people were supposed capable of furnishing shelter and food to the rebel armies that they were brought within the lines of reconcentration and doomed to gradual starvation, for which the history of no other country on God's earth has ever yet offered, thank Heaven, either a precedent or a parallel.

We have heard of the miseries of war inflicted by Alva in the Low Countries; we know what religious fanaticism can do in a war of religion; we know what the Christian has perpetrated upon the savage; but in all the horrors that stain the annals of human history we have yet to find before this an instance where a great government has deliberately planned the starvation and death of its innocent, loyal, and unoffending subjects, with no claim of a difference in religion, in blood, in tradition, in history, or in anything else, except that they possessed the land which the Spaniard coveted.

Mr. President, it is not to be questioned that along with these seven or eight hundred thousand poor people of humble station there were dragged into that reconcentration also many people of influence and wealth; and we saw the sad spectacle, as has been stated upon this floor, of people reared in affluence perishing of starvation on marble floors and in gilded salons, too proud to receive alms, too proud to beg.

It is true, Mr. President, that a few other people were brought into the ranks of the reconcentrados, but the principal starvation extended to this class, who never yet have offended anybody. It is but natural that through sympathy parties of the insurgents in the island were fed and sheltered by these people, and that help and food and shelter would have been given by the same people by their generous humanity to the Spanish troops who were traversing the island. This is true.

When Captain-General Weyler issued his order which called these people within what is termed "the military zone," I asked him in a short interview the question how he proposed to take care of them. He said, "Portions of land will be allotted them." Then I said, "But suppose they do not come in, what will happen then?" He replied, "They will be treated as insurgents, because

they would be disobeying orders, and they will suffer accordingly."

Now, Mr. President, when I say that this plan of starvation was deliberate, the fact is attested by every incident in this sorrowful history. Not only were these people shut up within the confines of Cuban cities, towns, fortresses, and garrisons, unable to till the soil, which never yet has been allotted according to Weyler's proposition; but when I went to the camp at Matanzas with my friends, the hospital there showed a degree of human misery and want that is fixed indelibly in my memory and with a horror never to be forgotten.

When I saw the beautiful blue waves of the Bay of Matanzas and those people stretched in misery in shanties along the side of the rocky mountains, all at once the thought occurred to me, Why did they not catch the fish and live upon them? And I put the question to the American consul, who said: "Fish! They are not allowed to fish. Anybody found fishing along these shores is immediately shot to death."

There has, as I said, Mr. President, yet been no measure of relief extended to those people except that given by the generosity of the people of these United States in a private capacity. We know what a wave of generous enthusiasm has gone over the country, how liberally our people have responded to the call for help, and yet we all know human nature, and that this feeling of charity will gradually subside, and yet the want will continue. It will require, as I believe the President will suggest, that an appropriation of money be made by Congress, so that the supplies furnished to those who are famishing may be steady and sufficient.

But, Mr. President, are we to apply the ointment when the knife is needed? Are we to continue to feed the hungry and the sick and clothe the naked without first removing the cause which operates to produce these effects? That would not be wisdom. It is due to ourselves that we say to the power that inflicts this misery, "You must stop or the strong arm of the American Government, with all the power of 74,000,000 people, will be used to cause a cessation of these dreadful calamities."

It has seemed to me, sir, speaking with due respect to two Administrations of the different parties, that I may be pardoned for saying that, though controlled by exactly the same influences, the proposition which has been made by negotiation to appease Spanish wrath or to mitigate the hostilities of the insurgents themselves, in order to bring these two peoples into some sort of relation that will lead up to and bring an enduring and honorable peace to both, has not only been wasted time, but it has been something of an assumption of the inferiority of the insurgents themselves.

Here we have had the spectacle of two Cabinets, representing the great American nation, anxiously endeavoring to restore peace to that afflicted island, anxious to satisfy the demands of Spain upon her subjects; and yet, in this game of negotiation, no man has ever heard that a commissioner has been sent to counsel with the insurgent forces to ask them what will satisfy them.

Who raised this war? Whose flag and whose army stand to-day as defiant, and more so probably, than ever before in the history of the struggle to resist the efforts to subdue them? The insurgents. And yet the insurgents have never been asked to participate in this game of negotiation; they have never been asked: "What will you have, and what will you agree to?"

This negotiation I will not say is imbecile, but its inutility ought to have been obvious to any man who had studied this great question. It was not to be supposed that because the United States believe that Spain has conceded a degree of autonomy which should be sufficient to satisfy the demands of the insurgents that the insurgents are to have no voice in the matter. Yet, Mr. President, as Senators know, the insurgents have never yet been consulted. Occasionally, when an expression has found its way into the public prints from the Commander in Chief Gomez, from the president of the civil government, or from the subordinate military leaders, there has been a uniform tone of determination expressed, that could not be doubted, that independence, and independence alone, is the goal toward which they are struggling, and with nothing else will they ever be satisfied or ever lay down their arms.

Mr. President, I firmly believe that these men mean every single word that they say. Fourteen months ago, returning from Cuba, I stated then in the public prints that at no time would the insurgents be satisfied with less than complete independence. If you grant them everything that Canada enjoys, with a friendly or a neutral cabinet or a hostile cabinet, they will not be satisfied; they will not be satisfied with any autonomy which falls short of independence.

Let the Cubans have a prohibitive tariff against the mother country, let them have in every sense what the British call responsible government, and yet so long as the yellow flag of Spain salutes the blue sky of Cuba those people will never lay down their arms. They have for more than a century been the victims of duplicity and treachery. They have had agreements often made, and as often violated. They know the value of the pledges that they may receive, even if guaranteed by the American Government, and these men to a man are determined to die rather than submit to any promise short of independence.

Now, Mr. President, it need not be disputed that the insurgents have brought about a condition of things which their consent alone can help to remedy. It may be that they are at fault; that patience would have been more creditable to the oppressed than resistance; that manhood should have been quenched; that the subservient neck should have been bowed to receive the yoke and the humble back bared to the stripe; but, Mr. President, they who conceive that the Cubans are trifling with this great question, that they are simply amusing themselves with a revolt that causes the sacrifice of the lives of hundreds of thousands of people for no other purpose than to secure a decree of autonomy, little know the character of the people about whom they speak.

I recollect shortly after my return from Cuba a year ago I received a dispatch from a very distinguished gentleman who participated in the ten years' war from 1868 to 1878, in which he said: "I beg to thank you for correctly interpreting the temper of the Cuban people. Your Secretary of State is simply fooling away his time."

Mr. MASON. What was the date of that?

Mr. MONEY. About January 11 or 12.

Mr. MASON. A year ago?

Mr. MONEY. About a year ago.

I alluded a few moments ago to the fact that the statement as to the number of deaths from starvation made by the honorable Senators who have preceded me was exceedingly conservative. From information which I have received on my own account, I believe the number very far exceeds that amount. I recollect that only three or four days ago La Discussion, one of the two morning papers published in the city of Havana not suppressed by the Spaniards because favorable to the Spanish Government, said, in compliment to the Red Cross Society, that Miss Barton and her agents were to-day feeding over 300,000 starving people, and those were outside of the thousands who are being fed by the supplies received by the American consuls at the different ports.

That is the condition to-day. Fewer are dying, it is true, because the material is being consumed; and yet, when this bloody work is going on, we have professions made to us that district after district has been pacified; that a state of peace reigns through the devastated and desolate country. Yes, Mr. President, the peace that reigned at Warsaw prevails to-day over the fertile valleys and beautiful hills of Cuba. It is the peace of the grave.

We were told by the governor of the Province of Matanzas, a gentleman who has been correctly represented here as a man of great intelligence and large humanity, who evidently felt deeply the miseries that surrounded him on every hand, which he could not alleviate, that he looked to God and the United States of America for help for the starving people of his province. I asked him this question:

Why do you not permit the people concentrated around the walls of your city to go abroad in that most beautiful valley of Cuba, the valley of Gumurri, the most fertile land on earth, and pursue their vocations as farmers and tillers of the soil?

He said:

Most of the men have died; they have neither homes to go to, oxen to plow, implements to use, seeds to sow, nor have they the strength in their starved bodies to use them if they had them.

I found, Mr. President, before I left that city, another reason, and a more powerful one, why these wretched creatures do not leave the city if they are permitted to do so. The governor said he had signed over 4,560 passes that were issued to people to go beyond the lines, and we were told that the governor would grant passes whenever anybody requested them; but of the people who went beyond the lines no one ever returned.

Mr. GRAY. Are they permitted to return to their homes?

Mr. MONEY. So far as the civil governor of Matanzas is concerned, he expressed a willingness for them to go to their homes; but we found, upon examination, that Molinas, who was the general in command in that province, was denounced by Cubans and Americans to be as bloody as Captain-General Weyler in his methods and more heartless in his cruelty; that anyone with one of those passes who was found beyond the barriers would be immediately shot by the military. So the people clung to starvation and present safety, rather than venture themselves among the Spanish soldiery of the interior. This is the condition there to-day.

I said that those Senators who have preceded me upon this question had understated the condition of affairs, according to my information. An American consul wrote to me on the 23d day of November that in his province 100,000 had perished of starvation, and he knew it to be true that in his consular district 50,000 had perished. I saw him the other day administering charity given by the great-hearted people of the United States, and he told

me that thirty-six mayors of towns, cities, and villages had put the number of deaths at 10,000 greater than he had written me.

I had an interview with a highly educated and intelligent gentleman, who is to-day the mayor of the city of Santa Clara. This gentleman was for sixteen months a surgeon in the insurgent army. He spoke good English. He was evidently a great deal in sympathy with the people of the island, although holding office under the autonomist government, which, when practicable, had put Cubans in power who had some sort of affiliation with the common people.

I said to him, "Doctor, I want to ask you some plain questions, and you can at any time tell me whether you think they are improper or impertinent, and can refuse to answer them if you like. What I want is information." I asked him, "What is the population of Santa Clara?" He said, "Between twelve and fifteen thousand." I said, "About what number of reconcentrados have perished of starvation or diseases immediately incident to famine in Santa Clara?" He said, "Over 6,000, and still the work is going on."

Mr. GRAY. Within what time was that?

Mr. MONEY. Within one year—the past year, 1897—and still the work is going on in the hospitals and in the camps. It is woeful to behold the emaciated frames and this swelling, beriberi, one of the worst results of starvation, which have marked their victims for an early grave, but there are yet a great number of people who can be cured, who can be restored to health and vitality, who can have medicine, food, and clothing administered so wisely as not only to spare an enormons degree of suffering, but to save a great many human lives, and give at least a remnant of population for the future peopling of the island. How is this to be done?

I am asked the question by the distinguished Senator from Delaware [Mr. GRAY] whether these are generally white people. As a general thing they are white people. Now and then we saw colored people of every shade, but they were very rarely seen. I will say that in the Island of Cuba the small number of black people somewhat surprised us.

Mr. President, how are we to remedy this evil? This flow of charity constantly going on by the hands of the General Government will feed and clothe, but will that eradicate the cause? Are we to stultify ourselves by continuing to pour out our treasure upon the island and leave at the same time the operating cause in full force? Have we a right to do it? We are here to-day without any constitutional authority, specially delegated, to give a cent. We are speaking from the emotions, the humane impulses of the great American heart, which will rise from one ocean to the other and say, "Do anything that will effect the purpose."

I say that in order to effectually remedy this evil the United States must in a positive and peremptory way, as civilly as possible and yet in tones that can not be misunderstood, declare that this war must end. Give Spain two weeks, or three, or four; let a hundred thousand people die if you will, but at last it must come to an end. We stand responsible to-day to civilization, to history, to the humanity of the latter end of the nineteenth century. We can not evade, if we would, the burden put upon our shoulders. We must obey the dictates of humanity and relieve that island in the most effective manner possible.

I have heretofore for a long time advocated in the press armed intervention in the Island of Cuba upon what I consider sound international-law grounds, from the fact that we have an interest in the matter that can be stated in dollars and cents, amounting to $50,000,000 in land and other property, amounting to $40,000,000 for money loaned, and a commerce amounting to eighty or ninety millions yearly.

I think I have shown that there has not been a war waged by a European power in Asia that was not based upon the commercial idea that their business was being interfered with or destroyed. It has been regarded as sufficient reason for interference, armed or otherwise, to protect trade and commerce. Upon that ground I based my plea for intervention in the affairs of Cuba, but to-day it would be to minimize the situation if I were to stand here and ask Congress to interfere now with this spectacle of distress and misery, too harrowing ever to be exaggerated or fairly depicted.

So I am before the Senate of the United States to give the result of my impressions and observations, asking them, because I have a remedy in my own head, whether it be good or bad, to take the initiative and boldly declare, as any European nation would if in our place, that we will not permit this condition of affairs to exist any longer. I ask honorable Senators if they know a nation upon the globe which would permit five or six hundred thousand people to be starved to death within five hours' sail of its shores without intervening with a strong hand to stop the outrage?

Some gentlemen seem to think that war will disturb business, and yesterday afternoon a gentleman who did me the honor to pay me a visit said that a noted business man had telegraphed to the President, "What are 258 human lives and a ship like the *Maine* worth compared with the loss to trade and commerce of New York City and of the United States?"

My God, Mr. President, have we gone into trade, so that all the manhood of the nation has been destroyed? Have we become deaf to humanity; have we no longer a conscience? I know that such an ignoble sentiment will find no echo in this Chamber or elsewhere in the Capitol; but if there be a man here who is in doubt as to what he should do as a representative of his State, as a representative of his people, of the great American public, just let him go into any city, town, or hamlet and make a speech for "peace at any price," and see what he will see and hear what he will hear; and that man in short order will be "a man of sorrow and acquainted with grief."

Not only that, but it has been somewhat the habit of those who want "peace at any price" to say that it will be a difficult war—a war that may be protracted and that will expose our seacoast to all sorts of depredations and harassment. Those are the chances of war. They are the concomitants of war. They belong to it, and we know when we undertake it that we face them. No man deprecates war more than I; I am naturally pacific; I hate strife; I love peace; but there are things worse than war. Thomas Carlyle said no chimney was so good that it did not have to be burnt out occasionally; and any sort of a war is better than a rotting peace that eats out the core and heart of the manhood of this country. [Applause n the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. MONEY. We want the salutary and clarifying influence of the tempest of popular indignation as it sweeps over the whole land to-day. Have gentlemen not heard it in their homes? Have they not felt the deep pulsing of the popular heart? Have they not heard it beating like the throb of war drums when the battle storm is bursting? Gentlemen, understand the people who are behind you. Take your cue from them. Act according to the impressions—always the best—of the common people, who rarely err when their feelings and emotions are excited, however much they may do so when an appeal is made to their judgment; and even there they are wiser than the wisest.

Mr. President, it is a fact that after one generation of the profoundest peace we have a condition of things in America which a war in my opinion would immensely better. War brings out not the commercial trait, not the business instinct, not the training faculties, not the skill to corner articles of general consumption at the cost of the consumer, not short cuts to wealth, but war brings out all the best traits of character.

It teaches us devotion, self-abnegation, courage. It teaches us to offer upon the altar of our country everything dear to us—sons and brothers and fathers and all that goes to make life happy and holy. It teaches us to rise above the petty, the unworthy, the selfish. It broadens our nature, and in my opinion a wholesome war, like one for human liberty and human life, will have its purgatorial effect upon this nation and we will come out of it, like the Phœnix from its ashes, renewed and with glory.

While on the Island of Cuba I conversed with people everywhere to whom I had access, whether they be Spaniard or Cuban, English or American. I found almost the same opinion prevailing as to the necessities of the present moment. There are to-day in the mountains of the eastern part of Cuba, and running along from Carcarajicera to Santiago de Cuba, 35,400 insurgent soldiers, according to a list prepared for me by a gentleman who is a nephew of one of the cabinet. He assured me that it was absolutely correct, and I had it verified by two other gentlemen, one a Cuban and one a resident American, who thought it was correct.

These men are better prepared than ever before. They are living upon the open country behind the hills. The Spanish are within garrison towns and railroad stations. They live within walls. They do not often venture abroad. The country is desolated; desolated as suggested to me this morning by the hands of the Cubans? That is a mistake. The Cubans have burnt the cane fields of the rich who refused to pay tax. There is not a cane mill grinding in Cuba to-day that is not paying a tax to the insurgents—not a single one.

Who devastated the country? Who broke up the small farms? Who imprisoned the small proprietor and agricultural laborer? Who shot down the cattle and left them? Who burned their homes, devastated their fields, laid waste the country and rendered it incapable of sustaining either the Spanish or the Cubans? This was the hand of the Spaniard; this was the hand of oppression, and this is the influence and the power which to-day is exercised, not to bring these people back, because they know the cause is helpless, but with dogged persistency and tenacity and ferocity never equaled, is attempting to keep these people beneath the iron heel, even though knowing that at last the result must be freedom.

When I saw the mournful city of Havana, one of the most beautiful in the world, with that glorious bay stretching out in its clover-leaf shape, with the rocky cliffs and the castles frowning from their summits and the long colonnades, with the tints peculiar to that climate, everything seemed to be tinged with sadness.

A pall hung over the landscape that dimmed the shining of the sun, and sadder than all was the flag fluttering at half-mast from

the sunken *Maine*. From that broken and drowned hull, the restless tomb of scores of American heroes, the mast springs out, and from it floats the flag of the great Republic, springing like a flower from a grave. That flag to every Spanish eye seemed a thunderbolt of war; but to every oppressed, harassed, and distressed Cuban it was a metaphor of peace. This is the country to which both parties to the struggle look to settle differences.

To-day in the Island of Cuba, if I have not been deceived in the accounts I receive from most credible people, the Spaniards generally are ready to take out naturalization papers in the United States, however much they hate us. They see the coming event. They know that lex talionis may prevail, and in their imagination they see the horrors perpetrated upon an inoffensive and helpless people for generations, to be returned with compound interest upon their own heads.

They invite the citizenship and the protection of our flag, because it means security to life, to person, to property. On the other hand, the Cubans who are fighting to-day look upon us with admiration, with respect, with affection, with confidence, because in all the wide horizon of the world there has been no gleam of light except from the United States of America.

Mr. President, it is impossible, unless we discredit human nature, to believe that there could be anything but a successful issue to this struggle. These men are too brave, they have suffered too much, and now, when the price of blood and starvation has been paid, they will not relinquish the prize for which they have struggled. I for one have the utmost confidence in their success, and I hope there is not a man here to-day who will dare to say that they will not ultimately succeed. Not one Senator will dare to impeach the justice of Almighty God.

Mr. President, as to the issue of any possible war, which I deprecate as much as anybody, we have made the preparations which every Republic makes about the time it is too late. We hear men talk about economy when the war cloud is upon us. We are haggling over a few gunboats, a few frigates or battle ships. We see a disposition to hoard the public money. As De Witt said of the Dutch—always stingy in peace, lavish in time of war. However, we have preparations sufficient, because in my opinion there will be only a naval war.

I can not conceive of any situation in Cuba that will make necessary anything more than a blockade of two or three ports. There is nothing for the garrisons to eat. They are living upon almost daily rations. Yet with singular fatuity a tariff has been placed upon the necessities of life which it is almost impossible to credit—30 cents for a chicken, 30 cents for a like value of eggs, and $5 for every hog, and so on. All food products are taxed in the same way—this in a city that ought to throw wide its doors and hail relief.

As I passed along the streets of Havana, the capital city of the island, I saw a poor, crying woman sitting upon a stone step, holding in her arms a little child. My son threw some money into her lap, and she looked at him with something of indignation and scorn. Then we saw the child was dead. I was appealed to for aid by a woman in the streets of Matanzas, who followed me a square. I did not have a cent. I said, "Tell this woman to call on the American consul to-morrow." He said to her, "Call on the American consul, mañaña." With bitterness and scorn she said, "Yes; mañaña, mañaña; that is what the Spanish say."

The situation in Cuba is one which, as I said, can not be exaggerated, nor can it be credited. You must yourself see it to realize a picture of things as they are. I defy any pen to exaggerate it. It is well enough for gentlemen to talk of "alleged" horrors, to speak of sensational journalism, to ridicule even photographic cuts, when photographs can not lie; but there before the visitors to Havana were these scenes of misery, of death so horrible, that they sickened the people who saw them.

Mr. President, I know not what course the Congress of the United States may take. I find no suggestion in the President's message, which I do not attempt at this time at least to debate, of any demand upon Spain on account of the destruction of the *Maine*. It simply states that the report has been sent to the authorities at Madrid. We trust largely to the Executive, one of the most amiable and conscientious men I ever knew; but, Mr. President, we do not trust so much to the influences that seem to control his Administration.

With that consciousness, if others will avow it as openly as I do, it is not becoming to us to sit here quietly and await the slow progress of diplomacy. I regretted to see in a paper that two distinguished Senators, one of each party, had told the President that he could not much longer hold the Senate in check.

Hold the Senate in check! What power has the President ever to hold the Senate in check? When did he hold the Senate in check? "Much longer!" If there is a man here in this Hall to-day so basely subservient to the Executive power, any man so forgetful of the high calling of his office, any man so forgetful that he belongs to a coordinate branch of the Government that he would admit for a single moment that now or heretofore, at any time, he was or is capable of being checked by the Executive, that man is unworthy of a seat upon this floor.

I propose, as one, to make no factious opposition to the policy of the Administration. I propose, as one, to support with all my heart every measure of relief that may be proposed by the Executive; but I am also one of those who believe that the power is with Congress—the political power, the power that shapes the destiny of this great American people, lays down the rails upon which to run far into the future. I for one am not willing to abdicate any scintilla of the power vested in me as an American Senator to declare war, to do the thing that brings on war, to take part in the affairs of this great Government and shape its policy according to the dictates of humanity and the imperative will of the American people.

Mr. President, I am not one of those invited to the White House. I am not in the confidence of the Executive, but it does seem to me that the fact ought to be too obvious to be repeated here, that the Senate at least—I will not speak of the other House—is simply realizing to-day the necessities of this grave situation; that we have the care of the American Republic and must see to it that it suffers no detriment, and that we will do the things approved by our judgment and which seem necessary and wise to be done.

I can not imagine that this Government will do anything that is dishonorable, anything unbecoming a great and powerful nation, anything unworthy of the heritage of glory we have received from our forefathers, and it should be our care to see that it is transmitted to those who come after us untarnished in its luster. We are incapable and ought to be incapable, from the necessity of the case, from the great responsibility we have, from the environment around us, of doing the thing that is wrong, the thing that is dishonorable, the thing that is culpable.

We do not ask the approval of the nations of the earth. We simply command their respect. We do the things that should be done and nations say, "Well done." We are not asking Germany, France, or anybody else on top of the earth to dictate our policy or to shape our course. If any potentate in Europe, great or small, thinks this quarrel is his, let him interfere if he chooses. We shall not be daunted. We have reached at last that stage in the development of nations when we can afford to stand singly before the earth upon our own responsibility and do the things approved by our judgment.

Spain unfortunately has for four centuries been marking time when other nations have been marching. When they have been reaching out and developing into a broader and higher humanity, a brighter civilization, she has been a case of arrested development. She has no part in the spirit of this age. She is a dreadful anachronism. When did Spain win a battle? How many centuries have fled since her armies were victorious? When did Spain ever win a naval battle since Lepanto, three hundred years ago, when Don John of Austria crushed the Turkish fleet and humbled the Sublime Porte with an armada composed mainly of Genoese and Venetian ships, and supported by the genius of Doria and the skill of Barberini, the two Italian admirals?

Yet some people think it is a power to be feared. How is it that this nation, which once stood in the commanding position of arbiter of Europe, has reached its degradation? How is it that her victories are but memories? Four hundred years ago she began to pour out to the New World all the manhood, energy, enterprise, courage, in that gallant band of Conquistadores that overran the country from Sabine Pass to Patagonia, which established kingdoms and overcame nations.

Everything great, everything noble, has gone out of Spain and left the lees and dregs of manhood to perpetuate her population. She has expelled the Moor; she has expelled the Jew; she has expelled the Protestant; she has done the things she ought not to have done, and the curse of God has seemed to rest upon her ever since. It is as unpleasant to recite the crimes and failures of nations as those of individuals, but when we come face to face with the question of a struggle with that country, we have a right to inquire into her history, to measure her strength, and to size up her capability.

Not only has Spain not won a naval battle for over a hundred years, but for that time she has been a source of more trial to her allies than to her enemies. In the history of modern Europe Spain has been a ceaseless care to her friends and of little effect as against her enemies. She has held the Province of Cuba for four hundred years. There is a people of her own blood, unmixed with Indians, the only Spanish-American colony where there has been no mixture, because the Indian was promptly exterminated in the first twenty-five years of its history, according to the general policy of that time. There has grown up this beautiful colony on an island of 50,000 square miles. When the war began, it contained a population of over 1,600,000 people.

Mr. President, one hundred and fifty years ago the Dutch took possession of Java. Java has almost exactly the same number of square miles, almost the same length and general configuration, as Cuba. Both lie in a tropical sea. They produce exactly the

same articles—sugar, and coffee, and rice, all the tropical fruits, bananas, pineapples, and so on. But when the Dutch took possession of Java one hundred and fifty years ago, the population was 1,300,000.

To-day under the wise, beneficent, and protective rule of the Dutch, Java supports a population of 34,000,000 people; 34,000,000 people under the fostering care of a Government thousands of miles away; while Cuba, with the same capacity, with the same favorable circumstances, contained but 1,600,000 people, of whom to-day not 1,000,000 are left. This is the fostering care of the mother country. Three thousand miles of heaving brine seems to have engulfed every sentiment of sympathy and protection and interest.

The island has been held to be despoiled. Her people have been shut out from laudable fields of ambition. They have been denied a share of the public offices. They have had no semblance of commune, local self-government. The Captain-General, ever since the office was created, a hundred years ago, has been invested with power more absolute than any king or queen, more autocratic than the Czar of Russia, a power more drastic, more arbitrary and despotic in its exercise, than that exercised by any potentate or prince. From the confines of western Europe, clear across the Asiatic continent to Cape Town, there is not a power so great as his. His decree is law. Nobody questions his decision. He has the power of a general of a city in a state of siege. He confiscates, he slays, and that he has exercised this prerogative without challenge the mournful history of Cuba fully attests.

We have had that ferocious trail of blood running down through all the centuries in the Spanish. Alva, after having boasted that he had slain, outside of battles, sieges, and skirmishes in the "fury of Amsterdam" and the siege of Leyden and other places, more than 18,000 of the Christian Netherlanders, to celebrate the Easter week killed 800 more. Death by burial alive, death by drowning, death by execution of all sorts marked the ferocity of that reign. So it has been continued.

When Alexander Farnese, the greatest general of that century, commanded in the Netherlands, he, too, although imputed a humane man, continued in the same degree the severity of Alva. In all the conquests along the whole of the Pacific and the Atlantic and in South America the same ferocity has obtained on the part of the Spaniard.

What has Spain done to put down the rebellion in Cuba? She has sent more men there than had ever before been sent across the sea by any power on earth. She has sent more men to put down the rebellion in Cuba in three years than she sent to the battle of Lepanto, than she sent with the Grand Armada that was designed to reduce to subjection the Kingdom of England, more than she sent to all her wars and against all her revolted colonies on this continent, more than she sent to the Philippine Islands, and she has sent them against this handful of insurgents. She has sent against them more men than were engaged in all these great enterprises united.

Yet she has failed. Is there anybody so full of hope as to pretend that there can be any success after this miserable failure? Is this thing to be indefinitely prolonged? The Cuban is stubborn; he will resist. Spain is stubborn; she will continue. And are we to sit here and see this contest go on and feed the starving and the hungry and clothe the naked and minister to the relief of all kinds of severity and yet see the cruel work go on?

Mr. President, we have a duty upon us to stop the war. Let it be stopped by negotiation if possible. We have tried that. Let it be armed intervention if necessary. Let the Cubans be supplied by such ships as the *Indiana* and the *Brooklyn* with arms and ammunition commensurate with their need, and they will take care of the Spaniards. Let us blockade the ports and the garrison will capitulate. These are things that are to be done if in the wisdom of the Senate and House they think they may be done.

These are the things that to my mind are suggested as all that it is possible for us to do. I despair of negotiation. I have contempt for it in this case. I have seen the fruitlessness and the imbecility of it. I have seen this policy, slow and tortuous, continued while the people have starved to death, while I know if belligerency had been recognized by a proclamation of neutrality these woes and horrors would have had no place in the history of our time.

When, as I stated, Spain has had more men engaged in the conflict than she ever before had engaged in any foreign enterprise, and when we have had two Administrations, representing the two different political parties, when the world knew that war was flagrant in Cuba, that a war was waging, why did they not proclaim that the condition was one of belligerency? That is all that it was necessary to have done. But that day has passed.

Now, the independence of Cuba is a fact that should be recognized. She is independent as far as her civil government is concerned. They enact laws, dispense justice, they hold their courts, they collect their taxes, they have their capital. They do not keep seaports because they have no navy. They do not have garrison towns because that would only waste their strength. Yet they have to-day a government that is capable of being recognized.

How can we recognize that government? The Executive can do it by sending a minister there with the approval of the Senate. The Executive can do it by receiving a minister from Cuba without the consent of the Senate. And the Congress of the United States can do it by passing an act of commercial intercourse in which the President can join with his signature or refuse it, as he sees fit.

These are things that can be done. These are things that are pressing imperatively upon the conscience of this nation. These are things that the American people demand shall be done. They have laid their command upon us and we are their servants. When I speak to-day, I do not speak simply of the thought that arises in me, of the feelings that agitate my mind, but I speak representing a people who believe and have expressed their belief through a memorial of their legislature that we should do all that is possible to free Cuba.

Whether we shall rise to the height of this great occasion is yet to be seen, but I am not one of those who despair. I am a sanguine man. I have confidence in the American Congress. I rely upon the American people. I believe that this is a grand occasion for the exercise of the largest powers of this nation for the sake of Cuba, for the sake of liberty. Let that be done.

People may talk about annexation. It has no place here. That question will settle itself. I do not concern myself about it a moment. But I believe that in the fullness of God's own good time that will come. It will come with the consent of all, and the star that will float singly, scintillant over the plains and hills of Cuba, will be transferred to a larger orbit, to shine with a serener light in the great constellation of American States. [Applause in the galleries.]

Mr. MASON. Mr. President, I desire to give notice that to-morrow, after the usual morning hour, I shall desire to be heard very briefly, probably not exceeding fifteen or twenty minutes, upon the question of the President's message and the situation in Cuba.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed a concurrent resolution for the printing of 10,000 copies of House Document No. 277, Fifty-fifth Congress, second session, entitled Statistics of Lake Commerce.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

A bill (H. R. 1803) for the relief of Joseph P. Patton;

A bill (H. R. 5865) to authorize the Monroe Railway and Construction Company to construct a bridge across Red River at or near Grand Ecore, La.; and

A bill (H. R. 8618) for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Havana, Cuba.

DEATH OF REPRESENTATIVE SIMPKINS.

The message further communicated to the Senate the intelligence of the death of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts, and transmitted the action of the House thereon.

Mr. HOAR. Mr. President, I ask that the resolutions just received from the House be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, *March 23, 1898.*

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN SIMPKINS, late Representative from the State of Massachusetts.

Resolved, That a committee of nine members of the House be appointed by the Speaker to act with such Senators as may be selected to attend the funeral of the deceased, that the Sergeant-at-Arms of the House shall take order for superintending the funeral of the deceased at his home, and that the necessary expenses attending the execution of this order shall be paid out of the contingent fund of the House.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate and to the family of the deceased.

Mr. HOAR. I ask for the immediate consideration of the resolutions which I send to the desk.

The VICE-PRESIDENT. The resolutions submitted by the Senator from Massachusetts will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. JOHN SIMPKINS, late a Representative from the Commonwealth of Massachusetts.

Resolved, That a committee of five Senators be appointed by the Vice-President to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The resolutions were considered by unanimous consent, and unanimously agreed to.

The VICE-PRESIDENT appointed as the committee on the part of the Senate under the second resolution, Mr. HOAR, Mr. MCMILLAN, Mr. WOLCOTT, Mr. NELSON, and Mr. MALLORY.

Mr. HOAR. Mr. President, I move as a further mark of respect to the memory of the deceased that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 29, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 28, 1898.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, offered the following prayer:

O Thou who hast been our refuge and our strength, a very present help in trouble from the beginning of our national life unto the present hour, be Thou our support and guide in the impending crisis. A storm cloud seems to be hovering above us which threatens to break upon us at any moment. Interpose, we beseech Thee, Thy power, that it may pass off, leaving us in peace and tranquillity. Yet, if it must come, in vindication of truth, justice, mercy, and right, help us to be prepared with brain, heart, and brawn to meet it. To this end be with our President and all his counselors, the Congress, and all of our officials connected with the affairs of state, that they may be guided by Thy will.

O Lord, we are called upon once more as a body to mourn the loss of one of our members. Young and strong and promising, taken without a moment's warning, almost, from our midst, be with his colleagues and friends to comfort them. Especially be very near to those who are bound to him by the ties of kinship. Comfort them with the hope that they shall meet again in a land where there shall be no more parting. Hear us, in the name of Jesus Christ our Lord and Saviour. Amen.

The Journal of the proceedings of Saturday was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries.

THE MAINE.

The SPEAKER laid the message before the House, and it was read by the Clerk, as follows:

To the Congress of the United States:

For some time prior to the visit of the *Maine* to Havana Harbor our consular representatives pointed out the advantages to flow from the visit of national ships to the Cuban waters, in accustoming the people to the presence of our flag as the symbol of good will and of our ships in the fulfillment of the mission of protection to American interests, even though no immediate need therefor might exist.

Accordingly on the 24th of January last, after conference with the Spanish minister in which the renewal of visits of our war vessels to Spanish waters was discussed and accepted, the peninsular authorities at Madrid and Havana were advised of the purpose of this Government to resume friendly naval visits at Cuban ports, and that in that view the *Maine* would forthwith call at the port of Havana.

This announcement was received by the Spanish Government with appreciation of the friendly character of the visit of the *Maine*, and with notification of intention to return the courtesy by sending Spanish ships to the principal ports of the United States. Meanwhile the *Maine* entered the port of Havana on the 25th of January, her arrival being marked with no special incident besides the exchange of customary salutes and ceremonial visits.

The *Maine* continued in the harbor of Havana during the three weeks following her arrival. No appreciable excitement attended her stay; on the contrary, a feeling of relief and confidence followed the resumption of the long interrupted friendly intercourse. So noticeable was this immediate effect of her visit that the consul-general strongly urged that the presence of our ships in Cuban waters should be kept up by retaining the *Maine* at Havana, or, in the event of her recall, by sending another vessel there to take her place.

At forty minutes past 9 in the evening of the 15th of February the *Maine* was destroyed by an explosion, by which the entire forward part of the ship was utterly wrecked. In this catastrophe two officers and two hundred and sixty-four of her crew perished, those who were not killed outright by her explosion being penned between decks by the tangle of wreckage and drowned by the immediate sinking of the hull.

Prompt assistance was rendered by the neighboring vessels anchored in the harbor, aid being especially given by the boats of the Spanish cruiser *Alfonso XII* and the Ward Line steamer *City of Washington*, which lay not far distant. The wounded were generously cared for by the authorities of Havana, the hospitals being freely opened to them, while the earliest recovered bodies of the dead were interred by the municipality in a public cemetery in the city. Tributes of grief and sympathy were offered from all official quarters of the island.

The appalling calamity fell upon the people of our country with crushing force, and for a brief time an intense excitement prevailed, which in a community less just and self-controlled than ours might have led to hasty acts of blind resentment. This spirit, however, soon gave way to the calmer processes of reason and to the resolve to investigate the facts and await material proof before forming a judgment as to the cause, the responsibility, and, if the facts warranted, the remedy due. This course necessarily recommended itself from the outset to the Executive, for only in the light of a dispassionately ascertained certainty could it determine the nature and measure of its full duty in the matter.

The usual procedure was followed, as in all cases of casualty or disaster to national vessels of any maritime state. A naval court of inquiry was at once organized, composed of officers well qualified by rank and practical experience to discharge the onerous duty imposed upon them. Aided by a strong force of wreckers and divers, the court proceeded to make a thorough investigation on the spot, employing every available means for the impartial and exact determination of the causes of the explosion. Its operations have been conducted with the utmost deliberation and judgment, and while independently pursued no attainable source of information was neglected, and the fullest opportunity was allowed for a simultaneous investigation by the Spanish authorities.

The finding of the court of inquiry was reached, after twenty-three days of continuous labor, on the 21st of March, instant, and, having been approved on the 22d by the commander-in-chief of the United States naval force on the North Atlantic Station, was transmitted to the Executive.

It is herewith laid before the Congress, together with the voluminous testimony taken before the court.

Its purport is, in brief, as follows:

When the *Maine* arrived at Havana she was conducted by the regular Government pilot to buoy No. 4, to which she was moored in from 5½ to 6 fathoms of water.

The state of discipline on board and the condition of her magazines, boilers, coal bunkers, and storage compartments are passed in review, with the conclusion that excellent order prevailed and that no indication of any cause for an internal explosion existed in any quarter.

At 8 o'clock in the evening of February 15 everything had been reported secure, and all was quiet.

At forty minutes past 9 o'clock the vessel was suddenly destroyed.

There were two distinct explosions, with a brief interval between them.

The first lifted the forward part of the ship very perceptibly; the second, which was more open, prolonged, and of greater volume, is attributed by the court to the partial explosion of two or more of the forward magazines.

The evidence of the divers establishes that the after part of the ship was practically intact and sank in that condition a very few moments after the explosion. The forward part was completely demolished.

Upon the evidence of a concurrent external cause the finding of the court is as follows:

At frame 17 the outer shell of the ship, from a point 11½ feet from the middle line of the ship and 6 feet above the keel when in its normal position, has been forced up so as to be now about 4 feet above the surface of the water, therefore about 34 feet above where it would be had the ship sunk uninjured.

The outside bottom plating is bent into a reversed V shape (Λ), the after wing of which, about 15 feet broad and 32 feet in length (from frame 17 to frame 25), is doubled back upon itself against the continuation of the same plating, extending forward.

At frame 18 the vertical keel is broken in two and the flat keel bent into an angle similar to the angle formed by the outside bottom plates. This break is now about 6 feet below the surface of the water and about 30 feet above its normal position.

In the opinion of the court this effect could have been produced only by the explosion of a mine situated under the bottom of the ship at about frame 18 and somewhat on the port side of the ship.

The conclusions of the court are:

That the loss of the *Maine* was not in any respect due to fault or negligence on the part of any of the officers or members of her crew;

That the ship was destroyed by the explosion of a submarine mine, which caused the partial explosion of two or more of her forward magazines; and

That no evidence has been obtainable fixing the responsibility for the destruction of the *Maine* upon any person or persons.

I have directed that the finding of the court of inquiry and the

views of this Government thereon be communicated to the Government of Her Majesty the Queen Regent, and I do not permit myself to doubt that the sense of justice of the Spanish nation will dictate a course of action suggested by honor and the friendly relations of the two Governments.

It will be the duty of the Executive to advise the Congress of the result, and in the meantime deliberate consideration is invoked.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
March 28, 1893.

The SPEAKER. The message will be referred to the Committee on Foreign Affairs and printed.

Mr. BAILEY. Mr. Speaker, I understand that under the rules of the House the message must be referred to the proper committee without debate, but I understood the President to say in his message that he lays before Congress the conclusions of the naval board of inquiry and the testimony. I desire to inquire if that has reached the House?

The SPEAKER. The report and testimony have not reached the House. There is a note attached to the message which was not read by the Clerk. I will read it to the House:

The findings of the court and testimony are sent with the message to the Senate.

Mr. MCMILLIN. Mr. Speaker, would it be in order now to ask unanimous consent for the consideration of this matter on next Wednesday?

The SPEAKER. The Chair thinks that it would not.

DEATH OF HON. JOHN SIMPKINS.

Mr. WALKER of Massachusetts. Mr. Speaker, it becomes my painful duty to announce the death of one of the members of the Massachusetts delegation in this House, the Hon. JOHN SIMPKINS. Knowing his admirable qualities, the Massachusetts delegation welcomed him to their number with peculiar pleasure, and the shock of his sudden death comes to us, as I know it does to this House, with peculiar force.

At some future day I shall ask the House to set apart a time when fitting tribute may be paid to his memory.

I ask the Clerk to read the resolutions which I send to the desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. JOHN SIMPKINS, late Representative from the State of Massachusetts.

Resolved, That a committee of nine members of the House be appointed by the Speaker to act with such Senators as may be selected to attend the funeral of the deceased; that the Sergeant-at-Arms of the House shall take order for superintending the funeral of the deceased at his home, and that the necessary expenses attending the execution of this order shall be paid out of the contingent fund of the House.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate and to the family of the deceased.

The resolutions were unanimously agreed to.

The SPEAKER. The Chair will appoint the following committee: Mr. GILLETT of Massachusetts, Mr. MCCALL of Massachusetts, Mr. MOODY of Massachusetts, Mr. COUSINS of Iowa, Mr. FOSS of Illinois, Mr. LITTAUER of New York, Mr. LOVERING of Massachusetts, Mr. NEWLANDS of Nevada, and Mr. BERRY of Kentucky.

In accordance with the resolution, the Chair declares the House to be adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting estimates of deficiencies in appropriations for Soldiers' Homes—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of deficiency in the appropriation for police court—to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9490) for the relief of Abel Patrick; and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KING: A bill (H. R. 9536) to amend an act entitled "An act regulating proof of death in certain pension cases," approved March 13, 1896—to the Committee on Invalid Pensions.

By Mr. LOVE: A bill (H. R. 9551) making an appropriation for the purpose of removing a bar and dredging a channel at the mouth of East Pearl River, Mississippi—to the Committee on Rivers and Harbors.

By Mr. RIXEY: A joint resolution (H. Res. 198) asking for estimates for the improvement of Upper Machodoc Creek, in King George County, Va.—to the Committee on Rivers and Harbors.

By Mr. BROMWELL: A memorial of the legislature of the State of Ohio, concerning the naming of one of the new battle ships—to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. HAMILTON: A bill (H. R. 9537) granting a pension to Harriet Gailhouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9538) for the relief of Joseph Johnson—to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 9539) for the relief of Lycurgus Wilson—to the Committee on Claims.

Also, a bill (H. R. 9540) for the relief of Mrs. William D. Huntington—to the Committee on Claims.

By Mr. LACEY: A bill (H. R. 9541) granting a pension to Martha L. Horton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9542) to remove the charge of desertion against John M. Border—to the Committee on Military Affairs.

By Mr. OTEY: A bill (H. R. 9543) for relief of W. S. Hodges—to the Committee on War Claims.

By Mr. RIXEY (by request): A bill (H. R. 9544) for the relief of Anna S. Froebel and Elizabeth D. Froebel—to the Committee on War Claims.

Also (by request), a bill (H. R. 9545) for the relief of Fanny I. Grymes—to the Committee on War Claims.

By Mr. SAMUEL W. SMITH: A bill (H. R. 9546) to correct the military record of Harrison Ferguson—to the Committee on Military Affairs.

Also, a bill (H. R. 9547) to correct the military record of Patrick Odonnel—to the Committee on Military Affairs.

Also, a bill (H. R. 9548) to increase the pension of William W. Minturn—to the Committee on Invalid Pensions.

By Mr. SNOVER: A bill (H. R. 9549) to correct the military record of De Witt C. Falkenburg—to the Committee on Military Affairs.

Also, a bill (H. R. 9550) to increase the pension of Henry B. Burt—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Petitions of Emory Lodge of Good Templars, Primitive Methodist Church, and Methodist Episcopal Church, all of Mineral Point, Wis., in favor of bills to forbid the interstate transmission of lottery messages by telegraph and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of Emory Lodge of Good Templars, Primitive Methodist Church, and Methodist Episcopal Church, of Mineral Point, Wis., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union and citizens of Big Patch, Wis., praying for the enactment of a Sunday-rest law for the District of Columbia and other purposes—to the Committee on the District of Columbia.

By Mr. BARNEY: Petition of the Woman's Christian Temperance Union and citizens of Mukwonago, Wis., in favor of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Veteran Post No. 8, Department of Wisconsin, asking for the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

Also, resolutions of the Military Order of the Loyal Legion of the United States, headquarters commandery of the State of Wisconsin, for an appropriation for the erection of permanent monuments of lines of battles, etc., at Gettysburg, Pa.—to the Committee on the Library.

By Mr. BROMWELL: Communications from various business firms of Cincinnati, Ohio, concerning the bankruptcy bill—to the Committee on the Judiciary.

By Mr. BULL: Petitions of the Woman's Christian Temperance unions of Newport and Warren, R. I.; Methodist Episcopal and

Baptist churches and principal of the high school, of Warren, R. I., and Mount Pleasant Baptist Church, of Providence, R. I., in favor of a bill to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls in the District of Columbia to 18 years—to the Committee on the Judiciary.

Also, petitions of certain churches of Providence and Warren, R. I., and Woman's Christian Temperance Union and principal of public schools, of Warren, R. I., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Texas: Petitions of the First Congregational Church of Palestine, Tex., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, in favor of a bill to protect State anti-cigarette laws, to prohibit kinetoscope reproductions of prize fights, and to limit absolute divorce—to the Committee on the Judiciary.

Also, petition of the First Congregational Church of Palestine, Tex., urging the passage of a bill to prohibit the transmission by mail of newspaper descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of the First Congregational Church of Palestine, Tex., for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the First Congregational Church of Palestine, Tex., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the First Congregational Church of Palestine, Tex., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the First Congregational Church of Palestine, Tex., in favor of the passage of certain bills in the interest of labor—to the Committee on Labor.

Also, petition of W. Branagan and 18 citizens of Palestine, Tex., for the passage of House bill No. 6705, to regulate the manufacture of mixed flour—to the Committee on Ways and Means.

By Mr. ERMENTROUT: Petition of the National Wholesale Lumber Dealers' Association, favoring the passage of the bankruptcy bill known as the Torrey bill, now before the House, or in the event of that failing the Henderson bill, now before the Senate—to the Committee on the Judiciary.

By Mr. GROUT: Petition of J. E. Cox and 19 citizens of Wells River, Vt., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, resolution of the Paint and Oil Club of New England, C. W. Willis, secretary, praying for an equitable treaty of reciprocity with the Dominion of Canada and the Crown colony of Newfoundland—to the Committee on Foreign Affairs.

By Mr. HILL: Petition of Sedgwick Council, No. 21, Order United American Mechanics, of Terryville, Conn., for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of the Brotherhood of Carpenters and Joiners of Bridgeport, Conn., in favor of the passage of House bill No. 6092, relating to convict labor—to the Committee on Labor.

Also, petition of the Connecticut Dairymen's Association, favoring the passage of House bill known as "the State trade-mark bill"—to the Committee on Patents.

By Mr. HOWELL: Petitions of the Woman's Christian Temperance Union of Asbury Park, N. J., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise, to raise the age of protection for girls to 18 years in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Asbury Park, N. J., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HULL: Petitions of the Plymouth Congregational Church, of Des Moines, Iowa, for the passage of a bill to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Plymouth Congregational Church, of Des Moines, Iowa, for the passage of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of citizens of Des Moines, Iowa, and Perry Division, No. 203, of Perry, Iowa, and Des Moines Division, No. 113, Brotherhood of Locomotive Engineers, of Des Moines, Iowa, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. JOY: Petition of various citizens of St. Louis, Mo., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KIRKPATRICK: Resolutions of the Chamber of Commerce of Cincinnati, Ohio, favoring legislation looking to the maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. LACEY: Papers to accompany House bill to remove the charge of desertion against John M. Borden—to the Committee on Military Affairs.

Also, papers in support of a bill granting a pension to Martha L. Horton—to the Committee on Invalid Pensions.

By Mr. McDOWELL: Petition of the Wesleyan Methodist Church of Alexandria, Ohio, in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MAXWELL: Petitions of 264 citizens of Neligh, Nebr., for a law to regulate the interstate commerce of cigarettes, and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of 270 citizens of Neligh, Nebr., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories, and the interstate and mail circulation of extended descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petition of 266 citizens of Neligh, Nebr., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. OLMSTED: Petitions of the Woman's Christian Temperance Union of East Harrisburg, and Epworth Methodist Episcopal Church, of Harrisburg, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Harrisburg and East Harrisburg, Pa.; Epworth Methodist Episcopal Church and Christ Church (Lutheran), of Harrisburg, Pa., favoring the passage of bills to protect State anti-cigarette laws, and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. OTEY: Four petitions of citizens of Lynchburg, Va., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS: Resolution of Division No. 490, Brotherhood of Locomotive Engineers, of Sioux City, Iowa, urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: Papers relating to the claim of F. P. Ward, executor of the estate of William Powers, deceased, late of Madison County, Ala.—to the Committee on War Claims.

By Mr. RIXEY (by request): Petition of the heirs of Nancy Washer, deceased, late of Fairfax County, Va., praying that her war claim be referred to the Court of Claims—to the Committee on War Claims.

Also (by request), petition of the heirs of Dudley Smith, deceased, late of Fauquier County, Va., requesting reference of his claim to the Court of Claims, under act of March 3, 1883—to the Committee on War Claims.

By Mr. ROBBINS: Petition of Freeport Lodge, No. 424, Knights of Pythias, of Freeport, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. STURTEVANT: Petition of the First Methodist Episcopal Church of Union City, Erie County, Pa., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the First Methodist Episcopal Church of Union City, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SAMUEL W. SMITH: Paper to accompany House bill to correct the military record of Patrick O'Donnell—to the Committee on Military Affairs.

By Mr. SPERRY: Resolutions of Elm City Lodge, No. 284, Brotherhood of Locomotive Firemen, of New Haven, Conn., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: Petition of numerous millers of the Thirteenth Congressional district of Texas, favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. STEWART of New Jersey: Resolution of the Societa

Italiana of Paterson, N. J., pledging their solidity with the United States—to the Committee on Foreign Affairs.

By Mr. WEAVER: Five petitions of W. M. Whitaker and other citizens of Springfield, Ohio, and G. M. Lape and others, of Piqua, Ohio, in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, two petitions of citizens of Springfield and Piqua, Ohio, protesting against the passage of a bill to restrict immigration—to the Committee on Immigration and Naturalization.

Also, petition of the Cincinnati Corrugating Company and other manufacturers and commercial firms of Piqua, Ohio, favoring Senate bill No. 624, for the creation of a department of commerce and industry—to the Committee on Interstate and Foreign Commerce.

Also, petition of W. F. Henne, Ed. F. Wallace, John L. Fogle, W. L. Johnston, Charles Loeffler, F. S. Miller, W. S. Gibson, C. W. French, W. A. Read, G. A. Brown, J. E. Robertson, M. F. Capron, J. W. Geisley, William Smith, John S. Bargh, H. A. Cosley, V. P. Jackson, and other citizens of the State of Ohio, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Pastors' Association of Piqua, Ohio, in favor of a bill to limit divorce in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Moons, Ohio, praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Mother Stewart Woman's Christian Temperance Union, of Springfield, Ohio; Woman's Christian Temperance unions of Williamsport and Jeffersonville, Ohio; First Universalist Church of Jeffersonville, and citizens of Pickaway County, Ohio, for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Sunday schools of the Presbyterian, Methodist, English Lutheran, Baptist, and Christian churches, and other citizens of Troy, Miami County, Ohio; Christian Endeavor, Epworth League, Woman's Christian Temperance Union, physicians, and First Universalist Church of Jeffersonville, Ohio, and Mother Stewart Woman's Christian Temperance Union, of Springfield, Ohio, in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Ministerial Association and First Universalist Church of Springfield, Ohio, and certain churches of Jeffersonville, Ohio, in favor of the passage of bills to forbid interstate transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

SENATE.

TUESDAY, *March 29, 1898.*

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O God, with whom are the issues of life and of death, we stand in Thy presence mourning the departure from earth of an engaging and beloved young member of the House of Representatives, cut off in the very prime and promise of his manhood. Let Thy consolation be granted unto the bereaved members of his family, and especially to his sister, twice orphaned by this great loss.

Likewise we pray that as the Senate pays its tribute of respect and affection to one of its late members, the deceased Senator from South Carolina, the sense of the shortness and uncertainty of human life may rest upon all our hearts. Grant that we may pay heed to the highest and profoundest interests of every human creature, that our peace be made with God, and that we walk before Him in His ordinances and commandments blameless, so that when our hour to depart shall come we may go hence with the testimony of a good conscience, in the communion of the catholic church, and in the confidence of a certain faith in love to Thee, O God, and charity to our fellow-men. We humbly pray through Jesus Christ our Saviour. Amen.

On motion of Mr. RAWLINS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

STATISTICS OF LAKE COMMERCE.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed by the Public Printer 10,000 copies of House Document No. 277, Fifty-fifth Congress, second session, entitled Statistics of Lake Commerce; 4,000 copies for the use of the House, 2,000 copies for the Senate, and 4,000 copies for the use of the Treasury Department.

ENROLLED BILLS SIGNED.

The VICE-PRESIDENT announced his signature to the following enrolled bills; which had previously been signed by the Speaker of the House of Representatives:

A bill (H. R. 1803) for the relief of Joseph P. Patton;

A bill (H. R. 5865) to authorize the Monroe Railway and Construction Company to construct a bridge across Red River at or near Grand Ecore, La.; and

A bill (H. R. 8618) for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Havana, Cuba.

PETITIONS AND MEMORIALS.

Mr. MURPHY presented petitions of I. C. Priest Division, No. 56, Order of Railway Conductors, of Albany; of J. C. Sibley Division, No. 35, Brotherhood of Locomotive Engineers, of Rochester; of Susquehanna Lodge, No. 71, Brotherhood of Locomotive Firemen, of Oneonta; of Independent Division, No. 374, Order of Railway Conductors, of Elmira, and of Vanderbilt Division, No. 145, Brotherhood of Locomotive Engineers, of New York City, all in the State of New York, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Mendon Center, Gloversville, Lakewood, Sherwood, Chateaugay, Akron, Port Byron, and Norway; of the Christian Endeavor Society of Norway, and of the congregation of Farmers of Wellsburg, all in the State of New York, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Akron, Gloversville, Lakewood, Brushton, Sherwood, Cassadaga, Chateaugay, Copenhagen, Ellington, Moira, and Port Byron; of the Congregation of Farmers of Wellsburg; of the Christian Endeavor Society of Norway; of the Young People's Society of Christian Endeavor of the Baptist Church of Wellsburg; of the congregation of the Schultzville Christian Church, of Clinton Corners; of the congregation of the First Methodist Episcopal Church of Wellsville; of the congregation of the Church of Christ of Wellsville, and of the First Congregational Society of Wellsville, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Akron, Norway, Gloversville, Lakewood, Brushton, Sherwood, Cassadaga, Copenhagen, Ellington, and Moira; of the Christian Endeavor Society of Norway; of the Congregation of Farmers of Wellsburg; of the congregations of the Methodist Episcopal and Baptist churches of Georgetown; of the Young People's Society of the Baptist Church of Wellsburg; of the congregations of the Schultzville Christian Church, of Clinton Corners, the First Methodist Episcopal Church of Wellsville, and the Church of Christ of Wellsville; of the First Congregational Society of Wellsville, and of Empire Lodge, No. 12, Independent Order of Good Templars, of Syracuse, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Akron, Mendon Center, Lakewood, Sherwood, Chateaugay, Copenhagen, Ellington, Moira, and Port Byron; of the congregation of Farmers of Wellsburg; of the Young People's Society of the Baptist Church of Wellsburg; of the congregations of the Schultzville Christian Church, of Clinton Corners, the Methodist Episcopal Church, sundry physicians, and sundry public-school teachers of Wellsville; of the congregation of the Church of Christ of Wellsville, and of the First Congregational Society of Wellsville, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Windham Center, Me., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. MITCHELL presented a petition of the Military Order of the Loyal Legion of the United States, Commandery of the State of Wisconsin, praying that an appropriation be made to meet the expense of erecting permanent monuments to mark the locations

of the lines of battle of Gettysburg; which was referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Crandon, Wis., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. HARRIS presented petitions of the Woman's Christian Temperance unions of Parsons and Niotaze; and of the Southwest Kansas Conference of the Methodist Episcopal Church, all in the State of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Parsons and Niotaze; of the congregations of the Presbyterian, the Methodist Episcopal, and the Christian churches of Highland, and of the Southwest Kansas Conference of the Methodist Episcopal Church, all in the State of Kansas, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Parsons; of the congregations of the Presbyterian Church, the Christian Church, the Congregational Church, and the Methodist Episcopal Church, of Highland, and of the Southwest Kansas Conference of the Methodist Episcopal Church, all in the State of Kansas, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. ALLEN presented a petition of Butler Grange, No. 50, Patrons of Husbandry, of Nebraska, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Butler Grange, No. 50, Patrons of Husbandry, of Nebraska, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of 266 citizens of Neligh, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of 265 citizens of Neligh, Nebr., praying for the enactment of legislation to prohibit the reproduction of prize fights in the District of Columbia and the Territories by the kinetoscope or other kindred devices; which was ordered to lie on the table.

He also presented a petition of 269 citizens of Neligh, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of 266 citizens of Neligh, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of 270 citizens of Neligh, Nebr., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of Butler Grange, No. 50, Patrons of Husbandry, of Nebraska, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. GEAR presented a petition of the senate of the State of Iowa, praying that Port Arthur, in the State of Texas, be made a subport of entry; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Senate resolution.

Whereas lines of railway are now constructed between Port Arthur, Tex., and Kansas City, Mo., and steps are now being taken to extend said lines of railway from Kansas City to central Iowa and points farther north; and

Whereas the building and extension of said lines of railway open to the State of Iowa a new route to the seaboard, and thereby creating competing lines to the railway lines leading to the Atlantic; and

Whereas since the construction of railway lines from Port Arthur, Tex., to Kansas City, Mo., the freight charges between Kansas City and Liverpool, England, have been reduced 33 cents per 100 pounds, the former rate being 79 cents, and since the construction of the railway line between these points it has been reduced to 46 cents, equaling nearly 20 cents upon a bushel of wheat; and

Whereas it is to the interest of the people of Iowa and the great Northwest that Port Arthur, Tex., be made a subport of entry, thus facilitating the exportation and importation of merchandise and freight over competing lines: Therefore,

Be it resolved, That the Senators and Representatives in Congress from Iowa are hereby requested to vote and use all honorable means to make Port Arthur, Tex., a subport of entry, and thus open to the people of Iowa a new and competing route to the seaboard and to the markets of the world.

Resolved, That the secretary of state be requested to mail a copy of these resolutions to the Senators and Members of Congress from Iowa as soon as possible after its adoption.

Mr. GEAR presented a petition of the house of representatives of the State of Iowa, praying that Port Arthur, in the State of Texas, be made a subport of entry; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Resolution.

Whereas the Kansas City, Pittsburg and Gulf Railway now has its line and connections completed from Port Arthur to Council Bluffs and Keokuk, Iowa, and hopes to reach Des Moines in a short time, their destination being northern Minnesota;

Whereas the Kansas City, Pittsburg and Gulf Railway have made a large reduction in freight rates, especially on molasses, sugar, lumber, and corn, giving Iowa a new and shorter route to the seaboard at a saving of thousands of dollars in freight;

Whereas the various heads of railway lines now freighting Iowa products to New York, a much longer rail route, hence higher freight rates, are doing all in their power to defeat a bill now before Congress providing for the making of Port Arthur a subport of entry, the same as Sabine Pass now is, so as to cripple what is destined to be Iowa's greatest railroad and their greatest competitor: Therefore,

Be it resolved by this house, That our members in Congress be requested to use all honorable means to secure the passage of the bill making Port Arthur a subport of entry. That the secretary of state be requested to mail a copy of this resolution to each of the Iowa members as soon as possible after its adoption.

I hereby certify that the foregoing resolution was adopted by the house March 18, 1898.

JAMES D. ROWEN, *Clerk of House.*

Mr. GEAR presented a petition of sundry citizens of Fort Madison, Iowa, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Mitchellville, Iowa, and a petition of the Woman's Christian Temperance Union, the Epworth League, and the Christian Endeavor Society of Milford, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union, the Epworth League, and the Christian Endeavor Society of Milford, Iowa, and a petition of Lodge No. 109, Independent Order of Good Templars, of Mitchellville, Iowa, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union, the Epworth League, and the Christian Endeavor Society of Milford, Iowa, and a petition of the congregation of the Congregational Church of Mitchellville, Iowa, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. HANSBROUGH presented a petition of the congregation of the First Baptist Church of Fargo, N. Dak., and a petition of the Baptist Young People's Society of Fargo, N. Dak., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the First Baptist Church of Fargo, N. Dak., and a petition of the Baptist Young People's Union of Fargo, N. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Casselton, N. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings; to prohibit interstate gambling by telegraph or telephone; to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; for the enactment of a Sunday-rest law for the District of Columbia; to prohibit, so far as the power of Congress extends, the reproduction of prize fights by the kinetoscope or other kindred devices; to prohibit extended newspaper descriptions of prize fights; to substitute voluntary arbitration for railway strikes, and to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of New York presented a petition of the National Wholesale Lumber Dealers' Association, praying for the enactment of a uniform bankruptcy law; which was ordered to lie on the table.

He also presented petitions of the congregation of the Methodist Episcopal Church of Philadelphia; of the Woman's Christian Temperance Union of Brooklyn; of the congregation of the First Methodist Episcopal Church of Friendship, and of the Woman's Christian Temperance Union of Byron, all in the State of New York, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Preble, Otto, Southport, Mayville, Brooklyn, and Rochester; of St. James Lodge, Independent Order of Good Templars, of Rochester; of the congregation of the First Methodist Episcopal Church of Henderson, and of the Sunday Morning Congregation, of Henderson; of the congregation of the Methodist Episcopal Church of Ledyard; of the Epworth League and the congregations of the First Congregational Church and the First Baptist Church of Jamestown; of the congregation of the Methodist Episcopal Church of Dunkirk; of the congregation of the First Baptist Church of Nunda; of the congregations of the First Church of Christ's Disciples of Rochester, the Methodist Episcopal Church of Philadelphia, the Baptist Church of Philadelphia, and the Second Church of Christ's Disciples of Rochester, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Otto, Preble, Southport, Oneida, West Glens Falls, Byron, Mayville, Corinth, and Rochester; of St. James Lodge, Independent Order of Good Templars, of Rochester; of Henderson Lodge, No. 164, Independent Order of Good Templars, of Henderson; of the congregations of the Methodist Episcopal Church of Ledyard, the First Methodist Episcopal Church of Friendship, the Universalist Church of Friendship, the First Baptist Church of Nunda, the First Church of Christ's Disciples of Rochester, the Methodist Episcopal Church of Philadelphia, the Second Church of Christ's Disciples of Rochester, the First Methodist Episcopal Church of Henderson, and the Sunday Morning Congregation of Henderson, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Otto, Southport, Byron, Mayville, Brooklyn, and Rochester; of St. James Lodge, Independent Order of Good Templars, of Rochester; of Henderson Lodge, No. 164, Independent Order of Good Templars, of Henderson; of the congregations of the Methodist Episcopal Church of Ledyard, the Congregational Church, the First Baptist Church, and the Epworth League of Jamestown, the Methodist Episcopal Church of Dunkirk, the First Baptist Church of Nunda, the First Church of Christ's Disciples of Rochester, the First Methodist Episcopal Church of Henderson, and of the Sunday Morning Congregation of Henderson, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on Interstate Commerce.

Mr. FAIRBANKS presented a memorial of Local League No. 35, American Agents' Association, of Indianapolis, Ind., and a memorial of Local Union No. 60, Brotherhood of Carpenters and Joiners, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented the petition of William McLachlin and 39 other citizens of Fort Wayne, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of C. N. Bell Lodge, No. 158, Brotherhood of Locomotive Trainmen, of Garrett, Ind., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union; the Young People's Society of Christian Endeavor, and the congregation of the Fairfield Friends' Church, of Friendswood, all in the State of Indiana, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PRITCHARD presented a petition of the North Carolina Society of the Daughters of the Revolution, praying for the enactment of legislation providing for the restoration and control by the Government of Fort Ticonderoga, N. Y.; which was referred to the Committee on Military Affairs.

He also presented the petition of W. F. Gerald and 17 other citizens of Pinelevel, N. C., and a petition of the Southern Baptist Press Association, of Asheville, N. C., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of members of the Sunday school of Rockford, N. C., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of members of the Sunday school of Rockford, N. C., and a petition of the Woman's Christian Temperance Union of Boonville, N. C., praying for the enactment of legislation to prohibit the transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of members of the Sunday school of Rockford, N. C., and a petition of the Woman's Christian Temperance Union of Boonville, N. C., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of members of the Sunday school of Rockford, N. C., and a petition of the Woman's Christian Temperance Union of Boonville, N. C., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. QUAY presented a petition of the Clinton B. Fisk Republican League, of Philadelphia, Pa., praying for the recognition of the independence of Cuba; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance unions of Blossburg, Selinsgrove, New Albany, and Columbia Crossroads; of Washington Camp, No. 203, Patriotic Order Sons of America, of New Albany; of the congregations of the First Presbyterian Church of Union City, the First United Church of Altoona, the Young People's Society of Christian Endeavor of the Second Presbyterian Church of Altoona, of the Humane Society of Central Pennsylvania, and of the Young People's Society of Christian Endeavor of the Eighth Avenue Methodist Episcopal Church, of Altoona, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Blossburg, Selinsgrove, and New Albany; of the congregations of the First Methodist Episcopal Church of Union City, the First United Brethren Church of Altoona, the Young People's Society of Christian Endeavor of the Second Presbyterian Church of Altoona; of Washington Camp, No. 203, Patriotic Order Sons of America, of New Albany; of the Humane Society of Central Pennsylvania, and of the Young People's Society of Christian Endeavor of the Eighth Avenue Methodist Episcopal Church, of Altoona, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of Washington Camp, No. 203, Patriotic Order Sons of America, of New Albany, Pa., and a petition of the Woman's Christian Temperance Union of New Albany, Pa., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Blossburg, Selinsgrove, New Albany, and Columbia Crossroads; of the Independent Order of Good Templars, of Blossburg; of Washington Camp, No. 203, Patriotic Order Sons of America, of New Albany; of the congregation of the First Methodist Episcopal Church of Union City; the First United Brethren Church of Altoona; of the Young People's Society of Christian Endeavor of the Second Presbyterian Church of Altoona; of the Humane Society of Central Pennsylvania, and of the Young People's Society of Christian Endeavor of the Eighth Avenue Methodist Episcopal Church, of Altoona, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of Connecticut presented the petitions of E. V. Kinne and 24 other citizens; of W. H. Brown and 43 other citizens of Moosup; of G. W. Withey and 35 other citizens of Moosup, and of Josie A. Titus and 16 other citizens, all in the State of Connecticut, praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission

of illiterate, criminal, and pauper classes to the United States; which were ordered to lie on the table.

Mr. BURROWS presented petitions of Lodge No. 503, Brotherhood of Locomotive Engineers, of Ionia; of Rev. D. Cronk, pastor of the Methodist Episcopal Church of Parma; of G. G. Crozier, of Ann Arbor; of J. M. Clifford and 31 other citizens of Iron Mountain; of Rev. William J. Wilson, pastor of the Methodist Episcopal Church of Nashville; of Rev. G. W. Futnill, pastor of the Methodist Episcopal Church of Centerville; of Fannell Division, No. 94, Brotherhood of Locomotive Engineers, of Marquette; of the Bay County Baptist Ministerial Association, and of Rev. J. W. Hart, pastor of the Methodist Episcopal Church of Mancelona, all in the State of Michigan, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the National Association of Manufacturers, of Philadelphia, Pa., praying for the enactment of legislation to establish an international American bank; which was ordered to lie on the table.

He also presented a petition of the Masonic Board of Relief of New York City, praying for the passage of House bill No. 7130, to amend an act entitled "An act to regulate commerce," etc.; which was ordered to lie on the table.

He also presented a petition of the Trades League of Philadelphia, Pa., praying that an appropriation be made to aid in the holding of a national exposition of American products and manufactures in that city in June, 1899; which was ordered to lie on the table.

Mr. BERRY presented a petition of the congregation of the Christian Church of Eureka Springs, Ark., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., and a petition of the Chamber of Commerce of Sacramento, Cal., praying for the enactment of legislation providing for the protection of American commerce against the unfair competition of the Canadian Pacific Railway; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the passage of Senate bill No. 3354, to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

Mr. WILSON presented a petition of sundry citizens of Cowlitz and Clark counties, in the State of Washington, praying that an appropriation be made for the improvement of the north fork of Lewis River in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Goldendale, Wash., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Goldendale, Wash., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Goldendale, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. LODGE presented a memorial of the Chamber of Commerce of Boston, Mass., expressing the hope that the strained relations now existing between this country and Spain may be settled peaceably, and pledging their support to the President of the United States and the Congress in any action they may take; which was referred to the Committee on Foreign Relations.

Mr. GRAY presented a memorial of the representatives of the Religious Society of Friends of Delaware, Pennsylvania, and New Jersey, relative to the controversy between the United States and Spain; which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a petition of the Minnesota Historical Society, praying for the enactment of legislation to prevent the desecration of the national flag by attaching advertisements thereto, or any pattern thereof, for private gain; which was referred to the Committee on the Judiciary.

Mr. THURSTON presented a petition of the congregation of the First Methodist Episcopal Church of University Place, Nebr., and a petition of the Hankin Congregation, Ravenna Mission, Nebraska Conference, and Evangelical Association of Ravenna, all in the State of Nebraska, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Haigler; of the congregation of the Vine Street Congregational Church, of Lincoln; of the congregation of the First Methodist Episcopal Church of University Place, and of the Hankin Congregation, Ravenna Mission, Nebraska Conference, and the Evangelical Association of Ravenna, all in the State of Nebraska, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of sundry citizens of Hazard; of the congregation of the First Methodist Episcopal Church of University Place; of the Vine Street Congregational Church, of Lincoln; of the Hankin Congregation, Ravenna Mission, Nebraska Conference, and of the Evangelical Association of Ravenna, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. WETMORE presented a petition of the congregations of the First Baptist Church and the Methodist Episcopal Church, the Epworth League, and the Woman's Christian Temperance Union, all of Middletown, in the State of Rhode Island, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the First Baptist Church and the Methodist Episcopal Church, the Epworth League, and the Woman's Christian Temperance Union, all of Middletown, in the State of Rhode Island, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregations of the First Baptist Church and the Methodist Episcopal Church, the Epworth League, and the Woman's Christian Temperance Union, of Middletown, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. SPOONER presented a petition of Iron Molders' Union No. 310, of Racine, Wis., praying for the passage of the so-called prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Young Men's Christian Association of Madison, Wis., and a petition of the Young People's Society of the Christ Presbyterian Church, of Madison, Wis., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Young Men's Christian Association of Madison; of the Emory Lodge of Good Templars, the Primitive Methodist Church, and the Methodist Episcopal Church, of Mineral Point, and of the Young People's Society of the Christ Presbyterian Church, of Madison, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented the petition of E. E. Street and 39 other citizens of Ashland, Wis., and the petition of C. E. Conklin and 50 other citizens of Wisconsin, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Young People's Society of Christian Endeavor of the First Presbyterian Church of La Crosse; of the Christian Endeavor Society of Sheridan; of the Young People's Society of the Christ Presbyterian Church, of Madison; of the Young Men's Christian Association of Madison; of the Emory Lodge of Good Templars, the Primitive Methodist Church, and the Methodist Episcopal Church, of Mineral Point, all in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented the petition of Flora H. Casler and 23 other citizens of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Congregational Church, St. Peter's Church, and the First Baptist Church;

of the People's Christian Association, the Baptist Young People's Union, and 109 citizens, all of Fond du Lac, in the State of Wisconsin, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4269) granting a pension to Margerett Ferriter; and

A bill (H. R. 4314) to increase the pension of Moritz Tschoepe.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3038) increasing the pension of John Taylor, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4206) granting an increase of pension to Jacob G. Frick;

A bill (H. R. 2629) to grant a pension to John Thurston, of Island Pond, Vt.;

A bill (H. R. 90) granting a pension to Eunice Taylor;

A bill (H. R. 92) granting a pension to Auguste Whitmer;

A bill (H. R. 368) for the relief of Charlotte L. Walker; and

A bill (H. R. 4548) granting a pension to Matthew B. Nale.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3553) granting a pension to Bvt. Lieut. Col. Amos Webster, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3132) for the relief of P. P. Miner, Company B, Twelfth Indiana Infantry, reported it with amendments, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 3668) granting an increase of pension to Ephraim C. Baldwin, reported it with an amendment, and submitted a report thereon.

Mr. PLATT of New York, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 2307) to correct the naval history of John C. Dull, reported it without amendment.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 639) increasing the pension of Charles B. Eades, Hopkinsville, Ky., reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson; and

A bill (S. 3724) granting a pension to William P. Arble.

Mr. TURNER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3002) to pension William Russell for services in Oregon Indian wars; and

A bill (S. 1537) granting a pension to John D. Coulie.

Mr. PETTIGREW, from the Committee on Public Lands, reported an amendment relative to the endowment and support of agricultural and mechanical colleges, intended to be proposed to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HANSBROUGH, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2074) granting a pension to Jane H. Sandborn; and

A bill (H. R. 777) to increase the pension of David N. Thompson.

Mr. HANSBROUGH, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1539) granting a pension to Paul Carr; and

A bill (S. 895) granting a pension to David Hunter.

Mr. PASCO. I am directed by the Committee on Claims, to whom was referred the bill (S. 3744) for the relief of Marie P. Evans, to submit an adverse report thereon. I ask that the bill be placed upon the Calendar with the unfavorable report.

The VICE-PRESIDENT. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. HANNA, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 7536) granting a pension to Jane A. Wilkinson;

A bill (H. R. 2015) granting a pension to Elizabeth Lane; and

A bill (H. R. 239) granting an increase of pension to Rosa Karger.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the amendment submitted by himself on the 17th instant relative to the establishment of a naval coaling station in San Francisco Bay, California, intended to be proposed to the naval appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

REMISSION OF DUTIES ON NAVAL AND MILITARY SUPPLIES.

Mr. MORRILL. I am directed by the Committee on Finance, to whom was referred the joint resolution (H. Res. 182) providing for the temporary admission free of duty of naval and military supplies procured abroad, to report it favorably without amendment. I am also directed to ask for the immediate consideration of the joint resolution.

Mr. COCKRELL. Let it be read for information, subject to objection.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That such guns, ammunition, and other naval and military supplies as may be purchased abroad by this Government for the national defense prior to January 1, 1890, shall be admitted at any port of entry in the United States free of duty.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ESTATE OF WILLIAM HENDERSON.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 2631) for the relief of the estate of William Henderson, deceased, late of Carroll Parish, La., reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2631) entitled "A bill for the relief of the estate of William Henderson," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of section 14 of such act, and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 4276) to amend the law providing for the police fund and the firemen's relief fund of the District of Columbia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4277) for the relief of Charles H. Haswell, late a chief engineer in the United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4278) to provide for the erection of a bridge across the Detroit River, at Detroit, in the State of Michigan; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLATT of New York introduced a bill (S. 4279) for the relief of W. R. Austin & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PRITCHARD introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4280) granting a pension to J. O. Scoggins;

A bill (S. 4281) granting a pension to Hiram R. Rhea;

A bill (S. 4282) granting a pension to Mary Franklin;

A bill (S. 4283) granting a pension to Alfred M. Hooper;

A bill (S. 4284) granting an increase of pension to Stephen M. Davis;

A bill (S. 4285) granting a pension to Mary A. Hampton; and

A bill (S. 4286) granting a pension to Marinda Davis.

Mr. FAIRBANKS introduced a bill (S. 4287) increasing the pension of Christopher Denny, of Lebanon, Ind.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLEN introduced a bill (S. 4288) to correct the military record of Patrick Dunphy; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SPOONER introduced a bill (S. 4289) for the relief of Arthur M. Sherman; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4290) granting an increase of pension to John Thornton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON introduced a bill (S. 4291) granting a pension to John Magwigan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4292) removing the charge of desertion from the name of Charles M. Sollars, of Spokane, Wash.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 4293) granting to the States in which the same are situated the alternate even-numbered sections within the grant to the Union Pacific Railroad Company not heretofore disposed of and to which there is no outstanding claim; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. WETMORE introduced a joint resolution (S. R. 131) for the relief of the children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario; which was read twice by its title, and referred to the Committee on Claims.

INDEPENDENCE OF CUBA.

Mr. ALLEN. I introduce a joint resolution, which I ask to have read at length, and that it lie over for a second reading.

The joint resolution (S. R. 132) recognizing the political independence of the Republic of Cuba, and for other purposes, was read the first time, as follows:

Whereas the war now and for some time past being waged between the Kingdom of Spain and the Cuban insurgents has fully demonstrated the total inability of the former to subdue the insurgents; and

Whereas said war has become one of extermination by starvation, and the dictates of Christian civilization and common humanity alike demand the speedy cessation of hostilities and the immediate termination of the deliberately planned starvation now going on in the Island of Cuba; and

Whereas under existing circumstances it is the bounden duty of the United States of America to intervene; and

Whereas the assertion of the Monroe doctrine forbidding the interference of foreign powers in the affairs of any State or nation on the Western Hemisphere creates an obligation on the part of the United States to guarantee the people thereof against unusual cruelties and barbarities and extermination by any such foreign power; and

Whereas the Cubans have, in the opinion of the American people and of Congress, by their valor and sacrifices during the four years of war, won their independence from Spain and are entitled to political recognition by the United States; and

Whereas it is apparent that Spain can no longer govern or control the people of Cuba: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Republic of Cuba, now and for some time maintained by force of arms, is hereby recognized by the United States of America as a separate and independent nation. That the United States shall immediately intervene and put an end to the war now being waged on the Island of Cuba and shall succor and release from imprisonment the people there concentrated for the purpose of starvation and extermination; and

Be it further resolved, That for the purpose of enabling the President of the United States to provide the concentrated noncombatant Cubans with the necessary food, raiment, and medicine for their immediate relief from starvation, the sum of $500,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The VICE-PRESIDENT. The joint resolution will lie on the table.

Mr. RAWLINS. I introduce a joint resolution, which I ask may be read at length and referred to the Committee on Foreign Relations.

The joint resolution (S. R. 133) recognizing the independence of the Republic of Cuba and declaring war against the Kingdom of Spain was read the first time by its title and the second time at length, and referred to the Committee on Foreign Relations, as follows:

Whereas the war waged by the Kingdom of Spain against the people of Cuba has destroyed the commerce between them and the people of the United States, and its revival will be impossible so long as such war may continue; and

Whereas by the authority of that Kingdom, in the course of such war, much American property has been destroyed and many American citizens, without just cause, have been imprisoned and some assassinated in their prison cells; and

Whereas, while our ship *Maine* was at anchor in the harbor of Havana, within the dominion and under the control of the Kingdom of Spain, at a place designated by her authority, that ship and most of the men on board in the service of their country, by the explosion of a submarine mine, were willfully, wickedly, and treacherously mangled and destroyed; and

Whereas the Kingdom of Spain has proven herself incompetent to tranquillize the Island of Cuba, either by the methods of peace or by means of civilized warfare, and accordingly has proceeded to make desolate the homes of its peaceful inhabitants, driving men, women, and children into guarded camps, detaining them there without making provision to shelter, clothe, or feed them, thus willfully causing their extermination to the number of hundreds of thousands by the slow and torturous process of starvation; and

Whereas against these wrongs, against these revolting acts of inhumanity, this Government has time and again made peaceful protest to the Kingdom of Spain, at the same time endeavoring by a helpful charity to relieve those whom she has thus brought to such dire distress, and our repeated protests having been disregarded, and our efforts of philanthropy having proved unavailing; and

Whereas, firmly convinced that further peaceful protest will prove equally in vain and that the recognition of the independence of the Republic of Cuba and armed intervention in its behalf by this Government will alone be effective for the redress of past and the prevention of future wrongs; and

Whereas, while regretting the necessity now imperious for such action, but mindful of our duty to a neighboring people and to humanity, and with a clear consciousness as to the justness of our cause and that our action will meet with the approving judgment of all civilized peoples: Now, therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the independence of the Republic of Cuba be, and the same is hereby, recognized, and that war against the Kingdom of Spain be, and the same is hereby, declared, and the President is hereby authorized and directed to employ the land and naval forces of the United States of America to wage such war to success.

Mr. FORAKER. I introduce a joint resolution, and ask that it may be read.

The joint resolution (S. R. 134) recognizing the independence of the Republic of Cuba and providing for intervention by the United States, was read the first time by its title and the second time at length, as follows:

Be it resolved by the Senate and the House of Representatives of the United States of America:

1. That the people of the Island of Cuba are, and of right ought to be, free and independent.

2. That the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

3. That the war Spain is waging against Cuba is so destructive of the commercial and property interests of the United States, and so cruel, barbarous, and inhuman in its character as to make it the duty of the United States to demand, and the Government of the United States hereby does demand, that she at once withdraw her land and naval forces from Cuba and Cuban waters.

4. That the President of the United States be, and he hereby is, authorized, empowered, and directed to use, if necessary, the entire land and naval forces of the United States to carry these resolutions into effect.

Mr. FORAKER. I ask that the joint resolution may be sent to the Committee on Foreign Relations. I have no purpose at this time to ask the indulgence of the Senate that I may discuss the resolution, but I do want to say now that at an early day I shall hope to have that privilege and be able at that time to show that the joint resolution ought to be passed by the Senate.

I wish to say now, however, that the joint resolution has been long delayed. I intended to introduce it or an equivalent resolution at the beginning of the present session of Congress, in December last. I delayed offering it at that time because of the character of message the President sent us in regard to the Cuban question. That message, as I understood it in common with the people of the whole country, gave us a promise that after a reasonable time of trial for autonomy and promised reforms, if autonomy should fail and reforms not be instituted, this Government would take such action as might be appropriate to put an end to a war which the people of the United States feel, I think I may say almost unanimously, it is our duty to put an end to.

Weeks and months passed. The time came when it was demonstrated to all that autonomy had failed, that no reforms had been instituted, that our duty remained the same. I was then about to introduce this joint resolution in order that action might be taken, but it was again delayed, because just at that moment we had the De Lôme incident. Before the De Lôme incident was fairly closed we had another incident—the *Maine* incident—and ever since we have been waiting on a report from the board of inquiry charged with the duty of investigating that disaster. The report is at last before us. It has been referred to the Committee on Foreign Relations. I have no disposition now to discuss it, but I offer the resolution now because as that branch of this subject is taken up we may also take up this other branch of it, for whatever may be done with respect to the *Maine*, treated as an incident by itself, if it should be so treated, we will have the Cuban question as a general question recurring, and this resolution is addressed to the Cuban question generally.

This much I desired to say, and that is all at this time. At an early day, as I have said, I desire to discuss this question on its merits.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Foreign Relations.

Mr. FRYE. Mr. President, it was not my intention to introduce a joint resolution this morning, but as two have already been presented and referred to the Committee on Foreign Relations, I submit a joint resolution and ask its reference to the same committee.

The joint resolution (S. R. 135) directing and empowering the President, in his discretion, to terminate, by intervention, the hostilities between Spain and the people of Cuba, and in favor of the independence of said people, was read the first time by its title, and the second time at length, as follows:

Whereas the war which has been waged in the Island of Cuba for the past three years has been conducted by the Spanish Government in violation of the rules of civilized warfare; said Government has driven the unarmed and peaceable inhabitants from their homes and forced them within the armed camps, where it has permitted hundreds of thousands of men, women, and children to die of starvation, and as a result of this system of inhuman warfare tens of thousands of the helpless people are now dying for want of food; and

Whereas the war has paralyzed and almost destroyed the large commercial relations which have heretofore existed between the United States and Cuba, and has rendered useless and brought to ruin the many millions of dollars of property of American citizens invested in the islands; and

Whereas the existence and prolongation of the hostilities have imposed

heavy financial expenditures and burdensome official labors upon the Government of the United States in the enforcement of its neutrality laws; and

Whereas the consuls of the United States and other impartial and competent observers have reported that the Spanish Government has lost control of much of the greater portion of the territory of the island; that it is powerless to restore its authority and bring about peace; and that a continuance of the contest will have no other effect than to increase the horrors, misery, and starvation which now exist, to utterly extinguish the commerce with and destroy the property of American citizens, and add to the expense and burdens of the Government of the United States: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, directed and empowered to take such effective steps as, in his discretion, may be necessary to secure a speedy termination of the hostilities between the Government of Spain and the people of Cuba, the withdrawal of the military and naval forces of Spain from said island, and the complete independence of said people.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Foreign Relations.

Mr. COCKRELL. Let all these resolutions be printed.

The VICE-PRESIDENT. It will be printed.

Mr. COCKRELL. All of them?

The VICE-PRESIDENT. Joint resolutions are printed under the rule.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NELSON submitted an amendment relative to printing on envelopes, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. CARTER submitted an amendment relative to the presentation of accounts for telegraphic services rendered the United States, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. GORMAN. I submit an amendment relative to the deepening of the channel and the establishment of a dry dock at Round Bay, in the State of Maryland, and an amendment relative to the purchase of property in the city of Annapolis, Md., for the use of the United States Naval Academy, intended to be proposed by me to the naval appropriation bill, which I move be referred to the Committee on Naval Affairs and printed.

The motion was agreed to.

Mr. GORMAN. I also present two memorials of the mayor, counselor, and aldermen of the city council of Annapolis, Md., in reference to the same matter, which I move be referred to the Committee on Naval Affairs and printed as documents.

The motion was agreed to.

Mr. WARREN submitted an amendment relative to indemnity lands granted for educational purposes, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

WILLIAM W. LEAKE.

Mr. MALLORY submitted the following resolution; which was referred to the Committee on Claims, and ordered to be printed:

Be it resolved by the Senate of the United States, That Senate bill No. 4012, entitled "A bill for the relief of William W. Leake, of Kissimmee, Fla.," be, and is hereby, referred to the Court of Claims of the United States, under the act of March 3, 1887, known as the Tucker Act, for a finding of the facts as provided by the act of March 3, 1883, designated as the Bowman Act.

RELIEF OF AMERICAN CITIZENS IN CUBA.

Mr. MORGAN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President is requested, if in his opinion it is not inconsistent with the public interests, to inform the Senate of the number of American citizens, native or adopted, that have received in Cuba the assistance of the United States from the sum of $50,000 appropriated by Congress for that purpose. And that he will inform the Senate whether the distribution of said appropriation has been necessary to save the lives of said citizens, or any of them.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 26th instant approved and signed the act (S. 2308) granting the right to the Omaha Northern Railway Company to construct a railway across, and establish stations on, the Omaha and Winnebago reservations, in the State of Nebraska, and for other purposes.

ORDER OF BUSINESS.

Mr. MASON rose.

Mr. GALLINGER. I call the attention of the Senator from Illinois to the fact that yesterday I asked unanimous consent to proceed to the consideration of the Private Pension Calendar at the conclusion of the routine morning business. I observe that the Vice-President in stating the request made it at 1 o'clock. I shall very graciously yield to the Senator from Illinois if he can assure me that there will be an opportunity to get to the Calendar of private pension bills between the conclusion of his remarks and 2 o'clock, at which time a special order is to be enforced.

Mr. MASON. I shall be very glad to give the Senator that assurance. I shall not occupy over twenty-five minutes.

Mr. GALLINGER. I understood that the Senator was not going to occupy much time, and I yield to him for the purpose of delivering his address.

AFFAIRS IN CUBA.

Mr. MASON. Mr. President, I do not intend in the brief statement I make to-day to forestall or in any way affect the report of the Committee on Foreign Relations, to which has been referred the President's message and the accompanying report and evidence. We are invited by the President at the close of his message to deliberately consider the situation, and it is only fair to the committee, my colleagues, and my constituents that they should know, and as soon as possible, the general expression and intention of the members of this body. I wish to be understood, I am not apologizing for taking the floor at this time, but I intend no disrespect either to the Administration or to the committee when I say that I am tired of the dilatory tactics that have been employed for three years to prevent any assistance from the United States to the starving and struggling Cubans.

More than two years ago the plan of the Spanish Government to starve the women and children and noncombatants was begun. Every intelligent man, woman, and child was informed of it through the ordinary channels of information—the newspapers—and by the statements of disinterested witnesses day after day, week after week, month after month, and year after year at our very door, and received practically no attention from this Government until some of the members of this body visited the scene of death and distress and brought back to us their words of honor that no picture had been drawn by the press that fully stated the horrors of the situation. Then the gentlemen and newspapers who had pretended, at least, to discredit those statements in this body, began to talk about it as though it was a new discovery, when within 90 miles of our shore for two years they had continued to murder women and children.

When nearly a year ago I called attention to the situation, as given at that time, and since corroborated by four of our colleagues upon this floor from personal observation, the statement was received with sneers by many of my colleagues, and I had the pleasure of being insulted over the wire by stock brokers and scalpers in the markets. For two years the process of imprisonment of the reconcentrados and their starvation has proceeded, yet anyone who dared to call attention to the fact has had to withstand the assaults of those controlling the press, who denied in their editorial columns the news they printed in their news columns. Thousands had been starved, millions of dollars of our legitimate commerce has been swept from the high seas, and the man who worships the eagle on the dollar and does not see the one on his flag, says, "Be silent; think of the horrors of war and the dangers to business."

When the order of concentration came they cooped up at least 800 American citizens with the reconcentrados and refused to allow them to go out and earn a legitimate and honest living. It amounted to imprisonment. We claimed so at the time, yet many professed not to believe it, until the honorable Senator from Vermont described the dead line and the gun of the Spanish soldier that kept the reconcentrados together.

Any other self-respecting nation in the world would have ordered their release and better treatment, or they would have opened the gates of hell on Morro Castle. This Government, however, upon the suggestion of the President, took $50,000 of the people's money out of the Treasury of the United States and begged of Spain the poor privilege of feeding our citizens American bread on Spanish soil.

I am not complaining. I am not criticising. There is no other such record in all the history of the world. I only repeat this humiliating statement to call attention to the fact that every effort that has been made by the President has been construed by Spain to be an act of cowardice and absolute and conclusive evidence that we are afraid of that mighty power, and every such act of careful consideration on our part has made Spain more cruel to her own people and more insulting to us.

We should have had before our minds the message of the first great President, who left word, in substance, that if we did not wish a national insult we should resent it. I beg to read from the fifth annual address of President Washington. He said:

> I can not recommend to your notice measures for the fulfillment of our duties to the rest of the world without again pressing upon you the necessity of placing ourselves in a condition of complete defense and of exacting from them the fulfillment of their duties toward us. * * * There is a rank due to the United States among nations which will be withheld if not absolutely lost by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

If the spirit had animated us two years ago that animated the first President when he penned those words, we would never have been placed in the humiliating situation of taking money from the American Treasury to feed American citizens who are in the prisons of the Spaniards. We would have demanded, as England

or any other self-respecting nation, that the citizens of our country should have a right to proceed upon the Island of Cuba to earn a legitimate living. Our failure to respect ourselves has given us what was promised by the Father of his Country, the insults we have invited.

The battle ship *Maine*, our gallant ship, went down and 268 of our brave citizen sailors with her. At the time every citizen of the United States familiar with the Spanish character felt confident it was Spanish treachery. Our ship was there by right of custom, of tendered hospitality, and also by treaty contract she had an absolute right to be there. The day closed, and she rode the harbor a messenger of peace. No message had been sent by our Executive inconsistent with the national honor of Spain. Our only offer was to try and restore peace, alike honorable to all.

Our Treasury had been opened to feed our people. Definite plans were not even suggested by the President, fearing to injure our relations with Spain. Spain could not conquer her own insurgents. Had we been a grasping nation, we could at any time within two years have made aggressive and forcible annexation, taking advantage of the crimes of Spain and the misfortune of Cuba.

"The night came on—a dark, a gloomy night, a natural and proper time for Spanish bravery! The remarkable part of Spanish history has been made in the night. Our men were asleep in a friendly harbor. They were never challenged to try their courage. They were not whipped in honorable battle, but choked, burned, strangled, and drowned without a chance to die fighting for life, without a moment to say a prayer. In the twinkling of an eye they stood in the presence of their Maker.

Suppose ninety of them had been United States Senators. Suppose the balance had been Members of Congress, or made up of judges and leading professional and business men; would forty days have elapsed before war began? Or suppose each Senator had a son or brother there! Do we tell our children the truth when we say that the life of every American citizen is of equal value before the law? They were not Senators; they were sailors. Their widows and orphans cry aloud to us. The silent appeal of 268 seamen comes to us again and again, saying to the Congress of the nation, "We are flesh of your flesh, bone of your bone, and blood of your blood. We loved and died for the flag that shields you." What is to be our answer? Shall we answer with money, Mr. President? I speak only for myself, and I am for war. [Applause in the galleries.]

But gentlemen may say, "Do not say you are for war; say that you are for armed intervention," which means war. I believe in calling things by their right names. If we believe that murdering our men, sinking our ship, and lowering our flag is not cause for war, say so; and refer it as they did the *Virginius* affair, and allow our brothers to be sold like cattle for gold.

If it is a cause for war, let us assume the responsibility put upon us by the Constitution, and say so not only to Spain, but to the whole world. Let us not say one thing and mean another. For God's sake, Mr. President, let us not Spanishize our diplomacies, but rather speak the truth and prove ourselves to be American citizens and worthy disciples of James G. Blaine.

We can hide no longer under the Executive wing. He can neither declare war nor refuse it. Congress alone can declare war. I for one am ready to vote now. You may continue to cry "Peace! peace!" but there can be no peace while Europeans own and butcher their slaves on the same continent where our flag floats.

But there are those who say that the court does not fix the responsibility. It was not necessary. The "peace at any price" man can not escape so. The law fixes the responsibility. We were in Spanish waters and over Spanish soil. The harbor is owned, controlled, and patrolled by Spain. The explosives in that harbor were owned and controlled by Spain. If it was a torpedo, it was a Spanish torpedo; if it was a mine, it was a Spanish mine. No explosives have been on sale in Havana for over a year to private citizens. By section 4 of Weyler's proclamation it was a crime to buy, sell, or have possession of explosives. If it was gun cotton, it was Spanish gun cotton, and if it was dynamite, it was Spanish dynamite. The power to explode it was controlled by Spain as much as they controlled the discharge of their cannon. A Government acts only through its agents and officers. It was owned, located, and exploded by Spain, and Spain must answer.

Mr. President, I have not made this statement without due deliberation. We have had more than forty days to deliberate. If it had been the boat of any live business man, its owner would have had a report within ten days. I am not complaining. I can not hope to escape criticism, but I shall not criticise. If ever there was a time when we should be open, frank, and considerate of each other, the time is now. I am willing to be governed by the wish of a majority of my friends who sit upon this floor. I claim no monopoly on patriotism; I claim no monopoly on love of humanity; I bring here no pretense of infallible judgment. I desire to work in harmony for the honor and glory of this country with the Executive and with Congress.

This is the only war-making power of this nation. I am only one of many, and it is fair to you and my constituents that I make my views known now. I shall oppose any proposition looking to indemnity. We must provide for the widows and orphans of our seamen, and their hands should never be soiled with Spanish coin. As I refuse to make a cash settlement for the lives of our men, I shall, with all the strength God gives me, bitterly and to the end oppose making a mere diplomatic incident out of the murder of our citizens.

I shall oppose the annexation of Cuba. I have given my reasons for that before. I think it would add to the glory of all Christendom if we, the mother of republics, make this fitting close of the century. We have been outraged and insulted. We demand neither money nor territory for the healing of our wounds. We only demand that the yellow Spanish flag shall retire forever from the Island of Cuba.

I shall oppose any plan to assist Spain to place any kind of autonomy on Cuba. Spain can not be trusted to keep her promise, and we can not undertake to compel her to do so. Aside from that, poor Cuba has paid a larger price for liberty than we did, and she must be free.

I shall oppose any plan that looks to forcing Cuba in the future to pay Spain one cent in cash for her liberty. Her land is full of graves, and her future generations must not be mortgaged. It is claimed by some that Cuba ought to be willing to pay the Spanish-Cuban war debt; that is, that Cuba should at least contribute to Spain the money Spain has spent in trying to destroy Cuba.

Shall Cuba pay for the powder and lead that killed her people? Shall Cuba pay for the torches that burned her homes? Shall she pay the back wages of the Spanish soldiers who ravished her wives and daughters? Never by any vote of mine, Mr. President!

Some tell us we must wait for Spanish elections. If her elections are as rotten as her diplomacies, we had better not wait. It is claimed that if we will wait until the Spanish elections Sagasta will give all concessions. Mr. President, are we to be fooled twice with the same trick? Is De Lôme so soon forgotten? Some tell us we are not prepared. When, then, shall we be better prepared? Will it be when the Spanish torpedo flotilla has crossed the water and rests complacently on her base of supplies, within striking distance of our fleet? We know now officially what we have believed for forty days. Shall we wait until she can destroy more of our ships and men? God forbid that such a crime should be charged to us.

Let us awake, Mr. President; shake off the Chinese narcotic that locks us in drowsy indolence, as we hug our money bags and murmur, "Peace at any price;" awake as our fathers did at Concord and Bunker Hill; awake to glorious war against a nation that burns homes and murders women and children; awake to glorious war that seeks no gain for us in treasure or territory, but a war to drive the oppressor from the continent, to set the Cuban flag in the sky forever, and, following the instructions, almost divine, left by Washington, a war that will give notice everywhere that the flag of our country and the lives of American citizens shall be honored and respected all over the world. [Applause in the galleries.]

EXPOSITION OF AMERICAN PRODUCTS AT PHILADELPHIA.

Mr. GALLINGER. I ask, Mr. President, that the agreement which was reached on yesterday as to the consideration of pension bills be now executed.

Mr. PENROSE. I hope the Senator from New Hampshire will yield to me for a few moments in order that I may ask for the consideration of the bill (S. 4080) providing for a national exposition of American products and manufactures at the city of Philadelphia for the encouragement of the export trade.

Mr. GALLINGER. That bill seems to be a matter of great concern to the people of Pennsylvania, and I will gladly yield if it does not lead to discussion.

Mr. PENROSE. I understand there will be no discussion on the bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill named by the Senator from Pennsylvania?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, and ordered to be engrossed for a third reading.

Mr. HAWLEY. Owing to the confusion in the Chamber, I have heard nothing but fragments of the reading of the bill. My attention had not been called to it before. May I ask if this is a bill providing for the holding of an international exposition?

Mr. PENROSE. The exposition will be partly international, but chiefly national.

Mr. HAWLEY. After the manner of the Omaha and New Orleans expositions?

Mr. PENROSE. Yes.

Mr. HAWLEY. Is there any expenditure on the part of the Government connected with it?

Mr. PENROSE. There is an expenditure of $300,000 provided for in the bill.

Mr. HAWLEY. The bill has been reported from a committee, I suppose?

Mr. PENROSE. It has been, and here is the report.

Mr. HAWLEY. I do not care for the reading of the report.

Mr. PENROSE. The bill has been very carefully considered by the Committee on Commerce, which has made an elaborate report on the subject.

Mr. HAWLEY. I do not care to make objection.

The bill was read the third time, and passed.

CONSIDERATION OF PENSION CASES.

Mr. GALLINGER. I ask that the first case on the Pension Calendar be now taken up.

The VICE-PRESIDENT. The Private Pension Calendar is before the Senate.

JOHN GREEN.

The bill (S. 1183) for the relief of John Green was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed, in adjudicating the pension claim of John Green, late of Troop C, Fourth United States Cavalry, to accept disability as having been incurred in line of duty, and thereupon to place the name of said John Green on the pension roll, subject to all other provisions and limitations of the pension laws, such pension, when granted, to date from the approval of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. I move that the preamble be stricken from the bill.

The motion was agreed to.

MAJ. MOSES CHAPMAN.

The bill (S. 3542) granting a pension to Maj. Moses Chapman was announced as next in order.

Mr. COCKRELL. That bill has been reported adversely. Let it be passed over.

The VICE-PRESIDENT. The bill will be passed over.

ELISHA M. LUCKETT.

The bill (H. R. 1381) granting an increase of pension to Elisha M. Luckett was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Elisha M. Luckett, second lieutenant Company B, Second Pennsylvania Volunteers, Mexican war, and to pay him a pension of $25 per month, in lieu of the pension now drawn by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. EMMA V. GILE.

The bill (S. 2652) granting an increase of pension to Mrs. Emma V. Gile was considered as in Committee of the Whole. The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma V. Gile, widow of the late George W. Gile, colonel Eighty-eighth Regiment Pennsylvania Infantry, and brevet brigadier-general volunteers, and colonel, United States Army, retired, at the rate of $30 per month, to be paid to her from and after the passage of this act, in lieu of the pension which she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting an increase of pension to Emma V. Gile."

BARBARA MILLER.

The bill (H. R. 3212) granting an increase of pension to Barbara Miller was considered as in Committee of the Whole. It proposes to place the name of Barbara Miller, widow of John Miller, late of Company C, One hundred and forty-second Regiment New York Infantry, on the pension roll and to pay her a pension of $12 per month, in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA E. HUDDLESTON.

The bill (S. 2786) granting a pension to Martha E. Huddleston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha E. Huddleston, widow of Pinkney Huddleston, of Company I, First Battalion Second Arkansas Volunteers, or mounted gun men, in the Sabine disturbances in the Southwest in 1836 and 1837, and to pay her a pension of $12 per month.

Mr. GALLINGER. Manifestly the pension provided for in this bill should have been at the rate of $8 per month, that being the rate granted under the Indian pension laws. I move that amendment.

The VICE-PRESIDENT. The amendment submitted by the Senator from New Hampshire will be stated.

The SECRETARY. In line 10, before the word "dollars," it is proposed to strike out "twelve" and insert "eight;" so as to read:

And to pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN R. BEVAN.

The bill (S. 3169) granting a pension to John R. Bevan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John R. Bevan, stepfather of Edward L. Bowden, deceased, late private in Company G, First Maine Regiment Heavy Artillery Volunteers, at $12 a month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS LANE.

The bill (H. R. 5083) granting a pension to Thomas Lane was considered as in Committee of the Whole. It proposes to pension Thomas Lane, late private in Capt. William Moore's company Illinois Militia, Sac and Fox Indian war, at the rate of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN N. BRUCE.

The bill (H. R. 2272) granting an increase of pension to John N. Bruce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John N. Bruce, late captain of Company E, Fourteenth Regiment New Hampshire Volunteers, and to pay him a pension of $50 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY HOLLENBANK.

The bill (H. R. 4320) granting a pension to Nancy Hollenbank, an army nurse during the war of the rebellion, was considered as in Committee of the Whole. The bill was reported from the Committee on Pensions with an amendment, in line 5, after the name "Hollenbank," to insert "an army nurse;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of Nancy Hollenbank, an army nurse, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Nancy Hollenbank."

MRS. WELTHA POST-LEGGETT.

The bill (H. R. 2349) granting a pension to Mrs. Weltha Post-Leggett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the name "Weltha," to strike out "Mrs.;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Weltha Post-Leggett, widow of Maj. Gen. Mortimer D. Leggett, and pay her a pension at the rate of $50 per month.

Mr. GALLINGER. At the request of the Senator who is interested in the bill, I ask that the amendment may be disagreed to, so that the bill may not again have to be acted upon by the House.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The Committee on Pensions reported an amendment, so as to make the title read: "A bill granting a pension to Weltha Post-Leggett."

Mr. GALLINGER. For the same reason I ask that this amendment be disagreed to.

The amendment was rejected.

MARY E. WALLICK.

The bill (H. R. 1802) increasing the pension of Mary E. Wallick was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Mary E. Wallick, widow of William Wallick, late captain of Company G, Fifty-first Regiment Indiana Volunteer Infantry, and to pay her $20 per month, in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. THOMAS.

The bill (H. R. 164) granting an increase of pension to John P. Thomas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of John P. Thomas, late a private in Company H, Thirty-sixth Iowa Volunteer Infantry, and pay him a pension of $30 per month, in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARY L. PAGE.

The bill (S. 3515) granting a pension to Mary L. Page was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to insert "twelve;" and in the same line, after the word "month," to insert "in lieu of the pension she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Page, widow of William Page, late of Company I, Eighty-third Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month, in lieu of the pension she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill granting an increase of pension to Mary L. Page."

PATRICK BREEN.

The bill (S. 3110) granting a pension to Patrick Breen, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "Cavalry," to insert "and pay him a pension at the rate of $12 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Breen, late a member of Company A, Twenty-first New York Infantry, and Company G, First United States Cavalry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABIGAIL R. ELLET.

The bill (S. 1071) granting a pension to Abigail R. Ellet, of Eldorado, Kans., was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-five" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abigail R. Ellet, widow of the late Gen. Alfred W. Ellet, and grant her a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Abigail R. Ellet."

MERLIN C. HARRIS.

The bill (S. 2357) granting an increase of pension to Merlin C. Harris, of Tonganoxie, Kans., was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Merlin C. Harris, late a captain in the Ninety-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month, in lieu of the pension he is now drawing.

The amendment was agreed to.

Mr. GALLINGER. I move to strike out the word "drawing," in line 9, and insert the word "receiving;" so as to read:

In lieu of the pension he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Merlin C. Harris."

CORA L. ROBINSON.

The bill (H. R. 6007) for the relief of Cora L. Robinson, of Centralia, Kans., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cora L. Robinson, widow of Leonidas L. Robinson, late third lieutenant in the Revenue-Cutter Service, who was drowned June 6, 1891, at Icy Bay, Alaska, by the capsizing of a boat while attempting to land the Mount St. Elias exploring party from the United States revenue steamer *Bear*, and to pay her a pension of $15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Cora L. Robinson."

GEORGE D. COOK.

The bill (H. R. 345) granting an increase of pension to George D. Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George D. Cook, late a private of Company K, One hundred and tenth Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID B. STOVER.

The bill (S. 2336) granting an increase of pension to David B. Stover was considered as in Committee of the Whole. It proposes to place upon the pension roll, at $30 per month, the name of David B. Stover, late a first lieutenant in Company A, First Massachusetts Volunteer Infantry, Mexican war, in lieu of that which he now receives.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIMEON STEVENS.

The bill (S. 4160) granting an increase of pension to Simeon Stevens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Simeon Stevens, late of Company A, Fifteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IDA EMMOTT.

The bill (S. 3026) granting a pension to Ida Emmott, dependent and invalid daughter of the late Thomas Emmott, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ida Emmott, dependent and invalid daughter of the late Thomas Emmott, private in the Seventh Battery of Massachusetts Volunteer Light Artillery, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Ida Emmott."

WILLIAM WARNER.

The bill (H. R. 1306) increasing the pension of William Warner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Warner, late a private of Company I, Eleventh Regiment Wisconsin Infantry, and to pay him a pension of $50 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAURA A. BARRY.

The bill (H. R. 5965) granting a pension to Laura A. Barry, as widow of Charles W. Barry, late private, Company B, One hundred and eighth New York Volunteer Infantry, was considered as

in Committee of the Whole. It proposes to place on the pension rolls the name of Laura A. Barry, as widow of Charles W. Barry, late private, Company B, One hundred and eighth New York Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Laura A. Barry."

DANIEL J. SMITH.

The bill (H. R. 5156) granting an increase of pension to Daniel J. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 4, before the letter "J.," to strike out the letter "D." and insert the name "Daniel;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Daniel J. Smith, of Waldo, Ark., late a private in Captain Pouncey's company, Alabama Militia, Florida Indian war, to $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CHARLOTTE POE.

The bill (S. 290) granting a pension to Charlotte Poe, widow of Isaiah Poe, deceased, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charlotte Poe, widow of Isaiah Poe, a soldier in Capt. William Johnson's company of Missouri troops in the war of 1812.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Charlotte Poe."

ALEXANDER E. INGRAHAM.

The bill (H. R. 4299) for increase of pension of Alexander E. Ingraham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander E. Ingraham, late private in Company I, Twenty-first Ohio Regiment, and to pay him a pension of $30 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY VOCKEY.

The bill (H. R. 4526) granting a pension to Mary Vockey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Vockey, widow of Theodore Vockey, alias Theodore Bird, late of the First Regiment United States Dragoons, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC B. VAIL.

The bill (H. R. 2275) granting an increase of pension to Isaac B. Vail was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac B. Vail, late a private of Company C, Eighteenth Regiment Massachusetts Volunteers, and to pay him a pension of $30 per month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH P. HARMON.

The bill (H. R. 2198) granting an increase of pension to Joseph P. Harmon, late private in Company K, Fifth Maine Volunteers, and Company B, Seventh Maine Volunteers, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph P. Harmon, late a private in Company K, Fifth Maine Volunteer Infantry, and Company B, Seventh Maine Volunteer Infantry, and to pay him a pension of $30 per month, in lieu of the pension now allowed him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "An act granting an increase of pension to Joseph P. Harmon."

CHARLES C. SHORT.

The bill (H. R. 4116) to increase the pension of Charles C. Short was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles C. Short, late a private in Company D, Twenty-first Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY F. RICE.

The bill (H. R. 2199) granting an increase of pension to Henry F. Rice was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry F. Rice, late first lieutenant Company B, Seventeenth United States Infantry, and to pay him a pension of $30 per month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELWIN A. SCUTT.

The bill (H. R. 2246) to increase the pension of Elwin A. Scutt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Elwin A. Scutt, late a private in Company I, One hundred and fifty-first Regiment New York Volunteer Infantry, and pay him a pension of $16 per month, in lieu of the pension now received by him.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JULIA E. WARNER.

The bill (S. 4004) granting a pension to Julia E. Warner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, after the word "and," to strike out "that she receive" and insert "pay her;" and in line 9, before the word "dollars," to strike out "fifteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia E. Warner, widow of the late Hans B. Warner, of Company G, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and pay her a pension of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL F. FOWLER.

The bill (H. R. 4194) granting an increase of pension to Samuel F. Fowler, formerly private, Company A, First United States Infantry, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel F. Fowler, formerly private in Company A, First Regiment United States Infantry, and to pay him a pension of $20 per month, in lieu of the pension now drawn by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel F. Fowler."

BERNARD DUNN.

The bill (H. R. 771) granting an increase of pension to Bernard Dunn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bernard Dunn, late a private in Company A, Second Regiment Iowa Cavalry, and to pay him a pension of $24 per month, in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ERIKA A. NORMAN.

The bill (S. 1011) to increase the pension of Erika A. Norman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "L" and insert the letter "K;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, at the rate of $12 per month, the name of Erika A. Norman, widow of Saul Norman, late a private of Company K, Second California Cavalry Volunteers, the same to be in lieu of the pension she now receives.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISAIAH MITCHELL.

The bill (S. 3059) increasing the pension of Isaiah Mitchell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty-eight" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaiah Mitchell, late of Company G, One hundred and fifteenth United States Infantry, at the rate of $30 per month, in lieu of the pension now received.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY HINCKLEY.

The bill (S. 2393) granting an increase of pension to Henry Hinckley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Hinckley, late of Company G, Fifth Volunteer Infantry of Vermont, at the rate of $12 per month, in lieu of the pension now received.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS EDSALL.

The bill (S. 3660) granting a pension to Thomas Edsall, of Grafton, Ill., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Edsall, late of Company E, Ninth Regiment Illinois Volunteers, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Thomas Edsall."

ALONZO B. CHATFIELD.

The bill (S. 4003) to construe an act approved June 3, 1884, rerating and including the disability of Alonzo B. Chatfield, late of Company B, Thirty-third Regiment of Illinois Volunteer Infantry, was considered as in Committee of the Whole. It provides that the act approved June 3, 1884, "rerating and including the disability of Alonzo B. Chatfield, late of Company B, Thirty-third Regiment of Illinois Volunteer Infantry, with that class of pensioners who have lost an arm at or above the elbow," be construed to be continuous in its provision; and the Commissioner of Pensions is instructed to reenter and continue the name of that pensioner on the roll with the class mentioned in the act, and at the rate of pension provided for that class.

Mr. COCKRELL. I should like to ask the Senator from New Hampshire, the chairman of the committee, whether this is not a bill which grants arrears of pensions, practically?

Mr. GALLINGER. I will say it was not so intended, and if there is any question about it, I wish the Senator from Missouri would offer an amendment making it plain that it does not.

Mr. COCKRELL. I think it does, beyond any question.

Mr. GALLINGER. It ought not to grant arrears, and if the Senator will prepare an amendment, I shall be glad to have it adopted.

Mr. COCKRELL. I move to insert at the end of the bill the words "from and after the passage of this act."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES B. RAWLINS.

The bill (H. R. 6931) granting a pension to James B. Rawlins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dollars," to strike out "thirty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James B. Rawlins, son of the late Maj. Gen. John A. Rawlins, and pay him a pension of $16 a month.

Mr. COCKRELL. Let that part of the report on the first page, beginning "the proposed beneficiary of this bill," be read.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Secretary will read as requested.

The Secretary read from the report submitted by Mr. KYLE, from the Committee on Pensions, March 22, 1898, as follows:

The proposed beneficiary of this bill, "little Jimmie," as he was familiarly called, was always an invalid, and early, at the age of 18 months, subject to epilepsy, which impaired and ruined his originally bright mind and rendered him unable to carry on any business or to support himself. He is now poor, without any income or property whatever, and unable to help himself. He is an object not only of charity, but of pity. He has no friends or relatives able to care for him. His case is within the spirit and purpose of the law, but not within the letter, and the Pension Bureau is without power to grant relief.

Your committee, in view of these facts, are unanimously of the opinion that the relief sought ought to be granted, and report the bill back with the recommendation that it pass, with the following amendment:

In line 6 strike out "thirty" and insert "sixteen."

Mr. CULLOM. I simply want to say a word and to ask the Senate not to concur in the amendment made by the committee. This boy is the son of Gen. John A. Rawlins, who was a personal friend of mine. I happen to know that the boy, since he was taken away from here, has become absolutely blind. He is having almost every day the spells referred to in the report.

Mr. COCKRELL. Epileptic fits?

Mr. CULLOM. Epileptic fits. His sister is a very poor woman, a married woman with scarcely any property of her own. The boy is absolutely helpless. I hope if the Senate or Congress is disposed to give the boy anything that the committee will kindly allow the bill to go through at $30.

Mr. GALLINGER. I am aware of the fact that it is always an ungracious thing to reduce the rate of pension allowed to any claimant who is properly championed by a member of the Senate or House of Representatives. My judgment is that this bill ought not to pass at all. That is my judgment. It proposes to grant a pension to the son of a soldier, and we are not pensioning the children of soldiers unless they have been incapacitated from infancy. Undoubtedly this young man has had some disability from early life, but the fact is that for a time, and that in recent years, he performed service in one of the Departments in Washington. This is the first time it has been hinted to me that he is totally blind. I never heard that fact suggested before. It does not appear in the report.

Mr. CULLOM. I have a letter, which I have not in my possession, however, stating that since the boy was taken home to his sister he can scarcely see the light at all. He was partly blind when taken away from here, and he has now become blind. Besides he is being supported now by the John A. Rawlins Post, of this city. It seems to me if we are going to give him anything at all, we ought to give him enough so that we can fairly well take care of him. I hope the Senator from New Hampshire, the chairman of the committee, who I know is guarding the interests of the Treasury as carefully as possible, will withdraw any opposition to the bill as it passed the House.

Mr. GALLINGER. I wish to make an additional observation. In the case of children of private soldiers who have been incapacitated from infancy we have established a rate of $12 per month, and I know of no reason why the son of a major-general should have a higher rate of pension, when it is a gratuity, than the son of a private soldier. Yet in view of the fact that General Rawlins was conspicuous in the service and that there is great sympathy felt for this poor boy, if the Senate wishes to nonconcur in the amendment reported by the committee, I have no objection.

Mr. CULLOM. I hope the Senate will nonconcur in the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 6, before the word "dollars," strike out "thirty" and insert "sixteen."

Mr. COCKRELL. As I understand this case—and I had that part of the report read for the purpose of understanding it—it is parallel with the general law. Where a child from infancy is idiotic or insane or totally disabled, the Commissioner of Pensions can grant a pension; but this not having been such a case absolutely from infancy, the Pension Office could not act upon it. The evidence presented and the statement of the Senator from Illinois bring the case within the spirit of the law.

Mr. CULLOM. I want to say one word further. The chairman of the committee referred to this young man as having been employed in Government service for a while. The truth is he was put there as a matter of pity to try to support him, but he was so utterly helpless that he was unable to perform duty. Finally he was stricken almost entirely blind, and he was taken out. He lay here quite a long time very ill, and then he was taken home to his sister by the Army post here, where he has been quite ill ever since. The chances are that he will live but a little while longer.

Mr. GALLINGER. A single further observation. My anxiety is not about this bill.

Mr. COCKRELL. I understand that.

Mr. GALLINGER. My anxiety is about the flood of bills that are coming to Congress to pension children of soldiers. I want to give notice now that if we do not call a halt in that matter, we have got to face the proposition in Congress to pension all the children of soldiers as well as the widows of soldiers. I am here trying to guard the Treasury. It is an ungracious task. Sometimes I almost despair of any reasonable degree of success. It seems to me that human ingenuity is being tested to its utmost to devise reasons for asking for private pension legislation.

I simply want to put myself on record as desiring to have meritorious bills passed, stretching my conviction to the utmost extent in all cases of destitution. I shall not oppose the passage of the bill as it passed the House.

Mr. COCKRELL. I wish to say simply that I heartily concur in the statement of the chairman of the committee. The pressure is intense for an increase of all classes of pensions, and doubtless there will be many cases where children of soldiers will claim pensions. We have established a principle in regard to children, and beyond the spirit of that law Congress ought never to go. If I thought this case was beyond the real spirit of the law, I should say no to it, and that the bill should not even be passed at all. But as it was brought clearly within the spirit of the law, I do not propose to offer any objection to it.

Mr. GALLINGER. I will let the amendment be nonconcurred in so far as I am concerned.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FARNHAM J. EASTMAN.

The bill (S. 1353) for the increase of pension of Farnham J. Eastman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Farnham J. Eastman, late a private in Company E, Twenty-fifth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $50 a month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. BROWN.

The bill (S. 3474) granting a pension to John C. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Brown, of Tacoma, Wash., and that he be granted a pension of $30 per month, in lieu of $17 per month now granted him.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES H. PRESTON.

The bill (S. 1759) granting a pension to James H. Preston was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of James H. Preston, late of Capt. John Griffin's company, Battalion of Missouri Mounted Volunteers, and to pay him a pension of $8 per month for services against the Comanche Indians in the year 1848.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EMILY J. MILLER.

The bill (H. R. 907) granting a pension to Emily J. Miller, blind and helpless child of Robert B. Miller, deceased, late of Company C, One hundred and ninth New York Volunteer Infantry, was considered as in Committee of the Whole. It proposes to place the name of Emily J. Miller, blind and permanently helpless daughter of Robert B. Miller, late of Company C, One hundred and ninth New York Volunteer Infantry, upon the pension roll and to pay her a pension of $15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting a pension to Emily J. Miller."

ISABELLA G. DANIELS.

The bill (H. R. 6211) granting an increase of pension to Isabella G. Daniels, widow of Milton T. Daniels, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Isabella G. Daniels, widow of Milton T. Daniels, private, Company A, First Massachusetts Cavalry, and pay her a pension of $20 per month, in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting an increase of pension to Isabella G. Daniels."

MARY C. COOK.

The bill (S. 2036) to increase the pension of Mary C. Cook was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Cook, widow of Lewis G. Cook, deceased, late mate and acting master in United States Navy, at the rate of $20 per month, in lieu of her present pension of $12 per month, under certificate No. 2210.

The amendment was agreed to.

Mr. GALLINGER. I move to strike out the word "deceased," in line 6.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER (at 1 o'clock and 58 minutes p. m.). There is a special order for 2 o'clock, the matter of eulogies upon the late Senator Earle, of South Carolina. It will take about fifteen minutes to complete the Pension Calendar, and I appeal to the senior Senator from South Carolina to grant the courtesy to the committee to occupy fifteen minutes after 2 o'clock.

Mr. TILLMAN. Under the circumstances I do not feel inclined to make any objection to that request, and it may be granted.

The PRESIDING OFFICER. The Chair hears no objection, and the request is granted.

R. A. BROWNING.

The bill (H. R. 2924) granting an increase of pension to R. A. Browning was considered as in Committee of the Whole. It proposes to increase the pension of R. A. Browning, late a private in Company I, Fourth Regiment Tennessee Volunteers (Mexican war), from $12 to $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES J. GIBBS.

The bill (H. R. 1971) to grant a pension to James J. Gibbs, of Knox County, Tenn., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James J. Gibbs, a private of Capt. Gideon White's company of National Guards of East Tennessee.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill to grant a pension to James J. Gibbs."

WILLIAM P. COOPER.

The bill (H. R. 1957) to increase the pension of William P. Cooper was considered as in Committee of the Whole. It proposes to place the name of William P. Cooper, late a member of Company A, First Regiment of Tennessee Volunteer Infantry, on the pension roll and to pay him a pension of $50 a month, in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WALTER D. WEAVER.

The bill (H. R. 5964) granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Walter D. Weaver, imbecile son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry, and to pay to the committee of his estate when appointed a pension of $15 per month for his benefit.

Mr. GALLINGER. In line 5, after the word "imbecile," I move to insert the words "and dependent."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting a pension to Walter D. Weaver."

CHARLES L. STEPHENS.

The bill (H. R. 3661) granting a pension to Charles L. Stephens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles L. Stephens, late a

private in Company L, Fourth Provisional Enrolled Missouri Militia, and to pay him a pension of $40 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEROME A. STANTON.

The bill (H. R. 5384) for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States, and to pay him a pension of $18 per month for wounds and injuries received while in the discharge of his duties.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill for the relief of Jerome A. Stanton."

MILTON ISERMAN.

The bill (H. R. 3793) granting an increase of pension to Milton Iserman was considered as in Committee of the Whole. It proposes to place the name of Milton Iserman, late of Thirty-third New Jersey Volunteers (unassigned), on the pension roll and to pay him a pension of $24 per month, in lieu of that he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORRISSANDA L. M'GUIRE.

The bill (S. 2588) increasing the pension of Corrissanda L. McGuire, of Shelbyville, Ind., was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Company," to insert the letter "B;" in the same line, after the word "the," to insert "Second Kentucky;" in line 8, after the word "Regiment," to insert "Infantry;" and in line 10, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Corrissanda L. McGuire, widow of James E. McGuire, who served in Company B of the Second Kentucky Regiment Infantry in the war with Mexico; who also served as captain of Company F, Fifty-first Regiment Indiana Infantry Volunteers, and pay to her a pension of $20 per month, in lieu of any pension that may now be paid her.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill increasing the pension of Corrissanda L. McGuire."

JOHN A. ANDERSON.

The bill (H. R. 2970) to permit an increase of the pension of John A. Anderson was considered as in Committee of the Whole. It proposes to grant to John A. Anderson, late of Battery I, Fifth United States Artillery, and Company A, Fifty-first Indiana Volunteer Infantry, such an increase of his pension as he may, upon filing an application therefor and upon medical examination, be found to be entitled to on account of disability arising from disease of spine and general debility, the said allowance to be the same as if his original pension had been granted under the provisions of the general pension laws, and to be governed, as to date of commencement, by the provisions of section 4698½ of the Revised Statutes of the United States. But this act shall not be so construed as to give an increase of pension from a date antecedent to the passage hereof.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. WEBSTER.

The bill (H. R. 290) to increase the pension of William H. Webster was considered as in Committee of the Whole. It proposes to place the name of William H. Webster, late lieutenant of Company I, Eighth Regiment New York Cavalry, upon the pension roll, and to pay him a pension of $50 per month, in lieu of any pension that may now be paid him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. SARAH A. DENNY.

The bill (H. R. 722) granting a pension to Mrs. Sarah A. Denny, an army nurse, was considered as in Committee of the Whole. It proposes to place the name of Mrs. Sarah A. Denny, an army nurse, on the pension roll, and to pay her a pension at the rate of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. COCKRELL, the title was amended so as to read: "A bill granting a pension to Mrs. Sarah A. Denny."

NICHOLAS GARDNER.

The bill (H. R. 4183) granting an increase of pension to Nicholas Gardner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nicholas Gardner, Company D, One hundred and first Indiana Infantry, and to pay him a pension of $50 per month.

Mr. GALLINGER. In line 3, after the word "hereby," I move to strike out the words "instructed and authorized" and insert "authorized and directed;" and in line 7, after the word "month," I move to insert the words "in lieu of that he is now receiving."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MINERVA SAMPLE.

The bill (H. R. 3160) to place on the pension rolls the name of Minerva Sample was considered as in Committee of the Whole. It proposes to place on the pension rolls the name of Minerva Sample, widow of Kirk J. Sample, late an acting assistant surgeon in the United States Volunteers, and to pay her a pension of $17 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. BLAKEMAN.

The bill (H. R. 3184) granting an increase of pension to James H. Blakeman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James H. Blakeman, late private Company F, One hundred and sixty-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH M. TUMY.

The bill (H. R. 7827) granting a pension to Elizabeth M. Tumy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth M. Tumy, widow of the late Solomon P. Tumy, late second sergeant of the Third Indiana Regiment of Infantry in the Mexican war, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN DAY.

The bill (H. R. 3299) granting a pension to Ellen Day, stepmother of Albert L. Day, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen Day, dependent stepmother of Albert L. Day, late private in Company K, Fifth Regiment Ohio Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting a pension to Ellen Day."

WILLIAM H. BYRUM.

The bill (H. R. 1034) granting a pension to William H. Byrum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Byrum, late a private of Company E, Seventh Regiment Indiana Legion, and to pay him a pension of $10 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAREY H. RUSSELL.

The bill (H. R. 4467) to increase the pension of Carey H. Russell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Carey H. Russell, late first lieutenant of Company G, Twenty-ninth Regiment of Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that which he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVELYN N. MURRAY.

The bill (S. 3425) for the benefit of Evelyn N. Murray was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Evelyn N. Murray, widow of the late Eli H. Murray, colonel of the Third Kentucky Cavalry and brevet brigadier-general, at $50 per month, in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. JAMES M. HERRINGTON.

The bill (S. 1928) granting an increase of pension to First-class Pilot Capt. James M. Herrington was considered as in Committee of the Whole. It proposes to increase the pension of First-class Pilot Capt. James M. Herrington, who was permanently disabled by gunshot wounds while serving in the Mississippi Squadron, United States Navy, in the late war, to $30 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY E. HERD.

The bill (H. R. 4624) granting an increase of pension to Mary E. Herd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Herd, widow of Andrew J. Herd, late lieutenant-colonel of the Fourteenth Kentucky Volunteer Cavalry, and to pay her a pension of $30 per month, with the usual allowance for her minor children in addition thereto, such pension to be in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY L. RODERICK.

The bill (S. 285) for the relief of Mrs. Mary L. Roderick was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 5, before the name "Mary," to strike out "Mrs.;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Roderick, widow of Simon Roderick, late private in Captain Bossier's company, Missouri Militia, war of 1812.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mary L. Roderick."

SUSAN C. ODEN.

The bill (S. 1587) granting a pension to Susan C. Oden was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan C. Oden, widow of Alfred Oden, a soldier in Captain Mace's volunteer company of Missouri Rangers during the time of the Blackhawk Indian war, and pay her a pension of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DELIA ELIZABETH WOODWARD.

The bill (H. R. 3915) granting a pension to Delia Elizabeth Woodward was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Delia Elizabeth Woodward, widow of George Nelson Morgan, who served as major First Minnesota Volunteers, and to pay her a pension of $25 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS M. BRUNER.

The bill (H. R. 3802) increasing the pension of Francis M. Bruner was considered as in Committee of the Whole. It proposes to place the name of Francis M. Bruner, late a member of Company A, Seventh United States Colored Infantry, on the pension roll and to pay him a pension of $50 per month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

R. G. ENGLISH.

The bill (H. R. 7008) granting pension to R. G. English was considered as in Committee of the Whole. It proposes to place upon the pension roll at $8 per month R. G. English, who served in the war known as the Sabine Indian disturbances.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2295) granting a pension to Mary J. Hart, of Quincy, Ind.

The message also announced that the House insists upon its amendment to the bill (S. 504) granting an increase of pension to Mrs. Christine C. Barnard, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. HOWE, and Mr. STALLINGS managers at the conference on the part of the House.

The message further announced that the House had passed a joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation in the State of Utah; in which it requested the concurrence of the Senate.

MEMORIAL ADDRESSES ON THE LATE SENATOR EARLE.

Mr. TILLMAN. Mr. President, I ask for the immediate consideration of the resolutions which I send to the desk.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The resolutions submitted by the Senator from South Carolina will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. JOSEPH HAYNESWORTH EARLE, late a Senator from the State of South Carolina, and that it extends to his afflicted family its sincere sympathy in their bereavement.

Resolved further, That as an additional mark of respect to the memory of Senator EARLE the legislative business of the Senate be now suspended in order that his associates in this body may pay a tribute to his memory.

Resolved, That the Secretary transmit to the family of the deceased certified copies of these resolutions, with statement of the action of the Senate thereon.

Resolved, That the Secretary of the Senate be directed to communicate these resolutions to the House of Representatives.

Resolved, That as a further testimonial to the memory of the deceased the Senate do now adjourn.

Mr. TILLMAN. Mr. President, as by agreement my colleague [Mr. MCLAURIN] will present a brief outline of the life and services of the dead Senator from South Carolina, I ask that he be first recognized.

The PRESIDING OFFICER. The Chair recognizes the junior Senator from South Carolina.

Mr. MCLAURIN. Mr. President, to offer tributes of respect to one of our number who died while in the discharge of his official duties is one of the most kindly and time-honored customs of Congress. These constantly recurring exercises are eloquent reminders of the shortness and uncertainty of life, and they touch a sympathetic cord in human nature which even the sternest can not repel.

The philosophy and religion of every age and every clime have conspired to rob of its terrors the cold, clammy atmosphere of the grave, and it is some comfort to believe that after we have crossed the Dark River we shall be remembered and loved by those who remain on this side. One of the unseen evidences which points to immortality is the instinctive desire of men to be remembered by those left behind; to be thought of and talked about by the living after we are dead. It is this desire which makes the philanthropist more generous, the soldier more brave, the adventurous more daring, the wise more learned, and the good more just. An all-wise Providence planted this longing within our breasts to urge humanity to its utmost effort and to impress upon our vain natures the immeasurable distance that lies between the highest accomplishments of man and the grandeur and majesty of the infinite.

There is a time to mourn as well as a time to die. May this custom continue in the future, as in the past, a token of love and respect to the virtues of our colleagues who have passed away.

As a citizen of his native State and his successor in this honorable body, I bring my tribute of admiration and respect to the memory of the late Senator JOSEPH H. EARLE. If the honest promptings of my heart would suffice, the green sod of kindly memory would ever flourish above his grave.

Senator JOSEPH H. EARLE was born April 30, 1847, the youngest of a family of nine children. His father, a wealthy and distinguished lawyer, and his mother, an estimable and accomplished lady, both died before he was 5 years old. The ample fortune left him by his father was lost through a reckless guardian, and at a tender age he was thrown out in the world an orphan without means.

Senator EARLE traced his genealogy through a long line of distinguished ancestors, both in this country and in England. Many of them served with marked distinction during the Revolutionary war, and since that time have been distinguished as politicians, judges, lawyers, and teachers. It is a family which has always possessed much influence and consideration, especially in the Piedmont region of South Carolina. Fortunately for the little orphan boy, he was taken in charge by an aunt, a most excellent woman, who reared him with much care. He attended school at Sumter, S. C., and soon evinced a decided aptitude for study and a strong determination to become a scholar.

In July, 1864, he enlisted in "Charles Battery," which at the close of the war was part of Kemper's Artillery, and later on surrendered with Johnston's army. He attained the rank of sergeant,

and, boy that he was, discharged the full duty of a soldier. At the close of the war he went to Furman University for two years, and taught school and paid for his tuition afterwards. During these years his independent spirit felt the grinding force of poverty. Anxious for an education and fully appreciating its value, he was unable to complete his course at college for the want of a little ready money.

He was very thorough in his studies and nearly always stood at the head of his class. After leaving college he was elected principal of the Chick Springs Academy in 1868 and conducted the school with credit to himself and satisfaction to the community. While teaching here he began the study of law and was admitted to the bar in 1870. In 1869 he located for the practice of law in Anderson, having married Miss Annie Wilton Earle, daughter of John Baylis Earle, a wealthy and influential citizen of that county. In 1875 he removed to Sumter, where he soon acquired a large and remunerative practice.

The year 1876 will ever remain a marked period in the history of South Carolina. It was a time which tried the manhood, courage, and constancy of every white man in the State. It is in times like these that men of true courage and ability come to the front. Without effort, almost, upon his part he became the leader of the people of Sumter County. He was chosen in 1878 to the house of representatives, declined a renomination in 1880, but in 1882 was elected to the State senate for four years. As a legislator he acquitted himself with rare ability, and soon became one of the prominent figures in public life. In 1886 Judge EARLE was elected attorney-general, and having succeeded to the same office so soon after him, I can speak with authority of the marked ability and fidelity with which he discharged its arduous duties.

Soon after the end of his second term as attorney-general he removed from Sumter to Greenville, forming a copartnership under the name of Earle, Orr & Mooney. Probably the most marked event in the public life of Senator EARLE was his campaign for governor in 1890.

The period from 1885 to 1890 had been one of unrest and political agitation among the people of South Carolina. The wounds have not all healed and there are still smoldering embers, which it is needless to stir into an angry blaze by tracing too particularly the causes leading up to and the history of those stormy days. I may say, however, that the immediate differences were the demand for an agricultural college, better common-school facilities, primary elections, reduction of governmental expenses, and the equalization of taxation.

The recognized leader of the "Farmers' Movement," as it was called, was Capt. B. R. TILLMAN, now a member of this body. In addition to local issues the Alliance agitation in the agricultural States of the South and West was particularly strong in South Carolina. In 1890 we had the first State campaign for the control of the nominating convention. In March of that year the Farmers' Movement held a convention and suggested Capt. B. R. Tillman for governor, subject to the action of the State convention. This made a clear-cut issue and resulted in the formation of two well-defined factions within the Democratic party, who fought for supremacy just as political parties do in the general election in other States. One faction was known as the "Tillmanites" or "Reformers" and the other as "Conservatives or Antis."

The Conservatives made no regular nomination, but by tacit consent General EARLE received their support. He was just closing his career as attorney-general, and was favorably known throughout the State as an able lawyer and a pure, incorruptible man. A forcible speaker, with a fine presence and a clean public and private record, he was, in my opinion, the strongest man the Conservatives could have run. While identified with that faction, he was popular with the Reformers, for indeed they had practically offered him the nomination for governor in 1888 against Richardson.

The campaign of 1890 constitutes an epoch in the history of South Carolina and in truth marks a political revolution in our State. It was a memorable canvass. EARLE, polished and elegant in manner, spoke with the logic and clearness of a trained lawyer, but he had not the rugged force and fiery eloquence with which his opponent stirred the masses of the people to a pitch of enthusiasm not witnessed in our State during this generation. Factional feeling, intense before the campaign opened, became more so as it progressed.

From the first it was plainly evident that a great popular wave was sweeping the State from the mountains to the sea. Vast crowds attended every public meeting, and General EARLE was confronted by immense audiences, which evinced by every means in their power a preference for his opponent. In these public contests it is easy to float on the crest of a tidal wave. The battle is not to be dreaded when the chances are something like equal, but the true test comes when a man faces certain defeat for a cause which he believes to be just, and still fights with the same ardor and courage as though he stood any chance of winning.

General EARLE, true to hereditary instincts, faced the storm with coolness and magnificent self-possession, and he met defeat with the courage and dignity of true manhood. No one, under the circumstances, could have done better than he did. In defeat he had the respect of both friend and foe, as after events amply proved. After the election, so high had factional feeling run that a large number refused to abide the result of the primary and nominated an independent ticket, headed by Judge Haskell. The campaign had been intensely bitter, and Judge Haskell was very popular among the Conservatives. He was a man of high character, with a magnificent war record—one of those magnetic personalities whose leadership is readily accepted.

In the heated condition of the public mind it was a great temptation to Conservatives, as a body, to follow the leadership of Judge Haskell. It was then that General EARLE showed the kind of metal of which he was made. He came out in a strong letter pleading for unity among the white men of South Carolina and advising his friends and supporters to vote for the nominee of the party, Capt. B. R. TILLMAN. In this General EARLE put under foot all selfish considerations, rose above natural inclinations, and acted from motives of highest and purest patriotism. I am sure a majority of the people of South Carolina concur in this statement, for at the first opportunity he was elected judge of the Eighth judicial circuit, largely by the votes and influence of those who had defeated him in 1890 for governor.

I remember a little incident illustrating some of Judge EARLE's characteristics. In 1892, when George T. Minor was seeking reelection, the first campaign meeting was held in the city of Greenville, where EARLE lived. Ex-Governor Sheppard was the nominee of the Conservatives. There was an immense crowd in the city, and partisan feeling ran high. After breakfast I was in Governor Tillman's room, when Judge EARLE walked in. Nothing could exceed the delicate courtesy with which he treated his former opponent. It was the first time that I had come into immediate contact with him, and I was much impressed with his chivalrous bearing. During the course of the conversation I remarked that I was surprised that the Conservatives had not renominated him. I will never forget the humorous smile and twinkle of the eye with which he replied, "Well, last campaign I never heard anything from 'early morn till dewy eve' but 'Hurrah for Tillman!' I am rather tired of the tune and perfectly willing for some one else to 'bell the cat.'"

In 1896 Judge EARLE entered the canvass for the United States Senate. Few expected him to be elected; but as the campaign progressed, charges, countercharges, and epithets were bandied back and forth between his two opponents, and there were enough people in South Carolina who wanted a high, pure man, against whose character naught could be said; and these, irrespective of faction, elected Judge EARLE to the Senate. Indeed, there had been so much extremism and bitterness on both sides that of necessity there was a backward swing of the pendulum and a move toward normal conditions. This resulted in the selection of a man who had, under all circumstances, preserved his own individuality and had been extreme upon neither side.

The interests of our people were identical, and they had become weary of so much strife and unnecessary contention. Judge EARLE had a true perception of this fact.

In his campaign he rose above small things, and discussed the issues from a statesmanlike standpoint; he appealed direct to the whole people irrespective of faction, and their generous response sent him to the Senate of the United States.

On January 26 the legislature confirmed the primary by unanimously electing him United States Senator for the term of six years. He was sworn in and took his seat, but within four short weeks from the opening of the extra session was taken sick, and upon the advice of his physician went to his home in South Carolina. He never returned. His career as student, lawyer, and statesman had forever closed. For a month a naturally strong constitution and iron will vainly battled against the fearful ravages of Bright's disease, but finally, on the 20th of May, 1897, he passed into the "Great Beyond." His death was marked by the calm fortitude which reveals the hope and courage of the Christian's faith. Fully conscious to the very last, he made his will, called his loved ones around him, took leave of the grief-stricken family, and went down into the dark valley as one sinks into peaceful slumber.

When a student of Furman University Senator EARLE accepted the Baptist creed as his standard of life, and honestly endeavored to carry his religion into his daily walk. His conversation was peculiarly chaste and pure, while his manner was calm, dignified, and courteous. There was something very striking in the personal appearance of Judge EARLE. Six feet tall, straight as an Indian, with a magnificent head and face finely poised upon a pair of broad shoulders, deep-set, penetrating eyes, and handsome features, he might have posed as a model for a sculptor's chisel.

His ideas of manhood were exalted, but he did not except himself, and at all times tried to live up to the ideal. Everybody knew JOSEPH H. EARLE as a brave, able, and honest man. Every position of responsibility to which he was called he filled with

ability and distinction. Had he been spared, the high duties of Senator would have been discharged with credit to himself, honor to his State, and benefit to his country.

Estimated by comparison with his contemporaries and measured by the environments which he overcame, his career was one of unusual distinction. There was no spice of the demagogue in his composition, for I verily believe the corner stone of his life was grounded upon those bed rocks of character, courage and veracity, which, when coupled with intelligence, never fail to bring success and honor.

His popularity was not the ephemeral conquest of an aspiring politician over the emotions and prejudices of the people, but a steadfast and permanent hold upon their reason and judgment. He was a strong man intellectually, physically, and morally. Never weak and vacillating, "he knew himself and the ways before him." He was not a great orator in the popular acceptation of the term, but he was a pleasant speaker, with a deep, strong voice and a clear, clean-cut, incisive style which appealed to the reason and not the emotions of his audience.

Senator EARLE was most happy in his domestic relations and his devotion to home and family was a conspicuous trait in his character.

I went to the funeral last May in the beautiful mountain city where he lived. It was a touching sight—the newly made widow and fatherless children and a host of friends and relatives all with their heads bowed in grief at a loss which was irreparable. By every means in their power his friends and neighbors testified to the high esteem in which he was held, while prominent men from all over the State came to do honor to his memory. He leaves to his children the precious heritage of a name untarnished during an entire life by a single blot—a heritage more precious than "costly raiment and fine gold."

His life should be an incentive to every young man struggling against poverty, for it is a conspicuous example of what can be accomplished by persistent effort. He made the battle and won the victory over poverty and the trying conditions which fall to the lot of those early orphaned. All men in public life, from the beginning, have some object in view, some round of the ladder which they hope to attain. With his lofty ideals and high purposes, I have sometimes thought that perhaps within his innermost soul a seat in this, the most august deliberative body in the world, had been the one great ambition of his life. It certainly was no low or sordid ambition; one worthy of the noblest soul.

He won the prize and stood within the portals of success gazing with eager expectation into the future. What a mockery is human ambition! An ignis fatuus leading us madly onward until we grasp the coveted prize, only to find it naught save "dust and ashes." Before he could pluck the ripening fruits of his triumph, in the prime of manhood, in the midst of pleasant dreams, when life to him was so sweet, so full of that which human language fails to express, the grim harvester reached forth his hand and he is stricken down.

Truly, in the words of the poet:

> Oh, why should the spirit of mortal be proud?
> Like a fast-flitting meteor, a fast-flying cloud,
> A flash of the lightning, a break of the wave,
> He passes from life to his rest in the grave.
>
> The leaves of the oak and the willow shall fade,
> Be scattered around, and together be laid;
> And the young and the old, and the low and the high
> Shall moulder to dust, and together shall lie.
>
> * * * * *
>
> 'Tis the wink of an eye, 'tis the draught of a breath
> From the blossom of health to the paleness of death,
> From the gilded saloon to the bier and the shroud!
> Oh, why should the spirit of mortal be proud?

Mr. CHANDLER. Mr. President, the circumstances connected with the death of our late associate, Senator JOSEPH H. EARLE, were peculiarly saddening and are strikingly suggestive of the brief and uncertain duration of the highest earthly honors. Doubtless no shorter period of Congressional service than his can be found in the annals of the Senate. His term began March 4, 1897, on which day he was sworn and took his seat, and he served during the executive session and beyond the opening of the extra session which began March 15; but about May 1 he disappeared from this floor and died at his home in Greenville, S. C., on Thursday, May 20.

After he had been sitting for one month, a keen and wondering observer of the unfamiliar scenes before him, he became justly impatient at the delay in reorganizing the committees of the Senate, so that the new members might do their share of the work of the session, which they could only effectively perform through participation in the investigations and deliberations of those indispensable subdivisions of every useful legislative body. Modestly and quietly, yet impressively, on April 6 he offered a resolution and asked for its immediate consideration, which declared that the Senate would on the next day proceed to reorganize its committees and to fill all vacancies therein. One Senator objected to the consideration on that day of the resolution and another Senator moved that it be referred to the Committee on Rules. When, however, Senator EARLE, as a new Senator, stated his desire to express himself as to the propriety of reorganizing the committees, unanimous consent was given, and he then spoke as follows:

Mr. EARLE. Mr. President, I have very few remarks to make. We have been in session over thirty days. Under the Constitution of the United States each State has a right to two Senators upon this floor, and the Senate has no right to deprive any State, either in part or in whole, of its full representation.

I wish to ask Senators who have been here for two and four years whether it is right that Senators who came into this body on the 4th of March shall be absolutely ignored so far as the committees are concerned? I do not wish—be it far from me—to violate what is known as the courtesy of the Senate. I would not offend against the most delicate sense of propriety; but, standing here as I do, a new Senator, representing in part the State of South Carolina, it seems to me that it is my duty to call the attention of this body to the fact that the State of South Carolina has two Senators and that only one of them has been assigned to committees.

We know that the most important work of legislation is performed by Senators upon committees. If you have the right to say that certain Senators shall not go upon committees for thirty days, then you would have an equal right to say they shall not go upon committees for six months, and you violate a principle. The Senate is a continuing body. It never dies. As one Senator goes out, another comes in. You may expel a Senator, but as soon as you do so the governor of the State, or the legislature, if in session, has a right to appoint or elect his successor. It is the theory of our Government that this body shall always continue, and I submit that when the Senate convenes upon the 4th of March at a time as early as is practicable thereafter the committees should be reorganized. Party exigency should not stand in the way. Party exigency should never be consulted in order to violate a principle.

That is all I have to say, Mr. President.

From these clear and cogent expressions of Senator EARLE's views as to the duty of the Senate to appoint its committees without delay no dissent was uttered, but the resolution under the objection made was passed over. Before it came up again, on April 8, Senator EARLE's sickness had come upon him and he was unable to be present. He honored me by sending to me a request that I would take charge of the resolution in his behalf, and he never again appeared upon this floor. He had spoken as a United States Senator for the first and the last time. Fatal disease had seized upon him, the inevitable summons to higher duties had come to him, and after a few weeks of anxious hope and grievous pain he passed on to his eternal home.

Not often has one of our number been taken by death away from such bright prospects of usefulness and happiness in a Senatorial career. Coming from a life spent in the practice of the profession of the law, he was admirably qualified for important and effective service as a legislator. The great change in his sphere of duty charmed and stimulated him and began to engage his highest capacity, to arouse his noblest faculties. Accompanied by his devoted wife and children, his new home in Washington was as gratifying to him as was his post of labor in the Senate. All the incidents of his changed life were pleasant and joyful; nothing was wanting to his cup of happiness, when it was taken from him. The wine of bitterness was pressed to his lips, which he could not refuse to drink, and he was sent out of the brightest sunshine into the dark shadow of death.

In my mind's eye I can see him now—that strong frame, that intellectual and refined face, those clear, kindly eyes, and that genial smile. Only yesterday we saw him for a moment, then the gates of heaven opened for him and he went forever from the sight of our mortal eyes. His stay with us was exceedingly short. But such, indeed, is the sum of all human existence, and even when we reflect upon the length of days of those we have in this life known the longest, their brevity is startling.

> Like shadows gliding o'er the plain,
> Or clouds that roll successive on,
> Man's busy generations pass
> And as we gaze their forms are gone.

In contemplating the record of our lost friend, we find nothing to censure, everything to commend. If to his family and friends there may be consolation in believing that his was a useful and honorable life, the facts abundantly warrant their faith. He was born in Greenville, S. C., April 30, 1847, and soon entered upon youthful struggles for a livelihood that would have overcome a less intrepid spirit. His father dying when he was 5 years old, the fortune he left was lost by the guardian of the boy, who was brought up by his aunt to a life of toil; he labored in the field at times, but sought and obtained a good education, walking from his home to and from Sumter Academy; and he early showed decision of character and vigor of body by saving a boy from drowning. He was only 14 when the war of secession began, and having had a thigh crushed by an accident he did not go early into the fight; but in July, 1864, he enlisted in Charles's Battery of Light Artillery, with which he served until the surrender of Johnston's army to Sherman in 1865, when he was a sergeant at 17 years of age.

After the war he pressed on with his studies, teaching school to earn money with which to pay his expenses at Furman University. In 1868 he became principal of an academy, and while

teaching began studying law at night, and in April, 1870, was admitted to the bar. He lived at Anderson for five years, and in 1875 removed to Sumter. In the political revolution of 1876 he commanded one of the military companies then organized, and later became a captain in the Sumter Light Infantry and lieutenant-colonel on the staff of Governor Wade Hampton; and, whatever may have been the merits of this revolution, his zeal and efforts undoubtedly commended him strongly to the white people of his State, and caused his election in 1878 as a representative from Sumter County to the State legislature, in 1882 made him a State senator, in 1880 a delegate to the national convention which nominated Hancock and English, in 1884 a delegate to the first Cleveland convention, and in 1886 the attorney-general of the State.

Entering into later politics, he was an unsuccessful candidate for the nomination for governor against Mr. TILLMAN (the present senior Senator from South Carolina in this body); in 1892 returned to live at his native home, Greenville, and in 1894 was elected by the legislature as the judge of the Eighth judicial circuit, in which office he achieved a high reputation for industry, impartiality, and wisdom. His election to the United States Senate came after an exciting popular contest in public meetings against the candidacy of Governor Evans, in which Mr. EARLE triumphed by a majority of 3,318 votes, and was elected by the legislature on January 27, 1897, by a vote unanimous with one exception, entering upon his office on March 4 and dying on May 20, leaving a widow and three sons and five daughters.

Surely this brief review of a laborious life and a creditable private and public career must be suggestive and helpful to everyone who may read the tributes which the Senate is now paying to its honored dead.

Of more importance to us, however, than the gratification which this record of our recent associate affords is the faith which we cherish that the life to which he has now ascended is higher, better, and nobler than existence in this world of lights and shadows, of joys and griefs, of goodness abounding and of evil ever pursuing—a world too unintelligible that we despair of understanding it, and only look for its interpretation beyond this vale of tears, where he has gone and where we shall soon join him.

That there is a future life after this present state we do not allow ourselves to doubt. Senators who have been for the eleven years since March 4, 1897, members of this body will recall those of our number who have left these scenes for the world beyond.

The fourteen who died while members of the Senate were:
John S. Barbour, Virginia, May 14, 1892.
James B. Beck, Kentucky, May 3, 1890.
Alfred H. Colquitt, Georgia, March 26, 1894.
JOSEPH H. EARLE, South Carolina, May 20, 1897.
James Z. George, Mississippi, August 14, 1897.
Randall L. Gibson, Louisiana, December 15, 1892.
Isham G. Harris, Tennessee, July 8, 1897.
George Hearst, California, February 28, 1891.
John E. Kenna, West Virginia, January 11, 1893.
Preston B. Plumb, Kansas, December 20, 1891.
Leland Stanford, California, June 21, 1893.
Francis B. Stockbridge, Michigan, April 30, 1894.
Zebulon B. Vance, North Carolina, April 14, 1894.
Ephraim K. Wilson, Maryland, February 24, 1891.

The twelve who died after ceasing to be Senators were:
Joseph E. Brown, Georgia.
Richard Coke, Texas.
Nathan F. Dixon, Rhode Island.
Joseph N. Dolph, Oregon.
John R. McPherson, New Jersey.
Gilman Marston, New Hampshire.
Algernon S. Paddock, Nebraska.
Henry B. Payne, Ohio.
Bishop W. Perkins, Kansas.
Harrison H. Riddleberger, Virginia.
Daniel W. Voorhees, Indiana.
James F. Wilson, Iowa.

Tender memories of these our lost associates, on such an occasion as this, come readily to our thoughts. In imagination we can see them now before us, occupying their old familiar places. We can almost hear their voices, although they will not reply to our anxious questionings. Yet we continue to listen, hoping for a sure sign of their existence.

It singeth low in every heart,
We hear it each and all,
A song of those who answer not,
However we may call.

They throng the silence of the breast,
We see them as of yore,
The kind, the true, the brave, the sweet,
Who walk with us no more.

They have not been annihilated; we have not parted with them forever; we shall meet and see and verily hear them again in a world of activity, a world of achievement, a world of joy, and, God be praised, a world of sinlessness.

So we reverently deem the death of our late comrade and friend as really no loss, but as his real gain, as we are to have faith that our own departures will be our real gain—an advent into a new and glorious existence. We shall be fortunate if those who mourn for us can point to a life and death so full of hope and consolation as his. Let only the cheerful side be contemplated. He came among us gentle and refined, courteous and lovable. He soon passed away like a beautiful ray of the sunset, leaving suggestions of a brilliant sunrise on the morrow. On a bright afternoon in May, by direction of the Senate, we bore him tenderly to final repose at his South Carolina home. In his own house prayers were said. His neighbors and friends gathered about us, and we committed his mortal remains to the earth in the peaceful churchyard. We gave such condolence as we could to the widow and the orphans, and returned to our duties in this Chamber, blessed and made better by our contemplation of his worthy life and by our strengthened faith that the Creator, in His power and goodness, before the mountains were brought forth or ever He had formed the earth and the world, had decreed that immortal life should be the inheritance of all the children of men.

Ah, why should bitter tears be shed
In sorrow o'er the mounded sod,
When verily there are no dead
Of all the children of our God?

They who are lost to outward sense
Have but flung off their robes of clay.
And clothed in heavenly radiance
Attend us on our lonely way.

While sorrow's tears our eyes have wet,
Shed o'er the consecrated dust,
Too much our darkened souls forget
The lessons of enduring trust.

Let living faith serenely pour
Her sunlight on our pathway dim,
And death can have no terrors more,
But holy joy shall walk with him.

Senators, in our present daily life, whether amid the turmoil of the world's affairs or in the quiet of our own home, for reasons which all feel but few can explain, we converse but little of these great questions which are of supreme importance to every human soul. Yet as the years pass and youth and vigor yield to age and weakness, and our associates fall by our sides and we bear their remains to their last resting places and almost begin to count the days after which the places which now know us shall know us no more forever, there come times when our thoughts are irresistibly turned away from earth and fixed on higher things. Such moments are of priceless value to us, when, realizing the vanity of all human wishes and that we have here no continuing city, but only a brief abiding place, we also comprehend and rejoice at the illimitable destiny that is before us. How helpful it is that after such communings we can come back to the duties and labors of life, to its mingled fears and hopes, sorrows and joys, temptations and triumphs, failures and achievements, having in rapt imagination, like the seer of Patmos, caught inspiring glimpses of our final home, the New Jerusalem, the city of our God—

How gleam thy watch fires through the night
With never-fainting ray;
How rise thy towers, serene and bright,
To meet the dawning day.
In vain the surge's angry shock,
In vain the drifting sands;
Unharmed, upon the Eternal Rock,
The Eternal City stands.

Mr. CLAY. Mr. President, although Senator EARLE and myself represented adjoining States, I had never met him until we became members of this body. I had known of him as a public man for many years and watched with much interest his canvass, made under adverse circumstances, for the office of United States Senator. I knew he had served the people of his State with distinguished ability, and the people of my State rejoiced at his election. They thought they saw in his career one of marked ability and great usefulness, not only to South Carolina, but to the entire country. Doubtless had he lived, he would have met the most sanguine expectations of his friends.

I became attached to Senator EARLE soon after I met him, and during the short while he was in Washington scarcely a day passed we were not together. Our short acquaintance and public service ripened into a warm friendship. Socially he was a most delightful gentleman. His conversations were always elevating and pure, and his companionship was not only delightful, but also profitable. In his death I fully realize that his State and the nation have sustained a great and irreparable loss.

With the exception of the Senators of his own State, I was probably more intimate with him than any other member of this body. It is not my purpose, however, to go into the details or biography of his life. This doubtless should be left to his colleagues.

In his death I feel that I sustained a great personal loss. I miss him as friend, counselor, and companion. The highest eulogy I can pay him is to state that in private and public life I found him to be honest and faithful in the discharge of every duty. It seemed to be his highest purpose to advance every material interest of the people of his State. While he was broad and liberal in his views and devoted to the interests of the entire nation, his solicitude for the welfare of the people of his own State and his deep anxiety in all that concerned them and his readiness to make every sacrifice necessary to advance their interest was clearly manifested in his entire life; but in the prime of his usefulness he was summoned from earthly scenes to his final home.

Senator EARLE'S election to the Senate was the beginning of his career as a national legislator. He took the oath of office and entered upon the discharge of his duties as Senator on the 4th of March, 1897, and died on the 20th of May following. Consequently his services as Senator were of short duration. While he had never before been a member of either branch of Congress, he had served his own State in both branches of the legislature and as attorney-general and judge with distinguished ability and to the entire satisfaction of his own people.

He held the office of attorney-general for two terms, and in this capacity was the legal adviser of his State for four consecutive years, and I am informed that during his entire administration he lost not a single case in the courts. He ranked among the ablest lawyers of his State.

As judge he had an absolute and undeviating purpose to administer the law independently of personal considerations.

As an advocate he accomplished his purposes by no maneuvering or indirect methods, but went boldly and fearlessly up to his work, strong in his convictions of right and absolutely fearless of the consequences to himself. His inflexible honesty and devotion to duty marked every step in his private and public life.

What higher eulogy could be paid any man? A knowledge of his ability as a lawyer and his exalted character as a public man had preceded him to the Senate. He was recognized when he entered this body as a man well equipped to discharge the arduous duties connected with the highest office within the gift of the people of his State. He died within less than three months after he became a member of the Senate. He only attended the session of the Senate for six weeks, when he was stricken with an acute attack of Bright's disease, from which he never recovered. During this time he only addressed the Senate once, and then very briefly. He had a clear, ringing voice that easily penetrated every part of this Chamber and made a splendid impression upon his hearers. He was cut down in his forty-ninth year, in the vigor and strength of his manhood and in the beginning of his career as national legislator.

Had his life been spared, what a brilliant career he had before him. He had a term of six years in the Senate to test the full measure of his capabilities; and had he been permitted to gather what he had sown, doubtless his career as Senator would have been crowned with great usefulness and honor. But he was plucked from among us in the noonday of life, possessing the esteem and unbounded confidence of the people of his State.

Why a man with such possibilities and in the very prime of his usefulness should be called from life into death passes my comprehension. But we should accept without a murmur the decrees of a just, wise, and merciful God.

Mr. President, before I close my remarks I wish to say a few words relative to his domestic life. When he came to take his seat as a member of this Chamber, he was accompanied by his wife, eldest son, and two little daughters. I was often with them, and I have never known a man more devoted to his family. To make them happy was the supreme purpose of his life. He often said to me that his quiet home among the forest trees of Greenville was the abode of his real happiness. That home, once so happy and joyous, is now darkened with sadness and sorrow. Death, the heritage of all, has been a visitor there. This Senate to-day sends a message of love and sympathy to the widowed wife and orphan children of the distinguished dead.

The happy home that was once hallowed by the presence of a loyal husband and affectionate father is sad and desolate, but, thank God, that home is not without hope. He had long been a consistent member of the Baptist Church, and his eloquent pastor spoke beautifully of his Christian life when his remains were laid to rest. He said:

> We stand under the overshadowing mystery of death, a mystery which no human philosophy has been able to relieve of its gloom. In this instance its darkness has been intensified by the peculiar circumstances in which the stroke has fallen. A noble and beautiful life has been cut short in the hour of its supreme usefulness. We thank God there rests upon it no stain of dishonor. In it truth has not been sacrificed and courage has not faltered.
>
> Death has put a period to a career in the private and public vicissitudes of which there has been consistently maintained a bearing which suggests in the fullness of the original meaning that fine old designation, gentleman. He feared God and not any man. He loved righteousness and scorned everything mean. He trusted the Lord Jesus Christ and was considerate of his fellow-man. He gave his distinguished abilities in faithful service to his country. He had a high and worthy ambition, and rose by patient, persevering effort from the common walks of life to the highest honor in the gift of the people of his State, and died in the fullness of his powers.

This splendid eulogy was paid him by his pastor, who knew him, honored him, and loved him.

Mr. President, I was one of the committee to attend his remains to their last resting place in his beloved State. It was there I witnessed the admiration and love cherished for him by his own people.

To fully appreciate a man's real character, to estimate his genuine worth, to pass correct judgment upon his life, we must learn how he is regarded and esteemed by his neighbors. The funeral services were held in the church where Senator EARLE had worshiped for years. The city of Greenville was in mourning, business was suspended, and sadness and sorrow could be seen in every face. The people knew they had lost a leader, counselor, and a friend, an honest, fearless, and faithful public servant.

A great concourse of all classes was present to do honor to his memory. The history of his life fully illustrates what honesty, industry, and devotion to duty will accomplish.

His splendid and successful career has ended, and all must realize the loss to the nation. As long as history treasures up faithful public service, as long as a pure and stainless life is honored and revered, so long will his life and services be remembered by his people as an example worthy of the highest emulation. The story of his life will illumine the brightest pages of the history of his State. This story is not only an invaluable heritage to his widow and his children, but one which should be a lesson and inspiration to the struggling youth of our country.

Mr. SPOONER. Mr. President, I met Mr. EARLE for the first time on the day he became a member of the Senate, but a few weeks, alas, before he went from this Chamber "to the lone couch of his everlasting sleep," and the words I shall utter of him must be brief, although they are not in any wise perfunctory.

The Senator from South Carolina [Mr. MCLAURIN] has paid an eloquent and appreciative tribute to his memory. The senior Senator from South Carolina will speak of him from the standpoint of a political competitor, an excellent vantage ground for accurate estimate of the characteristics and traits of another. He will, I know, speak eloquently, earnestly, and sincerely. In the heat of conflict we learn to know the quality and fiber of an opponent.

This is especially true in the field of political warfare, where personal ambitions clash, and the foe in that arena who is always manly, direct, and sincere, giving hard blows and taking them in return, never striking "below the belt," never forgetting what chivalry demands of the "true knight," well earns respect, admiration, and confidence. That Senator EARLE was such a man will be warmly testified by the senior Senator from South Carolina, and is, moreover, conclusively established by the circumstances under which he won the confidence of his people.

Senator EARLE was a man of attractive personality. His was a clear-cut, intellectual face, and his bearing was of exceeding dignity. He was graceful, and of winning address. I sought him more than once during his short stay among us for conversation, and found him an engaging and charming gentleman.

Once only he addressed the Senate. The Senator from New Hampshire [Mr. CHANDLER] has just quoted his language on that occasion. Senator EARLE was speaking when I entered the Chamber, and immediately arrested my attention. His words were few, but well chosen. He spoke without apparent embarrassment, although with great earnestness. His voice was ringing, but sweet and well modulated, and every word was spoken with peculiar distinctness.

In a dignified, strong, eloquent, and withal modest manner he asserted the right of each State to be represented by two Senators, each assigned to committees, and each thereby fully permitted to participate in the important work of preparing legislation. He regarded the Senate without fully organized committees as out of harmony with the Constitution. His argument was conclusive. He commanded the attention of the Senate, made an impression upon the body, and evoked from more than one in my hearing the opinion that South Carolina had chosen wisely when she sent him to the Senate.

I can well believe, Mr. President, that he was a powerful man in the court room, whether in the argument of a proposition of law or in appeal to a jury.

From his conversation he seemed to have reached the summit of his ambition, although he chiefly valued a seat in this body for the opportunity it afforded to a thoughtful, earnest, able man to render public service. This view, which he once expressed to me, went far to establish his fitness for the honor.

Although, in the providence of God, he was with us but a few weeks, the highest tribute to his quality and character is to be found in the universal feeling of Senators that by his untimely death the Senate suffered a distinct loss. It is not at all to be doubted that had he been spared, he would have rendered to South

Carolina rich return for the confidence which she had reposed in him and to the country at large conspicuous service in this great forum.

Mr. CHILTON. Mr. President, I always take a special interest in those things which relate to South Carolina. My maternal grandfather and grandmother long lived in that State, and I have a great uncle, now surviving at an extreme age near my home in Texas, who voted in South Carolina for Andrew Jackson when he first ran for President in 1824. He remembers with keen personal interest the statesmen of our earlier days, and now, although his life almost spans a century, he still takes an interest in South Carolina politics and never fails to call on me for an account of the public men who represent her in the Federal Congress.

So when Senator EARLE came into this body at the extraordinary session which convened in March, 1897, I greeted him with a warmth perhaps somewhat greater than the welcome which is usually given to a new Senator. I was glad to find that he would sit near me, and soon spoke to him of the ties which bound me to his State. He seemed to me to be an exact type of the South Carolinian, at home or abroad. He was such a man as represented that great State forty, sixty, or eighty years ago, and I think four words might describe him almost as accurately as a volume.

I would say that he was quick, acute, open, and aggressive.

Ten minutes' conversation with him was sure to bring to notice all these qualities, and I think I can hardly be mistaken in supposing that they are the characteristics which made him powerful and popular at home, and they could not have failed to earn for him a high place in the Federal Congress.

So close were our seats in the Senate that we often conversed about pending matters with the freedom which I believe marks the intercourse of deskmates in every grade of duty, from the schoolroom to the Senate or the synod. In this way I came to know him perhaps as well as anyone in this body who made his acquaintance after his appearance here.

His comment upon men and affairs exhibited reflection and precision. When he talked or when he listened, his eyes sparkled with animation, and there was every indication of reserve force and latent fire. Every movement of the man showed candor and openness. His regular attendance upon the sessions of the Senate testifies to his diligence.

In the only speech which he had the opportunity to make in this body he exhibited, as Senators must have noticed from its reading, a high conception of the courtesies of the Senate, and his own rights and those of his State, and the proper methods of legislation. Above all, he exhibited, even in this casual appearance in debate, that spirit of enterprise and love of action which I have heretofore described as aggressiveness.

I shall not undertake to deal with his personal history. His old friends in this Chamber will sufficiently touch those parts of the man's photograph. I only present the mere glimpses derived from a short acquaintance.

A few days ago we spoke of Senator Harris, of Tennessee, a man whose life for twenty years prior to his death was a sort of record of the Senate's work. Here we speak of one who died before he was barely known to his Senatorial associates. Thus cut off from the opportunities for which he had hoped and fought, the curtain is rung down upon a career which might have widened till it thrilled the world.

At last it may be described, in all its brevity, as a great career, for though in the providence of God he has been denied the opportunity to hew out a history here or even to serve a single term in this body, it must ever be a pride to his family and a tribute to his memory that he was deemed by the people of South Carolina worthy to be placed upon the roll of her United States Senators, that roll upon which are perpetuated the names of Pinckney, and Sumter, and Huger, and Elmore, and Barnwell, and Gaillard, and Preston, and Hammond, as well as the blazing titles of Robert Y. Hayne, George McDuffie, and John C. Calhoun.

Mr. CANNON. Mr. President, JOSEPH H. EARLE, the soldier, the Senator, has answered the last roll call of this world. If the bravery of his career on earth is any assurance of the composure with which he will confront the judgment seat, we may well believe that he will stand there serene in the strength which knows no faltering, willing to receive the appointed decree for all the thoughts and all the words and all the deeds which marked his little day on earth. It is a splendid hope that the grandest quality of the human soul—steadfastness—can not be lost in the transition from this life of death to the deathless life.

Greater than the affection which prompts us to devote this hour to an expression of eulogy for the citizen departed, for the friend gone to the other Mansion, for the battle-nerved arm quieted in the coffin, for the honest voice stilled in the soft nighttime of the grave, is the duty upon us to pause in this solemn instant in our country's career and contemplate the brevity of mundane experience and the speeding toward us all of that sunset hour when earthly hope and earthly life are enveloped in the shadows. The sense of death hallows the judgment of men and sanctifies the purpose of nations.

Let us in this view of our larger duty devote to this memorial service the time which belongs to the country. JOSEPH H. EARLE and his fellow-Senators met in this official sphere as birds meet at sea, giving but the signal of a fluttered wing as they drive along through swirling tempests, and scarcely pausing to turn an eye to watch each other's flight beyond opposed horizons. I knew this departed one but briefly; and yet admiringly, for he was a soldier-gentleman, so considerate of all the high requirements of social and official intercourse that every contact with him seemed but to more endear him to his fellows. I knew him best as the reconciled representative of a reconciled people—as one who felt that the Cause for which he had offered his life was won when it was lost.

No words from human lips can add to the dignity of that epitaph which his own career has written: JOSEPH H. EARLE, the orphaned lad, offering his heart's best blood to the State he loved; JOSEPH H. EARLE, the United States Senator, offering his soul's best thought to the people of the country which he loved more. That which we can say must be for the comfort of remaining humanity and not to bless him. It is an instructive thought that not all the words which earthly pens can trace, nor all the sentiments which human lips can utter, can add one jot to or take one tittle from the character which was the formation of his 50 years as we count earthly time.

He was a man. And in this one man was folded all the universe, with its dark abysms of eternal silence, its immeasurable spaces filled with the mysteries of unknowing and unknown; and with all its lighted worlds of heavenly harmony, its precessional march of infinite power, and its sublimer mystery of some time knowing all as we are known.

As the breathing flower, as the wind-stirred leaf, as the upspringing grass blade contains within its tiny self the problem of progression and its solving, and as it has its individual and impregnable identity amidst all its fellows; so man, every man, bears within himself, in the illumination of his soul, the possibility of all knowledge, all virtue, all law by which the universe is and is governed, all processes by which the worlds are framed, and, in its darker chambers, all the possibilities of woe and destruction and infinite gloom—and he has his own individuality, in which, through all the eternity, there can not come the unholy intrusion of any other essence.

This order is not complex; it is of all things most plain—that man of his Creator born, the chief of all things created, is of the creative power an eternal part. From him, in earthly life, spring the majesty of nations and the downfall of dynasties. If we could know of that hidden thing, the first man, and could lay bare to finite knowledge the wonder of his possibilities, we would see that in him was the germ of all that was to be—the song of love and the shriek of hate; the whisper of peace and the trump of war; the crucifixion and the crucified; the home of hope where innocence with instinct supernatural calls all things good because they are, and because they are of God, and the slaughter pen of infamy, where innocence perishes, doubting of mercy because it seems to be withheld, and doubting of mercy's God because He does not seem to speak; the palace and the hovel; the plenty and content which flow from wisdom, and the want and degradation which come of laws denied; the liberty-crowned domes beneath which freemen speak for freemen, and the dungeons of the secret tyranny; the fight of savage men to overcome a savage earth; the triumph of that intellect which, in the evolution of this life, has grown too large for the limitations of our poor measure of time and space; the unions and the revolutions; the wandering stars, gathered into one field of blue and made the flag of a consecrated people, inspired with a holy purpose to redeem the world for its exaltation as a heavenly home. All good, all evil, are his. It is the whisper of his own immortality that asks him on to deathless deeds; it is the clog of his own earthliness that holds him in the mire of things that die in their doing. As immortality step by step conquers the earthliness, the man of the now is rising into realms of greater light, and upon him is dawning the day of reflected infinite knowledge that peace and order are the law of that universe of which he holds the essence. To this end he is marching, led on by inspiration, led on by that eternal impulsion which makes the generations go from good things unto better; until—surmounting all—from him, in eternal life, springs the majesty of worlds, peopled and glorious. In every evolution which has marked his passage he can see, if he will, the unassailable certainty of that eternal time for him. Earthly evolution is but the type of spiritual evolution. It is the monition of a lesson which we sometimes try to forget, but which comes to us in the silent watches of the night, in the hour of loneliness at sea, by the bedside of friends departing, and, more

sacredly and certainly than all, in the hope to meet again the friends already gone.

This life, as a part of the eternity to which it belongs, is not even as a speck of cosmic dust to the infinite space to which it reddens under the crimson sun. There is a future, as there was a past. As the past is lost to our remembrance lest we lose our energy by retrospection, so the future is mercifully hidden from us lest we rush from life with heedless haste or feel a saddened discontent with earth. But that it is, and that it is forever, as it was forever, all the best moments of man bear witness.

No human soul is satisfied with the hopeless horror of oblivion. To have emerged from nothingness, to have gasped this earthly air for the fretting instant of a fretted human life, and then to have plunged into nothingness is to have been of a humanity damned from birth to death with causeless, useless struggle in a wretched world of nothingness. The grave is not extinction; it is the door of home; it is God's portal through which we pass from this little light of life to the greater light of a better life. Just so surely as we live to die, just so surely do we only die to live.

Doubt of eternal life would be a self-inflicted cruelty, if there were room for doubt. But this is true: It is either oblivion before we were, nothingness now, and oblivion after we are, or it is life forever. Of these two, every man from whom a dearer than himself has passed away will, in the holiest chamber of his thought, beneath the stony front which he presents to all the world, hold fast the hope which is knowledge, that it is life forever.

Earthly science has its vast domain, in which it triumphs and subdues; but beyond the measure of its widening achievements, and beyond the bounded realm of certainty, abides the unbounded realm of holy faith. Passing all comfort that mortality can give—balm to the wounded heart, sustenance to the poverty stricken, justice to the oppressed, benediction to the orphaned and the widowed and all who mourn, is the prophetic vision which stands for us through the ages:

> Awake and sing, ye that dwell in dust: for thy dew is as the dew of herbs, and the earth shall cast out the dead.

Mr. KENNEY. Mr. President, in paying tribute to the memory of JOSEPH H. EARLE, late a Senator from South Carolina, I do so with the most profound sincerity. Judge EARLE having always lived in the State in which he was born and which he represented in this body, his whole life was interwoven with the history of South Carolina and its interests, and the happiness and welfare of its people were always his concern.

Faithful in his loyalty and devotion to his native State, while yet a boy he entered the service of the Confederacy in the war between the States, enlisting in Charles's Battery of Light Artillery, Johnston's army, in which he served to the end of the war. After the close of the war and when the two great armies which for four years had maintained a struggle such as the world had not before seen returned to the pursuits of peace, he at once resumed his studies, graduating from Furman University at Greenville, S. C., in 1867. After reading law he was called to the bar of his State in 1870 and practiced his profession until the time of his death.

While my acquaintance with Judge EARLE was limited and of short duration, covering only the period during which he was a member of this body—less than three months—I had formed for him in that short time a most warm attachment and high regard. A gentleman of the highest standard, courteous and considerate, he was of those men whose friendship is so much to be desired.

South Carolina has given many evidences of the high esteem in which Judge EARLE was held by those who knew him best. That he was twice chosen a member of the general assembly, attorney-general for two terms, and a judge of the circuit court of that State are some of the evidences of that esteem.

Grounded in the belief that as the chosen representative of the people he became their servant, and in consequence was bound to give an account of his stewardship to those whose servant he was, his official acts were ever performed in the strictest obedience to a conscientious regard of the law and right and to the best interests of the people. And only such a faithful and honest discharge of his many official duties and responsibilities could have won for him the promotions he received at the hands of the people of his State, ending in his election to membership in this body.

Coming into the Senate in the prime of manhood—ripe in that experience which comes of close and intimate contact with the people, and strong from years of active work in that profession which so well fits men for the responsibilities upon which he was entering—a future of great usefulness seemed open to him, and had his life been spared, he would have brought to the Congress of the United States, as a Senator from South Carolina, that same sterling worth, ability, and integrity which in such a marked degree distinguished his career as a lawyer and jurist of his own State.

He was most interested in the condition of the great producing classes of his State and country, and, in a conversation had with me soon after he came to the Senate, he said that no question interested him so much as the conditions of the farming classes of the country, and that he looked forward with great anxiety to the time when these conditions would be changed and those classes again prosperous. He hoped to witness this change, hoped to aid in bringing it about, but—

> Oft our hopes are doomed to die in sorrow,
> Oft our seedtime knows no harvest-morrow—

and Senator EARLE passed from earth into that Great Unknown without the fruition of that desire, which was the betterment of the conditions of millions of his fellow-men.

Death is seldom welcome, but never so unwelcome as when it cuts down the young, the strong, and the useful; when it takes those upon whom depend the helpless; and so it was in the death of Senator EARLE. Less than 50 years of age, he was among the young men of the Senate, and only a little time before his death, when he came into the Senate, there was every evidence of that physical strength which, with his age, would seem to prophesy for him many more years of usefulness, many years more to be given to those who were dependent upon him—a devoted wife and loving children, who were ever his constant solicitude.

Possessed of high and honorable hopes for the future of his children, he hesitated at no sacrifice which could be for their substantial welfare and true happiness.

While he was a stranger to most of us in this Chamber, he has, nevertheless, left upon the minds of us all a most lasting impression—that impression which always comes from contact with greatness, not alone of mind, but of soul; and none in this Chamber can ever forget JOSEPH H. EARLE. The memory of him will be ours until we, like him, fall before the sickle of the destroyer, when, through the loving mercy of Divine Providence, we hope for that state of eternal rest to which, through the blessings of that Providence, he has already succeeded.

Mr. MCENERY. Mr. President, the members of the Senate will remember the appearance of the late Senator JOSEPH H. EARLE on the floor of this Chamber. Tall, erect, with face and figure denoting strong and vigorous health, mental power, and intellectual supremacy.

The announcement of his serious illness so soon after he commenced his duties was a surprise, and his untimely death a shock to the people who honored and trusted him and to his associates here who expected much from him, as he came here with a reputation for intellectual vigor and moral worth, and with a mind well furnished in all that relates to the high duties which he was called on to perform.

His early life brought him into contact with the rough experience of war, a school that is harsh and forbidding in many of its details, but nevertheless calculated to stimulate the mental faculties and to impress upon the moral faculties the nobility of courage, magnanimity in victory, and fortitude in adversity.

He was well trained to pursue his studies after the struggles of war had subsided, and better qualified to enter upon the most sacred duty ever intrusted to man—the education of the youth of his native State.

The evidence from every locality and in every place where he pursued this high calling is that he was a successful teacher, not only in imparting useful and valuable knowledge, but the impress of his character was there as a standard for moral worth.

At the bar he was a courteous lawyer, fully imbued with the nobility of the profession, and he never lowered it to the standard of making of his professional ability an article of trade and barter. He was a successful lawyer. His ability caused his selection for the office of attorney-general of South Carolina, which office, we have been told by the people of that State, speaking through the public press, he filled with unusual ability, at once placing his name alongside of the famed lawyers which South Carolina has given to the nation.

His promotion was rapid. No man can thus advance so rapidly in public esteem and the affections of the people without having rare qualities of mind and heart. From the office of the attorney-general he was placed on the bench.

We are told by those who were acquainted with his judicial life that he was a jurist of rare attainments, accurate judgment, painstaking and studious, and possessing that essential faculty which makes an upright judge, a judicial conscience, which works always to find out the right, to do that for which courts are established, justice between litigants. We are told that no local or partisan considerations, no prejudices of any kind, warped his judgment, but that with an even temper and an impartial mind he read the record to find where justice and equity prevailed.

There was mourning and grief in all South Carolina when his death was announced. The press announced that a great affliction had fallen upon the State.

The columns of the papers gave evidence of the estimation in which he was held by his people.

At the bar, in political office, on the bench, and among his people, he was described as an upright man, an able, honest public official; in private life, as a man without a blemish; and at his home, the devoted husband and father. One of his intimate friends told me that from his earliest youth to the last of his days nothing ever escaped his lips that could not with propriety have been said in the bosom of his family.

His rare attainments of mental and moral worth were the growth of centuries. He inherited these qualities. His family history reveals the sources of his greatness. From a remote period, in England and in America, some member of it in each generation has held high place in the professions and under government, and in every instance it is recorded that they were men of honor, of courage, and of ability.

My acquaintance with Senator EARLE was of brief duration. It commenced with the extra session; but the few weeks I enjoyed his acquaintance ripened into a firm friendship, and I knew him as a man of the noblest qualities of head and heart and one whose friendship it was a great privilege to enjoy. In all the public positions he had held he made for himself an enduring reputation.

Logically he would have acquitted himself with distinction in the councils of the nation. Just as he entered upon the threshold of a life of prominent usefulness the dark curtain was drawn; but we can well and truthfully imagine the scenes of activity hidden from our view in which he would have been a great actor, impressing upon every event the high qualities of mind and character which were so eminently developed in him.

Mr. TILLMAN. Mr. President, in rising to address the Senate on this sad occasion I shall depart from the form of eulogy which is customary. I can not speak of Senator EARLE from the standpoint of personal friendship; I can not from extended personal observation and experience pay tribute to his character and virtues as a man and as a private citizen. I can not speak of him even from the standpoint of political friendship. While we both entered this Senate as representatives of the Democracy of South Carolina and he had publicly announced his purpose to cooperate with me in the Senate if elected, we were not friends in the common acceptation of the term, nor were we political allies. What I shall say, therefore, in honor of my dead colleague will be more worthy of acceptation and carry more weight by reason of the antagonism that existed between us as rival candidates for the governorship in 1890, and later on because I felt it my duty to lend all the help I could to the gentleman who opposed him in his race for the Senate.

Senator EARLE and myself were never brought into close contact except during an exciting political canvass, and I therefore had no opportunity to judge the man as he bore himself toward his friends and neighbors. But during that canvass I watched him, and had opportunities such as no other man in South Carolina or out of it ever had to get an insight to his character and a correct appreciation of his sterling worth and brave, unflinching manhood during a most trying ordeal. It may not be of interest to the Senate, and I have almost doubted the propriety of entering on this occasion into a recital of events in which I myself bore so conspicuous a part. It is not egotism or any desire to inject my own personality into the discussion of Senator EARLE'S services and merits. But if I fail by reason of such consideration to discuss the subject from that standpoint, I will fail to discharge my duty as I see it, and no one else can perform that duty as well as I can. Indeed, no one can or will perform it at all. If I do not do it, the fame and record of the virtues of the dead Senator would lack that testimonial which I alone can give here and which, given under the circumstances, can but help to link his name by stronger bonds to South Carolina's history.

Senator EARLE sat in this body a very short time. The illness which resulted in his death seized him within thirty days after he took the oath of office, and he disappeared from our midst to return no more. His star had climbed the heavens until it had reached the zenith and there shone with a calm and steady brilliancy. Suddenly, like a meteor, it sank beneath the horizon and went out in darkness, leaving naught as a reminder that it ever held a place in the Senatorial galaxy save the memory of one short speech of two minutes. That speech made its impress on the minds of his hearers and stamped the new Senator as a good constitutional lawyer and a man who would not tamely submit to injustice or yield one jot or tittle of the rights of his State and of his people.

But, as impressive as was his utterance and eloquent as was his plea, it only gave promise of a career that closed all too suddenly and sadly. Senator EARLE will not be remembered for what he did here. His record is not a Senatorial one. His reputation must rest upon his actions and utterances while he was an officer of South Carolina and before he was sent here as her representative. Realizing this in the fullest degree, and anxious as I am to give that part of his life the greatest prominence which will tend to perpetuate his memory, I must follow the course I have marked out, even though it deals with occurrences in which I myself acted an important part.

A brief recital of historical events in my State will be necessary for a clear understanding of the causes which led up to the most exciting and intensely bitter campaign that has ever convulsed any State in this Union. There are people in South Carolina, where most of Senator EARLE'S friends live, and where his good name and the honor due him will be most cherished, who will not thank me for this exposition, and who will severely censure me for making it, but, as I have said once before, I am not seeking the plaudits of anyone or trying to do anything except to discharge a solemn duty to the dead man whose one striking characteristic was devotion to duty. It is a simple act of justice to him without caring for its effect on me. I know if he were alive, he would do as much for me. Indeed, he did, in 1892, by writing a letter for publication, do such an act of justice for me which made him very unpopular at the time.

The real friends of the dead Senator will see the justice of this view of the matter and will thank me for giving prominence to that part of his career which is the lasting basis of his fame. It is not as a Senator that he will be remembered, nor is his record as judge and attorney-general, honorable and worthy though it be, his highest claim to remembrance. His candidacy for governor in 1890 and the fact that he so bore himself in that campaign, in which he carried only 4 counties in 35, that six years later he won the Senatorship by a popular vote given largely by the very men who howled him down in 1890—this is the man's claim to immortality, and I shall tell the story as briefly as I can and as I understand its phases and facts, concealing nothing and anxious only to state the truth as I understand it. I do this knowing that there are men who will be ready to dispute the facts and also deny the conclusions. That is a right I shall not attempt to deny to any man. Those who hear and read what I say must determine for themselves the truthfulness and impartiality of the story.

Up to the period of reconstruction South Carolina never had a real popular government. It was so in form only. The State was settled first along the coast, as were the other colonies, and up to and succeeding the Revolutionary war a preponderance of its people resided in the tier of counties bordering on the ocean. These people were largely the descendants of the Huguenots, who fled from religious persecution in France, and of the English, who had been sent over by the lords proprietors. The Piedmont, or upper portion of the State, had been settled during the first half of the eighteenth century by a large influx of Scotch-Irish, German, and Dutch settlers from Pennsylvania. There were also settlements of persons in different counties of Scotch Highlanders, Irish, and English. These interior settlers owned few slaves, while the planters of the coast counties owned a great many. They differed from these latter in many ways.

Under the State constitution adopted in 1790 the apportionment of political power in the State senate was such as to fix and perpetuate the domination of the coast counties by reason of the fact that each parish of those counties, which were organized after the manner of the Church of England, was given a senator, while the interior counties, then large in area and sparsely settled, were given only one Senator each. The county of Charleston, with its nine parishes, was thus given nine senators, and the other coast counties had proportionate numbers of senators not at all corresponding with their population later on.

This one-sided and unfair condition was a source of constant angry discussion and led to a division of "up country" and "low country" in State politics and insured the absolute domination of the city of Charleston in State affairs. All efforts to undo the wrong were futile. The same constitution provided that the governor and other State officers and the judges of the supreme and circuit courts should be elected by the legislature, so that the people were permitted to vote only for members of Congress, county officers, and members of the legislature. And the control of the machinery of the counties even for the disbursing of taxes and performing other duties incident to county government were in charge of a board of commissioners appointed at the capital. This government was as nearly aristocratic as has existed anywhere in America, and two generations had passed away, and a third, habituated to its requirements, was in possession of the government when the civil war came on.

The large slave owners and families of greatest prominence and wealth, by intermarriage and other alliances, held absolute sway in State politics, and the masses were mere puppets to register their will. The State was Democratic or independent in national politics, but it was aristocratic in local affairs. This aristocracy, be it said to its credit, gave the State as good government, so far as purity and honesty were concerned, as any country ever had. But a prouder, more arrogant, or hot-headed ruling class never existed. Under the reconstruction constitution of 1868 the election of governor and State officers was given to the people by direct vote, and the scheme of county government was decentralized and

placed in charge of a board of county commissioners elected by the people. Each county was given one Senator, while Charleston was allowed to have two.

During the eight years of radical misrule, when the carpetbaggers and their negro dupes trampled the whites under foot in a way no other English-speaking community ever endured "since the Saxon wore the Norman's collar," there was no opportunity for growth along the lines of true American citizenship and genuine Democracy. To define it more clearly, there was no such thing as the rule of the people, either white or black. When, in 1876, the white people, in desperation, rose and overthrew the reconstruction government and drove out the vampire horde of thieves and bribe takers, they were confronted with this condition: There was a clear numerical majority of negroes of voting age of about 30,000, and it is a self-evident proposition that "white unity" was the battle cry that most appealed to the sense and patriotism of every white man in the State.

Aside from the condition of semi-anarchy and the burdensome taxation which had existed, the reconstruction government had dissipated the assets of the State bank amounting to $3,000,000, had squandered the State's interest in railroads to an equal amount, and had issued bonds increasing the State debt from $6,000,000 to more than $20,000,000, with nothing to show for it. It is small wonder, then, that the whites knew and understood the needs of unity.

The political demarcation was a color line, pure and simple. Democracy meant white supremacy; Republicanism meant the rule of the African and carpetbagger, and native scalawag, the most despised of the three. The newly emancipated white men, who stood erect in the consciousness of being once more citizens of South Carolina, and freemen as far as the State was concerned, followed the leaders who had led in the fight for that emancipation with almost blind idolatry. These leaders at once became almost omnipotent in State politics; and the paramount thought in the minds of everyone was how to retain control of the State government.

Prior to the war there had been little or no division along party lines in the State. It was said that "when Calhoun took snuff, the State sneezed;" and hero worship has always been a leading characteristic of our people. The lack of familiarity with partisan or party politics and the total lack of familiarity with the machinery for controlling and directing party policies were great drawbacks. In fact, the people knew almost nothing about such things. The four years of war and the eight years of reconstruction, during which there was paralysis of citizenship, had bred a torpor which made it easy for the old aristocratic families and those in alliance with them to resume control, and the necessities of the political situation, the enforced white unity, made it easy to continue that control.

The constitution had been changed, the power vested in the people, but the conditions were not favorable for its exercise. Party nominations were made in convention (I mean as to State officers and Congressmen, and in many counties for all officers) from 1876 to 1890. From 1876 to 1880 there were no causes of complaint—every white man was satisfied with the management of affairs and everyone set about actively rebuilding the State and advancing his individual interests. But in 1880 the poison began to work. Ring rule is an inevitable growth where only one party exists. The conventions were manipulated as they usually are by court-house rings, and these worked under the direction of a statehouse ring.

While there were mutterings of discontent, which constantly grew in intensity with the management of local or State affairs and with the way in which the people were ignored in parceling out the offices, the thought of "independentism"—division among the whites—was abhorrent to every good Carolinian. The nomination by the party conventions was equivalent to election, and he was regarded as a public enemy who dared to raise his voice in criticism or objection. One or two spasmodic efforts to overthrow ring rule were made in the mountain counties, where there was a majority of white voters and where the people had not suffered so much as in the negro counties, but the leaders denounced all such efforts as unpatriotic and declared that "an independent was worse than a radical;" and, with the memory of their oppressions rankling in their minds, the people reechoed the sentiment and acted upon it. Thus were the conditions produced and the mine laid for the explosion which came in 1890.

The antebellum conditions were entirely changed. The large fortunes of the old slave owners had been destroyed by the results of the war and with them had been destroyed, in a large measure, class distinctions. The Confederate soldiers while fighting had also been going to school. There was a quickened intelligence and a more thorough understanding of the correct principles of government, and the demand for popular government and equality of privilege made rapid growth. It was seen that a certain coterie of politicians were running things in the interest of themselves, their kindred, and friends, and the people had grown very tired of the inevitable answer to any of their complaints, "Hush, or you will split the Democratic party."

The agitation which led to the revolution or explosion had begun in 1886, and it had taken four years of discussion and of agitation, after six years of dissatisfaction ever on the increase, to prepare the minds of the people and to organize them to overthrow the oligarchy which had fallen heir to the power of the old antebellum aristocracy. The State was ruled during these ten years absolutely by the two cities of Columbia and Charleston; and as they did this through their allies living in the other towns of the State, the agitation for reform had assumed the complexion of an agricultural movement, in which the farmers or country people were embattled against the cities and towns. It was not an agrarian movement in any sense of the term, and it antedated the Alliance movement by two years. A large majority of the white people live in the country, and many of these farmers—thousands of them—are as intelligent and well educated men as there are in the State, and they own a large share of its wealth.

Senator EARLE had entered politics shortly after the overthrow of the carpetbag régime first as representative, then as senator from Sumter County, and while he belonged to one of the best families of the State—one noted for its prominent men and wealth—he himself, as a result of war, had had to struggle in his young manhood with poverty, and he was not in touch or sympathy with the then ruling powers. Indeed, he was more or less antagonistic to them. He had been promoted, not through the instrumentality of the oligarchy, but rather in spite of it, to the attorney-generalship in 1886, and although he was offered the governorship by the reformers or farmers in 1888, and could have been nominated, his affiliations with the then State administration were such that he was forced to decline.

This fact, in 1890, led the Reform Democrats to resolve to have nothing to do with any of the old leaders or prominent politicians of the State. The experience in two State campaigns—those of 1886 and 1888—in which they had been defeated taught them to know the value of early and thorough organization, so that the political forces of the State began to marshal themselves and politics to assume shape almost with the new year. A convention or voluntary caucus of those in sympathy with reform ideas was called to meet in March.

One of the principal demands in the call was for a primary election in which each individual citizen should have a right to vote direct for the nominees of the Democratic party. Another was the establishment of a technical and industrial school—an agricultural college for the education of farmers and mechanics separate from the State university. There were other important issues, but it is unnecessary to mention them. This convention assembled, and, denouncing the administration of affairs, passed resolutions announcing its platform and put me forward as candidate for governor in the party convention whenever it should be called. It also passed resolutions demanding of the State Democratic committee, which was controlled by our opponents, to appoint a series of meetings in each of the counties of the State for a general discussion of the issues of the day by all of the candidates for State offices. Thus was inaugurated, for the first time in the history of the State, one hundred years after the adoption of its first constitution, a joint canvass for the State offices. The people were asked to *select* their candidates, not to *vote* for them after the "ring" had chosen them.

The newspapers of the State, almost without exception, opened their batteries on the movement. Many declared that it was un-Democratic, and that its purpose was the division and consequent destruction of the Democratic party in the State. All of the trained politicians and men of prominence, with very few exceptions, aligned themselves in opposition. The banks, corporations, and railroads were all antagonistic. Out of 700 lawyers in the State not more than 40 joined in the movement for reform.

Senator, then Attorney-General, EARLE and Gen. John Bratton, a Confederate brigadier of high character, both announced themselves as candidates for governor, and the campaign opened early in June in Greenville, the county of General EARLE's birth. One meeting was held in every county in the State. Day by day, week by week, crowds numbering in the thousands and embracing almost the entire white male population turned out to hear the speakers. It was during this period of two months that I learned to know Senator EARLE thoroughly, to admire his ability as a debater, to respect his manhood, and to appreciate his gentlemanly, chivalrous bearing.

If there be such thing as—

> That stern joy which warriors feel
> In foemen worthy of their steel—

I had my fill of it. But candor compels the confession that while all of the indications pointed to General EARLE's defeat, the fighting, if such a term be permissible, was anything but pleasant to me. The contest was never in doubt after the first five meetings. A tidal wave had risen in the mountains and was sweeping seaward with irresistible force, bearing down all opposition, washing away all landmarks, and entirely submerging the old régime.

Democracy, like Pallas, new-born, but fully grown and armed, rejoiced in its strength and grew hoarse with cheering those who

had first found courage to give it a voice and demand its rights. It had been suppressed and oppressed for a century, and nothing could now stay its course. The feeling was very intense, the danger of collision and riot always imminent. Dramatic situations, sharp personal colloquies, bitter sarcastic retorts, would first drive one side then the other into a frenzy of approval or angry dissent. General EARLE knew that he was beaten, but he never faltered or let up. He faced hostile audiences which sometimes refused at first to let him speak, but with calm dignity and courage he forced recognition and a hearing. He never relaxed his grasp upon my throat, but fought till the last. He pressed his arguments home with powerful logic and subtle reasoning.

A trained lawyer and debater, he had all the advantage, but the facts were against him. And while he made no impression upon the feelings or judgment of his audiences on the issues then pending, he yet won the admiration of all by his intrepidity and ability, and always under the most trying circumstances maintained his self-respect and commanded that of his opponents. There were 260 votes in the convention, and of these he received less than 50, carrying only four counties out of thirty-five. The county of his birth was against him, the county of his adoption was divided; but while he went down to defeat it was with every flag flying and no thought of asking quarter, and it was this canvass that won him his seat in the United States Senate six years later. I have always thought he entered the race under a misconception, but, being in, he was too proud and too brave to retire.

His line of fight during the campaign had been almost entirely personal. In other words, he did not dispute the justice of the demands which the reformers had set out in their platform, but he tried to get on the platform and shove its exponent off of it. He did not go far enough along that line to alienate the adherents of the oligarchy, who supported him with enthusiasm; but he was not their real choice, and he knew it, so he was careful to let the people see he was not opposing popular government and such reforms as were needed. When the result was known, after the nomination was over, he bowed submissively to the will of the people and loyally supported the ticket, advising against and antagonizing with all his might an independent ticket, which the defeated faction had set on foot to retain the government by the aid of the negroes.

After the last meeting at Colleton I approached General EARLE, and, extending my hand, I said:

General, we know each other better than we did at Greenville in June. If I have said anything in the heat of debate to wound your feelings, I desire to apologize, and to express the hope that if we can not be friends, we shall not become enemies.

He shook my hand heartily and disclaimed any feeling of hatred or sense of wrong, and offered a similar apology; and so we parted, as true men ought.

Two years later, when the reformers put me forward for reelection, there was another bitter contest, not so intense as that of 1890, but still very exciting, and in some respects dangerous. General EARLE refused to have anything to do with this and advised against it. He wrote a letter in which he gave credit where credit was due and warned his old supporters that they were doomed to defeat.

This enraged that element in the State at the time, but they learned later the wisdom of his advice and to appreciate the more his clear judgment, while at the same time General EARLE thus won the good will and forgiveness of thousands of those who voted against him in his candidacy for governor. The result was that the reform legislature elected him to the position of circuit judge in 1894, which he held up to the time of his election by popular vote at the primary and his entry to the Senate. Of this last race I shall not speak. Suffice it to say that I did not support him. But it was not because I did not know his worth and recognize his fitness for the position and his ability to adorn it.

After his entrance upon his duties here, our relations were friendly and promised to become cordial, for he had too much sense to bear malice and was too liberal minded not to know that my antagonism was political rather than personal. Had he lived so as to have given him an opportunity to have shown of what stuff he was made, I am sure every Senator here would have been impressed with his high character and chivalrous bearing and have recognized his worth and ability. He is gone, as all of us will have in a few years to follow, "to that undiscovered country from whose bourne no traveler returns," and his fame and good name must rest in the minds and hearts of those in his own State, who knew him best and loved him most.

There is something peculiarly pathetic in his death, coming as it did just after reaching the goal of his ambition. A ripe scholar, an eminent jurist, and a fluent speaker, he could not have failed to make his influence felt here had Providence permitted him to win additional honors. The Senate pauses in its labors for a brief while to pay respect to his memory. The tribute which I have paid him, coming from an old antagonist, may not be deemed the highest or most worthy, but it is at least sincere; and I feel that I have but added to rather than detracted from the luster of his name by the recital of those events which first impressed him upon the people of his native State.

Mr. President, as we look around upon the Senate in our daily intercourse here, it is easy to be seen by everyone that with very few exceptions every man on this floor is on the sunset side of life and rapidly approaching the setting. We struggle here in the performance of our duties as we see them and understand them, and are often bitter and unreasonable in our contentions with one another, but I know Senators will join me with the utmost sincerity in the thoughts expressed in that beautiful poem by James Montgomery:

Time grows not old with length of years;
Changes he brings, but changes not;
New born each moment he appears;
We run our race, and are forgot.

Stars in perennial rounds return,
As from eternity they came,
And to eternity might burn;
We are not for one hour the same.

Spring flowers renew their glad perfume,
But ere a second spring they fly;
Our life is longer than their bloom,
Our bloom is sweeter—yet we die.

* * * *

Lord God! when time shall end his flight,
Stars set, and flowers revive no more,
May we behold Thy face in light,
Thy love in Jesus Christ adore.

I ask for the adoption of the resolutions.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the senior Senator from South Carolina.

The resolutions were unanimously agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 30, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 29, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

PRINTING OF PRESIDENT'S MESSAGE, ETC.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives 6,000 copies of the President's message, dated March 28, 1898, the report of the naval commission upon the explosion of the *Maine*, and the testimony reported by said commission.

The resolution was agreed to.

Mr. DOCKERY. I understand, Mr. Speaker, that the resolution which has been adopted provides for the printing of the testimony.

The SPEAKER. It does.

CHRISTINE C. BARNARD.

Mr. LOUDENSLAGER. Mr. Speaker, I move to take from the Speaker's table Senate bill 504, an act granting an increase of pension to Mrs. Christine C. Barnard, which has been returned by the Senate with the amendment nonconcurred in and a request for a conference. I move that the House further insist on its amendment and agree to the conference asked for by the Senate.

The motion was agreed to; and the Chair appointed as conferees on the part of the House Mr. LOUDENSLAGER, Mr. HOWE, and Mr. STALLINGS.

UNCOMPAHGRE INDIAN RESERVATION IN UTAH.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation in the State of Utah.

Resolved, etc., That the time fixed by the Indian appropriation act approved June 7, 1897, for opening to location and entry under all land laws of the United States the lands of the Uncompahgre Indian Reservation in Utah, under the limitations and exceptions as therein provided, be, and the same is hereby, extended six months from the 1st day of April, 1898.

Mr. BAILEY. Mr. Speaker, I desire to know if that whole matter is not pending in an appropriation bill at the present time?

Mr. SHERMAN. It is the same proposition pending in an appropriation bill, but unless it becomes operative before the 1st of April it is of no use.

Mr. BAILEY. I have no objection.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

Mr. KING. Mr. Speaker, I desire to offer an amendment which I think the gentleman from New York [Mr. SHERMAN] will not resist.

The Clerk read as follows:

Amend by adding: "*Provided*, That nothing herein shall extend to mineral lands other than gilsonite and kindred minerals."

Mr. SHERMAN. That is satisfactory.

The amendment was agreed to.

Mr. KING. I desire to offer another amendment—to strike out the word "six" and insert "three;" so as to read "three months," instead of "six months."

Mr. SHERMAN. I hope the gentleman will not press that amendment. The resolution in its present form follows precisely the provision of the appropriation bill.

Mr. KING. Very well; I withdraw the amendment.

The SPEAKER. The Clerk will report the proposition as now amended.

The Clerk read as follows:

Resolved, etc., That the time fixed by the Indian appropriation act of June 7, 1897, for opening to location and entry under all land laws of the United States the lands of the Uncompahgre Indian Reservation in Utah, under the limitations and exceptions as therein provided, be, and the same is hereby, extended six months from the 1st day of April, 1898: *Provided*, That nothing herein shall extend to mineral lands other than gilsonite and kindred minerals.

Mr. McRAE. As I understand, this proposition is simply to allow more time for the allotment of agricultural lands.

Mr. SHERMAN. That is the purpose of the resolution.

Mr. McRAE. The Department, as I understand, will not be able to complete the allotments within the time fixed.

Mr. SHERMAN. The Secretary of the Interior has stated that fact, with the reasons therefor, in a communication which is embraced in House Document No. 335.

Mr. UNDERWOOD. This resolution as read excepts, I believe, mineral lands other than gilsonite lands.

Mr. SHERMAN. The gentleman is referring to an amendment offered by the gentleman from Utah [Mr. KING] and adopted by the House, which was not a part of the original resolution.

Mr. UNDERWOOD. I wish to ask the gentleman from New York [Mr. SHERMAN] what effect this provision will have on gilsonite lands after the expiration of the six months designated?

Mr. SHERMAN. It has no effect on gilsonite lands. Gilsonite is not affected. No legislation has ever been enacted in regard to gilsonite. That and kindred minerals have expressly been excepted in this and former legislation.

Mr. UNDERWOOD. Then I understand that the amendment offered by the gentleman from Utah does not affect gilsonite lands under the law.

Mr. SHERMAN. It does not.

Mr. GROSVENOR. It emphasizes the exclusion, that is all.

Mr. LACEY. Allow me just one moment. A question which occurs to me is whether the amendment proposed by the gentleman from Utah in its present form will not have the effect of limiting the limitation embraced in the resolution. That resolution includes two propositions. The first is to extend the time for six months; the next is a provision that the time be extended under the limitations of an act already in force which excludes gilsonite. It seems to me that in view of the additional language that the resolution shall not extend to gilsonite or like minerals the question might arise whether that language may not nullify the limitation of the original provision.

Mr. SHERMAN. The effect of the amendment is that the resolution shall not extend to minerals "other than gilsonite and kindred minerals."

Mr. LACEY. I ask that the amendment adopted on motion of the gentleman from Utah [Mr. KING] be again read, so that we may fully understand its effect.

The amendment was again read.

Mr. McRAE. It strikes me, Mr. Speaker, that the amendment will put the gilsonite lands upon the same footing as agricultural lands.

Mr. SHERMAN. Oh, no; I think the gentleman is in error. According to my understanding, the only effect of the amendment is to provide that this resolution shall not exclude from entry lands, for instance, containing gold and silver.

Mr. McRAE. The amendment provides, as I understand, that the resolution shall not apply to mineral lands other than gilsonite and kindred minerals.

Mr. KING. The object of the amendment is to provide that any mineral lands containing gold, silver, lead, copper, or other minerals shall be subject to entry, and that gilsonite lands or lands containing minerals of kindred nature shall not be open to entry. The statute now in force prevents entry upon gilsonite lands, and reserves the title thereto in the United States. This resolution does not affect them. Under the act now in force gilsonite lands are not subject to entry and will not be thrown open to entry on the 1st of April this year.

Mr. SHERMAN. Or at any other time under this legislation.

Mr. KING. The title to such lands is reserved to the Government of the United States. This resolution as originally reported simply extends the operation of the existing law with reference to agricultural lands for a period of six months. But upon those agricultural lands there may be certain minerals—gold, silver, lead, etc.—though none such have been discovered, so far as I am advised. The object of the amendment is not to exclude from entry after the 1st day of next month mineral lands containing gold, silver, lead, or minerals of that character, while at the same time not throwing open to entry lands containing gilsonite. I think that is clearly the construction of the amendment.

Mr. DOCKERY. Then, as I understand the gentleman from Utah, neither the original resolution nor the amendment which he has offered contemplates the opening up of the gilsonite lands?

Mr. KING. I answer the gentleman no, it does not.

Mr. McRAE. I would like to ask the gentleman from Utah if, under this resolution, he proposes to go ahead and allot mineral lands to the Indians?

Mr. KING. Certainly not.

Mr. McRAE. Do you, then, propose to work the mines before the allotment of the lands to the Indians?

Mr. KING. Under the resolution it permits entries of mineral lands which do not contain gilsonite.

Mr. McRAE. Before allotment?

Mr. KING. Before allotment.

Mr. McRAE. It seems to me that we had better open no lands at all, neither the gilsonite nor any other mineral lands, until the Indians are given their allotments in severalty, to which they are entitled under the law.

Mr. KING. Permit me to say to the gentleman from Arkansas that there is no opposition to this matter. I am advised by the Senators from Utah that it meets their approval. I do not know, of course, whether or not there are other minerals on this reservation than the gilsonite. But, in any event, this meets our approval and has been agreed upon as a sort of compromise measure. If there are any other minerals than gilsonite upon any of these lands, they are located at points remote from the agricultural lands.

And further, I will say to the gentleman that the agricultural lands are not being allotted to the Indians. As a matter of fact, this legislation is a work of supererogation, because the lands allotted to the Indians are being assigned from the Uintah Reservation and not the Uncompahgre; and even if we extended the time indefinitely for the allotment of lands upon this reservation the Indians would not take them, so that any submission to this legislation is simply a concession on the part of the representatives from Utah to the committee and the Secretary of the Interior. There is no probability of the Indians taking allotments on this other reservation.

Mr. LACEY. Mr. Speaker, and there may be some misconstruction with respect to the language of this bill; and there are two negatives. In order to avoid any confusion or misconstruction, I offer the amendment I send to the desk.

The Clerk read as follows:

Add to the amendment just adopted the words: "And such gilsonite and similar minerals, shall continue to be reserved."

Mr. LACEY. That would leave no doubt on the question.

Mr. KING. I do not think that would meet the object. Would not that exclude the entry of lead or coal mines?

Mr. LACEY. I do not think they are similar to gilsonite.

Mr. KING. Do you desire to add that as an amendment to my amendment?

Mr. LACEY. Yes, sir; in order to leave no question of doubt.

Mr. KING. I have no objection to it.

The amendment of Mr. LACEY was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. GIBSON. Mr. Speaker, I ask for the regular order.

The SPEAKER. The Chair will lay before the House the business in order at this time, coming over from the Senate.

The Clerk read as follows:

A bill (H. R. 2295) granting a pension to Mary J. Hart, of Quincy, Ind.

The bill was read at length.

The SPEAKER. The Clerk will report the amendment of the Senate proposed to the bill.

The Clerk read as follows:

Amend the title to read: "An act granting a pension to Mary J. Hart."

The SPEAKER. The question is on concurring in the Senate amendment, which simply changes the title.

The Senate amendment was concurred in.

Mr. GIBSON. I ask for the regular order.

The SPEAKER. The Chair is trying to give the House the

regular order. The Clerk will lay before the House the unfinished business.

MRS. HANNAH LETCHER STEVENSON.

The Clerk read as follows:

A bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson, at the rate of $50 per month.

Amend the title so as to read: "An act granting an increase of pension to Hannah Letcher Stevenson."

The Clerk read the following amendments to the bill, as recommended by the Committee of the Whole:

In line 6, strike out the word "Mrs." before "Hannah."

In line 7, after the word "Stevenson," add the words "and pay her a pension."

In line 8, strike out "fifty" and insert "thirty," and after the word "month" insert the words "in lieu of the pension she is now receiving."

Mr. COOPER of Texas. Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Texas. Was not this day set apart by unanimous consent, instead of Friday last, for the consideration of bills on the Private Calendar?

Mr. RICHARDSON. It was.

The SPEAKER. The Journal reads:

That Tuesday, March 29, be substituted for Friday, March 20, for the consideration of business under the rule which shall include the Friday evening session.

Mr. COOPER of Texas. Then the bill being considered is the unfinished business which should be considered on Friday?

The SPEAKER. It is business which is proper at Friday's session.

Mr. RAY of New York. Mr. Speaker, I move an amendment.

Mr. RICHARDSON. I should like to ask the gentleman, who is familiar with this, how much time he thinks this bill will take?

Mr. RAY of New York. Why, it ought not to take more than fifteen minutes, but it may take a little longer.

Mr. RICHARDSON. I ask the gentleman if he will not consent that it go over until we dispose of the war-claim bill which is pending? I hope the gentleman will do that.

Mr. RAY of New York. Until we dispose of what?

Mr. RICHARDSON. The war-claim bill that is now pending.

Mr. GIBSON. I think we had better go on in the regular order. We will waste more time talking about it.

Mr. RAY of New York. This will not take long, and then you will have your time.

Now, Mr. Speaker, I move the committee amendment on that bill, to strike out "fifty," in line 8, and insert in lieu thereof "thirty."

The SPEAKER. The gentleman from New York [Mr. RAY] moves an amendment, which the Clerk will report.

The Clerk read as follows:

In line 8 strike out "fifty" and insert "thirty."

Mr. RAY of New York. Now, Mr. Speaker, in behalf of this amendment I desire, without wearying the patience of the House, to state the situation and the proposition or principle involved.

The House is undoubtedly aware of the fact that by general law we have provided that in case a general officer dies, leaving a widow, his death being the result of his army service, the widow may be pensioned at $30 per month. That is the maximum sum allowed by law.

We have also provided by general law that in case a general officer dies, leaving a widow, his death not being caused by or due to his army service, the widow may be pensioned at the rate of $8 per month. This is the law written upon the statute books, and it is the result of the deliberation of Congresses heretofore. It has never been changed. In the case of the widows of privates, in the first case mentioned they get $12 per month and in the latter case $8, if dependent.

General Stevenson was a brave and efficient officer, but he was not specially distinguished in any line of duty. He served in the Mexican war and in the late civil war. He rose to the rank of brigadier-general, but his service was neither arduous nor specially distinguished. He always did his duty and did it well. He died recently and left a widow, Hannah Letcher Stevenson. Under the law, as written upon the statute books, she is entitled to a pension of $8 per month, which she is now drawing. That is the maximum permitted her by any general law upon the statute books.

Evidence was presented to the Committee on Invalid Pensions showing that she is now 77 years of age, and that she is poor. Her husband left her without property, and we were asked to increase this pension, the Senate having already passed a bill to that effect.

The Committee on Invalid Pensions, after deliberate consideration, after careful investigation all along the line, after considering the principle involved, determined that in the case of a general officer leaving a widow now in destitution, where his death was not occasioned by or due to his army service, we would increase the pension of the widow to $30 per month, which is giving $22 a month more than any law upon the statute books will permit, and we regarded this as a wise and judicious increase.

Mr. HENDERSON. What is the pension allowed to the widow of a brigadier-general killed in the service?

Mr. RAY of New York. Thirty dollars per month is permitted by general law, and no more.

Now, in addition to that, Mr. Speaker, we considered, in connection with it, the cases of widows of general officers whose deaths have been caused by reason of army service—that is, disease contracted or wounds received in the service of their country. We determined that in those cases, where the widow is without property and in necessitous circumstances, we would increase the pension to a sum not exceeding $50 per month.

We have pursued the same course in dealing with privates and lieutenants and officers of all grades when we came to deal with their widows and have found those widows in necessitous circumstances. We believe that the distinction made by the general law is a wise one, and we believe that that distinction should be maintained in all cases, so that the action of this House and the action of the committee might not only be wise and conservative, but consistent as well. In other words, we treat all in the same circumstances precisely alike.

Mr. LENTZ. Will the gentleman permit a question?

Mr. RAY of New York. I shall be pleased to.

Mr. LENTZ. I have heard several gentlemen say that the reason the $50 a month was voted in this case the other evening was because in all similar cases that amount had been allowed to widows. I only ask for information, to know whether that is the case, whether heretofore we have been allowing $50 and are now making a reduction, or whether this case is on a different footing from the others.

Mr. RAY of New York. I will answer that. I was just coming to that point. Those gentlemen who make that statement are mistaken. If any gentleman who knows the facts makes that statement, then he designs to mislead the House. But if any gentleman does not know the facts and makes that statement, then all I can say is he is mistaken, and I will proceed to state the history of this legislation in this House during this session and the action of the Committee on Invalid Pensions, because we have been perfectly consistent in this matter. Now, Mr. Speaker, the Committee on Invalid Pensions reported this Senate act to this House and recommended this amendment reducing it to $30 a month.

The question came up a week ago last Friday night in the Committee of the Whole, and when a vote was taken on that question the committee amendment was voted down, on a division, by 1 majority. Thirty-nine members present voted for the $30 and 40 of the members present voted for the $50; so that it was left at $50 by a majority of 1 in the Committee of the Whole with only 80 members of the House present. Now, what have we done heretofore in committee, and what has this House done? Let me call your attention.

The gentleman from California [Mr. BARLOW] is here and can bear me out in my statement, and the gentleman from Illinois [Mr. WARNER] is here and can bear me out in my statement, because they both have had bills reported to this House and passed by it; and those two bills illustrate this principle as well as anything possibly can. The first bill reported to this House to pension the widow of a general officer was that of Weltha Post-Leggett, and it was reported to the House on the 5th day of February, 1898. You will find it accompanying the bill H. R. 2349 (House Report No. 636).

General Leggett was a brilliant and magnificent officer, who served throughout the war of the rebellion. He commanded a division; he was in many battles; he was shot down on the field of battle at five different times, and still on two of those occasions remounted his horse and went through to the end without leaving the field. He also contracted disease in the service; and from the effect of those wounds and from those disabilities incurred in the service he died about four years ago, leaving a widow in destitute circumstances.

A bill was introduced in this House to give that widow $75 a month pension. The Committee on Invalid Pensions cut it down to $50 a month, and at $50 a month it passed this House. General Leggett, with his brilliant record, died of disease contracted and wounds received in the service. That is the first of these bills that passed in the House. Now, as to the second one on this line. The next report made by the Committee on Invalid Pensions to pension the widow of a general officer was in the case of Brig. Gen. William A. Pile, a man who served all through the war of the rebellion. He had a most brilliant and magnificent record. He did his duty faithfully and fearlessly throughout the war, and he died leaving his widow without property or without money; in other words, leaving her in necessitous circumstances.

He was a general officer with a more brilliant record than General Stevenson. He took part in more battles; he endured more, suffered more, having had diseases of service origin; and he had wounds received in battle, which almost showed that he, too, died of disease contracted in the service. A bill was introduced for the relief of this widow by my distinguished friend from California [Mr. BARLOW]. He introduced a bill asking for a pension of only $25 a month for that widow in her necessitous circumstances.

Your committee when they looked into the matter and found that she was equally deserving with the others in regard to whom we were to act and had acted, and when we found that she was in necessitous circumstances, reported that bill one week ago at $30 per month, $5 more than the distinguished gentleman asked, and we did that in order that we might maintain a principle, in order that the action of this committee might be consistent and just to all these widows, and the House in the early hours of the session in Committee of the Whole last week (Monday) passed that bill giving that old widow, upward of 60 years of age, without a penny in the world and with no one on whom she could depend for support, $30 a month, and no one objected, and no one proposed an increase beyond that which was made by the decision of the committee.

The increase was confined to $30 per month because her husband, General Pile, had not died of disease contracted in the service or from the effect of wounds received in battle. Later on the same evening we reached the case of Mrs. Stevenson, the third case of the widow of a general officer reported from the Committee on Invalid Pensions.

The Committee, following its plan, acting on principle, endeavoring to act so as to be consistent in all of these cases, had investigated the facts and found that there was no pretense that General Stevenson died of disease contracted in the service or from the effect of wounds received in the service. He died at a ripe old age—upward of 80 years of age—and there is not a particle of evidence anywhere alleging the cause of death to be different. His widow filed her claim in the Pension Office asking for a pension, and she did not allege or claim or intimate, even, that her husband's death was due to army service.

Therefore, acting upon principle, and acting, as we think, wisely and conservatively, and, above all, consistently, we had reported a bill providing for that widow a pension at $30 per month. When the matter came to a vote in the Committee of the Whole, we found that this widow had some active friends at work on the floor of this House, and so they moved to disagree with the report of the Committee on Invalid Pensions, and voted that amendment down; and it was done, as I have said, by a majority of 1, 39 voting for the $30 a month, and thereby sustaining the committee, and 40, a bare majority of 1, in Committee of the Whole voted to keep in the $50 per month.

Because of this action I bring this matter here to-day. I desire to know whether this committee, of which I am chairman, is to be sustained or condemned; whether our work is approved or disapproved by the House. It is my desire to merit the approval of the country and of every old soldier and soldier's widow in it.

The bill therefore comes here for action by the House, and I ask the House to sustain the Committee on Invalid Pensions. I trust the House will maintain the distinction. I request this House to be consistent in its legislation in regard to these pension bills.

If we do that, then our action will commend itself to the country, and to the whole country. If we so act, then whatever we do will commend itself to all the old soldiers and to all the widows of old soldiers throughout the length and breadth of this land. We may, if we do that, enact special legislation, give merited relief in special cases, and go to our homes without criticism; but if we act otherwise, in my judgment we will be criticised as a committee and as a House, and justly criticised.

Mr. RIDGELY. Will the gentleman allow me an interruption?

Mr. RAY of New York. Certainly.

Mr. RIDGELY. The bill now pending comes to us from the Senate?

Mr. RAY of New York. It does.

Mr. RIDGELY. They passed it allowing $50 a month. If we cut it down by amendment it will have to run the gantlet of the Senate again.

Mr. RAY of New York. The Senate will pass it. We have sent several bills to the Senate on this line, where captains, majors, and privates were concerned, and they have acted on them and sustained our action. We have amended their bills, and they have accepted our amendments without question——

Mr. RIDGELY. It will have to take its place on the Calendar.

Mr. RAY of New York (continuing). And they have amended our bills and we have generally accepted their action without question.

Mr. RIDGELY. It will have to take its place on the Calendar again.

Mr. RAY of New York. It will not delay the bill twenty-four hours.

Mr. RIDGELY. My experience is somewhat different. It will have to take its place on the Senate Calendar, and may not get back to the House during this session.

Mr. RAY of New York. Oh, no; the Senate will take it up and move to concur or nonconcur without its going on the Calendar, and in that event it will be acted upon immediately. If the Senate disagrees, it will go to conference.

Mr. DOCKERY. Will the gentleman from New York permit me a question?

Mr. RAY of New York. I will, with pleasure.

Mr. DOCKERY. Has it been the practice of the Committee on Invalid Pensions at this session to fix the pension of widows of brigadier-generals at $30 a month?

Mr. RAY of New York. To fix at $30 a month the pension of the widow of a general officer, whether a brigadier or major general, it makes no difference; to fix at the rate of $30 a month where the death of the soldier was not due to wounds or disease contracted in the service, and not to go above $50 a month in the case where the husband's death, a general officer, was caused by disease contracted or wounds received in the service. In that there is a broad and wide distinction, as I have explained.

The general law makes a difference. Where a general officer dies and leaves a widow, and his death is caused by reason of wounds and disabilities incurred in the service, the widow draws $30 per month as a matter of law, and an increase to $50 in all those cases is given to relieve her necessities. The general law now gives to the widow of a general officer only $8 per month where death was not due to service. In this bill we are giving the widow $22 per month increase because of her age, because of her poverty. I think the gentleman catches the idea.

Mr. DOCKERY. I see your point.

Mr. PEARCE of Missouri. Is not the pension of $8 a month a Mexican war pension?

Mr. RAY of New York. It is entirely immaterial whether it is a Mexican war pension or a civil war pension.

Mr. PEARCE of Missouri. It comes under a different law.

Mr. RAY of New York. It does not come under a different head or principle at all. In the case of the Mexican war widows and in the case of civil war widows, where the death of the husband is not due to service, the law gives the widow $8 per month; it gives that to the Mexican war widow and to the civil war widow. It gives $8 per month to the widow of a soldier who served in the civil war, regardless of the question whether he was a private or a general, when death was not of disease or wounds of service origin.

Mr. DOCKERY. That is a service pension.

Mr. RAY of New York. Yes; in effect that.

Mr. DOCKERY. I am satisfied the gentleman from New York [Mr. RAY] means to deal justly with all these claimants. I am not sufficiently advised to say that his position is incorrect in this case, but knowing of this officer, as I did in Missouri, knowing of his gallantry, ability, and humanity, I had indulged the hope that the gentleman from New York might find it consistent with the rules of his committee to allow this bill to pass as reported.

Mr. HENDERSON. Will the gentleman from New York allow me a question?

Mr. RAY of New York. Certainly.

Mr. HENDERSON. I would like to ask the gentleman from New York if the committee has adopted any rule in regard to the widows of colonels, field officers, and officers of the line?

Mr. RAY of New York. When we have granted an increase in the case of the widows of line officers, colonels, and majors, we have maintained the same distinction pro rata, and so when we have dealt with the privates we have maintained the same distinction.

We must do it, because it is absolutely unjust to place the soldier who was shot to pieces in battle on the same footing with the man who served in the Army and now is disabled to an equal degree, but who received his disabilities from some cause accruing since the war closed.

Mr. HENDERSON. Does the widow of a captain get $20 a month if he was killed in the Army?

Mr. RAY of New York. The widow of a captain would receive $20 per month. Widows of lieutenant-colonels and of all above that grade receive $30 a month as a maximum.

Mr. JOY. Will the gentleman from New York allow me a question?

Mr. RAY of New York. Certainly.

Mr. JOY. Does the report in the case of General Leggett show that he died from diseases or wounds contracted in the service?

Mr. RAY of New York. It does, and the report of the case of General Stevenson shows that he did not die of disease contracted in the service.

Now, Mr. Speaker, I hold in my hand the report in the case of Welthy Post-Leggett. I examined that case personally with the greatest care, with this point in view, in order that we might make no mistake; that we might not be accused in this House of

doing an improper thing, of acting unadvisably, or of being inconsistent in our action. I read now from the report in that case:

These services were especially distinguished and meritorious. He was wounded five times in as many different battles, and also suffered from disease contracted in the service. And this caused his death.

Mr. LOUD. How old was he when he died?

Mr. RAY of New York. How old was General Leggett?

Mr. LOUD. I believe he lived thirty years after the close of the war.

Mr. RAY of New York. He was upward of 70 years of age when he died.

Mr. LOUD. That is to say, he died of wounds received in the service thirty years after the close of the war!

Mr. RAY of New York. Now, mark! He was shot down five times in five different battles. The evidence shows that at one time he lay all day on the battlefield, wounded. At another time, when shot from his horse by a bullet, he got up, and although seriously wounded, remounted, and rode in front of his men until the victory was won.

Mr. LOUD. That was a test of his gallantry, but——

Mr. RAY of New York. And he died of diseases contracted in the service.

Not so with General Stevenson. Let me call attention to one fact in the case of General Stevenson, and then I desire to yield a few minutes of my time.

General Stevenson was in the service for more than a quarter of a century, and for over twenty years he drew a salary from the Government, all the way from $3,000 to $5,000 a year. Of course we pity his widow in her poverty; but she will not suffer. She has friends to care for her and to see to her wants. And when this Government gives her an increase of $32 a month of the pension she has been receiving, I say we are generous. Above all, we should be consistent in our actions and treat all these cases alike if they are of equal merit.

Mr. JOY. Where in this report does the gentleman find the statement that General Stevenson drew from $3,000 to $5,000 a year from the Government?

Mr. RAY of New York. Every man on the floor of this House with ordinary intelligence knows the salary of a brigadier-general, counting in his rations, under the law; and when it is stated that he held such an office for such a length of time, we do not need to say in exact figures what he received.

Mr. JOY. That was while he was in the Army—not after he came out of the Army.

Mr. RAY of New York. Does not the gentleman know that he was on the retired list?

Mr. JOY. He did not receive from $3,000 to $5,000 while on the retired list, as every gentleman knows.

Mr. RAY of New York. Many gentlemen here know that he received about $4,000 per year if on the retired list, and the gentleman would know it if he knew anything about the law on the subject.

Mr. PEARCE of Missouri. Do I understand the gentleman to say that the longer a man is in the service of his country the more it detracts from his pensionable rights?

Mr. RAY of New York. The gentleman has not understood me to say any such thing, and he knows it. When he asks that question it is for "buncombe" merely.

Mr. PEARCE of Missouri. That is the inference I drew from the statement of the gentleman.

Mr. RAY of New York. "The gentleman" has not said any such thing. What "the gentleman" does say is this: That when an officer is educated at West Point—when he is taken in early life into the service of his country and remains there until the end of his days, receiving the large pay that this man received, and when he dies and leaves a widow, all that can be expected from this Government for her is a reasonable amount of help—a reasonable pension to afford her a comfortable living during the remainder of her days.

We should treat this as a business proposition, in order that we may be just to all the old soldiers and to all the widows of old soldiers all over the land; because, Mr. Speaker, there are hundreds, yea thousands, of widows of private soldiers and widows of officers of minor rank who are clamoring for an increase of their pensions. And many meritorious cases—hundreds of them—demand and receive favorable action.

Some gentleman will say there is no danger that this Government will not be able to pay all the pensions that Congress may vote. That may be true. But we must remember that it requires $150,000,000 each year to pay the pensioners now on the rolls; and while we should be generous, while we should take care of all these deserving people to a reasonable extent, we should be conservative, and above all we should so act that no one can say, "You have treated my neighbor better than you have treated me."

Now, Mr. Speaker, I think that on this amendment and on the bill I will ask for the previous question,

Mr. JOY. Mr. Speaker——

Mr. RAY of New York. Mr. Speaker, I demand the previous question.

Mr. JOY. I trust the gentleman will not do that. There are two sides to this question, and we certainly ought to be heard.

The SPEAKER. The gentleman from New York has consumed thirty-one minutes of the hour. Does the gentleman yield to the gentleman from Missouri?

Mr. RAY of New York. How much time does the gentleman want?

Mr. JOY. Well, I want to be heard, and other gentlemen may desire to be heard on this question. Thirty-five minutes have been occupied on your side, and there are certainly two sides to this question.

The SPEAKER. The gentleman from New York has occupied thirty-one minutes.

Mr. RAY of New York. I will yield to the gentleman from Missouri ten minutes.

Mr. JOY. I trust that will not be all that will be yielded to this side of the question.

Mr. PEARCE of Missouri. Mr. Speaker, are there not two sides to this question?

The SPEAKER. The Chair is unable to say. [Laughter.]

Mr. PEARCE of Missouri. Does the gentleman from New York propose to consume the time for both sides?

The SPEAKER. The gentleman in charge of the bill always has control over it.

Mr. RAY of New York. If the gentleman does not desire to occupy the time given to him, I demand the previous question.

Mr. JOY. Mr. Speaker, I must confess that I am somewhat surprised to hear the statements which have been made by the chairman of the Committee on Invalid Pensions with reference to General Stevenson, whose widow is the beneficiary of this bill. I now state that Gen. John D. Stevenson was never on the retired list of the United States Army—never at any minute of time. The record shows that to be a fact.

In the second place, the report in this case is not in accord or in harmony with other reports from that committee. And the determination of the gentleman from New York to-day to cut this pension down from $50 a month, which was granted not later than last Monday night, to $30 a month simply arises from the fact that the committee—or not the committee, but one member, or possibly two, as far as we have been able to determine—want their action supported by the House at this time, when on last Monday evening, in the consideration of this very bill, when the question was taken there passed between the tellers to my own knowledge at that time not less than three Republican members of the Committee on Invalid Pensions. They voted for $50 a month for this old lady.

Now, what are the facts in the case? This old lady is 78 years of age and past. She served with her husband through two wars—was with him during the larger part of two of these campaigns; she is to-day absolutely helpless, absolutely dependent on the charity of the good people of my own State and city; and I will say now that she will not suffer if she does not get a dollar of pension from the United States Government, for the old Union soldiers and the old Confederate soldiers will see that she is amply provided for.

But we only ask this pension in a sense of justice and right and equity to her. She has, in all human probability, only from two to five years to live, and we ask for her what other people occupying similar positions, with reference to the Government, have received at the hands of Congress. It is not much to give under the circumstances.

Of course it is unpleasant to the committee to be defeated on a measure of this kind, because the House in Committee of the Whole voted against their recommendation, and I could say, if I felt disposed, that on the day before this bill was reported I was promised that I should get a report at $40 a month, which would have been satisfactory. But it came in at $30 a month, which is entirely inadequate.

With reference to the necessitous condition of Mrs. Stevenson, we have affidavits here; one from Gen. John W. Noble, asking that proper provision be made for her, and showing that this old lady is past 78 years of age, absolutely dependent, weak, and frail in mind and body, dependent on charity in our great city and State; and now I insist that to vote down the provision of the bill and adopt the amendment cutting off $50 and substituting $30 a month would be absolutely unjust and inequitable.

This same amount was granted to General Leggett a few days ago, a man who, it is said, died from disease contracted in the service. He died thirty-two years after the war was over, and General Stevenson thirty-three years after the close of the war. Who can say, when at 80 years of age, that either of these men died of disease contracted in the service—that General Leggett died from any such cause? It is the period of life when it is appointed for all to die. It is the ultimate term of human life as a rule; and

there is no man living, be he physician or layman, who can say with any degree of certainty, or even reasonable possibility, that a man of 72 or of 80 years of age died of disease contracted forty years before.

I trust, therefore, Mr. Speaker, that the action of the committee, well taken, after full and mature consideration of this measure, will be sustained by this House and that the amendment will be voted down. This old lady, as I have said, has but two or three years remaining to live, and I trust that the House will do justice at last to the widow of General Stevenson. She is not now drawing a pension, and has never applied for a pension for the service of her husband in the late war.

Less than two months ago, at my request, she was granted a pension of $8 per month because her husband was a Mexican veteran. He was a gallant soldier through the Mexican war, as well as through the civil war. I trust, my friends, that we shall stand up, even against the chairman of the committee [Mr. RAY of New York] and vote what is right—only what is right, what is just, what is in accordance with all precedents—a paltry $50 per month to Mrs. Stevenson. [Applause.]

Mr. SIMPSON. Has it not been the custom to grant to widows of generals this $50 per month?

Mr. JOY. It has for twenty-five years.

Mr. SIMPSON. Is not this a radical departure?

Mr. JOY. Yes. Frequently a larger sum than $50 a month has been granted, but not less than fifty.

Mr. SIMPSON. A few days ago we voted liberal provision for the survivors of the *Maine*, men who never saw actual service. Is not this a small thing to haggle over and take the time of the House, in opposing the giving to this widow of this old general the pension that has been given to widows of generals heretofore?

Mr. JOY. I think so.

Mr. SIMPSON. It is picayune work.

Mr. JOY. How much time have I remaining?

The SPEAKER. The gentleman has five minutes remaining.

Mr. JOY. I yield the remainder of my time to my colleague [Mr. PEARCE of Missouri].

Mr. PEARCE of Missouri. Mr. Speaker, the gentleman from New York [Mr. RAY] has proposed consistency in this legislation. All I want this House to vote for is consistency. I hold in my hand the record of every single special pension bill that has been passed by Congress for twenty-two years in cases of this kind, and what does it show? It shows that the widows of six major-generals have been pensioned at $2,000 a year. They were the widows of Gen. George H. Thomas, Gen. Winfield S. Hancock, Gen. John A. Logan, Gen. Frank P. Blair, Gen. George Crook, and Gen. John C. Frémont. The widows of 23 brigadier and major generals receive $100 a month. The widows of 111 brigadier and major generals of full rank and of major-generals by brevet receive $50 per month and less than $100 per month. That is the record of your pension legislation. I incorporate the full list and dates of these bills, as follows:

An examination of the special pension acts which have been passed during the last twenty-two years shows that the widows of 6 major-generals receive $2,000 per annum, viz: Maj. Gen. George H. Thomas, Maj. Gen. Winfield S. Hancock, Maj. Gen. John A. Logan, Maj. Gen. Frank P. Blair, jr., Maj. Gen. George Crook, Maj. Gen. John C. Frémont.

The widows of 23 brigadier and major generals receive $100 per month.

The widows of 111 brigadier and major generals of full rank and of rank of major-general by brevet receive $50 and less than $100 per month.

Forty-fourth Congress, first session.

Elizabeth B. Dyer, widow of Brig. Gen. Alexander B. Dyer (approved March 25, 1876)	$50
Elizabeth B. Thomas, widow of Brig. Gen. Lorenzo Thomas (approved April 13, 1876)	50
Mrs. L. H. Rousseau, widow of Lovell H. Rousseau, brigadier-general and brevet major-general, United States Army (approved April 13, 1876), increase from $30 to	50
Hannah W. Sumner, widow of Maj. Gen. Edwin V. Sumner (approved August 14, 1876)	50

Forty-fifth Congress, second session.

Mary Kirby Smith Eaton, widow of Gen. Amos B. Eaton (approved June 18, 1878)	$50
Margaret J. Lovell, widow of Brig. Gen. Charles S. Lovell (approved June 19, 1878); increase	50

Forty-fifth Congress, third session.

Georgine Thomas, widow of Gen. Charles Thomas (approved March 1, 1879)	$50

Forty-sixth Congress, first session.

Mrs. James Shields, widow of Gen. James Shields, brigadier-general, United States Volunteers (approved June 28, 1879)	100
Caroline S. Webster, widow of Fletcher Webster, colonel Twelfth Massachusetts Regiment (approved June 23, 1879); increase to	100

Forty-sixth Congress, second session.

Belinda Curtis, widow of Maj. Gen. Samuel R. Curtis (approved June 18, 1880)	$50

Forty-seventh Congress, first session.

Jennie S. Mitchell, widow of Brig. Gen. Robert B. Mitchell (approved June 27, 1882)	$50
Caroline French, widow of Bvt. Maj. Gen. William H. French (approved August 5, 1882)	$50
Eliza H. Ramsey, widow of Brig. Gen. George D. Ramsey, brevet major-general, United States Army	$50

Forty-seventh Congress, second session.

Orphia Meacham, widow of Col. Alfred B. Meacham (approved March 2, 1883)	$50

Forty-eighth Congress, first session.

Elizabeth H. Lawler, widow of Gen. Michael K. Lawler (approved July 3, 1884)	$50
Margaret Steedman, widow of Maj. Gen. James B. Steedman (approved July 5, 1884)	50
Mary T. Barnes, widow of Brig. Gen. Joseph K. Barnes (approved July 5, 1884)	50
Sarah Nicoll Crane, widow of Brig. Gen. Charles H. Crane (approved July 5, 1884)	50
Anna J. Foster, widow of Maj. Gen. John G. Foster (approved July 5, 1884)	50
Virginia Zeilin, widow of Brig. Gen. Jacob Zeilin, United States Marine Corps (approved July 5, 1884)	50

Forty-eighth Congress, second session.

Abby P. Arnold, widow of Gen. Richard Arnold, United States Army (approved January 26, 1885); increase to	50
Sally Rodman, widow of Isaac P. Rodman, brigadier-general, United States Volunteers (approved February 10, 1885); increase to	50
Margaret G. Halpine, widow of Charles G. Halpine, lieutenant-colonel and brevet brigadier-general, United States Volunteers, subject to the provisions and limitations of the pension laws (approved February 14, 1885).	
Sarah Denny Ripley, widow of Brig. Gen. James W. Ripley (approved February 19, 1885)	50
Mrs. Frances L. Thomas, widow of Maj. Gen. George H. Thomas (approved February 20, 1885); increase from $30 a month to, per annum	2,000
Sophia A. Morgan, widow of Charles H. Morgan, brevet brigadier-general and brigadier-general of volunteers (approved March 3, 1885)	50
Eliza W. Thornburgh, widow of Maj. Thomas T. Thornburgh, of the Fourth Regiment of Infantry, United States Army (approved March 3, 1885)	50
Emily L. Alvord, widow of Brig. Gen. Benjamin Alvord (approved March 3, 1885)	50

Forty-ninth Congress, first session.

Almira Russell Hancock, widow of Winfield Scott Hancock, major-general United States Army (approved March 29, 1886); per year	2,000
Mrs. E. A. Benham, widow of Gen. Henry W. Benham (approved April 5, 1886)	50
Miss Rebecca Miller, daughter of Brigadier-General Miller (approved May 3, 1886)	50
Elizabeth K. Gallagher, widow of Bvt. Brig. Gen. Thomas F. Gallagher, colonel of the Eleventh Regiment Pennsylvania Reserve Corps, subject to the provisions and limitations of the pension laws (approved May 7, 1886).	
Charlotte D. Crocker, widow of Brig. Gen. Marcellus M. Crocker (became a law without the President's approval); increase from $30 to	50
Hattie A. Burnett, widow of Maj. Gen. Ward B. Burnett (approved June 1, 1886); increase to	50
Maria A. Birney, widow of Maj. Gen. David B. Birney (approved June 24, 1886); increase from $30 to	50
Louisa Weitzel, widow of Godfrey Weitzel, lieutenant-colonel in the Corps of Engineers, United States Army, and major-general of United States Volunteers (approved July 6, 1886); increase to	50
Margaret Hunter Hardie, widow of Bvt. Maj. Gen. James A. Hardie (approved July 8, 1886); increase to	50
Rebecca Hollingsworth Humphreys, widow of Brig. Gen. Anderson Atkinson Humphreys, late Chief of Engineers and brevet major-general, United States Army (approved July 31, 1886)	50

Forty-ninth Congress, second session.

Clara B. Davidson, widow of Gen. John W. Davidson (approved January 27, 1887); increase to	50
Elizabeth Ward, widow of Gen. Durbin Ward (approved January 27, 1887)	50
Elizabeth M. J. Meagher, widow of Thomas Francis Meagher, brigadier-general, United States Volunteers (approved February 22, 1887)	50

Fiftieth Congress, first session.

Mary S. Logan, widow of John A. Logan, major-general United States Volunteers (approved April 5, 1888); per annum	2,000
Appoline A. Blair, widow of Francis P. Blair, jr., major-general United States Volunteers (approved April 6, 1888); increase from $50 a month to, per annum	2,000
Mary K. Taylor, widow of Gen. W. Taylor, brigadier-general, United States Army (approved April 20, 1888); increase to	50
Mrs. Eliza B. Anderson, widow of Robert Anderson, brigadier-general, United States Army (approved April 23, 1888); increase to	100
Jennie Stone, widow of Gen. Charles P. Stone (approved June 9, 1888)	50
Frances Anne Pyne Ricketts, widow of James B. Ricketts, major-general, United States Army, retired (approved July 19, 1888)	100
Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States Army (approved July 24, 1888); increase from $30 to	50
Emily J. Stannard, widow of George J. Stannard, brevet major-general of volunteers (became a law August 2, 1888, without President's approval); increase to	100
Louise Paul, widow of Brig. Gen. Gabriel R. Paul, United States Army (became a law August 2, 1888, without President's approval); increase to	100
Betsey A. Mower, widow of Joseph A. Mower, major-general United States Volunteers (approved October 9, 1888); increase to	75
Mary M. Ord, widow of Gen. E. O. C. Ord (approved October 19, 1888); increase to	75

Fiftieth Congress, second session.

Laura L. Wallen, widow of Henry D. Wallen, colonel Second Infantry, United States Army (approved January 15, 1889); increase to	50
Elizabeth G. Scott, widow of Robert N. Scott, lieutenant-colonel Third United States Artillery (approved January 22, 1889); increase to	50
Margaret S. Heintzelman, widow of Maj. Gen. Samuel P. Heintzelman (approved January 22, 1889); increase from $50 to	100
Mary A. Bedell, widow of Brig. Gen. John Bedell (approved February 21, 1889); increase from $30 to	50

Matilda Wilkins Emory, widow of Brig. Gen. William H. Emory, United States Army (approved February 28, 1889); increase to $50
Frances H. Plummer, widow of Brig. Gen. Joseph B. Plummer, United States Army (approved February 26, 1890); increase to 75
Irene Rucker Sheridan, widow of Gen. P. H. Sheridan (approved February 27, 1889); per annum 2,000
Sue B. Johnson, widow of Gilbert M. L. Johnson, colonel Thirteenth Indiana Cavalry and brigadier-general by brevet (approved March 1, 1889); increase to 50
Mary B. Hunt, widow of Bvt. Maj. Gen. Henry J. Hunt (approved March 2, 1889) 50
Maria A. Rosseau, widow of Lovell H. Rosseau, brigadier-general, United States Army (approved March 2, 1889) 100

Fifty-first Congress, first session.

Matilda C. King, widow of Col. John H. King, brevet major-general, United States Army (approved April 30, 1890) 50
Sallie T. Ward, widow of the late Gen. W. T. Ward (approved May 24, 1890) 50
Sophia Schimmefenning, widow of Alexander Schimmefenning, brigadier-general and major-general by brevet (approved May 24, 1890) 50
Mary B. Hook, widow of James H. Hook, lieutenant-colonel and assistant commissary-general of subsistence (approved May 27, 1890); increase to 50
Amelia McAllister, widow of Col. Julian McAllister, United States Army (approved May 28, 1890) 50
Juliet Opie H. Ayers, widow of Romeyn Ayers, late colonel in the Second Regiment Artillery, United States Army, and brigadier-general United States Volunteers (approved June 3, 1890); increase to 75
Margaret A. Blake, widow of George H. Blake, colonel First Cavalry and brigadier-general United States Army (approved June 20, 1890); increase to 50
Sallie H. Michler, widow of Bvt. Brig. Gen. Nathaniel Michler, United States Army (approved July 11, 1890); increase from $30 to 50
Henrietta O. Whittaker, widow of Gen. Walter C. Whittaker (approved August 15, 1890); increase to 100
Mary E. Harney, widow of William S. Harney, brigadier general and brevet major-general United States Army (approved August 29, 1890) 50
Miss Margaret Stafford Worth, dependent daughter of Maj. Gen. William J. Worth (approved August 29, 1890) 75
Anne Rodgers Macomb, widow of Col. John N. Macomb, Engineer Corps, United States Army (approved August 29, 1890) 50
Theodora M. Piatt, widow of Benjamin M. Piatt, late a captain and assistant adjutant-general, United States Volunteers (approved August 30, 1890) 50
Mary J. Milroy, widow of Robert H. Milroy, major-general, United States Volunteers, and soldier in the Mexican war (approved September 2, 1890) 75
Laura J. Wallen, widow of Henry D. Wallen, late colonel Second Infantry, United States Army (approved September 25, 1890); increase to 100
Mary Crook, widow of George Crook, late a major-general, United States Army (approved September 27, 1890); per annum 2,000
Jessie Benton Frémont, widow of the late John C. Frémont, major-general, United States Army (approved September 27, 1890); per annum 2,000
Betsey A. Mower, widow of Gen. Joseph A. Mower, United States Army (approved September 30, 1890) 100
Sallie Douglas Hartranft, widow of Bvt. Maj. Gen. John F. Hartranft, United States Volunteers (approved September 30, 1890) 100
Amanda M. Smyth, widow of Brig. Gen. Thomas A. Smyth, United States Army (approved September 30, 1890); increase from $30 to 50
Emily F. Warren, widow of G. K. Warren, major-general, United States Army (approved September 30, 1890) 100
Katherine W. Howell, widow of Brig. Gen. Joshua B. Howell, United States Army (approved September 30, 1890); increase to 50
Mary A. Blaisdell, widow of Gen. William Blaisdell (approved October 1, 1890) 50

Fifty-first Congress, second session.

Margaret Proctor Noyes, widow of Gen. Edward F. Noyes, late colonel Thirty-ninth Ohio Volunteer Infantry and brevet brigadier-general (approved February 14, 1891) 50
Mrs. Rochie Brien Buell, widow of Gen. George P. Buell, United States Army (approved February 14, 1891) 50
Caroline E. Duryee, widow of Abraham Duryee, late brigadier-general, retired (approved February 14, 1891) 50
Elizabeth C. Custer, widow of Gen. George A. Custer (approved February 19, 1891); increase to 100
Mary Condy Ringgold, widow of George H. Ringgold, late lieutenant-colonel and deputy paymaster-general, United States Army (approved February 28, 1891); increase to 50
Ellen L. Pelouze, widow of Lewis H. Pelouze, brigadier-general, United States Army (approved February 28, 1891); increase to 50
Louisa A. Starkweather, widow of John C. Starkweather, late colonel First Wisconsin Infantry and brigadier-general of volunteers (approved March 2, 1891) 50
Mary C. Hoffman, widow of Gen. William Hoffman (approved March 2, 1891) 50
Louisa V. Kilpatrick, widow of Maj. Gen. Judson Kilpatrick, United States Volunteers (approved March 3, 1891); increase to 100
Elizabeth R. Lee, widow of Samuel Perry Lee, late major Third Regiment Maine Volunteer Infantry, brevet-colonel United States Volunteers, and major and brevet lieutenant-colonel United States Army (approved March 3, 1891) 50
Floriday G. Casey, widow of Maj. Gen. Silas Casey, United States Army (approved March 3, 1891); increase to 100

(None in the Fifty-second Congress.)

Fifty-third Congress, second session.

Frances Corse, widow of Bvt. Maj. Gen. John M. Corse (approved August 4, 1894) 100

Fifty-third Congress, third session.

Mary Palmer Banks, widow of Nathaniel P. Banks, major-general United States Army (approved January 9, 1895) 100
Katherine Todd Crittenden, widow of Thomas L. Crittenden, major-general United States Army (approved February 8, 1895) 50
Julia E. Lock, widow of Brig. Gen. Daniel McCook, United States Volunteers (approved February 13, 1895) $30
Josephine P. Kelton, widow of Brig. Gen. John C. Kelton, late Adjutant-General United States Army (approved February 13, 1895) 50
Alice K. Potter, widow of Gen. Joseph H. Potter, United States Army (approved March 2, 1895); increase 50

Fifty-fourth Congress, first session.

Mrs. Eva Davis Cogswell, widow of Brigadier-General Cogswell (became a law without the President's signature February 8, 1896) 75
Jane Dulaney, widow of Col. William Dulaney (approved March 4, 1896); increase to 72
Catherine R. Jardine, widow of Brig. Gen. Edward Jardine (approved April 18, 1896) 50
Sophia J. Hamilton, widow of Charles S. Hamilton, major-general of volunteers (became a law April 24, 1896, without the President's signature) 50
Mary Doubleday, widow of Bvt. Maj. Gen. Abner Doubleday (became a law April 27, 1896, without the President's signature) 100
Helen Morrell Carroll, widow of Samuel Sprigg Carroll, major-general (became a law May 27, 1896, without the President's signature) 50
Sophia D. Clendenin, widow of Col. David R. Clendenin (approved May 23, 1896) 50
Nancy Carson Blount, widow of Maj. Gen. James G. Blount (approved May 29, 1896); increase from $30 to 75
Matilda Gresham, widow of Brig. Gen. Walter Q. Gresham (approved May 30, 1896) 100
Mary Clare Kelly, widow of Bvt. Maj. Gen. Benjamin F. Kelly (approved May 30, 1896) 50
Martha McNeil, widow of John McNeil, brigadier general and brevet major general, United States Volunteers (approved May 30, 1896) 50
Eugenia R. Sweeney, widow of Brig. Gen. Thomas W. Sweeney, United States Army (approved May 30, 1896); increase to 50
Ellen C. Ewing, widow of Bvt. Maj. Gen. Thomas Ewing (approved June 2, 1896) 75
Mrs. Annis H. Enochs, widow of Lieut. Col. and Bvt. Brig. Gen. William H. Enochs (approved June 6, 1896); increase from $20 to 50
Mrs. Eleanor Carroll Poe, widow of Col. Orlando M. Poe (approved June 6, 1896) 50
Elizabeth W. Sutherland, widow of Surg. Gen. Charles Sutherland; increase to 50
Mrs. H. J. Kiernan, widow of Gen. James L. Kiernan (approved June 6, 1896); increase to 50
Harriet C. Gregg, widow of Col. and Bvt. Gen. John Irving Gregg (approved June 6, 1896); increase from $30 to 50
Elmira E. Dustin, widow of Gen. Daniel Dustin (approved June 6, 1896) 50
Julia A. Jameson, widow of Brig. Gen. Charles D. Jamison (approved June 6, 1896); increase from $30 to 50
Emily M. Van Derveer, widow of Brig. Gen. Ferdinand Van Derveer (approved June 8, 1896) 50
Mrs. William Loring Spencer, widow of Col. George E. Spencer, First Alabama Cavalry Volunteers; increase to 50
Martha N. Gibson, widow of Col. and Bvt. Brig. Gen. William H. Gibson (approved June 11, 1896) 50

Fifty-fourth Congress, second session.

Charlotte O. Van Cleve, widow of Brig. and Bvt. Maj. Gen. Horatio P. Van Cleve (approved January 13, 1897) 50
Helen M. Mallery, widow of Garrick Mallery, late captain and brevet lieutenant-colonel, United States Army, lieutenant-colonel Thirteenth Pennsylvania Cavalry, and brevet colonel, United States Volunteers (became a law without the President's signature); increase to 50
Fanny Moale Gibbon, widow of Maj. Gen. John Gibbon, United States Army (approved January 27, 1897) 100
Celeste A. Boughton, widow of Bvt. Brig. Gen. Horace Boughton, United States Army, retired (approved January 30, 1897); increase to 50
Lena D. Smith, widow of Green Clay Smith, late colonel, Fourth Kentucky Cavalry, and brigadier-general, United States Volunteers (approved January 30, 1897) 50
Elise Blenker, widow of Gen. Louis Blenker, late brigadier-general, United States Army (approved February 2, 1897); increase from $30 to 50
Priscilla R. Burns, widow of Brig. Gen. William W. Burns, United States Army (approved February 2, 1897); increase to 50
Isabella Morrow, widow of Henry A. Morrow, colonel, Twenty-first United States Infantry, colonel and brevet major-general, United States Army (approved February 3, 1897) 50
Anna M. Newton, widow of John Newton, major-general, volunteers, and brigadier-general, United States Army (approved February 4, 1897) 75
Marion McKibben, widow of David B. McKibben, late colonel One hundred and fifty-eighth and Two hundred and fourteenth Pennsylvania Infantry and brevet brigadier-general, United States Army (became a law without the President's approval); increase to 50
Caroline A. Hough, widow of Brig. Gen. John Hough (became a law without the President's approval); increase from $17 to 50
Clara L. Nichols, widow of Bvt. Maj. Gen. W. A. Nichols (approved February 20, 1897) 50
Mary O. H. Stoneman, widow of Geo. Stoneman, major-general, United States Volunteers (approved February 27, 1897); increase to 50
Emma Weir Casey, widow of Brig. Gen. Thomas Lincoln Casey, chief of engineers, United States Army (approved February 27, 1897) 50
Mary Gould Carr, widow of Brig. and Bvt. Maj. Gen. Joseph B. Carr, United States Volunteers (approved February 27, 1897) 50
Eliza Craig Heckman, widow of Brig. Gen. Charles A. Heckman (became a law without the President's approval) 50
Julia Jones Duncan, widow of Bvt. Maj. Gen. Samuel A. Duncan 50
Jane H. Vandever, widow of Gen. William Vandever, Ninth Iowa Regiment and brigadier-general, United States Volunteers (became a law without the President's approval) 50

There has been but one case where a pension bill has ever passed this House for the widow of a brevet major-general for less than $50 per month—only one in twenty-two years. The gentleman from New York speaks about the record of General Leggett. He was a grand and glorious soldier who served his country magnificently, but his record was no better than that of General Stevenson. I have procured from the War Department the records of both these men.

I have laid their records side by side, date by date, and incorporate them as follows:

Comparison from records of—

Maj. Gen. J. D. Stevenson (born Virginia June 8, 1821).	Maj. Gen. M. D. Leggett.
Captain Company E, First Regiment Missouri Mounted Infantry (Mexican war, Colonel Doniphan's regiment), June 27, 1846; mustered out June 24, 1847. In Missouri legislature, 1860-61. Colonel Seventh Missouri Infantry Volunteers, August 21, 1861. Brigadier-general, to rank from November 29, 1862. Brevetted major-general, to date from March 13, 1865; mustered out January 15, 1866. Commissioned colonel Thirtieth Infantry, United States Army, July 28, 1866. Commissioned colonel Twenty-fifth Infantry, United States Army, December 15, 1870. Brevetted brigadier-general, United States Army, March 2, 1867, for gallantry at Champion Hills. Resigned December 31, 1870.	Lieutenant-colonel Seventy-eighth Ohio Infantry, December 18, 1861. Colonel Seventy-eighth Ohio Infantry, January 21, 1863. Brigadier-general, November 26, 1863. Brevetted major-general, September 1, 1864. Major-general, August 21, 1865. Resigned September 1, 1865.
Commanded at Larrimie Bridge, Mo., December 31, 1861; Lexington, Mo., February 23, 1862; Pittsburg Landing, Tenn., June 30, 1862; Fourth Brigade, First Division, Seventeenth Army Corps, Jackson, Tenn., August 31, 1862; Fourth Brigade, Third Division, Seventeenth Army Corps, October 31, 1862, to April 10, 1863; Third Brigade, Third Division, Seventeenth Army Corps, January to June, 1863; Third Division, Seventeenth Army Corps, July to November, 1863; District of Corinth, October 26, 1863, to February, 1864; Detachment Fourth Division, Sixteenth Army Corps, March, 1864; District of Harpers Ferry, August 15, 1864, to February 22, 1865; Department of West Virginia, District of Harpers Ferry, February 22, 1865, to July 12, 1865; Department of Georgia, July 28, 1865; District of Altoona, August 30, 1865.	Commanded Second Brigade, Third Division, Thirteenth Army Corps, November to December, 1862; Second Brigade, Third Division, Seventeenth Army Corps, December, 1862, to January, 1863; First Brigade, Third Division, Seventeenth Army Corps, June to November, 1863; Third Division, Seventeenth Army Corps, November, 1863, to July, 1865. Temporarily in command Seventeenth Army Corps, January 24, 1865.
Was engaged in the battles of the Mexican war. In the late war at battles of Lexington, Mo.; Boonville, Mo.; Shiloh; Port Gibson; Raymond; Champion Hills; Jackson; Big Black; Vicksburg; Savannah; and Corinth. Fortified and held Decatur.	Was engaged in many battles and was twice wounded. Was brevetted for Atlanta and Savannah campaigns.
Was never reported as absent from his command.	Absent with leave, April to May, 1863; absent with leave, March to April, 1864; absent, sick, August to September, 1864; absent, sick, January to March, 1865.

HEADQUARTERS JOHN A. LOGAN POST, No. 304,
DEPARTMENT OF MISSOURI, G. A. R.,
St. Louis, Mo., March 17, 1898.

DEAR SIR: The following preamble and resolution were adopted unanimously by John A. Logan Post, No. 304, Department of Missouri, G. A. R., at a regular meeting held on the 14th instant:

"Whereas it has come to the knowledge of the officers and members of John A. Logan Post, No. 304, Department of Missouri, G. A. R., that a bill granting a pension to the widow of a late comrade of this post, the late Bvt. Maj. Gen. John D. Stevenson, has passed the United States Senate, but is as yet without action by the House of Representatives; and

"Whereas the late Bvt. Maj. Gen. John D. Stevenson rendered his country eminent services in the Mexican war and the war of the rebellion, and the widow of this distinguished officer is now in destitute circumstances and too old and feeble to earn a livelihood;

"*Be it resolved*, That the Hon. CHARLES E. PEARCE, member of Congress, be requested to advise the officers and members of John A. Logan Post what action will, in his opinion, secure the prompt attention of the members of the House of Representatives to the consideration and passage of the said bill, to the end that the few years yet remaining to the aged and infirm widow of our distinguished comrade may be passed in comparative comfort and ease instead of in abject poverty and misery."

Kindly comply with request expressed in above resolution.

We have the honor to be, very respectfully, your obedient servants,
JNO. B. PRATT, *Post Commander.*
CARL MOLLER, *Post Adjutant.*

Hon. CHARLES E. PEARCE, M. C.,
Washington City, D. C.

This record shows that Gen. John D. Stevenson was engaged in the battles of the Mexican war, and that in the late war of the rebellion he was commanding brigades and divisions at Lexington, Mo., Boonville, Mo., Shiloh, Port Gibson, Raymond, Champion Hills, Jackson, Big Black, Vicksburg, Savannah, and Corinth, and that he fortified and held Decatur. He was never reported as absent from his command. He was congratulated, complimented, and thanked in the general orders of the War Department. General Stevenson's widow was married to him in 1845. She went with him and served during the Mexican war. She was with him and served all during the late war, stood by his side, and did her duty as he did his.

He was not wounded during the war, but is there a man on this floor able to say that a soldier who was not wounded in the late war necessarily did not perform his duty as well as the soldier who was? I was not wounded in the war, and yet I believe I played my little, humble part as well as any other man in the places in which I was put.

Now, gentlemen of the House, let me say to you that consistency in this pension legislation demands of you that you award to General Stevenson's widow the same pension as you have given all through twenty-two years of your legislation to widows similarly situated.

This bill passed the Senate without an objection. It came over here, and I tell you, gentlemen, that the chairman of the Committee on Invalid Pensions [Mr. RAY of New York] does not represent on this floor, as I happen to know, the sentiment of his own committee upon this subject. [Applause.]

I would not derogate, nay, more, I would pay all honor to the memory of that gallant soldier, General Leggett. I knew him well. I would do as much for the memory of Gen. John D. Stevenson.

[Here the hammer fell.]

Mr. RAY of New York. Mr. Speaker, the gentleman says he happens to know that the chairman of this committee does not represent the sentiments of the committee. I happen to know that he does, and I happen to know that the gentleman from Missouri [Mr. PEARCE] has no warrant for making such a statement as he has just made. He does have warrant for stating that this rate of $30 per month does not represent the views of two or three of the members of that committee; but I state again that we had this very subject before the Committee on Invalid Pensions yesterday in regard to the widow of Gen. A. J. Smith, who stands on precisely the same footing that this widow of General Stevenson does.

The committee fully discussed this question and stood by the chairman, with only two exceptions. The gentleman should be sure of his facts before he makes such a statement. Her husband was a brave and distinguished officer, but he did not die of disease received or wounds contracted in the service, and we reported her bill yesterday from that committee at $30 per month. The bill, Mr. Speaker, was introduced by the gentleman from Missouri [Mr. PEARCE] himself, and what he wants is to carry $50 here and then $50 there.

Mr. PEARCE of Missouri. Why not?

Mr. RAY of New York. And then there are men on this floor that I happen to know who have bills of a like character, and they want to carry $50 for the widow of a general officer regardless of whether the husband died from wounds received or disease contracted in the service so they may get $50 for their claimant. The committee has been consistent all along on this line. The great majority are united and determined to be just and consistent.

Now, there was a gentleman on the other side who asked me for five minutes, and I yield five minutes to the gentleman from Ohio.

Mr. LENTZ. Mr. Speaker, I feel that under the circumstances another fact ought to be considered in this House before we vote on this measure. I happen to live in a district that has a pension agency that distributes more money than any other pension agency in the United States. In that capital district of Ohio, I know that within the city of Columbus there are many women who are in a worse condition than soldiers' widows, because they are to-day compelled to take in washing or go from house to house to do washing or other service to help support their crippled, disabled old soldier husbands, who get no assistance from this Government, but have long since been deserving of the honor and help of having their names on the pension roll.

While we are economizing all along the line to-day, it seems but fair to follow the report of this committee, for by that means we shall save $20 a month on this pension, and that will enable us to pay $10 a month to each of two others as much deserving as this one. They say that in their judgment it is wise to put widows upon the pension roll at $30 a month where the officer has not died by reason of wounds received or disease contracted in the Army. I think we ought to follow the judgment of the committee and not waste the public funds. No doubt this widow was devoted to her husband, General Stevenson, but the wives and widows of the private soldiers have been just as loyal and devoted to their humble husbands as were the wives of the officers. Let us not make the pensions so large for the benefit of the few. Let us be more just and equitable and distribute our funds to a larger number of suffering soldiers and their widows and orphans. I have no patience with granting large pensions so that the few may keep up what is called "social position," while the good old wives and widows of the common soldiers remain wash women because we are short of funds sufficient to pension the many thousands who now need and deserve help.

I say if you are going to be bounteous, and I am in favor of being generous—so far in favor of being generous to the old soldiers, their widows and orphans, that I want a service-pension bill passed here before this session closes, so that every living soldier who came out of the war with a clean record shall have his name upon a pension roll that shall indeed be a roll of honor. I say it is not timely to spend $50 a month in pensioning the widow of an officer and leave thousands of other women supporting soldiers who are

diseased or crippled by reason of the services they rendered their country without any hope of future reward or distinction, such as was in prospect for the commanding officers. It may be well to consider the claims of the thousands of soldiers, their wives and widows, on the Treasury of this country, as well as the claim of the individual. Let us not forget the poor, for them have we with us always. For instance, in the State of Ohio two years ago we had 103,000 ex-soldiers of the civil war. Many, many of those men, to my own personal knowledge, from what I have seen, without going outside of my experience, are now needing and deserving a pension, but they have had no consideration, while every one of them ought to be on the pension roll.

Instead of parceling this money out to a few, let us be liberal and generous to the many, and by saving here a little and there a great deal, make a reasonable service-pension law in demonstration of the fact that this nation is determined to encourage in the hearts of its people the sentiment of patriotism and love of country. You can not do that by being too generous to one and too mean to thousands who have claims upon us. Pensions are a legitimate part of the war debt. To have appropriated a man's health and strength is as worthy of reimbursement by the Government as the seizure of cotton or corn from loyal citizens, but we pay pensions not alone in settlement of an obligation, but also to promote patriotism. If, however, we make unjust and unfair discrimination, if we show the lavish hand of partiality and favoritism to the few, we demoralize and discourage the many, and in the end defeat our best purpose by impressing the masses with the conviction that government by the people does not mean "equal and exact justice to all," but rather special privileges to the few.

Mr. RAY of New York. I yield five minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, one of the great difficulties that we have had in pension legislation by special acts has been that no Committee on Invalid Pensions has ever laid down any rules that we could understand until this present committee. They have adopted rules that we all understand, and they are following them uniformly, and I believe it is the duty of this House to sustain them in this matter.

If any general officer, or field officer, or line officer, as I understand the rule, dies the same as if shot down in battle, they give the widow as liberal a pension as they would if she was the widow of an officer killed in battle. Then if the widow of an officer not killed in battle, if dying of old age or other cause, they still give the widow more pension than she could get under any law upon the statute books.

Now, the gentleman from Missouri [Mr. PEARCE], with one of the warmest and tenderest hearts I know of, speaks of the beautiful devotion of this widow. I wish that speech could be broadened to apply to every soldier's widow in the Republic. [Loud applause.] My observation is, gentlemen of the House, that the wife of the humblest soldier was just as true to her boy in blue as the wife of the greatest general who led armies or divisions [great applause], and my judgment is that their tears are as sacred in the sight of God and their prayers will rise and be respected as much at the great white throne. We have not in our legislation been able to care for the great mass of widows, perhaps, as much as we should have done.

I remember that since we made the fight to raise their pensions from $8 to $12 where their husbands died of wounds received or disease contracted in the service there has been this feeling in every honest breast in this House, that we have always gone further than we ought to go in behalf of the man who wore the shoulder straps. That has been my own feeling, and I have never resisted it. And why? Because I wanted to feel that I cast my vote to give the poor widows of our brave men all that we could. We have now a fair scale in this rule laid down by the Committee on Invalid Pensions, and for one, believing that that rule is an honest one—and I wish that it had been followed long ago—I shall vote to sustain the Committee on Invalid Pensions on the pending proposition.

Mr. RAY of New York. Mr. Speaker, I desire to call the attention of this House to one single fact, and then I shall insist on the previous question. I ask members to remember when you vote on this bill you will leave the widows of thousands of brave boys in blue who marched up to the mouth of angry cannon in equal or greater necessity drawing only $12 a month, while you give this widow $30 a month, nearly three times what we give to the privates' widows; and when we do this we are going as far as we ought to go. The amendment should prevail. Fifty dollars in such a case can not be justified. I insist upon the previous question.

The question was taken; and the previous question was ordered.

The SPEAKER. The question is on the amendment proposed by the gentleman from New York.

The question was taken; and the Speaker announced that the ayes seemed to have it.

The House divided; and there were—ayes 99, noes 45.

Mr. JOY. The yeas and nays, Mr. Speaker.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-five gentlemen have arisen.

Mr. JOY. I ask for the other side.

Mr. RAY of New York. How can the same gentleman who asked this division call for the other side?

The SPEAKER. Because he is interested in the result. [Laughter.] [After counting.] One hundred and thirteen—not a sufficient number. The yeas and nays are refused; the ayes have it, and the amendment is agreed to.

Mr. RAY of New York. Mr. Speaker, the other night there were other amendments agreed to in Committee of the Whole.

The SPEAKER. The question is on the amendments agreed to in Committee of the Whole.

The amendments were agreed to,

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

The title was amended so as to read: "An act granting an increase of pension to Hannah Letcher Stevenson."

On motion of Mr. RAY of New York, a motion to reconsider the vote by which the bill was passed was laid on the table.

ORDER OF BUSINESS.

Mr. GIBSON. Mr. Speaker, I call for the regular order.

Mr. BABCOCK. I hope the gentleman will withdraw that for a moment. I ask unanimous consent that it be in order next Monday to consider business reported by the Committee on the District of Columbia. As the House is aware, yesterday was District day, but on account of the condition of things I had no opportunity to make this request.

Mr. BAILEY. Does the gentleman from Wisconsin intend to substitute next Monday, which will be suspension day, for last Monday, which was District day? I have no objection except that possibly there may be matters on that day which it would be desirable to pass under a suspension of the rules. With the understanding that District matters may be considered on that day and still leave in order matters that may be necessary to pass under suspension of the rules, I have no objection.

Mr. BABCOCK. I think there is no objection to that, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin asks that next Monday be substituted for District business. Is there objection? The Chair hears none.

Mr. GIBSON. Mr. Speaker, I now call for the regular order, and I move that the House resolve itself into Committee of the Whole for the consideration of bills upon the Private Calendar.

Mr. COOPER of Texas. Pending that motion, Mr. Speaker, I ask unanimous consent that debate on House bill 4936 be closed at 4 o'clock, and that it be reported to the House and that a vote be taken in the House before 5 o'clock.

Mr. STEELE. Let us know what the bill is.

Mr. COOPER of Texas. It is the bill with reference to the claims, commonly known as the Bowman Act.

Mr. DINGLEY. I desire to state, Mr. Speaker, that general debate has been closed and that we are now considering the bill by paragraphs, and that the committee proposes to move to strike certain paragraphs from the bill when reached. The matter will proceed very rapidly.

Mr. COOPER of Texas. Does the gentleman think we shall get through with it this afternoon?

Mr. DINGLEY. I understand there will be no delay, that the matter will proceed rapidly.

Mr. STEELE. I call for the regular order, Mr. Speaker.

The motion of Mr. GIBSON was agreed to; and accordingly the House resolved itself into Committee of the Whole (Mr. PAYNE in the chair) for consideration of bills upon the Private Calendar.

OMNIBUS CLAIM BILL.

The CHAIRMAN. The House is in Committee of the Whole House for consideration of bills upon the Private Calendar. The committee has under consideration House bill 4936, a bill for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and the Clerk will read the next paragraph.

The Clerk read as follows:

To Thomas J. Lavender, administrator of Jacob Lavender, deceased, late of Hempstead County, Ark., $991.

Mr. McRAE. Mr. Chairman, I move to amend by striking out the word "Hempstead," in line 5, and inserting "Nevada." At the time this claim accrued Mr. Lavender resided in Hempstead County, but a new county named Nevada was formed, and he died in the new county. The administrator lives in the county of Nevada and letters of administration were issued in that county.

Mr. GIBSON. There is no objection to that.

The amendment was agreed to.

The Clerk read as follows:

To John A. Raine, of Hardin County, $644.

Mr. SMITH of Kentucky. Mr. Chairman, I desire to amend that paragraph by making it payable to the personal representatives of John A. Raine.

Mr. RICHARDSON. There is a general amendment to the bill that covers that.

Mr. SMITH of Kentucky. Very well, I withdraw my amendment.

The Clerk read as follows:

To Odd Fellows' Hall Association, of New Orleans, $10,000.

Mr. DINGLEY. Mr. Chairman, I desire to call the attention of the committee to this particular case, and to inquire what the committee's report is in regard to it. It is desirable that there shall not be included in any of these claims any claim for the damage or destruction of property, as it is understood that only stores and supplies are to be paid for. I wish for an opportunity to look into this and see if there is any claim made for damages to this property, and therefore I will ask to have it passed for the present.

Mr. RICHARDSON. We have no objection to passing it and recurring to it afterwards.

There was no objection.

The Clerk read as follows:

To Mrs. Belle Osborne, executrix of John Osborne, deceased, late of Alexandria, $19,750.

Mr. GIBSON. Mr. Chairman, I ask that that paragraph be passed over informally and taken up later.

Mr. DINGLEY. Why not move to strike it out now? It is understood that claims of this character shall be stricken from the bill.

Mr. EVANS. Mr. Chairman, I move to strike out lines 15, 16, and 17, on page 25 of the bill—the last paragraph read.

The amendment was agreed to.

The Clerk read as follows:

To Lowesky Bonvillian, of Terrebonne Parish, $900.

Mr. RICHARDSON. Mr. Chairman, I move to amend by striking out the word "Bonvillian" and inserting "Bouvillian."

The amendment was agreed to.

The Clerk read as follows:

To A. T. Snoffer, of Frederick County, $983.

Mr. RICHARDSON. I move to amend the amendment just read by striking out the word "Snoffer" and inserting in lieu thereof "Sneuffer."

The amendment was agreed to.

The Clerk read as follows:

To James Harding, administrator of James H. Maury, deceased, late of Claiborne County, $1,950.

Mr. GIBSON. I move to amend the paragraph just read by inserting, after the word "James," the letter "M.;" so as to read: "James M. Harding."

The amendment was agreed to.

The Clerk read as follows:

To Simeon Gilbreath, of Bates County, $369.

Mr. DE ARMOND. Simeon Gilbreath, named in the paragraph just read, is dead. I wish to move an amendment inserting before the name the words "the heirs at law of."

Mr. RICHARDSON. The committee have a general amendment which they propose to offer, covering all cases of this class, of which there are quite a number in the bill. It is not necessary to adopt such an amendment in each individual case.

Mr. DE ARMOND. Very well; I withdraw the amendment.

The Clerk read as follows:

To John T. Lynch, of Houston County, $150.

Mr. ROBB. I move to amend the paragraph just read by striking out "Houston" and inserting "Texas." There is no such county as "Houston." The proper name of the county is Texas.

The amendment was agreed to.

The Clerk read as follows:

To John T. Lynch, administrator of David Lynch, deceased, late of Houston County, $175.

Mr. ROBB. I move to amend this paragraph by striking out the word "Houston" and inserting "Texas."

The amendment was agreed to.

The Clerk read as follows:

To Benjamin Puter Bailey, treasurer of the Missouri State Lunatic Asylum No. 1, $17,250.

Mr. DINGLEY. I wish to inquire whether this is a claim merely for rent?

Mr. BLAND. If the gentleman will examine the decision of the court, he will find that it excludes everything except rent.

The Clerk read as follows:

To the estate of Nicholas J. Bigley, deceased, late of Pittsburg, $21,211.50.

Mr. ROBBINS. I move the amendment which I send to the desk.

The Clerk read as follows:

Strike out "to the estate of Nicholas J. Bigley, deceased, late of Pittsburg," and insert in lieu thereof the following:

"To the heirs of Nicholas J. Bigley, deceased, late of Pittsburg, Pa.; Sarah McMeal, Joseph H. Bigley, Catherine L. Grace, Mary E. Smith, George Carrol Bigley, Susannah L. McCormack, Agnes Loretta Suter, Nicholas J. Bigley, and James W. Bigley, the sum of."

Mr. COOPER of Texas. I hope the gentleman from Pennsylvania [Mr. ROBBINS] will correct his amendment so as to say simply "the heirs at law." This committee can not undertake to designate specifically who are the heirs of certain parties.

Mr. ROBBINS. The amendment which I have offered conforms exactly to the paragraph of the Senate bill. If the simple language "heirs" or "heirs at law" will be sufficient, I have no special desire to designate the heirs by name. But I should like this claim to be paid to the heirs of Bigley rather than to his estate, for the reason that this is a very old claim, having been adjudicated in the Court of Claims away back in 1888, and since its final adjudication Bigley, in 1890, died. The claim ought to be paid to his heirs and not to any administrator. It is true there has been an administrator, but he has already filed two accounts, and, so far as he has gone, has settled up the estate in full. I have here certificates from the courts of Allegheny and Westmoreland counties, Pa., stating that there are no legal liens against the estate.

Mr. COOPER of Texas. There is a general amendment, to be offered at the close of the bill by the committee, covering all such cases as this.

Mr. ROBBINS. What would be the effect of the amendment in this particular case?

Mr. COOPER of Texas. It would provide for the payment of the claim to the legal administrator or heirs of the deceased party.

Mr. ROBBINS. Administrator or heirs?

Mr. COOPER of Texas. The claim would be paid to the administrator, if an administration is pending; if not, then to the heirs.

Mr. DALZELL. There is an administration pending in this case, and the purpose of this amendment is to take away this fund from the creditors of the dead man and turn it over to the heirs, who have no earthly claim upon the estate until the claims of the creditors are satisfied.

Mr. ROBBINS. I question whether there are any creditors having legal claims. I say there is not a legal claim against this fund, according to the list of liens of the counties of Allegheny and Westmoreland. There is not one claimant who has brought suit under the statute law of Pennsylvania and preserved the lien of his claim by putting it in judgment or by filing a statement of the claim in the prothonotary's office.

Mr. DALZELL. My colleague must know that there is more than this amount outstanding and unpaid of the estate of Nicholas J. Bigley. I knew him in his lifetime. He was a constituent of mine, and I can say to the gentleman and to the committee that if he were here present to-day his voice would be the loudest of any man in this Chamber protesting against an attempt to take from his creditors the assets of his estate and turn them over to his children.

Mr. ROBBINS. I do not know about that. But if the claim is paid to an administrator, he would simply have the right to charge on the fund the fees which he ought not to have under the circumstances. The whole fund will then be tied up in court by long and expensive litigation between creditors, who have done nothing toward collecting it, and the heirs of N. J. Bigley.

Mr. DALZELL. Oh, there is nothing in that.

Mr. ROBBINS. The heirs of Mr. Bigley are all of them in moderate circumstances and need this money. There are four of them who reside in my district. They are first entitled to this money, and I hope by this amendment to get it for them.

Mr. EVANS. Mr. Chairman, I hope the amendment will be voted down, for if it goes to the administrator all of the rights of property can be settled in the local courts as they ought to be settled.

Mr. DALZELL. That is correct.

Mr. COOPER of Texas. Mr. Chairman, if we can not proceed with this matter now, I ask that it be passed over without prejudice until the reading of the bill is completed.

Mr. DINGLEY. Oh, no; let us have the matters settled as we proceed, where we can settle them.

The CHAIRMAN. Objection being made, the question is on agreeing to the amendment of the gentleman from Pennsylvania.

The question was taken; and it was rejected.

The Clerk read as follows:

To William McAdams, survivor of Marks & McAdams, late of Pittsburg, $43,251.25.

To Susannah P. Swope, of Clearfield County, $3,050.

Mr. ARNOLD. Mr. Chairman, I move an amendment, to correct the spelling of the name, in line 6. The name should be "Swoope," not "Swope."

The amendment was agreed to.

Mr. DINGLEY. Mr. Chairman, I desire to call the attention of the committee, before we pass from it, to the paragraph just preceding that referred to by the gentleman from Pennsylvania. I call attention to the amount which is allowed in that paragraph—

$43,251. I have here the findings of the Court of Claims, and they find only for $12,000. There must be some clerical error, I apprehend.

I read from the findings of the court:

FINDINGS OF FACT.

This case having been heard by the Court of Claims, the court, upon the evidence and after considering the briefs and arguments of counsel on both sides, finds the facts to be as follows:

I.

On the 17th day of January, 1861, and on the 15th day of April, 1861, the firm of Marks & McAdams shipped from Pittsburg, Pa., for the city of New Orleans, La., three boat loads of Youghiogheny coal, containing 24,715 barrels of coal, which duly arrived in said city.

II.

In the autumn of 1861 the said coal was seized by the Confederate authorities and taken into possession and thereafter unloaded in a separate heap in a coal yard, established by and then under the control of the Confederate authorities, at Algiers, opposite New Orleans, where the same remained until seized by the Federal troops under command of Maj. Gen. B. F. Butler, in the month of May, 1862, at which time said coal was taken possession of by General Butler and his subordinates, and the same was consumed by military authority for the use of the United States Army.

III.

Said coal was worth at New Orleans at the time of its seizure by the Confederate forces about $12,000, but in May, 1862, when the United States forces under General Butler seized said coal, in consequence of the shipment of coal down the Mississippi River being obstructed, the price had advanced so that for a time the United States military authorities paid $1.75 per barrel.

So, Mr. Chairman, it will be seen that the committee allows more in this case than the court finds.

Mr. COOPER of Texas. If the gentleman will follow the report, he will see the following language is used:

That at the time said coal was so, as aforesaid, taken by the said Maj. Gen. Benjamin F. Butler and his subordinates for the use of the United States, as aforesaid, the same was then and there worth the value of at least $1.65 per barrel, the whole value of the coal sold as aforesaid, taken, and used being then worth $40,779.75.

It will be seen in paragraph 3 of the findings of the court that they put the rate at $1.75 per barrel.

On page 2 of the report it will be seen:

(4) That the market value of the coal, and the price the Government was paying at the time, was $1.75 per barrel, or for 24,715 barrels, $43,251.25.

Mr. DINGLEY. But certainly the Government ought not to pay more than the coal was worth at the time it was seized by the Confederate forces. We want to do what is right and just in the premises, but opportunity ought not to be taken to get an extravagant amount.

I call the attention of the committee to the case. The understanding was that the allowances, in all of these claims, were to be those reported by the Court of Claims. That court reports $12,000 in this case, and yet this bill makes it $43,000 and over.

Mr. ROBBINS. Possibly there was something else in the claim.

Mr. DINGLEY. No; there is no indication of anything else. I have the report and findings of the court here. I felt that there must be some error made in the figures.

Mr. COOPER of Texas. That is possible.

Mr. DINGLEY. The amount should be $12,000, according to my understanding.

Mr. GIBSON. I move to pass this over informally and take it up later on, to give an opportunity of investigation.

Mr. DINGLEY. I have no objection to that. It ought to be investigated carefully, because this gives to this party $31,000 more than the Court of Claims allows.

The CHAIRMAN. Is there objection to passing over the paragraph in question until the end of the bill is reached?

There was no objection.

The Clerk read as follows:

To S. B. Herbert, of Lawrence County, $425.
To David H. Hildebrand, of Shelby County, $963.

Mr. COX. Mr. Chairman, I am doing my best to keep up with the reading of the Clerk. I did not hear him read lines 5 and 6. I should like to know how they read in the copy of the bill the Clerk is reading.

The Clerk read as follows:

To S. B. Herbert, of Lawrence County, $425.

Mr. COOPER of Texas. Mr. Chairman, I am directed by the Committee on War Claims to offer an amendment, striking out lines 7 and 8. It appears that this claim is in the bill inadvertently and should not be there.

The amendment was read, as follows:

On page 54, strike out all of lines 7 and 8.

Mr. COX. What is that amendment?

Mr. COOPER of Texas. To strike out the Hildebrand claim.

Mr. CARMACK. I should like to ask the gentleman why that is stricken out?

Mr. COOPER of Texas. I am informed that this is not a claim of the character contemplated to be placed upon this bill; that it was irregularly or improperly placed there.

Mr. CARMACK. What is the character of it?

Mr. COOPER of Texas. It is not for stores and supplies; and the findings are so indefinite that we can not determine that it is a claim proper to be placed upon this bill.

The amendment was agreed to.

The Clerk read as follows:

To Thomas M. Leneave, administrator of Irby T. Leneave, deceased, late of Maury County, $750.

Mr. COX. I want the attention of the gentleman from Tennessee [Mr. GIBSON] who has the bill in charge. Let us see if we properly understand this matter. Take the claim in line 9, page 55, which has just been read:

To Thomas M. Leneave, administrator of Irby T. Leneave, deceased, late of Maury County, $750.

Now, here is the point. Thomas M. Leneave, who was administrator of Irby T. Leneave, is also dead. Under the amendment which I understand is proposed to this bill, to whom will that money be paid?

Mr. GIBSON. We have a general amendment covering all those cases, of which there are quite a number.

Mr. COX. The point I want to get at is this: If the amendment provides for the paying of the money to the administrator de bonis non?

Mr. GIBSON. Yes.

Mr. COX. If it does that, then there is no question about it; but I do not want to commit myself to the idea that it should be paid to the heirs, regardless of the rights of creditors.

Mr. GIBSON. All the money goes to the estate, to be distributed by due course of law; not to the heirs, but to the administrator de bonis non.

Mr. COX. You keep the money in the line of administration?

Mr. EVANS. Yes.

The Clerk read as follows:

To James T. S. Greenfield, of Maury County, $695.
To David P. Atkinson, of Wayne County, $165.
To William P. James, of Marion County, $1,019.
To James C. Hodges, of Jefferson County, $319.
To Elizabeth McIntyre, administratrix of Robert McIntyre, deceased, late of Knox County, $198.
To Benjamin F. Owen, of Williamson County, $2,540.

Mr. COX. I wish to ask what the Clerk read, on lines 7 and 8, page 64?

The Clerk read as follows:

To James T. S. Greenfield, of Maury County, $695.

Mr. COX. And in line 18?

The Clerk read as follows:

To Benjamin F. Owen, of Williamson County, $2,540.

Mr. COX. That is all right.

The Clerk read as follows:

To W. G. Provine, administrator of James M. Provine, deceased, late of Shelby County, $8,625.

Mr. COOPER of Texas. I am directed by the committee to offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 66, strike out the whole of lines 19, 20, and 21, which read as follows:
"To W. G. Provine, administrator of James M. Provine, deceased, late of Shelby County, $8,625."

Mr. CARMACK. I should like to know upon what ground it is proposed to strike that out.

Mr. COOPER of Texas. I will state to the gentleman from Tennessee that this claim is not properly upon this bill, for the reason that when presented to the Court of Claims the court found the claimant disloyal. There were two findings. In the former finding it appears he was found loyal, but subsequently, in another hearing, they found that the claimant was disloyal, and being disloyal, that being a jurisdictional fact, the court could not inquire further. Therefore this claim is improperly upon this bill.

Mr. CARMACK. There were two findings by the Court of Claims?

Mr. COOPER of Texas. Two findings by the Court of Claims, and the latter finding finds the claimant disloyal.

The amendment was agreed to.

The Clerk read as follows:

To the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, $217,280.

Mr. EVANS. Mr. Chairman, this is one of the claims about which there will be some debate. I ask unanimous consent that it be passed over informally until the other matters in the bill are disposed of.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Kentucky that the claim just read by the Clerk be passed over without prejudice. Is there objection?

There was no objection.

The Clerk read as follows:

To James W. Myers, of Jefferson County, $1,023.

Mr. RICHARDSON. Mr. Chairman, I desire to offer an amendment to strike out that claim, which is done on a rehearing of that case.

The amendment was read, as follows:

Strike out lines 4 and 5, on page 75.

The amendment was agreed to.

The reading of the bill was resumed and concluded.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STEELE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 290. An act to increase the pension of William H. Webster;

H. R. 345. An act granting an increase of pension to George D. Cook;

H. R. 771. An act granting an increase of pension to Bernard Dunn;

H. R. 7827. An act granting a pension to Elizabeth M. Tumy;

H. R. 7008. An act granting pension to R. G. English;

H. R. 6981. An act granting a pension to James B. Rawlins;

H. R. 5083. An act granting a pension to Thomas Lane;

H. R. 4624. An act granting an increase of pension to Mary E. Herd;

H. R. 4526. An act granting a pension to Mary Vockey;

H. R. 4467. An act to increase the pension of Carey H. Russell;

H. R. 4299. An act for increase of pension of Alexander E. Ingraham;

H. R. 4116. An act to increase the pension of Charles C. Short;

H. R. 3915. An act granting a pension to Delia Elizabeth Woodward;

H. R. 3802. An act increasing the pension of Francis M. Bruner;

H. R. 3798. An act granting an increase of pension to Milton Iserman;

H. R. 3661. An act granting a pension to Charles L. Stephens;

H. R. 3212. An act granting an increase of pension to Barbara Miller;

H. R. 3184. An act granting an increase of pension to James H. Blakeman;

H. R. 3160. An act to place on the pension rolls the name of Minerva Sample;

H. R. 2970. An act to permit an increase of the pension of John A. Anderson;

H. R. 2924. An act granting an increase of pension to R. A. Browning;

H. R. 2349. An act granting a pension to Mrs. Weltha Post-Leggett;

H. R. 2275. An act granting an increase of pension to Isaac B. Vail;

H. R. 2272. An act granting an increase of pension to John N. Bruce;

H. R. 2199. An act granting an increase of pension to Henry F. Rice;

H. R. 1957. An act to increase the pension of William P. Cooper;

H. R. 1803. An act increasing the pension of Mary E. Wallick;

H. R. 1381. An act granting an increase of pension to Elisha M. Luckett;

H. R. 1306. An act increasing the pension of William Warner;

H. R. 1034. An act granting a pension to William H. Byrum; and

H. Res. 182. Joint resolution providing for the temporary admission free of duty of naval and military supplies procured abroad.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. JOHN SIMPKINS, late a Representative from the Commonwealth of Massachusetts.

Resolved, That a committee of five Senators be appointed by the Vice-President to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

In compliance with the foregoing, the Vice-President appointed Mr. HOAR, Mr. MCMILLAN, Mr. WOLCOTT, Mr. NELSON, and Mr. MALLORY as said committee.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIX, a Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 4127. An act to provide for dredging the channel in the harbor of New Bedford, Mass.—to the Committee on Rivers and Harbors.

OMNIBUS CLAIM BILL.

The committee resumed its session.

Mr. STEWART of New Jersey. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert after the last line, page 76, the following:

"It shall be lawful for any judgment creditor of the respective claimants herein to attach or sequester the amount allowed any such claimant in any court of competent jurisdiction, and upon due and legal proof of said judgment, and that no appeal therefrom is pending, the same shall be paid out of the moneys so allowed said claimant, and if more than one judgment then the same shall be paid pro rata."

Mr. RICHARDSON. I raise the point of order on that amendment that it is not germane to this bill.

Mr. STEWART of New Jersey. I think it is absolutely germane.

Mr. RICHARDSON. I do not think that we ought to settle controversies of that kind between litigants. If they have any rights, we do not want to legislate in this bill for remedies of that kind. If the parties have any legal rights, they can obtain them.

Mr. STEWART of New Jersey. They have no such remedy in the United States courts.

Mr. RICHARDSON. And I make the further point of order, before that is taken up now, that the committee have amendments which are to be offered, and which should first be considered. I hope the gentleman will wait until we get through with the committee amendments.

Mr. GIBSON. It will come in better afterwards.

The CHAIRMAN. If the gentleman will withdraw the amendment until the bill is perfected, it can be disposed of.

Mr. STEWART of New Jersey. I am satisfied to allow it to go over until the committee amendments are disposed of.

Mr. GIBSON. The committee have sent up a number of amendments, which are now in the hands of the Clerk, and which I ask to have read next.

The Clerk read as follows:

At the end of the bill insert the following:

"To John W. Belcher, administrator of John Belcher, deceased, late of Jefferson County, Ala., $220."

Mr. DINGLEY. Mr. Chairman, I wish, before that amendment is put to the committee, to make an inquiry. As I understand, these amendments, although they would be subject to a point of order, are all findings of the Court of Claims for stores and supplies actually furnished the Army?

Mr. GIBSON. Every one of them.

Mr. DINGLEY. There is no case of damage or destruction?

Mr. GIBSON. They have all been carefully scrutinized.

The Clerk read as follows:

To James A. Barton, administrator of Henry Ferguson, deceased, late of Walker County, Ala., $1,568.

To John W. Belcher, administrator of John Belcher, deceased, late of Jefferson County, Ala., $220.

To James A. Barton, administrator of Henry Ferguson, deceased, late of Walker County, Ala., $1,568.

To William B. Smithson, administrator of John G. Smithson, deceased, late of Lauderdale County, Ala., $537.

To Thomas J. Whitson, of Tuscaloosa County, Ala., $154.

To Seborn E. York, administrator of William York, deceased, late of Limestone County, Ala., $249.

To Benjamin F. Greer, administrator of Hugh Flinn, deceased, late of Benton Bounty, Ark., $355.

To Benjamin E. Gambill, of Benton County, Ark., $248.

To Fred Roesch, administrator of Christian Roesch, deceased, late of Pulaski County, Ark., $1,755.

To Margaret Singleton, administratrix of Andrew J. Singleton, deceased, late of Franklin County, Ark., $480.

To Alexander Moffitt, of the District of Columbia, $12,442.98.

To James Trimble and Mary Blakely, executors of Joseph Trimble, deceased, late of the District of Columbia, $3,790.

To Lucinda Trimble, Adam Gaddis, administrator of Margaret Gaddis, deceased, Adam Gaddis, jr., Mary T. Gaddis, Jane Trimble, James Trimble, and Matthew Trimble, heirs of William Trimble, deceased, late of the District of Columbia, $6,620.

To John Brooks, of Henry County, Ga., $734.

To William B. Taylor, of Walker County, Ga., $1,655.

To H. W. McCorkle, administrator of Pleasant W. Huff, deceased, late of Hart County, Ky., $247.

To William F. Stonebroker, administrator of Christian Stonebroker, deceased, late of Washington County, Md., $2,031.

To L. W. Carradine, administrator of Medora A. Butler (formerly Medora A. Scott), deceased, late of Jefferson County, Miss., $3,510.

To James P. Fudge, of Lafayette County, Miss., $292.75.

To Mary Jane Middleton (formerly Mary Jane Wharton), of Franklin County, Miss., $560.

To P. E. Matthews, administrator of William C. Reeves, deceased, late of Lafayette County, Miss., $309.

To N. D. Graham, administrator of James Summers, deceased, late of Scott County, Miss., $280.

To Jane Williams, of Amite County, Miss., $1,440.

To J. S. Goss, administrator of J. S. Lee, deceased, late of Webster County, Mo., $710.

To Thomas H. Brinegar, of Davie County, N. C., $250.

To John F. Grantham, administrator of Needham Grantham, deceased, late of Sampson County, N. C., $977.

To Rachel McCormick, administratrix of Duncan McCormick, deceased, late of Cumberland County, N. C., $625.

To Richmond G. Sheek, of Davie County, N. C., $200.

To Edward Reed, of Richland County, S. C., $200.

To Elizabeth Stewart, administratrix of Levi A. Baker, deceased, late of Davidson County, Tenn., $893.

To James M. Barkley, administrator of William S. Barkley, deceased, late of Washington County, Tenn., $563.

To John A. Smith, executor of Rebecca Casey, deceased, late of Hardin County, Tenn., $770.

To James W. Cole, administrator of Peter Cole, deceased, late of Wayne County, Tenn., $182.

To James E. Holston, of Hamblen County, Tenn., $140.

To George W. Howse, of Rutherford County, Tenn., $1,730.

To Charles R. Holmes, administrator of Thompson Jarrett, deceased, late of Rutherford County, Tenn., $970.

To Michael Kieff, of Giles County, Tenn., $220.
To John M. Kimbrough, of Monroe County, Tenn., $380.
To J. P. Sloan, executor of Mahala J. Mayse, deceased, late of Grainger County, Tenn., $315.
To Thomas Neilson, of Jefferson County, Tenn., $160.
To Maria L. Pettit, of Shelby County, Tenn., $105.
To James Y. Reed, of Hardeman County, Tenn., $120.
To Benjamin F. Scroggin, of Giles County, Tenn., $214.
To V. J. Smith, of Dyer County, Tenn., $130.
To John Gum, administrator of Ann Thompson, deceased, late of Rutherford County, Tenn., $1,187.
To John D. Sale, administrator of John E. Van Pelt, deceased, late of Fayette County, Tenn., $1,798.
To W. T. Wade, administrator of Allen Wade, deceased, late of McNairy County, Tenn., $373.
To Simon H. Wayland, of Lawrence County, Tenn., $230.
To the elders of the Presbyterian Church at Murfreesboro, Rutherford County, Tenn., $6,500.
To Laura C. Newton, administratrix of Greenberry Williams, deceased, late of Sumner County, Tenn., $2,070.
To Thomas Ryan, of Claiborne County, Miss., $370.
To William A. Bickford, of Shelby County, Tenn., $3,840.
To Jacob H. Lindsey, of Rockingham County, Va., $971.
To John Rickard, of Shenandoah County, Va., $800.
To Jonas Wampler, of Augusta County, Va., $135.
To Mrs. Margaret E. Crane, administratrix of Joseph Crane, deceased, late of Jefferson County, W. Va., $800.
To J. Garland Hurst, administrator of John T. Henkle, deceased, late of Jefferson County, W. Va., $2,921.
To Robert Kilmer and Dennis M. Kilmer, administrators of Isaac Kilmer, deceased, late of Berkeley County, W. Va., $671.
To John G. Ruckle, administrator of Samuel Ruckle, deceased, late of Jefferson County, W. Va., $452.
To William A. Wiseman, administrator of Amos K. Wiseman, deceased, late of Fayette County, W. Va., $1,820.
To F. F. Smith, executor of Catharine Lytle, deceased, late of Washington County, Md., $420.
To J. S. Stillwell, administrator of Simon Simons, deceased, late of Woodruff County, Ark., $1,216.
To Charles Miller, administrator of Felix Miller, deceased, late of Hawkins County, Tenn., $550.
To Rosa B. Hill, administratrix of John H. Batte, deceased, late of Prince George County, Va., $3,440.
To Eliza J. Ewing, executrix of Fayette C. Ewing, deceased, late of Lafourche Parish, La., $1,916.
To Standwix H. Mayfield, of Benton County, Mo., $1,753.
To Edwin N. Nelson, administrator of John Hutchinson, deceased, late of Prince William County, Va., $769.
To Margaret Rose, of Greene County, Mo., $250.
To Regine Senner, administratrix of Anton Senner, deceased, late of Allen County, Kans., $367.
To Mary E. Walley, administratrix of Irwin Walley, deceased, late of West Point County, Mo., $480.
To George W. Gordon, administrator of Treadwell S. Ayres, deceased, late of Shelby County, Tenn., $7,615.
To Christian Hofstetter, of Davidson County, Tenn., $1,722.
To C. W. Duke, administrator of H. M. Kerr, deceased, late of Lafayette County, Miss., $1,328.
To the legal representatives of Jacob S. Engleman, deceased, late of Augusta County, Va., $510.
To George M. Bretherick, administrator of Joseph A. Hardwick, deceased, late of Lauderdale County, Ala., $385.
To Harvey H. Waters, administrator of William A. Waters, deceased, late of Sebastian County, Ark., $1,520.
To Jasper Gall, of Iberia Parish, La., $704.

[Cries of "Vote!"]

Mr. GIBSON. I move the adoption of the amendments, Mr. Chairman.

The amendments were agreed to.

Mr. SWANSON. We have passed page 71 of the bill by unanimous consent. I suppose that we shall go back to it.

Mr. EVANS. We shall come to it presently. There were several items passed, and the committee will take them up in order.

The CHAIRMAN. The Clerk will report the first paragraph passed over.

Mr. STEWART of New Jersey. I ask for a vote on my amendment, Mr. Chairman.

Mr. RICHARDSON. A point of order was made on the amendment of the gentleman from New Jersey, and the Chair has it there.

The CHAIRMAN. The Chair does not think that that amendment is germane where it is offered, and sustains the point of order.

Mr. LESTER. Mr. Chairman, I desire to have an amendment made on page 16.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to return to page 16.

Mr. EVANS. What for?

The CHAIRMAN. For the purpose of offering an amendment.

Mr. EVANS. Let us hear the amendment.

Mr. LESTER. It is an amendment in line 4.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to offer the following amendment, which the Clerk will report subject to objection.

Mr. SWANSON. I rise to a point of order.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to return to page 16 for the purpose of offering the following amendment, which will be reported subject to objection.

The Clerk read as follows:

Strike out the word "Atlanta," in line 4, page 16, and insert the word "Savannah."

The CHAIRMAN. Is there objection to returning to the paragraph? The Chair hears none.

Mr. LIVINGSTON. I understand the party lives in Savannah and not at Atlanta.

Mr. LESTER. That is the fact.

The amendment was agreed to.

Mr. STALLINGS. I desire to ask unanimous consent to turn back to page 6, line 3, and offer the following amendment, which is nothing but the change of a name.

The CHAIRMAN. The Clerk will report the amendment, subject to objection.

The Clerk read as follows:

Amend line 3, page 6, by striking out the words "William H. Linn" and insert "William H. Linan."

Mr. RICHARDSON. There is no objection.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the amendment was agreed to.

Mr. RICHARDSON. Now turn to the first paragraph passed over. It will take but a minute.

The Clerk read as follows:

To Odd Fellows' Hall Association of New Orleans, $49,000.

Mr. DINGLEY. Mr. Chairman, that paragraph was passed over for the purpose of ascertaining whether there was in it any element of damage or injury. I am informed by the committee that on examination they find it to be entirely for rent.

Mr. RICHARDSON. Mr. Chairman, that is correct; but there is a typographical error in the bill as printed. The amount is $272.16 in excess of that stated in the bill, and the committee direct me to insert that amount, as shown in the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 25, line 11, strike out the word "dollars" and insert in lieu thereof "two hundred and seventy-two dollars and sixteen cents."

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next paragraph passed over.

The Clerk read as follows:

To William McAdams, survivor of Marks & McAdams, late of Pittsburg, $48,251.25.

Mr. DINGLEY. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amend, in lines 4 and 5, on page 51, by striking out all after the word "Pittsburg" and inserting in lieu thereof the words "twelve thousand dollars."

The amendment was agreed to.

Mr. EVANS. On page 25, Mr. Chairman, is a paragraph that was passed over.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

To Mrs. Belle Osborne, executrix of John Osborne, deceased, late of Alexandria, $19,750.

The CHAIRMAN. The Chair is informed by the Clerk that that paragraph was stricken out.

Mr. EVANS. Yes; but I ask unanimous consent that the action of the committee in striking out that paragraph be vacated. There is no question but that half of the claim ought to be allowed. There was no objection.

Mr. COOPER of Texas. I move to amend, Mr. Chairman, by striking out the words "nineteen thousand seven hundred and fifty dollars" and inserting the words "nine thousand eight hundred and seventy-five dollars."

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next paragraph passed over.

The Clerk read as follows:

To the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, $217,236.

Mr. EVANS. Mr. Chairman, I offer the following amendment: Strike out, on page 71, lines 18, 19, and 20, which is the paragraph last read.

When this bill was up a few days ago, there was an agreement reached as to the amount of time to be consumed in discussing this particular claim. I suppose the gentleman from Virginia [Mr. SWANSON] will control the time in behalf of the paragraph.

Mr. SWANSON. It was agreed that the other side should have five minutes and we should have twenty-five minutes.

Mr. EVANS. Then I trust the gentleman will occupy part of his twenty-five minutes.

Mr. SWANSON. No reason has yet been given, Mr. Chairman, why this claim should be stricken out.

Mr. EVANS. Well, Mr. Chairman, I am not able to give all the reasons why it should be stricken out in five minutes. I want to remind the committee of the fact that those of us who have

been advocating the payment of the Bowman Act claims have done it upon these grounds: First, that the claimant was loyal; second, that the supplies were furnished by the claimant or taken from him; third, that the Army got the supplies, and fourth, that the amount due for them was ascertained by the Court of Claims. That is the only character of claims for which any of us have been willing to vote. I believe it will not be hard to enable the committee to understand this claim perfectly. The gentleman from Virginia was not quite accurate in his statement as to the time. Thirty minutes on a side was allowed; but the chairman of the Committee on War Claims, who had the bill in charge, expected to consume only five minutes in support of the proposition to strike the claim out. We may consume more than that.

Mr. SWANSON. That was the understanding—that we were to have fifteen minutes on a side—but he was to give me ten minutes of his time.

Mr. EVANS. Mr. Chairman, the Committee on War Claims has reported against this claim. It is in this bill inadvertently, and ought never to have been here. The committee itself has authorized the amendment to strike it out. Now, what are the facts? Mrs. Fitzhugh, the widow of William H. Fitzhugh, was the life tenant of 8,000 acres of land not far from Alexandria, Va. Mrs. Lee, the widow of Gen. Robert E. Lee, was the owner of the remainder. She owned the remainder under the same will. Mrs. Fitzhugh was found to be a loyal person. She owned, however, only a life estate in this land. It would have been regarded quite an insult thirty years ago if even my friend from Virginia had intimated, or if anybody else had said, that Mrs. Lee had not given some aid and comfort to the Confederacy. The suit of Mrs. Fitzhugh was filed in the Court of Claims upon a state of facts thus stated by the Court of Claims:

Mrs. Fitzhugh was tenant for life of Ravensworth, an estate of over 8,000 acres, near Alexandria, Va., under the will of her husband, William H. Fitzhugh.

Mrs. Robert E. Lee was vested with the remainder under the same will.

The Chief Quartermaster in 1862, 1863, 1864, and 1865 caused to be cut and taken away from that estate 108,618 cords of wood. While this was going on the Secretary of War stopped it upon the ground that Mrs. Fitzhugh was an extremely loyal person; but when he was assured that the taking of the wood was a military necessity, the work went on.

Before resuming, however, Colonel Greene, the Chief Quartermaster, assured Mrs. Fitzhugh that it would be paid for if the loyalty of the owner was shown. This promise applied to 65,000 cords of it, which were taken after the promise was made. Mrs. Fitzhugh died in 1872, but her age does not appear.

The Court of Claims found that Mrs. Fitzhugh was perfectly loyal and that the 108,618 cords of wood were worth $3 per cord; in all, $217,236. But in the fifth of its findings the court used this language: "The court also finds that the value of the life estate—that is to say, Mrs. Fitzhugh's property, or interest as tenant for life in the wood so taken—has not been shown or established. There has been no appearance by or on behalf of the owners of the reversionary estate in these proceedings in this court."

Now, this case turns upon the question, What was the interest of Mrs. Fitzhugh, and what was her right in this timber? Every lawyer here knows that a life tenant has only what they used to call the right of estovers: that is to say, the life tenant has the right to cut firewood and to cut wood for the repairs of buildings; also to clear the land for the purpose of husbandry or cultivation. A life tenant has none other than these three rights in reference to timber.

Mr. McCULLOCH. Is not the holder of a life estate responsible in law for waste?

Mr. EVANS. Undoubtedly.

Mr. McCULLOCH. And if this life tenant committed waste upon the estate, would she not be responsible——

Mr. EVANS. It was not waste committed by her. She is responsible only for voluntary waste.

Mr. McCULLOCH. Wait a moment. Would she not be responsible for any waste whatever that occurred during her life estate?

Mr. EVANS. She would only be responsible for voluntary waste; and, manifestly, this was not voluntary waste. Here is an attempt, which I think most of us recognize as ridiculous and absurd, to work out for Mrs. Lee a right to $200,000 for a remainder interest through the loyalty of a life tenant, Mrs. Fitzhugh. That is wholly inadmissible. I appeal to the sense of justice of every man here—I do not care whether he was a follower of General Lee, an admirer of Mrs. Lee, or whatever else he may have been—does the Bowman Act, do the findings of the Court of Claims, does common sense, justify us in paying $200,000 or any other sum of money to Mrs. Lee on account of damages resulting to this life tenant?

[Here the hammer fell.]

Mr. DINGLEY. In view of the importance of this question, I ask unanimous consent that the gentleman from Kentucky [Mr. EVANS] be allowed ten minutes longer, if he desires so much time.

Mr. EVANS. I do not know that I shall use ten minutes.

Mr. SWANSON. And that the same amount of time be allowed on this side.

Mr. EVANS. You will have time enough, anyhow.

Mr. DINGLEY. I think there will be no objection to granting additional time on the other side if necessary.

The CHAIRMAN. The Chair hears no objection to the request of the gentleman from Maine [Mr. DINGLEY].

Mr. EVANS. Mr. Chairman, I think I have developed to the satisfaction of everyone who has done me the honor to listen that the interest of Mrs. Fitzhugh in this property could not exceed in value $5,000 or $6,000. She was an old woman. Now, what was the value of her life estate in the timber, which, as I have said, she could only use for the three purposes named? The Court of Claims did not ascertain that. There was no attempt made to ascertain it. The trouble about the findings in this case is that they are not perfect. What ought to have been done? Measures ought to have been taken to ascertain the value of Mrs. Fitzhugh's life estate. Then, whatever might have been the value so ascertained by the Court of Claims, she would have been entitled to receive in person, or her administrator would have been entitled to receive it. But because she was a loyal person and owned the life estate, we are asked now to pay the reversionary title holder the whole amount of the value of the timber, although she was notoriously and, I may say, proudly disloyal to the Government of the United States during the war.

These are the facts of the matter. If we are going to confine ourselves to the payment of claims under the Bowman Act, we certainly can not pay this claim, because Mrs. Lee's interest in it, even if she were loyal, is not ascertained at all, nor was Mrs. Fitzhugh's. On the contrary, even if the committee had reported in favor of this claim, the findings of the court would not warrant us in paying it on any possible ground.

Having thus stated the facts of the case, I will reserve the remainder of my ten minutes until I hear from the other side.

Mr. SWANSON. Mr. Chairman, I wish to explain this claim, and I am confident that both sides of this Chamber, regardless of party lines or sectional divisions, will vote for the claim when it has been clearly and distinctly understood. I want to make a statement as to what this claim is.

Mrs. Fitzhugh was the aunt by marriage of the wife of Gen. Robert E. Lee. She was Miss Goldsborough, from Maryland. Her husband, Mr. Fitzhugh, died without any children, leaving her by his will a life estate in some lands across the Potomac River. Mrs. Robert E. Lee, who was Miss Custis (the daughter of the adopted son of George Washington), was, under the conditions of the will, to be the heir of her uncle, Mr. Fitzhugh, after the death of Mrs. Fitzhugh. When the war broke out Mrs. Fitzhugh, who was by marriage an aunt of Gen. Robert E. Lee's wife, was loyal to the Union. It is proven that the Sunday night before Gen. Robert E. Lee resigned his position in the Federal Army and went to Virginia to cast his fortunes with the Confederacy was spent by him with Mrs. Fitzhugh; that she insisted he should remain and fight with the Federal Army.

Now, Mr. Chairman, during the course of the war it was found that Mrs. Fitzhugh had a great deal of very valuable timber that the Government needed. It was the only timber, in fact, that the Government could get for the use of hospitals and to use for the various other needs arising out of the war. The Government issued an order directing the Quartermaster's Department to gather the timber on the estate of Mrs. Fitzhugh, and the work was done. She came to Washington and consulted with the Federal authorities as to this taking of the timber. On account of her loyalty, which was then established, they issued an order to stop cutting the timber on her land. Then Colonel Greene, who had charge of the Quartermaster's Department of the United States, wrote to the Department that it was impossible to get the necessary timber or lumber elsewhere, and that it was absolutely essential that they should get it, if at all, from the estate of Mr. Fitzhugh, or from her farm.

Under these circumstances they revoked the order directing the cessation of the cutting of the timber; and the Court of Claims found, as Colonel Greene says in his deposition, that Colonel Greene, a Federal official, entered into an agreement with Mrs. Fitzhugh that if she would permit this timber to be cut he would see that she would be paid for it at the rate of $3 per cord. He stated to her that he had the power to make that positive agreement with her—an agreement entered into distinct and clear covering this entire transaction. That, you will see, Mr. Chairman, was an agreement from the chief commissary of the Department of the Federal Army in this city; and the Court of Claims find that this agreement was entered into duly and lawfully; that Colonel Greene promised to pay her $3 a cord for the timber cut on her land, and the Government is responsible for the action of its agent, who was duly authorized to make the agreement. They went on cutting the timber under this order and agreement and took one hundred and eight thousand and some hundred cords.

Mr. STEWART of New Jersey. Will the gentleman allow an interruption?

Mr. SWANSON. I would like very much to yield to the gentleman, but I have but a few minutes.

Mr. STEWART of New Jersey. I only wanted to ask the gentleman if he does not think that Mrs. Fitzhugh was guilty of waste in entering into any such agreement?

Mr. SWANSON. Well, I will come to that later on.

This agreement, Mr. Chairman, has not been disputed and will not be disputed. It is nowhere questioned that the Federal Government, by its authorized agent, made an agreement as stated, and as sacred as any one that the Federal Government ever made, even to its bondholders, and which it has fulfilled by paying every dollar of the bonds. Colonel Greene said he had authority to make the contract; and if he had not made it this timber would not have been obtained, but they would have been compelled to get it somewhere else, as has been stated, at a very much greater expense to the Government.

How much did they cut? One hundred and eight thousand and some hundred cords were taken. They promised to pay her, as I have already stated, at the rate of $3 per cord for it—a specific agreement that the Government of the United States entered into.

Now, Mrs. Fitzhugh had to prove her loyalty before the court could take jurisdiction of the case. The Court of Claims for years and years have tried to disprove it, and came to the conclusion, irresistible and unquestioned, that, notwithstanding the circumstances which surrounded her, notwithstanding the trials and temptations with which she was beset, even the fact that her nephew by marriage, the great and brave and talented genius, Robert E. Lee, was leading the forces of the Confederacy with great distinction, with all of these influences she still stood true and firm and loyal to the Union.

Here, then, is a promise shown by this record of an agreement made by the Federal Government to pay her the sum of $324,000 for the timber taken from her lands. It is not questioned now that she was entirely loyal. The committee sent in their report at $2 a cord in place of $3, as agreed upon. Now the question is presented to the House, Shall a specific promise, made to a loyal citizen, be disregarded? Shall the Government refuse to execute its agreement made by a person competent to do so, simply because the beneficiary of that promise happens to be a child or children of Gen. Robert E. Lee?

In other words, shall we stand and vote here that the blood of Robert E. Lee, in this age of liberal ideas, when sectional distinctions and sectional prejudices have been obliterated—that his blood is so attainted that even his children can not inherit the result of any contract and promise made by the Federal Government for supplies? Because Mrs. Fitzhugh, who died about 1872, bequeathed the residuum of her estate, which includes this obligation, to the children of General Lee.

Now, Mr. Chairman, all you have to do is read the findings of the Court of Claims and you will find the specific, distinct, and unquestioned promise made to Mrs. Fitzhugh that this money should be paid.

Mr. McCULLOCH. If the gentleman will permit me, as I understand it, Mrs. Fitzhugh died long after the war, leaving all that she possessed, including this obligation which had been incurred, to the children of General Lee, who are simply her heirs.

Mr. SWANSON. She died in 1872, I think it was. By her will she left the children of Gen. Robert E. Lee her residuary legatees, and all of the estate undisposed of was to go to them as the beneficiaries of the will, which would include this.

Now, Mr. Chairman, the question is simply presented here as to whether we shall comply with our agreement. Here is a promise just as sacred, as fairly proven, as any promise to any citizen of the United States. It is admitted that the promise was made to a loyal citizen. The question is, Shall it be unexecuted because the beneficiaries are the children of General Lee? I do not believe in this age and time, when sectional lines have been obliterated, when narrow partisanship has been eliminated, that any section of the country or any set of men will stand up and antagonize this claim, but that on the contrary they will sustain the promises made by the Government, even though the children of Robert E. Lee shall be the beneficiaries. The Lees have ever been preeminent in the history of this country. There was never a crisis in its history that they were not prominent, patriotic, and great. They deserve this money by law, justice, and right.

Mr. COX. Will the gentleman yield to me?

Mr. SWANSON. I will.

Mr. COX. I want to understand distinctly. Was Mrs. Fitzhugh the absolute owner of that property?

Mr. SWANSON. Mrs. Fitzhugh was the life tenant under her husband's will, but possibly the owner in fee under a deed by Mrs. Lee.

Mr. COX. Who were the remaindermen?

Mr. SWANSON. I have stated that the remaindermen were the children of Robert E. Lee, unless a certain deed that Mrs. Lee made to Mrs. Fitzhugh, before her marriage to Robert E. Lee, carries the fee simple in this estate to Mrs. Fitzhugh. If you will read the deed I think you will agree with me that it does. But the Court of Claims did not find that. That seems not to have been before them. But here is a promise made. Mrs. Fitzhugh had promised to permit this waste, to permit the cutting of this timber, provided she got $3 a cord for it. She is liable, as the gentleman from New Jersey [Mr. STEWART] said, to the remaindermen for waste, having agreed to that.

Mr. STEWART of New Jersey. Was she not liable to indictment under the laws of Virginia for willful waste?

Mr. SWANSON. If it was willful, possibly she might have been. But I want to say that she agreed to it, and she is liable to these children, and the Government agreed to stand between her and any damages to the extent of $3 a cord. Do you think that a great Government like the United States should fail to fulfill its pledges and promises made to a loyal citizen? There is no dispute about her loyalty. There is no dispute as to the amount taken. There is no dispute as to the price. The only objection made is the impression sought to be produced that the children of Robert E. Lee are so attainted, that their blood is so attainted by law, that they can not inherit property descended and given to them by a loyal citizen of the United States.

I do not believe there is a constituent of a man on that side of the Chamber or on this side of the Chamber, in this age of liberal ideas and brotherly love, and the reviving of sectional devotion and affection, who will sustain a man who votes against this claim, or who will say that the children of Robert E. Lee are so attainted that they can not inherit property from a loyal citizen of the United States, and can not be the beneficiaries of a promise made by the United States Government to a loyal citizen.

Besides, the United States Government, having agreed to pay Mrs. Fitzhugh, is estopped from now disputing her title again under the Bowman Act, and by the decisions of the Court of Claims the person's loyalty to be inquired into is that of the person who furnished the supplies or was in possession or control of the property, who was Mrs. Fitzhugh. Again, even if we ignore the deed made to Mrs. Fitzhugh by Mrs. Lee, yet the rights of Mrs. Lee's children as remaindermen were inchoate until after Mrs. Fitzhugh's death, which did not occur until 1872, and hence we can at the time of the taking of the timber consider only the loyalty of Mrs. Fitzhugh. Then, from whatever standpoint viewed, this claim is just, legal, and should be paid.

I yield five minutes to the gentleman from Virginia [Mr. RIXEY].

Mr. RIXEY. Mr. Chairman, as I understand it, all the claims in this bill which are now being considered arise under what is known as the Bowman Act, which provides that where the loyalty of the party is proven the claimant can recover for supplies which were furnished or taken by the Federal Army. I take it, therefore, that in considering this claim we have to measure it by the Bowman Act and see whether it meets the requirements of that act. The Bowman Act, in section 4, required that the loyalty of the person who furnished such supplies or stores or from whom the same were taken shall be established.

The person who furnished the supplies or stores or from whom they were taken! I ask this committee, judged by that rule, whether this claim is not a just and valid claim against the Government? Who was the party who furnished these supplies? Mrs. Fitzhugh was in possession of this tract of 8,000 acres of land. It was her home. She lived there, and when this property was taken she protested to the Secretary of War. He ordered the depredations to stop. Finally, when it was found to be a matter of necessity, when wood could not be obtained from any other source for less than $8 to $11 a cord, the Secretary of War said, "We will take that wood," and he authorized the Quartermaster-General, as he himself says, to make a contract with Mrs. Fitzhugh to pay her for this wood. General Greene testified that he made this contract; and not only that he made it, but that he would have paid her if he had not been ordered to New Orleans, so that he did not have the opportunity.

Again, the gentleman from Kentucky [Mr. EVANS] said that General Greene testified that he would pay Mrs. Fitzhugh if the loyalty of the owner was established. I have here the testimony of Colonel Greene, who said that he would pay Mrs. Fitzhugh if her loyalty was established. That was a contract. The loyalty of anybody else did not enter into the question. They seemed to know what the provisions of the Bowman Act would be, or what the people of this country would require. Colonel Greene said he would pay Mrs. Fitzhugh if her loyalty was established, and I call the attention of the committee to the fact that the contract was as to the loyalty of Mrs. Fitzhugh, and not as to the loyalty of anybody else.

To show you that that is the proper construction, I have in my hand the Newman Case, found in 21 Court of Claims Reports. In that case a citizen of Mississippi died just before the war. The executor qualified upon his estate. At the time of his death he left a widow and three or four infant children, the eldest of whom at the close of the war was 13 years of age. After the war was over the widow and her children filed their petition under the Bowman Act for compensation for the supplies which had been furnished. What does the court find? It says it is true that these infants were loyal; that they could not commit a disloyal act; that

they were the owners of the property; and yet the Court of Claims said that under the Bowman Act the only party whose loyalty could be inquired into was the life tenant, the party in possession. The party in possession in that case was the executor, who had no claim whatsoever to the property except the legal possession of it.

The court refused to allow the claim of these infant children, who were the owners of the property, upon the ground that the party in possession, the executor, was not loyal to the Government. That is the Newman claim, reported in 21 Court of Claims Reports.

I want to say to this committee that we are not here to write the Bowman Act over again; we are not here to say what the Bowman Act should have been, but to apply it to this case.

The Bowman Act required only that the loyalty of the person who furnished the supplies should be inquired into, and under that law and the decision of the court I say there never has been a claim which appeals more to justice and to the sense of the country than does this claim. It is established by positive contract, unlike many of the other claims reported in this bill which depend simply on testimony that the property was taken without their consent and that they were loyal. We stand here upon a contract by which the Quartermaster-General agreed to pay this money if the loyalty of Mrs. Fitzhugh was established. That has been done, and I simply——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUMM. I should like to ask the gentleman one or two questions. Who was the owner of this property at the time?

Mr. RIXEY. Mrs. Fitzhugh was in possession.

Mr. BRUMM. Who had the title?

Mr. SETTLE. You mean the legal title.

Mr. RIXEY. Mrs. Fitzhugh was the life tenant of this property, and she lived on it until 1872.

Mr. BRUMM. Had she the right to cut the timber while she was a life tenant?

Mr. RIXEY. If she did it, she would be personally liable.

Mr. BRUMM. But had she the title to the timber while she was a life tenant?

Mr. SWANSON. The General Government took it under promise to pay her.

Mr. BRUMM. That does not answer my question.

Mr. RIXEY. Under the Bowman Act——

Mr. SWANSON. If the Federal Government takes it from her and recognizes her title, they are estopped from disputing it when they agree to pay her for it.

I yield five minutes to the gentleman from Virginia [Mr. YOST].

Mr. YOST. Mr. Chairman, it seems to me that we ought to judge this case by the same rule that we judge other cases which come up under this act. The first question to be decided under the Bowman Act, as I understand, is as to the loyalty of the claimant. This is a preliminary question. When this identical case came up, the question arose as to whose loyalty was to be inquired into; and the court considered that, and decided it was the loyalty of the person from whom the property was taken; and in this case that person was Mrs. Fitzhugh.

Her loyalty was then inquired into and absolutely determined. The next questions to be determined were: First, Was the property taken and used by the Government? And second, What was the value of that property? The court inquired into and determined both of these questions, and its findings are not disputed. The case is thus brought clearly within the provisions of the Bowman Act. All the provisions of the law have been complied with.

Mr. BRUMM. Now, one thing about this matter of fact. That Mrs. Fitzhugh was in possession is undisputed. She was, as I understand, the life tenant. The fact that a contract was made with her for a portion of this timber is undisputed. The fact I want to get at is this: Had she such a title to the timber on the land that would make the sale of that timber an absolute sale? I want to get information upon that point.

Mr. YOST. Mr. Chairman, in answer to the gentleman, I would say that I believe she did have such title.

Mr. BRUMM. What do you know about it? Can you give us the facts?

Mr. EVANS. What did the court find?

Mr. YOST. The Court of Claims did not find that she had. Here is a deed, however, that is worth considering. I ask the gentleman from Pennsylvania to listen one moment, and I think I can make that clear to him. Mrs. Fitzhugh believed all her life, I am advised, that she was the fee-simple owner, and she had a right to believe it. Under the will of her husband, made in 1829, she inherited a life interest in the Ravensworth estate, from which this wood was cut, with remainder to Miss Custis. In 1830 Miss Custis, who subsequently married Gen. Robert E. Lee, entered into an agreement with Mrs. Fitzhugh by which she conveyed to her certain interests, including, it seems to me, this reversion.

Mr. BRUMM. Do you mean to tell me that she had no title in the timber and that it afterwards reverted to her?

Mr. YOST. Oh, no; this was made in 1830. Mr. Fitzhugh died in 1829, and left this estate for life to Mrs. Fitzhugh, with remainder to Miss Custis. In 1830 Miss Custis made a deed back to Mrs. Fitzhugh.

Mr. BRUMM. Under the law of Virginia, does a life estate give the tenant for life the right to cut timber unlimited?

Mr. YOST. Oh, no. But that is not the question here. You are getting at something else. Let me read the provisions of the deed.

Mr. COX. What deed are you talking about?

Mr. YOST. I am talking about the deed from the remainderman back to Mrs. Fitzhugh, made in 1830. It reads as follows:

Now this indenture witnesseth that the said Mary Anna Randolph Custis, in order to contribute to the personal resources of her aunt, the said Anna Maria Fitzhugh, to confirm, assure, and render unquestionable the power given or intended to be given to her by the said will to sell and convey in fee simple and thus convert all or any portion of the said trust fund, whether real or personal, into money at such times and in such modes as she may deem best; to secure the said Anna Maria Fitzhugh against any responsibility to other persons to whom the uncertainty of life might hereafter give a right to claim of her an account of the said trust, and in the consideration of the sum of $1 by the said Anna Maria to the said Mary in hand paid, doth hereby grant, bargain and sell, assign, release, and convey to the said Anna Maria, her heirs and assigns, all the right, title, and interest in reversion of the said Mary in and to all and singular the personal property attached to the "Ravensworth estate" and devised to the said Anna Maria for life, as aforesaid, and also all the right, title, interest, and estate of her, the said Mary which she now hath or hereafter may have in and to all and every part of the trust estate created by the will of the said William H. Fitzhugh, as aforesaid, including the lands in Stafford, Fairfax, and elsewhere, and all and singular the personalties embraced by him in the said trust, excepting, however, the legacy of $1,000 devised to her, the said Mary, by her uncle, the said William H. Fitzhugh, as to which legacy the right under the said will and her security and claim on the trust fund are reserved wholly unimpaired.

Mr. SMITH of Kentucky. Was that deed ever set aside in any way?

Mr. YOST. It was not.

Mr. COX. What is your conclusion about that?

Mr. YOST. My conclusion is that Mrs. Fitzhugh was really the owner.

Mr. BRUMM. If that fact is established, your claim is a good one; but we ought to have some light on that subject.

The CHAIRMAN. The gentleman's time has expired.

Mr. YOST. Let me have one minute more.

Mr. SWANSON. The time on the other side has been extended ten minutes, and I ask that the time on this side be extended for the same length of time.

There was no objection.

Mr. SWANSON. I yield one minute more to the gentleman from Virginia [Mr. YOST].

Mr. YOST. Now, when this agreement which has been adverted to was made by General Greene with Mrs. Fitzhugh, he would have paid the money to her. He says he would have paid the money to her, but he found it impossible to make up the account. He had no question about the loyalty, and there was no question then raised as to the fact that this was a contract with her. He said himself, in his testimony, "I found it impossible, indeed, to make up the account owing to the pressure of business, so I never paid her anything. I was fully authorized and empowered to do so by my official instructions as quartermaster, but there was always involved the question of the loyalty of the owner," though——

The CHAIRMAN. The gentleman's time has expired.

Mr. SWANSON. How much time have I remaining, Mr. Chairman—fourteen minutes?

The CHAIRMAN. The gentleman has eleven minutes left.

Mr. SWANSON. I will yield that time to the gentleman from Virginia [Mr. JONES].

Mr. JONES of Virginia. Mr. Chairman, I fully agree with my colleagues who have spoken in support of this claim, that the loyalty which is required to be established under the Bowman Act is the loyalty, in this case, of Mrs. Fitzhugh. I think the language of the act itself is too plain to be misconstrued, and even if the language of the law was less clear than it is, the Court of Claims in the Neuman case, reported in twenty-first volume Court of Claims, has decided that the person whose loyalty must be established is that one who was properly in possession of the property taken and having a financial interest therein. Mrs. Fitzhugh came squarely within that definition. She was in possession of the property when it was taken and she had an interest therein. It may not have been a fee-simple interest, but it was an interest nevertheless.

But, Mr. Chairman, even if that were not true, I think there ought not to be any question on the part of any member of this House as to the payment of this just claim. There is no question, there can be none, that the property taken was needed by the United States Government and that it was actually used by the Government. There can be no question that it was of the full value that the Court of Claims found it to be. It being admitted that this property was received and used by the Government, and that its value has not been overestimated by the Court of

Claims, somebody is entitled to and ought to be paid for it. The question of loyalty is, under the Bowman Act, merely one of jurisdiction. It does not go to, and can not affect, the merits of the claim itself. Those merits having been established by a competent tribunal, the question now is, Ought this great Government to pay a claim against it that has been fully established by its own court?

The Bowman Act gives to the Court of Claims the right to consider only such claims for supplies or stores as are presented by loyal claimants. Before the court can consider any claim under this act it must be satisfied that the claimant was loyal to the cause of the Union, and the court was so satisfied in this case, holding that the loyalty to be established was the loyalty of Mrs. Fitzhugh. But, whether this claim got before the court properly or not, it got there, and, having gotten there, received the same painstaking consideration which would have been given it had the loyalty of every person interested in it in the remotest degree been fully established.

Now, my contention is that, inasmuch as the court has taken jurisdiction of this claim, inasmuch as it has found that this property was taken and used, and was of a certain value, it is too late now to object that it got before the court which considered it when the real claimants were not shown to have been loyal. That was merely a jurisdictional question, and even if the court erred in regard thereto it is not contended that it erred in any other one of its findings. Even should this House believe that the Court of Claims was mistaken in taking jurisdiction of this claim it must be satisfied that its findings as to the facts upon which the claim is based are correct, and being satisfied that the claim is an absolutely just one, it should not refuse to pay it. In my judgment the court properly assumed jurisdiction over this claim, but whether it did or not in no wise detracts from the justness of the claim itself.

The Court of Claims has considered and passed upon the merits of this claim and its findings are entitled to the same weight in this House as they would be if no question were raised here in relation to the jurisdiction of the court. The facts are now before this House and there is no statute which forbids Congress to pay a just claim against the United States merely because all those interested in its payments were not loyal to the Union a third of a century ago.

But, Mr. Chairman, I do not concede for a moment that the Court of Claims had not jurisdiction of the claim. I do not concede for a moment that it assumed a jurisdiction not conferred upon it. I only contend that gentlemen who so believe ought not to vote against the payment of the claim if they are convinced, as they must be, that it is just and honest. It would be an outrage upon justice to refuse to pay this claim upon the bare ground that the Bowman Act did not confer authority upon the Court of Claims to consider it. It would be an act of the greatest injustice to withhold payment of this claim upon the sole ground that those who will now be benefited thereby are the children and the grandchildren of Robert E. Lee.

But, whatever may be the views of gentlemen upon this point, there is another aspect of the case to which I desire briefly to call their attention. Mrs. Fitzhugh's loyalty is conceded. When the chief quartermaster at Washington was cutting the timber from the land of which she was the life tenant, she appealed to the Secretary of War and secured from him an order forbidding any further cutting. This order was revoked upon the representation of the chief quartermaster that it was a military necessity that the wood should be cut. Then it was that the quartermaster promised and agreed to pay to Mrs. Fitzhugh $3 for every cord of wood cut by him.

It is conceded that under this agreement 65,000 cords were actually cut and taken away by the Government. Under this agreement the Government would have paid to Mrs. Fitzhugh $190,000 had not the quartermaster been ordered away from Washington. It may be true that as life tenant Mrs. Fitzhugh could not have sold this timber, but the Government regarded her as the rightful owner and promised to pay her for it. She was never paid in her lifetime, and if she should be paid now the heirs of Mrs. Lee would have the right to recover the money from her representatives. If this be true, why should not Congress pay the $190,000 directly to these heirs? Is it right, and does it comport with the dignity and the honor of this Government, to avail itself of a technicality to defeat the payment of so just a claim as this?

If you will not recognize the claim of the heirs of Mrs. Robert E. Lee because it is not claimed that she was loyal to the Union, then recognize the solemn contract that was made with Mrs. Fitzhugh, a loyal woman. Unless you repudiate that contract, you must pay the heirs of Mrs. Lee $190,000. We have the testimony of the chief quartermaster himself that the timber could not have been purchased elsewhere for what he agreed to pay Mrs. Fitzhugh, who is admitted to have been loyal to the Union cause.

Mr. SWANSON. If the gentleman will allow me, I wish to state one point which I forgot when on the floor. It is stated here in the report that Colonel Greene had full authority to make this contract; and the reason he did not pay Mrs. Fitzhugh was that he was suddenly called away to New Orleans in the discharge of his duties; otherwise he would have paid her.

Mr. JONES of Virginia. My colleague [Mr. RIXEY] made that statement. The contract was made by the chief quartermaster, who testifies, as gentlemen have heard from the reading of the report, that he had full and absolute authority to make the contract and that every dollar of this money would have been paid to Mrs. Fitzhugh if he had not been called away. Suppose, for the sake of the argument, that contract had been carried out; suppose that money had been actually paid to Mrs. Fitzhugh; suppose she had received what of right belonged to Mrs. Lee, who will say that the heirs of Mrs. Lee could not——

[Here the hammer fell.]

Mr. EVANS. Mr. Chairman, I shall consume but a portion of the time remaining. I want to recapitulate the points in the case.

This particular provision of the pending bill was inserted inadvertently. It was never authorized by the committee. The Committee on War Claims has distinctly reported—unanimously, I believe—in favor of striking it out. Furthermore, in endeavoring to be perfectly fair about all these claims it has never entered into anybody's head that there should be any question along the lines of political affiliation. The first question is as to the loyalty of the claimant. Now, I have, for the sake of argument, followed the findings of the Court of Claims on this subject, although the Southern Claims Commission very strongly urged that Mrs. Fitzhugh was not loyal. But basing all the argument I have made upon the findings of the Court of Claims, I am willing to concede that she was loyal.

The second question is, Did she furnish these supplies? I say she did not. The Court of Claims has distinctly decided that she did not furnish the wood herself. It was not her property. The wood which was furnished was the wood of somebody else. And who was that somebody else? The wife of Gen. Robert E. Lee. And I say nobody here will contend that she was ever loyal. And I want to state emphatically that no heir of Robert E. Lee and no heir of Mrs. Robert E. Lee has made any claim or ever will make any claim to this money. So that this talk about dishonoring the children of Robert E. Lee and declaring them not to have heritable blood is absurd.

Mr. SWANSON. Does not the gentleman know that the Court of Claims found that there was a specific agreement made with Mrs. Fitzhugh to pay her at the rate of $3 a cord for this wood?

Mr. EVANS. I know what the findings of the Court of Claims were, and I must insist on not being interrupted in this way. The Court of Claims found—and this is an essential fact—that while certain cords of wood—a large number of them—were furnished, that wood was not Mrs. Fitzhugh's property at all. The only promise that the officers of the Government could possibly have been construed to make was that they would pay Mrs. Fitzhugh for that which was hers, not for that which was the property of somebody else. The Court of Claims winds up with this statement, which I think is sufficient to dispose of this whole controversy:

V

The court also finds that the value of the life estate, that is to say, of Mrs. Fitzhugh's property or interest as tenant for life in the wood so taken, has not been shown or established.

That is what the court says about it. Her interest—the value of it—has never been established.

The deed from which my distinguished friend from Virginia [Mr. YOST] read was part of the evidence presented before the Court of Claims in the case. But that deed, as my friend himself would hold if he were deciding this case as a judge, did not convey to Mrs. Fitzhugh the reversionary interest of this real estate. For some purpose or other there was certain personal property embraced in that deed, which was described as being on the estate. That was all. It did not embrace the timber, which was part of the realty.

Mr. SWANSON. Will the gentleman permit me——

Mr. EVANS. No, I can not yield. I did not interrupt my friend when he was occupying the floor.

That deed, read by the gentleman from Virginia [Mr. YOST], was before the Court of Claims; and the court had to construe it. The court did construe that deed, and still held—and held properly—that only the life estate in this property was in Mrs. Fitzhugh. What did she transfer to the Government, and what did the Government get from her? Absolutely nothing, except the value of her right of estovers in this property, which could not have amounted to $5,000 in the value at the very outside, because she was 76 years of age when she died, in 1872.

Mr. Chairman, it is clear and certain that Mrs. Fitzhugh furnished very little to the Government of property that belonged to her. What was taken was mostly the property of General Lee's wife. There is nothing to show that the $215,000 attempted to be appropriated should properly be paid to Mrs. Fitzhugh or to her

administrator. On the contrary, no one attempts to show what the value of her interest was in this property. How absurd it would be, then, for this House to vote this money to the administrator or heirs of Mrs. Lee upon the pretense that the life tenant was loyal; and not less indefensible would be the yielding to what is really only a subtle attempt to appropriate money for the benefit of General and Mrs. Lee's heirs through the loyalty of Mrs. Fitzhugh. In other words, the claim of the loyal Mrs. Fitzhugh, which would not exceed $5,000, is to be expanded to over $215,000 for the benefit of the Lee heirs, who have never claimed a dollar of it.

Mr. BRUMM. Will the gentleman allow me to ask him a question?

Mr. EVANS. Certainly; I will yield for a question?

Mr. BRUMM. I wish to ask the gentleman if it is not a fact under the law that Mrs. Fitzhugh had simply the right of estovers; and if the claim was paid to her and it afterwards turned out that the heirs of Robert E. Lee had a title in fee simple, and it could be ascertained that they were loyal to the Government during that time, could they not also come in and make a claim for the same property, in which event the Government would be responsible for a double payment?

Mr. EVANS. Why, unquestionably. But these heirs have never asserted any claim whatever. The court has only found that the value of Mrs. Fitzhugh's life interest in the claim has never been proved, ascertained, or established. How, then, does this appropriation of $200,000 stand justified before this House on a finding of the Court of Claims which says that notwithstanding she was loyal, notwithstanding the fact that certain timber was taken by the Government and used by the Army, still that her interest in the estate was never established or determined further than it was a life estate in the land from which the timber was taken?

Now, Mr. Chairman, do not let anybody who wants to do right by the Government be deluded into voting an appropriation of over $200,000 to people who never applied for it, simply because they are heirs of the distinguished dead.

Mr. STEWART of New Jersey. Is this not a case where the right of estovers is presented?

Mr. EVANS. Absolutely. The only waste for which a life tenant is responsible is voluntary waste—waste by his own voluntary act. How, then, could he be responsible for damage by trespass? Especially how could Mrs. Fitzhugh be held liable for the acts of the Government of the United States, with all of its vast power and all of its vast army, which she could not resist?

I call for a vote.

Mr. BRUMM. The writ of estrepement or waste would lie against her title if she had committed waste.

Mr. EVANS. Undoubtedly.

I ask a vote.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Kentucky to strike out this provision of the bill.

The question was taken; and on a division (demanded by Mr. SWANSON), there were—ayes 95, noes 82.

Mr. SWANSON, Mr. JONES of Virginia, and others demanded tellers.

Tellers were ordered.

The CHAIRMAN appointed Mr. SWANSON and Mr. EVANS as tellers.

The committee again divided; and the tellers reported—ayes 92, noes 81.

So the motion to strike out was agreed to.

Mr. SWANSON. I give notice that I will call for a yea-and-nay vote in the House on this.

Mr. GIBSON. Mr. Chairman——

Mr. CONNOLLY. Mr. Chairman, I wish to offer an amendment.

Mr. GIBSON. I yield to the gentleman from Illinois.

Mr. CONNOLLY. I offer the amendment I send to the desk.

The Clerk read as follows:

Add a new section, to be known as section 2, as follows:
"In case of the death or discharge of any executor or administrator herein named, before the actual payment of the claim as herein provided, then payment of such claim shall be made to the legal representatives of the respective decedents named herein."

Mr. EVANS. I hope that will be adopted unanimously.

Mr. SMITH of Kentucky. I move to amend the amendment by adding:

And if there be none, to their heirs.

Mr. CONNOLLY. That will work the very mischief that we seek to avoid by the amendment—that in all cases where an administrator named in the bill is dead, or in all cases where there has been a discharge, then there would be no administration in existence; and in that case, according to your amendment, the estate would go to the heirs. The whole purpose of the House is to have the money go to the legal representatives.

The effect of my amendment will be to make all of these moneys go through the regular course of administration. The effect of the amendment of the gentleman from Kentucky would be to pay the money at once to the heirs where the administrator named in the bill is dead or is discharged, thereby defeating the very purpose and the great object which the members desire to promote.

Mr. SMITH of Kentucky. I concede the force of the suggestion, and withdraw the amendment. I think the gentleman is right.

Mr. MADDOX. Now, Mr. Chairman, I rise to renew that amendment for a moment, and I want to make this suggestion: After a certain time in some States you can not take out letters of administration, these being barred by the statute of limitation.

Mr. CONNOLLY. Then the heirs would have the only legal right.

Mr. MADDOX. Do you think that would be the effect?

Mr. CONNOLLY. Unquestionably. If, under the statutes, we can not have administration after a certain period, then the only legal representative would be the heir; and this amendment provides that in all cases this fund shall go to the legal representative.

Mr. MADDOX. I wanted to understand that proposition, and that is the reason why I renewed the amendment. I now withdraw it.

Mr. COX. I appreciate very fully what the gentleman from Illinois is trying to accomplish, but it seems to me that after the words "legal representatives" he should add the words "as recognized by the States."

Mr. LIVINGSTON. That is already done in the Revised Statutes.

Mr. CONNOLLY. Did the gentleman from Tennessee [Mr. COX] hear the remark of the gentleman from Georgia [Mr. MADDOX]? He said there were certain States in which administration could not be taken out after a certain period of time. If there is any State where such is the law, the only remaining legal representatives would be the heirs. There are but few States in which that situation exists. I do not know of any. I think all the friends of this bill are in favor of this amendment being attached.

The amendment of Mr. CONNOLLY was agreed to.

Mr. GIBSON. I move an amendment to the title, which I send to the Clerk's desk.

The amendment was read, as follows:

Amend the title of the bill by inserting, after the words "Bowman Act," the words "and the act approved March 3, 1887, and generally known as the Tucker Act."

Mr. DINGLEY. Are there any Tucker Act cases in the bill?

Mr. RICHARDSON. There are two or three claims referred under both acts.

Mr. DINGLEY. I think the title ought not to be amended in that way. That would include other cases.

Mr. RICHARDSON. There are none except Bowman Act claims, I think; but there are two or three cases where the words "Tucker Act" were also inserted.

Mr. GIBSON. I withdraw the amendment, and I move that the committee rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, and had directed him to report the same to the House with sundry amendments, and with the recommendation that as amended it do pass.

Mr. GIBSON. I move the previous question upon the bill and amendments to its passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded upon any of the amendments?

Mr. SWANSON. Yes; I demand a separate vote upon the amendment on page 71.

The SPEAKER. Is any other separate vote demanded? The Chair hears none.

The other amendments were agreed to.

The SPEAKER. The question now is upon the amendment which the Clerk will report.

The Clerk read as follows:

On page 71, strike out all of lines 18, 19, and 20, as follows:
"To the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, $217,336."

The SPEAKER. As many as are in favor of agreeing to this amendment, which strikes out the section just read, will say "aye."

The question was taken; and on a division (demanded by Mr. JONES of Virginia), there were—ayes 107, noes 72.

Mr. SWANSON. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll.

Mr. COOPER of Texas. I should like unanimous consent to have one minute, in which to make an explanation of the vote I am going to cast.

The SPEAKER. It is rather late to entertain such a request. The Clerk will proceed.

The question was taken; and there were—yeas 132, nays 91, answered "present" 7, not voting 125; as follows:

YEAS—132.

Acheson,	Crump,	Kerr,	Ridgely,
Aldrich,	Dalzell,	Ketcham,	Robbins,
Alexander,	Danford,	Kirkpatrick,	Royse,
Arnold,	Davison, Ky.	Knox,	Russell,
Babcock,	Dingley,	Kulp,	Shelden,
Baker, Md.	Dolliver,	Lacey,	Simpson,
Barber,	Dorr,	Landis,	Smith, Ill.
Barham,	Dovener,	Lawrence,	Smith, S. W.
Belford,	Eddy,	Lorimer,	Snover,
Bell,	Ellis,	Loud,	Southard,
Bennett,	Evans,	Loudenslager,	Southwick,
Bishop,	Fenton,	Lovering,	Spalding,
Boone,	Fischer,	Lybrand,	Sperry,
Boutell, Ill.	Foote,	McDonald,	Steele,
Brown,	Gardner,	McEwan,	Stevens, Minn.
Brownlow,	Gibson,	Mann,	Stewart, N. J.
Brucker,	Gillet, N. Y.	Marsh,	Stewart, Wis.
Brumm,	Graff,	Mercer,	Stone, C. W.
Bull,	Greene,	Miller,	Strode, Nebr.
Burleigh,	Grow,	Mills,	Sturtevant,
Burton,	Hager,	Minor,	Sulloway,
Butler,	Hamilton,	Mudd,	Tawney,
Cannon,	Heatwole,	Northway,	Tayler, Ohio
Capron,	Henry, Conn.	Olmsted,	Todd,
Catchings,	Henry, Ind.	Otjen,	Van Voorhis,
Chickering,	Henry, Miss.	Parker, N. J.	Wadsworth,
Cochran, Mo.	Hicks,	Payne,	Walker, Mass.
Codding,	Hill,	Pearce, Mo.	Wanger,
Connolly,	Hooker,	Perkins,	Warner,
Cooper, Tex.	Hopkins,	Pitney,	Weaver,
Cooper, Wis.	Howe,	Pugh,	Weymouth,
Corliss,	Johnson, N. Dak.	Ray,	White, Ill.
Cousins,	Jones, Wash.	Reeves,	White, N. C.

NAYS—81.

Adamson,	Dockery,	Livingston,	Robinson, Ind.
Allen,	Driggs,	Lloyd,	Sayers,
Bailey,	Elliott,	Love,	Settle,
Baird,	Fitzgerald,	McCulloch,	Shuford,
Ball,	Fleming,	McDowell,	Smith, Ky.
Bankhead,	Fowler, N. C.	McIntire,	Sparkman,
Bartlett,	Fox,	McMillin,	Stallings,
Benton,	Griffith,	McRae,	Stokes,
Brantley,	Griggs,	Maguire,	Strowd, N. C.
Broussard,	Handy,	Mahany,	Sulzer,
Brundidge,	Hay,	Martin,	Swanson,
Clardy,	Henry, Tex.	Maxwell,	Talbert,
Clark, Mo.	Howard, Ga.	Meyer, La.	Tate,
Clayton,	Hunter,	Miers, Ind.	Taylor, Ala.
Cooney,	Jett,	Moon,	Terry,
Cowherd,	Jones, Va.	Norton, Ohio	Underwood,
Cox,	King,	Norton, S. C.	Wheeler, Ala.
Cummings,	Kitchin,	Odell,	Wheeler, Ky.
Davey,	Lamb,	Ogden,	Wilson,
Davis,	Latimer,	Pierce, Tenn.	Yost,
De Armond,	Lester,	Rhea,	Young, Va.
De Graffenreid,	Lewis, Ga.	Rixey,	Zenor.
Dinsmore,	Little,	Robb,	

ANSWERED "PRESENT"—7.

Berry,	McClellan,	Otey,	Williams, Miss.
Ermentrout,	Maddox,	Richardson,	

NOT VOTING—125.

Adams,	Cranford,	Jenkins,	Robertson, La.
Baker, Ill.	Crumpacker,	Johnson, Ind.	Sauerhering,
Barlow,	Curtis, Iowa	Joy,	Shafroth,
Barney,	Curtis, Kans.	Kelley,	Shannon,
Barrett,	Davenport,	Kleberg,	Shattuc,
Barrows,	Davidson, Wis.	Knowles,	Sherman,
Bartholdt,	Dayton,	Lanham,	Showalter,
Beach,	De Vries,	Lentz,	Sims,
Belden,	Faris,	Lewis, Wash.	Skinner,
Belknap,	Fitzpatrick,	Linney,	Slayden,
Benner, Pa.	Fletcher,	Littauer,	Smith, Wm. Alden
Bingham,	Foss,	Low,	Sprague,
Bland,	Fowler, N. J.	McAleer,	Stark,
Bodine,	Gaines,	McCall,	Stephens, Tex.
Botkin,	Gillett, Mass.	McCleary,	Stone, W. A.
Boutelle, Me.	Griffin,	McCormick,	Strait,
Bradley,	Grosvenor,	Mahon,	Sullivan,
Brenner, Ohio	Grout,	Marshall,	Sutherland,
Brewer,	Gunn,	Meekison,	Thorp,
Brewster,	Harmer,	Mesick,	Tongue,
Broderick,	Hartman,	Mitchell,	Updegraff,
Bromwell,	Hawley,	Moody,	Vandiver,
Brosius,	Hemenway,	Morris,	Vehslage,
Burke,	Henderson,	Newlands,	Vincent,
Campbell,	Hepburn,	Osborne,	Walker, Va.
Carmack,	Hilborn,	Overstreet,	Ward,
Castle,	Hinrichsen,	Packer, Pa.	Wilber,
Clark, Iowa	Hitt,	Pearson,	Williams, Pa.
Clarke, N. H.	Howard, Ala.	Peters,	Young, Pa.
Cochrane, N. Y.	Howell,	Powers,	
Colson,	Hull,	Prince,	
Connell,	Hurley,	Quigg,	

So the amendment was agreed to.

The following pairs were announced:

Until further notice:

Mr. CURTIS of Kansas with Mr. BRENNER of Ohio.

Mr. BEACH with Mr. BODINE.

Mr. WILLIAM A. STONE with Mr. MCCLELLAN.

Mr. HURLEY with Mr. MARSHALL.

Mr. CURTIS of Iowa with Mr. SIMS.

Mr. LYBRAND with Mr. LENTZ.

Mr. HITT with Mr. BERRY.

Mr. BROSIUS with Mr. ERMENTROUT.

Mr. WALKER of Virginia with Mr. STRAIT.

Mr. MAHON with Mr. OTEY.

Mr. BENNETT with Mr. GAINES.

For this day:

Mr. PACKER of Pennsylvania with Mr. BURKE.

Mr. MOODY with Mr. MCALEER.

Mr. MITCHELL with Mr. LEWIS of Washington.

Mr. JOHNSON of Indiana with Mr. KLEBERG.

Mr. HENDERSON with Mr. HINRICHSEN.

Mr. SHOWALTER with Mr. SLAYDEN.

Mr. HARMER with Mr. RICHARDSON.

Mr. WARD with Mr. VEHSLAGE.

Mr. WILBER with Mr. BRADLEY.

Mr. BARTHOLDT with Mr. ROBERTSON of Louisiana.

Mr. BELDEN with Mr. VANDIVER.

Mr. JENKINS with Mr. FITZPATRICK.

Mr. GROW with Mr. DE VRIES.

Mr. GILLETT of Massachusetts with Mr. CRANFORD.

Mr. YOUNG of Pennsylvania with Mr. CAMPBELL.

Mr. UPDEGRAFF with Mr. LANHAM.

Mr. SHATTUC with Mr. STEPHENS of Texas.

Mr. COX. Mr. Speaker, before the vote is announced, I want to state that my colleague, Mr. SIMS, is confined to his bed by sickness; but he has a pair.

The result of the vote was then announced as above recorded.

The SPEAKER. Five o'clock having arrived, the House is in recess until 8 o'clock this evening; and the gentleman from Illinois, Mr. HOPKINS, will act as Speaker.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. HOPKINS as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule under which the House is acting.

The Clerk read as follows:

The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. TALBERT. Mr. Speaker, before the motion is put to go into Committee of the Whole, I ask unanimous consent that all bills for the removal of charges of desertion and for the removal of political disabilities be passed over for to-night.

Mr. LACEY. I would ask my friend not to include bills for the removal of political disabilities in his request. We do not want to have any political disabilities now.

Mr. TALBERT. I will confine my request to bills for removal of charges of desertion.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent that bills for the removal of charges of desertion be passed over to-night. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. RAY of New York. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar under clause 2 of Rule XXVI.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TALBERT. Division, Mr. Speaker!

The House divided; and there were—ayes 56, noes none.

So the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. DOLLIVER in the chair.

The CHAIRMAN. The House is in Committee of the Whole on the Private Calendar under the rule, and the Clerk will report the first bill.

NATHANIEL HAUGHTON.

The first business on the Private Calendar was the bill (H. R. 983) to grant an increase of pension to Nathaniel Haughton, late colonel Twenty-fifth Ohio Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Nathaniel Haughton, late colonel of the Twenty-fifth Ohio Volunteer Infantry, upon the pension roll at the rate of $50 per month from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "fifty" and insert in lieu thereof the word "thirty;" and in the same line, after the word "roll," insert "and pay him a pension."

Mr. SOUTHARD. Mr. Chairman, I think the amendments ought not to prevail, and I ask for the reading of the report.

The report (by Mr. WARNER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 983) granting an increase of pension to Nathaniel Haughton, have fully examined the same and the evidence relating thereto, and respectfully report:

This bill as amended proposes to increase from $15 to $30 per month the pension of Nathaniel Haughton, of Toledo, Ohio, who was mustered in as first lieutenant to date June 24, 1861, and as captain July 30, 1862; was wounded at Gettysburg July 1, 1863, and was mustered out as lieutenant-colonel June 18, 1865. He served in the Twenty-fifth Ohio Volunteer Infantry.

He filed and established a claim for gunshot wound of right arm and was pensioned therefor at $10 per month from date of discharge. (This was one-half total of rank of captain, which he held when wounded.) His pension was reduced to $7.50, three-eighths total, September 4, 1869, increased to $10 from December 6, 1871, and to $15 from September 11, 1895. No claim has ever been made for any other disability than the wound for which he is pensioned, of which the following description was given when he was last examined by a United States examining board at Toledo, Ohio, September 11, 1895:

"Ball entered the outer aspect of the middle third of right humerus, ranged upward and inward, passing back of the humerous, and made exit on back and internal surface of the soft parts of upper arm and superior third of same. The scar at exit is 3 inches above that of entrance and about 2½ inches to left of it. Scars are each about three-fourths of an inch in diameter, a good deal depressed, closely adherent and sensitive, and pull some in the movements of the arm. At insertion of deltoids right arm measures one-half inch less than left one.

"Right hand is smaller than left one, the soft parts being shrunken. Right hand is one-half inch less in circumference than left one. Ring and little fingers are numb, and he has no useful use of them, as they are paralyzed in great degree. Large index finger and thumb are also weakened and their strength is only slight and is growing less. He has not sufficient strength in right hand to hold any object that is at all heavy. Rate on gunshot wound of right arm two-thirds of total for captain."

The evidence filed with your committee shows that the arm is substantially useless; that the soldier is very poor, 65 years of age, with a wife who can do but little, and that they earn a precarious subsistence by fugitive jobs of light work.

Your committee therefore think this an exceptional and meritorious case, and report the bill back with the recommendation that it pass when amended as follows:

In line 6 strike out the word "fifty" and insert in lieu thereof the word "thirty;" and in the same line, after the word "roll," insert "and pay him a pension."

Mr. SOUTHARD. I think there are some affidavits.

The CHAIRMAN. The report of the committee has been read.

Mr. SOUTHARD. I would like to have the Clerk read one of the affidavits.

The Clerk read as follows:

STATE OF OHIO, *Lucas County, ss:*

The undersigned, being first duly sworn according to law, deposes and says that he has known Col. Nathaniel Haughton, late colonel of the Twenty-fifth Regiment of Ohio Veteran Volunteer Infantry, since the close of the war of the rebellion, and is well acquainted with his history during that time; that said Colonel Haughton is now about 65 years of age, and is greatly enfeebled thereby, and in addition thereto by a life of excessive hard work; that he is likewise almost if not totally disabled for manual labor by a wound in his right arm, received in the service of his country; that he is utterly without means of support, and can only earn a precarious subsistence for himself and his old wife by fugitive jobs of light work.

I would respectfully urge the immediate action of Congress in this case, as I believe it one deserving of the special action sought therein.

JOHN S. KOUNTZ,
Past Commander in Chief, Grand Army of the Republic.

Sworn to before me and subscribed in my presence this 4th day of March, A. D. 1898.

[SEAL.] JAMES H. EMERY,
Notary Public, Lucas County, Ohio.

Mr. SOUTHARD. Mr. Chairman, there are other affidavits, but as they are of the same effect, I will not ask that any of the others be read. It is with a good deal of reluctance that I attempt to oppose the report of this committee. I would not do so if I did not feel certain that in their extreme conservatism they have not done justice to one of the most faithful and efficient soldiers and officers that the late war produced. As the report states, Nathaniel Haughton is now drawing a pension of $15 per month for gunshot wound of the right arm. He has other disabilities, some of them, perhaps, incident to old age, some of them doubtless incident to his army service; but under the technical rulings which prevail at the Department none of these disabilities are attributable to his army service.

He is 65 years of age; he has a wife who is about the same age; he is without a dollar in the world to support him or his old wife. As the affidavit appended to the report states, he earns a living by doing manual labor—small jobs here and there, as he can find them. Nathaniel Haughton was not an ordinary soldier; Nathaniel Haughton was not an ordinary man. He responded to the first call for volunteers during the late war, and he continued in the service until the last shot was fired. He was an exceptional soldier and an exceptional officer.

Before I am done I want to read extracts from some letters that were before the committee and doubtless were considered by them. That is why, I say, in the extreme conservatism of this committee, they have doubtless done less than full justice to this extraordinary man. I have a letter here signed by one Cooper, which was written from Chicago, and as this letter was unsolicited, he speaks, as I have no doubt, the truth. He says:

CHICAGO, *February 22, 1898.*

DEAR SIR: I understand that there is a bill pending in the House of Representatives for a pension in favor of my old friend, Col. N. Haughton, of Toledo, Ohio, formerly the colonel of the Twenty-fifth Ohio.

I served with the Colonel in the same brigade during the latter part of the war of the rebellion, and know his soldierly qualities and how faithful he was to the Government then, and I feel very anxious that now, in his old age, the Government should do something for him in his necessity.

The One hundred and seventh Ohio, which I commanded, was on several expeditions and in several engagements with the Twenty-fifth Ohio, commanded by Colonel Haughton. In four years and a quarter of service I can say truthfully that I never knew a commanding officer of a regiment more zealous, more untiring in the care, comfort, and efficiency of the men of his regiment, and braver in leading them against the enemy than was Colonel Haughton.

When we were on a campaign in the interior of South Carolina, at the close of a long day's march, when his men were exhausted, he would start out with such mounted men as he could rally to reconnoiter the country, see the lay of the land, and be ready for the next day's campaign. I think I may say fairly that no man in the Army, in command of a regiment, ever put in so much hard work, energy, and force in doing everything that lay in his power to put down the rebellion as did Colonel Haughton.

Opposed as I have been for years to the frightful proportions of our pension list, in the case of Colonel Haughton I feel that every sentiment of justice and patriotism warrants the Government of the United States in making some adequate provision for him in his old age, in consideration of his heroic efforts for that Government when it was itself in sore need of just such efforts.

I write this to you because I learn that you are in charge of the bill. A member of Congress from my district, Hon. JAMES A. MANN, is a friend of mine, to whom you are at liberty to show this communication; also Senator WILLIAM E. MASON of this State and to Maj. JAMES A. CONNOLLY, if they are in a position to do any good to the cause.

Very truly, yours,

JNO. S. COOPER.

Hon. J. H. SOUTHARD, M. C.,
House of Representatives, Washington, D. C.

I have here a large number of letters equally commendatory in character. I have letters from those who served with him in his regiment, and from many who were familiar with his career all through the war. As I said, he served a little over or a little less than five years. No officer of his rank has a more brilliant career than he; no officer in the whole Army of his rank did greater service than he for his country. Colonel Haughton, as everybody will say who knows him and knows of him, was as good a man as ever stepped into a uniform, and as brave a man as ever carried or followed the flag. He has an old wife, as I have already stated, about his own age, a wife whose spirit was with him during all the vicissitudes of that five years of warfare in which he was engaged. He has made sacrifices for his country.

I want to mention one or two other things. When he went into the Army he had a prosperous business, which he intrusted to the hands of others. During his absence, because of mismanagement or something of that kind, his business was ruined. When he came back he took up the business anew and prospered for many years, but of recent years misfortune has overtaken him, and to-day he has not a dollar in the world. There is no more deserving soldier or officer than Colonel Haughton. He has made sacrifices for his country such as few men have made.

I believe if you knew him as I know him, and as many others know him, you would have no hesitation in voting to defeat this amendment, and I believe it ought to be done. I do not believe that this great and grateful country desires that a man who has done the service that Colonel Haughton has shall go down through his few remaining years a pensioner upon the bounty of his friends. I think I have stated that he has not a child in the world, or anybody upon whom he can lean for support. He has an old wife leaning upon him for support. I ask that the amendment be defeated.

Mr. RAY of New York. Mr. Chairman, this bill was referred to a subcommittee, of which the gentleman from Ohio was one, and of which Mr. WARNER of Illinois was chairman. They gave it ample consideration, and the full committee gave it ample consideration. We have doubled this man's pension. This man's claim has been considered at the Pension Bureau recently, and they only gave him $15, and we have doubled it in committee.

We have given him within $6 of the sum he would be entitled to if that arm was absolutely useless. It is not absolutely useless; he can use it a great deal in connection with the other hand. We were extraordinarily liberal, and it was the unanimous report of the committee, and I hope the amendment will be agreed to.

Mr. SOUTHARD. I want to say to this committee that that arm is worse than useless.

Mr. RAY of New York. The evidence does not show it.

Mr. SOUTHARD. He is a man whom I see every day, and while the evidence says that it is practically useless, it is worse than useless. It is of no service to him, but is a source of pain and annoyance to him every day he lives. He would be better off without it; and if this arm were useless, if the finding was that the arm was useless, he would be entitled under existing law to a pension of $36 a month. This allowance of $30 a month is not doing justice to a man who has served his country for five years as Captain Haughton has done.

The question was taken; and on a division (demanded by Mr. SOUTHARD) there were—ayes 20, noes 13.

So the amendment recommended by the committee was agreed to.

Mr. RAY of New York. Now, Mr. Chairman, I propose another amendment. Whenever we leave in the title a description

of the service, the Senate amends by striking out the description. I therefore move to amend the title so that it will read: "A bill to grant an increase of pension to Nathaniel Haughton."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WILLIAM L. GRIGSBY.

The next business on the Private Calendar was the bill (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place the name of William L. Grigsby, late a private of Company E, Seventeenth Regiment Iowa Volunteer Infantry, on the pension roll of the United States at the rate of $36 per month, to be paid as other pensions are paid under the general laws of the United States.

Mr. TALBERT. Mr. Chairman, I would like to hear the report read.

The report (by Mr. STURTEVANT) was read, as follows:

The Committee on Invalid Pensions, to whom was referred Senate bill 73 and House bill 2205, granting an increase of pension to William L. Grigsby, have examined the same and the evidence relating thereto, and respectfully report the Senate bill.

This bill proposes to increase from $8 to $36 per month the pension of William L. Grigsby, of Belvidere, Nebr.

The soldier served as a private in Company E, Seventeenth Regiment of Iowa Volunteer Infantry, from February 28, 1862, to April 15, 1865, when honorably discharged.

He was wounded in the head at Vicksburg, Miss., in June, 1863, and has not been well since. He is now partially paralyzed and is nearly helpless. He is in necessitous circumstances.

Considerable evidence is printed with the Senate report (Report No. 284), and it is not necessary to reprint it here or to print the mass of evidence filed with your committee. It is evident that the soldier has a disability of service origin that entitles him to a pension of $36 per month. Such a wound as he received must have produced the disability, as there is no other cause alleged, and such a result as is shown would naturally follow the injury.

The bill is therefore reported back, with the recommendation that it pass when amended as follows:

After the word "States," line 6, insert "and pay him a pension."

Strike out all after the word "month," in line 7.

The amendments reported by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

ENOCH G. ADAMS.

The next business on the Private Calendar was the bill (S. 1462) granting an increase of pension to Enoch G. Adams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enoch G. Adams, late captain of Company D, First Regiment United States Infantry, at the rate of $50 per month, in lieu of the pension he is now receiving.

Mr. SULLIVAN. Mr. Chairman, I ask for the reading of the report.

The Clerk read the report (by Mr. SULLOWAY), as follows:

The Committee on Invalid Pensions, to whom was referred Senate bill No. 1462, have fully considered the same and all the evidence, and respectfully report:

This bill proposes to increase from $24 to $50 per month the pension of Enoch G. Adams, of South Berwick, Me., late Company D, First Regiment United States Infantry. This claimant is in necessitous circumstances, a graduate of Yale College, and served with credit from April 23, 1861, to November, 1865. He enlisted as a private and rose to the rank of captain, and was brevetted major for gallant and meritorious services. He was shot in battle, but did not quit the service until after the war was over. His gunshot wound of the neck was of a serious character and affected the nervous system and brain.

His disabilities on account of same have steadily increased, until now he is totally disabled and requires almost constant aid and attendance. He can move about some, but only with danger to himself, and these disabilities (incurable) are constantly increasing. He is now 68 years of age. In 1883 he was granted a pension of $24 per month by special act of Congress, and as the disabilities have increased to a $50 rate special action is again justified.

The bill is therefore reported back with the recommendation that it pass.

Mr. SULLIVAN. Mr. Chairman, as I understand, this was first $24, and then it is raised to $50 by this bill, and that is the present proposition.

Mr. RAY of New York. Yes; he is a helpless man. His disabilities are of service origin, every one of them.

The bill was laid aside to be reported to the House with a favorable recommendation.

LOVEZILA L. PATTERSON.

The next business on the Private Calendar was the bill (H. R. 3185) granting a pension to Lovezila L. Patterson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place Lovezila L. Patterson on the pension roll, at the rate of $25 a month, as widow of Alexander V. Patterson, late surgeon of the One hundred and second Regiment Ohio Volunteer Infantry.

The amendments reported by the committee were read, as follows:

In line 4, after the word "place," insert "the name of."

From lines 4 and 5 strike out the following: "on the pension roll, at the rate of $25 a month as."

At the end of line 7 add the following: "on the pension roll, and pay her a pension at the rate of $25 per month."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ANNA M. TATE.

The next business on the Private Calendar was the bill (H. R. 711) granting a pension to Anna M. Tate.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna M. Tate, dependent mother of Blair Tate, late a private in Company K, Twenty-sixth Iowa Infantry Volunteers, at the rate of $12 per month.

The amendment reported by the committee was read, as follows:

After the word "Volunteers," in line 8, insert "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

HIRAM R. RHEA.

The next business on the Private Calendar was the bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea."

The bill was read, as follows:

Be it enacted, etc., That chapter 164 of the laws of 1871, approved March 3, 1871 (16 United States Statutes at Large), and entitled "An act granting a pension to Hiram R. Rhea," be, and the same is hereby, repealed.

The bill was laid aside to be reported favorably to the House.

CHARLES BECKWITH.

The next business on the Private Calendar was the bill (H. R. 4449) granting a pension to Charles Beckwith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Charles Beckwith, late of Company A, Seventh Michigan Cavalry, and pay him a pension of $30 a month.

The amendments reported by the committee were read, as follows:

In line 5 strike out the capital letter "A" and insert in lieu thereof the capital letter "I," so as to correctly describe the service of the soldier.

Amend the title so as to read: "A bill granting an increase of pension to Charles Beckwith."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

DAVID C. WARING.

The next business on the Private Calendar was the bill (H. R. 1855) granting an increase of pension to David C. Waring.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David C. Waring, Company B, Eighth Regiment New York Volunteer Infantry, and Company I, Twenty-third Regiment, and pay him a pension of $50 per month in lieu of the pension he is now receiving.

The amendment reported by the committee was read, as follows:

In line 8 strike out "fifty" and insert "twenty-four."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JAMES F. M'KINLEY.

The next business on the Private Calendar was the bill (H. R. 6793) granting an increase of pension to James F. McKinley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of James F. McKinley, late of Company K, One hundred and ninety-fifth Pennsylvania Infantry, at the rate of $24 per month, in lieu of the pension he is now receiving.

The amendment reported by the committee was read, as follows:

In line 6, after the word "Infantry," insert "and pay him a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

FLORENCE N. WALDRON.

The next business on the Private Calendar was the bill (H. R. 5245) granting a pension to Florence N. Waldron, helpless daughter of Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Infantry Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Florence N. Waldron, helpless daughter of the late Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Volunteer Infantry, at the rate of $20 per month.

The amendment reported by the committee was read, as follows:

In line 7, after the word "Infantry," insert "and pay her a pension."

Mr. TALBERT. I should like to hear the report read.

The report (by Mr. BARBER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R.

5245) granting a pension to Florence N. Waldron, have examined the same, all the facts, and the legal questions involved, and respectfully report:

This bill proposes to restore to the rolls and continue at her former rate the pension of claimant, Florence N. Waldron, of Newark, N. J., the crippled and helpless daughter of Samuel F. Waldron, late captain Company I, Thirty-third New Jersey Volunteer Infantry, who served from August 29, 1863, to November 23, 1863, when killed in battle at Chattanooga, Tenn.

The widow was pensioned at $20 from the date of soldier's death until April 4, 1871, and this claimant was pensioned at $23 from that time until September 13, 1876, when she became 16 years of age.

Under the provisions of the act of June 27, 1890, she is entitled to a continuance of her pension if she be "insane, idiotic, or otherwise permanently helpless."

She filed a claim under said act October 29, 1895, but it was rejected January 18, 1896, "Permanent helplessness not shown." It was reopened by Commissioner Murphy, but was again rejected May 4, 1896, on the same ground.

This claimant is not "insane" or "idiotic," and the only question is whether she is "otherwise permanently helpless."

It is shown by evidence that when about 5 years of age she fell from a window two and a half stories high into a stone area, which caused an injury from which she has never recovered. She has been compelled to use crutches ever since.

Certificate of medical examination made November 24, 1895, shows "enlargement of left knee, with flexion one-fourth and permanent anchylosis; enlargement and anchylosis probably osseous and fibrous." The left lower extremity is atrophied and is shortened 4 inches.

Claimant is obliged to use crutches in standing and walking. The left leg is permanently useless. No evidence of vicious habits. Functions peculiar to her sex abnormally frequent, occurring every three weeks and draining in character.

Claimant by injury of left knee and anæmia is so disabled as to be in capacitated in a degree equivalent to the loss of a foot for the purposes of manual labor.

Examination of February 20, 1896, shows practically the same condition. It is shown by the testimony of a physician that besides her lameness she suffers terrible pain in her limb, and that as a result of that and her reduced nervous condition she has been subject to convulsions for five or six years.

The question is not so much one of fact as of law, as the facts are admitted. The law, in so many words, states that this pension shall be continued to this child if she be "insane, idiotic, or otherwise permanently helpless." The law does not say totally helpless. The intent of the law is to provide a pension to such a child when it is incapable by reason of disabilities arising in early youth of earning its own living—of maintaining itself. The law gives the pension to support the child, in part at least, because it can not support itself. Then any child in such a condition is within not only the intent and meaning of the law, but within its spirit and letter.

Webster thus defines the word "helpless":

"Helpless. (1) Destitute of help; without aid; wanting assistance. (Example.) 'How shall I, then, your helpless fame defend?' (2) Wanting power to succor one's self; weak. (Example.) 'Thou tutelary friend of helpless men.'"

Webster thus defines "helplessness":

"Want of ability; want of succor in one's self; weakness."

This girl can not either stand or walk without the use of crutches. These must be made and brought to her by others. She can not supply herself with the artificial means absolutely necessary to enable her to stand up or move about. Therefore without the aid of others she would remain in one place and starve. Is she not helpless? True she can eat if food is brought her by others and so is not totally and wholly helpless; but she can not procure food or clothing or fire or a home.

Her nervous system is shattered, and she has frequent convulsions and suffers constant pain; therefore, her life is in danger when not attended, watched, and cared for by another. In short, owing to her physical condition (existing since she was 2 years of age), this girl can not maintain her own existence; can not provide herself the necessaries of life, and so this child is really in this regard in a worse condition than many who are insane or idiotic. Many of these unfortunates can do work—earn a living. This girl can use her hands, and (when not in convulsions) can sew or knit or paint, but without artificial aid furnished by another she can not procure the means to do either kind of work.

Your committee is of the opinion that a broad, reasonable, and liberal construction should be given by the Department to the statute referred to—a construction that will render effectual, not thwart, the intent of Congress. The Pension Bureau decided (per Assistant Secretary Reynolds, 8 P. D.) that the term "permanently helpless," in the third section of the act of June 27, 1890, is, in its application to the capacity of a minor to earn a support, relatively of the same meaning as the words "insane" and "idiotic" used in the same clause. Your committee is of the opinion that this is a strained and unwarranted construction, one that defeats in many meritorious and deserving cases the humane purpose of the statute referred to.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In line 7, after the word "Infantry," insert "and pay her a pension."

Mr. RAY of New York. Mr. Chairman, for the reason I have already stated in connection with another bill, I move to amend the title in this case by striking out all after the words "Florence N. Waldron." This amendment leaves out all the descriptive language.

Mr. SULLIVAN. Mr. Chairman, I desire to say that on the 16th of December, 1897, a bill was introduced by myself on the subject of pensions and referred to the Committee on Invalid Pensions. The bill limited the class of persons who should hereafter claim pensions. The matter of appropriations to pay pensions and other debts becomes a serious one. I had thought to-night to make the question of no quorum; but I am assured by gentlemen that the bill to which I have just referred will be considered and reported to this House by next Friday. With this assurance and only for the reason I have stated I shall raise no question of that kind to-night.

The question being taken, the amendment proposed by Mr. RAY of New York was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ELIZABETH ROGERS.

The next business on the Private Calendar was the bill (H. R. 7783) granting an increase of pension to Elizabeth Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to increase the pension of Elizabeth Rogers, of Lock, Bell County, Ky., widow of David S. Rogers, captain and major, First Tennessee Volunteer Infantry in the Indian wars, from $8 to $30 per month.

The amendment reported by the committee was read, as follows:

In line 7 strike out the word "thirty" and insert in lieu thereof "twelve."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

SUSAN A. HUBER.

The next business on the Private Calendar was the bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll at the rate of $25 per month, subject to the provisions and limitations of the pension laws, the name of Mrs. Susan A. Huber, widow of Jeremiah F. Huber, late captain in the United States Army.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of $25 per month."

In line 6 strike out "Mrs."

At the end of line 8 add the following: "and pay her a pension at the rate of $20 per month, in lieu of the pension she is now receiving."

Amend the title so it will read: "A bill granting an increase of pension to Susan A. Huber."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES A. FOSTER.

The next business on the Private Calendar was the bill (H. R. 4979) granting a pension to Charles A. Foster, late acting assistant surgeon, United States Army.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States the name of Charles A. Foster, late acting assistant surgeon, United States Army, and pay him a pension at the rate of $12 per month.

Mr. TALBERT. Mr. Chairman, I should like to hear the report in that case read.

Mr. RAY of New York. Before that is done, I move to amend the title so that it will read "A bill granting a pension to Charles A. Foster," leaving off the other description, for the reasons already stated.

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. STURTEVANT) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4979) granting a pension to Dr. Charles A. Foster, submit the following report:

This bill proposes to pension at $12 per month Charles A. Foster, of Canandaigua, N. Y.

Dr. Charles A. Foster served as acting assistant surgeon, United States Army, from March 9, 1864, to November 30, 1865, and from December 1, 1865, to July 25, 1866, when his service was honorably terminated.

On August 29, 1890, he applied for pension under the act of Congress approved June 27, 1890, and was pensioned thereunder at $12 per month until May 10, 1895, when he was dropped from the rolls, under the decision of the Secretary of the Interior dated November 24, 1893, in the case of Andrew J. Shannon, on the ground that his was not a pensionable service under the act cited, as he was not regularly mustered into the military service of the United States. Up to the date of the decision above cited, such service had been held to be pensionable under the act in question.

On March 3, 1865, contract surgeons were put on the same footing, as to pensions, with assistant surgeons who were regularly mustered into the service. They endured similar hardships and were exposed to the same dangers. This man is now about 80 years of age, in feeble health, and, as it appears from the evidence, in need of the pension.

Your committee believe the case comes within the spirit if not the strict letter of the law under which he was pensioned, which was intended, as they believe, to include all branches of service which were then held to be pensionable under the general pension laws, and they therefore recommend that the bill do pass.

Mr. TALBERT. Mr. Speaker, the point I desire to make in this case is that this man was never mustered into the service. I do not propose to make any opposition to the bill, but I call the attention of the chairman to the fact that if the Senate Committee on Pensions adhere to the rule they have laid down, it seems to me useless to send such bills over there, because they say they will not consider them; that they will not consider the claims of persons who were never mustered into the service.

Mr. RAY of New York. No; I beg the pardon of the gentleman. Mr. Chairman, under the law as it is on the statute book, these men were for years held to be pensionable, held to be within the spirit and letter of the law, but later on, in the case cited here, they held that although they were in the service with the Army and endured all the hardships and dangers incident to the service, yet that, not being mustered in, they did not come within the strict letter of the law.

Since that decision was made this House has repeatedly said, and the Senate has repeatedly said, that these men are within the spirit and intent of the law. So these cases are placed within the spirit and intent of the law by these special bills. It is a mere technicality in the construction of the law now on the statute

books. It has been thoroughly considered, and the Senate and House are in perfect harmony.

Mr. TALBERT. I did not care to make any captious opposition to the bill. I simply desired to bring out the facts with reference to the matter.

The amendment of Mr. RAY of New York to the title was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARIA E. HESS.

The next business on the Private Calendar was the bill (H. R. 864) granting a pension to Maria E. Hess, widow of Florian Hess.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, at the rate of $12 per month, the name of Maria E. Hess, widow of Florian Hess, who was pensioned under certificate No. 65836 as a private in Capt. J. Rollin's company of Minnesota Volunteers.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of $12 per month."

In lines 6, 7, and 8 strike out the words "who was pensioned under certificate No. 65836 as."

Add, at the end of line 9, the following: "and pay her a pension at the rate of $12 per month."

Mr. TALBERT. I should like to hear the reading of the report in this case. This is not a remarried widow, is it?

The CHAIRMAN. The Clerk will read the report.

The Clerk began the reading of the report (by Mr. BOTKIN), which is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 864) granting a pension to Maria E. Hess, have examined the same and the evidence relating thereto and respectfully report:

This bill proposes to pension, at $12 per month, Maria E. Hess, of New Ulm, Minn., the widow of Florian Hess, a private in Capt. J. Belin's company, Eleventh Minnesota Volunteer Militia, who was called into service against the Sioux Indians, and in an engagement at New Ulm, Minn., August 23, 1862, was severely wounded in the left shoulder. He was treated in hospital, from which he appears to have been discharged September 1, 1862.

A ball passed entirely through the neck of the humerus, shattering it badly, so much so that several pieces of bone were removed while in hospital at St. Peters, Minn. A medical certificate, signed by two physicians and dated February 27, 1866, states that he was then incapable of earning a subsistence by manual labor because of a gunshot wound, fracturing the neck of the left humerus and causing comminuted fracture of the bone, requiring excision of part of same, causing the shoulder joint to be entirely useless, together with upper and fore arm.

At an examination in 1875 the examining surgeon said:

"From time to time till now exfoliation takes place, combined with severe pain. His general health is also very poor, his body much emaciated, and he is in fact not able to perform any manual labor."

And the same conditions existed when examined in 1877.

He was pensioned at $6 from discharge and was increased to $8, $14, $24, and $36, which rate he was receiving when he died February 24, 1892.

This claimant was paid the accrued pension due soldier at date of death.

She filed a claim March 29, 1892, under the general law, but it was rejected October 20, 1894, on the ground that death resulted from disease of stomach, which has not been legally accepted.

In an affidavit filed March 29, 1893, J. S. Schock, M. D., said:

"Florian Hess died the 24th day of February, 1892.

"He had suffered for three years with chronic gastritis, which resulted in thickening and contraction of the pyloric end of stomach with ulcers. These ulcers were the direct cause of his death, being the source of the hæmatemesis.

"Have treated the deceased for the past three years, during which time he always had a cachectic anæmic appearance, which he claimed dated from his wound fever at the hospital, and it never left him."

In an affidavit, dated August 14, 1894, the same physician said that while the soldier was a chronic sufferer from chronic gastritis, it was at no time considered serious, for his wounds and suffering therefrom kept him weak and feeble, and had more to do with his death than gastritis. During the last weeks of his suffering his system was unable to sustain the drain of his injuries, and septic fever set in from absorption, which hastened and was the indirect cause of his death, and directly traceable to his wounds.

The claimant was married to the soldier September 30, 1852, and is about 72 years of age, and needy.

Claimant has no title under act of June 27, 1890, as her husband was not regularly enlisted and mustered into the United States service.

There is no substantial doubt that this soldier died from results of wounds received in battle. True, the results of the wound were so complicated with other troubles that we are not absolutely certain. Still, we may be positive in the opinion that the other troubles would not have produced death, might not have existed at all, had not the weakened and debilitated conditions caused by the wound existed.

This widow is clearly entitled to the pension of $12 per month given by this act.

During the reading of the report,

Mr. RAY of New York said: Did the gentleman call for the reading of this?

Mr. TALBERT. Yes.

Mr. RAY of New York. I ask him to withdraw that request.

Mr. TALBERT. Yes, if the gentleman will make an explanation.

Mr. RAY of New York. This is not the case of a remarried widow. It is the case of the widow of a soldier who, during the war of the rebellion, enlisted and went out on the Western plains to repel the Indians who attacked the settlers along the border. The husband was wounded and afterwards died, but by reason of some defect in his enlistment and muster they denied a pension to the widow. He was there, he served with a company, he acted as a soldier all through, and this bill is simply to remedy a technicality, and is necessary because of an omission on the part of the officers of the Government in mustering him in.

Mr. TALBERT. He was not regularly mustered in?

Mr. RAY of New York. Not regularly.

Mr. TALBERT. But he was in the service?

Mr. RAY of New York. He was in the service, did the fighting, and was wounded.

The amendment proposed by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

SALLIE WORK.

The next business on the Private Calendar was the bill (H. R. 2119) to grant a pension to Miss Sallie Work.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Miss Sallie Work, orphan, permanently helpless invalid daughter of James B. Work, late private of Company F, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and Sarah Work, his wife, now both dead, and grant her a pension of $30 per month.

The Committee on Invalid Pensions recommended the following amendments:

In line 6 strike out the word "Miss."

In line 9 strike out the word "grant" and insert in lieu thereof the word "pay."

In lines 9 and 10 strike out the words "of thirty" and insert in lieu thereof the words "at the rate of fifteen."

Add at the end of line 10 the following: "and that same be paid to her legal guardian when appointed."

Mr. TALBERT. I should like to have the report in that case read.

Mr. RAY of New York. What information does the gentleman desire?

Mr. TALBERT. Well, I want to know the condition of this girl—whether she comes under the law?

Mr. RAY of New York. She is perfectly helpless, and has been so from her infancy. Now, let me call the gentleman's attention to the law, and the reason why some of these bills come in here. They construe the law at the Pension Office in this way: They say that if a soldier of the Republic had an imbecile or otherwise helpless child, born so, or so from infancy, if that child reaches the age of 16 years before the soldier father dies, it can not draw a pension from that time on at all; but they say that if that child lives and is not 16 until the day after the father dies, then she can draw a pension as long as she lives.

Mr. TALBERT. Does this applicant come under the law?

Mr. RAY of New York. She comes within the spirit and intent of the law, and it is only by reason of an omission on the part of Congress that this special bill is necessary. A general bill has been considered in the committee and reported to the House, after receiving the vote of every Democrat as well as of every Republican on the committee. When that bill becomes a law, special bills of this character will not be necessary.

Mr. STALLINGS. Does not this bill provide for a pension of $15 a month?

Mr. RAY of New York. Yes.

Mr. STALLINGS. She would not get $15 under the general law?

Mr. RAY of New York. She would get $12 under the general law; but your committee have arrived at the conclusion that in the case of a permanently helpless child, so born, or in that condition from early infancy, $15 per month is not too great. We have reported several bills at that figure, in such cases, and therefore we put in the amount at $15 in this bill.

Mr. STALLINGS. Has the general bill to which the gentleman referred passed the committee and been reported to the House?

Mr. RAY of New York. Yes.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM H. SAVAGE.

The next business on the Private Calendar was the bill (H. R. 8515) to increase the pension of William H. Savage.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll subject to the provisions and limitations of the pension laws, the name of William H. Savage, late captain Company A, Seventeenth Maine Volunteers, and to pay him a pension of $20 per month in lieu of that which he is now receiving.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ISAIAH F. FORCE.

The next business on the Private Calendar was the bill (H. R. 93) granting an increase pension to Isaiah F. Force.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Isaiah F. Force, late major in the One hundred and fortieth Regiment New York Infantry Volunteers, and that he pay him a pension of $72 per month in lieu of all other pension.

The Committee on Invalid Pensions recommended the following amendment:

In line 8 strike out the words "seventy-two" and insert in lieu thereof the words "thirty-five."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. JOHN W. HOLT.

The next business on the Private Calendar was the bill (H. R. 4148) to pension Mrs. John W. Holt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $12 per month, subject to the provisions and regulations of the general pension laws, the name of Mrs. John W. Holt, of Topeka, Kans., the stepmother of L. B. Holt, who was a private in Company L, Fifteenth Pennsylvania Infantry.

The Committtee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the words "at the rate of $12 per month."

In lines 6 and 7 strike out the following: "Mrs. John W. Holt," and insert in lieu thereof the following: "Elizabeth Holt."

Add at the end of line 9 the following: "And pay her a pension at the rate of $12 per month."

Amend the title so it will read: "A bill granting a pension to Elizabeth Holt."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

LOWELL H. HOPKINSON.

The next business on the Private Calendar was the bill (H. R. 378) granting a pension to Lowell H. Hopkinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at $50 per month, subject to the provisions and limitations of the pension laws, the name of Lowell H. Hopkinson, late a member of Company A, Fifty-seventh and Fifty-ninth Regiments Massachusetts Volunteer Infantry.

The Committee on Invalid Pensions recommended the following amendments:

In lines 4 and 5 strike out the following: "At $50 per month,"

At the end of line 8 add the following: "And pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving."

Mr. STALLINGS. Mr. Chairman, let us have the report on that.

The report (by Mr. SULLOWAY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 378) granting an increase of pension to Lowell H. Hopkinson, have examined the same and all the evidence relating thereto, and respectfully report:

This bill proposes to increase from $12 to $50 per month the pension of Lowell H. Hopkinson, of Groveland, Mass.

Claimant served in Company H, Eleventh Massachusetts Volunteer Infantry, from April 20, 1861, to October 25, 1863, when he was discharged on surgeon's certificate of disability for severe wound of right elbow, received at Manassas, Va., August 29, 1862. He served in Company A, Fifty-ninth and Fifty-seventh Massachusetts Volunteer Infantry, from November 14, 1863, to July 30, 1865.

Besides the certificate of disability there is record of treatment for chronic diarrhea and pleurisy during last service, contracted while a prisoner of war. (Captured at Cold Harbor, Virginia, June 3, 1864. Paroled December 10, 1864.)

Soldier was pensioned under the general law for disease of kidneys and gunshot wound left arm, and was receiving $5 per month September 17, 1890, when increased to $8 under the act of June 27, 1890. He was again increased under said law from November 12, 1895, to $12, which rate he is now receiving, for "disease of urinary organs, gunshot wound left arm, loss of part of right index finger, lumbago, and paralysis." The last medical examination rates him two-eighteenths for wound of arm, four-eighteenths index finger, seventeen-eighteenths for paralysis and resulting urinary disease, and ten-eighteenths for malarial poisoning. He requires the regular personal aid and attendance of another person.

"Claimant can not rise from his bed without assistance, but by means of a rope attached to a ring over his bed he is able to raise his shoulders while an assistant swings him into a wheel chair, where he sits and moves about the room. No evidence of vicious habits."

The bill calls for $50. If all the disability could be shown to be directly due to service he would be entitled to $72.

Claimant is 61 years of age. Evidence filed with this committee shows that he is in need, and aside from his pension is absolutely dependent on the charity of his friends for his support.

It is impossible to separate the disabilities of the soldier incurred in the service from those arising since. Indeed, it is not at all improbable that the entire disability from which the soldier now suffers is of service origin or resultant from those clearly traceable to his army service.

In any event he is in such a physical and financial condition that special legislation is demanded and fully warranted.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In lines 4 and 5 strike out the following: "At $50 per month."

At the end of line 8 add the following: "And pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

CALVIN C. LYNN.

The next business on the Private Calendar was the bill (H. R. 3953) granting a pension to Calvin C. Lynn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Calvin P. Lynn, late a member of Company G, One hundred and fortieth Regiment Illinois Infantry Volunteers, on the pension roll at the rate of $30 per month in lieu of the pension he is now receiving.

The Committee on Invalid Pensions recommended the following amendments:

In line 6, after the word "roll," insert the following: "and pay him a pension."

In line 7 strike out "thirty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Calvin P. Lynn."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN X. GRIFFITH.

The next business on the Private Calendar was the bill (H. R. 8636) granting a pension to John X. Griffith, late of Company A, Seventy-seventh Illinois Volunteer Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of John X. Griffith, late of Company A, Seventy-seventh Illinois Volunteer Infantry, from his present rate to $72 a month.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the words "increase the pension" and insert in lieu thereof the following: "place on the pension roll the name."

In line 6 strike out the words "from his present rate to seventy-two" and insert in lieu thereof the following: "and pay him a pension of fifty."

At the end of line 7 add the following: "in lieu of the pension he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH MONTIETH.

The next business on the Private Calendar was the bill (H. R. 2253) granting an increase of pension to Joseph Montieth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Montieth, late a private of Company G, Third Regiment Maine Volunteer Infantry, and pay him a pension of $50 per month, in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, strike out the word "fifty" and insert the word "forty."

Mr. FENTON. Mr. Chairman, why was the bill H. R. 4650 passed over? It is on the Calendar.

Mr. RAY of New York. Because unanimous consent was given in the beginning of this evening's session to pass over all bills for the removal of charges of desertion.

The CHAIRMAN. That bill is from the Committee on Military Affairs and was passed over by unanimous consent.

Mr. FENTON. I desire to obtain action on the bill, and I move that it be taken up.

Mr. LACEY. That order was made in the House.

Mr. FENTON. In the House?

The CHAIRMAN. That would not be in order now. The question is on the amendment proposed by the committee. [Cries of "Vote!"]

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CARRIE F. BISSELL.

The next business on the Private Calendar was the bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carrie F. Bissell, widow of Harmon D. Bissell, late regimental quartermaster Eighty-third Regiment Illinois Volunteer Infantry, at the rate of $30 per month, in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "Infantry," insert the following: "and pay her a pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNA E. BOTSFORD.

The next business on the Private Calendar was the bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of the Sixteenth Ohio Regiment Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Anna E. Botsford, widow of

Eli W. Botsford, late Mexican war veteran and major of the Sixteenth Ohio Infantry Volunteers in the civil war, on the pension roll at the rate of $12 per month, in lieu of the amount she now receives.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "roll," insert "and pay her a pension."
In line 8 strike out the word "amount" and insert in lieu thereof the word "pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE H. BALDWIN.

The next business on the Private Calendar was the bill (H. R. 9210) granting an increase of pension to George H. Baldwin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of George H. Baldwin, late second lieutenant Company F, Eighty-ninth New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "fifty" and insert "forty."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEMIMA MILLSAP.

The next business on the Private Calendar was the bill (H. R. 8819) granting a pension to Gemima Millsap.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension roll the name of Gemima Millsap, dependent mother of Millsap, late a member of Company I, Thirty-first Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendment recommended by the committee was read, as follows:

In line 5, after the word "of," insert the word "Milton."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

W. C. RYAN.

The next business on the Private Calendar was the bill (H. R. 7952) granting a pension to W. C. Ryan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the limitations and provisions of the general pension laws, the name of W. C. Ryan, invalid son of George W. Ryan, late a member of Company B, Fourth Regiment of Tennessee Infantry, and pay to him a pension at the rate of $17 per month from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "of," strike out "W." and insert in lieu thereof the word "William."
In line 8 strike out the word "seventeen" and insert in lieu thereof the word "fifteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OLEVIA S. WASHBURN.

The next business on the Private Calendar was the bill (S. 3178) granting a pension to Olevia S. Washburn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Olevia S. Washburn, widow of John H. Dale, late a private of Company C, Thirteenth Regiment Tennessee Cavalry Volunteers, at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Volunteers," insert the following: "and pay her a pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHERINE WILTSE.

The next business on the Private Calendar was the bill (H. R. 7628) granting a pension to Catherine Wiltse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll the name of Catherine Wiltse, and pay her a pension of $12 per month from May 17, 1890.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "Wiltse," insert the words "late widow of John Cummins, Company B, Fiftieth Regiment Wisconsin Volunteer Infantry."
Insert the words "at the rate" after the word "pension," in line 5.
Strike out all after the word "month," in line 6.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANN M. MADDEN.

The next business on the Private Calendar was the bill (S. 481) granting a pension to Ann M. Madden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Ann M. Madden, dependent mother of Harry O. Madden, late a member of Company F, Second Regiment of Massachusetts Volunteers, at the rate of $8 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Volunteers," insert the following: "and pay her a pension."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM P. HASKELL.

The next business on the Private Calendar was the bill (H. R. 2123) increasing the pension of William P. Haskell, lieutenant, Company I, Fourteenth Regiment Indiana Infantry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of William P. Haskell, late a lieutenant in Company I, Fourteenth Regiment Indiana Volunteer Infantry, at the rate of $50 per month, on account of disabilities for which he is now receiving a pension, subject to the provisions and limitations of the pension laws.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "infantry," insert "and pay him a pension."
In line 7 strike out "fifty" and insert in lieu thereof "thirty."
In lines 7 and 8 strike out the words "on account of disabilities for which he is now receiving a pension."
At the end of line 9 add the following: "and in lieu of the pension he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET R. MATLACK.

The next business on the Private Calendar was the bill (S. 655) granting a pension to Harriet R. Matlack.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet R. Matlack, widow of Joseph Matlack, sergeant of Company H, Twelfth Regiment New Jersey Infantry Volunteers, at the rate of $8 per month.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "Volunteers," insert the words "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SUSAN A. PADDOCK.

The next business on the Private Calendar was the bill (S. 178) granting a pension to Susan A. Paddock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Susan A. Paddock, widow of Joseph W. Paddock, late a major and assistant adjutant-general of volunteers, First Division, Fifteenth Army Corps, and pay her at the rate of $25 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "her," insert the words "a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SOPHIA J. CHILCOTT.

The next business on the Private Calendar was the bill (S. 1320) granting a pension to Sophia J. Chilcott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sophia J. Chilcott, widow of James C. Chilcott, late a sergeant of Company I, Thirteenth Maine Infantry, and pay her a pension at the rate of $12 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

WHELOCK G. VEAZEY.

The next business on the Private Calendar was the bill (H. R. 5963) granting a pension to Whelock G. Veazey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the general pension laws, the name of Whelock G.

Veazey, late colonel Sixteenth Vermont Volunteers, and pay him a pension rated at $100 a month.

Mr. RAY of New York. Mr. Chairman, since the committee reported that bill Colonel Veazey has died in this city, and I therefore move that the bill be laid aside to be reported to the House with the recommendation that it be laid on the table.

The motion was agreed to.

SUSAN BROWNLOW BOYNTON.

The next business on the Private Calendar was the bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Brownlow Boynton, widow of Daniel T. Boynton, late assistant surgeon of the One hundred and fourth Regiment of Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

EVA SEELEY.

The next business on the Private Calendar was the bill (H. R. 9228) granting a pension to Eva Seeley, of Washington, D. C.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place upon the pension roll the name of Eva Seeley, widow of Oscar Seeley, late paymaster's steward, United States Navy, who served during the late war on U. S. steamers *North Carolina*, *Connecticut*, and *Commodore Hull*, and pay her a pension of $30 per month in lieu of any pension now received by her.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "thirty" and insert "twenty-four."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

CHARLES E. TAYLOR.

The next business on the Private Calendar was the bill (H. R. 5809) granting a pension to Charles E. Taylor.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Taylor, late captain Company I, Fourth Pennsylvania Cavalry, and pay him a pension at the rate of $72 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

LEWIS K. WHITMORE.

The next business on the Private Calendar was the bill (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Lewis K. Whitmore, of Binghamton, N. Y., and pay him a pension at the rate of $40 per month, on account wounds and consequent disabilities incurred in the line of duty and while in the service of the United States.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "forty" and insert in lieu thereof the word "twenty-five."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SARAH E. COTTON.

The next business on the Private Calendar was the bill (S. 1837) granting a pension to Sarah E. Cotton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Sarah E. Cotton, late a hospital nurse, and pay her a pension at the rate of $12 per month from and after the passage of this bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

KATHERINE L. CUSHING.

The next business on the Private Calendar was the bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy, and pay her a pension of $100 per month in lieu of the pension now paid her.

The committee amendment was read, as follows:

In line 7 strike out the words "one hundred" and insert in lieu thereof the word "fifty."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

SARAH M. SPYKER.

The next business on the Private Calendar was the bill (S. 1521) granting a pension to Sarah M. Spyker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah M. Spyker, widow of L. P. Spyker, ensign Capt. W. A. Goodwin's company of Alabama Volunteers, Indian war, 1836, and pay her a pension at the rate of $8 per month.

The bill was laid aside to be reported to the House with a favorable recommendation.

LUCY ORD MASON.

The next business on the Private Calendar was the bill (H. R. 2113) granting an increase of pension to Lucy Ord Mason.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucy Ord Mason, widow of First Lieut. John S. Mason, jr., late of the First United States Infantry, and pay her a pension at the rate of $25 per month, in lieu of that she is now receiving.

The bill was laid aside to be reported favorably to the House.

DANIEL J. MELVIN.

The next business on the Private Calendar was the bill (H. R. 7501) granting a pension to Daniel J. Melvin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject otherwise to the provisions and limitations of the pension laws, the name of Daniel J. Melvin, private in company commanded by Capt. A. C. Gordon, Creek Indian war of 1836, and pay him a pension of $8 per month.

The bill was laid aside to be reported favorably to the House.

MARY SPEIER.

The next business on the Private Calendar was the bill (H. R. 7523) granting an increase of pension to Mary Speier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Speier, widow of Capt. William Speier, late captain of Company I, One hundred and seventh Ohio Volunteer Infantry, and pay her a pension of $20 per month in lieu of the pension she now receives.

The bill was laid aside to be reported favorably to the House.

DAVID PARKER.

The next business on the Private Calendar was the bill (H. R. 1825) to increase the pension of David Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and required to increase the pension of David Parker, of Brooklyn, N. Y., late a private in Company A, Fourth Regiment New York Heavy Artillery, in the war of the rebellion, and to pay him a pension at the rate of $72 per month in lieu of the pension he is now receiving; and also subject to the provisions and limitations of the pension laws as to the right of future increase of his pension for increase of the disabilities for which he is now pensioned and resulting disabilities.

The amendments reported by the committee were read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

In line 4 strike out the following: "required to increase the pension" and insert in lieu thereof the following: "directed to place the name."

In line 9 strike out the semicolon and also the words "and also."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JOHN B. HAYS.

The next business on the Private Calendar was the bill (H. R. 8834) granting a pension to John B. Hays.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Hays, late captain and brevet major, Nineteenth Infantry, United States Army, and pay him a pension at the rate of $50 a month.

The amendment reported by the committee was read, as follows:

In line 8 strike out "fifty" and insert in lieu thereof "thirty."

The bill as amended was laid aside to be reported favorably to the House.

EMORY T. HIPPLE.

The next business on the Private Calendar was the bill (H. R. 6988) for the relief of Emory T. Hipple.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension rolls the name of Emory T. Hipple, permanently helpless child of William H. Hipple, late private, Company D, One hundred and forty-ninth Regiment of Pennsylvania Volunteer Infantry, and continue his former pension, under certificate No. 96603, from the date of his application therefor, heretofore filed with the Commissioner of Pensions under the act of June 27, 1890.

The amendments reported by the committee were read, as follows:

In line 4 strike out the words "restore to" and insert in lieu thereof the words "place on."

Strike out all of lines 8 to 12, inclusive, and insert in lieu of the parts so stricken out the following: "pay him a pension at the rate of $17 per month."

The amendments were agreed to.

The bill as amended was laid aside to be favorably reported to the House.

CAROLINE A. SLOCUM.

The next business on the Private Calendar was the bill (S. 2200) granting a pension to Caroline A. Slocum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline A. Slocum, widow of Willard Slocum, late lieutenant-colonel and brevet brigadier-general of the One hundred and twentieth Regiment Ohio Volunteers, at the rate of $30 a month.

The amendment reported by the committee was read, as follows:

After the word "Volunteers," in line 8, insert "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

HENRY H. TUCKER.

The next business on the Private Calendar was the bill (H. R. 2669) granting a pension to Henry H. Tucker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll of the United States the name of Henry H. Tucker, of Minneapolis, Kans., late a sergeant of Company E, Thirty-first Ohio Volunteer Infantry, and first lieutenant of Company B, One hundred and forty-third Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The amendments reported by the committee were read, as follows:

In lines 5 and 6 strike out the words "of Minneapolis, Kans."

In line 9 strike out "fifty" and insert in lieu thereof the word "twenty-five."

At the end of line 9 add the following: "In lieu of the pension he is now receiving."

Amend the title so that it will read: "A bill granting an increase of pension to Henry H. Tucker."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

WILLIAM S. DEMOTT.

The next business on the Private Calendar was the bill (H. R. 3025) increasing the pension of William S. Demott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of William S. Demott, late first lieutenant of Company F, One hundred and twenty-first Regiment Indiana Volunteers, and pay him a pension of $50 per month, in lieu of any pension that may now be paid him.

The bill was laid aside to be reported favorably to the House.

GEORGE BARNES.

The next business on the Private Calendar was the bill (H. R. 3663) granting a pension to George Barnes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of George Barnes, of Company I, Twenty-fifth Missouri Enrolled Militia, and Company C, Eighty-seventh Missouri Enrolled Militia, on the pension roll, subject to the provisions and limitations of the pension laws, and pay him a pension of $24 per month.

The bill was laid aside to be reported favorably to the House.

MRS. JANET WEMPLE.

The next business on the Private Calendar was the bill (H. R. 6680) granting a pension to Mrs. Janet Wemple.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Mrs. Janet Wemple, widow of Edwin H. Wemple, late a private in Company D of the Seventy-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $8 a month.

The bill was laid aside to be reported favorably to the House.

ROBERT P. WILD.

The next business on the Private Calendar was the bill (S. 1825) granting an increase of pension to Robert P. Wild.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay Robert P. Wild, late of Company B, Second North Carolina Mounted Infantry, $30 per month, in lieu of $10 per month he is now receiving.

The amendments reported by the committee were read, as follows:

In line 4, after the word "to," insert the following: "place the name of," and strike out the word "pay," same line.

In line 5, after the word "Infantry," insert the following: "on the pension rolls and pay him a pension of."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

MARGARET H. TOWNSEND.

The next business on the Private Calendar was the bill (H. R. 5105) granting a pension to Margaret H. Townsend.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Margaret H. Townsend, former wife of Charles Townsend, late private in Company H, Tenth Regiment New Hampshire Volunteer Infantry, and pay her a pension of $12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

GEORGE G. VOGEL.

The next business on the Private Calendar was the bill (H. R. 2203) granting a pension to George G. Vogel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George G. Vogel, formerly a private in Company M, Ninth Regiment Kansas Volunteer Cavalry, and Company C, Third United States Infantry, and pay him a pension of $12 per month.

The Committee on Invalid Pensions recommended the following amendment:

In line 8, after the word "pension," insert the words "at the rate of."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY B. HULINGS.

The next business on the Private Calendar was the bill (H. R. 8197) for the relief of Mrs. Mary B. Hulings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby authorized and directed to place the name of Mary B. Hulings on the pension roll, and that she be paid a pension at the legal rate as the widow of Thomas M. Hulings, colonel Forty-ninth Pennsylvania Infantry, who was killed at the battle of the Wilderness May 10, 1864.

The Committee on Invalid Pensions recommended the following amendments:

In line 5, after the word "roll," insert the following: "subject to the provisions and limitations of the pension laws."

In line 6, after the word "Hulings," insert the word "late."

In lines 7 and 8 strike out the following: "who was killed at the battle of the Wilderness May 10, 1864."

Amend the title so it will read: "A bill for the relief of Mary B. Hulings."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARCIA C. BARNES.

The next business on the Private Calendar was the bill (H. R. 4611) granting a pension to Marcia C. Barnes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Marcia C. Barnes, widow of Charles Barnes, late brevet brigadier-general and colonel of the Sixth Pennsylvania Heavy Artillery Volunteers, upon the pension roll and grant her a pension at the rate of $40 per month from and after the passage of this act, the same to be in lieu of any pension now drawn.

The Committee on Invalid Pensions recommended the following amendments:

In line 5 strike out the words "brevet brigadier-general and."

In line 7 strike out the word "grant" and insert in lieu thereof the word "pay."

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-five."

In lines 8 and 9 strike out the following: "from and after the passage of this act, the same to be."

In line 9 strike out the words "any pension now drawn" and insert in lieu thereof the words "the pension she now receives."

Amend the title so as to read: "A bill granting an increase of pension to Marcia C. Barnes."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MARY C. CASE.

The next business on the Private Calendar was the bill (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Case, widow of Augustus Phillips, late a first lieutenant of Company D, One hundred and eighty-fourth Regiment New York Volunteers, and pay her a pension at the rate of $25 per month from March 27, 1879.

The Committee on Invalid Pensions recommended the following amendments:

In line 9 strike out "twenty-five" and insert "seventeen."
From lines 9 and 10 strike out the words "from March 27, 1879."
Amend the title so it will read: "A bill granting a pension to Mary C. Case."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. DAYTON. Mr. Chairman, I ask unanimous consent to return to Calendar No. 428, which is a bill to correct the naval record of George W. Sherrard.

I want to say that this is a bill recommended by the Navy Department itself.

The CHAIRMAN. Unanimons consent is asked to return to the bill H. R. 8614, Calendar No. 428.

Mr. SULLIVAN. I shall object.

Mr. DAYTON. I hope the gentleman will not object. This is a bill recommended by the Department itself.

The CHAIRMAN. Objection is made; and the Chair informs the committee——

Mr. DAYTON. I hope the Chair will give me an opportunity to explain the bill.

Mr. TALBERT. Mr. Chairman, just here, if I may be permitted, before the House went into Committee of the Whole this evening I asked unanimous consent that all cases for the removal of charges of desertion be passed over to-night, and that order was made by the House. It can not, as I understand it, be vacated by the Committee of the Whole, but as my friends have come to me and appealed to me personally, and have called my attention to three or four of these cases, I have reached the conclusion that they are meritorious——

The CHAIRMAN. The Chair thinks the point of order raised by the gentleman is well taken.

Mr. TALBERT. I do not make the point of order, but simply say to these gentlemen that after we go back into the House I shall make no objection if they then ask unanimous consent to vacate that order.

Mr. RAY of New York. After we have passed the pension bills, if there is time left, these bills can be taken up.

Mr. TALBERT. That is what I suggest.

The CHAIRMAN. The Chair desires to inform the committee that the pension bills have all been disposed of.

And then, on motion of Mr. RAY of New York, the committee rose; and Mr. HOPKINS having resumed the chair as Speaker pro tempore, Mr. EVANS, Chairman of the Committee of the Whole House on the Private Calendar, reported that that committee had had under consideration certain Senate and House bills, and had directed him to report them back, some with and some without amendments, and with a favorable recommendation; also, that they had instructed him to report back the bill (H. R. 5963) with the recommendation that the bill do lie on the table.

The SPEAKER pro tempore. The Clerk will report the first bill.

WHELOCK G. VEAZEY.

The first business was the bill (H. R. 5963) granting a pension to Whelock G. Veazey.

Mr. RAY of New York. I move that that bill do lie upon the table, for the reason that Colonel Veazey is dead.

The motion was agreed to.

BILLS PASSED.

The following bills reported from the Committee of the Whole without amendments were severally considered, the House bills ordered to be engrossed and read a third time, read the third time, and passed; and the Senate bills ordered to a third reading, read the third time, and passed:

A bill (S. 1462) granting an increase of pension to Enoch G. Adams;

A bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea;"

A bill (H. R. 8515) to increase the pension of William H. Savage;

A bill (S. 1320) granting a pension to Sophia J. Chilcott;

A bill (S. 1837) granting a pension to Sarah E. Cotton;

A bill (S. 1521) granting a pension to Sarah M. Spyker;

A bill (H. R. 2113) granting an increase of pension to Lucy Ord Mason;

A bill (H. R. 7501) granting a pension to Daniel J. Melvin;

A bill (H. R. 7523) granting an increase of pension to Mary Speier;

A bill (H. R. 3095) increasing the pension of William S. Demott;

A bill (H. R. 3663) granting a pension to George Barnes;

A bill (H. R. 6680) granting a pension to Mrs. Janet Wemple; and

A bill (H. R. 5105) granting a pension to Margaret H. Townsend.

The following bills reported from the Committee of the Whole with amendments were severally considered, the amendments agreed to, the House bills ordered to be engrossed and read a third time, read the third time, and passed; and the Senate bills ordered to a third reading, read the third time, and passed:

A bill (H. R. 983) to grant an increase of pension to Nathaniel Houghton, late colonel Twenty-fifth Ohio Volunteer Infantry;

A bill (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.;

A bill (H. R. 3185) granting a pension to Lovezila L. Patterson;

A bill (H. R. 711) granting a pension to Anna M. Tate;

A bill (H. R. 4449) granting a pension to Charles Beckwith;

A bill (H. R. 1855) granting an increase of pension to David C. Waring;

A bill (H. R. 6793) granting an increase of pension to James F. McKinley;

A bill (H. R. 5245) granting a pension to Florence N. Waldron, helpless daughter of Capt. Samuel F. Waldron, Company I, Thirty-third Regiment New Jersey Infantry Volunteers (title amended);

A bill (H. R. 7783) granting an increase of pension to Elizabeth Rogers;

A bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky.;

A bill (H. R. 4979) granting a pension to Charles A. Foster, late acting assistant surgeon, United States Army (title amended);

A bill (H. R. 864) granting a pension to Marie E. Hess, widow of Florian Hess;

A bill (H. R. 2119) to grant a pension to Miss Sallie Work;

A bill (H. R. 93) granting an increase of pension to Isaiah F. Force;

A bill (H. R. 4143) to pension Mrs. John W. Holt (title amended);

A bill (H. R. 378) granting a pension to Lowell H. Hopkinson;

A bill (H. R. 3953) granting a pension to Calvin P. Lynn (title amended);

A bill (H. R. 8636) granting a pension to John X. Griffith, late of Company A, Seventy-seventh Illinois Volunteer Infantry (title amended);

A bill (H. R. 2253) granting an increase of pension to Joseph Monteith;

A bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.;

A bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of Sixteenth Regiment Ohio Volunteers;

A bill (H. R. 9210) granting an increase of pension to George H. Baldwin;

A bill (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr.;

A bill (H. R. 8819) granting a pension to Gemima Millsap;

A bill (H. R. 7952) granting a pension to W. C. Ryan (title amended);

A bill (S. 3178) granting a pension to Olevia S. Washburn;

A bill (H. R. 7628) granting a pension to Catherine Wiltse;

A bill (S. 431) granting a pension to Ann M. Madden;

A bill (H. R. 2123) increasing the pension of William P. Haskell, lieutenant, Company I, Fourteenth Regiment Indiana Infantry (title amended);

A bill (S. 655) granting a pension to Harriet R. Matlack;

A bill (S. 178) granting a pension to Susan A. Paddock;

A bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton;

A bill (H. R. 6928) granting a pension to Eva Seeley, of Washington, D. C.;

A bill (H. R. 5809) granting a pension to Charles E. Taylor;

A bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy;

A bill (H. R. 1825) to increase the pension of David Parker;

A bill (H. R. 8834) granting a pension to John B. Hays;

A bill (H. R. 6988) for the relief of Emory T. Hipple;

A bill (S. 2299) granting a pension to Caroline A. Slocum;

A bill (H. R. 2669) granting a pension to Henry H. Tucker (title amended);

A bill (S. 1825) granting an increase of pension to Robert P. Wild;

A bill (H. R. 2203) granting a pension to George G. Vogel;

A bill (H. R. 8197) for the relief of Mrs. Mary B. Hulings (title amended);

A bill (H. R. 4611) granting a pension to Marcia C. Barnes (title amended); and

A bill (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war.

MARY C. CASE.

The next business reported from the Committee of the Whole was the bill (H. R. 2762) granting a pension to Mary C. Case, of Holdrege, Phelps County, Nebr.

Mr. RAY of New York. Mr. Speaker, I move to amend that bill by striking out "seventeen" and inserting "twenty-five." By an error in a pencil memorandum on that bill the amount "seventeen" was put in when it should have been "twenty-five," as the committee reported it. I have the record of the committee here, and I make that motion so as to carry out the wishes of the committee.

The SPEAKER pro tempore. The Chair will state that the question will be put on the committee amendment, and the object of the gentleman from New York can be reached by voting down the amendment recommended by the Committee of the Whole. The Clerk will report the amendment.

The Clerk read as follows:

In line 9 strike out "twenty-five" and insert "seventeen."

Mr. RAY of New York. I ask that that be voted down.

The question was taken; and the amendment was rejected.

Mr. RAY of New York. The bill reads "twenty-five."

The SPEAKER pro tempore. The question is on the second amendment, which the Clerk will report.

The Clerk read as follows:

In line 9, after the word "month," strike out the words "from March, 1897."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. RAY of New York. I move to reconsider the votes by which the several bills have been passed, and also move to lay that motion on the table.

The latter motion was agreed to.

GEORGE W. SHERRARD.

Mr. DAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The Clerk read as follows:

A bill (H. R. 8614) to correct the naval record of George W. Sherrard.

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to amend the naval record of George W. Sherrard, late an enlisted first-class boy, who served on U. S. S. *Princeton*, *Daylight*, and *Shenandoah*, was transferred to the *Princeton*, and marked on the rolls of said vessel as having "never reported," and grant him a discharge: *Provided*, That said Sherrard shall not by the passage of this act be entitled to any bounty or back pay of any kind.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DAYTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

WILLIAM H. HUGO.

Mr. JETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1032) for the relief of William H. Hugo.

The bill was read, as follows:

Be it enacted, etc., That the laws regulating appointments in the Army of the United States be, and they are hereby, suspended for the purposes of this bill, and that, in view of his services to his country, the President is hereby authorized to nominate and, by and with the advice and consent of the Senate, to appoint William H. Hugo, now of Fort Bayard, N. Mex., a first lieutenant of cavalry in the Army of the United States, and thereupon to place him on the retired list of the Army with the pay and emoluments of a retired officer with the rank of a first lieutenant, without regard and in addition to the retired list now authorized by law.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RIDGELY. I would like an explanation of the bill.

Mr. BISHOP. I object.

JOHN WELTY.

Mr. FENTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4650) for the relief of John Welty, of Portsmouth, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to so amend and correct the military record of John Welty, of Portsmouth, Scioto County, Ohio, late a private soldier in Company B, Fifty-sixth Regiment Ohio Volunteer Infantry, as to remove the charges of desertion and to show that said Welty was captured by the enemy on June 25, 1862, and paroled on June 28, 1862, and permitted by Major-General Grant, commanding the district, to pass from Memphis, Tenn., to his home in Ohio, to remain until notified of his exchange or otherwise ordered; and duly exchanged by General Orders No. 10, War Department, January 10, 1863, and ordered to return to his command; and absent without leave until March 5, 1863, when he enlisted in the Navy of the United States for two years, served faithfully, and was honorably discharged at the expiration of his service: *Provided*, That no pay or allowances shall become due by reason of this act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

N. WARD CADY.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6098) to correct the military record of N. Ward Cady, late major, Second Mounted Rifles, New York Volunteers, and to grant him an honorable discharge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to set aside the findings of the court-martial in the case of N. Ward Cady, late major, Second Mounted Rifles, New York Volunteers, and to grant to said N. Ward Cady an honorable discharge from said company and regiment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment recommended by the committee was read, as follows:

Provided, That no pay or allowances shall become due by reason of the passage of this act.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER pro tempore. The hour of 10.30 having arrived, in accordance with the rules, the House stands adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a letter from the Quartermaster-General of the Army recommending an increase in the number of post quartermaster-sergeants—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Navy submitting an estimate of appropriation for one steam water boat for Norfolk Navy-Yard—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation to pay Caleb A. Ensign, United States deputy surveyor—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Board of Commissioners of the District of Columbia, transmitting the annual report of the Capital Railway Company for the year ending December 31, 1897—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred House bill 8351, reported in lieu thereof a bill (H. R. 9552) permitting the building of a dam across Rainy Lake River, accompanied by a report (No. 844); which said bill and report were referred to the House Calendar.

Mr. BISHOP, from the Committee on Private Land Claims, to which was referred the bill of the House (H. R. 3606) for the relief of the citizens of Auburn, Cal., and quieting title to lands therein, reported the same with amendment, accompanied by a report (No. 876); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 96) granting permission for the erection of a monument in Washington, D. C., for the ornamentation of the national capital and in honor of Samuel Hahnemann, reported the same without amendment, accompanied by a report (No. 880); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BINGHAM, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 4747) fixing the salary of the postmaster at Washington, D. C., reported the same without amendment, accompanied by a report

(No. 881); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the Senate (S. R. 113) providing for the erection of a bronze tablet in some suitable place in the Capitol Building commemorative of the officers and men of the United States Navy who perished in the loss of the battle ship *Maine* in the harbor of Havana, February 15, 1898, reported the same with amendment, accompanied by a report (No. 884); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2866) granting a pension to Myntie L. Hamilton, reported the same with amendment, accompanied by a report (No. 845); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 772) granting an increase of pension to William Taylor, reported the same with amendment, accompanied by a report (No. 847); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1466) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry, reported the same with amendment, accompanied by a report (No. 848); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 668) granting a pension to Frances E. Pease, reported the same without amendment, accompanied by a report (No. 849); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1751) granting an increase of pension to Moses M. Crants, reported the same with amendment, accompanied by a report (No. 850); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 584) granting a pension to Mary I. Valentine, reported the same with amendment, accompanied by a report (No. 851); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3517) granting a pension to Rhoda A. Van Niman, reported the same without amendment, accompanied by a report (No. 852); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8299) granting an increase of pension to Thomas S. Tefft, reported the same with amendment, accompanied by a report (No. 853); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7321) granting a pension to Lauritz Olsen, reported the same with amendment, accompanied by a report (No. 854); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8680) granting an increase of pension to William Tompkins, reported the same without amendment, accompanied by a report (No. 855); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4189) granting a pension to Newton W. Cooper, reported the same with amendment, accompanied by a report (No. 856); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4488) to increase the pension of Peter Castle, late of Company D, Fourth Provisional New York Cavalry, reported the same with amendment, accompanied by a report (No. 857); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6411) granting an increase of pension to Henry K. Opp, reported the same with amendment, accompanied by a report (No. 858); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred House bill 8523, reported in lieu thereof a resolution (House Res. No. 265) for the relief of Theodore C. Greenhill, accompanied by a report (No. 859); which said resolution and report were referred to the Private Calendar.

Mr. DAVISON of Kentucky, from the Committee on War Claims, to which was referred the bill of the House (H. R. 5774) for the relief of the heirs of Ann H. Shaler, of Campbell County, Ky., reported the same with amendment, accompanied by a report (No. 860); which said bill and report were referred to the Private Calendar.

Mr. MESICK, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2495) for the relief of Anna R. Kershner, administratrix of the estate of Col. Phillip Kershner, reported the same without amendment, accompanied by a report (No. 861); which said bill and report were referred to the Private Calendar.

Mr. OVERSTREET, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7090) for the relief of Hamilton M. Sailors, reported the same without amendment, accompanied by a report (No. 862); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7545) for the relief of the heirs of David B. Sanders, deceased, reported the same without amendment, accompanied by a report (No. 863); which said bill and report were referred to the Private Calendar.

Mr. DAVISON of Kentucky, from the Committee on War Claims, to which was referred House bill 646, reported in lieu thereof a resolution (House Res. No. 266) for the relief of A. T. Sands, accompanied by a report (No. 864); which said resolution and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the Senate (S. 546) for the relief of the estate of A. H. Herr, deceased, late of the District of Columbia, reported the same with amendment, accompanied by a report (No. 865); which said bill and report were referred to the Private Calendar.

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 7980, reported in lieu thereof a resolution (House Res. No. 267) for the relief of citizens of Brenham, Washington County, Tex., accompanied by a report (No. 866); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 647, reported in lieu thereof a resolution (House Res. No. 268) for the relief of Francis Millets, widow, accompanied by a report (No. 867); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 648) for the relief of Elizabeth Fulwiler, reported the same with amendment, accompanied by a report (No. 868); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 6334) for the relief of Jesse P. Hartman, reported the same without amendment, accompanied by a report (No. 869); which said bill and report were referred to the Private Calendar.

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 831, reported in lieu thereof a bill (H. R. 9557) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga., accompanied by a report (No. 871); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 6909, reported in lieu thereof a resolution (House Res. No. 269) for the relief of St. John's Catholic Church, at Summersville, Nicholas County, W. Va., accompanied by a report (No. 872); which said resolution and report were referred to the Private Calendar.

Mr. SULZER, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3389) to reappoint Warren C. Beach a captain in the Army and to place him on the retired list in addition to the number now authorized, reported the same without amendment, accompanied by a report (No. 873); which said bill and report were referred to the Private Calendar.

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 3521, reported in lieu thereof a resolution (House Res. No. 270) for the relief of the trustees of the Presbyterian Church, of Frenchcreek, Upshur County, W. Va., accompanied by a report (No. 874); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred House bill 6853, reported in lieu thereof a resolution (House Res. No. 271) for the relief of the Methodist Episcopal Church South at Charleston, W. Va., accompanied by a report (No. 875); which said resolution and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3056) to correct

the military record of Joseph Graham, reported the same with amendment, accompanied by a report (No. 877); which said bill and report were referred to the Private Calendar.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1794) to remove the charge of desertion now standing against George Alcott on rolls of the War Department, reported the same with amendment, accompanied by a report (No. 878); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4239) to complete the military record of James Hicks, formerly captain Company M, Twelfth Regiment Ohio Cavalry Volunteers, reported the same with amendment, accompanied by a report (No. 879); which said bill and report were referred to the Private Calendar.

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2646) for the relief of Edward C. Parsons, reported the same with amendment, accompanied by a report (No. 883); which said bill and report were referred to the Private Calendar.

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8854) to correct the military record of William Hazelbeck, of Portsmouth, Ohio, reported the same with amendment, accompanied by a report (No. 885); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 6022) for the relief of the heirs at law of Maj. Tarleton Woodson, deceased, in accordance with the findings of the Court of Claims, reported the same adversely, accompanied by a report (No. 870); which said bill and report were laid on the table.

Mr. WILLIAMS of Pennsylvania, from the Committee on Mines and Mining, to which was referred the bill of the House (H. R. 1099) to amend section 2324, Revised Statutes, relating to mining claims, reported the same adversely, accompanied by a report (No. 882); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 7664) for the relief of Charles Howard—Committee on Naval Affairs discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 9508) to remove the charge of desertion against John J. Herlihy—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 9552) permitting the building of a dam across the Rainy Lake River (in lieu of H. R. 8351)—to the House Calendar.

By Mr. BENNETT: A bill (H. R. 9553) in reference to photographing any guns which would give the strength of any fortification of the United States—to the Committee on Military Affairs.

By Mr. BARLOW: A bill (H. R. 9554) granting certain lands to the city of Santa Barbara, Cal.—to the Committee on the Public Lands.

By Mr. BABCOCK: A bill (H. R. 9555) to amend the law providing for the police fund and firemen's relief fund of the District of Columbia—to the Committee on the District of Columbia.

By Mr. MUDD: A bill (H. R. 9556) supplementary to the act of 1882, chapter 244, approved June 27, 1882, entitled "An act to authorize the Southern Maryland Railroad Company to extend a railroad into and within the District of Columbia"—to the Committee on the District of Columbia.

By Mr. YOUNG of Virginia: A bill (H. R. 9558) authorizing and directing the Secretary of the Navy to proceed to acquire by condemnation, for the use of the Gosport Navy-Yard, a certain tract of land known as the Cedar Grove property—to the Committee on Naval Affairs.

Also, a bill (H. R. 9559) authorizing the erection of a bridge over the "Rudee Inlet," Princess Anne County, Va.—to the Committee on Interstate and Foreign Commerce.

By Mr. HARTMAN: A bill (H. R. 9597) creating the Middle Creek Forest Reserve, in the State of Montana, and for other purposes—to the Committee on the Public Lands.

By Mr. CHICKERING: A bill (H. R. 9598) to encourage enlistments by veterans of the late war during the coming war with Spain—to the Committee on Invalid Pensions.

By Mr. BELL: A joint resolution (H. Res. 200) for the independence of Cuba, and for other purposes—to the Committee on Foreign Affairs.

By Mr. RIDGELY: A joint resolution (H. Res. 201) recognizing the political independence of the Republic of Cuba, for United States intervention, and appropriating funds to feed the starving Cubans—to the Committee on Foreign Affairs.

By Mr. WHEELER of Alabama: A joint resolution (H. Res. 202) relative to the Cuban question—to the Committee on Rules.

By Mr. CUMMINGS: A joint resolution (H. Res. 203) granting permission for the erection of a monument or statue in the city of Washington, D. C., in honor of the late Benjamin F. Stephenson, founder of the Grand Army of the Republic—to the Committee on Public Buildings and Grounds.

By Mr. MARSH: A joint resolution (H. Res. 204) declaring war between the Government of Spain and the dependencies thereof and the United States of America and her Territories—to the Committee on Foreign Affairs.

By Mr. HARTMAN: A joint resolution (H. Res. 205) to recognize the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. MERCER: A joint resolution (H. Res. 206) recognizing the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. HENRY of Mississippi, from the Committee on War Claims: A resolution (House Res. No. 265) for the relief of Theodore C. Greenhill, of Franklin County, Ala. (in lieu of H. R. 8522)—to the Private Calendar.

By Mr. DAVISON of Kentucky, from the Committee on War Claims: A resolution (House Res. No. 266) for the relief of A. T. Sands (in lieu of H. R. 646)—to the Private Calendar.

By Mr. COOPER of Texas, from the Committee on War Claims: A resolution (House Res. No. 267) for the relief of citizens of Brenham, Washington County, Tex. (in lieu of H. R. 7980)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 268) for the relief of Francis Millet's widow (in lieu of H. R. 647)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 269) for the relief of St. John's Catholic Church, at Summerville, Nicholas County, W. Va. (in lieu of H. R. 6969)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 270) for the relief of the trustees of the Presbyterian Church, of Frenchcreek, Upshur County, W. Va. (in lieu of H. R. 3521)—to the Private Calendar.

Also, from the Committee on War Claims, a resolution (House Res. No. 271) for the relief of the Methodist Episcopal Church South, at Charleston, W. Va. (in lieu of H. R. 6833)—to the Private Calendar.

By Mr. LEWIS of Washington: A resolution (House Res. No. 272) asking information from the President of the United States as to what were the views he communicated to the Spanish Government as the views of the Government of the United States upon the report of the court of inquiry on the destruction of the *Maine*, and asking that such information be communicated at once—to the Committee on Foreign Affairs.

By Mr. MARSHALL: A memorial of the legislature of the State of Ohio, asking that one of the new battle ships be named *Ohio*—to the Committee on Naval Affairs.

By Mr. CUMMINGS: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. PERKINS: A memorial of the house of representatives of the State of Iowa, in favor of making Port Arthur a subport of entry—to the Committee on Ways and Means.

Also, a memorial of the senate of the State of Iowa, in favor of making Port Arthur a subport of entry—to the Committee on Ways and Means.

By Mr. VEHSLAGE: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COOPER of Texas, from the Committee on War Claims: A bill (H. R. 9557) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga. (in lieu of H. R. 631)—to the Private Calendar.

By Mr. BARBER (by request): A bill (H. R. 9560) for the relief of John T. F. Brown—to the Committee on Military Affairs.

By Mr. BOUTELL of Illinois: A bill (H. R. 9561) for the relief of William L. Orr—to the Committee on Claims.

Also, a bill (H. R. 9562) for the relief of Phoebe Dake Cleveland—to the Committee on Pensions.

By Mr. BRODERICK: A bill (H. R. 9563) for the relief of John Gibson—to the Committee on Pensions.

By Mr. CARMACK: A bill (H. R. 9564) for the relief of the estate of Wiley J. Davis, deceased, late of Hardeman County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9565) for the relief of George W. Winford, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9566) for the relief of William Stidham, of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. CLARDY: A bill (H. R. 9567) for the relief of the administrator of Charles C. Young, of Madisonville, Ky.—to the Committee on War Claims.

By Mr. CUMMINGS: A bill (H. R. 9568) for the relief of W. R. Austin & Co.—to the Committee on Claims.

By Mr. DAVENPORT: A bill (H. R. 9569) for the relief of Timothy A. Allen—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 9570) for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Harpers Ferry, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 9571) granting an increase of pension to David T. Sipe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9572) granting an increase of pension to Robert L. Boseley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9573) for the relief of the estate of John Hutton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9574) granting arrears of pension to Jane Stonebreaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9575) granting a pension to Jane Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9576) granting a pension to James Ryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9577) granting an increase of pension to James L. T. Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9578) for the relief of Dennis A. Litzinger—to the Committee on War Claims.

Also, a bill (H. R. 9579) to relieve Eli Shuman from the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 9580) for the relief of the estate of Jeremiah Kibler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9581) for the relief of Jacob Shank—to the Committee on War Claims.

Also, a bill (H. R. 9582) for the relief of Harmon Snyder—to the Committee on War Claims.

Also, a bill (H. R. 9583) to relieve Ludwig Rupprecht of the charge of desertion—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 9584) for the relief of John W. Vandine, of Halls Mills, Wetzel County, W. Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9585) granting a pension to George Edward Littleton, late a pilot of steam vessels of the United States—to the Committee on Pensions.

By Mr. GAINES: A bill (H. R. 9586) for the relief of the widow and minor children of Second Lieut. Robert C. Hoggins, Company C, Twenty-fourth Missouri Infantry—to the Committee on Military Affairs.

By Mr. HARTMAN: A bill (H. R. 9587) for the relief of William Flannery—to the Committee on Claims.

By Mr. HAY: A bill (H. R. 9588) for the relief of Zebedee Gray, deceased, late of Clarke County, Va.—to the Committee on War Claims.

By Mr. JOY: A bill (H. R. 9589) granting a pension to Helen G. Sydenham—to the Committee on Pensions.

By Mr. KERR: A bill (H. R. 9590) to increase the pension of Jesse C. Wheeler—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 9591) to correct the military record of Private Richard F. Bucher, of Sunbury, Pa.—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 9592) to muster Franklin V. Ayres—to the Committee on Military Affairs.

By Mr. RAY of New York: A bill (H. R. 9593) to increase the pension of Michael Meehan—to the Committee on Invalid Pensions.

By Mr. YOUNG of Virginia: A bill (H. R. 9594) for the relief of Mrs. Martha Louise Whittaker—to the Committee on War Claims.

Also, a bill (H. R. 9595) for the relief of T. W. Keaton—to the Committee on War Claims.

By Mr. FENTON: A bill (H. R. 9596) for the relief of John W. Washburn—to the Committee on Military Affairs.

By Mr. STEWART of Wisconsin: A bill (H. R. 9599) for the relief of M. C. McGeehan—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of General Clinton B. Fisk Prohibition League, of Philadelphia, Pa., for intervention on the part of the United States in regard to Cuba and for the maintenance of the Monroe doctrine—to the Committee on Foreign Affairs.

Also, petition of the National Wholesale Lumber Dealers' Association, favoring the passage of the bankruptcy bill, known as the Torrey bill, now before the House, or, in the event of that failing, the Henderson bill, now before the Senate—to the Committee on the Judiciary.

Also, petition of Fourth of July Lodge, No. 196, Knights of Pythias, of Philadelphia, Pa., asking for the passage of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. BARBER: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. BARHAM: Petition of the Woman's Christian Temperance Union of Mendocino City, Cal., for a law to regulate the interstate commerce of cigarettes and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. BRADLEY: Petitions of John B. Sneof & Son, A. L. Downes, S. Buzery, and others, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BULL: Petition of the Young People's Christian Union of the Universalist Church of Chapel Four Corners, Cumberland, R. I., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CAPRON: Petition of the Young People's Christian Union of the Universalist Church of Chapel Four Corners, Cumberland, R. I., to forbid the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNELL: Resolutions of Panooka Lodge, No. 308, Knights of Pythias, of Scranton, Pa., in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. DANFORD: Numerous petitions of Nile R. Moore and other citizens of Bellevue; J. F. Culler and others, of Gibsonton; citizens of Hellerton and vicinity; A. Rogers and others, of Philadelphia and Delaware County, all in the State of Pennsylvania; Peter Cooper Council, No. 19, Junior Order United American Mechanics, and others, of Newark; numerous citizens of Jackson Township, Ocean County; C. H. Stewart and others, of Riverside; P. H. Packer and others, of Seabright; George H. Powell and others, of Vincentown; Henry Irelan and others, of Pennville; August Soffel and others, of Woodside; Wallhill Council, No. 144, and others, of Hamburg; Charles Rex and others, of Oceanic; many citizens of Lumberton Township; Robert Holmes and many others, all of the State of New Jersey; James G. Blaine Council, No. 786, Junior Order United American Mechanics, and many citizens of Philadelphia; Loma Rowl and others, of Mount Carmel; F. W. Liggett and others, of Pitcairn; Edmond Price and others, of Freedom Township; J. B. Clark and others, of Mount Nebo; Joseph P. Snyder and others, of Moundsdale; Milton Hess and others, of Shaff; J. S. Peters and others, of Best; Daughters of Liberty and others, of Tacony; Charles Drickenmiller and others, of Hoffman; many citizens of Ross Township, Allegheny County; many citizens of Carbon County; many citizens of Pottstown; many citizens of Shales Township, Allegheny County; many citizens of Fayette City, all of the State of Pennsylvania; William B. Lambie and many others, of Baltimore; Public Spirit Council, No. 154; Prince Frederick, Charles Wintersburg, and others, of Cresaptown; Charles H. Watts and others, of Woodsboro; Eklo Council, No. 134, Junior Order United American Mechanics, of Eklo; many citizens of Bishops Head and Dorchester; 100 citizens of Bloomington and vicinity; many citizens of Wellington, all of the State of Maryland; Junior Order United American Mechanics and others, of the borough of Bronx; employees of W. H. Kemp Company, 178 Hudson street, and others, of New York City; Kit Shuman and others, of Walden; Fred Clark and others, of Seneca Falls; Acirrma Council, No. 15, Daughters of Liberty, and others, of Syracuse; W. S. Slaine and others, Daughters of Liberty, and others, of Port Jefferson, all of the State of New York; F. H. Dexter and 300 others, of Springvale; D. H. Waterhouse and others, of Portland; G. E. M. Smiley and others, of York Village; E. A. Garland and others, of Lewiston, all of the State of Maine; L. E. Kennedy and 499 others, of Hancock County; James Welch and 100 others, of Congo, and many citizens of Attica, all of the State of Ohio; T. L. Stanley and others, of Colorado Springs; many citizens of

Denver, and many others, all of the State of Colorado; K. A. Johnson and others, of Fulp; John G. Boyer and others, of Walnut-cove; W. H. Long and others, of Greensboro, all of the State of North Carolina; C. P. Ricketts and many others, of St. Louis, Mo.; Irving Phelps and others, of Winstead; many citizens of Bridgeport and vicinity, all of the State of Connecticut; C. H. Smith and 100 others, of Clifton Forge, Va.; E. W. Summers and others, of Summers; U. S. G. Haddox, of Elkins, all of the State of West Virginia; C. H. Miller and many others, of Oakland, Cal.; R. S. Bean and others, of Manchester; Henry C. Osborne and others, of Gilsum, all of the State New Hampshire; C. C. Pope and others, of Chicago; S. J. Friedline and others, of Dixon, Lee County, all of the State of Illinois; F. R. Bingham and others, of Spokane, State of Washington; C. G. Bowsfield and others, of St. Paul, Minn.; John H. Fisher and others, of East Las Vegas, N. Mex.; F. R. Hemschulder and others, of Clayton, Del.; G. S. Whitcomb, and others, of Springfield, Vt., and Daughters of Liberty and others, of Riverpoint, R. I., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. DAVEY: Four petitions of citizens of New Orleans, La., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DAYTON: Eight petitions of A. C. Garrison and others, Lindsay Blaker and others, S. B. Hall and others, R. E. Mason and others, all of Pleasantville; French Ashby and others, U. G. Deahl and others, of Preston County; S. K. Jacobs and others, of Worthington, and Finley Oakes, jr., and others, of Marion County, all in the State of West Virginia, in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, papers to accompany House bill granting an increase of pension to Robert L. Boseley—to the Committee on Invalid Pensions.

Also, paper in support of House bill granting a pension to David T. Sipe—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Harpers Ferry, W. Va.—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of Jacob Shank—to the Committee on War Claims.

Also, petition of W. H. Swiger and 79 citizens of Barbour County, W. Va., in favor of the repeal or modification of the civil-service law—to the Committee on Reform in the Civil Service.

Also, papers to accompany House bill to remove the charge of desertion against Eli Sherman—to the Committee on Military Affairs.

Also, papers to accompany House bill granting a pension to Jane Allen, widow of J. E. Allen—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to James Ryan—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to Jane Stonebreaker—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of the estate of Jeremiah Kibler, deceased—to the Committee on War Claims.

Also, papers to accompany House bill in support of the claim of Dennis A. Letzinger for relief—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of James L. F. Sharp—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of Herman Snyder—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of the estate of John Hutton—to the Committee on War Claims.

Also, petition of Rich W. Heafer, corporal, Company K, First Regiment Virginia Infantry, in the war with Mexico, to accompany House bill No. 8785—to the Committee on Pensions.

Also, petition of John Stuart, alias John Vanderpool, of Harpers Ferry, W. Va., first-class boy on the sloop of war *Saratoga* in the war with Mexico, to accompany House bill No. 8784—to the Committee on Pensions.

By Mr. DINGLEY: Petition of a union mass meeting at Turner, Me., urging the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Turner Grange, No. 23, Patrons of Husbandry, of Turner Center, Me., and Methodist Episcopal Church of Dresden, Me., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ELLIS: Petitions of Woman's Christian Temperance Union and Independent Order of Good Templars, of Dallas, Oreg., in favor of the passage of a bill to prohibit the sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FENTON: Petition of J. A. Shriver, D. J. Stableton, and others, to accompany House bill No. 9891, to increase the pension of Thomas L. Park—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petitions of the New England Metal Association, Clothing Manufacturers' Association, and New England Confectioners' Club, all of Boston, Mass., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Resolution of the National Wholesale Lumber Dealers' Association, for a just and uniform bankruptcy law—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Morrison, Whiteside County, Ill., for the passage of a bill to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Congregational Church of Harvey, Ill., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. FOX: Petition of T. J. Bailey and other citizens of the State of Mississippi, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE: Petition of Reno Post, No. 112, Grand Army of the Republic, Department of Nebraska, to grant a pension to John Brown, of Company A, Fifty-eighth Regiment Pennsylvania Infantry—to the Committee on Invalid Pensions.

By Mr. HAY: Four petitions of citizens of Rockingham County, Shenandoah County, and Charlottesville, Va., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the heirs of Benjamin Starkey, deceased, late of Clarke County, Va., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

Also, petition of the heirs of Moses R. Richards, deceased, late of Frederick County, Va., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. HENRY of Indiana: Letter of Rev. William A. Oxtoby, of Muncie, Ind., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HICKS: Petitions of Levi Koontz, W. H. Miller, Charles B. St. Clair, L. H. Reynolds, and other citizens of South Fork, Pa., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, resolution of Lodge No. 174, of Altoona, Pa., Brotherhood of Railway Trainmen, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Logan Lodge, No. 79, Knights of Pythias, of Altoona, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

Also, petition of Blair County Woman's Christian Temperance Union, Mrs. S. B. Bain, president; Woman's Christian Temperance Union of Altoona, Mrs. N. J. Walker, president, and the Ministerial Association of Altoona, Pa., favoring the passage of a bill to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petitions of the Woman's Christian Temperance unions of Altoona and Blair County, Pa., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights and transmission through mails of newspaper descriptions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Young People's Society of Christian Endeavor of Eighth Avenue Methodist Episcopal Church, Humane Society of Central Pennsylvania, Young People's Society of Christian Endeavor of Second Presbyterian Church, and Woman's Christian Temperance unions of Altoona and Blair County, Pa., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Humane Society of Central Pennsylvania and Woman's Christian Temperance Union of Altoona, Pa., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions and Ministerial Association of Altoona, Young People's Society of Christian Endeavor of Eighth Avenue Methodist Episcopal

Church, and the Humane Society of Pennsylvania, favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. HILBORN: Petitions of the Woman's Christian Temperance unions of Colusa, Suisun, and Woodland, Cal., and Baptist, Christian, Congregational, and Methodist Episcopal churches of Woodland, Cal., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise, to raise the age of protection for girls to 18 years in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of Mrs. Valeria M. Foster, of West Oakland, Cal., urging the passage of a bill to protect the State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, resolutions of the Chamber of Commerce of San Francisco, Cal., relative to an act to regulate commerce so as to give it the largest degree of efficiency—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chamber of Commerce of San Francisco, Cal., in relation to domestic transportation privileges on the Pacific Coast—to the Committee on Foreign Affairs

By Mr. HOOKER: Petition of citizens of Allegany, N. Y., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance unions of Belfast, Mayville, South Dayton, and Otto; Methodist Episcopal Church of Dunkirk; the Methodist Episcopal and Baptist churches of Brocton; two Epworth leagues, Christian Endeavor Society, and Portland Grange, of Brocton, N. Y., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of certain societies and churches of Belfast, Mayville, South Dayton, Otto, Dunkirk, and Brocton, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOWELL: Petition of the Woman's Christian Temperance Union of South River, N. J., for the passage of a bill which forbids the sale of intoxicating liquors within 200 feet of a church, school, or charitable institution—to the Committee on the District of Columbia.

By Mr. HURLEY: Petition of the National Wholesale Lumber Dealers' Association, favoring the passage of the bankruptcy bill known as the Torrey bill, now before the House, or, in the event of that failing, the Henderson bill, now before the Senate—to the Committee on the Judiciary.

Also, resolution of the National Lumber Dealers' Association, indorsing the principles of currency reform set forth in the report of the Indianapolis monetary convention and maintaining the gold standard—to the Committee on Banking and Currency.

By Mr. LIVINGSTON: Petitions of citizens of Douglasville, Ga., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LOW: Petition of E. F. Murray and others, in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Resolutions of Washington Lodge, No. 29, of Philadelphia, Pa., Knights of Pythias, in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. McCALL: Petition of the Chamber of Commerce of Boston, Mass., asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. MARSH: Resolutions of Iron Molders' Union No. 44, of Quincy, Ill., asking for the passage of House bill No. 6095, protecting free labor against convict labor—to the Committee on Labor.

Also, petition of citizens of Quincy, Ill., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MIERS of Indiana: Petitions of the Methodist Episcopal Church of Bedford, Ind., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Bedford, Ind., for the passage of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. OTEY: Petitions of citizens of Lynchburg and Lawyers, State of Virginia, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Petition of the Woman's Christian Temperance Union of Morrison, Whiteside County, Ill., for the passage of bills to forbid interstate transmission of lottery and other gambling matter by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Morrison, Ill., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Indiana: Petition of various citizens of Fort Wayne, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHELDEN: Petitions of the Brotherhood of Locomotive Engineers and the Order of Railway Conductors of Marquette and Escanaba, and citizens of Iron Mountain, Mich., urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain labor organizations of Norway, Escanaba, Marquette, and Iron Mountain, Mich., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Crystal Falls Lodge, No. 128, of Crystal Falls, Mich.; Baraga Lodge, of Baraga, Mich., and Mayflower Lodge, No. 183, of Thompson, Mich., Knights of Pythias, in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petitions of Farrell Division, No. 94, Brotherhood of Locomotive Engineers, and S. M. Stevens Lodge, No. 150, Brotherhood of Locomotive Firemen, of Marquette, Mich., in favor of the passage of certain bills in the interest of labor—to the Committee on Labor.

Also, petitions of citizens of St. Ignace, Menominee, and Pickford, Mich., in favor of the passage of bills to forbid interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SIMPSON: Petition of citizens of Kansas favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Hutchinson, Kans., favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. SHAFROTH: Petitions of the Methodist Episcopal Church of Sterling, Colo., favoring bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Sterling, Colo., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SULZER: Protest of the American Society for the Prevention of Cruelty to Animals, against the passage of Senate bill No. 2041—to the Committee on Interstate and Foreign Commerce.

By Mr. VEHSLAGE: Resolutions of the New York Produce Exchange, in favor of the passage of Senate bill No. 3354, relating to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Produce Exchange, favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

Also, resolutions of the Chamber of Commerce of the State of New York, in favor of Senate bill No. 3483, in relation to establishing a commission of public health and defining its duties—to the Committee on Interstate and Foreign Commerce.

By Mr. WEYMOUTH: Petitions of the Baptist and Congregational churches of Sterling, Mass., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Congregational and Baptist churches of Sterling, Mass., and Young People's Christian Union of South Acton, Mass., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMS of Pennsylvania: Resolutions of the American Paper and Pulp Association of New York City, in favor of the passage of Senate bill No. 753, for the establishment of an international American bank—to the Committee on Banking and Currency.

Also, resolutions of the Chamber of Commerce of Cincinnati, Ohio, favoring legislation looking to the maintenance of the levee

system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

Also, petition of merchants, bank officers, and underwriters of New York City, protesting against the passage of House bill No. 9077, changing the site of the custom-house—to the Committee on Public Buildings and Grounds.

SENATE.

WEDNESDAY, *March 30, 1898.*

Prayer by Rev. JOHN K. MCLEAN, D. D., of Oakland, Cal.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

HOUSE BILL REFERRED.

The joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation, in the State of Utah, was read twice by its title, and referred to the Committee on Indian Affairs.

PETITIONS AND MEMORIALS.

Mr. DAVIS presented a memorial of members of the fire department of Anoka, Minn., remonstrating against the passage of Senate bill No. 2736, to establish a division in the Treasury Department regulating insurance companies; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Jasper, Minn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Jasper, Minn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Jasper, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. NELSON presented a petition of the congregation of the First Presbyterian Church of Balaton, Minn., and a petition of the Woman's Christian Temperance Union of Balaton, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the First Presbyterian Church of Balaton, Minn., and a petition of the Woman's Christian Temperance Union of Balaton, Minn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the First Presbyterian Church of Balaton, of the Woman's Christian Temperance Union of Balaton, of the Woman's Christian Temperance Union of the Seventh district, and of sundry citizens of Faribault, all in the State of Minnesota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. BURROWS presented a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., and a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories, and the interstate mail circulation of newspaper descriptions of the same; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Algonac and White Pigeon, and of the congregation of the Asbury Methodist Episcopal Church, of Owosso, all in the State of Michigan, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Batavia, Grand Ledge, Chesaning, Algonac, and White Pigeon; of the Ladies' Aid Society of the Congregational Church of Grand Ledge, and of the Epworth League of Chesaning, all in the State of Michigan, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., and a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented petitions of the congregation of the Asbury Methodist Episcopal Church, of Owosso; of the Woman's Christian Temperance unions of White Pigeon, Algonac, and Cadillac, and of Mrs. A. R. Hotchkiss and 354 other citizens of South Haven, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., and a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which were referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of White Pigeon, Mich., and a petition of the congregation of the Asbury Methodist Episcopal Church, of Owosso, Mich., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

Mr. PENROSE presented a memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain; which was referred to the Committee on Foreign Relations.

He also presented petitions of 43 citizens of Sheffield, of the congregation of the Baptist Church of Eaglemere, of the congregation of the Baptist Church of Hawley, and of the Woman's Christian Temperance Union of Parkesburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Central Pennsylvania Conference of the Methodist Episcopal Church; of the Woman's Christian Temperance unions of Parkesburg and Bangor; of the congregations of the Baptist Church of Eaglesmere, the Baptist Church of Hawley, and the Methodist Episcopal Church of Freeport, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Methodist Episcopal Church of Freeport, the Baptist Church of Eaglesmere, the Baptist Church of Hawley, and the Woman's Christian Temperance Union of Parkesburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. SMITH presented petitions of sundry citizens of Asbury Park, Moorestown, and Newark; of Division No. 307, Order of Railroad Conductors, of Elizabeth; of Adventure Division, No. 312, of Weehawken, and of members of St. Mary's Abbey, of Newark, all in the State of New Jersey, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of sundry citizens of Boonton, Chatham, Newark, and Paterson, all in the State of New Jersey, praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of the Woman's Christian Temperance unions of Arlington, Cranford, Jersey City, Little Falls, Vineland, Westville, Friesburg, Longbranch, Lambertville, Butler, and Westfield; of the Christian Endeavor Society of Chatham; of the congregations of the Calvary Baptist Church, of East Orange; the Stanley Congregational Church, of Chatham; the De Groot Methodist Episcopal Church, of Newark; the Grace Methodist Episcopal Church, of Plainfield; the First Presbyterian Church of Stanhope; the Presbyterian Church of Atlantic Highlands; the Methodist Episcopal Church of Lambertville; the Baptist Church of Lambertville; the Baptist Church of Avon, and the First Presbyterian Church of Lambertville, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become

subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Longbranch, Friesburg, and Westfield; of the congregations of the Baptist Church of Avon and the First Baptist Church of Westfield; of the Woman's Christian Temperance unions of Arlington, Cranford, Jersey City, Little Falls, Westville, and Union; of the congregations of the Methodist Episcopal Church of Madison, the Methodist Episcopal Church of Boundbrook, and the Stanley Congregational Church, of Chatham; of the Christian Endeavor Society of Chatham; of the congregation of the Grace Methodist Episcopal Church, of Paterson; of the congregations of the Methodist Episcopal Church and the First Presbyterian Church, of Stanhope; of the congregations of the Methodist Episcopal Church and the Congregational Church, of Succasunna, and of sundry citizens of Passaic, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Arlington, Bloomfield, Cranford, Jersey City, Little Falls, Madison, and Westville; of the congregations of the Park Methodist Episcopal Church, of Bloomfield, the First Presbyterian Church of Bloomfield, the First Baptist Church of Bloomfield, the Presbyterian Church of Bound Brook, the Stanley Congregational Church, of Chatham, the Grace Methodist Episcopal Church, of Paterson, the First Presbyterian Church and the Methodist Episcopal Church of Stanhope, and the Methodist Episcopal Church and the Congregational Church of Succasunna, all in the State of New Jersey, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Union County; of the Woman's Christian Temperance Union of Elizabeth; of the Young Men's Christian Association and the Independent Order of Good Templars of Mont Clair; of the Woman's Christian Temperance unions of Friesburg, Roadstown, Long Branch, Westfield, and Lambertville; of Chapter No. 1, of the Epworth League, of Plainfield; of the Young People's Society of Christian Endeavor of the First Baptist Church of Plainfield; of the Christian Endeavor Society of Chatham; of the congregations of the Baptist Church of Aron, the First Baptist Church of Lambertville, the Methodist Church of Lambertville, and the First Presbyterian Church of Lambertville, and of Central Council, No. 131, Junior Order of United American Mechanics, of Westfield; of the Woman's Christian Temperance unions of Arlington, Bloomfield, Cranford, Jersey City, Little Falls, Madison, Vineland, and Westville; of the congregations of the Methodist Episcopal Church of Andover; the Park Methodist Episcopal Church, of Bloomfield; the First Baptist Church of Bloomfield; the First Presbyterian Church of Bloomfield; the First Presbyterian Church of Boonton; the Presbyterian Church of Boundbrook; the Methodist Episcopal Church of Chatham; the Calvary Methodist Church, of East Orange; the De Groot Methodist Episcopal Church, of Newark; the Union Street Methodist Episcopal Church, of Newark; the First Presbyterian Church of Plainfield; the Seventh-Day Baptist Church of Plainfield; the Congregational Church of Plainfield; the Methodist Episcopal Church of Plainfield; the Hope Chapel, of Plainfield; the Park Avenue Church, of Plainfield; the Crescent Avenue Presbyterian Church, of Plainfield; the Bethel Chapel, of Plainfield; the Grace Methodist Episcopal Church, of Paterson; the First Presbyterian Church of Stanhope; the Methodist Episcopal Church of Succasunna, and of the Methodist Episcopal Church of Madison, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. GALLINGER presented a petition of Merrimac Lodge, No. 266, of Nashua, N. H., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Greenville, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Greenville, N. H., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Greenville, N. H., and a petition of the Woman's Christian Temperance Union of Swiftwater, N. H., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a memorial of Local Union No. 10, National Brotherhood of Electrical Workers, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of F. E. Dupell Lodge, No. 231, Brotherhood of Railway Trainmen, of Terre Haute, Ind., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of Hoosier Lodge, No. 261, of Indianapolis, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Friendswood, Ind., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of the congregations of the Second Baptist Church and the First Congregational Church, the Civic League, and the Woman's Christian Temperance Union, all of Houlton, in the State of Maine, praying for the enactment of legislation to raise the age of consent for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the congregation of the Congregational Church of Richmond, Me., and a petition of the congregations of the Second Baptist Church and the First Congregational Church, the Civic League, the Woman's Christian Temperance Union, and the Young People's Society of Christian Endeavor, of Houlton, Me., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Christian Endeavor Society of the Free Will Baptist Church, of Springvale, Me., and a petition of the congregations of the Second Baptist Church and the First Congregational Church, the Civic League, and the Woman's Christian Temperance Union, of Houlton, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Congregational Church of Richmond, Me., and a petition of the congregations of the Second Baptist Church and the First Congregational Church, the Civic League, the Young People's Society of Christian Endeavor, and the Woman's Christian Temperance Union, of Houlton, Me., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. GRAY presented a petition of the congregation of the Union Methodist Episcopal Church, of Wilmington, Del., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. HALE presented a petition of B. H. Beale Post, Grand Army of the Republic, of Bangor, Me., praying for the enactment of legislation to prevent the desecration of the national flag; which was referred to the Committee on the Judiciary.

He also presented the memorial of Rev. H. B. Nutter and 19 other citizens of Dexter, Me., and the memorial of Melvin N. Folsom and 20 other citizens of Oldtown, Me., remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Kingfield and Island Falls; of the Young People's Christian Endeavor Society of Friendship, and of the Young People's Christian Endeavor Society of Union, all in the State of Maine, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Kingfield and Island Falls, of the Young People's Society of Christian Endeavor of Friendship, and of the Young People's Society of Christian Endeavor of Union, all in the State of Maine, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Kingfield and Island Falls, of the Young People's Society of Christian Endeavor of Friendship, and of the Young People's Society of Christian Endeavor of Union, all in the State

of Maine, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Kingfield and Island Falls, of the Young People's Society of Christian Endeavor of Friendship, and of the Young People's Society of Christian Endeavor of Union, all in the State of Maine, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. COCKRELL presented a petition of sundry citizens of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Grant City, Mo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Grant City, Mo., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Grant City, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of the State board of health of Illinois, praying for the passage of the so-called Spooner bill regulating national quarantine; which was ordered to lie on the table.

He also presented a petition of the congregation of the Baptist Church of Rockton, Ill., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Board of Trade of Asheville, N. C.; of the Interstate Merchants' Association, of St. Louis, Mo.; of the Merchants' Association of Boston, Mass.; of W. M. McKinnie and 122 other citizens of Fort Wayne, Ind.; of members of the Grand Army of the Republic of the State of New Jersey; of members of the Grand Army of the Republic of the State of Delaware, and of the Paint and Oil Club of New England, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented memorials of the mayor, city council, and members of the fire department of Mount Pulaski; of Charles W. Dill and 31 other citizens of Clinton; of L. M. Koentz and 33 other citizens of Trenton; of H. L. Teller and 18 other citizens of Wenonah, and of J. R. Schulte, chief of the fire department, and 20 other citizens of Vandalia, all in the State of Illinois, remonstrating against the passage of Senate bill No. 2736, to establish a division in the Treasury Department for the regulation of insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Dixon and Capron; of the congregations of the Methodist Episcopal Church of Rockton, the Congregational Church of Galesburg, the Central Church of Galesburg, the Knox Street Congregational Church of Galesburg, the Presbyterian Church of Manteno, the Baptist Church of Galesburg, the Methodist Episcopal Church of North Harvey; the Christian Endeavor Society of Capron; the Men's League of Chicago, and the Epworth League of North Harvey, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Dixon, Rock Island, and Capron; of the congregations of the Presbyterian Church of Rock Island, the Methodist Episcopal Church of Rockton, the Congregational Church of Galesburg, the East Main Street Congregational Church of Galesburg, the Central Congregational Church of Galesburg, the Presbyterian Church of Manteno, the Christian Church of Rock Island, the Methodist Episcopal Church of North Harvey, the Baptist Church of Galesburg; the Presbyterian Young People's Society of Christian Endeavor of Galesburg, and the Epworth League of North Harvey, all in the State of Illinois, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Dixon and Capron; of the congregations of the Congregational Church of Galesburg, the East Main Street Congregational Church of Galesburg, the Central Congregational Church of Galesburg, the Presbyterian Church of Manteno, the Christian Church of Rock Island, the First Baptist Church of Galesburg, the Baptist Church of Rockton; the Epworth League of Capron, and the Men's League of Chicago, all in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the National Lumber Dealers' Association of New York, praying for the enactment of a general bankruptcy law; which was ordered to lie on the table.

Mr. KYLE presented a petition of Huron Division, No. 121, Order of Railway Conductors, of Huron, S. Dak., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the congregation of the Congregational Church, the Christian Endeavor Society, and the Woman's Christian Temperance Union, all of Erwin, in the State of South Dakota, praying for the enactment of legislation to prohibit the transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Congregational Church, the Christian Endeavor Society, and the Woman's Christian Temperance Union, all of Erwin, in the State of South Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Congregational Church, the Christian Endeavor Society, and the Woman's Christian Temperance Union, all of Erwin, in the State of South Dakota, praying for the enactment of legislation to prohibit kinetoscope reproductions of pugilistic encounters in the District of Columbia and the Territories, and the interstate transportation of materials of the same; which were ordered to lie on the table.

Mr. TILLMAN presented a petition of sundry citizens of Lexington, S. C., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. SEWELL presented a concurrent resolution of the legislature of the State of New Jersey, favoring the national recognition of the services of William A. Newell in originating and establishing a life-saving system adopted by our Government; which was referred to the Committee on Commerce.

He also presented a memorial of the representatives of the Religious Society of Friends of New Jersey, Pennsylvania, and Delaware, respecting the controversy between the United States and Spain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of New Brunswick, N. J., and a petition of the congregation of the Mount Olive Methodist Episcopal Church, of Camden, N. J., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Vineland, N. J., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Landis Township Teachers Association, of Vineland, N. J., and a petition of the congregation of the Second Baptist Church of Asbury Park, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Landis Township Teachers' Association, of Vineland; of the congregation of the Second Baptist Church of Asbury Park, and of the congregation of the Baptist Church of Atlantic Highlands, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Landis Township Teachers' Association, of Vineland; of the congregation of the Second Baptist Church of Asbury Park, and of the Woman's Christian Temperance Union of Vineland, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

ANNEXATION OF THE HAWAIIAN ISLANDS.

Mr. FRYE. Mr. President, I have here an argument of the late Judge John D. Caton, one of the most prominent jurists of Illinois, now dead, written to the late Secretary of State, Mr. Gresham, in relation to the annexation of the Hawaiian Islands

to the United States. It is a very valuable paper, found amongst the papers of the deceased judge. I move that it be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3111) granting a pension to Cornelia M. Mason, reported it with an amendment, and submitted a report thereon.

Mr. McENERY, from the Committee on Naval Affairs, to whom was referred the bill (S. 763) for the relief of Augustus G. Kellogg, reported it without amendment, and submitted a report thereon.

Mr. STEWART. I am directed by the Committee on Claims, to whom was referred the bill (H. R. 2219) for the relief of the administrators of Isaac P. Tice, deceased, and others, to report it without amendment, and to submit a report thereon.

The VICE-PRESIDENT. The bill will be placed upon the Calendar.

Mr. STEWART. I move that the bill (S. 466) for the relief of the administrators of Isaac P. Tice, deceased, and others, being Order of Business 153 on the Calendar, be indefinitely postponed, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (S. 1472) granting an increase of pension to Mrs. Bettie Hord Brown, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 1000) for the relief of Stephen Duncan Marshall and George M. Miller, executors of the will of Levin R. Marshall, deceased, reported it with amendments, and submitted a report thereon.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (S. 140) granting an increase of pension to Mary E. Law, reported it without amendment, and submitted a report thereon.

Mr. CARTER, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by himself on the 28th instant relative to the use of pneumatic tubes in the mail service, intended to be proposed to the Post-Office appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. ALLISON. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes, to report it with various amendments. I also submit a report to accompany the bill.

I give notice at this time that I shall be glad to call up the bill to-morrow morning in the Senate for consideration.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

THE COMMITTEE ON FOREIGN RELATIONS.

Mr. DAVIS. I am directed by the Committee on Foreign Relations to request that that committee have leave to sit from day to day during the sessions of the Senate.

The VICE-PRESIDENT. Does the Senator from Minnesota make a motion to that effect?

Mr. DAVIS. I do.

The VICE-PRESIDENT. The Senate has heard the motion of the Senator from Minnesota.

Mr. ALLEN. What is the motion?

The VICE-PRESIDENT. That the Committee on Foreign Relations have leave to sit from day to day during the sessions of the Senate. The question is on agreeing to the motion.

The motion was agreed to.

CONSULAR CORRESPONDENCE ON AFFAIRS IN CUBA.

Mr. FRYE. I report a resolution from the Committee on Foreign Relations. It may be allowed to lie on the table until to-morrow morning, when I shall ask for its consideration.

The resolution was read, as follows:

Resolved by the Senate, That the President by requested, if not incompatible with the public interest, to transmit to the Senate all of the consular correspondence relating to the conduct of the war in the Island of Cuba, the condition of the people, and other matters relating thereto.

Mr. FRYE. Let the resolution lie on the table, and I shall ask for its consideration to-morrow morning.

The VICE-PRESIDENT. The resolution will lie on the table.

ERECTION OF TEMPORARY FORTIFICATIONS IN STATES.

Mr. HAWLEY. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 129) relative to suspension of part of section 355 of Revised Statutes, relative to erection of forts, fortifications, etc., to report it without amendment, and to ask for the immediate consideration of the same.

I beg leave to submit a word of explanation. This is the joint resolution introduced on Monday by the Senator from Georgia [Mr. BACON] relating to a suspension of certain provisions of the statute which make it impossible to proceed with certain fortifications because the consent of the legislature is required before the purchase of land from a private citizen takes effect. The joint resolution proposes, in short, to make the lease or anything else of the land sufficient to waive the approval of the legislature and the examination of the title by the Attorney-General. There are several places on the coast where not only no one objects to the erection of such fortifications, but, indeed, they are ardently desired, and by none more than by the people of the States, of course, but this technicality stands in the way. The committee sees no objection to waiving it in these cases. I ask that the joint resolution may be read and considered.

Mr. PASCO. I hope it will be read for information before consent is asked.

The VICE-PRESIDENT. The joint resolution will be read for information, subject to objection.

The Secretary read the joint resolution.

Mr. PASCO. I ask that the joint resolution may go over.

The VICE-PRESIDENT. Objection is made to the present consideration of the joint resolution.

Mr. HAWLEY. I wish the Senator could be content to make his argument now. This is one of those questions that ought not to go over if it be possible to pass the bill.

Mr. PASCO. A single day's delay will make but little difference, and I prefer that it shall go over, so that I may look at it before it is considered.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 4294) granting a pension to John Stauffer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4295) to correct the naval record of Charles Ferkler; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. WARREN introduced a bill (S. 4296) to provide for the organization of a regiment of mounted rangers in the interest of the public safety; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WELLINGTON introduced a bill (S. 4297) for the relief of Mary K. Lewis, administratrix of Joseph C. Lewis, deceased, late of the District of Columbia; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 4298) granting an increase of pension to Edward R. Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a joint resolution (S. R. 136) authorizing the Secretary of War to exchange a battery and equipments with the governor of the State of Wyoming; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FAIRBANKS submitted an amendment relative to the claim of John Brady, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and ordered to be printed.

Mr. WELLINGTON submitted an amendment relative to the claim of Charles Stewart, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MASON submitted an amendment relative to experimental tests of an underground electric conveyer for the distribution of mail matter, intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. FORAKER submitted an amendment relative to the purchase by the Secretary of the Interior from Albert Douglas, administrator of the estate of Samuel Kendrick, deceased, certain original records, etc., pertaining to lands and locations within the Virginia military districts of Kentucky and Ohio; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. STEWART submitted an amendment relative to the purchase from the Union Benevolent Association of the District of

Columbia of a tract of land on the southern side of the Zoological Park, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. GALLINGER, it was

Ordered, That all the papers relating to S. 2225, granting an increase of pension to Charles F. Rand, be, and the same are hereby, withdrawn from the files of the Senate and sent to the custody of Senator PROCTOR, there being no adverse report thereon.

MEMORIAL ADDRESSES ON THE LATE SENATOR GEORGE.

Mr. WALTHALL. I desire to give notice that on Thursday of next week, at 2 o'clock in the afternoon, I shall ask the Senate to lay aside its ordinary business to afford an opportunity to pay tribute to the memory of my late colleague, Senator GEORGE.

POSTAL SAVINGS BANKS.

Mr. WOLCOTT. Mr. President, on the 10th of March last, by direction of the Committee on Post-Offices and Post-Roads, I addressed a communication, officially, on behalf of the committee, to the Secretary of the Treasury, asking him for his views on the general subject of postal savings banks. The committee had received a lengthy, courteous, and enlightening answer from the Postmaster-General, and it was deemed of the utmost importance that we should ascertain from the Secretary of the Treasury his views respecting the general character of bills establishing post-office savings banks, which had been asked for by several millions of the people of the United States. We desired his views as to the character of investments, the proper procedure, the question of agencies, and other important matters connected with the subject.

After waiting some time the committee received, through me as chairman, a reply from the Secretary of the Treasury. I have to report to the Senate that the answer from the Secretary of the Treasury was of such a character that I have been unanimously directed by the Committee on Post-Offices and Post-Roads to respectfully return the communication to the Secretary of the Treasury with the statement that the Committee on Post-Offices and Post-Roads must decline to receive it, as it is not a response to the letter of the committee.

Mr. President, the letter was published in the press of the country, given out through the Treasury Department, before the answer was received by us, before it was laid upon my desk, and therefore, inasmuch as there has been already publicity given to this subject, I shall ask to publish as a Senate document the letter of the committee to the Secretary of the Treasury, the reply of the Secretary of the Treasury, and the letter which I have this day, by unanimous instruction of the Committee on Post-Offices and Post-Roads, addressed to the Secretary of the Treasury.

The whole circumstances, Mr. President, are remarkable. I do not care at this time to go beyond the instructions which my committee have given me. I do not intend to enter upon the personal consideration of this question, but I have only to say to the Senate that an inspection of these documents will satisfy the Senate that officially, at least, the communication of the Secretary of the Treasury is flippant and impertinent, and that it has no place upon the records of the important committees of this body.

I beg to send the letters to the desk, and ask that they be printed in the RECORD and as a Senate document.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Colorado? The Chair hears no objection, and it is so ordered.

The letters referred to are as follows:

MARCH 10, 1898.

DEAR SIR: I beg to inclose herewith copies of bills which have been referred to this committee upon the subject of postal savings banks. The committee will appreciate it if you will, at your earliest convenience, give them your ideas respecting the bills and any suggestions which you may have to make upon the general subject of postal savings banks.

Respectfully,

E. O. WOLCOTT, *Chairman.*

Hon. LYMAN J. GAGE,
Secretary of the Treasury.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., March 23, 1898.

SIR: I have the honor to acknowledge your communication of the 10th instant, inclosing copies of bills upon the subject of postal savings banks, and suggesting that I give you my ideas respecting the bills, and any suggestions which I may have to make upon the general subject of postal savings banks. The subject is a most important one, involving very grave considerations as to the proper functions of government, its ability to manage, through existing agencies or others that might be created, a great fiduciary trust of the kind contemplated.

On the other hand can be urged the interests of the great body of people whose welfare might be deeply promoted through a postal savings bank system, if such a system should be inaugurated. It is not my purpose to enter into a debate on either side of the question. It has no doubt had a full presentation from both sides in your committee, and if the bill is reported to Congress it will there receive exhaustive consideration.

In view of the fact that such a measure is recommended by the Postmaster-General I have had naturally a sense of delicacy in traversing ground which he has already covered or criticising measures which he has officially recommended.

Learning, however, of your action in submitting these proposed measures to my consideration he has urged me to speak with frankness in response to your communication.

In looking over the various bills as carefully as I could under many interruptions from other official duties, it appears to me that if any bill were to be recommended, bill 2369, with such amendments as have been proposed by the Postmaster-General himself, is fairly adequate to meet the purposes it is sought to cover. The only suggestion I have to make in the way of amendment would be to strike out the first seven lines in section 14, on page 9 of S. 2369.

In offering some general reflections upon the subject, which I avail myself of your liberty to do, the suggestions I make are to be construed as relating to the proper time for authorizing the creation of a postal savings system, and not as any opposition to the proposition itself. Whatever may be the determination of the merits of the question, action looking to establishment of the system should be delayed until certain contemporaneous or previous questions shall be settled.

The first of these in importance is the money standard which is to measure in the future the value of the fund to the depositors. In undertaking a great fiduciary trust like the one proposed a great and powerful nation will enter into contract relations with many thousands of the most humble units composing, in part, the national life. The whole proposition rests upon the theory that these persons would find in the arrangement proposed a guardian whose justice and fidelity could not be questioned, and thus their savings, the fruits of self-denial and industry, be kept effective for their future needs.

In dealing with the young, the unskilled, the dependent, the strong and powerful entering into contract relations with such are under the highest obligations to make the contract so plain that the simplest can understand it, and yet I discover nowhere in any of these bills any agreement or pledge as to the form of money in which depositors are to be paid. This would not be a necessity if, in the body of the general laws, or through long and settled usage, having substantially the force of law, this question was universally understood; but, manifestly, this is not the present situation.

If one of the humble parties to the proposed contract should ask the postmaster agent to whom he should hand his accumulated earnings, now as good as gold: "Will my money, when I draw it out, be in gold or in its fair equivalent?" what answer will you authorize your agent to make? At present he can make no specific answer. He can point to the current fact that the Government is now paying gold or its equivalent. He can point out clauses in certain acts of Congress which declare the policy of the Government to be the maintenance of a parity between silver and gold.

In short, he can show that if these acts remain unrepealed, and if the discretionary power accorded to the President and Secretary of the Treasury under the laws is exercised in one direction, they will be paid in as good money as they part with. But if, on the contrary, this discretionary power be exercised in a contrary direction, they may be paid in a money of a much lower commercial value.

I respectfully submit that such ambiguity, attended with unforeseen contingencies in government administration, does not form a safe or proper basis for the contract relation contemplated. When this element of uncertainty shall be removed, when the standard of payment can be clearly defined and permanently settled—whether that standard be gold or silver—then the savings of the humble classes may be, with their consent, taken over by the Government on terms clearly and plainly stated. In my opinion it can not, with proper regard to national dignity and a due regard to the trustful public, be done before.

Second. It is best to avoid, if possible, the imposition upon officers of the Government, whose tenure of office is brief, duties so delicate as the investment of large sums of money in either municipal, corporate, or landed securities. If the accumulated deposits which would no doubt result from the enactment of the law in question could be invested in United States bonds, the matter would be much simplified. At the present time, however, the outstanding public debt is not under our control, and no public necessity now appears for increasing that debt.

Third. A postal savings-bank system, if adopted, ought to be concurrent with, or closely follow after, a general reform in our banking and currency system. The two ideas should have wise reference to each other. A banking and currency bill has been prepared by a subcommittee of the Banking and Currency Committee of the House of Representatives.

Without here offering any argument for or against that bill, I note the fact that under it the way could be easily opened to bring under the control of the public Treasury for payment and cancellation a large amount of the United States bonds now held by the national banks, and thus a means provided for at least a partial absorption of the postal savings fund.

I note further that in five years after January next one hundred millions of outstanding bonds will mature and become payable, and that three years afterwards some six hundred millions more will also thus mature. With our banking and currency system established on more scientific foundations; with our money standard taken out of the field of political debate, with its accompanying uncertainties; with a postal-savings act set in operation in timely reference to controlling the fund so as to retire a part or all of the present public debt, the experiment of postal savings banks could be inaugurated under conditions favorable to the best results for all concerned.

Believing, as I do, that the general proposition is strongly supported by public opinion which will meet with final recognition in Congress, I yet believe it to be for the interest of the measure that it be held in abeyance until a more seasonable period for its inauguration.

L. J. GAGE, *Secretary.*

Hon. E. O. WOLCOTT,
Chairman Committee on Post-Offices and Post-Roads,
United States Senate.

UNITED STATES SENATE,
COMMITTEE ON POST-OFFICES AND POST-ROADS,
Washington, D. C., March 30, 1898.

SIR: Your communication of the 23d instant, addressed to me as chairman of the Committee on Post-Offices and Post-Roads, was duly received.

At a meeting of the committee held this morning, at which there was a full attendance, the committee unanimously directed me to return the communication to you and to say that it must decline to receive the letter, and that the committee deems it to be not responsive to my letter, as chairman of the Committee on Post-Offices and Post-Roads, to you of March 10, 1898, to which it purports to be an answer.

The attention of the committee was also called to the fact that your letter

was communicated to the public press and published before it had been received by the committee.

Respectfully,

EDWD. O. WOLCOTT,
Chairman

Hon. LYMAN J. GAGE,
Secretary of the Treasury.

PUBLIC IMPROVEMENTS IN INDIAN TERRITORY.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of the bill (S. 3720) authorizing cities and towns in the Indian Territory to secure, by condemnation or otherwise, lands necessary for public improvements. The bill will take but a moment, I think. It has the unanimous support of the Committee on Indian Affairs.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDEPENDENCE OF CUBA.

Mr. FRYE. The Senator from Nebraska [Mr. ALLEN] introduced yesterday a joint resolution, which is Order of Business 8 on the table. I ask the Senator whether he has any objection to referring the joint resolution to the Committee on Foreign Relations, as the committee is now considering the subject-matter?

Mr. ALLEN. I have no objection to the joint resolution going to the Committee on Foreign Relations, hoping and expecting that prompt action will be taken on the part of that committee.

The joint resolution (S. R. 132) recognizing the political independence of the Republic of Cuba, and for other purposes, was read the second time by its title, and referred to the Committee on Foreign Relations.

RED RIVER BRIDGE AT SHREVEPORT, LA.

Mr. CAFFERY. I ask unanimous consent for the present consideration of the bill (H. R. 6906) to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport.

Mr. HALE. After the disposition of this bill I shall ask unanimous consent that the Calendar be proceeded with in order, under the five-minute rule, for unobjected cases. That will give everyone the opportunity of having bills considered as they come up in order. I shall not interfere now. I shall not object to this bill; but after it is disposed of I shall ask the Chair to recognize me.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill indicated by the Senator from Louisiana?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GOVERNMENT FOR ALASKA.

Mr. CARTER rose.

Mr. HALE. If the Senator from Montana can get up his Alaska bill, which is partly finished, I shall not urge my proposition for the Calendar. I hope he will ask unanimous consent to go on with that bill.

Mr. CARTER. In view of the kind suggestion of the Senator from Maine, I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3729) making further provision for a civil government for Alaska. The consideration of the bill has been completed except as to one pending amendment, which can, I think, be promptly disposed of.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. CARTER. The pending question is on the amendment submitted by the Senator from California [Mr. PERKINS], which proposes to provide a license system for the District of Alaska. If there be no suggestions or debate on the subject, the question may be now put.

Mr. HANSBROUGH. I ask the Senator from Montana if he does not understand that the pending question is upon a substitute which I offered for a part of the amendment proposed by the Senator from California?

Mr. CARTER. I stand corrected by the Senator from North Dakota. The question before the Senate is on the substitute presented by the Senator from North Dakota for a certain portion of the amendment submitted by the Senator from California.

The VICE-PRESIDENT. The Senator from California [Mr. PERKINS] submitted an amendment, and the Senator from North Dakota [Mr. HANSBROUGH] submitted an amendment to that amendment, or a substitute for a portion of it. The question is on the amendment offered by the Senator from North Dakota to the amendment of the Senator from California.

Mr. HAWLEY. I wish the exact character of the amendments might be stated. We have them not on our desks.

The VICE-PRESIDENT. The Secretary will read the amendment to the amendment.

Mr. HANSBROUGH. I was about to state the character of the amendments, if the Chair will permit me.

The VICE-PRESIDENT. The Senator from North Dakota will proceed.

Mr. HANSBROUGH. The amendment of the Senator from California provides for a license upon nearly all classes of business in the District of Alaska. It provides for a license on abstract offices, banks, brokers, billiard rooms, bowling alleys, breweries, etc., including all mercantile and professional pursuits. The particular part of the amendment of the Senator from California to which I object is that portion which provides for a license upon the privilege of selling liquor in the District of Alaska.

I have offered an amendment to that portion of the amendment proposed by the Senator from California which prohibits the sale, manufacture, or other dispensing of liquor to the inhabitants or residents and citizens of Alaska. I believe it is the duty of Congress at this time to take charge of this question. I believe that the people in Alaska should be protected against themselves. A high-license law is simply a certificate of partnership between the Government and the saloon keepers. I do not believe that the people of this country desire that the Government of the United States shall engage in such an enterprise.

Mr. CARTER. Mr. President, while the amendment proposed by the Senator from California was not formally passed upon by the committee, the committee has no objection to urge against its adoption. Indeed, I believe the sense of the committee, if the committee had been convened and its judgment ascertained, would have favored the amendment.

The sale, manufacture, and introduction of intoxicating liquors into the District of Alaska was prohibited many years ago, and it is the concurrent testimony of all persons familiar with the facts, by experience or observation, that the liquor traffic is now and has been continuously carried on there in open defiance of the law. It is true that now and then a small consignment of alcohol or whisky or some decoction of an intoxicating nature is confiscated by the collectors or deputy collectors of customs within the District of Alaska, or at the ports from whence the shipments are made, but it is nevertheless a notorious fact that in the city of Juneau, a city in Alaska which is reached by all the boats plying in the waters between Seattle, Victoria, and the Lynn Canal, there are over forty saloons in actual operation doing business to-day.

A strange fact is presented in connection with the attitude of the Government. While one section of the public law prohibits the introduction of intoxicants into that District or the sale thereof to any person or persons, ever since the first saloon was opened in the District of Alaska the internal-revenue tax has been steadily collected by the Government; and while the traffic is unlawful according to one section of the statute, the man engaged in the traffic has in his place of business prominently displayed in each and every instance the license of the Internal-Revenue Department or the receipt indicating that the Internal-Revenue Department had collected the tax.

The question for consideration here is not of a sentimental character, but of a practical character. Over twenty years of experience has demonstrated the total inability of the Government to enforce a prohibitory law in that District. The nature of the climate, the character of the enterprises being prosecuted there, seem to prohibit in that particular section of our public domain a fair trial of the prohibition scheme. It is alleged by many that alcoholic stimulants are an absolute necessity in the cold region known as the Yukon country, and that alcohol is the only liquid that will not freeze solid there, even in the houses, in the winter.

Since the sale of intoxicating liquor will probably lead to many of the acts of violence and disorder which the officers of the law will be called upon to contend with, it seems all in all more appropriate that we should regulate by law that which we can not prevent by law, and inasmuch as the saloon and its environments may be responsible for much of the disorder we shall be called upon to suppress, it is but the part of wisdom that we should make that class of institutions pay a portion of the expense of control.

It is true that the aborigines, the Indians of that country, are scattered about from the coast to the Frozen Ocean and that the miners going into the country will necessarily commingle with these nomadic bands of Indians. If, by order of court first had and obtained, the name of the individual authorized to sell the intoxicating liquors becomes a matter of record, I assume as a fact that the persons paying the license will have a certain feeling of responsibility to the officers of the law and they will have a powerful incentive to aid in detecting those who are engaged in the traffic in an illegal or illicit manner.

Through this amendment the laws prohibiting the sale or the giving away of intoxicating liquors to Indians are made specially applicable to the District of Alaska; and we think that the laws can be better enforced in that behalf if the names of the persons engaged in the liquor traffic become known to the officers of the law.

I am inclined to the opinion that from this license source alone the Government will collect under the proposed amendment an

amount of revenue entirely adequate to discharge all the expenses and obligations of the Government the bill contemplates for the District. I think the amendment should be adopted.

Mr. PERKINS. Mr. President, when this subject-matter was under discussion a few days since I took occasion to say that I offered this amendment in the interest of temperance, in the interest of good morals, in the interest of good citizenship and good government. For thirty years the United States has had control over the Territory and District of Alaska. For thirty years there has been a law on our statute books that prohibits the importation of any spirituous liquors into the Territory of Alaska except for medicinal purposes. For thirty years this law has been wantonly violated, and to-day there is not a town, a mining camp, or a shipping port in the District of Alaska where the saloons are not run in full blast to such an extent as would put to shame some of the mining counties of Arizona and New Mexico.

The testimony of every governor who has been appointed in Alaska, of every collector of customs, of every United States marshal, and other Government official—and their testimony has been corroborated by the missionaries in that Territory, by merchants, by shipowners, and others—is that the only way to make Alaska a temperance Territory in reality—to-day theoretically it is so, but practically, as I have stated, the saloons are everywhere—is to control the saloons, and the only way to control the sale of liquor in that or any other place is by a high license, for everyone who purchases a license to vend liquors will then become an officer of the law to see that others who do not pay for this privilege shall not violate the law.

I have before me, and shall ask to have read, the report of the last governor, Governor Sheakley, made in 1896, upon this subject-matter, and also the report of the special inspector of salmon, who was directed by the Secretary of the Treasury to specially examine into this question and to give the Government the result of his observations and his conclusions as to the remedy.

I have before me, upon my desk, a letter from the present governor of Alaska, Governor Brady, who was a missionary for fifteen years in Alaska, and who states that the only way to control the illicit traffic in liquor is by high license and a proper restriction upon its sale.

The result is now that our Government is offering a premium for smuggling liquor into the Territory. On every ship that leaves from any port of the United States, in Washington, Oregon, or California, the coal passers, the firemen, the sailors, and the passengers are endeavoring to conceal spirituous liquors in some part of the cargo or in some of the secret recesses of the vessel. The consequence is that the owners are on the qui vive, constantly watching, for the ship is liable, if the offense is committed with their sanction or permission, to confiscation or to a large fine. So spirituous liquor is constantly being smuggled into Alaska.

An instance came under my observation a few months since where a vessel was wrecked between San Francisco and Port Townsend. She was recovered later, and in her cargo were some 75 or 100 barrels of sugar, and in each of 55 of those barrels there was a keg of whisky covered by sugar. The sugar had melted, but the whisky was there, and would have been smuggled into Alaska had the ship not been wrecked.

Further than that, however, the Canadian and British Columbia merchants are constantly shipping liquor into that Territory—not to the subports of entry, but to some of the many hundreds of islands bordering on the shores of Alaska, where it is cached, as the Canadian French term is for burying articles in the sand or in the earth. Then the boats from the ships go to these islands and carry the liquor into the market, where it is sold and vended out to the people who want to satiate their tastes for such drinks without any control. Minors, boys, and Indians are permitted to indulge in intoxicating liquors there because it is absolutely impossible to control the traffic.

As I said a few days since while discussing this question, Assistant Secretary Hamlin, when he visited Juneau, found twenty-eight saloons in full blast. He gave instructions to close them. The collector of customs said, "That is impossible, unless you send a corps of marines on shore to guard and protect the citizens, for people will break into the saloons." The consequence was that this high official of our Government came away, leaving those saloons engaged in this illicit traffic.

The argument made by my friend from North Dakota [Mr. HANSBROUGH] that this Government is a party to the sale may be true; but if it is true in Alaska, that is not the place to commence the remedy. The Government to-day is granting an internal-revenue license to people engaged in selling liquor in Alaska, and that is one of the reasons why no jury has yet been found to convict those who violate the law. The liquor dealers say, "The Government has given us a license to sell intoxicating liquors, and therefore we claim that we have a right to sell under that license." There are breweries running in Juneau. The brewers buy their internal-revenue stamps and place them upon the kegs of beer which have been brewed from corn and barley and rye. Molasses is even sent up there and distilled into New England rum, and no internal-revenue tax is paid upon it. Our Canadian friends pay no internal-revenue tax, but they send liquor to those islands, where it is smuggled in without the knowledge of our Government officials.

My friend may say, "But you can control those ports." There are, however, 18,000 miles of coast line in Alaska; there are 580,000 square miles in that Territory; and following the meanderings of the coast line, its sinuosities up through the fiords and around the bays, I believe the coast line will amount to nearly 25,000 miles, or more than the circumference of this whole globe. It is impossible, therefore, to prevent smuggling when the Government offers a premium for smuggling, as it does in this case, because, while the Government theoretically prohibits the importation of liquors into the Territory, it sells to A, B, and C licenses to vend the liquor after it gets there.

If the Government wants to commence reform such as my friend from North Dakota advocates, here is the place to commence, in this capital city, in this District, nearly 10 miles square. The Government not only sells in this District an internal-revenue license, but it takes half of the city license which the saloon men pay for vending their wares. Here is the place for my friend to commence his reform. If my friend means what he says, if he wants this to be a prohibition city, let us commence at the national capital and bring the whole arm of the Government here in making it in fact what he wants to make it in theory.

Mr. GALLINGER. Will the Senator permit me?

Mr. PERKINS. Certainly.

Mr. GALLINGER. What does the Senator mean by saying that the Government takes half of the saloon license in the city of Washington?

Mr. PERKINS. I mean to say that in every appropriation made for the government of this city the Government of the United States pays one-half of the expense, and it is therefore to be assumed that it participates in one-half of the revenues.

Mr. GALLINGER. On that point the Senator is certainly mistaken. His first statement, that the Government of the United States pays one-half of the expenses of this District, is true, but that the Government takes one-half of the proceeds from saloon licenses for its own use I think can not be substantiated.

Mr. PERKINS. Does it not go for the support of the District when it is received?

Mr. GALLINGER. That is very true, but that is a matter with which the District itself has to do. The District grants the licenses and uses the proceeds of them to pay one-half of its contribution.

Mr. PERKINS. I claim that it is part of the revenue of this District.

Mr. GALLINGER. Yes; but not of the Government.

Mr. PERKINS. As much so as the appropriations we make in the District of Columbia appropriation bill.

But my friend from New Hampshire will not deny that every saloon keeper in this city has posted under cover, under glass, as the law requires him to have, a license for the sale of liquor. I do not propose to be placed in the position of advocating intemperance. I believe in temperance. I believe men should be temperate in their habits, in their food, in their drink, in their language, and I believe the way to make people temperate in Alaska is to control that traffic, which we have not done in the past thirty years.

I ask at this point that the Secretary may read the extract which I have marked from the report of Governor Sheakley, of Alaska, bearing upon this subject-matter.

The VICE-PRESIDENT. The Secretary will read the extract referred to by the Senator from California.

The Secretary read as follows:

The collector of customs and his deputies and assistants do all they can to prevent this illegal traffic, as is evidenced by the amount of liquor which has been seized during the past year. But his force is wholly inadequate to cover the ground and he is practically without transportation facilities. Once landed, the liquor is hidden in some secure place, to be taken therefrom and disposed of to the retailer as necessity requires. And the retailer also has his private hiding place, and seldom has more than a bottle or so of liquor in his saloon at one time, so if he is raided his loss amounts to practically nothing.

For many years the grand juries here refused to indict saloon keepers or even to allow evidence to be presented of violations of the prohibitory law. This, however, only applied to sales to white men. The grand juries of Alaska have never failed to indict nor petit juries to convict anyone proven guilty of selling whisky to Indians or of selling intoxicating liquor without first having paid the United States internal-revenue tax.

The people of this District take the stand that Congress in passing this prohibitory law had in mind the Indians, understood their condition, and knew that it was necessary for their well-being to keep liquor from them; that when it was passed the white population in Alaska was small and not taken into consideration; that since its passage the white population has largely increased and new conditions arisen, and that in vigorously enforcing the liquor law in regard to the Indians and practically ignoring it in regard to the whites, they are carrying out the spirit of the law and fulfilling the intent of its makers. The civil officials, however, must take the law as they find it, and have strenuously endeavored to enforce it. Their efforts have been practically fruitless, as is shown in previous reports.

At the last November term of our district court, the grand jury indicted all the saloon keepers in the District. They thought it better to plead guilty

than to employ attorneys and fight the indictments in court. They plead guilty and each of them was fined $50.

At the last March term of the district court, the grand jury again brought in indictments against all the saloon keepers in the District. Thereupon one of their number entered a plea of guilty, and the court imposed a fine of $500 upon him. The rest immediately combined together, employed many of the attorneys in the District, and prepared to fight the indictments. Demurrers were interposed, but after argument they were overruled by the court, and the indictments held good. United States District Attorney Bennett thereupon moved one of his best cases for trial and presented his evidence, and the case was submitted to the jury, which promptly returned a verdict of not guilty. The district attorney moved another case and again presented the evidence. The defense, as before, offered no evidence at all. This time the jury failed to agree. In each of the cases several days were consumed in securing a jury, and it was with difficulty that in the second case one was secured at all.

The district attorney, feeling that it would be impossible to secure another jury at this term of court, to say nothing about securing a conviction at this time or the expense that would be incurred in proceeding further, and evidently thinking it best to rest on a disagreement rather than absolute acquittals, asked the court to continue the remaining cases over to the coming fall term of court and that each defendant be placed under $500 bonds. This was accordingly done. Indictments are now pending against forty-five saloon keepers, located at Juneau City, Douglas Island, Sitka, and Fort Wrangel. That all of these defendants have sold liquor in violation of the existing prohibitory law is a matter of common notoriety. That one of them will be convicted by a trial jury is, I am sorry to say, not believed for a moment by any resident of Alaska.

The present district attorney has shown commendable zeal in his endeavors to enforce the law, believing that all laws should be enforced until repealed.

It must not be inferred from the way juries stand in regard to this class of cases that Alaska is in any sense of the word a lawless community. The courts here stand as high and are as able as in any part of the United States and crime is as surely punished here as elsewhere. Our juries are not composed of saloon keepers, but of miners and business men. The miner can always be relied upon to mete out equal and exact justice to all. Hard working, large hearted, and just, it is a libel of the basest kind to call him lawless or the community in which he lives a lawless one, and I am glad to bear witness that it is only malicious and irresponsible persons who do so.

As the matter now stands, as I said in my last annual report, this prohibitory liquor law is most demoralizing in its effects. It begets a disregard for all law, fosters smuggling, and causes a large class of citizens, who ought to aid the civil authorities, to be against them, and crimes that ought to be punished and would be, were it not for this law, go unpunished. Being against the Government in this matter they are almost unknowingly against it in others; and a desire to get even often outweighs all other considerations. Meanwhile the sale of liquor goes on openly, and none of the people in the District seem to be opposed to it.

Prohibition, unless supported by a large body of the citizens of a community, means here, as it means everywhere else, "free whisky." Laws to be enforced must be just and reasonable, and must have the support of the people, and even though, as in this District of Alaska, they have no say in their making, in the end they have all to say, when they as jurors in the jury box are called upon to pass upon its violators. The present law should be repealed and in its place a high-license law, with proper safeguards, be enacted. The good effects would be immediately apparent. The saloons would decrease, smuggling would cease, sales of liquor to Indians would be lessened (for every saloon and liquor man would be with the Government to suppress it), vile compounds and death-dealing mixtures would necessarily disappear, and the General Government would be benefited by collecting its proper revenue, which is now lost.

Mr. GALLINGER. Mr. President, I have been so much engaged with other matters in connection with other committees that I confess not to a very clear comprehension of the provisions of this proposed license law for the District of Alaska. I will first ask the Senator from California who has offered the amendment what amount of license is to be required of the wholesale and retail dealers under the terms of his amendment?

Mr. PERKINS. If the Senator will allow me, I have some other documentary evidence which I desire to present, but I will yield to the Senator from New Hampshire.

Mr. GALLINGER. I beg pardon. I thought the Senator was through. I shall take the floor in my own right later on.

Mr. PERKINS. Mr. President, the testimony which has been read is that of Governor Sheakley, who for two terms was governor of the Territory of Alaska. I have similar testimony from every other governor since Alaska became a part of the United States; but I shall not weary the Senate by offering more than one additional piece of documentary evidence, which is the report of Mr. Howard M. Kutchin, special agent of the Treasury Department for the protection of the salmon fisheries of Alaska. He is a gentleman who for twenty-five years was a leading journalist in the State of Wisconsin; he is a writer of great force, a gentleman of varied and extensive experience, who went to Alaska without any bias in favor of or prejudice against the sale of liquor in that Territory. He was specially instructed by the Treasury Department to investigate the subject-matter and to embody his conclusions in a report to the Secretary of the Treasury, which he has done. I now ask to have the Secretary read it.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

THE LIQUOR QUESTION.

I am directed by my instructions to "report to the Department any violations of the law relating to the introduction of liquors into the Territory of Alaska." To do so would consume more space than I would be justified in giving to this report. There is nothing but violation. The law is practically a dead letter. The utter disregard of it is so universal that the situation is little short of grotesque. The conditions are such that the laws of the land, in this regard, are absolutely inoperative, and an enactment designed for the good of the people, and justified by what was supposed to be an imperative need, has become a by-word and reproach.

This might seem strong language, but it is more than warranted by the admission of ex-Judge Delany, made to me while he was in office, that it would be impossible to secure a conviction in the courts of Alaska of any person complained of for an infraction of that section of the organic law which provides that "the importation, manufacture, and sale of intoxicating liquors in said District, except for mechanical, scientific, and medicinal purposes, is hereby prohibited, under the penalties which are provided in section 1955 of the Revised Statutes for the wrongful importation of distilled spirits. And the President of the United States shall make such regulations as are necessary to carry out the provisions of this section."

Even if there has been no lapse, negligence, or failure on the part of the officials charged with this great responsibility, yet it is a fact that absolutely admits of no contradiction that if there were no laws whatever on the statute books regarding the importation, manufacture, and sale of intoxicating spirits the traffic in Alaska could not possibly be more open and notorious. The remarkable spectacle is here presented of an undisguised contempt for the laws of this Government, and a parallel is not to be found elsewhere on this continent where the American flag floats as an emblem of authority.

Why this anomalous condition of things should be found here, and here alone, may excite wonderment, but it is not difficult to demonstrate why this is so. A large proportion of the population of Alaska is composed of persons who scorn temperance legislation of any kind, and who especially believe that sumptuary laws are an invasion of reserved private rights. Furthermore, they persist in regarding the special-tax stamp of the Internal-Revenue Bureau, which is to be found in every saloon—totally unfounded as is that assumption—as a license issued by the Government for the protection of the business.

The situation is utterly incongruous, and it is scarcely surprising that no jury can be impaneled that will return a verdict against a violator of the law. The result is that there is practically no restriction of the traffic. In the city of Juneau, with a population of 3,000 or 4,000, there are said to be upward of forty saloons, and in Sitka, the seat of government, there are probably a dozen; and there are several breweries operated without a semblance of disguise. All attempts of Government officials to stamp them out have proved mere vanity and vexation of spirit. The seizure of a few bottles of liquor is smilingly submitted to, and after the departure of the officers the culprits come up cheerfully with a new supply, easily procured from some secret cache, and are ready for the next raid.

It would be strange if, under these conditions, the officers of the law did not become discouraged and vote the effort to do their duty in this regard a sheer waste of energy. So we see the result: A prohibition district where the unrestricted sale of intoxicants discounts any region that professes to confine the traffic within any sort of limits, and where the whole people are really put at a disadvantage on account of laws meant for their good. There can hardly be any exaggeration of the deplorable failure of the law, and I am free to say that I can not see how there can be any valid argument favoring its retention on the statute books, without some new and successful means for its enforcement. It was originally adopted, no doubt, as a necessary protection of the natives of Alaska against the use of liquor, and this spirit might possibly well be applied to all people.

But it remains a fact that throughout the country general laws forbid the sale of intoxicants to the aborigines, and there is no apparent reason why these laws could not be made to cover the natives of Alaska, thus removing the necessity for the law affecting the entire population. Certainly, all interests would now be best subserved by the repeal of existing statutes and the adoption of a law similar to that in force in other regions where the Congress prescribes the conditions of this traffic. In the Territories and the District of Columbia there is no such situation as we find in Alaska, and the good government of the latter, in some notable respects the most promising portion of this great domain now under the direct control of the central Government, presents no adequate or logical justification for a system which was perhaps even originally based upon false premises, and which now offers no excuse for the continuation of a policy that manifestly can not be enforced.

During my tour through the District I talked with all sorts and conditions of men on this topic, and from the free-and-easy citizen, who cares little for the moral aspect of the case, to the missionary and the man devoted heart and soul to the uplifting of his kind, I think I may say that there was no exception to the opinion that "something must be done," and that there is scarcely any change conceivable that would not be an improvement upon existing conditions. The whole people are shocked and shamed by the report that in a "prohibition" community, where there were apprehensions that a food famine was imminent, whisky came in in undesired abundance, while bread was scarce. A consensus of the best opinion of Alaska I infer to be that the countenancing of the liquor traffic by the imposition of a license would be the best escape from what is now a maddening and intolerable situation, and which would be ludicrous did it not embody conditions which seriously reflect upon the majesty of a great Government.

From conversations with many persons in all walks of life, it is my conclusion that a high license—say from $800 to $1,200—would come nearer to a proper and satisfactory adjustment of the vexed question than any other remedy available. It was urged, with reason, that Congress licenses the traffic in the District of Columbia, and that there could be no valid objection upon the part of the most captious to similar action in this case. Such a license, it is believed, would restrict the number of saloons to a reasonable proportion as compared with the ratio in States and Territories where similar laws are in vogue, and afford an escape from the anarchistic conditions which now obtain in Alaska in this regard.

There is another phase of the question which, though purely a sordid and mercenary one, and possibly not entitled to consideration where so many on a higher moral plane clamor for recognition, I do not feel justified in ignoring, and that is, that under the present system substantially all the wine, spirits, and malt beverage taken into Alaska are supplied by foreign merchants, and thus a large amount of trade is placed beyond the reach of our own people.

While I am free to admit that this is a low view to take of the question and that there are ample reasons outside of this for a modification of the law, it still must be acknowledged that it is not without a decent bearing upon the case, and in these days, when we are striving by reciprocity measures and otherwise to increase the trade resources of the country, it is a blind policy to cut off from our citizens a wide extent of our own territory, which already makes large demands for supplies and promises at no distant day to become an empire for the patronage of which nations may compete without discredit.

Certain it is that upon every moral and economic consideration here is a question that raises a stentorian voice for readjustment; and such are the enormities practiced under existing laws, or the practical absence of all law, that there can scarcely be any change that would not be welcomed by all classes of citizens. The very men who are now compelled to occupy the attitude of lawbreakers while paying tribute to the Government would hail such a change with satisfaction. The citizen who disapproves of all legalizing of the liquor traffic would prefer this to existing lawlessness; and the collector of customs, who is pestered unceasingly for permits for the importation of intoxicants, which he is morally certain, nine times out of ten, operate to evade the spirit of the law and make a dupe of him, would be relieved of a most disagreeable responsibility.

I would be glad to present the converse of the distressing picture here outlined, but must confess that my artistic capabilities are unequal to the demand. So far as I know, there is no converse, and I can most urgently

recommend that there should be speedy action in the premises, and that it take something the form here suggested.

Respectfully submitted. HOWARD M. KUTCHIN,
Agent for Protection of Alaska Salmon Fisheries.

The SECRETARY OF THE TREASURY.

Mr. PERKINS. I could produce hundreds of other documents, but I shall not weary the Senate with any more documentary evidence. I have only a few words to say. The body of the proposed amendment is similar to the law relating to the District of Columbia for the sale of intoxicating and spirituous drinks. If, as has been stated by my friend the Senator from New Hampshire, the District of Columbia does not pay into the Treasury, or into the general fund of which the General Government pays one-half, the amount it receives for licensing saloons, and therefore the statement that the Government thereby becomes a party to the same is untrue, I think it can not be controverted that the money received for saloon licenses is paid into a fund for the support of the District government, and the appropriations would amount to just that much more money if we did not receive the revenue from that source. But I did not wish by implication to reflect upon the government of this city. I think it is wisely adjusted so far as the restriction of the sale of spirituous liquor is concerned.

I wish to state in passing that although I have received petition after petition praying to have the sale of liquor in the public buildings of this city restricted, I know of no place where liquor is on sale in any public building of this Government in this city. I think there is a misapprehension throughout the country upon that subject-matter.

The suggestion made by my friend that it is not practicable to have prohibition in this city because we have foreign diplomats and foreign representatives here is certainly without force and effect, for by the comity of nations and by our treaties with other countries the home of the ambassador or the representative of a foreign country here is his own country as much so as if he had never taken departure from it. But my observation has taught me that such representatives here are quite as temperate as those of our own country and our own people, and I merely reverted to the District of Columbia for the purpose of illustration. I have offered this testimony to show that in Alaska the only way to deal with this illicit traffic is by high license, by controlling it, and not by inviting disrespect for the law, not by offering a premium for smuggling, which has prevailed there year after year.

Mr. WILSON. May I interrupt the Senator from California for a moment?

Mr. PERKINS. Certainly.

Mr. WILSON. I have taken considerable interest in the remarks of the Senator from California, who has had large experience in Alaska. His amendment provides for licenses of two kinds, wholesale and retail, one at $2,000 per annum, and one, I believe, at $1,500 per annum.

Mr. PERKINS. According to population.

Mr. WILSON. Under the population clause. With the conditions which prevail in Alaska, both climatic and as to population, the latter scattered over a vast area of territory, the country made up of camps and sparsely settled communities, if we are going into the license business we ought to have another class. There should be three classes, for a license of $1,500 or $2,000 would act in the nature of prohibition in those small and sparsely settled communities, and therefore we would have the old conditions of smuggling which the Senator wishes to have discontinued and which it is proper should be discontinued.

Mr. PERKINS. There is some force in the argument of my friend the Senator from Washington. In fixing this high license I had in view the fact that all the liquor, or 90 per cent of it, that is now sent into Alaska pays no internal-revenue tax to this Government. They save $1.10 a gallon, because it is Canadian liquor which is sent into that country.

Mr. WILSON. Do I interrupt the Senator from California?

Mr. PERKINS. Not at all.

Mr. WILSON. I am rather inclined to differ, although I hesitate to do so, with the Senator from California in that statement. He has examined it much more closely than I have, but to my positive knowledge a vast amount of liquor goes out of Puget Sound. We have done everything in our power at Port Townsend to stop it. If it goes in that way, it certainly would have to pay the internal-revenue tax.

Mr. PERKINS. Perhaps the Senator is correct that a very large percentage is so shipped, but yet every shipowner and every ship manager are, with vigilant eyes, watching to see that no liquors are shipped from the United States to Alaska. No merchant will present his invoice to the custom-house asking a clearance with liquor upon the manifest, because it is a violation of the law. That is why I claim that this law, which has been upon our statute books for thirty years, since we have had control of Alaska, instead of inviting respect and veneration for the law, has invited disrespect, disregard. It has offered a premium for smugglers. No less a gentleman than Judge Daily, who was for so many years upon the bench in Alaska, appointed by President Cleveland, I think, under his first Administration, said it was impossible to find any jury which would convict one for selling liquor when the Government issued him an internal-revenue license to sell liquor.

This is the testimony of everyone who has been there. The report of Mr. Kutchin was recently read from the desk. Who is so capable, who is so competent as he and others who have resided in Alaska to give an opinion of what should be done to restrict this odious and illicit traffic in that Territory? With all respect to my friend the Senator from North Dakota [Mr. HANSBROUGH], who, I believe, has never been in Alaska, I think the testimony of those who have lived in the Territory for twenty years or more should have far more weight than those who come here weaving a beautiful theory and saying this great Government should not do so and so, when it is doing it every day, and when he or I or any other man can go and buy an internal-revenue license to sell liquors in the Territory.

Mr. President, I do not care to trespass longer upon the Senate, but I wish to reiterate that which I said when I commenced. This amendment is in the interest of good morals, in the interest of good government, in the interest of temperance, for our Government has made an ignominious failure in attempting to prohibit. Now let us see if our Government, with the aid of public sentiment, by having the cooperation of everyone who takes out a license, with the adoption of this amendment, can not control the traffic in spirituous liquors in that Territory.

Mr. GALLINGER. Mr. President, the speech of the Senator from California [Mr. PERKINS] is not a new one. It has been made over and over again in this country in favor of licensing the liquor traffic; and yet death, sorrow, suffering, and devastation go along as the result of this traffic wherever it has been licensed.

I notice in scanning the provisions of the amendment presented by the Senator from California, which is somewhat voluminous, that he proposes to tax communities of 1,500 people $1,500 for the privilege of drinking whisky, rum, gin, brandy, and beer legally. In other words, before the rumseller can make a dollar profit he must sell to every man, woman, and child in that community one dollar's worth of a liquid which always does and always will do that individual and his family harm. I take it the Senator from California expects that the traffic will go on under the proposed law. I take it he is not here intending by this proposition to prohibit the sale of intoxicating drinks in the Territory of Alaska, and I repeat that under the provisions of the proposed amendment there must be a per capita consumption of liquor in towns of 1,500 inhabitants in Alaska of one dollar's worth before the dealer can get any profit in his business.

Mr. President, human language is not eloquent enough, uttered by any man, to express the amount of evil that will come to those people if they drink whisky enough in that Territory to make the business profitable under the provisions of this amendment.

I said a moment ago that I had given very little attention to this matter, my work being in other directions; but during the last half hour, while the Senator from California and the Senator from Montana have been advocating the amendment, I have glanced at the bill and its provisions. It strikes me as very singular that we can not pass a bill for the government of the Territory of Alaska without projecting the liquor question into our discussion.

Had this amendment which is now proposed been incorporated in the bill in its original form, a hearing upon that measure would have been demanded by men and women in this country, who have a right to be heard before the committees of the Congress of the United States. Had it gone out to the religious and the temperance people of the country that in this bill relating to the Territory of Alaska, a Territory in which all the people of this country have an equal interest, such a proposition was involved, I say a demand would have come up here, as it has come up to me by letter and by telegram, that a hearing should be accorded to the people who are opposed to this provision.

In view of that fact, I give notice now that I shall move to recommit the bill for the purpose of giving the churches, the Sabbath schools, and the good people of this country an opportunity by representatives to come here and present their side of the controversy and to say why, in their opinion, this amendment should not be incorporated into the proposed law.

Mr. President, I have little hope, unless my motion to recommit prevails, that the wise amendment offered by the Senator from North Dakota will be adopted; but that is no reason why I should remain silent, or why I can be excused for refraining to oppose the unwise amendment submitted by the Senator from California. The Senators from Montana and California say that liquors are being sold in Alaska in violation of law. That is undoubtedly true. Liquor is being sold in every State of the American Union in violation of law, and in every country on the face of the earth, but that is no argument in favor of licensing the liquor traffic. The Senator from Montana knows that every crime

in the catalogue is being committed in the Territory of Alaska in violation of law, and it would be just as consistent for the Senator to stand here and offer an amendment licensing bawdy houses in the Territory of Alaska as to license the traffic in intoxicating liquors on the ground that the prohibitory law is being violated in that Territory.

Mr. President, a great many hundreds of years ago, amid the thunders and the lightnings of Mount Sinai, a prohibitory law was given to the world. Has it not been violated? That law says, "Thou shalt not kill; * * * thou shalt not steal." Yet in every civilized community on the face of the earth the provisions of that prohibitory law are being violated, and stealing and killing are flagrant. Is that any reason why that great prohibitory law should be repealed? Is it any reason why the Ten Commandments should be blotted out, and why we should say, because its provisions are violated, and oftentimes those violating them escape punishment, it is ineffective and we ought to grant license to commit those crimes under legislative restrictions?

Mr. President, the Senator from California has had documents read to show that the law is not being enforced, and that it can not be enforced. I have in my hand the report of the governor of the District of Alaska to the Secretary of the Interior for the year 1897—Governor Bradly, and turning to his report I find that in discussing this question he says:

> During the last term of court the judge made a strenuous effort to enforce the law against this large class of offenders—

That is, the class of offenders against the prohibitory law in that Territory—

> and a number of convictions were secured. It was a demonstration that the law could be upheld if the officers of the court were determined to do it.

That seems to be valuable testimony in opposition to the views of the Senators from Montana and California.

It is claimed by some that alcoholic liquors are a necessity in a cold climate. That is not true. Science proves to the contrary. All the arguments which have been made by some learned men that human beings must consume alcohol to be healthy have been disproved by scientific facts over and over again. It is futile for me to waste time to refute that doctrine, because it has been refuted by men whose learning and attainments are so much greater than mine. It is sufficient for me to simply call attention to that fact.

The Senator from Montana and the Senator from California say they advocate this amendment in the interest of temperance, of good morals, and of the best interests of the people of the Territory of Alaska. Mr. President, licensed whisky leads to crime just as well as unlicensed whisky, and I have yet to see any community where the consumption of intoxicating drinks has ever been decreased by licensing their sale, while I know from personal observation that there are States and communities in this country, no matter what some men may have said to the contrary, where the consumption of intoxicating drinks has been very greatly reduced by prohibitory laws.

The Senator from California says that his proposed amendment does not allow liquor to be sold to the Indians, but every wise and observing man knows that if liquor is sold under license in the Territory of Alaska it will be sold to the Indians, if they have money enough to buy it. Everybody knows that; and, Mr. President, I am not quite clear why, if liquor is to be sold to my boy and to your boy in Alaska, under license from the Government of the United States, under the ægis of this great Government of ours, it should not be sold to the Indians as well as to your boy and to my boy. The measure provides that liquor shall not be sold to minors or to habitual drunkards; but I say here to-day that if liquor is to be sold to anybody in this country, let it be sold to habitual drunkards, and not to the boys of this country who are just forming their habits of life. Let us not make them drunkards, but let us sell it to the confirmed drunkards and get rid of them, rather than to bring our boys down to the condition those drunkards are in at the present time.

For myself I want the liquor traffic in Alaska kept under the ban of law. I want it to be outlawed in that Territory, which is owned and governed by the United States of America. The traffic in intoxicating liquors is iniquitous and immoral wherever it is carried on, and as such it has no right to ask to be shielded in its wretched work by this great Government, and I shall never vote for any such proposition.

Mr. President, we talk about the possible loss of life in a conflict with Spain, but the history of this world and statistics show that intoxicants destroy more human lives than war, pestilence, and famine combined. Yet the proposition is that this great Government shall go into partnership with a business of that nature. Honorable Senators stand here and make earnest and eloquent speeches in behalf of this Government entering into such a partnership, and that we shall give our consent to a traffic that produces evil, and nothing but evil, and that continually.

Allusion has been made to the District of Columbia and to the law on the statute books in the District. I voted against that law. When it was up for consideration in the Senate, I recorded my vote against the proposition that we should license this immoral traffic in the District. But I want to call the attention of the Senator from California to the fact that his proposed amendment extending liquor license to the District of Alaska has not the safeguards around it found in the law we passed for the government of the District of Columbia in that regard.

Mr. CARTER. I call the attention of the Senator from New Hampshire to the fact that the amendment is an exact copy of the law for the District of Columbia, except as to the amount of the license.

Mr. GALLINGER. It is not. There are a great many safeguards in that law, and I have a very distinct recollection of them, because I had something to do with putting them in, that are not found in the proposed amendment. The Senator from Montana will find that to be the fact if he reads the law relating to the District of Columbia.

Mr. President, the Senator from California is mistaken when he says the Government takes one-half of the revenues of the liquor traffic in the District of Columbia for its own use. The fact is that the District of Columbia takes the revenue from the liquor traffic and applies it toward the one-half payment it makes for carrying on the affairs of the District, and the General Government has nothing whatever to do with it.

Mr. PERKINS. Would not the Government have to appropriate that much more if it were not for the receipts from liquor licenses?

Mr. GALLINGER. Not at all. The District of Columbia would have to pay it. If they did not get it from one source, they would have to get it from some other source.

Mr. PERKINS. Does not the Government grant internal-revenue licenses?

Mr. GALLINGER. That I admit. We all know that the Government does grant internal-revenue licenses, which I regret, but it has been decided over and over again that that does not give a man a right to sell intoxicating liquors if the State or the Territory or the community says that he shall not sell intoxicating drinks. It gives him no right whatever to sell intoxicating drinks in opposition to the laws of a State or community—none whatever.

Mr. President, I do not care to prolong this controversy. I am quite willing that the matter shall be voted upon. I have an utter contempt for a full-grown man who stands behind a saloon bar dealing out liquid damnation to his fellow-citizens, and I never shall vote to grant him that opportunity. If the Senate of the United States wishes to do it, then, of course, I shall yield, as I always yield, and as I am compelled to yield, to the views of a majority of my fellow-Senators.

Mr. President, there is a prohibitory law on the statute books to-day of the Territory of Alaska, and back of that prohibitory law is the great Government of the United States. Let the Government enforce that law. Does any man tell me that the Government of the United States can not enforce a law relating to liquor selling as well as to other things? Does any man tell me that we ought to admit that this great Government can not enforce its own decrees when they are on the statute books of the United States?

Mr. President, if one set of officials will not do their duty toward executing that law, let them be removed and another set of officials put in their place who will do their duty in the execution of the law. I would feel humiliated if I believed for one single moment that this great Government could not execute a law in the Territory of Alaska relating to liquor selling as well as a law on any other subject. If we are to repeal the existing law and license this traffic because the law is not enforced in its entirety, then let us be consistent and repeal all other laws relating to all other classes of immorality on the same ground, because the laws relating to other things in Alaska are not enforced any more than are those relating to the liquor traffic in that Territory.

Mr. President, I move to recommit the bill to the Committee on Territories.

Mr. FRYE. Mr. President, I do not rise to discuss this question, as duty calls me immediately to a meeting of the Committee on Foreign Relations; but I wish to say that I am opposed to the amendment, and that in opposing the amendment I express the sentiment, I have no doubt, of the best element of the State which I in part represent here. I believe the temperance people of the country are all against this amendment. I desire to read a letter which I received this morning from Hon. Hiram Price. He is from Iowa and was formerly a member of Congress. He has reached the age of 84 years. His intellect is as clear as it ever was, and his devotion to the cause of temperance is as it always has been. He is president of the American Anti-Saloon League and is now a resident of Washington. He says:

> AMERICAN ANTI-SALOON LEAGUE,
> *Washington, D. C., March 29, 1898.*
>
> DEAR SIR: I have just received a letter from a reliable source saying that a bill has been introduced by Senator PERKINS authorizing the licensing of the liquor traffic in Alaska. If such is the case, I hope it may be defeated. I

need not say to you that the use of intoxicating liquors as a beverage (licensed or unlicensed) is an unmixed evil, and that licensing an evil can not by possibility make it a virtue.

We are now ready to go to war with Spain for allowing the destruction of some 300 of our sailors; but the liquor traffic, according to the testimony of competent and disinterested witnesses, establishes the fact that thousands of our people are slaughtered every year by the liquor traffic. Licensing a vice can not by possibility make it a virtue. The testimony of our highest legal tribunals agree in the opinion that not less than 80 per cent of the inmates of our prisons (State and national) are there because of the liquor traffic. I am aware of the fact that the advocates of the license system plead as an excuse for and a justification of their course that if the law forbids the sale it will be sold in violation of law. Doubtless to some extent this is true. But if this is a good reason against the passage of the law, then all laws against evil and crime should be repealed, because all such laws, both Divine and human, have been and are being violated some place by somebody ever since from the summit of smoking Sinai—

Great minds run in the same channel—

smoking Sinai by the mouth of the Eternal laws were promulgated for the observance of mankind and for the punishment of evildoers. I take the liberty of troubling you with this matter because I suppose you are a member of the committee to which this matter may be referred, and because I believe you are in sympathy with any movement for the purpose of lessening the evils of the liquor traffic.

Your friend,

H. PRICE.

Hon. WILLIAM P. FRYE.

Mr. PETTIGREW. I ask that the pending business be temporarily laid aside for the purpose of considering a joint resolution which I propose to report.

The PRESIDING OFFICER (Mr. CANNON in the chair). Is there objection? The Chair hears none.

UNCOMPAHGRE INDIAN RESERVATION.

Mr. PETTIGREW. I am instructed by the Committee on Indian Affairs, to whom was referred the joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation, in the State of Utah, to report it favorably with an amendment. I ask for the immediate consideration of the joint resolution.

The Secretary read the joint resolution, as follows:

Resolved by the Senate and House of Representatives, etc., That the time fixed by the Indian appropriation act approved June 7, 1897, for opening to location and entry under all land laws of the United States the lands of the Uncompahgre Indian Reservation in Utah, under the limitations and exceptions as therein provided, be, and the same is hereby, extended six months from the 1st day of April, 1898: *Provided*, That nothing herein shall extend to mineral lands other than gilsonite and kindred minerals; and such gilsonite and similar minerals shall continue to be reserved.

The amendment of the Committee on Indian Affairs was to strike out the proviso and to insert in lieu thereof:

Provided, That all lands within said reservation other than agricultural land and lands known to contain asphaltum, elaterite, or gilsonite shall be open and subject to entry under the mineral-land laws of the United States on and after April 1, 1898, and such gilsonite, elaterite, and asphaltum lands shall continue to be reserved.

Mr. NELSON. I should like to hear the joint resolution read again.

The Secretary again read the joint resolution.

Mr. NELSON. I object to the consideration of the joint resolution at this time.

Mr. PETTIGREW. I very much hope the Senator from Minnesota will not object. Day after to-morrow all these lands become open to entry under the mineral and agricultural land laws of the United States if the joint resolution does not pass. If we pass the joint resolution, the agricultural lands will be reserved for six months more, so that allotments can be made to these Indians. It is a House joint resolution. It is presented at the request of the Interior Department for this purpose.

Mr. NELSON. The amendment is not a House provision. It is an amendment that was put on by the committee here. If you will allow the joint resolution to be passed as it came over from the House, I shall have no objection; but the amendment opens the doors wide, so that all the gilsonite land can be taken.

Mr. PETTIGREW. It does nothing of the sort. It especially and expressly reserves the gilsonite and does not disturb its condition at all.

Mr. JONES of Arkansas. I suggest that the joint resolution as proposed to be amended be read again. I am satisfied the Senator from Minnesota did not understand it. It is the purpose of the amendment to except the gilsonite from this proposition and leave it outside of the law absolutely, as it stands now.

The PRESIDING OFFICER. The joint resolution will be again read.

The Secretary again read the joint resolution as proposed to be amended.

Mr. JONES of Arkansas. Senators will notice that there is an express provision that all gilsonite and elaterite lands shall be reserved. They are not open to settlement. The provision of the law passed a year ago did not touch that class of land, and this is an express provision that the opening of the other lands in the reservation under the mineral-land laws shall not apply to the land in which gilsonite is found.

Mr. NELSON. The joint resolution extends the time for six months for taking the gilsonite lands.

Mr. JONES of Arkansas. Not at all.

Mr. NELSON. The original joint resolution——

Mr. PETTIGREW. Not at all; nothing of the sort.

Mr. JONES of Arkansas. Not at all. Will the Senator let the Secretary again read the first part of the joint resolution? I am sure there is a misunderstanding as to it. A year ago there was a provision put on the appropriation act providing for the opening of certain parts of that land. The gilsonite land was excepted then. It did not come under the operation of the act at all. The joint resolution simply gives the Secretary of the Interior six months more time within which to provide for the opening of the agricultural lands that are in the reservation. The Department has not been able to prepare the lands for opening up to this time, and asks, as I understand, for six months more time in which to be ready for the opening to take place; that is all.

The PRESIDING OFFICER. Does the Senator from Minnesota still insist on his objection?

Mr. NELSON. It seems to me the joint resolution ought to go to the Committee on Public Lands instead of the Committee on Indian Affairs.

The PRESIDING OFFICER. Does the Senator still insist on his objection?

Mr. NELSON. I object.

The PRESIDING OFFICER. Objection is made.

Mr. RAWLINS. I ask the Senator from Minnesota to withhold his objection a moment until I can explain this matter. I think he will then withdraw his objection.

Mr. GALLINGER. Is the matter disposed of?

The PRESIDING OFFICER. The matter is disposed of. The Senator from Minnesota objects, and the joint resolution will be placed on the Calendar.

GOVERNMENT FOR ALASKA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3729) making further provision for a civil government for Alaska.

Mr. GALLINGER. I rise to withdraw the motion I made a moment ago to recommit the bill under consideration, understanding that the Senator from North Dakota [Mr. HANSBROUGH] proposes to make a point of order against the amendment on the ground that it raises revenue—a point of order that I think will lie.

Mr. WILSON. Before the Senator from North Dakota submits his point of order, I desire to make a statement in reference to a single remark made by the Senator from New Hampshire. I happen to know the officer who is charged with the enforcement of the law relative to keeping out liquors from the District of Alaska. I have known him for many years. He is a man of integrity and good character, and he has been and is doing now everything within his power to enforce the law in the District of Alaska. Unfortunately, this great Government of ours neglects to provide him with any facilities whatever to enforce the law.

The PRESIDING OFFICER. The Senator from Washington will suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. CAFFERY] is entitled to the floor on the unfinished business.

Mr. CARTER. I ask unanimous consent that the regular order may be for the time being laid aside to the end that the pending bill may be disposed of. I suggest to the Senator from Louisiana that in all probability the pending measure will be disposed of inside of thirty minutes. It being a matter of great moment to the District of Alaska to have some system of government adequate to the situation, I trust the Senator will accede to the request.

Mr. CAFFERY. I am very anxious to conclude what I have to say on the bill which is the unfinished business. With the understanding that the debate on the measure which the Senator from Montana desires to prolong will not last over thirty minutes or such a matter, I will yield.

Mr. WILSON. Now, Mr. President——

Mr. GALLINGER. Let the regular order be laid aside informally.

The PRESIDING OFFICER. The unfinished business is temporarily laid aside, and the Senator from Washington is recognized.

Mr. WILSON. I simply desire, in justice to this gentleman, whom I know so well, and those with whom I am acquainted, intrusted with the enforcement of the law in Alaska, to state what they are doing or attempting to do.

The collector at Port Townsend has done everything in his power by searching all vessels to stop the shipment of liquors into Alaska. If some system of a license or some kind of a law is not to be given to Alaska, I hope that those gentlemen who are so much interested in the enforcement of the present law upon the statute books will

assist us in securing appropriations of a sufficient amount to give us men to enforce the law. The collector in Alaska to-day has a vast area of country to guard, and he is absolutely without any facilities whatever. He has not even a small boat to get around among the islands where liquor is cached in order to arrest smugglers in that District. Congress continues to talk and talk and prate about morality and the enforcement of law, but will not give the appropriations to carry the law into effect.

Mr. GALLINGER. Will the Senator from Washington permit me?

Mr. WILSON. Yes, sir.

Mr. GALLINGER. I am sure my friend the Senator from Washington will not include me in that category. The Senator must know that one of the tenets of my political faith is to vote for pretty much everything that the great West and Northwest ask for. The Senator must mean the Committee on Appropriations, of which I am not a member.

Mr. WILSON. Mr. President, I certainly had no personal reference to the Senator from New Hampshire. I leave personal allusions to the Senator himself, who is very apt always in making them when he has the floor. I simply state the fact that to-day in the great District of Alaska the collector of internal revenue, who is intrusted with the enforcement of law, has no facilities with which to carry the law into effect; and yet here upon the floor of the United States Senate they are indirectly, if not directly, charged with the lack of enforcement of the law.

Now, it makes no difference whether the point of order is made against this amendment or not, because I am inclined to believe that the Chair will rule favorably. Liquor selling will continue to go on in that District as it has gone on, as stated by the Senator from California [Mr. PERKINS], for thirty years. It will be smuggled into Alaska in every way, in every manner, and in every form. Therefore, knowing something of the conditions, I have thought it advisable that we might in some way upon a bill here adopt a high-license system, a great deal higher license than the District of Columbia Committee has enforced upon this District. I should like to get a little nearer home in this prohibition matter if we are to have it.

Mr. President, I am not myself in favor of the sale of intoxicating liquors. I do not think I look like a man who is in the habit of using intoxicants to excess or to a large degree. I do not think my features are swollen and distorted by the use of intoxicating liquors. The mere fact is that I have never in my life tasted liquor of any kind or of any character; but I have been in favor of enacting some law in the District of Alaska whereby we can enforce and restrain the sale of intoxicating liquors.

Mr. PERKINS. Mr. President, I desire to say only one word. If our friends who are opposed to this measure are not willing to permit it to come to a vote to test the sense of the Senate, it will undoubtedly go out upon the point of order. In reference to the statement made by the Senator from New Hampshire [Mr. GALLINGER] that the temperance people of the country had not had an opportunity of being heard upon this question, I desire to say that the Senator from West Virginia [Mr. FAULKNER] two years ago introduced a similar amendment. I introduced one three years ago and another one two years ago. Several amendments having the same object in view that is embodied in this amendment have been before the Committee on Territories for all these years, and not one single protest, I am informed, has ever been filed either in the Senate or in that committee against the high licensing and control of the sale of liquors in the Territories.

Mr. HANSBROUGH. Mr. President, as this amendment is clearly designed to raise revenue, and is, therefore, in my mind, a violation of section 7 of Article I of the Constitution, I make the point of order that it is a violation of the Constitution and has no place on the bill.

Mr. CARTER. I understand the Senator from North Dakota to make that point of order as against the entire amendment, and not as against any portion of it.

Mr. HANSBROUGH. I make it against the entire amendment.

Mr. GALLINGER. I do not care to discuss the point of order, because I think that is conclusive; but I would ask the Senator from North Dakota to withhold the matter until I make a single observation.

Mr. HANSBROUGH. I will withhold the point of order for a moment.

Mr. GALLINGER. Mr. President, I simply want to say, in response to the Senator from Washington, that I did not indulge in any undue or unfair criticisms of the officials of the Territory of Alaska. If any criticism was made by me, it was made against the Government of the United States.

I desire to repeat what I said to the Senator from Washington, that whenever the great West or the great Northwest, who have in charge the legislation for this Territory, want additional appropriations for the purpose of executing the laws, they will find no Senator more ready to vote for those appropriations than I. I have invariably voted for appropriations of that kind, whether they related to the execution of law or were for the furtherance of the best interests of the people in that part of our great country, and I have no anticipation of changing my practice in that regard.

Neither did I intentionally, Mr. President, utter a word that would seem to imply that I felt that the Senators who are pressing this amendment are not good temperance men. I certainly did not mean to say anything of the kind. I spoke on the question in its broad sense. I think that my remarks as they shall be printed in the RECORD will bear me out in the statement that I did not make any narrow application of them that could possibly have been offensive to anybody.

Mr. WILSON. I did not so understand the Senator, but my recollection is that he stated if the officers in Alaska were not enforcing the law or performing their duty they should be removed. I speak only from memory in quoting the Senator from New Hampshire that far.

Mr. GALLINGER. I said that, exactly.

Mr. WILSON. And I sought to speak for the present collector of internal revenue for the District of Alaska, who I know is seeking by every means in his power to enforce the laws as they stand upon the statute books to-day.

Mr. President, I could relate if I wished other things that would convince the mind of any Senator that the collector of internal revenue for that District is a man of honesty of character, of integrity, who under the greatest disadvantages possible is seeking to carry out the law in that District. I do not speak for him as an appointee from my State, because he was appointed from a neighboring State, but I have known him for many years, and he has complained to me bitterly of the failure of this great Government of ours to assist him in the administration of the law or the enforcement of it in that District.

The collector at Port Townsend, as I before stated, is doing everything in his power. But no matter how honest or how capable or how energetic or how industrious these officers may be, you will find it absolutely unavailing to restrict the sale of liquor in the District of Alaska. The conditions which surround that District will bring this about.

Mr. President, personally to the Senator from New Hampshire I am under many obligations, and the people of my section are under many obligations to him. He has assisted us in many ways, and nothing was further from my intention than to say anything that that honorable Senator might construe in any unkind manner as far as he is concerned or the duties that he performs upon the floor of the United States Senate. I know, Mr. President, that whatever he tries to do he tries to do well.

Mr. MCBRIDE. Mr. President, I was necessarily absent from the Chamber during the remarks of the Senator from New Hampshire [Mr. GALLINGER] alluded to by the Senator from Washington [Mr. WILSON], but in relation to the character and the integrity of the collector of customs for the District of Alaska I can speak advisedly. I have been acquainted with that officer for many years. I know him to be an honest and, in the discharge of his duty as an officer, an absolutely fearless man. I know that in the discharge of his duties as collector of customs for that District within the last year he has seized more liquor attempted to be smuggled into that District in violation of law, within the period of sixty days after his induction into office, than was seized during the whole four years of the incumbency of his predecessor in that office. Upon a single trip of a steamship from the District of Alaska to the State of Oregon the present collector brought 20 tons of whisky that he had seized which had been smuggled into that District in violation of law.

I wish to add my testimony to that of the Senator from Washington, that without an army of a thousand deputies it is impossible for that collector or any other man to enforce strictly the prohibition laws in that District. It is impossible. The application of the term "license" to the measure of restriction and regulation which is proposed by the amendment that has been under discussion here is a misnomer. On the contrary, the enactment and enforcement of that amendment for the purposes indicated would be, in my judgment, the most effective restriction and regulation of the liquor traffic in Alaska that it is possible to effect by law. I do believe it to be impossible, as I said before, without an army of a thousand deputies, to enforce strictly the prohibition law in that Territory, with a coast line of more than 3,000 miles.

Mr. PERKINS. Twenty thousand.

Mr. MCBRIDE. I mean the coast line by the route usually traveled by steamers and now under the patrol of the deputies and the inspectors under the collector of customs.

Mr. HANSBROUGH. I renew my point of order, Mr. President.

Mr. CARTER. Mr. President, I desire to call the attention of the Senate to what seems to me a correct view of the point of order upon what I concede to be a very brief reflection upon the subject and a very limited examination of the questions involved.

The point of order is made that this proposed amendment is not in order because in violation of section 7, Article I, of the Federal Constitution, which reads as follows:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

That section of the Constitution was manifestly intended by the framers of the instrument to leave with the popular branch of Congress the framing of purely revenue bills. In the language of Justice Story:

> Here it means what are technically called money bills. In practice it is applied to bills to levy taxes in the strict sense of the word.

In support of this view the commentator cites authorities.

Mr. President, the pending amendment is not a bill originating in the Senate in violation of that section of the Constitution for the purpose of raising revenue. It is presented as an amendment to a bill making further provision for a civil government for Alaska, and is intended to be a part and parcel of the proposed civil government of Alaska. It contemplates the regulation of trade and traffic within the limits of that District.

Mr. CAFFERY. Will the Senator permit me to make a suggestion to him?

Mr. CARTER. Certainly.

Mr. CAFFERY. I suggest, as the United States have complete jurisdiction over the Territories, why have not the United States as complete police power within that territorial jurisdiction as a State has within its territorial jurisdiction? A grant of license to sell liquor is a part of the police power and can be exercised independent of the power of taxation.

Mr. CARTER. The suggestion of the Senator is indeed apt and in line with the observations I intended to make. We provide in this bill for a governor for that District, for the establishment of certain courts of justice, for the appointment under the law of a United States marshal, for the construction of jails, and for the recording of instruments relating to titles within the various subdivisions of the District of Alaska which may be prescribed by the orders of the court.

Now, sir, within this bill we provide that persons having instruments to record within the district prescribed by the court shall pay a fee equivalent to double the fee for like services charged under the laws of the State of Oregon. That fee goes to the recording officer as a part of his compensation. In this particular case we think it wise and prudent to regulate a great variety of business transactions conducted and liable to be conducted within the District, and this amendment proceeds to recapitulate the kinds of business it is desirable that the law should regulate and control.

Amongst other things, it seems to be desirable that abstract offices should be licensed—not that the $50 per year collected from the abstract offices is essential to the continuance of operations by the United States Government in Alaska, but to the end, if you please, that a proper police regulation may be established with reference to this class of business, and that persons who have business with the abstract offices and persons engaged in abstracting titles may know who is authorized by law to transact that sort of business upon a legitimate basis and who is not so authorized. I might apply this to the hotels that are to be run and the restaurants and the various kinds of trade and traffic to be conducted within the District.

It is true, Mr. President, that as a necessary incident to the regulation, certain moneys will be paid to the clerk of the court for the license, a part of which will constitute his fee for the issuance of the license, and a part of which shall be paid out for the current expenses of the court by the clerk under the orders of the court, and a certain part, if a surplus there be, shall pass into the Treasury of the United States.

From the brief consideration I have been permitted here on the floor to give to this subject, it appears to me as clear and distinct that this license scheme is not essentially a revenue measure within the meaning of section 7 of Article I of the Constitution. Who thinks of raising revenue in Alaska to run the Government of the United States or any considerable part or portion of it? The fact that in regulating the traffic of the country certain financial benefits inure to the United States does not of necessity make the measure itself a revenue measure. The United States, as suggested by the Senator from Louisiana [Mr. CAFFERY], has complete jurisdiction over the District of Alaska.

There exists no local legislative government or municipality qualified under the law to enforce any kind or character of regulation on any business being transacted within that country. Hence, in the proper consideration of a bill by this body, which is not a revenue bill, but a bill to provide a government for a section of the country with which the Federal Government is charged exclusively, we merely happen to have, as an incident, a section which might result incidentally in the raising of revenue. I believe the amendment, properly considered, must be considered as one which will enforce a proper police regulation in the District of Alaska, and which only incidentally provides for revenue in that behalf.

Mr. BERRY. Mr. President, I respectfully suggest that the question as to whether or not the pending amendment is unconstitutional is not a question for the Chair to decide. I do not think the Presiding Officer would have the right to rule out any bill or any amendment upon the ground that it was contrary to the Constitution. I think that is a matter which must address itself to the judgment and the conscience of each Senator, and it is not a question upon which a point of order can be made. It may be an argument against a particular bill or amendment that it is a revenue measure, and that would undoubtedly be an argument which would address itself to the judgment of the Senate, and if the Senate so believed, they would not adopt it; but I do not think any rule can be found whereby the Presiding Officer can say that a resolution, a bill, or an amendment shall not be considered by the Senate because he thinks that it violates some provision of the Constitution.

Mr. HOAR. Mr. President, I do not understand that the point of order is that the bill is unconstitutional——

Mr. BERRY. The amendment.

Mr. HOAR. That the amendment is unconstitutional.

Mr. BERRY. That is the ground upon which the point of order was made, and it was distinctly so stated.

Mr. HOAR. The Senator has stated his understanding, and now I will state mine.

Mr. BERRY. Very well.

Mr. HOAR. I do not understand that the point of order is that the amendment is unconstitutional. If it were, the Senator from Arkansas [Mr. BERRY] would be clearly right. The proposition is that under the Constitution it is a measure, whether introduced by way of an original bill or by way of an amendment, which can not be lawfully introduced in the Senate. Nobody pretends that this proposition is unconstitutional. The claim is that it is not according to the direction for the proceeding between the two Houses contained in the Constitution. It can only be introduced in the House of Representatives, and can only lawfully be brought to the attention of the Senate by being sent here from the House of Representatives. That is a rule of procedure. It is an absolute and authoritative rule of procedure, and, being found in the Constitution itself, more so than if it were merely found in the rules and orders established by the body by its own authority.

Mr. BERRY. Will the Senator yield to me for a suggestion?

Mr. HOAR. I think the Senator would rather that I should hear his question after he has first heard my proposition.

Mr. BERRY. Very well; the Senator declines to yield. The Senator invariably, I believe, declines to yield. I beg his pardon.

Mr. HOAR. It is not true that I invariably or ever decline to yield. I prefer, though, to take my own time for having the Senator put his question rather than his time.

I was about saying when the Senator interrupted me that this is a mere question of orderly procedure, and not a question of the constitutionality of the proposition, which everybody agrees Congress has the constitutional power to pass. That being the case, the question for the Chair is whether he can enforce a rule or law of procedure in this body when it is declared by the Constitution, when he not only has the power, but it is his duty and what he sits there for—to enforce precisely the same rule if it were found in the rules of the Senate. Now I will hear the honorable Senator from Arkansas.

Mr. BERRY. I prefer to take the floor in my own right when the Senator gets through.

Mr. HOAR. Very well.

Mr. President, I suppose this matter was settled long ago by the usages of the Senate, and the Chair will ascertain, or ought to ascertain, at the Secretary's desk, whether the objection that a bill is a bill for raising revenue can be taken as a point of order. It is hardly worth while to discuss it as an original question, because I suppose it will be found settled by the usages of the Senate.

The Senator from Montana [Mr. CARTER] thinks that this is not a revenue measure, but is a measure for regulating certain industries or trades or transactions in the Territory of Alaska. I suppose that that is true so far as it relates to the proposition which has been discussed by the Senator from California [Mr. PERKINS]—to wit, the regulation of the liquor traffic—but this amendment goes very far beyond that. I do not see how the honorable Senator can justly claim that a proposition which imposes on mercantile establishments doing a business of $100,000 per annum a license fee of $500 per annum, and for doing a business of $75,000 a license of $375, and so on, is a measure intended for the regulation of those establishments, the license being graduated absolutely according to the amount of business they do. It is a revenue measure so far as that part of the bill is concerned. If that be true, a point of order lies to the whole. It is a revenue measure, pure and simple, it seems to me, so far as that clause of the bill goes.

I hope the honorable Senator from Arkansas knows very well that I should like to answer his question if he chooses to put it.

Mr. BERRY. Mr. President, when I have occupied the floor, I have made it an invariable rule to yield to the Senator from Massachusetts whenever he has requested me to do so. I have more than once requested him to yield, and he has invariably declined. As to whether it is true that he never declines to yield, I leave that to Senators who sit in this Chamber and who have been familiar with the debates. I do not care to get into a dispute with him about that matter. I asked him politely to yield, and he declined.

In regard to the pending proposition, if it were not for the provision in the Constitution that revenue measures shall originate in the House of Representatives, there could be no question but what this amendment could originate here. The Senator from Massachusetts says it is not unconstitutional. I say the only reason why a revenue measure can not originate here is because the Constitution says such a measure shall originate in the other House. If that does not make it unconstitutional for such a measure to originate here, I do not know the meaning of language.

Mr. President, I repeat that it is not a question for the Presiding Officer, it is not a rule, it is a constitutional provision which says that all revenue measures shall originate in the other House of Congress. If what the Senator from Massachusetts argues is true, then it would not rest with the Senate to determine the question raised by the Senator from North Dakota as to whether or not this amendment is obnoxious to that provision of the Constitution which says that revenue measures shall originate in the other House; it would rest with the Presiding Officer.

On the same reasoning, the Presiding Officer could take up any bill which was introduced and say it should not be considered by the Senate because it proposed to raise revenue. It is a question for the Senate to decide, for each Senator to decide for himself according to his judgment and conscience as to whether or not this is a revenue bill within the meaning of the clause contained in the Constitution of the United States. I respectfully submit that it is not a rule, but that it is a constitutional provision; and that if we originate a revenue measure here, we violate that Constitution. It will not do, therefore, for the Senator from Massachusetts to argue that it is not a constitutional question for each Senator to decide for himself, but a rule of procedure to be decided by the Chair. I say that it is a constitutional provision, and is as binding on us as any other provision in the Constitution; that we must construe it for ourselves, and that it is not to be construed for us by the Presiding Officer.

Mr. HOAR. Mr. President, I wish to make one observation as regards the personal question between the Senator from Arkansas and myself. I do not think I ever in my life refused to yield to a Senator who desired to put to me a question. If I have, the occasions have been very few. I have very often, when I was in the middle of a sentence or in the middle of a proposition half stated, refused to allow a Senator to put a question at that point and cut my statement in two in the middle, and lead me away from what I was desiring to talk about to what he was desiring to have me talk about. When the Senator from Arkansas rose to interrupt me, I asked him to allow me to finish my sentence, and stated that when I had done so I would hear him. If he or any other Senator finds anything to object to in that transaction, I will stick to my own view about it.

Mr. BERRY. You will do what?

Mr. HOAR. I say I must stick to my own view about it.

Mr. BERRY. Very well.

Mr. HOAR. Mr. President, I wish to repeat the proposition. It must be settled by the precedents of the Senate—it is not worth while to discuss it; but the point of order, as I understand it, is not that this measure is unconstitutional, a measure which Congress can not constitutionally pass, but the point of order is that the rules for the order of business governing this body require that measures of this kind shall not originate here, but shall originate elsewhere; and it seems to me that is just as much a question of order or principle, being enacted in the Constitution, as it would be if it were enacted in a rule.

Is not the Constitution a rule of this body? Suppose we undertake to pass a bill without an enacting clause, an enacting clause being prescribed in the Constitution, is there any doubt that it would be the duty of the Chair to hold that that was not one of the measures or bills which the Senate could lawfully deal with? So it seems to me as a matter of original principle that it is the duty of the Chair to enforce this constitutional rule unless the precedents of the Senate shall settle it otherwise.

Mr. TELLER. Mr. President, the Senator from Montana [Mr. CARTER] seemed to agree that if this was a money bill it was not in order. If this is not a revenue bill, I do not know what it is, for all imaginable business which can be carried on in the Territory of Alaska is to be taxed, and the taxes are not for the purpose in any manner of regulating in the slightest degree the business to be transacted. It can not be asserted that it is the exercise of the police power.

The amendment starts out with providing taxes as follows:

Abstract offices, $50 per annum.
Banks, $250 per annum.
Brokers (money, bill, note, and stock), $100 per annum.
Billiard rooms, $25 per table per annum.
Bowling alleys, $25 per annum.
Breweries, $500 per annum.

And so forth.

Two or three pages of the amendment are devoted to the imposition of license taxes on various trades and pursuits. If the bill should become a general law with that amendment and should be made applicable to all the business of the United States, we would raise more revenue under it than we do under our combined internal-revenue taxes and import duties; and, as suggested to me by the Senator from Massachusetts [Mr. HOAR], business would not be transacted in the slightest degree differently from what it would be without the tax.

The whole bill is a revenue bill, as much so as any bill which has passed the Senate for years. The only difference is that in this case the bill does not impose import duties, but it provides internal-revenue taxes.

Mr. WILSON. May I ask the Senator a question not especially on the point of order?

Mr. TELLER. Certainly.

Mr. WILSON. If the amendment should go out on the point of order, what method will we have for raising revenue to support the government which we are about to create in Alaska, there being no other appropriation made at this time for that purpose?

Mr. TELLER. I think we provide for the judiciary in Alaska from money now in the Treasury. I do not understand that it has ever been the policy of the Government of the United States to exact revenues from the Territories for the payment of officials.

Mr. WILSON. This is the only instance, I believe, on record; but if the Senator will permit me, we have made no provision other than in this bill providing for the establishment of a government in Alaska.

Mr. TELLER. We can make such a provision without any trouble.

The amendment as it now stands is objectionable to the point of order. It is objectionable because it proposes to impose upon the people of the Territory of Alaska a burden which is not imposed upon any other people. I should vote against the amendment if it contained nothing but the mere question of the repeal of existing law as to the sale of liquor in the Territory. I am very much opposed to repealing that law. I believe the law can be fairly well enforced. If, however, there is any more legislation required to enforce it, I shall be happy to join the Senators who think the law is difficult of enforcement in securing that kind of legislation. If this is not a money bill, it is useless to talk about what constitutes a money bill.

Mr. CAFFERY. Mr. President, I have not read the amendment, but I think I understand its scope as stated by Senators who have argued upon the question of its constitutionality. It appears to be an enactment authorizing the sale of liquors in the Territory of Alaska under certain conditions, grading the license according to the amount of business done. I believe I state it correctly.

If this power can be exercised under any known jurisdiction of the United States as a police power, then it occurs to me that the objection made of the orderly procedure of such a measure as this is not good. If it is in the exercise of the police power possessed by the United States to make all necessary rules and regulations concerning the government of the Territories, then it is not amenable to the constitutional point of being a bill to raise revenue originating in the Senate. All bills to raise revenue must originate in the House of Representatives. But is this a bill to raise revenue? Is it not a bill to regulate the liquor traffic in the Territory of Alaska?

Mr. HOAR. Will the Senator allow me to call his attention to line 24 of section 16, being the amendment proposed by the Senator from California [Mr. PERKINS]?

Mr. CAFFERY. The Senator from Massachusetts draws my attention to the provision in line 24 of the amendment, which reads:

Mercantile establishments: Doing a business of $100,000 per annum, $500 per annum; doing a business of $75,000 per annum, $375 per annum, etc.

This is a license tax upon persons engaged in mercantile business. If the United States have complete and plenary jurisdiction over the Territory of Alaska, they have the same power to impose a license tax upon individuals carrying on different pursuits as have the States or as has any other sovereignty, and it is an acknowledged point that a State or any sovereignty has the right to impose a license tax upon various occupations. That inheres to the sovereignty of the State.

I take it that the United States has supreme jurisdiction over the Territory of Alaska, and if this regulation of the liquor traffic properly comes in the exercise of its police power, as I think it does, then I believe that the point of unconstitutionality as to procedure, as to whether this bill ought to originate in the Senate or not, is not well taken. I believe that this is the constitutional exercise of a constitutional power which Congress has over the regulation of whatever matter it chooses to regulate in the Territories.

Mr. HOAR. I should like to ask the Senator from Louisiana if he thinks the object of the section he has read is to get the money for the Treasury or to regulate the business—which?

Mr. CAFFERY. Perhaps it is an object to get money. Perhaps one of the objects of the proposed act is to get the money. I do not think the fact that one of the purposes of the framers of the bill is to get revenue from it would defeat the power of Congress in the premises. They have power to frame any rule and regulation they see fit, in my opinion, for the proper government of the Territory; and if in the framing of the laws for this purpose they impose license taxes upon persons carrying on business, that does not defeat their power, notwithstanding that the amount of money levied will flow into the United States Treasury. I suppose that one of the purposes of the framers of the amendment is to provide money for the government of the Territory itself, in part; and if so, that would be a legitimate purpose and a legitimate exercise of the power of Congress.

The PRESIDING OFFICER. Do other Senators desire to be heard on the point of order? The Chair is unable to find any precedent in the Senate annals for a decision on such a point of order, but in the Journal of the House of Representatives there is a decision bearing on this question, which the Secretary will read:

The Secretary read as follows:

A motion was made by Mr. Fillmore that the regular order of business be suspended for the present and that the House do proceed to the consideration of the amendments of the Senate to the bill (No. 72) entitled "An act to authorize an issue of Treasury notes."

And the question being put,

It passed in the affirmative—two-thirds voting therefor.

The House then proceeded to the consideration of the amendments of the Senate to the bill (No. 72) entitled "An act to authorize an issue of Treasury notes;" and the question recurred on the motion made by Mr. Sprigg on the 25th instant, that the said amendments be committed to the Committee of the Whole House on the state of the Union.

And, after debate,

The previous question was moved by Mr. Stanly; when

Mr. Roosevelt submitted for the decision of the Chair, as a question of privilege, the following:

"Whereas the amendment made by the Senate to the bill for the issue of Treasury notes, rendering the same an addition to, instead of a partial substitution for, the twelve million loan heretofore authorized by law, converts the said bill into a bill for raising revenue, which, by the Constitution, can only originate in the House of Representatives, and is a breach of the privileges of this House: Therefore,

"*Resolved*, That the said amendment can not be entertained by this House, and that the bill and amendments be returned to the Senate with a respectful communication to that effect."

The Speaker decided that the point raised was a question of constitutional power between the two Houses of Congress and was not a question of privilege which, in his opinion, it was his duty to submit to the House.

From this decision Mr. Roosevelt took an appeal to the House.

And the question was put, Shall the decision of the Chair stand as the judgment of the House?

And passed in the affirmative—yeas 112, nays 73.—*House Journal*, second session Twenty-seventh Congress, page 287.

The PRESIDING OFFICER. The question being of such grave import, as suggested by Senators, the Chair will submit the question to the Senate. Is the amendment in order? [Putting the question.] The noes appear to have it.

Mr. MANTLE and Mr. CARTER called for a division; and there were on a division—ayes 17, noes 10, no quorum voting.

The PRESIDING OFFICER. No quorum has voted.

Mr. HANSBROUGH. I ask for the yeas and nays.

Mr. BATE. No quorum has voted.

The PRESIDING OFFICER. That fact will be developed upon a call of the yeas and nays.

Mr. BATE. It has already been developed by the division. Did not the division show it?

The PRESIDING OFFICER. The Senator from Tennessee is correct.

Mr. FAULKNER. If the division shows the want of a quorum, under the rules of the Senate the roll must be called.

The PRESIDING OFFICER. The Senator from West Virginia is correct.

Mr. CARTER. I understand the fact to be that, pending a division, and prior to the announcement of the result, the Senator from North Dakota demanded the yeas and nays. Consequently the fact that a quorum was not present was not revealed.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Montana to the fact that the Chair had announced that no quorum had voted.

Mr. CHANDLER. I call for the regular order.

The PRESIDING OFFICER. The regular order is the call of the Senate. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Faulkner,	McMillan,	Rawlins,
Bacon,	Gallinger,	Mallory,	Shoup,
Bate,	Gear,	Mantle,	Smith,
Berry,	Hanna,	Money,	Stewart,
Burrows,	Hansbrough,	Morrill,	Teller,
Butler,	Harris,	Murphy,	Thurston,
Caffery,	Hawley,	Nelson,	Tillman,
Cannon,	Heitfeld,	Pasco,	Turley,
Carter,	Hoar,	Perkins,	Turner,
Chandler,	Kenney,	Pettigrew,	Walthall,
Chilton,	Kyle,	Pettus,	Warren,
Clay,	McBride,	Platt, Conn.	Wetmore.
Deboe,	McEnery,	Pritchard,	
Fairbanks,	McLaurin,	Proctor,	

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, a quorum is present.

Mr. CARTER. In view of the protracted discussion which has obtained, the half hour originally suggested by the Senator from Louisiana having long since passed, I ask that the pending bill may be laid over and that the Senator from Louisiana may be permitted to conclude his remarks.

Mr. HANSBROUGH. In view of the uncertainty which exists in the minds of many Senators in regard to whether or not the point of order would lie, I will withdraw it.

Mr. GALLINGER. I renew my motion to recommit the bill to the committee whence it came.

Mr. CARTER. Let the bill go over with the motion of the Senator from New Hampshire pending.

The PRESIDING OFFICER. That course will be pursued.

QUARANTINE REGULATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

The PRESIDING OFFICER. The Senator from Louisiana is entitled to the floor.

Mr. CAFFERY. Mr. President, when I was discussing the pending bill some time ago, the question was propounded to me by the Senator from Mississippi [Mr. WALTHALL] whether or not I favored an amendment suggested by the Senator from Georgia [Mr. BACON]. I replied to him that while I was not prepared to say that I would accept the amendment, I thought it was in line with the amendment suggested by a member of the other House, Mr. CATCHINGS, which I had seen, and I then saw no particular objection to it.

I had heard the amendment read, but my hearing is not too acute, and I mistook its terms and scope. After reading the amendment, I am satisfied that it eviscerates this bill and destroys to a large extent existing law in regard to quarantine so far as the Federal authority extends. I could not under any circumstances accept the amendment suggested by the Senator from Georgia with my views of the necessity of a uniform and comprehensive system of quarantine.

I introduced a number of documents and papers relating to the subject, but I had not finished when I was last addressing the Senate, and now I send up and ask to have incorporated in my remarks a paper by Dr. H. R. Carter, surgeon of the Marine-Hospital Service, touching the value of the measures of quarantine resorted to by the United States quarantine officials in various epidemics. I also send up another paper by Dr. Carter, in answer to objections to the mandatory pratique of the Federal quarantine. I also send up a letter from Dr. White, in charge of the immigration bureau at Ellis Island, to Dr. Wyman, Supervising Surgeon-General of the Marine-Hospital Service. I also send up correspondence touching the transfer of the Savannah quarantine station to the Marine-Hospital Service. I ask to have these documents printed in the appendix to my remarks.

The PRESIDING OFFICER (Mr. CANNON in the chair). Is there objection? The Chair hears none.

(The papers referred to will be found in Appendixes F, G, H, and I.)

Mr. WALTHALL. Do these doctors all belong to the Marine-Hospital Service?

Mr. CAFFERY. Yes, sir; those I have noted. I will conclude the remarks which I have to make on this subject by a short history of the Marine-Hospital Service and its work.

The Marine-Hospital Service was inaugurated in 1798. It was originally a charitable institution and founded upon the contributions of seamen to a general fund collected by the customs officers of the United States in order to afford a hospital for sick and disabled seamen. That necessarily engendered medical attendance. It is manifest that sailors visiting every port and every clime are apt to contract the diseases of foreign countries, which, being transported into our country, become epidemic, and therefore that the surgeons and medical officers of the Marine-Hospital Service had and have abundant opportunity to acquaint themselves with

diseases of foreign origin which are apt to become epidemic when conveyed into the United States.

This Bureau from a small beginning has grown into the proportions of a department of public health. It is properly under the jurisdiction of the Secretary of the Treasury, for reasons which I have heretofore adduced. From 2 surgeons, as originally constituted, there are 116 medical officers attached to that Bureau. From a very small number of seamen treated in the beginning there are now about 50,000 seamen treated annually in the marine hospitals of the United States. From a mere medical attention to disabled seamen the scope of the services of the medical officers of the service now embraces the charge of 11 quarantine stations, constituted by statute, the charge of the examination of all officers of the Revenue-Cutter Service, of the Life-Saving Service, and the examination, I believe, of a portion of the naval service.

The members of the medical corps of the Marine-Hospital Service undergo a most strict examination. They are graduates of medical colleges of the highest reputation. They come from the Medical College of Maine; Western Reserve Medical College; Jefferson Medical College, Philadelphia; Pennsylvania Medical College; Chicago Medical College; Rush Medical College; University of Georgetown, District of Columbia; University of Michigan; Columbian College, Washington, D. C.; Bellevue Hospital Medical College, New York; National Medical College, Washington, D. C.; University of Pennsylvania; University of Maryland; College of Physicians and Surgeons, New York; College of Physicians and Surgeons, Baltimore; College of Physicians and Surgeons, Boston; Dartmouth Medical College, New Hampshire; McGill College, Montreal, Canada; Harvard Medical School, Boston; Howard University, Washington, D. C.; Medical College, South Carolina; Virginia Medical College; University of Virginia; Miami Medical School, Cincinnati; Long Island Medical College, New York; St. Louis Medical College.

So it will be seen that the surgeons of the Marine-Hospital Service come from every medical college almost in the United States, and those medical colleges rank among the highest in the United States. Therefore it is to be presumed that the officers are well and abundantly equipped for the service.

Mr. WALTHALL. May I ask the Senator from Louisiana a question?

Mr. CAFFERY. Certainly.

Mr. WALTHALL. Are those medical officers required to have any experience in the treatment of contagious diseases, such as yellow fever? Is that a prerequisite?

Mr. CAFFERY. I do not know that that is a prerequisite.

Mr. WALTHALL. It is of great importance.

Mr. CAFFERY. But I do know that the most experienced and well-equipped yellow-fever experts in the United States belong to the medical corps of the Marine-Hospital Service. They have to have a first-class medical education to commence with. They are then examined with great care by a corps of medical examiners, and after examination they are admitted as acting surgeons.

Mr. WALTHALL. Did the Senator hear the statement of the Senator from Florida [Mr. MALLORY] the other day, that when he went to visit the Ship Island quarantine station as a member of the committee he found that the medical officer in charge there had seen but one case of yellow fever in his life?

Mr. CAFFERY. I have some remembrance of it.

Mr. WALTHALL. It does not comport exactly with the Senator's statement.

Mr. CAFFERY. I beg pardon of the Senator from Mississippi, I think it comports very well with my statement, because it is quite possible that in some locality where yellow fever is not prevalent there may be an officer who has never seen more than one case of yellow fever.

Mr. WALTHALL. That is not such a locality.

Mr. CAFFERY. It is not necessary for an officer to be stationed there who is a yellow-fever expert when there is no yellow fever. I understand this medical corps is an elastic corps.

Mr. WALTHALL. If the Senator will allow me, the officer referred to by the Senator from Florida was a quarantine officer. I should think he ought to know something about yellow fever.

Mr. CAFFERY. Certainly. I do not say that the service is absolutely perfect. My knowledge of the service is only gathered from the history of its work, particularly in yellow-fever epidemics, and the success of the efforts of the medical corps both in keeping out yellow fever and other epidemic diseases and in suppressing those diseases after they have gained entrance into a State. It may be that while the physician at the quarantine station at Ship Island had seen but one case of yellow fever he was a considerable expert in the matter of yellow fever. One case is enough.

Mr. MALLORY. He had not seen a case before last summer. That is what I stated.

Mr. WALTHALL. He had not seen any case before last summer, and then only one.

Mr. CAFFERY. That, perhaps, can be accounted for by the fact that he was the resident physician, and when the yellow fever was declared epidemic and became flagrant there were sent to this point experts in yellow fever by this same medical corps.

Mr. WALTHALL. May I ask the Senator a question?

Mr. CAFFERY. Certainly.

Mr. WALTHALL. Can the Senator tell us whether the Supervising Surgeon-General himself ever saw a single case of yellow fever?

Mr. CAFFERY. I can not.

Mr. GALLINGER. Will the Senator from Louisiana permit me?

Mr. CAFFERY. Certainly.

Mr. GALLINGER. I should like to ask the Senator from Louisiana whether he knows of any reason why, if health matters and quarantine matters pass from the control of the Marine-Hospital Service into the hands of a commission, they will have a larger corps of physicians who have had experience in yellow fever than the Marine-Hospital Service has?

Mr. CAFFERY. None in the world.

Mr. GALLINGER. None in the world. Is it not a fact, I will ask the Senator, that the experts in yellow fever and other infectious diseases, as well as the leading men of the profession, will not be employed either by the Marine-Hospital Service or a commission? They have other work to do that is more important and profitable to them. Is not that a fact?

Mr. CAFFERY. So far as the State health officers are concerned that is true, but there are a number of yellow-fever experts attached to the Marine-Hospital Service.

Mr. GALLINGER. Precisely; and I was about to suggest to the Senator what very likely he has stated. I have not been permitted to listen to this discussion. Is it not a fact that the Marine-Hospital Service have men like Dr. Guiterns, trained in the treatment of yellow fever and other infectious diseases, who are sent to those points when yellow fever exists?

Mr. CAFFERY. Precisely.

Mr. GALLINGER. And under their direction an epidemic is controlled?

Mr. CAFFERY. Precisely. That is substantially what I stated in answer to the inquiry of the Senator from Mississippi in that regard—that this service is an elastic one. In my opinion, while it may be necessary at a port where yellow fever is likely to come in to have stationed there permanently a yellow-fever expert, yet if yellow fever is not prevalent and the physician at the quarantine station is perfectly competent to disinfect ships and kill the germs, there may not be an immediate necessity for an expert; but the very moment yellow fever is declared the Medical Corps of the Marine-Hospital Service has at command the best experts in the United States, and they are immediately sent to the scene of danger.

They commence their disinfection process; they stamp out the disease; and it is perfectly easy for the resident physicians, by a species of disinfection which is now applied to all incoming ships from yellow-fever or other infectious districts, to stamp out this disease, and it is only when it appears that it is necessary to have the presence of experts.

I was going on to state generally the equipment of this medical corps. I stated the practice of colleges represented in the medical corps by graduates of those colleges now in that corps, and I will now state some of the work that this corps has done in yellow fever.

The Marine-Hospital Service took charge and control of the epidemic of yellow fever in Brunswick, Ga., in 1893. They took charge and control of the yellow-fever epidemic in Texas in 1882 and in Florida in 1888. They have taken charge of the smallpox wherever it has appeared upon the border of the United States and Canada and in other places. They have succeeded in a most wonderful degree preventing the introduction of cholera into the United States.

Mr. President, let me read a statement in regard to the success of the applications of the Marine-Hospital Service physicians as to preventing cholera from being introduced into the United States. I read from a statement I have already placed in the RECORD:

After cholera had been declared epidemic in Naples, three vessels left for the United States—the *Masilia*, *Weser*, and *Cashmere*—and all were made to conform to the regulations. They all arrived at the port of New York with no cholera en route or at time of arrival. During the same period four vessels with the same class of passengers and their places of origin similar, in many cases identical, the water and food supply being the same as on the vessels for the United States, left for South America, and all were turned back by the South American authorities and returned to Naples. One, the *Vincenzia Floria*, had about 50 deaths; the *Andrea Gloria*, 90 on the way out—total not ascertained; another 84 deaths, and the fourth, 230 deaths from cholera.

Here were seven vessels leaving Naples, three for the United States and four for South American ports. Under the disinfection process adopted and applied by the medical corps of the Marine-Hospital Service, those vessels which cleared for the United States were disinfected and the cholera germ destroyed. They

arrived in the city of New York and not one single death occurred from cholera. The other four, due for places in South America, which were not subjected to the treatment the three were that entered the port of New York, coming from the same place, with the same kind of passengers, with the same supply of food and water, suffered to the extent of 238 deaths. There, sir, in that one single instance is conclusive proof of the necessity of a maritime quarantine.

I have argued, and I argue still, that the same power which has jurisdiction over maritime quarantine ought to have power over interstate quarantine, because of the necessity of quick and concerted action, because of the greater ability of the United States medical corps to treat these diseases, which from the nature of their occupation they are familiar with, and because of the abundance of means which the United States can supply and does supply.

Mr. President, there are eleven United States quarantine stations. They are at the Delaware Breakwater; Reedy Island, Delaware River; Cape Charles, Virginia; Blackbeard Island, Sapelo Sound, Georgia; Brunswick, Ga.; Dry Tortugas, Florida; Ship Island, Gulf of Mexico; San Diego, Cal.; Angel Island, San Francisco Bay, California; Port Townsend, Wash.; Cape Fear Quarantine, Southport, N. C.

Besides, under the law as it now exists this medical corps is represented at every consular port in foreign countries where contagious diseases that visit the United States originate—cholera, yellow fever, bubonic plague, and such diseases. It is their province and duty to make a complete study of these diseases, so that ships from those countries may be subjected to the proper scientific treatment and made so free of disease that they can enter the ports of the United States.

Now, Mr. President, I have been for some days discussing this question, having been delayed by the memorial services which have taken place in this body in honor of the memory of the late Senator from South Carolina, Mr. Earle, and a late member of the House, Mr. Simpkins. This subject is one of great moment to the whole United States. I have no pride of opinion as to the best means of preventing yellow fever, or as to the best branch to execute any law that Congress in its wisdom sees fit to adopt. My whole purpose, my whole desire, is to relieve the country from these dreadful visitations and to place the United States upon a basis where some kind of intercourse between its citizens may be had safe and secure during the prevalence of these fearful visitations.

APPENDIX A.

EXTRACT FROM THE PRESIDENT'S MESSAGE, DECEMBER 6, 1897.

The recent prevalence of yellow fever in a number of cities and towns throughout the South has resulted in much disturbance of commerce and demonstrated the necessity of such amendments to our quarantine laws as will make the regulations of the national quarantine authorities paramount. The Secretary of the Treasury, in the portion of his report relating to the operation of the Marine-Hospital Service, calls attention to the defects in the present quarantine laws and recommends amendments thereto which will give the Treasury Department the requisite authority to prevent the invasion of epidemic diseases from foreign countries, and in times of emergency, like that of the past summer, will add to the efficiency of the sanitary measures for the protection of the people and at the same time prevent unnecessary restriction of commerce. I concur in his recommendation.

EXTRACT FROM ANNUAL REPORT OF THE SECRETARY OF THE TREASURY FOR THE YEAR 1897.

NATIONAL QUARANTINE LAW.

The Surgeon-General reports the necessity for a strictly national quarantine law, to which attention has been called in previous reports. In his report for 1896 there were shown the unequal benefits and at the same time the danger involved in the operations of the present quarantine law, that of February 15, 1893, which permits State and local quarantines to be conducted under their own rules and regulations, provided, in the opinion of the Secretary, additional rules and regulations are not required. The Surgeon-General maintains that the national quarantine regulations should be made paramount. He states that under the provision of the law which requires him to aid in the execution and enforcement of State and local quarantine regulations claim has frequently been made by local authorities that this is the chief intent of the law, and that, however absurd and unnecessary local quarantine regulations may be, the Marine-Hospital Service is bound to aid in the enforcement of them.

He recommends that the law of 1893 be amended so that its effect shall be to make national quarantine regulations paramount and to prevent interference with their enforcement by any State or local legislation. This feature of the law should apply to both maritime and interstate quarantine. Its necessity with regard to maritime quarantine has been amply demonstrated, as shown in previous annual reports. With regard to interstate quarantine, its necessity has been forcibly revealed during the recent epidemic of yellow fever in the South, when local quarantine authorities placed restrictions which not only paralyzed commerce, but prevented the exercise of their full duties by the officers of the Government in their efforts to prevent the disease spreading from one section to another. It is suggested that the law should be so framed that it will be within the province of the Secretary of the Treasury promptly to establish a quarantine station without regard to the State or local quarantine at whatever points and at any time that he may deem it necessary for the public safety to take such action.

RESOLUTIONS OF LEGISLATURES, BOARDS OF TRADE, MEDICAL ASSOCIATIONS, ETC.

The New York Chamber of Commerce in 1871 passed the following resolution:

"That the committee on foreign commerce be instructed to prepare a memorial to Congress asking such legislation of that body as shall serve to place the subject of quarantine and immigration under the charge of the General Government."

Pensacola (Fla.) Chamber of Commerce, October 11, 1894, passed the following:

"*Resolved*, That the time has arrived when the future growth of Pensacola as a shipping port demands the free entry of all shipping under the supervision of the United States Marine-Hospital Service."

Report of the special committee of the Chamber of Commerce of the State of New York on quarantine at the port of New York during the cholera of 1892:

"*Resolved*, That the chamber of commerce memorialize the President and the Congress of the United States to enact as speedily as may be a suitable law placing the control of quarantine at New York and at all other places under national control.

"*Resolved*, That the attention of Congress is respectfully directed to the injurious influences that continued indiscriminate immigration may have upon the welfare of this country, in the hope that careful investigation relative thereto may be promptly had.

* * * * * * *

"All of which is respectfully submitted.

"ALEXANDER E. ORR,
"SETH LOW,
"SAMUEL D. BABCOCK,
"J. PIERPONT MORGAN,
"*Special Committee.*

"NEW YORK, *December 13, 1892.*"

Report of the New York Board of Trade on national quarantine, dated January 6, 1896, the conclusion of which is as follows:

"The conclusion of your committee, therefore, is that it is essential to the safety of our people and the protection of their lives that a national quarantine system be established in the United States at the earliest possible day. We believe that to be effective the system adopted must be national, and that any systems maintained at ports of entry under State or local control should not be allowed to conflict or hinder the national system."

Resolutions by the physicians of the State of Illinois on national control of quarantine:

"We therefore come to you as medical men simply to express most earnestly our convictions that whatever form your legislative action may assume, its outcome should be the establishment at once of a complete quarantine system, without reserve, under national control, paramount to all local systems and as comprehensive in its scope and power as constitutional limitations will permit."

Resolutions of the Philadelphia Maritime Exchange:

"PHILADELPHIA, *December 31, 1892.*

"At an adjourned meeting of the board of directors of the Philadelphia Maritime Exchange, held this day, the following preamble and resolutions were unanimously adopted:

"Whereas a circular dated December 21, 1892, was mailed to each member of the Philadelphia Maritime Exchange, also to about 3,700 prominent business men and organizations of the city of Philadelphia, asking what system of quarantine they favored; and

"Whereas the replies received are almost unanimous in favor of a national quarantine: Be it, and it is hereby,

"*Resolved*, That the Philadelphia Maritime Exchange earnestly advocates the immediate passage by Congress of a law establishing Federal quarantine throughout the United States on the lines laid down by the Secretary of the Treasury in his recent annual report, believing that such a law would insure a uniform, modern, and scientific quarantine throughout the whole country, and give maximum protection, with no unnecessary restrictions upon commerce, and at the lowest cost; it is further

"*Resolved*, That both Houses of Congress be petitioned to pass such a law, and to pass it at once, so that the Marine-Hospital

Service within the next four months may be enabled to complete all necessary preparations for keeping out cholera; it is further

"*Resolved*, That the Philadelphia Congressional delegation be urged to use every effort to have such a law passed at once; it is further

"*Resolved*, That the Board of Trade, the Commercial Exchange, the Manufacturers' Club, the Trades League, and the Vessel Owners and Captains' Association, all of Philadelphia, and the maritime exchanges or associations of New York, Boston, and Baltimore be asked to cooperate in obtaining the legislation referred to; and it is further

"*Resolved*, That a copy of these resolutions be forwarded to the President of the United States, the Secretary of the Treasury, the Supervising Surgeon-General of the Marine-Hospital Service, the governor of the State of Pennsylvania, the State board of health of Pennsylvania, the Philadelphia board of health, and to the Chamber of Commerce of the State of New York."

Resolutions of the Tri-State Medical Association of Tennessee, Alabama, and Georgia, October, 1897:

"*Resolved*, That the recent outbreak of yellow fever in the South, and the numerous conflicting State and municipal quarantine regulations emphasize the great need of national quarantine laws which are uniform and protective.

"*Resolved*, That the Tri-State Medical Association, in convention assembled, hereby urges upon Congress the necessity of national quarantine laws which shall give exclusive charge of quarantine to the United States Marine-Hospital Service in connection with the development of cholera, yellow fever, smallpox, and plague."

The American Medical Association, in June, 1873, appointed a committee to urge on Congress the passage of an act for a national quarantine.

The quarantine convention in Jacksonville, February, 1878, adopted a report asking that a uniform and efficient system of quarantine should be adopted and administered by the National Government.

Resolutions adopted by the board of health, Mobile, Ala., October 9, 1873:

"*Resolved*, Inasmuch as no quarantine measures of our seaports can be effective against the importation of disease without uniformity in time and method, that Congress be memorialized to establish a uniform system of quarantine under national supervision."

Resolutions of the Georgia legislature, 1897:

"Whereas the present epidemic of yellow fever in the South has demonstrated that the local authorities are insufficient to prevent the introduction and spread of epidemic diseases, principally because of want of uniform regulations governing health affairs; and

"Whereas the health regulations now in force, viz, State, municipal, and county, each dependent on the other, and one frequently conflicting with another, have proven disastrous to travel, State and interstate commerce, and business generally; and

"Whereas it is desirable in the interest of the public health and State and interstate commerce to provide for a more uniform system of quarantine; and

"Whereas the regulations of the United States Marine-Hospital Service are framed with due regard to local and climatic conditions: Therefore,

"*Be it resolved by the legislature of the State of Georgia*, That hereafter in case of an outbreak of yellow fever, cholera, smallpox, or plague, all quarantine matters in the State of Georgia shall be turned over to the United States Marine-Hospital Service during the continuance of such epidemic, under appropriate legislation to be hereafter enacted by Congress, enlarging the powers of the United States Marine-Hospital Service granted under the act of Congress approved February 15, 1893.

"*Resolved further*, That pending such additional legislation by Congress all certificates of freedom from danger of conveying infection from persons, localities, baggage, freight, and vehicles, for the transportation of passengers and freight duly signed by medical officers of the Marine-Hospital Service shall be accepted by the State and local authorities in the State of Georgia.

"*Resolved further*, That we respectfully memorialize Congress to enact the necessary legislation to effectuate this resolution.

"*Resolved further*, That we request our Senators and Representatives to use all proper means to have such legislation adopted.

"*Resolved*, That the Surgeon-General of the United States Marine-Hospital Service be furnished with a copy of this resolution."

LETTER OF GEORGE C. SMITH, PRESIDENT OF THE ATLANTA AND WEST POINT RAILROAD, TO GOVERNOR R. B. BULLOCK.

ATLANTA, GA., *October 25, 1897*.

MY DEAR SIR: Referring to our recent conversation, I beg to hand you the following statement:

The present visitation of yellow fever in the South has brought about a condition of affairs which, I believe, is worthy of the serious consideration of all thoughtful people.

Never before in the history of epidemics in this country has the power of quarantine been exercised in such an arbitrary and disastrous manner.

Yellow fever was announced in New Orleans, Ocean Springs, Biloxi, Mobile, and other places in Louisiana and Alabama early in the month of September, 1897. The effect of this announcement was to bring into action several distinct quarantines, acting concurrently under assumed legal authority. The boards of health of various cities immediately prohibited all passenger trains running from or through infected points from stopping within the corporate limits of such places and placed their inspectors upon all trains arriving and departing on the direct line of travel to and from infected points. Municipal restrictions were also placed in effect preventing not only the receipt of freight from infected points, but the through passage of such freight, as well as the receipt of through passage of empty equipment.

Simultaneously the boards of health of several States adopted restrictions against both passengers and freight entering such States from infected points or the return of equipment into such States which had been in infected places. The State also placed its own inspectors upon the trains of railway companies forming direct lines to and from the infected districts. The rules of the State and city quarantines were materially different in many particulars, causing great confusion in the adaptation of the transportation service in their varying requirements.

Unusual and arbitrary rules were promulgated by State boards of health, prohibiting even the transportation of flat cars, coal cars, or ore cars without fumigation. Places like the city of Atlanta, Ga., which had been proven by long experience exempt from yellow fever, were subjected to quarantine restrictions, preventing the movement of both passengers and traffic.

With the utmost difficulty modifications of such quarantine restrictions were obtained after several weeks' negotiation with State and municipal authorities, although but one single yellow-fever case existed in the city of Atlanta, and that a refugee.

Varying periods of residence in uninfected localities were required by different States and cities before persons who had been in infected places were allowed to enter quarantined territory, causing great confusion and frequent detention to passenger traffic. Shotgun quarantines were established in many localities, preventing the movement of either freight or passenger trains through large sections of the country. The alarm was so great in the State of Alabama that the State board of health prohibited the citizens of that State from obtaining refuge at any place within its limits. All citizens of Alabama from infected places were, therefore, obliged to seek an asylum beyond the boundaries of their own State, although many places within their State were willing to receive them.

In addition to municipal, county, and State quarantines and the numerous shotgun regulations prevailing in country communities, the United States Marine-Hospital Service established a supervisory control over the movement of passengers and baggage to and from infected districts. Inspectors of the United States Marine-Hospital Service were placed upon all trains and assumed charge of the fumigation of all baggage and personal effects of passengers. It is proper to say, the operation of the United States Marine-Hospital Service has been systematically and intelligently conducted under the supervision of experienced physicians familiar with the standard requirements for the suppression and spread of yellow fever, and its methods have been in marked contrast with the State, city, and county regulations.

The multiplicity of officers, inspectors, rules, regulations, and orders which have been emitted by the numerous boards, governors, and health officers have tended to greatly confuse and embarrass the efforts made by the transportation lines to conduct business in a systematic and orderly manner.

All railway companies reaching the infected districts have made continuous and well-directed efforts to meet the sudden and pressing demands for transportation and to comply with all requirements of the various authorities which have assumed jurisdiction over them, whether legally constituted or not. The entire commercial system of many States in the South has been thrown into a chaotic condition, largely attributable to the want of a uniform, intelligent, and authoritative supervision over quarantine regulations.

The spread of the disease from one city to another until a half dozen States have become infected is undoubtedly due to the lack of an effective and intelligent administration of quarantine regulations. The control of the entire subject of quarantine by the United States authorities would, in my judgment, accomplish the following results:

First. Prevent the spread of contagious diseases like yellow fever from the original point of infection.

Second. Provide uniform and scientific methods of quarantine where many foci of infection have to be dealt with.

Third. Prevent unnecessary and disastrous interruptions to the commerce of the country by providing reasonable, intelligent, and effective supervision over transportation lines.

I trust the foregoing will give you some information of value on the subject referred to.

Yours, very truly,

GEO. C. SMITH,
President and General Manager.

Governor R. B. BULLOCK, *Atlanta, Ga.*

LETTER OF EX-GOVERNOR RUFUS B. BULLOCK TO THE PRESIDENT.

ENGLISH-AMERICAN LOAN AND TRUST COMPANY,
Atlanta, Ga., October 27, 1897.

Mr. PRESIDENT: The diversified and irregular enforcement of quarantines by towns, counties, and States is a serious and dangerous hindrance to commercial and individual travel. The necessity for uniform action under Federal authority is so apparent as to make any argument superfluous.

My object in writing is to ask, Mr. President, that you call the attention of Congress to this subject in a line of your coming message. I can safely assure you of the support of our leading Southern journals for any proper legislation taking national control of this most vitally important subject.

Your attention is invited to the communication of President Smith on this subject, inclosed.

Very respectfully,

RUFUS B. BULLOCK.

The President of the United States, WM. MCKINLEY,
Washington, D. C.

FROM THE STATE BOARD OF HEALTH OF MICHIGAN.

In illustration of the interest which the interior States have in maritime quarantine and their desire for a strictly national system and as demonstrating that the expenses of quarantine should be met by the whole people rather than by vessels entering the several ports, I insert here the following communication from the board of health of Michigan, a copy of which was forwarded to the Marine-Hospital Bureau:

STATE BOARD OF HEALTH,
OFFICE OF THE SECRETARY,
Lansing, March 18, 1896.

To the honorable the Senators and Congressmen
from Michigan, Washington, D. C.

GENTLEMEN: We, the officers of the Michigan State board of health, having in mind especially the protection of the citizens of Michigan from danger of contracting communicable diseases from immigrants and immigrants' baggage passing through the port at Portland, Me., to which port many immigrants bound for Michigan and beyond sometimes come, especially in winter, when the St. Lawrence River is not navigable, and understanding that it is the desire of the local and of the State health authorities of Maine that a national quarantine station be established at the port of Portland, Me., do most respectfully urge the honorable the Senators and Representatives in Congress from Michigan to use their influence to bring about this desired improvement.

We believe that a frequently changing municipal government, with its varying ideas of the expediency of making expenditures which are more largely for the protection of citizens of other parts of this country than of the citizens of Maine, is not equal to the task of the continuous maintenance of a quarantine station which shall meet the requirements for safety to the health of our people.

We believe that the interests of the whole country would be much better served if there were at Portland, Me., a quarantine station under the control of the National Government.

Again expressing a desire that you use your influence in bringing about this desired change, we remain,

Very respectfully,

FRANK WELLS, *President.*
HENRY B. BAKER, *Secretary.*

APPENDIX B.

EXTRACTS FROM DAILY PRESS.

ALABAMA.

[Montgomery Advertiser, December 5, 1897.]

The report of the Birmingham Commercial Club showed communications from a number of trades bodies in the South and North, including those in Nashville, Chattanooga, and Philadelphia, heartily indorsing the project of national quarantine.

[Mobile Daily Herald, January 27, 1898.]

This matter of quarantine is too serious a one to be made subservient to theories or prejudices. We must have adequate protection from yellow fever this summer, and there must be Congressional action. We can see no reason why Congress should not pass the Caffery quarantine bill as amended in the Senate.

[Mobile Sunday Item, January 2, 1898.]

The shotgun quarantines and the jarring and conflicting regulations of towns, counties, and States are what Governor Johnston properly named them—intolerable. They killed trade, progress, production, personal liberty, and interstate commerce at one fell swoop.

CALIFORNIA.

[San Francisco Daily Report, November 3, 1897.]

It is this very disregard of local conditions that makes the national quarantine service better than the State service. The officers may be no better, though their long special experience should make them so; but they are far more independent. Their positions and livelihood do not depend on the maintenance of friendly relations with those affected by the quarantine rules, and they can act regardless of all personal considerations. The State official's term is short, and, like other State officials, he may feel that he must make hay while the sun shines. Hence he is always more likely to be improperly influenced than is the Federal official.

[San Francisco Daily Report, January 1, 1898.]

In two or three Southern States where the danger of disease importation is greatest the local authorities are delighted to have Federal officers take charge of their quarantines, not only because they are thus relieved of considerable expense and responsibility, but because they know how the United States quarantine can be depended upon. One thing that goes to make the Federal quarantine especially efficient is that the United States has agents at foreign ports whose business it is to transmit to the home Government—by telegraph if necessary—news of the sanitary condition of the ports at which they are respectively stationed. This is an advantage the State quarantine officers do not possess. There is no earthly need of the State quarantine service.

[San Francisco Argonaut, October 20, 1897.]

It is estimated that the loss of business even at Mobile has already amounted to $4,000,000 and that at New Orleans to $25,000,000, as the cotton freight business has been completely stopped. After this new invasion of the yellow plague shall have been checked, we are of the opinion that the Southern States, and we hope all the States of the Union, will be content to place quarantine in the hands of the Federal Government, where it belongs.

CONNECTICUT.

[Bridgeport Standard, October 19, 1897.]

The need of general quarantine regulations, uniform everywhere and impartially applied, is all the more evident as time passes on, and the people of all the South must see the need and advantage of such an arrangement.

[New Haven Evening Leader, January 3, 1898.]

This subject is of paramount interest to the people of the United States, for nothing enters deeper into the daily and business life of the people and the safety and welfare of the country than the question of protection from epidemic diseases. It is, however, not a question of persons or places or power.

It is a question of reasonable and logical methods of the General Government, dealing with one of the phases of maritime trade and commerce, a function which it exercises by the Constitution. It seems to us that there can be but one view which reasonable people will take of this question, and that is one which looks to the General Government as the powerful and uniform conservator of the public health. The bill of Representative HEPBURN, of Iowa, practically identical with that of Senator CAFFERY, confers the necessary power to deal with these epidemics. This measure should pass.

DISTRICT OF COLUMBIA.

[Washington Star, October 6, 1897.]

In an emergency like an outbreak of a deadly fever there is no time for disputes between medical officers, governors, sheriffs, and other public servants. Jealousies are almost sure to arise if they are not prevented by wise efforts by some central authority with power and discretion to act freely. The Government has assumed charge of the interstate features of the transportation system of the country, and its action has resulted in better conditions generally. It can as well and much more profitably be given charge of the interstate features of the public health, for whenever an epidemic occurs or threatens, the smallest detail of the management of the protective work in one State has a most intimate relation to the health of all residents of all neighboring States.

[Washington Star, October 29, 1897.]

The futility and danger of the quarantine methods employed by the Gulf States and surrounding communities during times of disease contagion have been amply demonstrated during the past season of prevalence of yellow fever throughout a large area in that vicinity.

[Washington Post, September 20, 1897.]

The General Government should take charge—absolute charge—of quarantine regulations, or it should withdraw finally from the field. We should have one harmonious and uniform system, or

we should surrender the yellow-fever belt to chaos and to barbarism. These conflicts of authority, these jealousies, resentments, and animosities only complicate the difficulties of the situation. In the name of civilization and humanity, Congress ought to take hold of the question next winter and give us some intelligent and conclusive legislation in the premises.

[Washington Post, January 10, 1898.]

We trust that Congress will give us a national, absolute, and uniform system of quarantine.

FLORIDA.

[Pensacola Daily News, January 11, 1893.]

A national system would correct the panicky quarantine of the States and interior towns against the seaboard cities which has often operated to the great loss of the latter; would greatly lessen the present imposts on commerce. The expenses would not be borne by the vessels, but by the whole country, which is but just and right. The National Government should protect us against disease as against any other invasion.

[Pensacola Daily News, October 5, 1894.]

One of the principal reasons why the control of all quarantine affairs should be relegated to the Federal authorities is found in the constant conflict between different local boards.

GEORGIA.

[Atlanta Journal, December 16, 1897.]

Atlanta does want. So does all Georgia, and so do the press and people of all of the Southern States with almost unanimity. True, a few captious papers along the Gulf littoral have persistently whined against the adoption by Congress of any action looking to national supervision of a matter which gravely affects the business of the whole nation. But, as the Journal has shown from the beginning, this opposition, when not based on small local interests, is the result of hidebound adherence to effete ideas or to small personal prejudice.

[Atlanta Journal, January 31, 1897.]

Georgia was untouched by the yellow fever last summer, but she did suffer from the clumsy and ineffective quarantine methods which were adopted in neighboring States. Very few of those citizens of Georgia who had good opportunities to observe how State and local quarantine regulations worked then will be found now to oppose the movement for a national quarantine law. The fear of Federal interference with State rights will not deter them from advocating scientific, just, and uniform quarantine regulations, and there seems to be no way to secure these so long as every bailiwick is permitted to remain a quarantine law unto itself.

[Atlanta Journal, December 8, 1897.]

The local quarantine regulations of the States and cities recently afflicted with yellow fever proved not only ineffective but ridiculous.

[Atlanta Journal, November 10, 1897.]

To prevent the spread of epidemics, as well as to prevent unreasonable attacks upon business and interference with the rights of the public without just cause, the proposed enlargement of the powers of the Marine-Hospital Service should by all means be accomplished.

[Savannah Morning News, October 10, 1897.]

The whole matter of quarantine should be in the hands of one authority—an authority having the means and the power to act in accordance with the actual demands of the situation. That authority is the General Government.

[Atlanta Constitution, October 9, 1897.]

As matters now stand, the commercial interests of the South are wholly at the mercy of ridiculous and unwarranted measures, and scarcely a day passes without giving rise to some development which grievously emphasizes the need of centralized and uniform regulations.

[Macon Telegraph, October 24, 1897.]

No State government is strong enough to deal with him [Yellow Jack—i. e., yellow fever] adequately, and the expense of the task should be put upon the National Government, for one case of the imported plague on the Gulf coast injures business in New York and Seattle. We must turn the whole matter of handling Yellow Jack over to the Federal Government. It is the only way to do.

[Macon Telegraph, January 28, 1898.]

Those who have been insisting that the rights of the State would be invaded by Federal intervention should now sing small. The question is not an issue at all. Here in Georgia we can not trust to Mississippi methods, for that State has little money to spend for anything, and we have had enough of the risk of accommodating refugees. Georgia has no voice in the Mississippi legislature, but she does have a considerable voice in the National Congress. We can be protected from neglect in Mississippi only by the Federal Government. As we have said repeatedly, yellow fever is a foreign foe, and can be dealt with successfully only through uniform Federal laws.

LOUISIANA.

[New Orleans Daily Picayune, January 19, 1898.]

All arbitrary and lawless interference with interstate and transcontinental trade will be prevented, but no proper and substantial right of States or people will be interfered with. This sort of sanitation is proper and practicable, and no valid objection can be made to it. There could be no better arrangement than to place the administration of a proper national health service under the Marine-Hospital management. That body is entirely out of politics and can have no interest to raise unnecessary alarms or to discriminate in its operations against sections or localities.

[New Orleans Picayune, October 8, 1897.]

The people of the United States seem to be drifting rapidly toward nationalism. The Marine-Hospital Service, the Army and Navy medical departments, are permanent institutions. They do not go in and out with every change of the National Administration, and some fair and unpartisan treatment could be expected from either of them if they were intrusted with the control of quarantine. But a department of public health, whose political complexion would change at every Presidential election, would be a mere political machine, through whose operation the South would be sure to suffer.

[New Orleans Picayune, November 7, 1897.]

The people who stop trains under the pretense of quarantines are violating the law as much as do those who hold up trains for the purposes of robbery. To bar the progress of an interstate carrier and to prevent the transportation of passengers, mails, and merchandise to the persons to whom they belong is in effect robbery, no matter what may be the pretense upon which such acts are perpetrated.

[New Orleans Times-Democrat, January 19, 1898.]

The Caffery bill places the Federal quarantine in the hands of the United States Marine-Hospital Service and greatly increases the powers and responsibilities of the Federal Government in the matter of the protection of this country from the invasion of disease from abroad. The Southern people, after last year's experience, are thoroughly willing to extend the Federal power in that direction, and see no danger to the States from doing so. They are therefore willing and, indeed, desirous that the marine quarantine shall be placed under Federal control, so that it may be uniform for the entire country.

[New Orleans Times-Democrat, January 23, 1898.]

We want some quarantine system that will assure us the best protection against the invasion of disease.

[New Orleans Times-Democrat, December 12, 1897.]

We in Louisiana have a perfectly efficient system of maritime quarantine; but we saw a few months ago of how little account the possession and maintenance of that efficient system were when disease could invade neighboring States, owing to their inefficient quarantine, and could then be passed on to us. Therefore it was we contended that quarantine should be taken from the State authorities and put in the hands of the Federal power, which alone could systematize the differing and frequently conflicting quarantines, make them uniform, and enforce them.

MARYLAND.

[Baltimore American, November 24, 1897.]

The Government should have absolute control of all quarantines. Had this been the case in the South, the disease would doubtless have been confined within a narrower compass, and more valuable information would now be at the disposal of the professions for use in future epidemics.

MASSACHUSETTS.

[Springfield Union, October 14, 1897.]

The national officials should be given full authority, and State and local boards of health and officials should be compelled to subordinate themselves to them. The only way to make such attempts to prevent widespread suffering and serious embarrassment to trade and commerce is to avoid the divided responsibility that comes from State quarantine control, and by centralization of responsibility in the Federal health officers.

[Boston Traveler, October 14, 1897.]

There should be a national law strong enough to reconcile all the differences between the various authorities. Uniformity of sanitary regulations can not but prove beneficial to the country as a whole, and the intermittent flurry for safety when a contagious disease breaks out will be done away with.

MISSISSIPPI.

[Biloxi Herald, October 16, 1897.]

Congress will fail in the discharge of one of the most sacred duties which it has ever been called upon to perform if it does not at its next session pass a law conferring the necessary authority and carrying a sufficient appropriation to insure its efficient exercise.

[Gulfport Southward, January 14, 1898.]

Cholera, yellow fever, typhus fever, and bubonic plague are practically the only diseases which quarantine stations pretend to keep out, and these diseases, taken together, have not caused an average of 1,000 deaths per year in the United States for the past twenty years. On the other hand, three diseases alone, viz, tuberculosis, typhoid fever, and diphtheria, destroy 157,000 lives annually.

NEW YORK.

[New York Commercial Advertiser, February 19, 1898.]

Shotguns or Uncle Sam?

Necessity of national quarantine both for protection of commerce and for public health begins to be recognized, especially at the South. The control by city and State health officers of international commerce and travel in quarantine matters, while the same interests are supervised by national authority in customs and immigration matters, is a great anomaly. There is really no middle course between shotgun quarantine and national quarantine.

[New York Herald, February 12, 1898.]

National quarantine and the Marine-Hospital Service.

With the experiences of the late epidemic of yellow fever in fresh recollection, the necessity for a national system of quarantine can hardly be questioned. While the friends of the various measures are consistently working in the direction of a comprehensive form of national quarantine, it is quite evident that the odds are in favor of developing a system we have already at hand rather than institute new ones, however comprehensive and efficient they may promise to be. The Caffery bill offers seemingly the best solution of these difficulties. The public has every confidence in the ability of the Marine-Hospital Service and every hope in the amplification of its resources.

[New York Herald, January 11, 1898.]

The people of the United States demand a national quarantine.

[New York Commercial America, February 8, 1898.]

The objection to the local municipal quarantines is that they are necessarily conflicting, irregular, and variable, and this to such an extent that with the best intentions and the utmost care it is all but impossible for a railroad to be operated in conformance with such regulations; and those regulations are most disagreeable and oppressive to passengers. Moreover, these local municipal quarantines are of doubtful legality, and it is questionable whether the railroad companies may not hereafter be asked to pay damages on account of delay to freight and passengers by reason of complying therewith.

[New York Tribune, October 23, 1897.]

State and Federal quarantines.

The continued spread of yellow fever through the Gulf States seems to argue more and more forcibly the breakdown of that haphazard system of local quarantine on which the South has depended for years past, and still depends, to bar the progress of infectious diseases. That a well-organized and liberally-equipped Federal service would close most of the gaps through which the epidemics of the past have found an entrance to our ports will not be disputed.

[New York Journal of Commerce, October 14, 1897.]

Every community that is threatened with yellow fever is entitled to sympathy and aid in its self-defense, but it should be compelled to limit its defense to modern and scientific means and to inflict the minimum losses upon trade instead of instantly resorting to the methods that seemed reasonable when the black death ravaged Europe five centuries ago.

[New York Mail and Express, October 20, 1897.]

The need of uniformity in quarantine regulations is imperative. The old, conflicting State systems are grossly inadequate to prevent the advance of epidemic disease, and besides that they often actually expose whole neighborhoods to the danger of infection. Senator CAFFERY'S struggle in getting through the various lines of State quarantine now guarding the yellow fever districts in the Southwest is but an example of thousands of instances that happen whenever such diseases make their appearance.

State and local regulations will never provide the efficient safeguards which can be gained from a national quarantine system, and it is therefore particularly gratifying to learn that Mr. CAFFERY is already at work on the draft of such a measure for submission to Congress at the approaching session. His recent experience abundantly qualifies him to explain the necessity for such legislation.

[New York Mail and Express, December 10, 1897.]

Senator CAFFERY'S promptness in proposing this urgent measure of public safety is actuated by the soundest considerations of prudence and patriotism. It is almost inconceivable that there should be any respectable opposition to an act so indispensable to national interests.

[Albany Press and Knickerbocker, October 19, 1897.]

The need of a strong Federal quarantine system in the Gulf States is at this time the subject of earnest discussion by the newspapers of the region now exposed to yellow-fever visitation. That region in some seasons when conditions are favorable for the spread of the disease may infect other districts. The weak links in our chain of defenses against this destroyer are danger points for the country. This danger is in an extremely important sense a national peril, and preventives should be administered on a national basis.

PENNSYLVANIA.

[Philadelphia Record, January 24, 1898.]

The whole matter should be placed in the hands of the Federal authorities, where it properly belongs. There has been quite enough toleration of chaotic management and shotgun quarantine. Epidemics of cholera and yellow fever ought to be made impossible in this country, and they would become so if we could have a national quarantine law which should provide ample resources and give proper authority for restricting and controlling them.

[Philadelphia Press, January 21, 1898.]

As a rule, the Southerners, who are accustomed to the Marine-Hospital Service, as they are in the habit of calling it to their aid in yellow-fever and smallpox emergencies, owing to local ignorance, favor the extension of the Marine-Hospital Service. This is also the plan of such experts as our own Dr. Guiteras, who believe the development of the service as a national health bureau is practicable and easy of accomplishment. This is the situation, and the Caffery bill meets it through the granting of additional powers to the Hospital Service which are drastic enough in times of emergency to meet all cases and yet will permit local authorities at other times to get along with the cooperation or mere advice of the service, and without surrendering their identity or organization.

[Philadelphia Public Ledger, October 6, 1897.]

The need of a strong Federal quarantine system in the Gulf States is at this time the subject of earnest discussion by the newspapers of the region now exposed to yellow-fever visitation. Weak links in our chain of defenses against this destroyer are danger points to the country. This danger is in an extremely important sense a national peril, and preventives should be administered on a national basis.

[Philadelphia Evening Telegraph, October 16, 1897.

Experience has demonstrated that these local quarantines do not afford effective protection even at home, while as to localities beyond their purview they are of course utterly useless. Epidemics do not move with reference to State boundaries, and a thoroughgoing quarantine established in one State is of no avail if disease is allowed to come in next door on the other side of an imaginary line. In view of these known facts, persistent and consistent efforts have been made to establish a national quarantine system extending not only to all coasts of the country, but all over the interior as well. These efforts have been constantly thwarted by the obstinate opposition of the Southern people, inspired by their State rights sentiments. The national quarantine authorities, in deference to these sentiments, have been cribbed, cabined, and confined on every side by legal restrictions, and are to this day forbidden to take any action whatever, no matter how necessary, except by and with the advice and consent of hostile State officials.

[Philadelphia North-American, October 8, 1897.]

The objection to a uniform system of quarantine to be established by Congress and administered by the Federal authorities seems to root in the insane jealousy of State rights. The establishment of national quarantine would not interfere with the function of the local boards of health in any way, but the Federal authorities would find the local boards great helpers in such emergencies as that now presented in the Gulf States.

[Pittsburg Press, November 21, 1897.]

The idea is antagonized, but it is significantly observed that the most serious objection to Federal regulation is made in those parts of the South which were exempt from the late visitation of yellow fever.

[Erie Graphic, November 21, 1897.]

The outbreak of yellow fever in the Southern States this year, the complete failure of local control of quarantine, and the needless embargoes placed on business in those districts that escaped the disease have stirred up the movement in favor of what is called a national quarantine law.

[Easton Express, October 14, 1897.]

There is only one rational conclusion to be drawn from this year's experiences of the yellow fever, and that is that Congress should, at its next session, enact a law providing for a national system of quarantine.

[Scranton Truth, October 23, 1897.]

Congress ought to take up and place on the same footing national defense against invasion by war and invasion by pestilence. We have had occasion to say this before. The present yellow fever visitation furnishes occasion to repeat it.

TENNESSEE.

[Memphis Scimetar, February 8, 1898.]

The patchwork system of State and municipal quarantines is a most costly example of local inability to deal with a problem that is essentially national.

[Chattanooga News, October 21, 1897.]

Sure relief can only come from the National Government. If the task is left to a dozen different State governments, a repetition of the present unfortunate state of affairs is always to be feared. The temptation is ever present to popularize a port by relaxing the rigidity of the inspection of shipping which is to land there.

Our commercial bodies, even the foremost movers in matters of general concern, will do well to begin an agitation which shall secure effective legislation for our protection from the approaching session of Congress.

[Chattanooga Times, October 19, 1897.]

As to the power of the General Government to protect the country from invasion by disease, that rests on the same broad ground that does the power to repel a foreign navy or army from ravaging the coasts and carrying fire and sword into the interior.

TEXAS.

[San Antonio Daily Express.]

Kansas, Nebraska, or any other inland State is as much concerned in the maintenance of a proper border quarantine service as is Texas.

The prevention of the spread of epidemic diseases being a matter of national importance, it is but just and right that the whole people should bear their fair proportion of the expense of preventing the entrance into our borders and the spreading of epidemic disease.

[Fort Worth Mail-Telegram, October 12, 1897.]

The extemporized and unauthorized citizen quarantines, the senseless shotgun cordons of outlying districts by volunteer bands, and the threatened mob violence against the establishment of hospitals prove the necessity for a more general and more systematized method of quarantine administration than has heretofore been possible.

[San Antonio Daily Express, October 12, 1895.]

The guarding of the nation's boundary properly devolves upon the people of all the States so guarded, and the interior is as much concerned as the boundary territory. This is a matter for Congressional action. Texas can with all justice take the lead in the agitation.

[Dallas News, October, 1895.]

The protection of the national boundary is none the less the duty of the Federal Government because it happens also to be the boundary of a State.

APPENDIX C.

The New England Medical Monthly, in its issue of March, 1898, says editorially:

"But while a public health department is not at this time feasible, the necessity for the establishment of a national quarantine system remains, and we believe that the Marine-Hospital Service should be intrusted with this duty. The splendid contributions to medical science and the quarantine results already achieved by the Marine-Hospital Service entitle it to the gratitude and respect of all medical men, and in no better hands could the enforcement of national quarantine be placed.

"The experience already gained by the service in arresting and preventing epidemics is invaluable, and it should have every opportunity for increased usefulness along these lines. The Caffery bill, now pending, should receive the fullest professional and public indorsement, as it will be the means of making national quarantine at once possible and efficient."

The Philadelphia Medical Journal, in its issue of January 8, 1898, says editorially:

"The distinguishing feature of the bill which flies the flag of the American Medical Association, but which was never adopted by that body, is that it proposes to establish a 'department of public health.' To the ear of the sanitarian this has a very seductive sound. He has long felt that the protection of the public health was one of the great national issues, as well as entitled to recognition as a coordinate branch of Government as either of those the chief function of which is the destruction of human life. The bill, however, does not fulfill the promise of its title. It establishes not a true department, with representation in the Cabinet, but merely a commission.

"As a rule it may be affirmed that a system or institution which has been developed by the process of growth is more serviceable and has in it more elements of permanence than one which has been artificially constructed on theoretic principles, and this because its provisions have been devised to meet actual emergencies. It is not strange, then, that the committee to which was assigned the duty of drawing up a bill for the establishment of such a department found that it could not do better than to adopt the provisions already formulated and put in force by the Marine-Hospital Service, and to propose that the new department should take into its capacious maw that entire service, Surgeon-General, 'building, offices, officers, laboratories and appurtenances, and property of whatever name and nature.'

"It seems, therefore, to be little more than a change of names which is proposed, with the creation of a few additional salaried officers. We have the thing already. The Marine-Hospital Service is in reality the national department of health. The dog in the fable lost his bone in trying to seize its magnified reflection in the rippling stream. Let us be careful how we risk the perpetuity of our present tried and practical, although not thoroughly ideal, system in the troubled waters of a Congressional struggle. The wiser alternative, as we view the matter, is that suggested by that eminent and well-trained sanitarian, the now lamented Jerome Cochran, health officer of Alabama, and then chairman of the very committee which now proposes the bill we have been considering, viz: 'To endeavor to improve the Marine-Hospital Service and to make it a more satisfactory national health department than it now is.'"

The Medical Record, of New York, a professional journal of commanding position, with a clientele extending throughout the civilized world, and which is read in every clime, says editorially in its issue of February 12, 1898:

"There is just now not so much a necessity for educating the public in sanitary matters as for perfecting suitable police regulations for threatening epidemics. Thus it would naturally appear to be reasonable to elaborate, strengthen, and amplify what we may already have in that line, rather than to aim at some new, untried, and obviously unwarrantable measures. From such a point of view the bill of Senator CAFFERY, 'granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service,' deserves the support of everyone who may hope for a logical settlement of the great question at issue.

"This bill has for its purpose such a development of the Marine-Hospital plant as will make it possible for the General Government efficiently to control all maritime and inland quarantine, and is framed on the practical basis of aiding and advising the local authorities and not interfering with them, unless in cases of emergency or when large districts of country are affected and when a general, impartial, and uniform system of protection is demanded. The Secretary of the Treasury naturally remains at the legitimate head of the department.

"Much as it would compliment the medical profession to have a physician in such position as a member of the Cabinet, the proposed measure is the next best solution of a question concerning which there are many pros and cons. The Secretary has already supreme control of maritime customs, and can, on sufficient grounds, refuse the entry of any vessel bound for our ports. When to such power that of enforcing quarantine is added, it is easy to conclude that both functions can work together harmoniously and consistently. Then, again, there can be no question, in this instance, regarding the constitutionality of so-called invasion of State rights, as Congress has the right to regulate commerce and can interfere with anything that pertains to it.

"One very forcible argument in favor of the bill is the fact that the Marine-Hospital Service, having done so much in arresting and preventing epidemics, is fully competent to exercise increased powers in the line of work with which it is already perfectly familiar. With such great interests at stake as the health of the entire nation, there will be no possible temptation to make distinctions in favor of one or other district, but all can come under a uniform regulation, 'as far as climatic conditions will justify.'

"The main opposition to national quarantine comes quite naturally from local authorities, which are jealous of the privileges of revenue and of political patronage. This is evidenced by offers on the part of several States to purchase the present quarantine plants of the Government and manage them as independent establishments. The pecuniary measures which comprise the levying of arbitrary and excessive fees on commerce, and which are the main ones considered by the different State quarantines, are to the last degree oppressive, burdensome, invidious, and unnecessary.

'By a new order of things there will be no call for special fees, and all the ports of entry will be on an equal basis as regards quarantine regulation. The advantages of the latter system are already proven in those localities where only national inspection prevails, by the fact that increased trade is naturally attracted to such favored ports to the exclusion of neighboring ones not so favored. Thus it will be seen that millions of dollars can be saved to commerce which are now demanded on the purely technical ground of State rights to collect special fees.

"It is useless, however, to multiply arguments in favor of national quarantine. The real question that concerns us now has reference to the best and readiest means to the desirable and imperative end. The best answers to objections urged against all bills heretofore presented are very effectively, consistently, and practically given in the admirable, far-reaching, comprehensive, and just provisions of the Caffery bill. The Marine-Hospital Service eminently deserves every opportunity for increased usefulness and good work. Even with its limited resources it has made an admirable and unimpeachable record. The profession and the public should be ready with their indorsement at the time when such is so much needed to make all the really necessary quarantine reforms within the reach of ready realization."

The Medical Standard, of Chicago, in its issue of January, 1898, says editorially:

"The recent epidemic in certain parts of the South has directed public attention to the necessity for broader and more efficient regulations for the protection of the public health. Many objections that formerly were urged against the proposition to place the quarantine power wholly in the hands of the Federal officials have been withdrawn, and that section of the country which heretofore has most strenuously opposed Federal control has now asked Congress to provide such control. The bill recently introduced by Mr. CAFFERY, of Louisiana, in the United States Senate is in response to this demand.

"In view of these circumstances, it would appear that the wisest course lies in introducing a bill in Congress which will take the Marine-Hospital Service as a nucleus and establish an unattached bureau clothed with the authority for national quarantine that is asked for from the South. Under the direction of this bureau, then, such investigations as that proposed into yellow-fever conditions in Cuba and leprosy in Hawaii, which, it is reported, are to be made subjects of Congressional action, may be conducted. The unattached bureau would not cost more than will the performance of the same duties under separate divisions, and certainly would prove far more efficient. Thus equipped and permitted to show the public its field of usefulness, this bureau of public health will have every opportunity to develop at an early date into one of the Departments."

The Sanitarian, of New York, one of the oldest journals of its class in the United States, says editorially in its issue of December, 1897:

"Indeed, the foundation of a national board of health is already laid. The proposition to extend its scope by such emendations and additions to the laws now governing it as would secure the cooperation of the sanitary authorities of the States severally and jointly, as suggested by the late Dr. Jerome Cochran, after a critical examination, is eminently commendable. And in this reference to the judgment of Dr. Cochran it should be borne in mind that it was the deduction of a practical sanitarian—of one who had devoted many years of his professional life to preventive medicine, and after he had, as chairman of a committee, specially appointed to consider the question of a 'Department of public health.'

"Considering all the circumstances and the relations of the leaders of the proposition to supersede the Surgeon-General of the Marine-Hospital Service to the present chief of that service, we can but regard the proposition as being alike discreditable to both the American medical and the American public-health associations.

"The proposition reflects political preferment to practical knowledge of preventive medicine; it deserves not only the reprobation of every practical sanitarian, but of every person who is alive to the importance of an effective health service."

The Bulletin of the North Carolina board of health, in its issue of December, 1897, says editorially:

"For carrying out the idea of a national quarantine two plans have been suggested. One is to commit it to the Marine-Hospital Service, which Bureau has for many years been engaged in quarantine work, by enlarging its powers and adding to its duties; the other is the establishment of a department of public health.

"In pursuance of the former plan Senator CAFFERY, of Louisiana, introduced in the Senate the following bill:

A bill amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Be it enacted, etc., That "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893, be amended by striking out the following words in section 1: "And with such rules and regulations of State and municipal health authorities as may be made in pursuance of or consistent with this act," and striking out section 3 and inserting the following in the place of said section:

"SEC. 3. That immediately after the passage of this act the Secretary of the Treasury shall make such rules and regulations as are necessary to prevent the introduction into the United States of any infectious or contagious disease from any foreign port or place, or the spread of such diseases from one domestic port to another, and such necessary rules and regulations as shall be observed by vessels or vehicles departing from foreign ports or places for ports or places in the United States to secure the best sanitary condition of such vessels or vehicles, their cargoes, passengers, and crews, which rules and regulations shall be published and communicated to and enforced by consular, quarantine, and customs officers of the United States and the State and local quarantine officers of the United States. All rules and regulations made by the Secretary of the Treasury shall operate uniformly, so far as climatic conditions will justify, in the interest of security against the introduction or spread of said infectious and contagious diseases, and shall not discriminate against any port or place. None of the penalties herein imposed shall attach to any vessel from a foreign port, or owner or officer thereof, until a copy of this act, with the rules and regulations made in pursuance thereof, has been posted up in the office of the consul or other consular officer of the United States for ten days in the port from which said vessel sailed, and the certificate of such consul or consular officer, over his official signature, shall be competent evidence of such posting in any court of the United States. Nor shall the penalties imposed by this act attach to any common carrier or officer, agent, or employee of any common carrier crossing the border of the United States until a copy of this act, with the rules and regulations made in pursuance thereof, has been published and made publicly known.

"At any port or place in the United States where the Secretary of the Treasury shall deem it necessary for the prevention of the introduction of contagious or infectious disease from a foreign port or place that incoming vessels, vehicles, or persons shall be inspected by a national quarantine officer, such officer shall be designated or appointed by the Secretary of the Treasury, on recommendation of the Surgeon-General of the Marine-Hospital Service, and at any such port or place no vessel, vehicle, or person from a foreign port or place shall be admitted to entry or enter without the certificate of said officer that the United States quarantine regulations have been complied with.

"Any vessel sailing from any foreign port without a United States consular bill of health and arriving within the limits of any collection district of the United States, and not entering or attempting to enter any port of the United States, shall be subject to such quarantine measures as shall be prescribed by regulations of the Secretary of the Treasury, and the cost of such measures shall be a lien on said vessel, to be recovered by proceedings in the proper district court of the United States and in the manner set forth above as regards vessels from foreign ports without bills of health and entering any port of the United States.

"National quarantine stations now in operation shall be conducted in accordance with the provisions of this act, and the Supervising Surgeon-General, with the approval of the Secretary of the Treasury, is authorized to designate and mark the boundaries of the quarantine grounds and quarantine anchorages for vessels, which are reserved for use at each United States quarantine station; and any vessel, or officer of any vessel, or other person, trespassing upon such grounds or anchorages, in disregard of the quarantine rules and regulations, shall be deemed guilty of a misdemeanor and subject to arrest, and, upon conviction thereof, be punished by a fine of not more than $300, or imprisonment for not more than one year, or both, in the discretion of the court.

"And any master or owner of any vessel, or any person violating any rule or regulation made in accordance with this act, relating to inspection of vessels, or relating to the prevention of the introduction of contagious or infectious disease, and any master, owner, or agent of any vessel making a false statement relative to the sanitary condition of said vessel or its contents, or as to the health of any passenger or person thereon, shall be deemed guilty of a misdemeanor and subject to arrest, and, upon conviction thereof, be punished by a fine of not more than $500, or imprisonment for not more than one year, or both, in the discretion of the court.

"Medical officers of the United States, duly clothed with authority to act as quarantine officers at any port or place within the United States, and when performing such duties, are hereby authorized to take declarations and administer oaths in matters pertaining to the administration of the quarantine laws and regulations of the United States.

"The Secretary of the Treasury shall, whenever in his judgment it is necessary, make rules and regulations to prevent the introduction of infectious or contagious diseases into one State or Territory, or the District of Columbia, from another State, Territory, or the District of Columbia, and when such rules and regulations have been made they shall be promulgated by the Secretary of the Treasury and enforced by the sanitary authorities of the States and municipalities when the State or municipal authorities will undertake to execute or enforce them; but if the State or municipal authorities shall fail or refuse to enforce said rules and

regulations, or other rules or regulations made under the provisions of this act, the President shall execute and enforce the same, and adopt such measures as in his judgment shall be necessary to prevent the introduction or spread of such diseases, and may detail or appoint officers for that purpose.

"Whenever yellow fever, cholera, plague, or typhus fever has passed the quarantines of the United States, or in any manner any one of these diseases has gained entrance or has appeared within the limits of any State, Territory, or the District of Columbia, the quarantine regulations of the United States, prepared under the direction of the Secretary of the Treasury, shall be supreme and have precedence of State or municipal quarantine laws, rules, or regulations, and the President is authorized to enforce the same within the limits of any State, Territory, or the District of Columbia, and to control the movement of vessels, railway trains, vehicles, or persons within any State, Territory, or the District of Columbia, to prevent these diseases from spreading from one State, Territory, or the District of Columbia to another State, Territory, or the District of Columbia, and to prevent unneccessary restrictions upon interstate commerce; and whenever, in accordance with the rules and regulations made as herein authorized to prohibit or permit the movement of vessels, railway trains, and vehicles, or transportation of persons, prohibitions or permits have been made or granted, any person violating said prohibition or permit shall be deemed guilty of a misdemeanor, and shall be subject to a fine of not more than $1,000, or imprisonment for not more than twelve months, or both, at the discretion of the court; and any violation of said prohibition or permit shall be reported to the United States district attorney for the district in which the offense has been committed, who shall thereupon institute necessary proceedings for the recovery of the penalty herein imposed."

That section 6 of said act shall be amended to read as follows:

"That on the arrival of an infected vessel at any port not provided with proper facilities for treatment of the same, the Secretary of the Treasury may remand said vessel, at its own expense, to the nearest national or other quarantine station, where accommodations and appliances are provided for the necessary disinfection and treatment of the vessel, passengers, and cargo; and after treatment of any infected vessel, or inspection of any vessel not infected at a national quarantine station, and after certificate shall have been given by the United States quarantine officer at said station that the vessel, cargo, and passengers are each and all free from infectious disease, or danger of conveying the same, said vessel shall be permitted to enter and admitted to entry at any port of the United States named within the certificate. But at any ports where sufficient quarantine provision has been made by State or local authorities, the Secretary of the Treasury may direct vessels bound for said ports to undergo quarantine at said State or local station."

That section 8 of said act shall be amended to read as follows:

"That whenever the proper authorities of a State shall surrender to the United States the use of the buildings, grounds, and disinfecting apparatus at a State or municipal quarantine station, the Secretary of the Treasury shall be authorized to purchase them at a reasonable compensation, or pay a reasonable rental for their use, if in his opinion they are necessary to the United States; and the expense of said purchase or rental is made payable from the epidemic fund."

"We would call attention to the fact that the author of this bill is a Southern Democratic Senator, and doubtless a thorough believer in the doctrine of State sovereignty; and also to the fact that he represents Louisiana, whose quarantine facilities and methods are unexcelled anywhere.

"The Marine-Hospital Service, as at present constituted, is as far from the baneful influence of 'practical politics' as are the Army and Navy. Its members are appointed solely for fitness, and their business in life is fighting disease—large throughly quarantine work. They are seasoned veterans in that peculiar warfare.

"Their commanding officer, the Surgeon-General, is always one of their most experienced men, and while it might happen that he was not the man in the service best fitted for that position, it would always be true that he had been thoroughly trained in the business. And if it were our personal business involving great consequences to us, as the proper management of our quarantine service does to the people of our country, we would not hesitate a moment in deciding in favor of the trained experts—and we do not believe the candid reader would, either."

The Georgia Journal of Medicine and Surgery, in its issue of August, 1897, says editorially:

"In this issue we quote in full the 'bill to establish a department of public health and to define its duties,' as reported at the last meeting of the American Medical Association at Philadelphia. The bill was not adopted by the association, but was received and the committee continued.

"So important a matter as this should be fully discussed and thoroughly understood, and the present condition of affairs at Washington, as regards the Marine-Hospital Service, known and appreciated, before the indorsement and aid of the profession is given to it.

"How much more just and fair and how much better for the country, therefore, it seems to us, to draft a bill imposing additional duties and enlarging the field of usefulness of that very important department of public health (which it now is), the Marine-Hospital Service, and including in the Marine-Hospital bill all the good features (for they are practically and virtually carried out in toto by the Marine Service at this moment) of the new bill under discussion, without its objections.

"An epidemic or emergency fund is at the disposal of the Marine-Hospital Service in case of necessity in occurrence of epidemics in any of the States or Territories. The service has means at its disposal, and is thoroughly capable of fulfilling the most minute requirements of the new bill."

The New York Medical Journal, in its issue of December 25, 1897, says editorially:

"It is unfair to criticise the work of a person or a number of persons who are operating at a disadvantage by reason of insufficient tools or inefficient laws. The national control of epidemics through the Marine-Hospital Service has been largely hampered in the past by the objections of State-rights theorists. This has been largely overcome by practical experience. The Marine-Hospital Service has had to wait until the inefficiency of certain local measures was established, and only then would it step in and exert its powers.

"Thus the early and favorable time was lost when work should have been done to restrain the onward progress of a threatened epidemic. It is the fault of the law and not of the service that certain concessions have not been made to the satisfaction of persons who are interested, or profess to be interested for one reason or another, in the development of an improved health service. Senator CAFFERY'S bill, which would confer great powers upon the Secretary of the Treasury, seems to us a far more promising measure than any scheme for a national board of health."

The Medical News, of New York, in its issue of February 5, 1898, says editorially:

"Any movement which has for its cardinal text the relegation of the Marine-Hospital Service, which has done so much pioneer work in the interests of public health, to a secondary or even more obscure position in the ambitious plans of its enemies will not meet with a responsive chord in the minds of the majority.

"The service is developing in the exact direction which the promoters of the proposed department of public health expect to attain by one act of legislation.

"The Senate, upon the recommendation of its Committee on Public Health and Quarantine, has already indefinitely postponed two bills for the establishment of a department of public health, and favorably reported the Caffery bill, which imposes additional powers and duties upon the Marine-Hospital Service.

"In view of the state of the national finances and the improbability of Congress assenting to the large and indefinite expenditure necessary for the establishment of a department of public health, it seems to us that the profession should turn its attention to developing and supporting the Marine-Hospital Service as the public health service de jure as well as de facto, and that those who are now, as we think, mistakenly, if honestly, expending their efforts in the attempt to create a department of public health should join with their fellows in strengthening the hands of their professional brothers in the Marine-Hospital Service who have been so long and faithfully serving the public."

Editorial expressions of a similar character, appearing in the issues of this journal under date of December 4, 11, and 18 and February 19, might be cited if it were necessary to submit cumulative views from the same source.

APPENDIX D.

MARINE-HOSPITAL SERVICE.

The function of the Marine-Hospital Service may be seen by an enumeration of the various duties of its officers, as follows:

1. The management of hospitals and relief stations for the care of sick and disabled seamen of the merchant marine of the United States, over 50,000 seamen being treated annually.

2. The active management of eleven national quarantine stations, including the steam vessels belonging thereto. These national quarantine stations, particularly in the South, are the refuge stations for neighboring local quarantines, and for a large number of years have done the greater part of the actual cleansing and disinfecting of infected vessels. In the last fifteen years their hospitals have, with but few exceptions, received and cared for all the yellow-fever patients taken from vessels entering United States ports.

3. Inspection of local quarantines, under the act of February 15, 1893.

4. Investigation of reported cases of epidemic disease, including bacteriologic examinations and local sanitary conditions.

5. The suppression of epidemic diseases and enforcement of the interstate quarantine regulations.
6. The collection and dissemination of mortality statistics and sanitary information.
7. Scientific investigation into the causes of disease.
8. The examination of pilots for color-blindness.
9. Physical examination of keepers and crews of the life-saving stations; professional examination of their claims on account of disability and their treatment in hospital.
10. Physical examination and treatment of the officers and crews of the Revenue-Cutter Service, both prior and subsequent to enlistment, and medical and surgical service under special detail on revenue cutters engaged in arctic cruising or on other long voyages.
11. Physical examination of immigrants under the law excluding those afflicted with contagious disease.
12. Service in the office of consuls at foreign ports to assure the accuracy of bills of health given to vessels.
13. Miscellaneous duties imposed from time to time by the Treasury Department.

A few words now regarding the organization and scope of the Marine-Hospital Service.

MEDICAL CORPS.

The medical corps of the Marine-Hospital Service consists of a supervising surgeon-general, 16 surgeons, 32 passed assistant surgeons, 17 assistant surgeons, and 96 acting assistant surgeons, making a total of 161. The regular corps, that is to say, all of the above excepting the acting assistant surgeons, are appointed by the President after thorough physical and professional examination.

The acting assistant surgeons are appointed by the Secretary of the Treasury, on recommendation of the Supervising Surgeon-General, who satisfies himself as to the professional qualifications of the officer. The employment of acting assistant surgeons in times of emergency for temporary service, and the discontinuance of their services when the emergency is over, furnishes an excellent method of increasing or contracting the medical corps as occasion requires.

The acting assistant surgeons are men who have been long in the service and are trained in Government routine. When newly appointed in emergency they are usually assigned to a marine hospital under the observation of the commanding officer and one of the older assistants, detailed to meet the emergency.

I have heard that intimations have been made concerning the youth and inexperience of the members of the regular corps, the absurdity of which is shown by a table which I have caused to be prepared, giving the age and date of graduation of every officer of the service. From this table it will be seen that the average age of the surgeons is 50 years, the average age of the passed assistant surgeons is 35 years, and of the assistant surgeons, 29 years.

The medical colleges represented are as follows:

Medical College of Maine.
Western Reserve Medical College.
Jefferson Medical College, Philadelphia.
Pennsylvania Medical College.
Chicago Medical College.
Rush Medical College.
University of Georgetown, D. C.
University of Michigan.
Columbia College, Washington, D. C.
Bellevue Hospital Medical College, New York.
National Medical College, Washington, D. C.
University of Pennsylvania.
University of Maryland.
College of Physicians and Surgeons, New York.
College of Physicians and Surgeons, Baltimore.
College of Physicians and Surgeons, Boston.
Dartmouth Medical College, New Hampshire.
McGill College, Montreal, Canada.
Harvard Medical School, Boston.
Howard University, Washington, D. C.
Medical College, South Carolina.
Virginia Medical College.
University of Virginia.
Miami Medical School, Cincinnati.
Long Island Medical College, New York.
St. Louis Medical College.

It will thus be seen that the members of this corps are fairly representative of the medical profession of the country. Many of them, in spite of the fact that they are subject to change of station every four years or oftener, have held and are now holding professorships in the medical colleges of the cities in which they are stationed.

Concerning the new admissions to the corps, the law requires that they shall be appointed to the grade of assistant surgeon only, and provision is made for subsequent promotion. The examination is held once or twice a year, as occasion requires, and the applicant must pass a very severe test, making an average of 80 per cent on all branches.

The successful candidates are relatively few. For example, this month, out of 29 who appeared for examination, only 4 made the required grade. These new appointees represent the very best men among the newer graduates of the colleges; but very rarely do they come direct from the medical college, most of them having had hospital or private practice before seeking admission to the corps. Out of the total 61 medical officers, 53 had hospital practice before entering the service, 7 were engaged in private practice, and only 2 had neither private practice nor hospital service.

There are 20 hospitals owned and operated by the service and 107 additional relief stations where at contract hospitals seamen are admitted and treated by acting assistant surgeons.

The Marine-Hospital Service, even when considered solely in the light of its original function—the care of sick and disabled seamen—is a very important element in public-health work. The name itself now conveys no adequate idea of its scope, but the service is a century old, and its functions have been added to from time to time by Congress to such an extent that it is a somewhat laborious and tiresome task to enumerate all that it is doing.

But in its original restricted capacity it has by careful selection of its officers, and appointment only after rigid examination, and its entire removal from political influence, established a corps of medical men, under strict discipline, divorced from local influences and made familiar, to a degree unusual among medical men, with correct business habits and the systematic methods upon which is dependent the success of all large organizations and of government itself.

DISTRIBUTION AND QUALIFICATIONS OF THE CORPS.

The officers of the medical corps just mentioned are stationed in every important port on the coast, lakes, and rivers, and being trained in the execution of Government business, become valuable agents for the immediate execution of any sanitary measures which may be imposed upon them by telegraph or otherwise from the Bureau. It is always possible for the Marine-Hospital Service, in any part of the country, on the shortest notice, to have qualified agents at a place of danger. There is scarcely an officer of the regular corps who has not had actual quarantine experience, and the corps numbers among its members men whose names have become national by reason of their effective service in various epidemics.

The corps embraces a number of skilled bacteriologists, also men who have had large practical experience in the treatment of yellow fever and other contagious diseases, men thoroughly acquainted with all the military duties connected with sanitary cordons, detention camps, and with the methods of train and vessel inspections, scientific disinfection, etc. The effectiveness of this corps is the result of special care exercised to secure within it men who, by natural inclination and special education, are fitted for sanitary work, and is also the result of long and active experience.

The Marine-Hospital Service dates as far back as 1798. It was reorganized and put upon its present basis in 1871. Though established for the purpose of caring for sick and disabled seamen of the merchant marine of the United States, there have been from time to time other responsibilities imposed upon it, growing out of the necessities of other branches of the Government, with which it is intimately and necessarily associated. For example, the Revenue-Marine Service, a branch of the Treasury Department, relies upon the Marine-Hospital Service for the physical examination of its officers and men and their professional treatment when sick or disabled.

The Life-Saving Service relies upon the Marine-Hospital Service for the physical examination of the keepers and surfmen. Hundreds of rejections of physically unsound men seeking to become surfmen have been made by the officers of the Marine-Hospital Service. The Steamboat-Inspection Service, a most important branch of the Treasury, relies upon the medical officers of the Marine-Hospital Service for a determination as to the ability of the pilots to distinguish signal lights, and large numbers of applicants for pilots' licenses are annually rejected by the officers of the service on account of color blindness. The Immigration Bureau relies by law upon the Marine-Hospital Service for the medical inspection of immigrants.

Naturally, too, by reason of the intimate association of the Marine-Hospital Service, through its sailors, with shipping and commerce, the National Government has imposed upon this service the execution of the national quarantine laws, to which reference has already been made. I will only add here that so far as national quarantine is concerned, the service, by tradition and constant activity, save for a period of four years, is the natural executor of the same. National quarantine received its first executive impulse through the first Surgeon-General of the Marine-Hospital Service, Dr. John M. Woodworth, in 1878.

Both prior and subsequent to this last date the Bureau has controlled, wholly or in part, epidemics of yellow fever and of smallpox.

YELLOW FEVER.

Notably yellow fever in 1878, 1876, 1877, 1878, 1882, 1887, 1888, and in 1893, the Brunswick epidemic, when it was confined within the cordon lines established by the service.

It had complete control of the quarantine measures against yellow fever in Texas in 1882 and in Florida in 1888.

And the operations of the service during the yellow fever outbreak last fall are of too recent occurrence to require special description. The satisfactory results of these, both in restricting the spread of this disease and at the same time removing, so far as was practicable under the present law, unnecessary restrictions upon commerce, have been freely and favorably commented upon by the press of the South.

SMALLPOX.

It also took charge of railroad quarantine against smallpox in Canada in 1888 and 1891, and at Harris Neck, Ga., in 1891, it stamped out the disease.

In 1894 it very materially assisted the District Commissioners and health officer of the District of Columbia in promptly suppressing the smallpox which had appeared in the city of Washington.

In 1895 it corralled at Eagle Pass., Tex., 400 immigrants from Mexico to Texas, with smallpox among them, and prevented their disseminating the disease through Texas and other States.

It established quarantine camps in Arkansas in 1896, preventing the disease from being spread across the river into Tennessee. And at Key West, Fla., in 1896, it materially aided the State health officer in suppressing the epidemic of smallpox then prevailing. It aided materially the same year in suppressing the disease in Staunton, Va., and in New Orleans.

At the present time it is engaged in suppressing an epidemic of smallpox in Birmingham and other localities in Alabama and Georgia.

CHOLERA.

With regard to cholera in 1893, when one case of cholera had gained admission into Jersey City, with the supervision of its experienced officers and with their trained assistants it prevented any extension of the disease. The value of its service in 1893 in preventing cholera in reaching the shores of the United States may be illustrated by one example, viz., the record of the service at Naples, Italy:

After cholera had been declared epidemic in Naples, three vessels left for the United States—the *Masilia*, *Weser*, and *Cashmere*—and all were made to conform to the regulations. They all arrived at the port of New York, with no cholera en route, or at time of arrival. During the same period four vessels, with the same class of passengers, and their places of origin similar, in many cases identical, the water and food supply being the same as on the vessels for the United States, left for South America, and all were turned back by the South American authorities and returned to Naples. One, the *Vincenzia Floria*, had about 50 deaths; the *Andrea Gloria*, 90 on the way out—total not ascertained. Another, 84 deaths, and the fourth, 230 deaths from cholera.

THE NATIONAL QUARANTINE STATIONS.

The Marine-Hospital Service has under its immediate control eleven national quarantine stations equipped with modern appliances for disinfection of vessels, hospitals for the care of the sick, and barracks, where required, for the detention of suspected immigrants.

These stations are located at Delaware Breakwater, Reedy Island, Delaware River; Cape Charles, Virginia; Blackbeard Island, Sapelo Sound, Georgia; Brunswick, Ga.; Dry Tortugas, Fla.; Ship Island, Gulf of Mexico, off the coast of Mississippi; San Diego, Cal.; Angel Island, San Francisco Bay, California; Port Townsend, Wash.; Cape Fear Quarantine, Southport, N. C.

These stations are so far remote from populous centers as to be seldom visited, but their completeness and the scientific care exercised in isolation of the sick, the surveillance of those suspected and held under observation, the cleansing and disinfection of vessels, have excited the surprise and commendation of the few members of Congress who have visited one or more of said stations. There is a fleet of thirteen vessels connected with these stations, three of them being old vessels turned over from the Navy for the purpose of receiving and housing people in quarantine.

COOPERATIVE ASSOCIATIONS.

Now, referring to the work done by the Marine-Hospital Service for other branches of the Government—namely, the Revenue Marine, the Life-Saving Service, Steamboat-Inspection Service, and Immigration Service—a return service on the part of these branches of the Government adds to the strength and ability of the Marine-Hospital Service for quarantine work. For example, the Revenue-Cutter Service, under the same Secretary as is the Marine-Hospital Service, may be called upon at any time, and frequently is, to assist in quarantine measures through the medium of their fleet of vessels.

In 1893 they patrolled the Southern coast in aid of the quarantine cordon around Brunswick. They carried medical officers and supplies to the Sea Islands, off the coast of South Carolina, in the sanitary work demanded of the Marine-Hospital Service by reason of the great storm. They have furnished vessels for the Marine-Hospital Service repeatedly in New York Harbor, and in fact practically form a fleet subject to demand for service at any time in the aid of quarantine.

In 1893, when it was feared that the immigrant detention camps at Camp Low and at Delaware Breakwater, both under the control of the Marine-Hospital Service, might of necessity be occupied by immigrants held under observation, an arrangement was made with the Revenue-Marine Service for the immediate detail of their enlisted and armed men from the several cutters, to form the necessary guards around these camps, the places of the enlisted men to be supplied by new enlistments on the vessels.

The Steamboat-Inspection Service, in return for the examination of pilots, furnishes experts to examine the hulls, boilers, and machinery of the vessels which belong to the Marine-Hospital Service.

The Life-Saving Service, on request of the Supervising Surgeon-General of the Marine-Hospital Service, is required by its Superintendent to watch carefully for all dunnage and other stuff that might float ashore from infected vessels, thrown overboard before said vessels reach port; to gather up with rakes such material and burn it.

The presence of medical officers at the immigrant reception stations at the several ports enables the Bureau to keep fully informed with regard to immigrants and their baggage, which constitute so large a proportion of the danger in the matter of epidemic importation.

OFFICIAL REQUESTS FOR THE ASSISTANCE OF THE MARINE-HOSPITAL SERVICE.

The demands for the assistance of the Marine-Hospital Service on the part of State and local quarantine authorities have been almost innumerable. In 1893 the legislature of Pennsylvania made a request by resolution, duly forwarded by the governor of the State, calling upon the Marine-Hospital Service to establish the Reedy Island quarantine station to protect the city of Philadelphia and the rest of the State of Pennsylvania from cholera.

Requests to prevent the spread of smallpox have been received from the health officers of the State of Virginia.

Request for aid in suppressing the cholera was made by the State and local authorities at Jersey City, N. J., in 1893.

Requests have been received from the mayors of several municipal localities in North Carolina and through State health officers to assist in the suppression of smallpox.

Also from the representatives and municipal authorities in Georgia for the same purpose.

Also from the governor and health authorities in Florida in suppressing yellow fever and smallpox.

Also from the governor and State health officer of Alabama for the suppression of smallpox.

Also from the representatives and State health authorities of Mississippi in the suppression of yellow fever.

Request has also been received from the State health authorities of Louisiana for aid in disinfection and other sanitary measures necessary to prevent the spread of yellow fever; from Tennessee to protect the State from smallpox invasion; from the State health officer of Texas for the same purpose; also from Arkansas.

Requests have also been received from the State health authorities in California to protect them from the invasion of smallpox from Mexico. In fact, wherever expert service is required through reason of doubt as to diagnosis on the part of local authorities, or where sanitary rules, laws, and regulations are insufficient, or where the local authorities are unfamiliar with the methods necessary to suppress epidemic diseases, or where funds are absolutely lacking, the Marine-Hospital Service is called upon constantly to supply the several deficiencies.

SCIENTIFIC INVESTIGATIONS.

A schedule of work performed in the hygienic laboratory of the Marine-Hospital Service since its establishment in 1887 to date.

1887.

In August, 1887, a bacteriological laboratory was established at the port of New York for the purpose of utilizing the rich clinical material in the marine hospital in pursuing investigations regarding the etiology and pathology of disease, more especially the acute infectious and contagious maladies.

In October, 1887, the steamships *Alesia* and *Britannia* arrived from Naples, Italy, the former having several well-marked cases of cholera aboard. These were utilized in making a bacteriological study. Two weeks after the arrival of the *Alesia* the *Britannia* arrived, and having had three deaths en voyage, the cause of

which was obscure, two of the persons on board were found to be slightly ill, and, on bacteriological examinations, were found to be suffering from Asiatic cholera.

An analysis of the water of the New York bays was made during the same year, to determine whether there was a possibility of cholera reaching the shore from the dejecta from those suffering from the disease.

1888.

Investigation and report on gaseous and other disinfecting agents for quarantine purposes.

Report on the inspection of the Louisiana State quarantine station with recommendations. This report and subsequent studies caused the authorities of the State to entirely remodel their apparatus and was the commencement of the adoption of the perfected apparatus with which the national and State quarantine stations are equipped to-day.

1889.

Studies in the etiology of malarial fever.

Report on entero-malarial fever.

Report on the influence of low temperatures on the symbiosis of microorganisms.

Experiments relating to the cure of cholera by the administering of cobra venom.

1890.

Report on the work performed in the laboratory of the Marine-Hospital Service, and observations and studies in the laboratories in Berlin and Paris. (Kinyoun.)

Report of laboratory of the Marine-Hospital Service, Tortugas, Florida. (Geddings.)

Official experiments with tuberculin. (Geddings.)

1894.

Report on the preparation and use of diphtheritic antitoxin.

Report on examination of specimens from suspected cases of cholera.

Report on the ventilation of the House of Representatives.

1895.

Preliminary report on the serum-therapy of variola.

Preparation of diphtheria antitoxin.

Investigation of the pollution of water supplies of the District of Columbia with special reference to typhoid fever.

1888–1895.

Experiments were continuous in devising and perfecting apparatus and appliances for use at quarantine stations—maritime and interstate.

PAPERS AND REPORTS FROM THE HYGIENIC LABORATORY FOR 1896–97.

1. Formaldehyd as a disinfecting agent.
2. The disinfection of the railway coach.
3. On the bacillus of the bubonic plague.
4. On the clinical diagnosis of enteric fever.
5. A contribution to the study of malarial fevers in the District of Columbia.
6. A preliminary report on the sero-therapy of pneumonia.
7. A report on the cause and treatment of smallpox.
8. A report on the international congress relating to the sanitary condition of railways and vessels.
9. A report on the international leprosy conference.
10. A report on the preparation, conservation, and use of animal vaccine.

APPENDIX E.

[Southern Pacific Company. W. G. Van Vleck, manager; T. Fay, manager's assistant.]

NEW ORLEANS, LA., *December 17, 1897.*

MY DEAR SIR: In further reply to your letter of December 10 on the subject of the effect of quarantine on traffic of this company during the late fever, I will endeavor to give you a complete history of this matter as it affected the Southern Pacific road and the country through which it passes. In the New Orleans papers on September 6 the board of health announced officially one death from yellow fever in this city. The next morning many towns in Louisiana along our line placed an embargo on passengers and freight from New Orleans, Jeanerette being the first town to take such action.

From this date quarantine restrictions were enacted in rapid succession, and on the 11th day of September practically every town in Louisiana on this road had placed an embargo on freight and passengers from or passing through New Orleans. On that date, according to statement of the board of health, there had been only one death from yellow fever in this city and no new cases had been reported. Appreciating that our country friends might not have entire confidence in the board of health here, and feeling assured that traffic was being interfered with to a greater extent than the situation justified, I called upon Mayor Flower to see if he would not telegraph the situation to the mayors of the different towns, which I hoped would serve to allay the then groundless fears of the people and prevent the utter demoralization of business and railroad traffic. The mayor wrote with his own hand the following telegram:

"NEW ORLEANS, *September 11, 1897.*

"There is no authentic case of yellow fever in New Orleans to-day. Development of any yellow fever will be promptly reported."

This was sent at once to the mayors of Houma, Morgan City, Thibodaux, Pattersonville, Franklin, Jeanerette, New Iberia, St. Martinsville, Lafayette, Opelousas, Washington, Alexandria, Crowley, Lake Charles, Rayne, and Abbeville.

This message produced absolutely no effect, as there was not a single instance of modification of restrictions following it. A new feature of quarantine restrictions was brought out this year in the quarantining of whole parishes, which was not attempted during any previous visitation of yellow fever to this section. Formerly towns and villages quarantined, but there was no such thing generally as a parish quarantine.

On the same day we received notice of quarantine by Galveston against New Orleans, which was the first Texas town to take such action. On September 12 the city of Houston quarantined against New Orleans and commenced to stop all trains at city limits for examination. On September 13 the whole State of Texas quarantined against all freight or passengers from or through New Orleans. On September 14 we found it necessary to discontinue running the daylight passenger trains between New Orleans and Houston, as all points had quarantined and the trains were doing no business. The Texas health authorities, on September 13, notified us that they would not permit the United States mail agents (postal clerks) to pass beyond the Louisiana State line after that date.

On the night of September 13, Dr. Swearingen, State health officer of Texas, being in Houston, a conference was held with him and the mayor of that city by the officials of the railroad company with the view to keeping open for transcontinental freight the New York steamship line via Algiers. It was shown to the Texas authorities that there had not been even a suspicious case of fever in Algiers, and as the wharves of the Southern Pacific are isolated, it was thought impossible for any danger to come to the State of Texas by allowing New York freight from these ships, transferred from ship to cars at Algiers, to go into or pass through Texas.

The health authorities of that State finally took this view of the matter, with the understanding that they would send an inspector appointed by themselves, to supervise the loading of freight from ship to cars on the Algiers wharf, which cars were to be allowed to go into Texas and to pass through, upon a certificate from the inspector tacked on each car.

This company even went further than required by the Texas authorities in throwing safeguards around the handling of freight in this manner, and we arranged to employ none but Algiers labor, temporarily, in unloading these ships and loading cars. The necessity for this was explained to the laborers from New Orleans as requisite to the continued handling of the ships from and to this port.

Before this arrangement was made we were in hourly fear of interruption of through traffic into Texas, and had each of the steamers call at the passes for orders in anticipation of being compelled to send them to Galveston.

The Texas authorities, however, though allowing the New York freight to be handled in accordance with the above arrangement, positively refused to allow any freight from or passing through New Orleans to enter that State, and before we could get notice to them about 100 cars of freight delivered to us by connecting railroads at New Orleans for the West were thrown on our hands. Such articles as iron water pipes, iron, coke, etc., from Alabama, machinery, hardware, etc., while recognized by all authorities in health matters as being impossible of conveying infection, were refused entrance into Texas, and we were also forbidden to haul coal for the use of our engines through New Orleans to the coaling stations at Beaumont and Houston. Several cars containing such articles as sugar and molasses, which left New Orleans before Texas adopted any restrictions, were stopped at Sabine River, and we were forced to bring them back to New Orleans and return to shippers.

On September 15, in spite of the arrangement made with the State health officer of Texas to handle New York freight for Texas points by ships through Algiers, the city of Galveston instituted quarantine on its own account, and declined to allow any more of this freight to come into that place. Without any previous warning, and without giving time to stop shipments of Galveston freight at New York, these regulations were put in force, and we were caught with a number of carloads of Galveston freight on the line and in ships due, which we were eventually forced to return to New York and reship by direct steamer to Galveston.

On September 16 the parish of Rapides refused to allow any

more trains from New Orleans to enter that parish, and this company was forced to discontinue the operation of trains on the Alexandria branch beyond Cheneyville, and about the same time the town council of Opelousas passed a resolution imposing a penalty of $1,000 fine on any common carrier landing merchandise of any kind in that town from any point on and after September 18.

On September 16 the steamer *Aransas*, arriving here, had some Chinese in bond going through to Hongkong. They were exposed absolutely to no infection, and a request on the Texas authorities to allow them to pass through the State was refused, though it was well known that this company is always compelled to send guards with Chinese to see that they do not escape into the United States; hence there was no possibility of their getting off the train in Texas.

One of the many brutal features of the quarantine restrictions was brought out about this time by a request made upon me by Mr. John Day, the chief clerk of the Railway Mail Service here, to have an empty car placed in a siding at the Louisiana State line for use of mail clerks running out of New Orleans. Although the Texas quarantine officers had ample accommodations for these clerks at their camp, I was informed they refused either to give or sell the clerks food or shelter, and until this empty car was furnished by us these clerks were forced to sleep in the woods by the inhumanity of the guards. Some of them went nineteen and twenty hours without food.

From the 16th to the 18th of September there was nothing remarkable to record, except a general tightening up of the restrictions at all points. On the afternoon of September 18 the city of Houston declined to allow any more passenger trains from Louisiana to enter its limits, and the night passenger trains over the line were run only to and from the Sabine River on that date. The next day, however, this was modified, provided we would agree to fumigate all passenger cars at Algiers immediately before departure. This was carried out promptly, and the trains resumed their runs.

On September 20 State Health Officer Swearingen, of Texas, issued instructions to us that he would not allow the mail cars to go directly into Texas, but that they must be switched off at the Sabine River and held there twenty-four hours for fumigation at his hands.

On the morning of September 22 we were advised by State Health Officer Swearingen that there was a suspicious case of fever at Beaumont, and the company would probably not be allowed to run any more trains in either direction through that place. Later in the day this threat was put into effect, and no more trains were allowed to pass through Beaumont in either direction. This not only compelled the entire abandonment of passenger and mail service between New Orleans and the West, but it also stopped immediately the passage of all New York freight from ships at Algiers. After the agreement made with the Texas authorities for the continued handling of this freight, it was an act of exceeding bad faith on their part to abrogate it on a moment's notice.

The result was one ship's cargo was tied up at Algiers and the large part of a previous ship's cargo was caught east of the Sabine River, necessitating its being returned to Algiers, unloaded, and subsequently returned to New York for forwarding by direct steamer via Galveston. The alleged reason for this sudden and unwarranted interference with all traffic was that there was a case of yellow fever at Beaumont. Whilst bowing to the arbitrary action of the Texas health authorities, their attention was called to the fact that these two cargoes were on hand, brought here under an arrangement made with them which the railroad company had more than complied with and naturally had the right to expect would not be abrogated on a moment's notice.

As the ostensible reason given by the Texas State health officer for their stopping the entire traffic of a large transcontinental railroad was that there was a case of yellow fever at Beaumont, a request was made on him for permission to send the two cargoes on hand into Texas by way of the Texas and Pacific to Dallas, thence down the Houston and Texas Central, leaving Beaumont several hundred miles to the south. Strange to say, however, such an entirely reasonable request was promptly refused.

As a last resort, the opinion of Dr. Carter, of the Marine-Hospital Service, was sought as to the chances of the cars containing these two cargoes carrying infection from Beaumont in merely passing through that place. Dr. Carter said there was no possible danger, but in order to make sure he would personally attend to the proper disinfection of the cars in any manner designated by the Texas health authorities and give a certificate with each and every car. This proposition was laid before the Texas health authorities and also refused.

Being unable to longer continue the handling of freight of any kind into Texas, the New York steamers due were held at the Passes and ordered to proceed to Galveston, and those in New York were ordered to Galveston direct.

Thus was the entire traffic of one of the principal transcontinental lines absolutely stopped, and a line which for years has handled some 75 per cent of the through traffic from New York, Boston, and other Eastern seaboard points to California was compelled to abandon its trains, send its ships to ports without adequate facilities to handle its business, close down its shops, and allow the grass to grow upon its tracks, all because a 12-year old boy at Beaumont was sick and the health officer of the great State of Texas thought he had a case suspicious of yellow fever.

The arbitrary action of the Texas authorities was quickly followed by similar action on the part of Calcasieu Parish and other western Louisiana points.

Meanwhile the condition of affairs along the line had become so burdensome and objectionable to the more conservative people that a conference between the health authorities of the Louisiana towns was suggested. Dr. Carter, of the Marine-Hospital Service, Dr. Guiteras, the Government yellow-fever expert, and Dr. Olliphant, president of the Louisiana Board of Health, were invited to attend, as was also Dr. Swearingen, of the Texas board. A special train was furnished by this company, which left Algiers on the morning of September 29, picking up the doctors at the different points on the line. This train on reaching Rayne, in the parish of Acadia, was stopped by an armed mob and prevented from proceeding further, notwithstanding the fact that authority was given for it to pass through the day before the outrage occurred.

These events were followed in a few days by the appearance of fever (pronounced later by Dr. Guiteras to be yellow fever) at Galveston and also at Houston, and at once there was another avalanche of quarantine restrictions, not only in Louisiana, but also over all Texas. The health authorities of these cities, however, in a short while passed a resolution that no yellow fever existed, and Texas quarantines against them were generally raised. Not so with Louisiana towns, however. Lake Charles, with two outlets to the North still open, maintained her embargo against the Southern Pacific, and with other points declined to allow trains to pass in either direction.

A merchant of Crowley, La., had a carload of rice sacks from some Northern point shipped to Lake Charles. The Southern Pacific was asked as a favor (as it could run no trains) to haul the car with switch engine to Crowley. This they agreed to do, but Calcasieu and Lake Charles authorities would not permit it, though they did allow this same car to be hauled by wagon by a resident of Lake Charles to the Mermentau River, at a cost of $140—considerably more than it cost to bring it hundreds of miles to Lake Charles.

With the assistance of the fumigation plans adopted by the United States Marine-Hospital Service and through the efficient cooperation of Dr. Carter and his assistants, this company was enabled through all these troublous times, to run a mixed train between New Orleans and St. Martinsville and handle the mails and many classes of freights, after fumigation.

From St. Martinsville to Alexandria and the Sabine River, however, traffic of all kinds was practically abandoned. This condition of affairs continued until an accumulation of freight from California for New Orleans at Houston on October 20 induced the railroad officials to apply to Texas health authorities for permission to bring the freight east to destination.

This was consented to with the proviso that no loaded cars of any description could move west, but the railroad would be allowed to move empty cars west if they would stop them at Sabine River and fumigate to the satisfaction of the Texas authorities. This was agreed to by the railroad, and whilst the authorities of Calcasieu Parish were not unwilling to this arrangement, some of the citizens of Lake Charles called a mass meeting, which declared that that town must be the eastern terminus of the Southern Pacific Company, and to make the declaration more emphatic the same night a trestle bridge just east of there was burned, conveying the hint of further destruction of property unless their demands were complied with.

On October 27 the objections at Lake Charles were removed and permission given to handle loaded cars east and empties west after fumigation. On October 30 they again objected, and this state of affairs continued until November 10, when the railroad was permitted to move a few cars east bound. On November 12 Houston raised its quarantine unconditionally, and on November 15 the State of Texas took similar action; and it was not until about this time that the Lake Charles authorities, realizing that they could no longer maintain their absurd commercial quarantine restrictions, amended them to some extent, and a limited amount of traffic was resumed.

It was not until November 25, however, that all through freight and passenger traffic was resumed, and several weeks afterwards before restrictions covering local freight to Louisiana points were entirely abrogated.

The business of the Southern Pacific Company was thus interrupted from September 7, and a great part of the time entirely stopped in portions of Texas and Louisiana, until November 25, a period of eighty days, during which time the company actually lost the sum of $1,118,112.61.

In addition to this actual loss, as compared with the same

period last year, up to September 15, the company's traffic had shown a very gratifying increase, and the outlook for a further increase was bright. The loss from the prospective increase, as well as the enormous increase in the expense of handling freight via Galvestion, due to the inadequate facilities and high charges of that port, made the real loss not less than $1,500,000, besides having the bulk of its through business to and from California and other Western points diverted to its Northern competitors, who were not affected by quarantine restrictions. Most of this traffic it will take years to regain, and some of it has been lost forever.

There is not the shadow of a doubt that the quarantine restrictions of many towns and cities during the prevalence of this fever were more of a commercial than a health measure. I have made careful inquiry at the principal points on this company's line and I am reliably informed that the necessaries of life were advanced to consumers from 10 to 50 per cent. To cite one instance of many: A merchant at Crowley says he paid 8 cents per can for baking powder at wholesale at Lake Charles that he sold himself at retail before quarantine at 5 cents per can; sugar advanced 25 per cent at the same point. These advances were general from St. Martinsville to Cheneyville and Lake Charles.

In this lengthy letter I have given you a record of the principal events as they occurred from day to day and such information as it seems to me will be of service.

These facts are given for your own use, as you can understand we can not afford to publicly criticise the action of the people in a matter of this kind, and we really have no fault to find with local quarantine restrictions imposed to protect the health of the people, but restrictions imposed for commercial purposes, and those which prevent the handling of through traffic, are unwarranted acts of tyranny which there should be some power to prevent.

Wishing you success with your admirable measure, I remain,

Yours, very truly,

T. FAY, *Manager's Assistant.*

Hon. DON. CAFFERY,
Washington, D. C.

NEW ORLEANS, LA., *December 21, 1897.*

MY DEAR SIR: In writing you on quarantine matters on the 18th instant, I failed to give you the facts about the effect the quarantine restrictions had on steamship business to Florida ports, which ports, while practically open to Habana at all times, were closed to traffic by steamers from New Orleans during the prevalence of the yellow fever here. One of the strongest reasons for placing quarantine regulations under the control of the National Government is illustrated by the action of the health authorities of Florida, who permit the free entrance of steamers from Habana throughout the year.

The distance from Habana to Key West is only about 90 miles and is easily made by fast steamers in six or seven hours. After landing passengers and freight at Key West they proceed to Port Tampa, which is reached in twenty-four hours after leaving Habana. The ships in this trade belong to the Plant Line, carry a large number of passengers, and in connection with the rail lines in southern Florida form the quickest route between New York and other Eastern points and Habana. On arrival at Port Tampa passengers take the trains at once and are soon distributed throughout the country, some coming to New Orleans and other points along the Gulf. You can understand how extremely difficult it would be to trace such passengers after they leave Port Tampa or determine whether or not during the summer months they do not communicate yellow fever to those with whom they happen to come in contact on trains or after they reach their destination.

These steamers are allowed to maintain this open intercourse with such a constantly infected port as Habana on the ground that they enter that port in the morning and leave again before sundown, and that the crews are not allowed to go ashore, yet it is a known fact that captains and pursers, both of whom have necessary business to attend to on shore, invariably land, and the ship whilst at anchor is receiving and unloading freight and supplies, with boatmen and laborers coming and going between it and the shore. It is claimed passengers are only allowed on board after an examination is made as to their health, previous residence, etc., by a physician, but it can be appreciated how extremely unreliable such an examination is when in many cases the physician can only accept the mere statement of passengers in the premises.

In connection with this subject I inclose you a clipping from the Times-Democrat of yesterday which may be of interest. There is no way to prevent such methods as outlined in the report in the Times, except by placing the entire control of quarantine matters under the United States Government, as such authority would not maintain the present efficient quarantine in the Mississippi River and at the same time allow the notoriously inefficient quarantines at Florida and the other Gulf ports. There are many persons in this section who attribute the origin of the yellow fever at Ocean Springs during the past summer to passengers who came to that point from Habana to Tampa by ship and thence by rail.

Nearly every trip these steamers had aboard refugees from the Island of Cuba, who scattered all over the South, many coming to New Orleans, Mobile, and the Lake Shore points. The quarantine at Mobile has also been notoriously lax, that port having been so anxious to encourage the fruit trade from Central America that they have allowed steamships to arrive and unload without any detention; yet it is well known that there had been more or less fever at many of the Central American ports during the past summer.

As long as quarantine regulations are under the control of the local and State authorities there will never be any certainty of this section of the country escaping the importation of yellow fever. What is needed, in the first place, is a quarantine which will prevent the importation of the fever, and, in the second place, to have such restrictions uniformly and impartially enforced at all ports, especially south of Cape Hatteras, as north of that point the fever, though occasionally imported, has not spread for many years. There is no other country in the world where such a condition of affairs as existed in our section during the months of September, October, and November would have been possible.

Every State, county, parish, and town had its own ideas of quarantine, and in most cases they seemed to work on a different basis. In some instances, where the duly constituted authorities imposed reasonable restrictions, their orders were nullified by action of mobs. No assistance was given by either the State or General Governments toward an amelioration of the condition of affairs, and even the United States mail was at the mercy of petty local authorities, who in many cases refused it passage for months.

Had such a law as you propose been in effect, the condition of affairs would have been entirely different. In the first place, the fever would never have been imported, and if it had found lodgment here, no such ruin to commercial interests as occurred would have been possible. Whilst local communities could have taken the necessary action to protect the health of their people, they would not have had the power to prevent the passage of through trains which do not stop, and through freights, mail, and express, as well as passengers, would have been handled with entire safety.

The railroads could have arranged to change their crews at isolated and properly guarded points and put on other crews who had not been exposed to infection, thus doing away with every possible danger of spreading the disease and throwing around the handling of their through business all necessary safeguards to protect the health of the communities through which they pass.

Yours, truly,

T. FAY.

Hon. DON. CAFFERY,
Washington, D. C.

[Queen and Crescent Route. New Orleans and Northeastern Railroad Company; Alabama and Vicksburg Railway Company; Vicksburg, Shreveport and Pacific Railroad Company. C. C. Harvey, president and general manager.]

NEW ORLEANS, LA., *December 23, 1897.*

DEAR SIR: I have received from the Southern Pacific Company copy of your letter of the 10th instant addressed to Mr. Owen, and with reference thereto I beg to say that traffic arrangements on these lines were most seriously interrupted by yellow fever quarantine, and nearly every town and corporation issued different regulations, often in conflict with the regulations issued by the State authorities, which complicated matters very seriously.

Many of these regulations were, no doubt, issued for the sole purpose of keeping out yellow fever, although unnecessarily stringent according to the views of experts, but there can be no doubt, I think, that several towns quarantined against other towns in the hope of securing business.

On the line of the New Orleans and Northeastern road we managed to keep freight trains running and handled certain classes of business, but we had to discontinue running local trains, as for many weeks no passengers were allowed to go from one town to another along the line, and only a few trains were therefore run to accommodate through business.

To do this we had to run a local service between New Orleans and Slidell (28 miles), where there was a quarantine station. Passengers there changed into another train, with a separate crew, and were taken 3 miles out of Meridian to another camp, and, after examination, the trains were allowed to go north through Meridian, no passengers or any members of the train crews being allowed to alight at Meridian.

On the Alabama and Vicksburg and Vicksburg, Shreveport and Pacific roads the passenger and freight trains were annulled for many days, the people along those lines positively declining to allow any train service, and near Jackson a trestle was burned and track torn up by people from Jackson, owing to a misunderstanding between the State authorities and the superintendent as to the regulations under which the trains could be run. The

regulations issued by the authorities covered an excessive rate of speed through the town and across other railroad tracks to which it would have been dangerous for the company to conform.

The loss on traffic from the 15th of September to the 31st of October, 1897, entirely owing to quarantine restrictions, amounted to $128,500, being a falling off of 35 per cent as compared with the corresponding period of the previous year. There was also a continued loss in passenger business during November, but the freight traffic held up.

It seems to me very necessary that there should be uniformity in the quarantine restrictions and that these regulations should be prepared by persons having knowledge of how yellow fever is spread, and that local authorities should not have the power to stop through railroad traffic, and their regulations in local matters should, I think, be confined within the lines prepared by higher authorities.

If you would like further details, I shall be pleased to furnish you with the same.

Yours, truly,

C. C. HARVEY,
President and General Manager.

Hon. DON. CAFFERY,
Washington, D. C.

[Louisville and Nashville Railroad Company, New Orleans and Mobile Division.]

NEW ORLEANS, LA., *January 17, 1898.*

DEAR SIR: A copy of your letter of December 10 has been handed me by Superintendent Owen, of the Southern Pacific Railroad. I have been prevented by pressure of affairs from writing you earlier.

I would say that while this line suffered greatly by the epidemic, we did not experience the difficulties in dealing with the quarantine regulations as did some of the other lines. The territory through which my division runs was for the most part "infected;" hence our people were the "quarantined" rather than "quarantiners." However, there were quarantine regulations enough everywhere along the line.

In some instances quarantine was apparently maintained to conceal the fact that there was fever in the places. Many of the circumstances were equally as eccentric. There are in Mississippi three different bodies in each county with the power to establish quarantines, without counting the "shotgun" element. For the want of uniformity it was impossible almost to keep track of the regulations. The officials themselves, in some instances, were ignorant of their relations to each other. I know of an instance of a body forgetting its own orders. We got permission from all the proper authorities to forward a carload of grain (or fertilizer) originating in the North to a small station in Mississippi, but on arrival one or two people in the vicinity prevented its delivery to the owner.

The Harrison County (Miss.) quarantine guards prevented for a time small vessels from passing through the Bay St. Louis drawbridge, which were loaded in Mississippi Sound and destined to the town of Bay St. Louis, which, as you know, is situated on the south shore of the bay. The drawbridge is toward the north shore of the bay of St. Louis, and said to be within Harrison County. These vessels were not working contrary to any quarantine regulations, and, I believe, were operating at the request of the town authorities of Bay St. Louis to afford employment to the people, who would otherwise be dependent upon public charity.

I mention these cases as examples. I would mention another peculiarity of the quarantine. Places maintained strict quarantine after they had become "infected" themselves. The cities of New Orleans and Mobile did so. The explanation was that these cities were spending large sums of money in isolating the foci of infection, hence the necessity to keep out new foci. But the failure of the physicians to report cases destroyed any chance to stamp out the disease by such efforts.

It seems to be an acknowledged fact that only a small proportion of the cases were reported. Still, it may be proper to isolate only one focus, if no more, in the midst of an epidemic. No telling how much spread might take place from the one focus. It may therefore have been right for an infected place to maintain quarantine against another, but it looks unreasonable.

Respectfully,

C. MARSHALL, *Superintendent.*

Hon. DON. CAFFERY,
United States Senate Chamber, Washington, D. C.

[Illinois Central Railroad Company.]

CHICAGO, *December 31, 1897.*

DEAR SIR: Referring to your letter of 10th instant, addressed to Mr. Owen, superintendent of the Southern Pacific Company at New Orleans, advising that you have introduced a bill in the United States Senate providing for national quarantine over interstate commerce and travel, and asking for information which will aid you in establishing the utility of such a law.

In reply to your first inquiry as to how long trains of our road were stopped during the late epidemic, I beg to advise that through passenger-train service on the Illinois Central Railroad, between New Orleans and Chicago and New Orleans and Louisville, was not interrupted at any time, but we were compelled to take off a number of our local passenger trains on account of the rigid and varying quarantine regulations, which effectually prevented local travel.

On both the Illinois Central and the Yazoo and Mississippi Valley Railroad as well through freight-train service between New Orleans and points in the North was not seriously impeded, but the local freight service in Louisiana and Mississippi was greatly hampered through quarantine regulations which prevented the handling of many classes of freight from districts alleged to be infected.

In reply to your second question, I will state that the period of greater or less interference with traffic by quarantine regulations may be set at sixty days from, say, September 6 to the early part of November.

In reply to your third inquiry, will state that quarantine regulations were made by municipal, county, and State authorities.

In reply to your fourth inquiry, will state that we have made no estimate as to the loss sustained by either the Illinois Central or the Yazoo and Mississippi Valley companies.

The Constitution of the United States gives to Congress power "to regulate commerce with foreign nations and among the several States, and with the Indian tribes;" that is to say, all commerce, foreign and domestic.

It would be no stretch of this power to have the Federal Government control quarantine at all interior points, as well as at the seaboard, and obviously a uniform and efficient quarantine should be adopted, which, owing to diversity of local interests, sectional jealousies, and other causes, can not be maintained except under Federal authority, as is abundantly shown by the experience in this and in other previous visitations of yellow fever and other forms of epidemic diseases.

The matter should be considered from a national standpoint, and in the interest of every State and every one of our seventy-odd million citizens. The question should not be looked at from a Southern point of view alone, as there are other contagious diseases of greater virulence than yellow fever which may come in through our other boundaries on the North Atlantic seaboard, on the Great Lakes, or from Canada, or Mexico.

We have a certain safeguard against yellow fever—that it is not indigenous anywhere in the United States—while other diseases, like typhoid, typhus, diphtheria, etc., do originate within our borders.

It seems to me, therefore, that the Federal Government should take the whole question of quarantine, as affecting commerce, into its control and enact and enforce laws which, while adequately protecting the public health, shall admit of commerce being carried on without subjecting it, as heretofore, to purely local and in many cases utterly inefficient and unnecessary restrictions.

Yours, truly,

J. T. HARAHAN,
Second Vice-President.

Hon. DON. CAFFERY,
United States Senate, Washington, D. C.

APPENDIX F.

Maritime quarantine unquestionably can prevent the introduction of infectious disease. It is not necessary to quote authority for this—certainly not in America, where it is universally held and all quarantine practice based on it.

The aim is to allow no infected vessel or person to come to entry. It is in two parts:

1. Measures to prevent infection of the vessel in the foreign port, or there cleanse it, so that it comes clean to our quarantine stations.

2. Measures of disinfection and quarantine at our quarantine stations of such vessels as report there infected.

The first is only possible to the United States, and is especially advocated by American sanitarians—Billings and Holt, of Louisiana; Bell, of New York; Woods and Ranch, of Illinois, and others—the resolutions of the Montgomery conference of 1889 and the Mobile conference of 1897 (see below), at both of which conferences the resolutions were carried unanimously.

A resolution looking toward the sanitary inspection and sanitation of foreign ports that menace us most and to the establishment of a system of international quarantine.

Resolved, First. That the Congress of the United States be requested to authorize the President to take such steps, by treaty or otherwise, as may aid in inducing the respective governments of the intertropical American ports to secure proper and adequate sanitation, together with the adoption by them of such restrictive measures as may be necessary to render such ports in good sanitary condition and to prevent the introduction of yellow fever.

Second. To provide for the maintenance of a medical force of this country in each such port to give warning of the existence of yellow fever therein.

with adequate power for the most efficient possible prevention of the communication of the disease therefrom; and that Congress be memorialized to make such appropriation as may be necessary to maintain a proper medical-inspection service in intertropical American ports of sufficient importance to warrant such appointment.

Third. That the Congress of the United States be memorialized to make a suitable appropriation and provide for the early calling of a conference of port sanitary authorities to deal with the subject of international quarantine and preventive sanitary regulations.

Respectfully submitted by—

JOHN B. HAMILTON,
S. R. OLLIPHANT,
H. R. CARTER,
R. P. DANIEL,
P. J. HAMILTON,
Committee.

The efficiency of this foreign work is well shown by the small number (2) of infected vessels arriving at United States quarantine stations during the cholera epidemic of 1893, the most widely spread epidemic ever known, and the only widespread European epidemic which did not spread to the United States. During this year officers of the United States were stationed in foreign ports and carried out measures of disinfection and quarantine to prevent the infection of these vessels. Commerce this year with cholera-infected ports was not interrupted.

That maritime quarantine at stations in the United States can prevent the introduction of disease is shown by the history of the Southern cities, Charleston, Savannah, Mobile, and New Orleans, which, since the institution of proper quarantine about a score of years ago, have escaped visitations of yellow fever for from nineteen to twenty-one years, prior to which time it was common in all and of almost yearly occurrence in the first and last. Every sanitarian in the South, except Dr. le Hardy, of Savannah, relies absolutely on the efficiency of maritime quarantine to prevent the introduction of yellow fever.

That proper sanitary measures can, in general, prevent an epidemic of yellow fever if the earlier cases be discovered is also the belief of all or nearly all sanitarians.

Jerome Cochran, of Alabama, a sanitarian of highest authority on yellow fever, submitted to the Montgomery conference the proposition: "When a few cases of yellow fever occur in a community * * * it is generally possible by the employment of proper sanitary measures to prevent the development of an epidemic," which proposition was, after full discussion, adopted by the conference, which contained almost every sanitarian in the United States having practical knowledge of yellow fever.

The experience this year at Franklin, La., as well as at Baton Rouge, La., and at Perkinston, Cayuga, and Clinton, Miss., shows the truth of this most beautifully (especially if it be compared with towns where no such means were taken). The fever in all these towns was suppressed by the means taken. In Edwards, while not suppressed, it was absolutely confined to the cordon. No fever spread out of the "infected district" during the Brunswick epidemic. During this epidemic commerce through Jessup, in the infected district, was carried on without let or hindrance, and that with Brunswick with little interference, in both cases without conveying infection.

Porter, of Florida, may be quoted as inculcating the safety of commerce from a place infected with yellow fever, carried on under proper supervision, as may the late Jerome Cochran and the no less eminent Dr. Thornton, of Memphis, and this principle was agreed to in practice in 1897 by the State boards of Mississippi and Tennessee. In fact, not a few sanitarians hold—among whom I may again quote Cochran and Thornton—that commerce under careful regulation is safer than regulations of absolute nonintercourse, if the latter are to be kept up for any length of time, as it has been found well-nigh impossible to prevent some smuggling in of persons or things if no legitimate means of communication is allowed, and the danger from even a very small amount of unregulated communication is greater than much carried on under sanitary supervision.

The experience of 1897 is in point. Alabama towns almost universally had a quarantine of nonintercourse with infected points, and yellow fever was reported in nine of them (not counting Mobile). In Louisiana the towns east of Arcadia Parish, with few exceptions, allowed commerce with New Orleans, and in only two—and one of these Baton Rouge, a nonintercourse town—did fever develop. Nor did any fever develop in any of the Mississippi towns, which allowed commerce (under United States supervision) with New Orleans.

During the Brunswick fever the pratique of the United States for persons and commerce was taken without the slightest friction by Savannah, Macon, Augusta, and all other towns in Georgia, and by the State boards of Florida and South Carolina.

APPENDIX G.

ANSWER TO OBJECTION TO MANDATORY PRATIQUE.

The provision of the proposed act, by which a vessel, after proper disinfection at a United States quarantine station, is pronounced free to enter port, "shall be admitted to entry" on the certificate of the United States quarantine officer—to which Mr. MALLORY so objects—has already been in force for five years, being provided for in the act of February 15, 1893, section 6.

In the preamble of the United States Quarantine Regulations now in force, however, we find the following (page 9, paragraph 7):

> Vessels having been treated at national quarantine stations that are located a considerable distance from the ports of entry of said vessels may be inspected by the local quarantine officer, and if for any sanitary reason it is considered inadvisable to admit the vessel, he should report the facts immediately to the Supervising Surgeon-General, Marine-Hospital Service, detaining the vessel pending his action.

This shows that there is no disposition to object on the part of the United States quarantine authorities to the inspection of their work by local quarantine officers. It is rather invited.

This provision of the act of 1893—the "mandatory pratique" of maritime quarantine—has been operative five years, and this second inspection has been made under this paragraph of regulations by local quarantine officers during the whole of that time, and there has no single case occurred in which there has been any complaint by local quarantine officers of its action.

This mandatory pratique, however, was not without its use. At not a few ports in the South—the Gulf especially—quarantine was sometimes administered for other than sanitary reasons—for the fees of ballast and disinfection, from jealousy between stations, etc.—and this power was needed to prevent this unnecessary quarantine of clean ships, and needed for that purpose alone. The history of its operation for five years, and the paragraph of the United States Quarantine Regulations quoted, shows that it has never been used, or intended to be used, to force a vessel on a quarantine officer objecting to its entry in good faith.

Nor is quarantine for commercial purposes a rarity on land. This disinfection of clean vessels was mainly at the smaller ports. Vessels from South Africa—Cape Town, Port Algoa, and Port Elizabeth—were habitually quarantined for yellow fever at Pascagoula. At these ports there has never been a case of yellow fever. For instance the bark *Castilla*, disinfected at Chandeleur in 1890 by steam and every modern appliance, was quarantined at Round Island, Miss., and some sulphur burned in pots in her hold, and the disinfection fee collected; the quarantine officer at Round Island stating in a letter that he regarded the process as "unnecessary and inefficacious," but he was directed to do it.

Other cases have occurred at the same quarantine and similar ones at Apalachicola, and in the same line was the compulsory removal of disinfected rock ballast at the Pensacola quarantine, for which fees were charged, now discontinued by the Florida State board. At this time the same vessels were allowed entry into the larger ports—New Orleans, Mobile, Tampa, Savannah, and Charleston—without quarantine.

APPENDIX H.

Letter from Dr. White, in charge of immigration bureau, Ellis Island, N. Y.

TREASURY DEPARTMENT,
OFFICE OF THE SUPERVISING SURGEON-GENERAL
MARINE-HOSPITAL SERVICE,
Washington, D. C., March 19, 1898.

DEAR DOCTOR: Referring to my conversation with you last night, and to the fact that Senators CAFFERY and FRYE both seemed interested in the matter, I submit the following statement of facts.

The Marine-Hospital Service assumed control of Brunswick (Ga.) quarantine in the summer of 1893, and of the epidemic of yellow fever already inplanted there prior to that time.

So well was the service work done in both sea and land quarantine that all Georgia cities and towns accepted the pratique of both classes, business went on with a minimum of hindrance, and not one solitary hint ever emanated from any person that any infection was carried to any place outside our lines. Savannah, the most prominent commercial seaport of the Southeast, was so well pleased as to request, on or about July 1, 1894, after one year's observation of the work, that we should take over and assume full charge of her local quarantine. You are in position to supply the proof of this offer.

None of the local quarantines in Georgia or South Carolina dare handle infected ships, but send every one of such to the national station at Sapelo Sound, thus contradicting any statement that they do not rely upon the Marine-Hospital Service, and, indeed, with rare exceptions, this applies to the whole Southern coast. Nearly all of them send vessels to national quarantines, and maintain only what are properly inspection stations.

Before the mandatory law of 1893 many of these local stations, as Surgeon Carter has told you, made pretense of disinfection and collected fees therefor after vessels were released by our stations and needed no further treatment. This was done in Savannah in 1886, and only stopped by my threatening the health officer of

Savannah with a recommendation for discontinuance of our ignored station. The health officer's back-down then showed conclusively whose work was trusted, even at that early date.

Very respectfully,

J. H. WHITE.

Dr. WALTER WYMAN,
Supervising Surgeon-General, M. H. S.

APPENDIX I.

Correspondence touching transfer of Savannah Quarantine Station to Marine-Hospital Service.

CITY OF SAVANNAH, DEPARTMENT OF HEALTH,
June 29, 1894.

SIR: I am directed by Mayor McDonough to say that, by resolution of city council, a committee will wait on you, at your convenience, to arrange for the transfer of the quarantine service of this city to the National Government.

He desires me to say that it is not a question of selling our plant, but to ascertain from you the policy of the service, etc.

This committee will report back to city council, who will then take action in the matter. The committee will be in Washington on Friday, July 6, if in answer to this letter you express a desire to confer with them on that date.

Very respectfully,

W. F. BRUNNER, *Health Officer.*

Surg. Gen. WALTER WYMAN,
United States Marine-Hospital Service,
Washington, D. C.

CITY OF SAVANNAH, DEPARTMENT OF HEALTH,
July 27, 1894.

DEAR DOCTOR: Things are getting very interesting in this city on the quarantine question. The Morning News and Evening Dispatch have favored national control, while the Press has fought it persistently in its local and editorial columns. Ex-Senator Norwood and Dr. Le Hardy have come out in the latter paper denouncing the movement, hinting at centralization of power, etc. Finding that this maudlin statement was having some effect, I went to-day to Mayor McDonough and advised that he send the committee to Washington within the next few days.

He has advised me if you will be ready to meet the committee on Monday, July 2. I would earnestly urge that you act quickly. I will be in the party which leaves here on Sunday, if I receive a favorable answer. Let me know by wire as soon as you get this, which will be Friday morning at the latest. I have assured them that your service will take charge of our quarantine.

The city authorities have a great deal of confidence in Joe White, and I would suggest that you have him in Washington with the committee. I would again say that delay in this matter is dangerous.

Yours, truly,

W. F. BRUNNER.

SAVANNAH, GA., *June 21, 1894.*

DEAR DOCTOR: City council acted on the quarantine matter yesterday to the extent of passing a resolution appointing committee of three "to confer with the proper Government authorities in regard to having the National Government take charge of Savannah's quarantine station through the Marine-Hospital Service."

Vote stood 8 to 2 in favor of. If the Government will give the city anything like a fair sum, the matter is settled.

Dr. Graham, who you know is engaged by the city at a salary of $2,000 per annum, and I feel a moral obligation to request of you, should the change be made, that you keep him in charge until January 1. You have met him; Carter, Murray, and White know of his work, and I feel that I am not asking too much when I ask this.

With sincere regards, yours,

W. F. BRUNNER.

CITY OF CHARLESTON, S. C.,
DEPARTMENT OF HEALTH,
Thursday, June 21, 1894.

DEAR DOCTOR: Mr. McGee, chairman of our maritime sanitation committee, and I desire to have a conference with you as to quarantine matters on next Tuesday, June 26, in Washington.

Will you please telegraph, on the receipt of this note, if it will suit you for us to meet you on that day.

Respectfully,

H. B. HORLBECK, *Secretary.*

Dr. WALTER WYMAN,
Supervising Surgeon-General Marine-Hospital Service,

CITY OF SAVANNAH, DEPARTMENT OF HEALTH,
June 27, 1894.

SIR: I am requested by Mayor McDonough to state that a committee from city council of this city wishes to confer with you in reference to turning over to your service the control of our maritime quarantine station.

If agreeable, the committee will reach Washington on Monday morning, July 2.

I would ask that you kindly wire me your answer as soon as you receive this communication, in order that the members of the committee can arrange for the trip.

Very respectfully,

W. F. BRUNNER, *Health Officer.*

Surg. Gen. WALTER WYMAN,
United States Marine Hospital Service,
Washington, D. C.

Mr. GALLINGER. Mr. President, it is unfortunate that the distinguished Senator from Missouri [Mr. VEST] who has charge of this bill has been ill for some time and is ill at present. I have reason to believe, certainly to hope, that he may be able to be in the Senate to-morrow. As a member of the committee reporting the bill I have intended to express some views concerning it in its favor, but other matters have so crowded upon my attention that I am not quite ready to proceed. I would like to take the floor at this time with the understanding that I shall be permitted to-morrow, when the bill is again before the Senate, to occupy a little time in the advocacy of the measure.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The pending question is the amendment proposed by the senior Senator from Missouri [Mr. VEST] to the amendment reported by the Committee on Public Health and National Quarantine.

Mr. GALLINGER. So I understand. As several Senators have expressed a desire to have an executive session, I move that the Senate proceed to the consideration of executive business.

Mr. CARTER. I ask the Senator from New Hampshire to withdraw that motion a few moments.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Montana?

Mr. GALLINGER. With pleasure.

The PRESIDING OFFICER. The motion of the Senator from New Hampshire to proceed to the consideration of executive business is withdrawn.

GOVERNMENT FOR ALASKA.

Mr. CARTER. I ask the Senate to resume the consideration of the Alaska bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 3729) making further provision for a civil government for Alaska.

Mr. CARTER. Owing to the constitutional question raised in the course of the consideration of the amendment presented by the Senator from California [Mr. PERKINS] and the fact that that proposition should receive very careful consideration to avoid a hasty disposition of a matter of such supreme importance, the Senator from California consents to the withdrawal of his amendment, providing the Senator from New Hampshire will withdraw the motion to recommit, which will remove all objection to the passage of the bill, it having been disposed of completely except as to this amendment.

Mr. GALLINGER. I shall be pleased to do so.

Mr. PERKINS. I withdraw my amendment for the reason that there are many measures and thoughts of the pending bill that are of most vital importance to the people of Alaska, who are in a great degree without laws governing that District. I believe the amendment I have offered is in the interest of good government and good morals and in the interest of temperance, yet the constitutional question having arisen, I do not feel that it is proper for me to place the bill in jeopardy by pressing the amendment. Therefore I ask unanimous consent to withdraw it.

Mr. GALLINGER. I am very much gratified that the Senator from California has taken this action. In view of that fact I will cheerfully withdraw my motion to recommit and will also temporarily withhold my motion to proceed to the consideration of executive business, that the Alaska bill may be disposed of, if it can be done within a reasonable time.

Mr. CARTER. There is no further amendment to be offered by the committee, and all the committee amendments have been passed upon.

The PRESIDING OFFICER. If no further amendment be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 1330) granting a pension to Sophia J. Chilcott;

A bill (S. 1462) granting an increase of pension to Enoch G. Adams;

A bill (S. 1521) granting a pension to Sarah M. Spyker; and

A bill (S. 1837) granting a pension to Sarah E. Cotton.

The message also announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

A bill (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.;

A bill (S. 178) granting a pension to Susan A. Paddock;

A bill (S. 431) granting a pension to Ann M. Madden;

A bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson;

A bill (S. 655) granting a pension to Harriet R. Matlack;

A bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of the Sixteenth Regiment Ohio Volunteers;

A bill (S. 1825) granting an increase of pension to Robert P. Wild;

A bill (S. 2299) granting a pension to Caroline A. Slocum; and

A bill (S. 3178) granting a pension to Olevia S. Washburn.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 93) granting an increase of pension to Isaiah F. Force;

A bill (H. R. 378) granting a pension to Lowell H. Hopkinson;

A bill (H. R. 711) granting a pension to Anna M. Tate;

A bill (H. R. 864) granting a pension to Maria E. Hess, widow of Florian Hess;

A bill (H. R. 983) to grant an increase of pension to Nathaniel Haughton;

A bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.;

A bill (H. R. 1825) to increase the pension of David Parker;

A bill (H. R. 1855) granting an increase of pension to David C. Waring;

A bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky.;

A bill (H. R. 2113) granting an increase of pension to Lucy Ord Mason;

A bill (H. R. 2119) to grant a pension to Miss Sallie Work;

A bill (H. R. 2123) increasing the pension of William P. Haskell;

A bill (H. R. 2203) granting a pension to George G. Vogel;

A bill (H. R. 2253) granting an increase of pension to Joseph Montieth;

A bill (H. R. 2669) granting an increase of pension to Henry H. Tucker;

A bill (H. R. 2762) granting a pension to Mary C. Case;

A bill (H. R. 3025) increasing the pension of William S. Demott;

A bill (H. R. 3185) granting a pension to Lovezila L. Patterson;

A bill (H. R. 3663) granting a pension to George Barnes;

A bill (H. R. 3953) granting an increase of pension to Calvin P. Lynn;

A bill (H. R. 4143) granting a pension to Elizabeth Holt;

A bill (H. R. 4449) granting an increase of pension to Charles Beckwith;

A bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy;

A bill (H. R. 4611) granting an increase of pension to Marcia C. Barnes;

A bill (H. R. 4650) for the relief of John Welty, of Portsmouth, Ohio;

A bill (H. R. 4979) granting a pension to Charles A. Foster;

A bill (H. R. 5105) granting a pension to Margaret H. Townsend;

A bill (H. R. 5245) granting a pension to Florence N. Waldron;

A bill (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war;

A bill (H. R. 5809) granting a pension to Charles E. Taylor;

A bill (H. R. 6098) to correct the military record of N. Ward Cady, late major, Second Mounted Rifles, New York Volunteers, and to grant him an honorable discharge;

A bill (H. R. 6680) granting a pension to Mrs. Janet Wemple;

A bill (H. R. 6793) granting an increase of pension to James F. McKinley;

A bill (H. R. 6928) granting a pension to Eva Seeley;

A bill (H. R. 6988) for the relief of Emory T. Hipple;

A bill (H. R. 7501) granting a pension to Daniel J. Melvin;

A bill (H. R. 7523) granting an increase of pension to Mary Spcier;

A bill (H. R. 7628) granting a pension to Catherine Wiltse;

A bill (H. R. 7783) granting an increase of pension to Elizabeth Rogers;

A bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton;

A bill (H. R. 7952) granting a pension to William C. Ryan;

A bill (H. R. 8197) for the relief of Mary B. Hulings;

A bill (H. R. 8515) to increase the pension of William H. Savage;

A bill (H. R. 8614) to correct the naval record of George W. Sherrard;

A bill (H. R. 8696) granting an increase of pension to John X. Griffith;

A bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea;"

A bill (H. R. 8819) granting a pension to Gemima Millsap; and

A bill (H. R. 8834) granting a pension to John B. Hays.

EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-three minutes spent in executive session the doors were reopened, and (at 3 o'clock and 53 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 31, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 30, 1898.

REGISTER OF THE TREASURY.

Judson W. Lyons, of Georgia, to be Register of the Treasury, in place of Blanche K. Bruce, deceased.

PENSION AGENT.

Leslie Combs, of Lexington, Ky., to be pension agent at Louisville, Ky., vice George M. Adams, term expired.

SURVEYOR OF CUSTOMS.

Mahlon M. Garland, of Pennsylvania, to be surveyor of customs for the port of Pittsburg, in the State of Pennsylvania, to succeed Albert J. Barr, whose term of office will expire by limitation April 24, 1898.

REGISTER OF THE LAND OFFICE.

James H. Baxter, of Del Norte, Colo., to be register of the land office at Del Norte, Colo., vice William C. Bowen, term expired.

PROMOTIONS IN THE ARMY.

Infantry arm.

First Lieut. Robert Campbell Van Vliet, Tenth Infantry, to be captain, March 8, 1898, vice Burbank, Tenth Infantry, deceased.

First Lieut. Eaton Albert Edwards, Twenty-fifth Infantry, to be captain, March 10, 1898, vice Andrews, Twenty-fifth Infantry, appointed Assistant Adjutant-General, who resigns his line commission.

Second Lieut. Harry Alexander Smith, First Infantry, to be first lieutenant, March 5, 1898, vice Kalk, Fifth Infantry, deceased.

Second Lieut. Hollis Chenery Clark, Twenty-third Infantry, to be first lieutenant, March 8, 1898, vice Van Vliet, Tenth Infantry, promoted.

Second Lieut. George Coolidge Saffarrans, Sixth Infantry, to be first lieutenant, March 10, 1898, vice Edwards, Twenty-fifth Infantry, promoted.

APPOINTMENT IN THE NAVY.

Arthur Elwood Gregory, a citizen of New York, to be a civil engineer in the Navy.

PROMOTIONS IN THE NAVY.

Lieut. Commander Edward H. Gheen, to be a commander in the Navy, from the 28th day of March, 1898, vice Commander Eugene D. F. Heald, deceased.

P. A. Paymaster James S. Phillips, to be a paymaster in the Navy, from the 15th day of March, 1898, vice Paymaster Charles W. Slamm, promoted.

Pay Inspector George A. Lyon, to be a pay director in the Navy, from the 15th day of March, 1898, vice Pay Director Luther G. Billings, retired.

Paymaster Charles W. Slamm, to be a pay inspector in the Navy, from the 15th day of March, 1898, vice Pay Inspector George A. Lyon, promoted.

John W. Morse, a citizen of Massachusetts, to be an assistant paymaster in the Navy, to fill a vacancy in the Pay Corps.

PROMOTIONS IN THE ARMY.

Artillery arm.

TO BE MAJORS.

Capt. James Brattle Burbank, Third Artillery, March 8, 1898, vice Ramsay, Fifth Artillery, promoted.

Capt. Samuel Myers Mills, Fifth Artillery, March 8, 1898, to fill an original vacancy.

Capt. John Patten Story, Fourth Artillery, March 8, 1898, to fill an original vacancy.

Capt. William Preston Vose, Second Artillery, March 8, 1898, to fill an original vacancy.

Capt. George Gordon Greenough, Fourth Artillery, March 8, 1898, to fill an original vacancy.

Capt. Frank Carter Grugan, Second Artillery, March 8, 1898, to fill an original vacancy.

TO BE CAPTAINS.

First Lieut. Garland Nelson Whistler, Fifth Artillery, March 8, 1898, vice Dillenback, First Artillery, promoted.

Infantry arm.

Maj. George Whitefield Davis, Ninth Infantry, to be lieutenant-colonel, March 25, 1898, vice Russell, Fourteenth Infantry, retired from active service.

Capt. William Henry Boyle, Twenty-first Infantry, to be major, March 25, 1898, vice Davis, Ninth Infantry, promoted.

First Lieut. Solomon Eaton Sparrow, Twenty-first Infantry, to be captain, March 25, 1898, vice Boyle, Twenty-first Infantry, promoted.

Second Lieut. Lutz Wahl, Fifth Infantry, to be first lieutenant, March 25, 1898, vice Sparrow, Twenty-first Infantry, promoted.

First Lieut. William Langdon Buck, Thirteenth Infantry, to be captain, March 23, 1898, vice Bishop, Thirteenth Infantry, retired from active service.

Second Lieut. Palmer Eddy Pierce, Sixth Infantry, to be first lieutenant, March 23, 1898, vice Buck, Thirteenth Infantry, promoted.

CONSUL-GENERAL.

Campbell L. Maxwell, of Ohio, to be consul-general of the United States at Santo Domingo, Dominican Republic, vice Archibald H. Grimke, resigned.

UNITED STATES CONSULS.

Charles C. Greene, of Rhode Island, now vice-consul there, to be consul of the United States at Antofagasta, Chile, to fill an original vacancy.

Louis Kaiser, of Illinois, to be consul of the United States at Mazatlan, Mexico, vice Arthur de Cima, resigned.

COLLECTORS OF CUSTOMS.

Arthur B. Enas, of Massachusetts, to be collector of customs for the district of Nantucket, in the State of Massachusetts, to succeed Joseph W. Clapp, whose term of office has expired by limitation.

Thomas C. Walker, of Virginia, to be collector of customs for the district of Tappahannock, in the State of Virginia, to succeed W. B. Robinson, whose term of office has expired by limitation.

COLLECTORS OF INTERNAL REVENUE.

Aquilla J. Daugherty, of Illinois, to be collector of internal revenue for the Fifth district of Illinois, to succeed James W. Hunter, removed. This nomination is made to correct the name of Mr. Daugherty, who was nominated on the 23d instant as Aquila J. instead of Aquilla J.

Frank E. Kellogg, of Missouri, to be collector of internal revenue for the Sixth district of Missouri, to succeed Webster Withers, removed.

REGISTER OF THE LAND OFFICE.

William R. Dunbar, of Goldendale, Wash., to be register of the land office at Vancouver, Wash., vice Benjamin F. Shaw, resigned.

RECEIVER OF PUBLIC MONEYS.

Columbus T. Tyler, of Seattle, Wash., to be receiver of public moneys at Seattle, Wash., vice John Y. Terry, term expired.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 30, 1898.

COLLECTOR OF INTERNAL REVENUE.

Aquilla J. Daugherty, of Illinois, to be collector of internal revenue for the Fifth district of Illinois.

INDIAN AGENT.

Charles R. A. Scobey, of Glendive, Mont., to be agent for the Indians of the Fort Peck Agency, in Montana.

RECEIVER OF PUBLIC MONEYS.

Thomas Mosgrove, of Walla Walla, Wash., to be receiver of public moneys at Walla Walla, Wash.

REGISTER OF THE LAND OFFICE.

John B. West, of Moscow, Idaho, to be register of the land office at Lewiston, Idaho.

PROMOTIONS IN THE ARMY—ARTILLERY ARM.

To be majors.

Capt. Charles Morris, Fifth Artillery.
Capt. Junius Wilson MacMurray, First Artillery.
Capt. John Wesley Dillenback, First Artillery.

To be captains.

First Lieut. Thomas Randolph Adams, Fifth Artillery.
First Lieut. John August Lundeen, Fourth Artillery.
First Lieut. Medorem Crawford, Second Artillery.

To be second lieutenants of artillery, with rank from June 11, 1897.

Second Lieut. Frederick Edgar Johnston, Eleventh Infantry.
Second Lieut. Earle D'Arcy Pearce, Third Cavalry.
Second Lieut. Arthur Stewart Conklin, Twentieth Infantry.
Second Lieut. Benjamin Martin Koehler, Fifteenth Infantry.
Second Lieut. James Francis Brady, Nineteenth Infantry.
Second Lieut. Hugh La Fayette Applewhite, Twenty-second Infantry.
Additional Second Lieut. Roderick Leland Carmichael, Eleventh Infantry.
Additional Second Lieut. Harry Gore Bishop, Nineteenth Infantry.
Additional Second Lieut. Andrew Moses, Eleventh Infantry.
Additional Second Lieut. Fred Anderson Pearce, Sixteenth Infantry.
Additional Second Lieut. Thomas Quinn Ashburn, Twenty-fifth Infantry.
Additional Second Lieut. Sam Frank Bottoms, Tenth Infantry.
Additional Second Lieut. Willard Douglas Newbill, Fifth Infantry.
Additional Second Lieut. Harold Edward Cloke, Third Infantry.

POSTMASTERS.

Daniel B. Dykins, to be postmaster at Muncy, in the county of Lycoming and State of Pennsylvania.

Marcus K. Bishop, to be postmaster at Dunmore, in the county of Lackawanna and State of Pennsylvania.

Thomas J. Darling, to be postmaster at Temple, in the county of Bell and State of Texas.

S. J. Matthews, to be postmaster at Olyphant, in the county of Lackawanna and State of Pennsylvania.

George L. Holliday, to be postmaster at Pittsburg, in the county of Allegheny and State of Pennsylvania.

Addison Eppehimer, to be postmaster at Royersford, in the county of Montgomery and State of Pennsylvania.

Thomas S. Kelly, to be postmaster at Moberly, in the county of Randolph and State of Missouri.

George F. Young, to be postmaster at Gettysburg, in the county of Adams and State of Pennsylvania.

R. N. Roberts, to be postmaster at Renovo, in the county of Clinton and State of Pennsylvania.

John L. Waite, to be postmaster at Burlington, in the county of Des Moines and State of Iowa.

L. F. Maple, to be postmaster at Chariton, in the county of Lucas and State of Iowa.

Maude McLean, to be postmaster at Breckenridge, in the county of Summit and State of Colorado.

Sherman H. Eagle, to be postmaster at Gallipolis, in the county of Gallia and State of Ohio.

Leonidas Conover, to be postmaster at Covington, in the county of Miami and State of Ohio.

Roderick L. Leland, to be postmaster at Clifton Springs, in the county of Ontario and State of New York.

Joseph M. Ickes, to be postmaster at Newark, in the county of Licking and State of Ohio.

Allan Grahamn, jr., to be postmaster at Ottawa, in the county of Putnam and State of Ohio.

Thomas L. Flattery, to be postmaster at Wooster, in the county of Wayne and State of Ohio.

C. E. Lewis, to be postmaster at Tyler, in the county of Smith and State of Texas.

Clem White, to be postmaster at Tecumseh, in the county of Pottawatomie, Okla.

John H. Oakley, to be postmaster at Ravenna, in the county of Portage and State of Ohio.

REJECTIONS.

Executive nominations rejected by the Senate March 30, 1898.

POSTMASTERS.

Ferdinand Havis, to be postmaster at Pine Bluff, in the county of Jefferson and State of Arkansas.

Thomas Hughes, to be postmaster at Tucson, in the county of Pima and Territory of Arizona.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 30, 1898.*

The House met at 12 o'clock M. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. BAILEY. Mr. Speaker, I rise to a privileged question. I offer as a matter of privilege the following resolution which I send to the Clerk's desk.

Mr. EVANS. Mr. Speaker, a question of order. Before consideration is given to that resolution is not the first thing in order final action upon the bill the House already has under consideration?

Mr. BAILEY. This is also a privileged matter.

The SPEAKER. No; the previous question has been ordered.

Mr. BAILEY. Well, consideration might be given to the resolution; however, I shall not make any question——

Mr. BLAND. I think, Mr. Speaker, we are entitled to have the resolution read to see whether it is privileged or not. [Cries of "Regular order!"]

Mr. BAILEY. I ask the Speaker to hand back to the Clerk the resolution which I sent to the Clerk's desk.

Mr. WILLIAM A. STONE. Mr. Speaker, I ask that we have order in the House before we proceed.

CLAIMS UNDER THE BOWMAN ACT.

The SPEAKER. The Clerk will read the title of the bill under consideration.

The Clerk read as follows:

A bill (H. R. 4936) for the allowance of certain claims for stores and supplies, reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. EVANS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. BOUTELLE of Maine. Mr. Speaker——

The SPEAKER. The gentleman from Maine.

CUBA.

Mr. BAILEY. Mr. Speaker, I rose to present a question of privilege; I have presented it to the House, and the Chair, without having it read, recognizes the gentleman from Maine.

The SPEAKER. The gentleman from Maine is recognized, and pending that the gentleman from Texas states that he rises to a privileged motion.

Mr. BAILEY. I ask the Clerk to read the resolution which I offer.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the heroic struggle of the Cuban people against the force of arms and the horrors of famine has shown them worthy to be free. And——

[Applause on the floor and in the galleries.]

The SPEAKER. The House will be in order, and those in the galleries will maintain order. The Clerk will proceed.

The Clerk continued the reading, as follows:

Second. The United States hereby recognizes the Republic of Cuba as a free and independent State.

[Applause.]

Mr. BOUTELLE of Maine. Mr. Speaker, I make the point of order that the resolution is not in order. I call for the regular order.

Mr. BAILEY. Mr. Speaker, upon that I desire to be heard. I desire to say in the beginning——

Mr. GROSVENOR. Mr. Speaker, is debate in order?

Mr. BOUTELLE of Maine. I make the point, Mr. Speaker, that this is not a privileged question.

Mr. BAILEY. I desire to say, Mr. Speaker, that I have no desire to precipitate any disorder in the House, and have no desire to create a scene. The subject is too serious and the crisis is too grave for such conduct. I believe, however, I have presented a motion which is permissible under the rules.

Mr. JOHNSON of Indiana. A point of order, Mr. Speaker!

The SPEAKER. The gentleman from Indiana makes a point of order.

Mr. JOHNSON of Indiana (continuing). The gentleman from Texas has stated it right. This is a serious subject, and I suggest that we have perfect order, to the end that we can hear everything that is said.

The SPEAKER. The House will be in order, and gentlemen will take their seats.

Mr. BAILEY. I believe, Mr. Speaker, I have presented a matter which under the rules of the House I have a right to present. The question of my right involved in the point of order submitted by the gentleman from Maine is one for the Speaker first to determine, and after the Speaker then the House. It is within the power of the majority, if they believe I have no such right, to determine it adversely. All we ask upon this side is that it shall be determined properly and in order, leaving the responsibility with the majority, for the minority is more than willing to meet their responsibility.

This very question has arisen twice in the House of Representatives; one time it was decided that a resolution of this character is not only privileged, but is to be disposed of at once. It arose again in the Fifty-third Congress, when the Speaker of that House held that it was privileged, but held that notwithstanding the fact that it was privileged, it must be referred to the proper committee. The RECORD shows that when the Speaker made that ruling, it was upon a point of order made by the gentleman from Kentucky, Mr. McCreary, upon a resolution presented by the gentleman from Maine [Mr. BOUTELLE] himself. [Applause.]

In that Congress he insisted that this resolution, or a resolution similar to this one, was not only privileged, but it was the right of the House to dispose of it at once. The Speaker of the House held with the gentleman from Maine that it was privileged, but held against him that it must be first referred to a committee of the House.

But the Speaker, in making that very decision, admitted that there was a decision to the contrary which had been rendered by a former Speaker. There being, then, two decisions, it is fair to say that this is an open question, and I venture to say the reason is with that decision which holds that a privileged question is before the House for its disposition whenever presented. Any other rule practically destroys the privilege of the question, because if you present a privileged question and it must under the rules be referred to a committee, that committee can effectually bury the question of privilege, as it has buried resolutions similar to this one for the last twelve months, and therefore nothing could be gained by presenting a resolution that was privileged if the ruling of the Speaker of the Fifty-third Congress is to be followed.

But it is not necessary for me to argue that question. Upon that decision by the Speaker the gentleman from Maine promptly entered an appeal, which the gentleman from Kentucky moved to lay upon the table, a procedure which, as every member of this House knows, was a means of determining whether the decision of the Chair was correct or not. Better than all the arguments that I might make would be to read the roll call and show who it was that then held that a resolution of this kind is privileged and subject to the immediate disposition of the House.

I will not read the more than ninety names that are recorded in support of that proposition. There is one weighing more on a question like this than all the others. There is one who sits now in judgment to determine this question; and when the question was then presented and the roll called, whether or not in effect the House should be permitted to proceed with a resolution of this kind, I find recorded in favor of that proposition the name of the present Speaker of the House himself. [Applause.]

I believe that the present occupant of the chair must have thought then that he was correct in that vote; and it remains for him to say whether he will stand up before the country and declare that he voted one way on the floor of the House when he was trying to embarrass a Democratic majority, and will decide another way when he occupies the chair, in order to save a Republican majority from embarrassment which they have invited.

Mr. BOUTELLE of Maine. Mr. Speaker, I remember very distinctly the occasion to which the gentleman from Texas alludes. It was a discussion of certain phases of the Hawaiian question. I wrote hastily on my desk here a resolution which in substance declared that certain action taken by the Executive could be properly construed as an infringement upon the war power of Congress. Speaker Crisp at that time ruled that the resolution was a question of privilege. I thought myself when I wrote it that it was a question of privilege. If the then Speaker had considered the matter a little more carefully, he would have avoided a quagmire of difficulties and contradictions in which he involved himself by that ruling, which continued throughout the entire Congress.

It was an erroneous ruling. There was not a parliamentarian on the Democratic side who did not believe that it was an error. I do not think there is a parliamentarian on that side who was then in Congress (and I do not include the gentleman from Texas) who did not admit to me repeatedly that it was a mistake. Speaker Crisp himself, I have no doubt whatever, was convinced that he had made an error in that ruling; and in order to sustain it he was obliged to resort after that to a series of arbitrary rulings that were exceedingly embarrassing to him and his party.

Now, I will tell you just why the ruling was wrong and just where I made my mistake in claiming that it was privileged. The resolution declared that the President had done something which infringed upon the war power of Congress; that Congress had

the power to declare war, and therefore the President had infringed upon the privileges of this House. But, Mr. Speaker, a little reflection on my part convinced me, and a little reflection on the part of the gentleman from Texas will probably convince him that the war power, which is held by Congress and not by the House alone, can not involve a question of the privilege of the House.

There is no such thing as a question of "joint privilege" of the House and the Senate. The privilege of the House is governed and limited by the rules of this House, and it can not extend to any action affecting a power which for its exercise requires the conjoint action of both branches of Congress. There is no such thing as the "privilege" of Congress. There is a "privilege" of the Senate under its rules and a "privilege" of the House under its rules. The fault of my hasty assumption, in accusing the President of usurping the war power of Congress and thereby invading the privilege of the House, was in the fact that the power to declare war is not solely the power of the House, but is the joint power of the House and the Senate; and there is no "privilege" of Congress covering the joint rights of the two branches.

I ask a ruling, Mr. Speaker.

Mr. HULL. Mr. Speaker, I think it hardly necessary for me to say that my sympathies are in the line of the resolution of the gentleman from Texas. But, Mr. Speaker, admitting that this is a question of privilege, it certainly can not be considered a question of higher privilege than the motion of the gentleman from Maine [Mr. BOUTELLE]; and in the event of both claiming the floor at the same time, the one receiving recognition would unquestionably have the higher privilege than the other.

Mr. Speaker, I am one of those who believe we can have war whenever we want it, and that no possible harm can come in proceeding——

Mr. BURKE. Mr. Speaker, I ask that we may have order.

The SPEAKER. The gentleman from Iowa [Mr. HULL] will suspend. Gentlemen will please take their seats and cease conversation. The House must be in order.

Mr. HULL (resuming when order had been restored). Mr. Speaker, I was saying I believe that this House can declare war whenever the majority of the House desires to do so; but I believe we can proceed in an orderly manner without interfering with the legitimate business of the House, which is equally privileged with the resolution of the gentleman from Texas. Nor do I believe that it is of highest importance to plunge the country into war to-day without debate and without the fullest information.

Mr. BLAND. Will the gentleman allow me right there——

Mr. HULL (continuing). Not only that, Mr. Speaker——

Mr. BLAND. I merely wish to suggest to the gentleman that this is a resolution recognizing the independence of the Republic of Cuba—not a resolution declaring war or a resolution that necessarily means war in any sense.

Mr. HULL. Mr. Speaker, if the resolution falls short of that—and I did not hear it fully read—if it falls short of declaring war, it is not operative, and to my mind it does not present any question of privilege at all.

But the point I wish to make is this, on the two motions: That the motion of the gentleman from Maine was a motion of the highest privilege under the specific rules of the House—the rules created for its guidance and government. That was followed by a recognition given to the gentleman from Texas to submit a resolution as a question of privilege, which resolution, however, presents no privilege higher, most favorably considered, than that presented by the motion of the gentleman from Maine.

As I have already said, I am in favor of this Government intervening at the very earliest date, unless conditions change materially, so that they will insure the liberty of the Cubans and a cessation of the deplorable conditions that prevail in that island at the present time. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Will the gentleman allow an interruption?

Mr. HULL. I decline to be interrupted. I am in favor of that principle, and state now and here that I will go as far as any man on this floor for the purpose of preserving the rights of the struggling patriots in their heroic efforts on that island [applause on the Republican side]; and I am in favor of the United States controlling the destinies of this continent and saying to Spain that she must get out of the Western Hemisphere.

But I am not willing, sir, to inject in these proceedings here to-day a proposition to lay aside an appropriation bill for the Navy of the United States [jeers and derisive laughter on the Democratic side], which contains in itself a proviso making this legislation available at once, to allow the gentleman from Texas to come in and make a motion of this character.

Mr. BAILEY. Will the gentleman permit me to ask him a question?

Mr. HULL. I will.

Mr. BAILEY. The gentleman declares that he is ready for armed intervention at any time. I ask the gentleman if he does not know it to be a fact that the representatives of the Cuban people tell us that all they ask is to be recognized in their independence, and that they will do the rest? [Applause on the Democratic side.]

The SPEAKER. The Chair suggests that remarks should be confined to the point of order.

Mr. HULL. I would ask the permission of the House to answer the gentleman, although the Chair suggests that the argument should be confined to the point of order. I state to the gentleman, in response to his inquiry, that I do not care what the agents of Cuba want us to do. I want the House to act independently of any outside influence with reference to these matters and do what is best for the honor and the dignity and right of this country. [Applause on the Republican side.]

Mr. COLSON. Will the gentleman allow me ask him a question?

Mr. HULL. I have not the floor any longer. I have yielded it.

Mr. TERRY was recognized.

Mr. COLSON. I hope the gentleman will allow me to ask him a question?

Mr. HULL. I have not the floor.

Mr. COLSON. I want to ask one question.

Mr. STEELE. Oh, well, take him out in the cloakroom and ask him. [Laughter.]

Mr. TERRY. Mr. Speaker, I desire to make the point that when a question of privilege is presented affecting the honor, the dignity, or the rights of the House of Representatives it is a matter not for the decision of the Chair solely, but one that should be submitted by the Chair to the judgment and decision of the House of Representatives itself. That follows as a necessary result from the proposition that this is a question affecting the rights of the House.

It will be recollected, sir, that at the last session of Congress the question was presented by the gentleman from Washington [Mr. LEWIS] affecting the rights of the House as to whether or not it would have the committees of the House appointed at once. And the Speaker ruled, and very properly ruled, that he would submit that question to the House, inasmuch as it was a question for the House itself to decide.

The rule upon that point I will briefly refer to. It is found on page 488 of the Digest and Manual. It is there stated that—

> Whenever a point of order is made that a matter presented is in violation of the honor, the dignity, or the privileges of the House, it is not a question for the Chair, but for the House itself to determine.

If the House is unduly hampered in the exercise of any of its rights, it is its right to take action for its vindication.

So that any question, whether it is considered in violation of the right or the dignity of the House, or a question affecting the rights or dignity of the House itself, necessarily presents a question for the House itself to determine directly, without being fettered by any ruling of the Chair.

Again, as to the point made by the gentleman from Maine [Mr. BOUTELLE] that a declaration of war, or a declaration in favor of the independence of a foreign country, is not one that the House alone shall pass upon, but is a question for the joint action of the House and the Senate, that point can be readily met by the consideration of the fact that the only way that the House and the Senate can exercise their rights in that regard is for one body or the other to pass upon the question and then submit it to the other.

Mr. SIMPSON. Mr. Speaker, I make the point of order that the Speaker's "reconcentrados" are out of order. We want to hear this debate. [Laughter and applause on the Democratic side.]

The SPEAKER. The House will be in order, and the gentleman from Arkansas will proceed.

Mr. TERRY. Now, Mr. Speaker, that is the authority upon the question, and I submit, sir, that there can not possibly be a graver question or one affecting more nearly the rights, the dignity, and the honor of the House of Representatives of the American people than a question as to whether or not it shall exercise its constitutional right in a matter involving so much of the honor and dignity of the American people as the question involved in the resolution of the gentleman from Texas.

And I trust, sir, that the Speaker of this House, instead of taking it upon his shoulders to decide this matter, will properly present it to the Representatives of the American people and let them decide whether or not this is a question affecting the rights and the honor of the House of Representatives. [Applause.]

Mr. HOPKINS. Mr. Speaker, the gentleman from Texas who has offered the resolution insists upon its present consideration upon the ground that it is a privileged resolution, and has cited as his authority for that a resolution that was considered in a previous Congress, introduced by the gentleman from Maine [Mr.

BOUTELLE], the present chairman of the Naval Committee. I have not had the opportunity this morning of examining that resolution, but I was present when it was considered, and my remembrance of it is that it is entirely different and distinct from the resolution that is offered by the gentleman from Texas [Mr. BAILEY].

There are two paramount questions of privilege. The first one is the personal privilege that relates to the member. The second one is a privilege where the dignity of the House has been infringed. Now, as I remember the resolution that was offered in the previous Congress, the gentleman who offered it sought to have it a privileged resolution upon the ground that the Executive of the Government had infringed upon the rights and the privileges of the House, and upon that ground insisted that it was privileged and should be considered. While it was held by some of the members that it was in the nature of a privileged resolution, yet it was sent to the committee and considered there instead of being brought up and considered as the gentleman now proposes to have this resolution considered.

There is a wide distinction between the two. There is no pretense that the resolution that is now presented and just read by the Clerk is anything that affects the personal privilege of any member upon this floor. There is no pretense that that resolution affects the dignity or the character of this House. Its object and its only object——

Mr. TERRY. I will say to the gentleman that it affects the rights of the House.

Mr. HOPKINS. One moment. I can not be interrupted. It is simply calling for an expression of opinion from the members of the House as regards the condition of the patriots in Cuba; that and nothing more. Under the rules of this House there is no member who is familiar with parliamentary proceedings, it seems to me, who can hold for a moment that this ranges itself under that class of resolutions that should be properly considered as raising a question of privilege. Under our rules these matters should first be presented to the House and then go to a proper committee and after receiving due consideration there be reported back to the House in regular order and then taken up and considered.

Now, I for one am not willing to be carried off my feet on account of my zeal for the people in Cuba, to override and overrule any of the rules and regulations that have governed this body, and I trust that there is not a Republican member upon this floor, on this proposition, who will fail to stand by the orderly proceedings of the House, and to insist that this resolution, while it speaks for the freedom of Cuba, shall have the same consideration that all other great resolutions receive at the hands of this House.

Mr. COLSON. When?

Mr. HOPKINS. When? I will state to the gentleman when. The House controls this body, and the Speaker has always expressed a willingness to cooperate, and cooperate promptly and heartily, with the prevailing sentiment of the House; and as Republican members here to-day we can not afford to be carried off upon a proposition of this kind and overrule the rules of this House and the precedents that have been established in the past, simply to express our opinion upon a matter that we know within a very brief time will be presented to this House so that every Republican member, instead of resorting to revolutionary tactics, may proceed in a regular way to express his opinion.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman permit me to ask him a question?

Mr. QUIGG. Will the gentleman allow me to interrupt him for a moment?

Mr. WILLIAMS of Mississippi. I rose and addressed the Chair and asked if I might interrupt the gentleman from Illinois.

Mr. HOPKINS. Mr. Speaker, I desire to say further that this is not the first resolution of this kind that has been offered within the last few days. Plenty of Republicans have offered resolutions——

The SPEAKER. That is not in order. The point of order is the question.

Mr. LEWIS of Washington. Mr. Chairman, a point of order.

Mr. WILLIAMS of Mississippi. I ask, Mr. Speaker, if the gentleman from Illinois will permit a question?

The SPEAKER. The Chair is ready to pass upon the question.

Mr. HOPKINS (to Mr. WILLIAMS of Mississippi). What is your question?

Mr. WILLIAMS of Mississippi. Well, I can not state it until you tell me whether you will allow me to ask it.

The SPEAKER. The Chair is ready to pass upon the question. [Cries of "Rule!" "Rule!"]

Mr. WILLIAMS of Mississippi. Does the gentleman from Illinois yield?

Mr. HOPKINS. I yield for a question.

Mr. WILLIAMS of Mississippi. The gentleman has yielded for a question. The gentleman has stated that the House of Representatives can pass upon this question whenever it chooses. The question which I desire to ask is this: If it be true that one resolution of this sort has slumbered in the Committee on Foreign Affairs for six months, will the gentleman from Illinois inform me and the House how the House can have action upon this question?

Mr. HOPKINS. By the action of the members of this House. That is the way it can be done, and that is the way it will be done. [Applause on the Republican side.]

Mr. WHEELER of Alabama. Vote on it now. [Applause on the Democratic side.]

The SPEAKER. The Chair is ready to rule.

Mr. BAILEY. Do I understand that the Chair is ready to rule?

The SPEAKER. The Chair is ready to rule.

Mr. BAILEY. Then we are ready to have the ruling. [Cries of "Rule!"]

The SPEAKER. A question of privilege which concerns the House is one which concerns the exercise of its functions in accordance with the principles which govern parliamentary bodies. Every parliamentary body has to have rules for its government; otherwise it would have no government at all; and upon adherence to those rules depends its success as a parliamentary body. The rights of the House, under the Constitution, are in no way to be confounded with the privileges of the House and of every member in it in the sense in which this matter is presented here to-day. Congress has certain powers conferred upon it, and in the exercise of those powers each House is governed by its rules. It is authorized expressly by the Constitution to make rules; and without the authorization of the Constitution it would be at liberty to make rules. These rules are the protection of the rights of the House. Now, it will be noticed in the Constitution—if any gentleman will turn to it—that there are certain powers conferred upon Congress—the power to declare war, the power to legislate for the general welfare, and a series of other enumerated powers. No man up to this date has for an instant pretended or suggested that because the Congress has the right to pass laws upon certain topics, proposals for those laws become questions of privilege—never before, except once, and the Chair will present that decision to the House.

The same language is used with reference to our relations with foreign nations that is used with reference to the creation of the courts of law, and all other power which is concerned. It is a legislative power, and it is exercised under the Constitution by rules adopted by each body. This is the first preliminary idea that we ought to have in regard to this matter. But those propositions in regard to war, or about recognition, or any of those subjects which may or may not be within our purview, do not become questions of privilege at all because we have a right to pass upon them, because that would make everything a question of privilege, and end by making nothing a question of privilege.

Now, let us see what this call upon us is founded on. This is a matter that we should not have given any attention to except in times of interest, not to say excitement. The gentleman from Maine [Mr. BOUTELLE] some time ago presented to Speaker Crisp a proposition which had in it certain elements charging that the Executive was interfering with some of the rights and privileges of the legislative body. The Speaker ruled that it was a question of privilege; and you will perceive that it is entirely different from the present proposition, has no aspect like it at all, not the faintest resemblance to it; but the Speaker ruled that that was a privileged question. He also ruled that, being a privileged question, it should go to a committee.

Well, now, against that doctrine the Chair has always opposed himself; and the question, as members will see by turning to the RECORD, that was put to the House was on that part of the Speaker's decision as to whether it should go to a committee or not, and if it appears that, as the gentleman from Texas says, I voted on that subject, I voted according to my lights and voted against it. But he has omitted to state to you this other question, the same question almost, was put afterwards to Speaker Crisp, and by him promptly decided to be out of order at a later day, on the 30th of July, 1894:

2. That the Republic of Hawaii is entitled to exercise and enjoy international comity and the benefits of all rights, privileges, and advantages under existing treaties that were concluded between the United States of America and the late Kingdom of Hawaii.

3. That the Republic of Hawaii is hereby recognized by the United States of America as a free, sovereign, and independent republic, and the President of the United States shall give proper notice of the recognition to the President of the Republic of Hawaii.

The gentleman from Maine [Mr. BOUTELLE] demanded its immediate consideration as presenting a privileged question; and the gentleman from Missouri, an old and experienced member [Mr. DOCKERY], made the point of order that the resolution was not privileged. [Laughter and applause on the Republican side.] Well, now, as a matter of course, the Speaker sustained the point—and that is precisely this question.

Mr. BAILEY. May I inquire of the Chair if there was any appeal taken on the decision of the Chair?

The SPEAKER. There was no appeal. It was too clear for an appeal even. [Laughter and applause on the Republican side.]

Mr. BAILEY. Then I desire to say, in response to that suggestion of the Speaker, that the other decision of Speaker Crisp distinctly held that the resolution was privileged where it related to foreign nations, and that is a part of his decision given to the House.

The SPEAKER. That decision did not overrule his original decision, which the Chair has submitted to the House.

Mr. BOUTELLE of Maine. May I call the Chair's attention to the previous ruling, to which the Chair has already referred and which I have already stated to the House:

The SPEAKER. The House will please be in order. The Chair is not entirely clear on the subject——

Mr. BOUTELLE. If the Chair will permit me one moment——

The SPEAKER (continuing). But the Chair will resolve the doubt in favor of the gentleman from Maine [Mr. BOUTELLE], and will hold that this is a question of privilege, and refer it, under the point made by the gentleman from Kentucky [Mr. McCREARY], to the Committee on Foreign Affairs. [Applause on the Democratic side.]

He ruled rather reluctantly.

The SPEAKER. But on the similar resolution he ruled promptly, on the suggestion of the gentleman from Missouri, an old and experienced member. [Laughter and applause on the Republican side.]

Mr. HENDERSON. I demand the regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded.

Mr. BAILEY. I appeal from the decision of the Chair, Mr. Speaker.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the appeal be laid upon the table.

Mr. HENDERSON. I demand the regular order, Mr. Speaker.

Mr. BAILEY. I did not rise, Mr. Speaker, because——

The SPEAKER. The Chair can not take advantage of the fact that the gentleman was not prompt in relation to his rights.

Mr. BAILEY. I was not prompt because, on account of the confusion on the floor, I did not hear the Speaker decide the point of order.

The SPEAKER. The Chair would have stated, had he not supposed that the result was acquiesced in, that as far as any question arising out of this matter is concerned, the Chair has not the slightest doubt that the wisdom of the House, which has always been able to arrive at important questions in a suitable way, will get at them now, and at a speedy time for the occasion. [Applause on the Republican side.]

Mr. BAILEY. In reply to that suggestion—which, of course, is not a part of the decision—I understand that it was made by the Speaker to hold his political friends on this roll call.

The SPEAKER. The gentleman from Maine moves that the appeal be laid upon the table.

The question was taken; and on a division (demanded by Mr. BAILEY) there were—ayes 178, noes 137.

Mr. BAILEY. The yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 180, nays 140, answered "present" 1, not voting 34; as follows:

YEAS—180.

Aldrich,	Dalzell,	Hitt,	Mudd,
Alexander,	Danford,	Hooker,	Northway,
Arnold,	Davenport,	Hopkins,	Odell,
Babcock,	Davidson, Wis.	Howe,	Olmsted,
Baker, Md.	Davison, Ky.	Hull,	Otjen,
Barber,	Dayton,	Hurley,	Overstreet,
Barham,	Dingley,	Jenkins,	Packer, Pa.
Barney,	Dolliver,	Johnson, Ind.	Parker, N. J.
Barrows,	Dorr,	Johnson, N. Dak.	Payne,
Beach,	Dovener,	Joy,	Pearce, Mo.
Belford,	Eddy,	Kerr,	Perkins,
Belknap,	Ellis,	Ketcham,	Pitney,
Bennett,	Evans,	Kirkpatrick,	Powers,
Bingham,	Faris,	Knox,	Prince,
Bishop,	Fenton,	Kulp,	Pugh,
Booze,	Fischer,	Lacey,	Quigg,
Boutell, Ill.	Fletcher,	Landis,	Ray,
Boutelle, Me.	Foote,	Lawrence,	Reeves,
Brewster,	Foss,	Linney,	Royse,
Broderick,	Fowler, N. J.	Littauer,	Russell,
Brown,	Gardner,	Lorimer,	Sauerhering,
Brownlow,	Gibson,	Loud,	Shannon,
Brumm,	Gillet, N. Y.	Loudenslager,	Shelden,
Bull,	Graff,	Lovering,	Sherman,
Burleigh,	Griffin,	Low,	Showalter,
Burton,	Grosvenor,	Lybrand,	Smith, Ill.
Butler,	Grout,	McCleary,	Smith, S. W.
Cannon,	Grow,	McDonald,	Smith, Wm. Alden
Capron,	Hager,	McEwan,	Snover,
Chickering,	Hamilton,	McIntire,	Southard,
Clark, Iowa	Harmer,	Mahany,	Southwick,
Clarke, N. H.	Hawley,	Mahon,	Spalding,
Cochrane, N. Y.	Heatwole,	Mann,	Sperry,
Codding,	Hemenway,	Marsh,	Sprague,
Connell,	Henderson,	Mercer,	Steele,
Connolly,	Henry, Conn.	Mesick,	Stevens, Minn.
Cooper, Wis.	Henry, Ind.	Miller,	Stewart, N. J.
Corliss,	Hepburn,	Minor,	Stewart, Wis.
Crump,	Hicks,	Mitchell,	Stone, C. W.
Crumpacker,	Hilborn,	Moody,	Stone, W. A.
Curtis, Iowa	Hill,	Morris,	Strode, Nebr.
Sturtevant,	Van Voorhis,	Warner,	White, N. C.
Tawney,	Wadsworth,	Weaver,	Williams, Pa.
Tayler, Ohio	Walker, Mass.	Weymouth,	Yost,
Tongue,	Walker, Va.	White, Ill.	Young, Pa.

NAYS—140.

Acheson,	De Vries,	Lentz,	Robbins,
Adamson,	Dinsmore,	Lester,	Robinson, Ind.
Allen,	Dockery,	Lewis, Ga.	Sayers,
Bailey,	Driggs,	Lewis, Wash.	Settle,
Baird,	Elliott,	Little,	Shafroth,
Ball,	Ermentrout,	Livingston,	Shuford,
Bankhead,	Fitzgerald,	Lloyd,	Simpson,
Barlow,	Fitzpatrick,	Love,	Sims,
Bartlett,	Fleming,	McClellan,	Skinner,
Bell,	Fowler, N. C.	McCormick,	Slayden,
Benton,	Fox,	McCulloch,	Smith, Ky.
Bland,	Gaines,	McDowell,	Sparkman,
Bodine,	Greene,	McMillin,	Stallings,
Bradley,	Griffith,	McRae,	Stark,
Brantley,	Griggs,	Maddox,	Stephens, Tex.
Brenner, Ohio	Gunn,	Maguire,	Stokes,
Brucker,	Handy,	Marshall,	Strowd, N. C.
Brundidge,	Hartman,	Martin,	Sullivan,
Burke,	Hay,	Maxwell,	Sulzer,
Campbell,	Henry, Miss.	Meekison,	Sutherland,
Carmack,	Henry, Tex.	Meyer, La.	Swanson,
Catchings,	Hinrichsen,	Miers, Ind.	Talbert,
Clardy,	Howard, Ala.	Moon,	Tate,
Clark, Mo.	Howard, Ga.	Norton, Ohio	Taylor, Ala.
Clayton,	Hunter,	Norton, S. C.	Terry,
Cochran, Mo.	Jett,	Ogden,	Todd,
Cooney,	Jones, Wash.	Osborne,	Underwood,
Cooper, Tex.	Kelley,	Otey,	Vehslage,
Cowherd,	King,	Peters,	Vincent,
Cox,	Kitchin,	Pierce, Tenn.	Wheeler, Ala.
Cummings,	Kleberg,	Rhea,	Wheeler, Ky.
Davey,	Knowles,	Richardson,	Williams, Miss.
Davis,	Lamb,	Ridgely,	Wilson,
De Armond,	Lanham,	Rixey,	Young, Va.
De Graffenreid,	Latimer,	Robb,	Zenor.

ANSWERED "PRESENT"—1.

Berry.

NOT VOTING—34.

Adams,	Brosius,	Jones, Va.	Sulloway,
Baker, Ill.	Broussard,	McAleer,	Thorp,
Barrett,	Castle,	McCall,	Updegraff,
Bartholdt,	Colson,	Mills,	Vandiver,
Belden,	Cousins,	Newlands,	Wanger,
Benner, Pa.	Cranford,	Pearson,	Ward,
Botkin,	Curtis, Kans.	Robertson, La.	Wilber.
Brewer,	Gillett, Mass.	Shattuc,	
Bromwell,	Howell,	Strait,	

So the appeal was laid on the table.

The following pairs were announced:

Until further notice:

Mr. McCALL with Mr. STRAIT.

Mr. HITT with Mr. BERRY.

Mr. WANGER with Mr. BROUSSARD.

For this day:

Mr. WARD with Mr. JONES of Virginia.

Mr. BELDEN with Mr. VANDIVER.

Mr. GILLETT of Massachusetts with Mr. McALEER.

Mr. BARTHOLDT with Mr. ROBERTSON of Louisiana.

Mr. BROSIUS with Mr. BENNER of Pennsylvania.

Mr. ADAMS with Mr. CASTLE.

Mr. CURTIS of Kansas with Mr. BREWER.

Mr. BERRY. Mr. Speaker, I voted in the negative. I should be recorded as present. I am paired with the gentleman from Illinois, Mr. HITT.

Mr. LLOYD. Mr. Speaker, I desire to say that Mr. VANDIVER is sick, and authorized me to say that, if present, he would vote "no" on this roll call.

Mr. BAILEY. Mr. Speaker, I ask to have the vote recapitulated.

The SPEAKER. Does the gentleman think there may be an error in it?

Mr. BAILEY. I think it is important enough to have it recapitulated.

The vote was recapitulated.

The result was then announced as above recorded.

The SPEAKER. The question is now on the motion of the gentleman from Maine that the House resolve itself——

Mr. BAILEY. I rise to a parliamentary inquiry.

The SPEAKER (continuing). Into Committee of the Whole on the state of the Union——

Mr. BAILEY. Parliamentary inquiry!

The SPEAKER (continuing). To resume the consideration of the naval appropriation bill.

Mr. BAILEY. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAILEY. I wish to inquire whether under the rules of the House this resolution now goes to the Committee on Foreign Affairs?

The SPEAKER. It does not. The gentleman can file it under the rules.

Mr. BAILEY. I desire to say that in both the cases to which the Speaker referred a few moments ago—the one which I cited in support—— [Cries of "Regular order!"]

This is the regular order; and gentlemen might possess their

souls in patience. In both those cases, the resolutions were referred—the one which I cited, and the one which the Speaker himself cited.

The SPEAKER. If the gentleman files the proposition for reference, it will take its due course.

Mr. BAILEY. But I insist that under both those decisions——

Mr. ARNOLD. I make the point of order that the gentleman is out of order.

The SPEAKER. The gentleman from Maine moves that the House now resolve itself into Committee of the Whole on the state of the Union to resume the consideration of the naval appropriation bill.

Mr. BAILEY. I desire now to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BAILEY. When I say "now," I do not mean to concede that I have not already submitted one, because I did. But I want to know whether the Speaker holds that before this resolution can go to the Committee on Foreign Affairs it must be introduced through the box.

The SPEAKER. Certainly.

Mr. BAILEY. From that decision I desire to appeal.

The SPEAKER. The gentleman from Texas appeals from the decision of the Chair.

Mr. DALZELL. I make the point of order that this appeal is dilatory.

Mr. PAYNE. I move to lay the appeal on the table.

The SPEAKER. The Chair finds that it was a parliamentary inquiry upon which the gentleman undertakes to appeal; and there is no appeal from a parliamentary inquiry.

Mr. BAILEY. "The gentleman" does not appeal from a parliamentary inquiry, but appeals from the decision of the Chair that a resolution which has been presented to the House can not be referred to a committee.

The SPEAKER. The gentleman rose and made a parliamentary inquiry, to which the Chair replied.

Mr. BAILEY. And upon the reply of the Chair I, as a matter of right, insist that the resolution shall go to a committee.

The SPEAKER. The Chair can not permit an appeal from a parliamentary inquiry.

Mr. BAILEY. But the Chair does not correctly state the parliamentary situation.

The SPEAKER. The Chair will explain the situation to the gentleman. The gentleman from Texas presented a resolution which the House has pronounced out of order. That proceeding is ended, because it has been submitted to the court of last resort, and decided. That matter is ended.

Now the gentleman from Maine [Mr. BOUTELLE] had been recognized, pending this proposition, for a privileged motion. While the Chair was putting the question the gentleman from Texas claimed the attention of the Chair and stated that he desired to make a parliamentary inquiry, the inquiry being what had become of the resolution—whether it went to the Committee on Foreign Affairs. And the Chair stated to the gentleman that it certainly did not. Thereupon the Chair proceeded to put the question on the motion presented by the gentleman from Maine; and the gentleman from Texas then appealed. He must have appealed from the result of a parliamentary inquiry, and that can not be tolerated.

Mr. BAILEY. Not from a parliamentary inquiry——

The SPEAKER. Certainly.

Mr. BAILEY. But from the decision of the Chair upon a parliamentary inquiry.

The SPEAKER. The Chair had rendered no decision whatever.

Mr. BAILEY. The Chair has decided that this resolution does not go to the Committee on Foreign Affairs.

The SPEAKER. The Chair answered a parliamentary inquiry, stating that it had not gone there.

Mr. BAILEY. And the Chair decides that in the face of both decisions——

Mr. HENDERSON and others. Regular order!

The SPEAKER. The regular order is demanded. The Chair desires to do justice to every gentleman on the floor.

Mr. BAILEY. I am inclined to think the Chair is a little more anxious in that regard than the Chair's servants on the other side.

Mr. PAYNE. I object to the gentleman from Texas undertaking to lecture gentlemen on this side.

The SPEAKER. The Chair thinks the gentleman from Texas, on reflection, will not adhere to that statement.

Mr. BAILEY. But "the gentleman from Texas" does adhere to it.

The SPEAKER. Very well.

The question being put on the motion of Mr. BOUTELLE of Maine, that the House resolve itself into Committee of the Whole on the state of the Union to resume the consideration of the naval appropriation bill, there were on a division (called for by Mr. BAILEY)—ayes 158, noes 100.

Mr. BAILEY (before the result of the vote was announced). I have no desire to delay the naval appropriation bill, and I will not demand the yeas and nays.

The SPEAKER. The Chair is very glad to see the gentleman take that course. The ayes have it; and the motion of the gentleman from Maine is agreed to.

NAVAL APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole (Mr. SHERMAN in the chair) and resumed the consideration of the naval appropriation bill.

The Clerk read as follows:

Toward the construction of one double-sided steel floating dock of the type known as the combined floating and graving self-docking dock, $200,000, said dock to be located at the naval reservation at Algiers, La., to be capable of lifting a vessel of 15,000 tons displacement and 27 feet draft of water, to cost, including moorings and wharf, $950,000.

Mr. CANNON. Mr. Chairman, I make the point of order on the paragraph beginning with line 20, on page 26, and ending with line 2, on page 27, including the whole of the paragraph just read.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CANNON. My point of order is that the construction of a double-sided steel floating dock at Algiers, La., is not authorized by any existing law.

The CHAIRMAN. Does the gentleman desire to discuss the point of order?

Mr. CANNON. Very briefly.

There are a number of precedents to which I desire to call the attention of the Chair, and under which similar points of order have been sustained. First, on April 10, 1890, Mr. Butterworth, Chairman of the Committee of the Whole House, sustained a similar point of order made by the gentleman from Maine [Mr. BOUTELLE] now in charge of this bill. This point of order can be found in the CONGRESSIONAL RECORD of the first session of the Fifty-first Congress, on page 3274, which is before me.

In 1892 Mr. Shively, being then Chairman of the Committee of the Whole, sustained a similar point of order on a similar proposition for a dock at Algiers, in the Fifty-second Congress, first session.

On March 25, 1896, Mr. HOPKINS, of Illinois, being Chairman of the Committee of the Whole, an amendment was offered for the construction of a dry dock at League Island Navy-Yard, Pa. After full discussion on a point of order it was ruled out, although there was a navy-yard established there already, while there is none at Algiers. In point of fact, the ground has never been broken there, as I am informed, but am ready to stand corrected if this is an error.

Mr. BOUTELLE of Maine. What is the gentleman's statement?

Mr. CANNON. That ground has never been broken there—at Algiers—for any such purpose.

Mr. BOUTELLE of Maine. Then I will state to the gentleman, to make his information absolutely reliable, that we do not usually break ground when we are establishing a steel floating dry dock. It goes into the water. [Laughter.]

Mr. CANNON. Then no "steel floating dry dock" that goes "in the water," as the gentleman says, has ever been authorized at Algiers, La., and there is no navy-yard there, either. It is in a state of nature, so far as I am informed and so far as a navy-yard or naval station is concerned. That is, it is in the same state that it was in when the gentleman made the point of order about the dry dock at Algiers, as I have just stated.

Mr. BOUTELLE of Maine. The gentleman from Louisiana [Mr. MEYER] will undoubtedly furnish the gentleman from Illinois some further information on the same subject before he gets through.

Mr. CANNON. The gentleman then made this point of order——

Mr. BOUTELLE of Maine. What was the point of order?

Mr. CANNON. Oh, well, here it is. I will refer it to the gentleman for his information.

Mr. BOUTELLE of Maine. I wish you would.

Mr. CANNON. I think I have it at hand in this volume.

Mr. BOUTELLE of Maine (continuing). For I am very glad that my friend from Illinois has found one occasion at least when he is disposed to accept my opinion upon a maritime matter. This is the first time in the history of Congress, so far as he and I have been associated here, that it has occurred. [Laughter.]

Mr. CANNON. Oh, well, now, if the gentleman wants to muddy the water, if he wants to play the part of cuttlefish——

Mr. BOUTELLE of Maine. Oh, the Mississippi is muddy enough now.

Mr. CANNON. That may be, but when I get up and exercise my right on this floor, and make a point of order against a provision of the bill, and the gentleman sees proper to get personal, I ask, "Upon what meat doth this our Cæsar feed, that he is grown so great?" [Laughter.]

In 1896 Mr. HOPKINS of Illinois sustained the point of order to an amendment for the building of a dry dock at League Island Navy-Yard, where there is a navy-yard. On February 23, 1897, the present occupant of the chair, Mr. SHERMAN of New York,

then Chairman of the Committee of the Whole, sustained the point of order made by the gentleman from New Hampshire [Mr. SULLOWAY] on an amendment then proposed to build a dry dock at Boston Navy-Yard. And that point of order was sustained by the present Chairman, who was then Chairman of the Committee of the Whole.

Mr. BOUTELLE of Maine. Would you give us the holding of the Chairman on that point?

Mr. CANNON. I have the ruling at hand here somewhere.

Mr. BOUTELLE of Maine. I think there was a ruling the other day.

Mr. CANNON. This, as I have stated, was on the point of order——

Mr. BOUTELLE of Maine. I am referring now to the ruling made the other day. Did you not make a point of order the other day yourself, on which the Chair ruled against you?

Mr. CANNON. I think not.

Mr. PAYNE. The Chairman ruled on the other proposition a few days ago that the point of order came too late. That was the question then presented.

Mr. CANNON. That is to say, it was too late after the amendment had been offered and discussed.

Mr. BOUTELLE of Maine. Did the Chair rule on that question?

Mr. CANNON. Yes; the ruling was made as has been suggested by the gentleman from New York.

Mr. MEYER of Louisiana. If the gentleman from Illinois will permit me, I desire to ask him, if he believes, as it is evident he does believe, that these establishments are obnoxious to the rule and subject to the point of order, why did he not make the point of order at the proper time in these other cases?

Mr. CANNON. I will tell the gentleman very cheerfully and very fully, if the Chair will indulge me, aliunde the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. CANNON. I gave notice to Representatives from the Gulf States before this bill came up that I should make the point of order upon this provision, and that I would not make it upon the provision that had passed. I gave notice in the House, when last this committee sat, that I should make points of order upon this provision, and did so before the prior provision was reached, so that gentlemen might take their own course, if they desired, before the other items were read.

Mr. CUMMINGS. Does the gentleman from Illinois not know that in two separate sessions of the Fifty-second Congress this particular dock was especially mentioned, and an appropriation made therefor?

Mr. CANNON. If the gentleman will hand me the provision, I shall be very glad to discuss it.

Mr. CUMMINGS. I will read the provision to the gentleman and then hand it to him. In the act making appropriations for the naval service, approved March 3, 1893, is the following:

DRY DOCK, ALGIERS, LA.

Toward the establishment of a dry dock on the Government reservation near Algiers, La., for plans and specifications and for the acquisition of such additional land as may be necessary, etc.

In the act making appropriation for the naval service, approved July 26, 1894, is the following:

DRY DOCK AT ALGIERS, LA.

For the purpose of completing the purchase of additional land necessary for the establishment of a dry dock at Algiers, La.

If that does not authorize the construction of a dry dock at Algiers, what does it authorize?

Mr. CANNON. I will answer that in a minute, if the gentleman will just give me that act.

Mr. CUMMINGS. I will give you the extract from it, guaranteeing it to be correct.

Mr. CANNON. I presume it is correct. I do not know; I have not examined it. A dry dock and purchase of land for a dry dock at Algiers. Whether it has been purchased or not, I do not know. My information at the Navy Department is that there is no public work in progress, no dock in process of construction, and if the gentleman relies upon this as authorization to avoid the point of order, I will call his attention to a little reading.

Mr. CUMMINGS. Will the gentleman read the cross line? What does it say on the cross line? It says:

DRY DOCK, ALGIERS.

What does the cross line say for the increase of the Navy? It says:

INCREASE OF THE NAVY.

And on such facts decisions have heretofore always been made against such points of order as the gentleman has raised.

Mr. CANNON. The gentleman can not, in my judgment, produce the decisions. Now, what is this provision? I call the attention of the Chair to it.

Toward the construction of one double-sided, steel floating dock of the type known as the combined floating and graving self-docking dock, $300,000, said dock to be located at the naval reservation at Algiers, La., to be capable of lifting a vessel of 15,000 tons displacement, and 27 feet draft of water, to cost, including moorings and wharf, $350,000.

Now, if I understand what a steel floating dock is, it is one that would float out in the Mississippi River. Is there any authorization for that? It is not in the act that the gentleman has read.

Mr. CUMMINGS. But the construction of the other dry dock would have cost three times as much as this, and here you are getting a dry dock more cheaply than you would have got one if you had begun work on the other.

Mr. CANNON. Oh, I am discussing the point of order.

Mr. CUMMINGS. I think the rules say that a decrease in appropriation is in order.

Mr. DALZELL. No; not the present rules.

Mr. PAYNE. Oh, no; not now.

Mr. CANNON. The gentleman says we own some land at Algiers. I do not know whether we do or not. I have not seen the deed. I have never known about it. If the gentleman says personally that he knows that the United States owns some land at Algiers, I will take the gentleman's word for it.

Mr. CUMMINGS. And it has owned it for more than forty years.

Mr. CANNON. For forty years—since 1859. Now, twice since 1859 points of order have been sustained against an appropriation for a dry dock. The reason of the rule is this, that legislation shall not go hand and hand with an appropriation. Why, if the gentleman's statement was true that any provision to build a dry dock or a floating steel dock to float in the river was in order, where the United States owned water or land, one or both, then it would be in order to move for the construction of a floating steel dock at any point on our 10,000 miles of coast, because the United States absolutely owns for a marine league from the shore, if I recollect aright, the water and the land covered by the water.

Now, my point is simply this: This floating steel dry dock is not authorized by any law. It takes legislation as well as appropriation, without this provision, that this money should be used for a floating steel dry dock. Even if you appropriated it, it could not be used, and in the absence of any public improvement actually proceeding, it is subject to the point of order, in my judgment. Aye, more; the decisions have gone invariably to the point that at League Island and Boston, where there are navy-yards and have been for half a century, an amendment to construct a dry dock even at those navy-yards was not in order until authorized by legislation.

Why? Because the experience of this House prompted it to make this rule. It is dangerous to have legislation upon a general appropriation bill because the general appropriation bill must pass, and the necessity of its passing drags legislation along with it, and the experience of Congress shows that such legislation is generally not wise. Therefore the rules of the House cut that legislation up by the root when the point of order is made.

Mr. CUMMINGS. Mr. Chairman, this legislation in regard to a dry dock at Algiers was begun after four different boards, appointed by the Navy Department under both Republican and Democratic Administrations, had sought a place upon which a dock could be built upon the Gulf, or near the Gulf, where it would not be subject to bombardment or destruction by the guns of a hostile fleet in case of war. After these four different boards had reported in favor of this dock this appropriation was put in the naval bill for a dock. Words, I take it, mean what they say in legislation, or at least they ought to mean what they say. The provision is explicit. You can not make it more so.

DRY DOCK, ALGIERS, LA.

That is the cross line.

Toward the establishment of a dry dock on the Government reservation near Algiers, La.

Why did you not make your point of order at that time, in that Congress? No; you failed to do so, or, if you did do so, it was overruled and the House took the provision as it read. More than this, in the next session, I read again, a cross line in the naval appropriation bill, part of the legislation of the bill:

DRY DOCK AT ALGIERS, LA.

For the purpose of completing the purchase of additional lands necessary for the establishment of a dry dock at Algiers, La.

So that in two sessions of Congress this work has been authorized.

Now, I say that a floating steel dock is a dry dock, and it carries out in letter and spirit the words of the laws of 1892 and 1893.

Mr. BOUTELLE of Maine. Mr. Chairman, I regret very much that my distinguished friend from Illinois, the Chairman of the Committee on Appropriations, has not emulated the spirit of the gentleman from Texas, but is manifesting a disposition to incite unnecessary obstructions to the great appropriation bill which has now been before the House much longer than it ought to have been. It seemed to me that the gentleman from Illinois had exhausted the contest on this subject on Saturday. If I ever in my legislative experience became thoroughly convinced as to the attitude of this House upon any subject, I was convinced on Saturday that

this House of Representatives, in the Committee of the Whole, were overwhelmingly in favor of providing the dry docks authorized in this bill and authorizing the battle ships provided in this bill.

I thought we fought it out fairly and squarely. Now here, when we get to the bill to-day, after one or two hours of other business, my friend, to whom I feel I ought to be able to look for assistance in promoting the passage of a great money bill of this House, a brother chairman, to whom I have always given the most earnest and hearty support in his endeavor to transact public business, insists on raising these old questions of order upon the construction of a dry dock, a floating dry dock, at Algiers, and he goes back and cites irrelevant and not very important points of order I may have made in times past.

Now, I hope I learn something from time to time, and while I made a point of order in the Forty-ninth Congress, the second Congress that I served in, I suppose I was perhaps almost as fresh as other gentlemen I have seen coming in with a little red book, and taking that book and going down to the front and making points of order, and it may be that my conduct met with the same discomfiture as theirs. I do not think or expect that my experience is important, but what is most important to me is, after some experience of legislation, and a great deal of experience in naval legislation, and considerable experience in making points of order, I am absolutely satisfied that the point of order can not properly lie under the rules of this House against the provision for a dry dock in a naval appropriation bill at a naval station or navy-yard of the United States. A navy-yard is not a complete institution without a dry dock.

There is no component part of a navy-yard which is more primarily an essential of the navy-yard than a dry dock. You have to dock ships to repair them, and you have to build a dry dock at a navy-yard in order to utilize any of the facilities of which it is possessed. Now, in regard to the dry dock at Louisiana, I only want to say this, that the point of order against that——

Mr. JOHNSON of Indiana. You put it on the ground that it is a mere incident, and not new legislation.

Mr. BOUTELLE of Maine. No.

Mr. JOHNSON of Indiana. You look on it as repairs.

Mr. BOUTELLE of Maine. I just look on it like all other things for which provision is made.

Mr. JOHNSON of Indiana. Like repair of an existing institution.

Mr. BOUTELLE of Maine. Like repair of existing institution—like putting up a machine shop, or putting in additional machines—just carrying on existing and long since authorized institutions of the naval establishment.

Mr. JOHNSON of Indiana. I want to say to the gentleman from what I know of the temper of the committee it is with him, and I hope it will be possible to have a vote at once.

Mr. BOUTELLE of Maine. I think so myself; and on the point of order, which I think is——

Mr. JOHNSON of Indiana. I do not criticise the gentleman.

Mr. BOUTELLE of Maine. I only want to say this in regard to the original point of order. I was opposed to the building of the graving dock at Algiers, cutting through the levee of the Mississippi, because from my knowledge of that locality—for I sailed in and out of that port years ago—I was doubtful, somewhat more than doubtful, in my mind whether it would be safe to cut through the levee; and again, if we cut through, whether it would be safe to swing great ships across the current and put them in that dock.

Mr. RIDGELY. Will the gentleman permit me a question?

Mr. BOUTELLE of Maine. I would rather not until I get through.

Mr. RIDGELY. I want to know if we have a navy-yard at Algiers?

Mr. BOUTELLE of Maine. The gentleman from New York [Mr. CUMMINGS] read a statement that we have had a reservation there since 1849, and the Fifty-second Congress appropriated money to buy additional land there for the express purpose of building a dry dock.

Mr. RIDGELY. Have we any machinery or shops there?

Mr. BOUTELLE of Maine. Upon that——

Mr. CANNON. My information from the Navy Department is that we have not; that ground has not been broken there.

Mr. BOUTELLE of Maine. This brings up another phase of the matter which I was going to leave to my friend from Louisiana. I was opposed, as I said, to constructing a dock there and cutting through the levee; but I am bound to say in justice that gentlemen more familiar with the Mississippi River than I argued that it could be done. But that is not the proposition here to-day. The provision of this bill is that a steel floating dry dock shall be built at Algiers. That is recommended by the Bunce board of naval officers appointed by the Secretary of the Navy to consider this whole question, and the report and recommendation of that board is reenforced in the strongest manner by the Navy Department itself.

Now, I have no question about the practicability of the floating dry dock in Algiers. I could not have, because I have docked ships there myself in a floating dock many years ago. So this proposition stands entirely different before the House on its merits from that which came up years ago. Another thing that makes me regret my friend from Illinois [Mr. CANNON] has made a point of order on this proposition after the House has adopted the provision providing for other dry docks is that this dock is the only one on this bill that is located in the Southern States anywhere near the Gulf of Mexico. I know that I was actuated, and my committee was actuated, and I believe this House will be actuated in voting upon this measure, very strongly by the fact that everybody must recognize that we need some docking facilities in that region of the country.

There has been a dispute as to the location. Several States and localities have competed for the location of these docks, and to-day the steel floating dock located at Algiers is before Congress as the one practical recommendation of the Bunce dock board and of the Secretary of the Navy, to whom my friend, by his motion of Saturday, was desirous of referring the question of locating these docks. That this is subject to a point of order I do not for one moment believe. If this naval bill is authorized to carry a provision for anything, it is authorized to carry a provision for a dry dock. If you want to establish and appropriate the location under the legislation of this bill, it seems to me it has been supplied by the fact that Congress itself has provided for the establishment and has voted money to purchase land at these stations for the very purpose of affording facilities necessary in connection with the construction of a dry dock.

Mr. SOUTHARD. Mr. Chairman, there is one point to which I wish to call attention, lest it may be thought that a floating dry dock stands upon a different footing from an ordinary dry dock. The floating dry dock is not a new kind of structure; floating dry docks have been in use for a great many years. It is as necessary to have land for a floating dry dock as it is for any other kind.

Mr. JOHNSON of Indiana. Will the gentleman from Ohio permit me a question?

Mr. SOUTHARD. Certainly.

Mr. JOHNSON of Indiana. Has this species of dock been tried by other nations and found to be useful?

Mr. SOUTHARD. The report of the board shows that a great many of them are in use.

Mr. JOHNSON of Indiana. In satisfactory use?

Mr. SOUTHARD. In satisfactory use. They have not been employed to the same extent that other dry docks have, but they have been usually employed in lifting vessels.

Mr. JOHNSON of Indiana. Will they dock a vessel as heavy as a battle ship?

Mr. SOUTHARD. They have been constructed to lift vessels heavier than battle ships. This provides for a dry dock that will lift 15,000 tons, and that is heavier than any battle ship we have.

Mr. CUMMINGS. They are docking the Spanish war ships in Havana Harbor to-day in a steel floating dry dock.

Mr. SOUTHARD. I want to state this, that the appropriation was first made for the establishment of this dry dock. It was found that they had not sufficient land, and a further appropriation was made to pay for land taken by condemnation proceedings. In order to acquire possession of that land it was necessary to allege that the land was wanted for public use, for a public object, and that public object was stated to be the location of a dry dock. We submit that the point of order comes too late, because this is clearly within the rule providing that appropriations must be for a public work, works already in progress.

Mr. CANNON. Mr. Chairman, only a word in conclusion. I intended to confine myself, and I thought I did confine myself, to a discussion of the point of order. I do not desire to go over that again; and I do not know that it is in good taste to reply to the argument that has been made by the gentleman from New York and the gentleman from Maine. They say that there is no dry dock on the Gulf. There is a navy-yard at Pensacola; that is on the Gulf.

Now, the question is whether you have water enough. You have got as much water at Pensacola as you have over the bar.

Mr. OGDEN. The Mississippi has a depth of 90 feet at New Orleans. This is not located on the bar; it is located in the river at New Orleans, where there is a depth of 90 feet at low water.

Mr. CANNON. Can you get a ship with a draft of 90 feet (if there were such a ship) up the Mississippi?

Mr. OGDEN. Do they build dry docks 90 feet deep to dock a ship?

Mr. CANNON. No; but I state again that you have less than 26 feet of water over the bar which you must pass to get up to Algiers.

Mr. OGDEN. Who denies that?

Mr. CANNON. What, then, has your 90 feet of water to do with the question?

Mr. OGDEN. We are not proposing to build this at the bar,

100 miles below New Orleans, but in deep water, in the harbor of New Orleans.

Mr. CANNON. But how are you going to get a ship up to it?

Mr. OGDEN. Over the bar.

Mr. CANNON. Certainly; over the bar, where there is only 26 feet of water.

Now, in reply to the gentleman from Maine, so far as he discussed this question, I wish to say that I have made a point of order on this paragraph and shall do so on the succeeding paragraph from a sense of duty. Why? Because I do not want a permanent combination to be made amongst different dry docks—a combination that will take in Portsmouth and Boston and League Island and will have hitched onto it Mare Island and Algiers and Galveston. To that kind of a combination I feel it my duty, in the interest of good legislation, to interpose my objection.

Mr. BOUTELLE of Maine rose.

The CHAIRMAN. The Chair is ready to rule on the question.

Mr. BOUTELLE of Maine. Only a word. The Committee on Naval Affairs, I am sure, would be perfectly willing for me to state frankly to the House that, while this matter is not, in our judgment, subject to a point of order, yet if gentlemen desire to obstruct legislation of an emergency character they can find in this bill a number of items that are technically subject to a point of order. We put in the bill some items which we knew to be subject to a point of order, because we believed it was necessary to get this legislation through Congress as rapidly as possible without being subjected to the delays of going on the Calendar.

If there is any gentleman in this House who desires to put himself on record as undertaking to impede and obstruct the effort of the Committee on Naval Affairs to put into this bill as a speedy mode of reaching a result legislation not simply that we approved, but legislation which we believed the House and the country desire and demand shall be disposed of as rapidly as possible, of course he can do it. But I hope my friend from Illinois and others will not undertake by the introduction of any technicalities here to defeat the carrying out of the good purpose we had in view in bringing before this House for action as speedily as possible measures which we regard as important to-day for the welfare and safety of our country.

Mr. CANNON. Mr. Chairman, in simple justice to myself, one word. I have not been, and am not, obstructing the passage of this bill. I said the other day that I was substantially in sympathy with it. I do not take kindly the lecture that the gentleman from Maine gives me. I criticise this bill where, in the name of "emergency," it proposes to authorize expenditures to the extent of $20,000,000 upon work that can not be completed inside of three years.

Mr. BOUTELLE of Maine. Very good. If this House approves the gentleman's criticism, it will strike out some of those appropriations.

Mr. MEYER of Louisiana. Mr. Chairman, I regret that the distinguished gentleman from Illinois [Mr. CANNON] has seen fit to make a point of order on any of the provisions of this bill, and still more that he confines his point to a construction, and the only one, proposed for the coast of the Gulf of Mexico, the Southern confines of our country.

I had thought, and still think, that the country's new Navy, which typifies the might and majesty of the Union of the States, was built up and is being increased by the joint efforts of the people of every section of this broad land—by those of the South as well as those of the North and the East and the West.

The Navy is something to kindle pride and patriotism in the hearts of every American citizen. Its ships, its guns and torpedoes are equal to any in the world, and I trust that ere many years we may be able to state likewise regarding its docks and navy-yards. Its officers represent every Congressional district in the land. They represent the bravery and devotion that made such resplendent records for the armies and navies of the Union in all of our history, and yet, in the face of this fact, the gentleman from Illinois, who made an ineffectual attack on some of the other docks embodied in this bill, raises his point of order exclusively against the clauses relating to the Gulf coast, when he must know, if he has given any investigation to the subject, that if any of the appropriations in this clause are obnoxious to the rule he invokes, the dry dock at Algiers can not be so considered. The gentleman, in his speech on Saturday last, asserts that he loves his country, and that his patriotism is equal to that of anyone who has spoken in advocacy of the common defense; that he has as much pride in the naval service of his country and all its navy-yards and harbors as anyone. His evident want of consideration for the Southern portion of our land therefore strikes me as most remarkable.

Mr. Chairman, Algiers, a part of New Orleans, as shown by the reports of three separate and successive commissions and naval boards, is indicated as the proper site on the Gulf coast for a dry dock.

It can not be pretended that places directly on the Gulf coast are exempt or safe from hostile attack.

The most formidable expedition, composed of land and naval forces, ever set on foot against this country was directed in 1814–15 against the Territory of Louisiana at the mouth of the Mississippi River.

It was repelled only by the almost superhuman valor of the troops of the South and West and by the matchless generalship and courage of Andrew Jackson.

Is it necessary to remind gentlemen whose States border on our mighty river of the patriotic words of Henry Clay?—

While the Mississippi River continues to bear the tributes of the Iron Mountains and the Alleghenies to her delta and to the Gulf of Mexico the 8th of January shall be remembered; and the glory of that day shall stimulate future patriots and nerve the arms of unborn freemen in driving the presumptuous invader from our country's soil.

Sir, the interests which would now be imperiled by an invasion are larger than they were then. A successful blow at Louisiana would be felt throughout the entire Mississippi Valley.

Great naval operations and combats on the Gulf in case of war are not only possible, but extremely probable.

For nearly a century the strategy of our naval officers has been directed to the problem of successful defense. Even now you have an object lesson in the presence of a large fleet in the Gulf. Suppose that by the violence of storms or of battle or by other accidents one or more of our war vessels should need docking and repairs, would it not be a matter of the highest necessity to have your ships promptly docked, repaired, and refitted in the waters of the Mississippi River? You have fresh water, numberless skilled mechanics, ample coal and timber supplies, and an inland point free from bombardment by vessels standing out at sea.

Suppose this wise step were to be rejected; what is the alternative? You will have to send your vessel, needing repairs after a naval engagement or a storm, all around the tortuous and hazardous channel of the Florida coast, a distance of some 1,200 or more miles, exposed in a semihelpless condition to the dangers of the tempest and of hostile attacks. Why, the mere time which would be lost in this operation might of itself be sufficient to determine the question of naval superiority.

IMPORTANCE OF REPAIR FACILITIES.

I suppose that every member who gives any thought to the question of the Navy must be aware that it is not more important to build and maintain ships of war than it is to provide adequate facilities for their repair. The cleaning of the bottoms of ships fouled after long exposure to the sea, and the repair of ships after injury done in battle, tempest, or by other casualty, can only be promptly and efficiently performed by means of dry docks. The number and location of these docks must be proportioned to the number of our war vessels and to the needs of this or that portion of our long coast line.

DOCKS ON NEW ENGLAND COAST.

I do not agree with the gentlemen who have attacked the provision for two docks on the New England coast. That coast, in case of war with England or any foreign power, would be much exposed. I do not believe that the great fortifications, the great military and naval equipment at Halifax, was for the empty purpose of show or merely to spend money. It is a weapon pointed at our breasts. New England is the first in the line of attack in case of trouble with England or France.

A DOCK NEEDED ON THE GULF COAST.

On the Gulf coast we are so far absolutely without any means of docking and repairing a ship of war. True, we have taken some steps in this direction, but there we have halted, and I insist that it is now the duty of the Government to go forward and complete its work. I wish briefly to review what has been done in the premises. Enough, I admit, has been done to define clearly the policy of the Government, not only for a dry dock on the Gulf coast, but a selection of the proper location has been made and a purchase made of the land needed for the site, in addition to the land we had already available for this purpose and other provisions.

IMPORTANCE OF DEFENDING GULF COAST.

The importance of defending our Gulf coast was most strongly suggested by the great naval and military expedition directed against Louisiana at the mouth of the Mississippi River by Great Britain in the war of 1812–1815. That invasion was foiled by the valor of our troops from the South and West, and the British were finally driven, as Jackson predicted they would be, from the soil of Louisiana. The British fleet, however, lay off our shores and were far too strong to be assailed. It was a lucky escape for us. It was the most formidable expedition, composed of land and sea forces, ever set on foot against the country. Although a treaty of peace had previously been signed at Ghent, it may be doubted whether Great Britain would willingly have surrendered the mouth of the Mississippi if she had once obtained possession of southern Louisiana, with her ample fleet and means of reenforcement.

The world's history shows how strong powers are apt to act in such situations. This struggle, to say nothing of other considerations, has made the defense of the Gulf Coast a favorite subject for study by our most eminent naval officers. I doubt if it has ever been lost sight of by the best naval men from the time when it was discussed by that great man, Lieut. M. F. Maury, down to the present time. For many years the subject of a Government dry dock somewhere on the Gulf Coast has engaged public attention. Very naturally there were several competing points, and the claims of each one have been well presented and duly weighed by our naval authorities.

A COMMISSION APPOINTED.

Under these circumstances, with all our naval authorities and experts backed by a strong public opinion in favor of a Government dry dock somewhere on the Gulf coast, it was wisely determined by Congress to enter upon this policy. In the naval appropriation bill approved September 7, 1888, the sum of $15,000 was appropriated—

For the expenses of a commission of three officers, to be appointed by the Secretary of the Navy, to report as to the most desirable location on or near the coast of the Gulf of Mexico and the South Atlantic coast for navy-yards and dry docks, and for the expenses of sounding and surveying and estimating expenses.

This commission was appointed by Secretary Whitney on January 21, 1889, and after organizing received their instructions, bearing date January 28, 1889. These instructions for their information and guidance are of the most comprehensive character and evince a profound study of the considerations which ought to enter into a selection of a site for this navy-yard and dry dock. The object stated was to be—

An establishment for the repair and construction of naval vessels, to be duly provided with adequate docking resources, and to be the important naval arsenal and depot of our naval forces cruising and operating in or near the Gulf of Mexico, the West Indies, and the Caribbean Sea.

The Department further remarks:

The Department wishes you to consider the general and strategical requirements of such a naval station in this part of the United States, especially its bearing as a naval base for operations for guarding the mouths of the Mississippi and its water-borne trade, for the defense of the ports, coasts, and waters of the Gulf of Mexico, and for the protection of our trade and interests in the Caribbean Sea. The direct routes to the Central American Isthmus, and its probable ship canal from the eastern coasts of the United States, it must be borne in mind, pass through the channels that lead out of or near by the Gulf of Mexico.

The consideration of this phase of the question should also include the relative positions of the various fortified naval ports of strong European powers now existing or to be established in the West Indies, toward the location to be selected, these ports being points from which hostile operations can be based against our trade and coasts.

THE SPECIAL REQUIREMENTS FOR A NAVY-YARD.

The special requirements for a navy-yard were also set forth. Among these were—

A situation upon a good harbor, of sufficient size, depth, and accessibility for vessels of the largest size and heaviest draft;

A favorable position with respect to the principal lines of defense;

A local security from water attack, due to position and natural surroundings;

Ample water frontage of sufficient depth;

A favorable position with reference to the lines of interior communication by rail and otherwise with the principal sources of supplies; and

Proximity to centers of labor and supplies of material, healthfulness of climate, and an ample supply of good potable water.

The commission as finally constituted consisted of Commodore W. P. McCann, Capt. Robert Boyd, and Lieut. Willard H. Brownson.

On the Gulf coast this commission carefully examined Key West, Fla.; Tampa Bay, Florida; Pensacola Bay, Florida; Mobile Bay, Alabama; Mount Vernon, Ala.; Biloxi, Miss., and Algiers, a point in Louisiana, on the Mississippi, directly opposite the city of New Orleans, where the Government, as at other points, had already acquired a body of land for naval purposes.

The report of the commission to the Department, dated November 19, 1889, is elaborate and exhaustive. The relative advantages and disadvantages of each point suggested for a navy and dock yard are set forth in detail with great care, and with an entire freedom from bias and an ability which render it impossible to resist their conclusions.

ALGIERS, LA. (NEW ORLEANS), THE MOST SUITABLE SITE.

The commission report in favor of New Orleans, or rather Algiers, on the other side of the river, as the best location. They say:

New Orleans is the terminus of six trunk lines of railroads. The communications by water with the vast extent of territory embraced in the valley of the Mississippi is unsurpassed. It is the principal commercial port of the Gulf States, and possesses great facilities for obtaining every class of building material, skilled and unskilled labor, and supplies; coal is abundant and cheap. The amount of commerce that passes in and out of the Gulf of Mexico is a very large portion of the total commerce of the United States. The amount of export from New Orleans coming from the whole Mississippi basin and much of the great West will demand protection at any cost, and consequently, whether the navy-yard be located at New Orleans or elsewhere, the Passes and all the approaches to the city will have to be defended as thoroughly as military and naval skill can effect it. Such being the case, and since there is no other point in the Gulf of equal importance, or the closing of which would do as much injury to so large a district or to so many people, no other place will have or begin to have the same protection and care, unless the Government establishes elsewhere a navy-yard, and it is absolutely necessary to protect it in order to retain the command of the Gulf.

Upon the vital question of an adequate depth of water this board reports, in 1889, a channel of 26 feet, a central depth of over 30 feet, and they quote the Mississippi River Commission for the opinion that—

The channel at the South Pass jetties is permanent in the sense that it will be possible to maintain a channel there of at least 26 feet at low water in the river so long as the jetties are maintained to deep water and the damages from storms are repaired.

In conclusion, the board says:

After carefully weighing all the advantages and disadvantages of Algiers as a site for a naval station, the commission is of the opinion that, while the spot is not an ideal one, no other place on the Gulf compares with it in the advantages offered, and that the advantages are so many and so great, and outweigh the disadvantages to such an extent, that the commission has no hesitation in recommending the location of a navy-yard and dry docks at the present Government reservation at Algiers, La.

The report of this commission, which did its work so thoroughly, would be sufficient to convince any reasonable man of the propriety of locating a naval establishment at this point as a part of our system of defense of the Gulf coast and of the outlet provided by nature for the great Mississippi Valley. But it does not stand alone and unsupported. We have the report of another scientific commission on the same subject, which substantially adopts the same conclusion as the commission already cited. In the act making appropriations for the naval service approved June 30, 1890, it was enacted as follows:

And the President be, and he is hereby, required to appoint a commission composed of two competent naval officers, one competent Army officer, and two competent persons from civil life, whose duty it shall be to select a suitable site, having due regard to commercial and naval interests, for a dry dock at some point on the shores of the Gulf of Mexico or the waters connected therewith; and having settled such site, shall, if upon private lands, estimate its value and ascertain as nearly as practicable the cost for which it can be purchased or acquired, and of their proceedings and action make full and detailed report to the President, and the President shall transmit such report with his recommendations to Congress.

The President performed his duty under this law by appointing on November 22, 1890, a commission composed as follows: Capt. F. M. Bunce, United States Navy, president; Col. C. B. Comstock, Corps of Engineers, United States Army; Sidney Perham, of Maine; David T. Littler, of Illinois; Lieut. R. M. G. Brown, United States Navy.

The commission met at the Navy Department December 5, 1890, and organized. Shortly afterwards, by the direction of the President, Colonel Comstock was relieved of this duty and Maj. H. C. Hasbrouck, United States Army, substituted in his stead.

This commission made a careful study of the question, and its report (Ex. Doc. H. R., Fifty-secon dCongress, first session) is of great value not only for the mass of facts and suggestions which it contains, but for its interesting references to the studies and reports of eminent Army and Navy officers who, through a series of years, have discussed the matter of a naval defense of our commercial interests in the Gulf of Mexico. The commission report that—

The requisites for the proposed dry dock are a clear channel to the sea of a depth of at least 26 feet, stability of foundation to support a load of 15,000 tons, and protection by a distance of 12 miles or by an intervening elevation of the ground from gun fire from the sea.

The commission proceeded to make a personal inspection of all the places on the Gulf suggested as a site. They thus visited Key West, Tampa, Pensacola, Mobile, Port Eads, New Orleans, Galveston, and Aransas Pass. The merits and demerits of each point are given in the report. Their conclusion is that—

The South Pass of the Mississippi affords the only entrance 26 feet deep to a port or harbor on the Gulf of Mexico, or the waters connected therewith, far enough from the sea to be safe from gun fire.

They further report as follows:

The Mississippi River Commission, through its president, Gen. C. B. Comstock, colonel of engineers, United States Army, states that—

"The channel at the South Pass Jetties is permanent in the sense that it will be possible to maintain a channel there of at least 26 feet depth at low water in the river as long as the jetties are maintained to deep water and the damages from storms repaired."

An opinion in which this commission, after a careful examination, concurs.

New Orleans, about 100 miles up the river, is the largest city of the Gulf States. From the entrance of the South Pass to this city a depth of more than 26 feet can be carried at all times. The soil of the river banks in its vicinity, at the surface light, is from 2 to 4 feet below the surface of clay, or clay and sand, increasing in density and solidity with the depth of the boring or excavation made, insuring a foundation amply sufficient to support a load of 15,000 tons in the dock by the employment of the usual methods in its construction.

The three primary requisites of a site for a dry dock are here found, and New Orleans is the only port on the Gulf of Mexico or the waters connected therewith where this is the case.

This port has other and great advantages as the site. The greatest center of population of the Gulf States, labor, skilled or otherwise, can be obtained at short notice. Its foreign commerce is greater than that of all the other Gulf ports together, last year reaching 2,004,072 tons; all others, 1,997,892 tons. A fresh-water harbor, its water communication with the interior by the Mississippi and its tributaries is nowhere in the world equaled, and this

is supplemented by six great railroad lines, which, with their connections, reach every part of the country. Defense of these by the whole power of the nation is assured; it is a military necessity. Fresh water for all uses is supplied by filtering the river water, the rainfall, and by artesian wells. Epidemic diseases of foreign origin are prevented by a strict system of quarantine regulations, and the general health of the city is as good as that of any Gulf port. A supply of iron, coal, or other material required can always be head at short notice and at cheap rates.

I need not quote further from this cogent and unanswerable report in favor of New Orleans as the true site for a dry dock on the Gulf coast. The board was unanimous in its finding and conclusion.

This conclusion in favor of New Orleans was emphatically approved by the then Secretary of the Navy, the Hon. B. F. Tracy, and on the 19th of January, 1892, the report was transmitted to Congress by President Harrison.

In the annual report of Secretary Tracy, dated November 26, 1890, he says, referring to this commission:

In the annual report of last year the Department dwelt upon the extreme necessity of a navy-yard or dry dock on the Northwest coast and also upon the Gulf. This necessity remains as great as ever.

ADVOCACY OF SECRETARIES OF THE NAVY TRACY AND HERBERT.

Shortly after the report of the first commission I have referred to, Secretary Tracy appeared before the Committee on Naval Affairs and recommended that a dry dock be established at Algiers. The opinion of this eminent Secretary of the Navy, as well as Secretary Herbert and all the experts of the Navy Department, has been in favor of selecting New Orleans as the site for a Government dry dock.

The report of the Hon. Mr. Herbert from the Committee on Naval Affairs of the House of Representatives, dated March 10, 1892 (Report No. 621, House of Representatives, Fifty-second Congress, first session), says:

A navy-yard upon the Gulf of Mexico or waters connected therewith has always been deemed a necessity.

The repairs of government ships in all countries able to build and maintain navies are done in government shops. It is impracticable, if not impossible, to have such work done by contract, first, because of the difficulty of finding shops having the necessary plant; and secondly, and indeed principally, because of the impossibility of estimating beforehand the value of and contracting for such work at fair prices.

It is expensive and tedious to bring ships belonging to the Gulf Squadron to the navy-yards on the Atlantic coast for repairs. The navy-yard at Pensacola is not in condition to do such work, and the question has been for a long time open as to the point upon or contiguous to the Gulf of Mexico at which a yard should be fitted up for doing such work. Naval authorities have for many years past opposed the refitting of the Pensacola yard, for the reason that it was so much exposed to the fire of a modern fleet.

Two commissions have been appointed, one after another, to visit points upon the Gulf and report the most advantageous site for a dock and ship yard. Both these commissions, one after another, recommended the Government reservation at Algiers, opposite the city of New Orleans.

Since the beginning of our new Navy the Government has fitted up the navy-yards at Norfolk and Brooklyn with extensive plants, not only for repairs but for the building of ships of war. A similar plant has been established on the Pacific coast at Mare Island, and if at any time it is contemplated to fit out a yard upon the Gulf of Mexico, it has seemed to your committee that the work ought to be begun now. They have therefore reported a provision authorizing the erection of a dock at Algiers, and have recommended an appropriation of $250,000 toward the construction of such dock and the purchase of additional land contiguous to this reservation.

CONGRESS ADOPTS REPORT AND ESTABLISHES THE SITE.

The general and emphatic approval of this scheme by the naval authorities and the committees of the two Houses have exercised a natural influence upon Congress, Secretary Tracy having indicated in his communication, forwarding to Congress the report of the second commission to Congress, that the existing naval reservation at Algiers, La., was too limited in extent for the proper location and use of the dry dock, and that it would be "necessary to purchase additional lands adjoining." Congress responded to this recommendation by inserting the following appropriation in the act making appropriations for the naval service approved March 3, 1893:

DRY DOCK, ALGIERS, LA.

Toward the establishment of a dry dock on the Government reservation near Algiers, La.: For plans and specifications and for the acquisition of such additional land as may be necessary, in the discretion of the Secretary of the Navy, in accordance with the recommendations of two commissions appointed by the President under the provisions of an act approved September 7, 1888, and the act approved June 30, 1890, respectively, $25,000.

Here you have in clear and unmistakable language an adoption by the lawmaking power of the recommendations of those two commissions and of all the naval experts, both as to the policy of construction upon the Gulf coast of a dry dock upon a scale commensurate with the size of our largest war vessels and of the site specifically named and recommended. Nothing is left to inference. The investigation was complete. The findings were unanimous and positive in favor of New Orleans, and Congress proceeded to take the initial step by an appropriation to buy the additional land needed.

In the act making appropriations for the naval service approved July 26, 1894, Congress proceeded to make an additional appropriation for this object, in the following words:

DRY DOCK AT ALGIERS, LA.

For the purpose of completing the purchase of additional lands necessary for the establishment of a dry dock at Algiers, La., cost of advertising, plans and specifications for said dry dock, and expenses of judicial proceedings instituted for the condemnation of such additional lands, $23,025.03.

All that now remains is for Congress to make an adequate appropriation to commence the construction of this dry dock. All the initial or preparatory steps have been taken wisely and considerately. This House made an appropriation of $100,000 for this purpose of construction in the naval appropriation bill for the service of the year ending June 30, 1896, but it was disagreed to by the Senate, mainly upon the plea of economy and the condition of our revenues.

It was, however, expressly stated by the Senator in charge of the measure that this action was taken by the Naval Committee without prejudice to the merits of the measure. The opinion of the Senate upon it was clearly indicated at a prior session, namely, the 15th of February, 1892, when a bill providing for this construction passed that body unanimously. Thus it will be seen that each body, though not acting concurrently, has declared itself for commencing the construction of this dock at Algiers, opposite the city of New Orleans.

Secretary Long says in his annual report (1897) that—

At Algiers, New Orleans, a steel floating dock, with necessary wharf and moorings, should be constructed. In the report of the board appointed to consider the subject of dry docks, made in September last, of which Admiral Bunce was president, it was stated:

THE GULF OF MEXICO.

There are no dry docks or adequate docking facilities on the whole coast of this Gulf nor upon its tributary waters. The commission appointed November 22, 1890, to select a suitable site, having due regard to the commercial and naval interests, for a dry dock at some point on the shores of the Gulf of Mexico or the waters connected therewith, selected as the place New Orleans, La., and as the site of the dock the naval reservation at Algiers, a part of that city.

After a careful review of the present conditions, which relatively have not changed, although the channels to the harbors of Galveston and Pensacola have been deepened, respectively, to 25 and 23 feet, the board adopts the conclusions of that commission for the reasons stated in its report (EX. Doc. No. 79, House of Representatives, Fifty-second Congress, first session).

Mr. Chairman, it will not do to say that a nation with more than 70,000,000 people and such great wealth and resources can not undertake this work, and that some two or three dry docks upon the Atlantic coast are to limit our naval preparation for war and for peace. The officers of our Navy tell you that they are wholly insufficient. If war should come, and war almost always comes unexpectedly, it would find us imperfectly prepared to meet its exigencies even on the Atlantic coast, and wholly unprepared on the Gulf coast to repair our ships.

Is this not criminal negligence? Would not the disasters that would follow as a natural consequence of such neglect be a shame and a reproach to the Congress that had turned a deaf ear to the appeals of your highest naval authorities? They have given you the actual situation and pointed out the danger time and time again. Can you afford to neglect their warning?

I can not believe, sir, that any man will be so blind as to imagine that, in case of war, naval operations and conflicts would not occur in the Gulf of Mexico. If you invite attack, then, by your neglect it will surely come. Surely there is no man so ill informed as to dream that vessels crippled in action or which from any cause in war or peace are needing repairs can be safely and economically dispatched on a long and hazardous voyage by way of the Florida coast to some dock upon the Atlantic coast for the needed docking and repairs. The mere delay incident to such a voyage and in making repairs might determine a naval engagement upon the Gulf of Mexico and determine it in favor of the foreign flag against our own.

ENTIRE MISSISSIPPI VALLEY AFFECTED.

Mr. Chairman, this question covers the entire Mississippi Valley. It may be thought by some inconsiderate persons that in case of a war the upper part of this great valley would not be exposed to invasion, and therefore would regard the protection of the mouth of the Mississippi and the Gulf coast as of secondary consequence. But the people of the upper portion of the valley entertain no such narrow, shallow, and unpatriotic views. With them the security of the mouth of the Mississippi and the freedom of its commerce has been a darling object for over a century. It has engaged the attention of their ablest statesmen. The occupation of Louisiana by a foreign nation in 1815 would have been as odious to Ohio, Indiana, Illinois, and Missouri as it was to Louisiana and Mississippi. In the recent civil war one of the strongest considerations that impelled the States of the Northwest to put forth their energies to maintain the Union was the fear of seeing the southern outlet of the Mississippi Valley pass out of their hands and fall under the control of a different political power. They held that the control of this outlet was important for their security and essential to their trade and maritime interests.

THE GULF COAST AND MISSISSIPPI VALLEY ALL INVOLVED.

In pleading for the proper treatment of the Mississippi River and its military needs and defenses, I speak for the whole valley and not for New Orleans alone. Geography may make us keener to observe the opportunity of the hour, but the dwellers on the

prairies, the toiling farmers all through the Northwest, have an interest in the matter hardly second to our own. It is their interest and their right to demand the protection of this outlet that nature has given them and us. And in speaking for the proposed naval dock at New Orleans for repair of our ships, I wish to suggest the obvious thought that this step is not merely the defense of New Orleans and the Lower Mississippi, but also of Galveston, Mobile, and the whole Gulf coast.

The fleet which can be assembled, refitted, and armed at New Orleans is a security against the rapine and violence of a foreign foe, no matter at what point on the Gulf coast he may strike at our commerce, property, and soil, and just in proportion as this station and dock is made fit to serve the purposes of war and peace will its benefits be felt throughout the Gulf Coast and in every city of its borders. There is a unity of interest for the whole Gulf Coast and every part of the Mississippi Valley.

Now, Mr. Chairman, I have shown that by two distinct and separate acts Congress has clearly expressed its will in favor of this establishment and an appropriation for it. Upon these acts alone I am willing to rest this case. To argue further would be like unto the endeavor—

> To gild refined gold, to paint the lily,
> To throw a perfume on the violet—

which the great bard tells us—

> Is wasteful and ridiculous excess.

Mr. Chairman, I now submit to your decision.

The CHAIRMAN. The Chair is ready to rule on this question.

Clause 2 of Rule XXI provides, among other things, that no appropriation shall be in order upon any appropriation bill, whether original or as an amendment thereto, that has not been previously authorized by law,

Surely any appropriation, under the language of the rule, that has been authorized by previous law is in order; and it seems perfectly clear to the Chair that it was the intention of Congress, by the act of March, 1893, and of July, 1894, to provide for a dry dock at Algiers, La. That seems to be perfectly clear, and the Chair, therefore, is constrained to overrule the point of order.

The Clerk will read.

The Clerk read as follows:

And the Secretary of the Navy is hereby authorized and directed to appoint a board of naval officers to determine the desirability of locating and constructing a dry dock in the harbor of Galveston, Tex., and to report such finding to the next session of the present Congress, and the sum of $1,000, or so much thereof as may be necessary, is hereby appropriated to defray the expenses of said board.

Mr. CANNON. Mr. Chairman, I make the point of order on the paragraph commencing with line 7, on page 27, down to and including line 13, on the same page.

The CHAIRMAN. What point does the gentleman make?

Mr. CANNON. I make the point of order that there is no law authorizing this appropriation anywhere to be found, and there is no provision of law which contemplates any such legislation.

Mr. COOPER of Texas. Pending the point of order, Mr. Chairman, I would like to offer the following amendment, that may be subject to the same point of order. I would like to have it read for the information of the committee and have the matter all disposed of at the same time.

Mr. BOUTELLE of Maine. I do not see how the gentleman can do that. After the point of order has been decided, of course an amendment may be offered. But if the point of order is pending, that must be first disposed of. If this paragraph should go out, there would be no amendment to be offered, for there would be nothing to amend.

Mr. COOPER of Texas. I can not see what objections the chairman has.

Mr. BOUTELLE of Maine. I have no objection. I leave the matter to the Chairman of the committee.

The CHAIRMAN. The gentleman from Illinois makes the point of order on this paragraph. Does the chairman of the Committee on Naval Affairs desire to be heard?

Mr. BOUTELLE of Maine. He does.

Mr. HAWLEY. Mr. Chairman——

Mr. BOUTELLE of Maine. The gentleman from Texas, as I understand it, desires the amendment to be read which attempts to add authorization to examine another site. I want to say that I have no objection to it, but it only occurred to me that it could not come in under our procedure here at this point.

The gentleman from Texas [Mr. HAWLEY] desires to discuss the point of order.

Mr. HAWLEY. Mr. Chairman, believing in the disposition of the Chair to apply the principle as well as the precedents on this point of order, and relying on its entire fairness, I shall not attempt to persuade him with respect to his conclusions, except so far as he may be influenced by reason of the great purpose underlying the authorization and direction to the Secretary of the Navy to determine the desirability of locating and constructing a dry dock in the harbor of Galveston, Tex.

The CHAIRMAN. The Chair would remind the gentleman from Texas that the gentleman from Illinois did not reserve the point of order. He made it absolutely. So, unless the gentleman desires to discuss the point of order, the Chair prefers to rule upon it now.

Mr. CANNON. I have no objection, Mr. Chairman, to the gentleman proceeding. I would be glad if the committee would give unanimous consent that he might have five minutes.

I will reserve, if necessary, the point of order. But I want to be particularly understood that I will insist upon it hereafter. I ask that he have five minutes.

The CHAIRMAN. If there be no objection, the gentleman from Texas will be heard for five minutes.

There was no objection.

Mr. HAWLEY. Mr. Chairman, the principle is as old as war—older than civilization—for a people to know every source of strength and weakness, at every point, subject to assault or serviceable as a haven.

The harbor of Galveston and its approaches, the depth and width of its channel, the area of deep water for the anchorage of our largest ships, its unusual accessibility and ease of entrance—the protection offered shipping by the 12 miles of jetty walls, projecting into the sea, which walls were planned and constructed by the United States Engineer Corps, have resulted in creating the deepest channel and the finest harbor on the shore of the Mexican Gulf; by the audacity of genius which conceived and projected this work—unprecedented in the history of engineering—these jetties have served every purpose which the conditions demanded.

These walls, but lately finished, have produced a channel where the largest ships of the merchant marine, which seek in any part of the world, come and go laden to their utmost draft without obstruction or question. There is "ample water frontage of sufficient depth and permanence and with currents of moderate rapidity." The rise and fall of the tide is less than 18 inches. Neither the flood nor ebb would disturb a single timber in a basin dock.

This port is admirably situated with respect to the lines of interior communication by rail and stream with the principal sources of supply; for every requirement of this and like character its supply is unlimited in wood and stone at contiguous points.

In timber its resources are boundless in quantity and rich in the kind and quality needed for the work under consideration, and at prices more economical than obtainable at any eligible site in our country. There is pine of the finest quality and oak and cypress and cedar at the very gate of Galveston.

The nature of the ground is most suitable for the construction of excavated docks and basins and for heavy structures. The character and the supply of labor, skilled and unskilled, would be found in abundance to meet every necessity of the Government. The healthfulness of the salubrious climate of the coast of Texas is proverbial—men work out of doors the year round. They are earnest, intelligent, and constant. There is no part of America where the Government would get in men and material a better return for its investment, nor anywhere a more serviceable and satisfactory use of its docking and naval facilities.

No work ever successfully undertaken has more fully accomplished the great purpose for which it was designed than has the establishment at Galveston of a deep-water port of the first class. We have to-day a greater depth of water at mean low tide from the sea to a dock basin in Galveston Bay than any port south of Newport News.

Under these conditions, if we are to consider the shipping of the world that enters this great port, it increases the necessities and makes imperative this construction, not only for the use of the Navy, but for the fleet of merchant marine which come, bearing the flag of every nation, carrying to distant ports of our own and to every foreign land the products of millions of our people.

This commerce has grown so rapidly that only through the energy and enterprise of our most progressive people, alert to their duty and opportunities, has it been encouraged and cared for.

The promise is, the inevitable destiny is, that Galveston must and will become among the foremost factors in attracting the vast fleet of ships that seek our shores. Your cooperation now will only speed the day.

The CHAIRMAN. The Chair is ready to rule.

Mr. DAYTON. Mr. Chairman, I hope before that ruling is made that on behalf of the committee I may be heard for a moment or two.

The CHAIRMAN. On the point of order the Chair will be glad to hear the gentleman.

Mr. DAYTON. I want to call attention to the fact that we are brought squarely now to meet a question and a point of order which, it seems to me, when clearly analyzed, will be seen to have no foundation in fact, save and except that a wrong ruling, based upon wrong information, or at least upon a wrong foundation, gave rise to it. Let us look at it for a moment. We have here the anomaly that in the Fifty-first Congress, or possibly before that,

it was distinctly held that the construction of new vessels was not an item subject to the point of order, and, I believe, immediately followed by the ruling of the same Chairman, Mr. Butterworth, that dry docks were subject to the point of order.

I submit, Mr. Chairman, as a legal proposition and as a logical proposition, that there is no person on top of sod who can reconcile these two things on any sound logic or reasoning, and it is an illustration of the fact that this rule has been followed on the strength of the doctrine of stare decisis, and that is all that it is. All subsequent rulings upon this point have simply followed the original one, without, I submit, any other or any careful reexamination of the facts upon which it was based.

If it is possible for us to construct new vessels, to construct new buildings, new tool shops, in order to complete and repair ships, in the name of reason and common sense why can not we construct scaffolds upon which those ships are to be placed to repair them with the material and tools that we are authorized to buy? That is the position of this question. A dry dock is nothing in its analysis when brought down to its true condition. A statement of what it is simply brings us to the point that it is a scaffold to raise vessels out of the water to clean and repair them, and also, to a certain measure, to be used in the very construction of them. Is it possible, simply because there has been a bad ruling in the past, that that is to be continued, and that another ruling shall not be made?

Mr. Chairman, I appeal to you with the utmost confidence, because I know this fact, that one of these followings of the original ruling was made by you; and I realize the fact, and it seems to me it will be a pleasure to you, upon a thorough examination of the propositions stated in the original ruling, and when you think and consider how flimsy the ground of the original ruling was, and how little logical foundation it had, it seems to me it will be a pleasure for you to destroy that ruling and put the ruling upon reasonable and logical grounds.

The CHAIRMAN. The Chair is ready to rule. The question raised by the point of order to this section is not identical with the other question raised against the provision for more battle ships or the provision for building dry docks. This is a section providing for neither of those purposes. It simply provides for the appointment of a board to determine the desirability of locating and constructing a dry dock at a particular point. It seems to the Chair that that is entirely different from either of the other decisions, and those decisions need not be reviewed in coming to a conclusion upon the point of order here raised, which, it seems to the Chair, must be sustained, because the provision is clearly obnoxious to the rules. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

Building a double floor (under the movable floor), 26-inch equatorial dome, double doors at entrance to basement, and alterations to machinery, $1,200.

Mr. RIDGELY. Mr. Chairman, I move to strike out the last word. It is not my desire, Mr. Chairman, to take up the time of this committee and to obstruct the proceedings of this legislation. However, I deem it proper at this time to call the attention of members to the fact that we are levying a great deal of taxes upon the people of this nation, taxes, no doubt, most of which they approve.

But, gentlemen, if we are going to continue increasing the burdens of taxation, increasing the number of dollars that our people shall earn in order to pay them into the Treasury to defray these expenses, it is proper and right that you should consider how the people are to find the dollars in the market when they have produced their products and gone to the market in search of dollars with which to pay their taxes. We are levying in round numbers at least $1,000,000,000 as taxes that this Congress will have placed upon the people before we shall have reached the end of the present Congress.

We made an extraordinary appropriation of $50,000,000 for defense just a few days ago which received the unanimous vote of this House and the Senate, and, as I believe, the unanimous support of the entire people of the United States. But while we are thus calling on the people to keep our Treasury supplied with dollars, inasmuch as it has been placed within the power of Congress to coin money, therefore the duty and responsibility of supplying money to the people rests upon Congress as well as the responsibility of levying these taxes; and, in order that the people may be able to find dollars in the market, I have prepared to present an amendment, which I offer at the end of line 22, on page 27. I send my amendment to the Clerk, and ask that it be read.

The CHAIRMAN. One amendment offered by the gentleman is now pending.

Mr. RIDGELY. I withdraw my pro forma amendment and offer this.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will report the amendment which the gentleman has sent to the desk. The Chair hears no objection.

The Clerk read as follows:

Insert at the end of line 22, page 27, the following:

"*Provided*, That the Secretary of the Treasury shall prepare, issue, place in the Treasury, and pay out in full settlement of all expenses incurred under this act a sufficient amount of Treasury notes in denominations of one, two, five, ten, and twenty dollars. Such Treasury notes shall be receivable in full payment of all private or public debts, dues, and taxes within the United States."

Mr. BOUTELLE of Maine. I make the point of order against the amendment.

The CHAIRMAN. The gentleman from Maine raises the point of order against the amendment.

Mr. RIDGELY. Mr. Chairman, I do not care to take up the time of the House in arguing the point of order. I am satisfied that it would be sustained.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Machinery plant, navy-yard, Boston, Mass.: Modern machine shop tools, $15,000.

Mr. FITZGERALD. Mr. Chairman, I would like to ask the chairman of the Committee on Naval Affairs if the condition of the navy-yard at Charlestown has been brought to the attention of that committee? I notice in the paragraph which has just been read there is an appropriation of only $15,000. I notice in the paragraph following there is appropriated for additional tools required to put the yard in condition for building and repairing modern marine machinery, including improvements in handling machinery and in the boiler-making plant—new boilers for steam engineering shops, $35,000.

The navy-yard at Boston, Mass., possesses the best opportunity in the world for the repair of all classes of vessels in the naval service. I understand from a high official connected with the Navy Department that vessels are not sent there, for the reason that the machinery plant in operation is not in such condition as to allow those vessels to be repaired. It seems to me that some provision ought to be made for putting the plant in proper order, and I ask the chairman of the committee if that fact has been brought to the attention of the committee?

Mr. BOUTELLE of Maine. Was that information of the gentleman obtained from the Bureau of Steam Engineering?

Mr. FITZGERALD. It was obtained from the constructor, who said that the Secretary had requested the Bureau of Engineering to see that the plant in the Charlestown Navy-Yard was put in such a condition as to enable all vessels to be sent there for repair. I got the information at such a late day that I was unable to ask for the information until to-day.

Mr. BOUTELLE of Maine. The Bureau of Steam Engineering did make an estimate for that very purpose, and we have inserted it in the bill as they have requested.

Mr. FITZGERALD. I understand that the estimate has been to cover all matters that may be necessary.

Mr. BOUTELLE of Maine. The Department made an estimate of what they would require and we put it in the bill.

Mr. FITZGERALD. The full amount?

Mr. BOUTELLE of Maine. The full amount.

Mr. WHEELER of Alabama. Mr. Chairman, last night a sound of triumphant joy rang through the length and breadth of this land of liberty. The feeling of humiliation which had weighed down American hearts was at last dispelled. Gatherings of gleeful men were seen at every corner with bright and proud faces. The telegraphs were busy conveying this joyful news far and wide to the people of this great Republic.

The Republican majority in this House had arisen in its might and determined to do its duty. A revolt had taken place in the ranks of the Republican party. Early this morning the people hastened to this Hall. They came to hear the rights of the people proclaimed in tones of thunder; they came to be told that the sufferings of the patriots of Cuba had at last reached the ears and hearts of the great Republican party; they came to see patriotism triumphant; they came to see a brave revolt, but they looked down from the galleries to witness a humiliating surrender.

The promised revolt from the Republican party, it seems, was crushed to earth before it commenced, and their solid vote was recorded in opposition to any recognition of freedom for the Cuban patriots.

Mr. Chairman, I have been astonished to hear the people of this country talk about Spain's torpedo fleet crossing the Atlantic. Some people seem to tremble in their shoes because 6 little boats, the largest being but 400 tons and carrying 6 guns and 2 torpedo tubes, are approaching the greatest nation on the earth—a nation with a navy the personnel of which is superior to that of any nation on earth. [Applause.]

I give below a statement of the fleet which left the Canaries, and I see by the press that two of these boats have met with disaster and one has returned to Spain.

Spanish torpedo-boat destroyers and torpedo boats which sailed from the Canaries for Puerto Rico March 24, 1898, called First Torpedo Squadron.

Name.	Year built.	Displacement.	Speed.	Armament.
Torpedo-boat destroyers.		*Tons.*	*Knots.*	
Furor	1896	370	28	6 guns; 2 torpedo tubes.
Terror	1896	370	28	Do.
Pluton	1897	400	30	Do.
First-class torpedo boats.				
Arlete	1887	97	26.1	4 guns; 2 torpedo tubes.
Azor	1887	108	24	4 guns; 3 torpedo tubes.
Rayo	1887	97	25.5	4 guns; 2 torpedo tubes.

Below I furnish a list of the torpedo destroyers and the torpedo boats now assembling at Cadiz:

Spanish torpedo-boat destroyers and torpedo boats assembling at Cadiz, called Second Torpedo Squadron.

Name.	Year built.	Displacement.	Speed.	Armament.
Torpedo-boat destroyers.		*Tons.*	*Knots.*	
Audaz	1897	400	30	6 guns; 2 torpedo tubes.
Osado	1897	400	30	Do.
Proserpina	1897	400	30	Do.
First-class torpedo boats.				
Barcelo	1886	66	19.5	2 guns; 2 torpedo tubes.
Habana	1887	59	21.3	1 gun; 2 torpedo tubes.
Retamosa	1886	70	20.5	2 guns; 2 torpedo tubes.

Spain also has other boats of the same character.

Other Spanish torpedo-boat destroyers and torpedo boats.

Name.	Year built.	Displacement.	Speed.	Armament.
Torpedo-boat destroyer.		*Tons.*	*Knots.*	
Destructor	*1886	386	22.6	7 guns; 3 torpedo tubes.
First-class torpedo boats.				
Acevedo	1885	60	20.1	2 guns; 2 torpedo tubes.
Ejercito	1887	60	25	Do.
Halcon	1887	108	24	4 guns; 3 torpedo tubes.
Julian-Ordonez	1885	65	20.1	2 guns; 2 torpedo tubes.
Orion	.....	85	21.5	Do.
Rigel	1883	57	19	1 gun; 2 torpedo tubes.
4 boats	(†)	97	25	4 guns; 2 torpedo tubes.
Second-class torpedo boats.				
Aire	1883	25	8	
Castor	1878	23	19	
Pollux	1879	33	19.5	
Vedette boats.				
4 white type	1892	.....	13.3	

*Refitted 1897. †Building.

I will now give the list of armored battle ships possessed by Spain:

Spain's armored ships afloat with guns ranging over 9 miles.

Name of ship.	Maximum armor.	Draft.	Number of guns.	Caliber of guns.
	Inches.	*Ft. in.*		*Inches.*
Pelayo	17.7	24 11	{ 2 / 2	12.5 / 11
Carlos V	9.8	25 0	2	11
Cardenal Cisneros	12	22 0	2	11
Cataluña	12	22 0	2	11
Princesa de Asturias	12	22 0	2	11
Almirante Oquendo	12	21 6	2	11
Viscaya	12	21 6	2	11
Infanta Maria Teresa	12	21 6	2	11

Even if they should bring every one of these ships against us, we would be able to meet and triumph over them. It is not action, but inaction, that endangers the honor and prestige of this great nation. [Applause.]

Mr. Chairman, a year ago I proclaimed on this floor that the condition of things in Cuba demanded that the belligerent rights of the patriots should be recognized by us.

Mr. SIMPSON. Will the gentleman allow me an interruption?

Mr. WHEELER of Alabama. Certainly I will.

Mr. SIMPSON. I would like to ask the gentleman if he really and seriously believes that we shall have war after the action of the House to-day?

Mr. WHEELER of Alabama. I know of no more certain way to bring on war than the action of the Republican party this morning. Already this surrender on the part of the Republican party has been cabled to Madrid, and has, no doubt, encouraged the Spaniards to assume a more defiant attitude. If Congress and the country do their duty, there will not be what we Americans call war. Let us recognize the belligerency of those patriots——

A MEMBER. And independence.

Mr. WHEELER of Alabama. Or independence, if possible, and then, Mr. Speaker, give them arms and ammunition, and in less than three months there will not be a Spanish flag in Cuba. [Applause.] Then it would be very well to send a small army to Puerto Rico and capture their coaling station, and the Spanish flag would be driven across the ocean and remain there forever. [Applause.]

Mr. SIMPSON. I would like to call attention to the fact that it is not a question of the country doing its duty, but a question of the majority doing its duty.

Mr. WHEELER of Alabama. Yes; the representatives of the American people should do their duty.

Mr. CUMMINGS. I would like to ask the gentleman a question.

Mr. WHEELER of Alabama. Yes.

Mr. CUMMINGS. I would like to ask the gentleman how much time, in his opinion, considering the prospective alliance between Spain and the United States, it will take these two Governments to put down the patriots in Cuba? [Applause.]

Mr. WHEELER of Alabama. I will reply to the gentleman by saying that while I have bowed my head in humiliation at the course pursued by the Republican party, yet I do not believe matters will go so far that we will continue to extend a friendly hand to the murderers of the brave crew of the *Maine* and to the murderers of the patriots in Cuba. [Applause.]

Mr. SIMPSON. The gentleman must have a good deal of confidence in human nature. [Laughter.]

Mr. WHEELER of Alabama. I have great respect for my Republican friends and every confidence that they will soon be aroused to a sense of duty.

[Here the hammer fell.]

The Clerk read as follows:

Machinery plant, navy-yard, Norfolk, Va.: Additional tools required to put the yard in condition for building and repairing modern marine machinery, including improvements in handling machinery and in the boiler-making plant; new boilers for steam engineering shops, $35,000.

Mr. FITZGERALD. I move to amend by striking out the last word; and I yield to the gentleman from Alabama [Mr. WHEELER].

Mr. LENTZ. Now will the gentleman from Alabama permit me to ask him a question?

Mr. WHEELER of Alabama. Yes, sir.

Mr. LENTZ. I ask the gentleman——

The CHAIRMAN. The gentleman from Alabama has not the floor. A gentleman obtaining the floor under the five-minute rule can not yield his time to another member.

Mr. WHEELER of Alabama. Then, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last word.

Mr. LENTZ. I was about to ask the gentleman from Alabama this question: If, after recognizing Cuban independence, it would take three months to remove the last of the Spanish flags from Cuba, how long will it take to remove from the other side of the House the Spanish flag they have exhibited this afternoon?

Mr. HAMILTON. There is no Spanish flag there.

Mr. WHEELER of Alabama. I can not agree to the assumption that the Spanish flag has any friends on either side of this House. Our friends on the other side are derelict in their duty; they mistake their duty. They believe that the prestige of this country can be maintained by diplomacy. The heart of the American people does not agree with them. The American people believe that a firm, honest stand—obedience to the laws of God and humanity—will give us peace and the approval of the civilized world and Almighty God. [Applause.]

Mr. LENTZ. Will the gentleman from Alabama allow me one question?

Mr. WHEELER of Alabama. I yield only for a question.

Mr. LENTZ. If after extending to Cuba a recognition of her independence——

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. FITZGERALD. I ask unanimous consent that the gentleman be allowed five minutes more.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Alabama be allowed five minutes additional.

Mr. BOUTELLE of Maine. I am constrained to object, because I think we ought to proceed with the consideration of this bill.

The CHAIRMAN. The Chair is requested to call the attention of visitors in the gallery to the fact that manifestations of approval or disapproval on their part, of anything that takes place on the floor of the House, are not in order.

Mr. GAINES. Do you want to settle this question on a money basis?

Mr. WHEELER of Alabama. No; I want to settle this great question on the basis of honor and humanity. In order to inaugurate some movement in that direction, I introduced this resolution:

Resolved, etc., That a joint committee, consisting of seven members of the Senate, to be appointed in such manner as may be determined by the Senate, and seven members of the House, to be appointed by the Speaker, be created to consider the question of our relations with Spain growing out of the Cuban question. That all messages heretofore received or which may hereafter be received from the President referring to this question be referred to said committee. That such committee be authorized to send for persons and papers, to take evidence, and to administer oaths to witnesses. That said committee be authorized to employ a clerk and one assistant, a stenographer and messenger, and that said committee report with as little delay as possible the true conditions which prevail in Cuba, what part of the Spanish debt is a burden to the revenues collected therein, the protection given to Americans and American interests in that island by the Spanish Government, the truth regarding the inhumanities and atrocities which have come to the knowledge of this body through semiofficial and other sources, and any other facts relating to this matter which, in the judgment of the committee, should be considered by Congress.

The committee will, with as little delay as practicable, recommend to Congress what action should be taken by this body. The committee shall have authority to report at any time.

It was my hope that such a committee, which should be composed of the strongest men both in the House and Senate, would be able to force some proper measure through Congress.

I also introduced this joint resolution:

Resolved, etc., That the Government of the United States hereby declares that the struggling patriots in the Island of Cuba are belligerents, and are recognized as such by this Government.

After the course pursued by the Republican party this morning I introduced this bill:

Be it enacted, etc., That the sum of $500,000 is hereby appropriated to purchase provisions for the use of Cuban noncombatants who have been concentrated in cities and deprived of means of subsistence by order of Spanish commanders. That it be made the duty of the President to immediately cause these provisions to be conveyed to the starving people for whose relief this law is enacted, and to attain this purpose he is authorized and directed to use so much of the military and naval force of the United States as may be necessary.

SEC. 2. That the President is hereby authorized and directed to notify the Government of Spain that this proceeding is an act of humanity on the part of the United States, and is not intended as an act of war.

This by no means meets my views as to the duty of this country, but it is quite evident that we will be fortunate even to get a consideration of this measure.

I am well aware that according to usual rules the landing of the troops of one nation upon the shores of another is a hostile proceeding, but extraordinary, unusual, and unprecedented measures are necessary to meet the unprecedented barbarity of a nation deliberately starving to death its own people, and I say that if Spain chooses to construe this humane and Christian effort as an act of war, then I say let it come. [Applause.]

Mr. Chairman, I ask to print, in connection with my remarks, a statement of the Spanish navy and a description of the ships now approaching our shores and whose coming seems to be creating apprehension.

Mr. BOUTELLE of Maine. What was it that the gentleman from Alabama asked leave to print?

The CHAIRMAN. The gentleman will again state his request.

Mr. WHEELER of Alabama. I desire to print a statement regarding the Spanish navy, and also a description of the fleet now sailing to our shores, together with two measures I have introduced.

The CHAIRMAN. The question is on granting the request of the gentleman from Alabama.

Mr. PAYNE. How many RECORDS will that matter fill?

Mr. WHEELER of Alabama. It will not occupy much space.

Mr. BOUTELLE of Maine. What is the extent of the document which the gentleman desires to print?

Mr. WHEELER of Alabama. About two pages. Here it is. [Holding up a paper.]

Mr. BOUTELLE of Maine. I do not quite understand the gentleman's request. Does the matter he proposes to print include any information about the naval force or military armament of the United States which ought not to be published?

Mr. WHEELER of Alabama. I am surprised that the gentleman should ask such a question. I said that I desired to print a statement regarding the Spanish navy.

Mr. BOUTELLE of Maine. Oh, I have no objection, if that will satisfy the gentleman.

The CHAIRMAN. The Chair hears no objection to the request of the gentleman from Alabama, and it is granted.

Mr. VINCENT. I would like the gentleman to answer one question before I give my consent.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. VINCENT. But the gentleman asks unanimous consent to publish something.

Several MEMBERS. That was granted.

The CHAIRMAN. The time of the gentleman from Alabama has expired. If there be no objection, the informal amendment offered by him will be considered as withdrawn. The Chair hears no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HULL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 1183. An act for the relief of John Green;

S. 2652. An act granting an increase of pension to Mrs. Emma V. Gile;

S. 2786. An act granting a pension to Martha E. Huddleston;

S. 3169. An act granting a pension to John R. Bevan;

S. 3515. An act granting a pension to Mary L. Page;

S. 3110. An act granting a pension to Patrick Breen;

S. 1071. An act granting a pension to Abigail R. Ellet, of Eldorado, Kans.;

S. 2357. An act granting an increase of pension to Merlin C. Harris, of Tonganoxie, Kans.;

S. 2336. An act granting an increase of pension to David B. Stover;

S. 4169. An act granting an increase of pension to Ida Emmott, dependent and invalid daughter of the late Thomas Emmott;

S. 290. An act granting a pension to Charlotte Poe, widow of Isaiah Poe, deceased;

S. 4004. An act granting a pension to Julia E. Warner;

S. 1011. An act to increase the pension of Erika A. Norman;

S. 3059. An act increasing the pension of Isaiah Mitchell;

S. 2393. An act granting an increase of pension to Henry Hinckley;

S. 3660. An act granting a pension to Thomas Edsall, of Grafton, Ill.;

S. 4003. An act to construe an act approved June 3, 1884, relating and including the disability of Alonzo B. Chatfield, late of Company B, Thirty-third Regiment of Illinois Volunteer Infantry;

S. 1353. An act for the increase of pension of Farnham J. Eastman;

S. 3474. An act granting a pension to John C. Brown;

S. 1759. An act granting a pension to James H. Preston;

S. 2036. An act to increase the pension of Mary C. Cook;

S. 2588. An act increasing the pension of Corrissanda L. McGuire, of Shelbyville, Ind.;

S. 3425. An act for the benefit of Evelyn N. Murray;

S. 1928. An act granting an increase of pension to First-class Pilot Capt. James M. Herrington;

S. 285. An act for the relief of Mrs. Mary L. Roderick;

S. 1587. An act granting a pension to Susan C. Oden;

S. 3026. An act granting a pension to Ida Emmott; and

S. 4080. An act providing for a national exposition of American products and manufactures at the city of Philadelphia for the encouragement of the export trade.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 6007. An act for the relief of Cora L. Robinson, of Centralia, Kans.;

H. R. 5965. An act granting a pension to Laura A. Barry, as widow of Charles W. Barry, late private, Company B, One hundred and eighth New York Volunteer Infantry;

H. R. 2198. An act granting an increase of pension to Joseph P. Harmon, late private in Company K, Fifth Maine Volunteers, and Company B, Seventh Maine Volunteers;

H. R. 4194. An act granting an increase of pension to Samuel F. Fowler, formerly private Company A, First United States Infantry;

H. R. 907. An act granting a pension to Emily J. Miller;

H. R. 1971. An act to grant a pension to James J. Gibbs, of Knox County, Tenn.;

H. R. 5384. An act for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States;

H. R. 722. An act granting a pension to Mrs. Sarah A. Denny;

H. R. 3299. An act granting a pension to Ellen Day, stepmother to Albert L. Day;

H. R. 4320. An act granting a pension to Nancy Hollenbank, an army nurse during the war of the rebellion;

H. R. 164. An act granting an increase of pension to John P. Thomas;

H. R. 5156. An act granting an increase of pension to Daniel J. Smith;

H. R. 2346. An act to increase the pension of Elwin A. Scutt;
H. R. 6211. An act granting an increase of pension to Isabella G. Daniels, widow of Milton T. Daniels;
H. R. 5964. An act granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry;
H. R. 4188. An act granting an increase of pension to Nicholas Gardner;

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. JOSEPH HAYNESWORTH EARLE, late a Senator from the State of South Carolina, and that it extends to his afflicted family its sincere sympathy in their bereavement.

Resolved further, That as an additional mark of respect to the memory of Senator EARLE the legislative business of the Senate be now suspended in order that his associates in this body may pay a tribute to his memory.

Resolved, That the Secretary transmit to the family of the deceased certified copies of these resolutions, with statement of the action of the Senate thereon.

Resolved, That the Secretary of the Senate be directed to communicate these resolutions to the House of Representatives.

Resolved, That as a further testimonial to the memory of the deceased the Senate do now adjourn.

The message also announced that the Senate had passed without amendment the bill (H. R. 6906) to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River in the State of Louisiana, at or near Shreveport.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Machinery plant, naval station, Port Orchard, Wash.: Machine tools to fit out plant for repairs of engines, boilers, etc., of United States naval vessels, $50,000.

Mr. ELLIOTT. Mr. Chairman, on page 40, after line 16, I move to insert the amendment I send to the desk.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Add to the paragraph the following:
"Machine plant, naval station, Port Royal, S. C.: Machine tools to properly equip the plant for repairing engines, boilers, etc., of United States naval vessels, $50,000."

Mr. BOUTELLE of Maine. I will reserve the point of order, Mr. Chairman, until I hear a statement from the gentleman in reference to this matter.

Mr. ELLIOTT. Mr. Chairman, I desire to be heard on the amendment.

The amendment is offered in consequence of a special estimate sent in by the Secretary of the Navy on the 16th instant, which I ask the Clerk to read from the desk.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., March 16, 1898.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Navy, of the 15th instant, submitting an estimate of appropriation, to be included in the naval appropriation bill, for improvement in the machinery plant at the naval station, Port Royal, S. C., $50,000.

Respectfully, yours,
L. J. GAGE,
Secretary.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

NAVY DEPARTMENT, *Washington, March 15, 1898.*

SIR: I have the honor to submit herewith, for transmission to Congress, to be included in the naval appropriation bill, an estimate of an appropriation of $50,000, required by the Bureau of Steam Engineering of this Department, for improvement in the machinery plant at the naval station, Port Royal, S. C. In this connection, I herewith inclose a copy of a letter from the Engineer in Chief of the Navy, dated the 12th instant, explaining the necessity for this appropriation.

I have the honor to be, very respectfully,
JOHN D. LONG, *Secretary.*

THE SECRETARY OF THE TREASURY.

BUREAU OF STEAM ENGINEERING, NAVY DEPARTMENT,
Washington, D. C., March 12, 1898.

SIR: In view of the dredging operations which are taking place which will soon render the dry dock at Port Royal available for the dockage of our ships, and in view of the desirability of having this, the only dock on the Atlantic coast at present capable of taking in the battle ships, ready for the most efficient service, I would respectfully call the Department's attention to the recommendation which I had the honor to make in my annual report of last year with respect to the desirability of providing an adequate machinery plant, capable of making the repairs needed when these vessels are in dock.

Many of the most important repairs can only be made when the vessel is in dock, and unless there is a proper machinery plant near the dock great delay would ensue from having to wait for the repairs to be made elsewhere while the ship remained in dock, not only losing her own services, but also losing the services of the dock, which could have been used for another vessel.

A distinguished officer of a foreign navy wrote some years ago an article in the Journal of the United States Naval Institute, in which he spoke of the desirability of organizing a navy "to be in readiness for the day of battle and the week afterwards."

It is this "week afterwards," during which repairs must be made with the utmost expedition, in order to enable the fleet to be ready for a second engagement, that is of vital importance, and it is on that account that I have the honor to call the Department's attention to the importance of this machinery plant at Port Royal.

Very respectfully,
GEO. W. MELVILLE,
Engineer in Chief, U. S. N., Chief of Bureau.

THE SECRETARY OF THE NAVY.

Mr. ELLIOTT. I hope in view of that statement the objection of the gentleman will be withdrawn.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELLE of Maine. Mr. Chairman, I shall not make the point of order on the amendment proposed by the gentleman from South Carolina, because of its possible effect upon other legislation. But I desire to say on behalf of the Committee on Naval Affairs that they have already made what they regard a liberal appropriation for this purpose at Port Royal in a former part of the bill.

Mr. CANNON. I will reserve the point of order on the amendment until I hear what the gentleman has to say upon it. I have just come in.

Mr. BOUTELLE of Maine. Then, Mr. Chairman, I will state frankly—not intending to imply that I was not frank in my statement before—but I would state distinctly that, in my judgment, the point of order will not lie against the amendment. I think that we have a right, under the rules, to appropriate for machinery and tools at any of these stations which we have established. But the committee have not recommended an appropriation for this purpose at the station in question, which station is at present in a crude condition. There is no machine shop there yet.

The House should bear in mind, also, that at all of these stations, when they are equipped, we have machinery, tools, workshops, and necessary facilities of that kind for the several departments of this branch of the service. There is a construction department, which has to do with shipbuilding, ship repairing, and also the repairs of the hulls of ships. In addition, the engineering department have machinery and tools and the facilities necessary for carrying on their business there just the same as at some of the larger yards.

That is a tentative enlargement of the facilities there, and inasmuch as we have no machine shop at that station, yet it has been the policy of the committee from the beginning of the construction of the new Navy to go ahead consecutively in fitting these new places up as rapidly as possible. But in the judgment of the committee it was not desirable or necessary to make an appropriation for a machinery plant there.

I will state, Mr. Chairman, that no estimate was originally sent in for such an improvement. The estimates which have been read here, at the suggestion of the gentleman from South Carolina, were sent in since Congress met; and I will also say that the committee, for the same reason which actuated them in making a proviso with reference to the appropriation of money for this station and incorporated in a former portion of the bill, inserted a condition with reference to this appropriation which held it subject to the conclusion of the proceedings regarding the title to this site.

The committee determined that until the question of ownership as to the tide-water strip was settled definitely we ought to be more conservative about increasing our expenditures there. That question of title covers the riparian rights to the land from low-water to high-water mark across the entire front of the dock, and it seems to the committee that we should exercise a wise discretion by not enlarging the facilities there and expending a large amount of money until this question of the title was definitely settled.

I do not think, therefore, that this appropriation as proposed by the amendment should go into the bill, and hope the committee will agree with me in that regard.

The disposition, I may say, has been to be absolutely liberal and generous in the treatment of all of these yards, but it must be remembered that this is a new station, not yet developed like that at Norfolk and other places, and hence not of the same importance that all of the bureaus of the different departments should be supplied with the most expensive plants which are found in other stations.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word of my amendment.

As regards this being an unimportant dock, I wish to quote from the letter of Commodore Melville the following language:

And in view of the desirability of having this, the only dock on the Atlantic coast at present capable of taking in the battle ships, ready for the most efficient service, etc.

That has the indorsement of the Secretary of the Navy himself, and I do not see how the committee can disregard his official declaration on a matter of so much importance to us at this time.

About the title at the mouth of the dock, I wish to impress on this committee that the Government has owned and has been in possession of that land for fourteen years, that the title was passed upon after the most elaborate consideration by the district attorney and by the Attorney-General, and that it was found that the United States were the owners then and are still the owners of the identical piece of land to which the gentleman from Maine alludes. The proviso requires that the Government should actually purchase and pay for the land which it owns.

But I will not speak further upon that point. I hope the gentleman will not insist on his objection. The Navy Department is exceedingly anxious that this amendment should be incorporated in the bill, and the Engineer in Chief himself told me that it was most important that this shop, which this very bill provides for, should be equipped with tools. The shop can be completed within three months, but what will be the use of it in this emergency if there is not a tool to be put in it? The Engineer in Chief has also declared that the tools should be at the place where the ship is docked, in order that work may be done that may be demanded by the emergency.

I can not impress too strenuously upon the committee the advisability of making this an efficient dock. It is the only dock in the South, and, so far as I know, on the Atlantic coast, that has ever taken in a battle ship and let it out without any trouble. I ask the Clerk to read from the desk the following letters from the commandant of that station. I hope the committee will listen to these letters, in view of the numerous statements that have been made that this dock can not take in a battle ship.

The Clerk read as follows:

COMMANDANT'S OFFICE, UNITED STATES NAVAL STATION,
Port Royal, S. C., March 31, 1896.

SIR: Replying to Bureau's telegram of the 30th instant, directing report in full of all conditions of the dock in docking the *Indiana*, I have to state that the ship was taken in on the morning tide on the 27th, there being 1 foot 3 inches of water above the ship's draft over the keel blocks. These had been capped with oak, so as to raise them 4½ inches above the dock sill. Under the slope of the bow of the ship the blocks had been built up to fit her shape. Under her heavy turrets the keel blocks had been doubled to support the heaviest weights. The ship came in without the slightest trouble, although the tide had begun to fall before her entrance. When she was finally centered in place ready for landing, and the pumps started, there were still 6 inches of water above her greatest draft aft. She took the blocks fairly and evenly, and is admirably placed, without the least sign of undue strain or pressure anywhere.

Careful measurements with instruments have been made in reference to the dock itself and they show no displacement or settling of the structure whatever. The leakage is normal, the drainage pump controlling it perfectly—not running all the time. The caisson is a perfect and very tight fit, and in all respects, as far as I can discover, the dock fulfills the purpose for which it was constructed. Some additional small facilities in and about the pump house will tend to economy and facility of handling. On these I will report later when the ship is floated.

Respectfully,
C. H. ROCKWELL,
Commander, United States Navy, Commandant.

CHIEF OF BUREAU OF YARDS AND DOCKS, NAVY DEPARTMENT,
Washington, D. C.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLIOTT. I ask unanimous consent that the Clerk may read the other letter.

There was no objection.

The Clerk read as follows:

COMMANDANT'S OFFICE, UNITED STATES NAVAL STATION,
Port Royal, S. C., April 14, 1896.

SIR: In accordance with the Bureau's order by telegraph of the 13th instant, I have the honor to report that the U. S. S. *Indiana* having finished the painting and other work on the 6th instant, the dock was flooded to within a foot of low-tide mark to wet the paint, which is supposed to benefit it.

On the 7th the tide was not quite high enough to take the ship out of the dock. On the morning of the 8th high water occurred before daylight and was sufficient for the purpose, but it was deemed best to wait until the evening tide. At 4.30 p. m., on the 8th, the ship was floated, hauled out of the dock, and proceeded under her own steam to an anchorage in the bay. While hauling into the dock, while in the dock, and hauling out, the ship received no damage in any way, no defacement or scratching; in fact, she did not, as far as known, touch any wharf, wing dam, abutment or other part of the structure, but proved conclusively that going into and coming out of this dock is easy and feasible at all times, this battle ship entering and leaving the dock with no trouble or delay of any kind and as easily and readily as a boat would have done.

Respectfully,
C. H. ROCKWELL,
Commander, United States Navy, Commandant.

CHIEF OF BUREAU OF YARDS AND DOCKS, NAVY DEPARTMENT,
Washington, D. C.

Mr. ELLIOTT. I wish to add but a single word. The only thing that was necessary to be done to make that dock available at all times was a small amount of dredging at the entrance of the dock, which has been completed, and there is now 30 feet of water at the entrance to the dock.

Mr. CANNON and Mr. CUMMINGS addressed the Chair.

The CHAIRMAN. The gentleman from Illinois.

Mr. CUMMINGS. I should like the courtesy that is usually extended to a member of the committee.

Mr. CANNON. Although I applied for recognition, I would recognize the justice of the gentleman's plea, and I will yield to him and come after.

The CHAIRMAN. Well, the Chair desires to state before the gentleman proceeds, the gentleman from New York having made a rather unjust insinuation toward the Chair——

Mr. CUMMINGS. I deny it. The Chair made an ungentlemanly recognition.

The CHAIRMAN. The gentleman from Illinois had asked for recognition before the gentleman from New York, and the Chair told him he would recognize him.

Mr. CUMMINGS. I had been on my feet for ten minutes before the gentleman from Illinois asked for recognition.

The CHAIRMAN. Does the gentleman from New York desire the floor?

Mr. CUMMINGS. Mr. Chairman, I shall heartily support this amendment. The Port Royal dock is the nearest dock to the Key West fleet. It is the nearest dock for the repair of a man-of-war if disabled in action around Havana. The gentleman from South Carolina [Mr. ELLIOTT] tells us that the plant for this work can be completed within three months. You will need it before the three months are over, Mr. Chairman. That there will be war between this country and Spain is indicated by every pulsation of the popular heart to-day. I have received from my own constituents this batch of letters in one mail, asking me why my voice is silent at this time, asking me why I remain silent after I have visited Cuba and know the facts.

Mr. Chairman, I remain silent because, under the rules of a former House, adopted under false pretenses by this House [applause], my wrists are gyved, my lips are sealed, and my mouth is padlocked.

I will say further to the constituents who are writing me every hour that to-day I besought the Speaker of the House to give me an opportunity to tell what I saw, not what I heard, and was told that at the proper time the opportunity would be given me.

Mr. WHEELER of Alabama. Next year.

Mr. CUMMINGS. The Representative from the First district of Maine is to decide what is the proper time and not the Representative of the Tenth district of New York.

Now, Mr. Chairman, I shall not vote for any appropriation of $400,000 to feed the reconcentrados of Cuba until this Government explicitly says to Blanco and to Sagasta, "Repeal your Weyler order, under which these people are starving." [Applause.] There was the place to have taken the initiative. Make them repeal that murderous order of General Weyler. It is still in force, and thousands are dying under its provisions, among them American citizens. From even a Spanish or a Weyler standpoint the order is no longer necessary.

Why is it still in force? Weyler said that he made it with the object of destroying the source of supplies for the Cuban patriots in the provinces of Pinar del Rio, Havana, Matanzas, Santa Clara, and in Puerto Principe. Well, the sources of supplies are already destroyed. There are no provisions there—none growing, none planted. There are not 50 acres in all these provinces planted with provisions. The country is devastated and ruined. It is an utter impossibility, unless they bring their provisions with them, for Gomez and Garcia to again march into the western provinces of Cuba.

Therefore I say that the initiative should be a peremptory demand by this Government for the repeal of the Weyler order. When that is done, feed the reconcentrados, if you please. Give them hoes, give them plows, give them oxen, and in God's name when you send them back to the blackened ashes of their homes, give them the opportunity to raise provisions for themselves. [Applause.]

I had hoped, Mr. Chairman, to have the privilege of addressing the House and of telling what I saw in Cuba in the regular way. I should be glad even now, if I had the consent of the House, to go on and describe what I saw. [Cries of "Go on!"]

Mr. DOCKERY. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from New York may proceed without limit. Is there objection?

Mr. BOUTELLE of Maine. Mr. Chairman——

The CHAIRMAN. Is there objection?

Mr. BOUTELLE of Maine. I think the sense of the committee is very strong against being unfair——

The CHAIRMAN. Is there objection?

Mr. BOUTELLE of Maine. I object.

Mr. WILSON. I ask unanimous consent that the gentleman may be allowed to continue his remarks for half an hour.

Mr. BOUTELLE of Maine. I am sure that my friend——

Mr. CUMMINGS. I would like to ask the Chairman if my time has expired?

The CHAIRMAN. It has.

Mr. BOUTELLE of Maine. I am sure my colleague on the committee understands exactly my situation.

Mr. CUMMINGS. If you prefer it the other way, I do not desire to and would not crowd myself on the attention of the House.

Mr. BOUTELLE of Maine. I know he will not want to delay this appropriation bill a moment. There will be plenty of other opportunities, as he knows.

Mr. WILSON. I ask unanimous consent that the gentleman may be allowed to continue his remarks for half an hour.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the gentleman may be allowed to continue his remarks for half an hour. Is there objection?

Mr. BOUTELLE of Maine. If the gentleman from New York on this occasion thinks it wise——

A MEMBER. I object.

Mr. CUMMINGS. I will not crowd in if the gentleman desires to go on with his appropriation bill. I am a member of the Committee on Naval Affairs, and would not antagonize its chairman if he desires to proceed with his bill.

Mr. BOUTELLE of Maine. I do. I think it is proper to do so.

The CHAIRMAN. Without objection, the pro forma amendment offered by the gentleman from South Carolina will be considered as withdrawn.

Mr. CANNON. Only a minute.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. CANNON. Mr. Chairman, I find, on inquiry, that Port Royal dry dock has been appropriated for already in this bill, with a proviso, namely:

That before the money shall be spent the title in front of the dock shall be obtained.

Now, this proposition for $50,000, if I understand it, is to put machinery into the shop. I do not believe it wise. The shop, I am told, is not built; second, the title has not been obtained; third, there is not sufficient depth of water; fourth, dry docks have been authorized upon this bill; and they were provided for on the statement that the dry dock at Port Royal has not sufficient water to make its use practical. Now, you can blow in this $50,000 for a shop, but if I am correctly informed you had just as well put it in a blacksmith shop in central Indiana, so far as caring for the Navy is concerned.

Mr. ELLIOTT. Will the gentleman allow me to make a statement?

Mr. CANNON. Certainly.

Mr. ELLIOTT. The purpose of my amendment is not to build a shop, but is for tools to put in the shop authorized in this bill.

Mr. CANNON. Very well; it is a provisional shop.

Mr. ELLIOTT. No, it is not. It is a part of the regular establishment.

Mr. CANNON. Well, the shop is not built yet; the title is not obtained; yet the gentleman brings here now, from somebody, a letter that goes on and says that this is the best dry dock in the country.

Mr. ELLIOTT. From Commodore Melville.

Mr. CANNON. When the country has been possessed of the knowledge for months that it could not be used, and we had to send the *Indiana* to Halifax to be docked. What is the fact; what is the truth about it? It seems to me that this amendment ought not to be made. It was not estimated for. Now, the gentleman has got somebody to send in an estimate——

Mr. ELLIOTT. That "somebody," Mr. Chairman, is the Secretary of the Navy.

Mr. CANNON. Since that time.

Mr. ELLIOTT. How can the gentleman speak of the Secretary of the Navy in such language?

Mr. CANNON. I say it was not estimated for in the regular estimates. And let me say to my friend I do not know about this Navy matter, but I do know a hustling member of Congress can get a letter from somebody here or somebody there in charge, and anybody can get an estimate from the Departments that is for its use; so you see how your estimate is worked.

Mr. GAINES. Is that the way in which the estimate was made for the Klondike appropriation?

Mr. CANNON. For the Klondike!

Mr. GAINES. Now they want to put a lot of machinery down there in that shop so that they can go to work, and you do not want to do it.

Mr. CANNON. As to whether the appropriation for the Klondike was wise or unwise, is the setting up of an offset for an appropriation not authorized by good public service high statesmanship?

Mr. GAINES. But the point is, you got the appropriation *first*.

Mr. CANNON. Is that fair? Is that the kind of statesmanship the bright light of Tennessee wants to exhibit?

Mr. GAINES. What is that?

Mr. CANNON. I will not repeat it.

Mr. GAINES. There is a lot of patriotism and consistency in the "bright light of Tennessee," at all events.

Mr. CANNON. Mr. Chairman, I do not believe this appropriation ought to be made; and having said so, I shall vote against it.

The CHAIRMAN. Without objection, the pro forma amendment offered by the gentleman from Illinois will be considered as withdrawn.

Mr. ELLIOTT. I object, and want to speak against the amendment.

Mr. Chairman, I wish to impress upon this committee that the person about whom the gentleman from Illinois has spoken in such disparaging terms is the Secretary of the Navy, and he indorsed a letter of Commodore Melville upon this subject, and sent it in on the 16th of this month, and sent it here, if I can impress it upon gentlemen, to meet the very emergency upon us. How can anything come to this House with more force than that? A letter written by the old hero, Commodore Melville, and indorsed by the Secretary of the Navy! And yet the gentleman from Illinois would try to place the committee under the impression that I had gone to the Department and got this indorsement from "somebody," as he says. The very methods of the gentleman from Illinois in trying to defeat this amendment should impress the committee with its reasonableness and the fact that it should be adopted.

Mr. MAGUIRE. Will the gentleman allow me to ask him a question?

Mr. ELLIOTT. Certainly.

Mr. MAGUIRE. The gentleman from Illinois states that the appropriation for the improvement of this dry dock is made conditional upon the acquisition of title before it is expended.

Mr. BOUTELLE of Maine. That is another appropriation, I will say.

Mr. MAGUIRE. Is not that an unwise restriction, if it be true that Port Royal is the only dry dock for our ships south of New York?

Mr. LENTZ. Ought not that restriction to be removed?

Mr. ELLIOTT. I did my best to defeat it the other day, but I could not get the committee to take any notice of the point. I do not believe the committee ever appreciated what they were doing. Now, here is this dock that is admitted to be the only one south of New York or Norfolk that can take in a battle ship.

Mr. BOUTELLE of Maine. There is one of the largest docks in the country south of New York at Norfolk.

Mr. ELLIOTT. Now, this dock has taken in the *Indiana*, as I had read from the Clerk's desk a moment ago. "She was taken in and let out with as much ease as a small boat, without a scratch," as Captain Rockwell said, and yet it has been published abroad throughout the land that that dock is unfit for service, all of it done by rival concerns that never have been willing to admit that the dock was efficient for service; and yet here is one of the largest battle ships afloat that went in and came out of it without a scratch, as the commandant says, and still the House refuses to do anything in regard to it, and the committee ignores this special recommendation made by Secretary Long. Let me repeat, in view of this emergency——

Mr. STEELE. Will the gentleman from South Carolina allow me?

Mr. ELLIOTT. Yes.

Mr. STEELE. I understand they are dredging around this dock, and parties owning the land will not allow them to throw the dredging on this mosquito bar unless they buy it, and they will not sell it at a price except five or six times what it is worth.

Mr. ELLIOTT. The Government has owned and paid for that piece of land. It has owned it for fourteen years.

Mr. STEELE. Just where the dock is?

Mr. ELLIOTT. Yes; at the mouth of the dock. That is an absurd claim and has been brought up by somebody; I do not know what their object is.

Mr. STEELE. Have they not had the title of the land in litigation?

Mr. ELLIOTT. No litigation about the title; they commenced the suit in the Court of Claims six years ago for use and occupation. Nobody attached the slightest importance to it. The Government owns the land; they bought it fourteen years ago, after an examination of the title by the United States authorities, the district attorney and the Attorney-General.

Mr. BRUCKER. For what purpose, will the gentleman state, did the Government purchase it?

Mr. ELLIOTT. For a naval station and the building of a dry dock.

Mr. BRUCKER. How long ago?

Mr. ELLIOTT. Fourteen years ago.

Mr. STEELE. I am told that this suit is still pending in the Court of Claims and has not been adjudicated.

Mr. ELLIOTT. It has not been adjudicated. It is a suit for use and occupation, and I showed to the House the other day that it can not be maintained, and must be dismissed when it is brought to trial on account of lack of jurisdiction in the court.

Mr. STEELE. If it is not maintainable, it is surprising that it has not been brought up and dismissed before.

Mr. ELLIOTT. Now, the Government has spent upon this dock five or six hundred thousand dollars. Is it to be thrown away simply because somebody brings a groundless suit against the Government? Whoever heard of Congress inserting in a bill an acknowledgment that an antagonist claiming land against the Government had a good title? The Department is required in the bill to buy the very land the Government owns and has a good title to. It is absurd.

Mr. LOUDENSLAGER. Will the gentleman from South Carolina permit me?

Mr. ELLIOTT. I will.

Mr. LOUDENSLAGER. I should like to ask if the battle ship

Indiana has been in the dry dock at Port Royal since her bilge keels have been put on?

Mr. ELLIOTT. No; but the Bunce board——

The CHAIRMAN. The gentleman's time has expired.

Mr. ELLIOTT. I would like, Mr. Chairman, sufficient time to answer the gentleman's question.

The CHAIRMAN. The gentleman asks sufficient time to answer the question of the gentleman from New Jersey. The Chair hears no objection.

Mr. LOUDENSLAGER. Is it possible for the *Indiana* to go into that dry dock with her bilge keels on?

Mr. ELLIOTT. With an expenditure of $200.

Mr. LOUDENSLAGER. Can she go into the dock at the present time?

Mr. ELLIOTT. She can with an expenditure of $200. The Department assured me the other day that work could be done immediately, and if that work is done she can go in. It will not require any appropriation. The recommendation of the Bunce dry dock board, which gave it their attention, states that all that is necessary to let the Indiana in with the bilge keels on is to spend $200 in cutting away a part of the altars. The following letters bear on the above question:

DEPARTMENT OF JUSTICE, *Washington, D. C., March 12, 1898.*

SIR: In reply to your request upon the inclosed letter of Representative H. C. LOUDENSLAGER, I have the honor to state that the claim of Agnes A. Niver *vs.* The United States, No. 17756, now pending in the Court of Claims, was commenced in September, 1893. It is a claim for the use and occupation by the United States of a certain piece of land lying near the dry dock of the United States at Port Royal. The claimant alleges title in herself, but so far has failed to present any proof of title, although during the long interval since the petition was filed she has introduced some evidence.

On the part of the Government the claim of title is also made under a deed, which, on its face and according to a complete abstract of title which has been prepared for the use of the Government, seems to show a good title in the United States. I am strongly inclined to think that the claimant can not prove title, but is endeavoring to bring about some sort of compromise, which seems to be evidenced by the long delay in presenting her proofs, and the fact that as yet she has not produced any evidence of her title.

At this time an attorney in the employ of this Department is investigating the matter carefully at Charleston, S. C., with a view to attending, on behalf of the United States, at the taking of further depositions for the claimant. Although the case seems to have been long delayed, this is due entirely to the inaction of the claimant, and in no sense is it the fault of the defense.

With regard to the question asked by Mr. LOUDENSLAGER, why the Government has not proceeded to obtain title to the land, presumably by condemnation proceedings, the answer is that as far as known the United States already has a good title, which is undoubtedly the reason why, although condemnation proceedings relating to other pieces of land in the near vicinity of this have heretofore been had and have now been completed, no action of the kind has been done with reference to this piece.

Very respectfully,

L. A. PRADT,
Assistant Attorney-General.

The ATTORNEY-GENERAL.

UNITED STATES NAVY-YARD, *New York, September 28, 1897.*

SIR: Complying with your instructions, I respectfully submit herewith drawing showing section of timber dry dock at the United States naval station, Port Royal, S. C., showing altars, from the sixth to ninth, inclusive, to be cut out on both sides of the dock to the line of the inner toe of the altars in order to clear the bilge keels of a battle ship on the blocks.

The estimated cost of drawing out spikes, hewing the altars, as shown in the drawings, and respiking the altars for a distance of 100 feet on each side is about $200.

Very respectfully,

A. G. MENOCAL,
Civil Engineer, United States Navy.

Commodore BUNCE,
Senior Member of Board on Dry Docks.

The CHAIRMAN. Debate is exhausted on this paragraph.

Mr. LENTZ. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The amendments are exhausted.

Mr. ELLIOTT. Mr. Chairman, I withdraw the informal amendment.

The CHAIRMAN. The question, then, is upon the amendment offered by the gentleman from South Carolina [Mr. ELLIOTT].

The question was taken; and upon a division (demanded by Mr. ELLIOTT) there were—ayes 90, noes 88.

Mr. BOUTELLE of Maine. Tellers, Mr. Chairman!

Tellers were ordered; and the Chair appointed Mr. BOUTELLE of Maine and Mr. ELLIOTT.

The committee again divided; and the tellers reported—ayes 117, noes 104.

So the amendment was agreed to.

The Clerk read as follows:

NAVAL ACADEMY.

Pay of professors and others, Naval Academy: For one professor of mathematics, one of chemistry, one of physics, and one of English, at $2,500 each; five professors, namely, one of French and Spanish, one of English, two of French, and one of drawing, at $2,200 each, one assistant professor of French, at $1,800; one sword master, at $1,500, and two assistants, at $1,000 each; one instructor in gymnastics, at $1,200; one assistant librarian, at $1,400; one secretary to the Naval Academy, at $1,800; two clerks to the Superintendent, at $1,200 each; one clerk to the commandant of cadets, at $1,200; one clerk to the paymaster, at $1,200; one dentist, at $1,600, one baker, at $600; one mechanic in department of physics, at $730; one cook, at $325.50; one messenger to the superintendent, at $600; one armorer, at $949.50; one chief gunner's mate, at $529.50; one quarter gunner, at $469.50; one coxswain, at $469.50; one seaman in the department of seamanship, at $397.50; one attendant in the department of astronomy and one in the department of physics, at $300 each; six attendants at recitation rooms, library, store, chapel, and offices, at $300 each; one bandmaster, at $528; twenty-one first-class musicians, at $348 each; seven second-class musicians, at $300 each; services of organist at chapel, $300; in all, $54,507.

Mr. NORTON of Ohio. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 5, page 42, after the word "at," strike out "$1,400" and insert "$1,800;" so as to read "one assistant librarian, at $1,800."

Mr. CANNON. I reserve a point of order on that amendment.

Mr. NORTON of Ohio. Mr. Chairman, I offer this amendment advisedly, with no purpose of delay, but with the simple object of doing justice. I have conferred with the members of the committee, and I believe they will agree with me that the proposition is not an unjust one, but perfectly fair. The only objection that can be raised to it is that other employees about the Naval Academy are also requesting an advance of their salaries. But I desire to call attention particularly to this case. By looking over the amount of salary given to each of these employees, it will be noticed that the swordmaster is receiving more than the librarian, although the work of the latter is more arduous and more difficult than that of almost any other man in the Academy.

His services to those engaged in instruction in that institution are constantly in demand. No man, unless he has had the experience of years, can be at all fitted for that position. Yet you pay men who are teachers of Spanish in that school nearly twice the amount that you do this man. I only ask in the name of justice that the man who renders this valuable service, who is at all times ready to furnish any information that may be needed in the interests of that Academy, shall receive a fair and honest compensation for what he does.

Mr. LENTZ. Does the gentleman state that the salaries of some other employees in that institution have been increased in this bill?

Mr. NORTON of Ohio. I can not tell the gentleman whether they have been or not. But for more than ten years it has been known that the salary of this officer is wholly inadequate; that he has not been receiving an equivalent for the services he has been rendering. It is but simple justice that this slight increase should be made in his behalf.

One word further. This man is not housed and quartered by the Government, but is compelled to live outside of the Academy. His services are of such a nature that I think every person who has visited the Academy, especially members on this floor, ought to know that no man within the walls of that institution renders as much service for so small an amount of pay.

I regret that this case can not at this time receive more serious consideration.

Mr. SOUTHARD. Mr. Chairman, the amount appropriated by this bill as salary for this officer corresponds with the estimate sent in by the Department. I understand that the person now holding this office has held it for a great many years, and has received each year the sum of $1,400. He is no doubt an efficient employee. One thousand four hundred dollars is the amount which has been estimated by the Department for this salary and the amount which he has been receiving for years. The Department has requested no increase, and, so far as I know, no such request has come from anyone except the gentleman himself.

There were before the committee numerous requests for increase of salaries, but, so far as I recollect, the committee did not in a single instance make any such increase. There is no more reason, so far as I can see, why the amount estimated by the Department should be increased in this instance than in a great many others to which the attention of the committee was called.

Mr. DINGLEY. The amount of salary named in the bill, as I understand, is the salary which has been fixed in the several appropriation bills from year to year.

Mr. SOUTHARD. Yes, sir; I think for fifteen or twenty years.

Mr. DINGLEY. Then it is the salary fixed by law.

Mr. SOUTHARD. And it is the amount estimated by the Department this year.

Mr. NORTON of Ohio. Does the gentleman from Maine raise the point that because this amount of salary has been appropriated from year to year, the salary is fixed by law at that amount?

Mr. DINGLEY. The salaries of all the officials of the Government, except those holding the more important positions, are fixed by appropriation bills from year to year.

Mr. NORTON of Ohio. Does the gentleman raise the point that the appropriation of a given amount from year to year for the compensation of a public officer fixes that as the legal salary and that this committee can not change it?

Mr. LENTZ. I wish to ask the gentleman from Ohio [Mr. SOUTHARD] this question: As I understand him, this librarian has been drawing for quite a number of years this salary of $1,400.

Mr. SOUTHARD. I think for fifteen or twenty years.

Mr. LENTZ. And no other employee has had any increase in this bill?

Mr. SOUTHARD. No others.

Mr. NORTON of Ohio. Oh, yes.

Mr. LENTZ. But there has been an increase in the purchasing power of the dollar, which means a good deal in these days.

Mr. SOUTHARD. This man has had the benefit of that increase like the others.

The CHAIRMAN. Does the gentleman from Illinois [Mr. CANNON] insist upon the point of order?

Mr. CANNON. I do.

The CHAIRMAN. The Chair would like to be informed whether there is some general statute fixing the salary of this official.

Mr. CANNON. If there is no statute providing for the salary of this officer, then the salary appropriated from year to year in the appropriation bills is to be regarded as the legal salary; and on that ground this amendment ought to be ruled out.

The CHAIRMAN. There is no question about that.

Mr. HANDY. His place might be provided for by statute without fixing the salary.

Where is the law it changes, I would ask the gentleman? It is incumbent on the gentleman making the point of order upon a proposition to point out the law which he claims it will change.

Mr. BOUTELLE of Maine. I have already pointed out the law. If the law provides, for instance, that he shall have $1,400 a year, and you undertake to make an appropriation of $1,800 a year, you change the law.

Mr. HANDY. But the law does not provide anything of the kind. I have asked the gentleman to show us what law does provide that. Now, if the law does not provide anything for next year he would have nothing.

Mr. BOUTELLE of Maine. The appropriation bills fix the salary at so much per annum.

Mr. HANDY. Can you point to the law?

Mr. BOUTELLE of Maine. Oh, yes; there is no question of that. The last appropriation bill is the law governing it for the present.

Mr. HANDY. Let us hear it.

The CHAIRMAN. The Chair will sustain the point of order.

Mr. MAGUIRE. Mr. Chairman, I desire to offer a further amendment here.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amend in line 21, page 42, after the word "at," by striking out the words "three hundred and ninety-seven dollars and fifty-cents" and inserting in lieu thereof "$500."

Mr. MAGUIRE. Mr. Chairman——

Mr. SOUTHARD. I desire to reserve the point of order upon that, or I will make the point of order now, if the gentleman desires.

Mr. MAGUIRE. Mr. Chairman——

The CHAIRMAN. The Chair thinks the gentleman, perhaps, is rather late in making the point of order. The gentleman from California had been recognized.

Mr. SOUTHARD. I addressed the Chair immediately after the reading of the amendment, and the Chair failed to hear me.

The CHAIRMAN. On the statement of the gentleman the Chair will hold that the point of order may be reserved.

[Mr. MAGUIRE addressed the committee. See Appendix.]

Mr. SOUTHARD. I understand the amount provided in this bill is in excess of the wages of ordinary seamen.

Mr. MAGUIRE. I do not care to press a vote upon the question or to oppose the point of order, for it seems to fall within the rule laid down a moment ago upon the other amendment. So I withdraw the amendment.

The CHAIRMAN. The amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Repairs, Naval Academy: Necessary repairs of public buildings, pavements, wharves, and walls inclosing the grounds of the Naval Academy, improvements, repairs, furniture and fixtures, $21,000; new fire and flushing system and other sanitary purposes, $15,750; relaying brick sidewalks adjacent to Naval Academy walls in streets of Annapolis, $3,500; repaving Maryland avenue within the Naval Academy, $4,000; relaying sidewalk from Maryland avenue to cadet quarters, $1,282; repairing *Santee's* wharf, $2,500; necessary dredging and improvement of north water front, $10,000; in all, $58,032.

Mr. MUDD. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

In line 15, page 44, after the word "dollars," insert the following:

"For the erection of new buildings at and for the use of the Naval Academy, Annapolis, Md., of the character and to the extent that the Secretary of the Navy may in his judgment deem necessary and practicable under the appropriation, in accordance with plans to be determined upon by the Secretary, and for the removal of such old buildings as may, in the judgment of said Secretary, be necessary to be removed for the convenient and suitable location and construction of the said new buildings, $500,000."

Mr. MUDD. Mr. Chairman——

Mr. CANNON. I make the point of order, if nobody else does.

Mr. MUDD. Is not that too late?

The CHAIRMAN. No; the gentleman is not too late.

Mr. CANNON. I make the point of order. If the gentleman wants to be heard——

Mr. MUDD. I do not offer the amendment for the purpose of getting into the RECORD, and if the gentleman from Illinois wants to make the point of order, it is just as well that it should be decided now.

The CHAIRMAN. The gentleman from Maryland.

Mr. MUDD. Mr. Chairman, I should like to be heard upon this point of order. It seems to me that the pertinency of this amendment has been already decided in this Congress. In the Forty-ninth Congress a question arose, which certainly is analogous, as to whether or not the point of order would lie against an appropriation for the building of new battle ships that had not in any sense been authorized by law. Now, it seems to me that it is just as reasonable and just as much within the purview of the rule that we should put up new buildings at the Naval Academy as that we should build ships for the Navy.

In the Forty-ninth Congress, with the gentleman from Kentucky, Mr. McCreary, in the chair, there was an amendment offered to the naval appropriation bill of the following character and in the following language:

For the construction of 2 swift double-bottomed steel cruisers, each of about 4,000 tons displacement, of the type of the *Newark*, except boilers and machinery; 4 of about 1,700 tons displacement each, of the type of gunboat No. 1, and 1 swift torpedo boat, said vessels to cost all together, exclusive of armament, not more than $4,950,000, $2,470,000 is hereby appropriated.

The point of order was made against it by Mr. Holman, of Indiana. The chairman of the committee, Mr. McCreary, of Kentucky, quoting with approval a decision that had been made by the then Speaker, Mr. Carlisle, decided that the appropriation was in order, because it was in view of the general purpose of the maintenance of a navy.

Mr. Chairman, there is no need of any special authorization by act of Congress for these buildings. The Constitution of the United States empowers Congress to provide and maintain a navy. Provision and maintenance are arrived at by appropriation, and if there were no act of Congress establishing the Naval Academy, I contend that Congress should make an appropriation for the putting up of the necessary buildings for the quartering of the cadets at the Academy.

But, Mr. Chairman, an appropriation that more closely resembles this was made in the Fiftieth Congress, to which I shall refer—an appropriation for West Point. I beg the attention of the committee very briefly to this. I wish also to observe in citing the decision which I have already referred to, which is to be found on page 2337 of the CONGRESSIONAL RECORD, Appendix, Forty-ninth Congress, second session, that the ruling of the Chair then made was approved by Mr. Randall, who had been a Speaker of this House, and an amendment recommending still further appropriations of the same character was made by the present Chairman of this committee, who, to that extent at least, indirectly and inferentially gave the sanction of his judgment in favor of the pertinency of such an amendment.

Mr. Chairman, in the Fiftieth Congress, second session, there was a decision which, it seems to me, bears almost immediately upon this point. In the appropriation for the Military Academy at West Point there was a clause which I will ask the Clerk to read, because I think the Clerk can be heard better than I can. It will be found on page 716 of the CONGRESSIONAL RECORD, Fiftieth Congress, second session, and the decision on the page following.

Mr. SOUTHARD. Was that in the first session of the Fiftieth Congress?

Mr. MUDD. In the second session.

Mr. LOUDENSLAGER. Was the point of order raised against it?

Mr. MUDD. Yes; according to my recollection, not by the committee, but by some one outside of the committee. I ask the committee to give attention to the reading of the paragraph in point.

The Clerk read as follows:

For the erection of a fireproof building on such site of the public grounds at West Point, N. Y., as may be designated by the Secretary of War, to accommodate all the departments of instruction of the Military Academy, to be constructed according to the plans recommended by the academic board and approved by the Secretary of War, $490,000: *Provided*, That plans and specifications for said building shall be prepared under the direction of the academic board and approved by the Secretary of War, which plans and specifications shall be such that when said building shall be fully completed the cost thereof shall not exceed the sum herein appropriated.

Mr. MUDD. Now, Mr. Chairman, there was an appropriation almost identical with that proposed to-day.

Mr. GAINES. Mr. Chairman, I make the point of order that it is impossible to hear.

The CHAIRMAN. The committee will please be in order. The gentleman will suspend until the committee comes to order. Will gentlemen suspend talking on the floor?

Mr. MUDD. In the case in the Fiftieth Congress, Mr. Chairman, provision was made for a new building, an entirely new building, on plans and specifications to be made by the Secretary

of War, for the Military Academy. I am trying to incorporate a provision for a new building, under plans and specifications to be made by the Secretary of the Navy, for the Naval Academy. The two cases are precisely analogous, and the rule which applies to the one certainly applies to the other. The Chairman of the Committee of the Whole House on the state of the Union was Mr. Cox, of New York.

Mr. STEELE. If the gentlemen at the desk do not suspend talking they will not be able to hear this very able argument.

The CHAIRMAN. The gentleman from Indiana insists upon order. So does the Chair. If gentlemen can not delay the transaction of their business, they will kindly retire from the floor.

Mr. MUDD. As I was about to state, Mr. Chairman, the Chairman of the Committee of the Whole House on the state of the Union at that time, and during the pendency of that bill, was Mr. Cox, of New York, and he decided that the section that I had read at the Clerk's desk was in order under the first branch of the rule, because it was provided for by law as being for the general maintenance of the Military Academy, and also within the exception, which says that appropriations shall not be made except for such "public works and objects as are already in progress," the Chair, in both cases which I have referred to, using the language substantially that the Navy in the one case and the Military Academy in the other was a "public work" or "object" already in progress.

In the Fiftieth Congress I find in the discussion the gentleman from Maine [Mr. DINGLEY] spoke in favor of the ruling made by the Chair, and quite a number of other gentlemen prominent in the House. I will simply ask the Clerk to read now one paragraph giving the language of the ruling of the Chair upon the point made against the appropriation in the case last referred to, and I will leave the matter for the Chair's decision.

The Clerk read as follows:

The CHAIRMAN. Without regard to the precedent cited by the gentleman from Illinois, the Chair decides that, within the meaning of the provision just read, the building proposed to be erected—fireproof building on site of public grounds at West Point—is within the purview of the rule. The construction of a building is an incident to the maintenance of the Academy itself, the object being already in progress—the main object contemplated not only by the bill but by the very institution of the Academy itself.

Mr. MUDD. Now, Mr. Chairman, I submit that a provision for a necessary building at the Naval Academy for the cadets to live in and work in while in pursuit of their vocation there is certainly in strict accordance with the rule under which this point of order is sought to be availed of.

Mr. CANNON. I only desire to submit a word. If that ruling just read is a proper ruling and the gentleman's amendment is a proper amendment under Rule XXI, then you can build any public building connected with the public service anywhere without separate authorization by a provision on a general appropriation bill.

Mr. LOUDENSLAGER. Oh, no.

Mr. CANNON. Oh, yes. For instance, the Post-Office exists by law, the postal service exists by law, the Treasury Department exists by law; and now if this construction of buildings, half a million dollars' worth, not repair, but construction of new buildings, is an incident to the establishment of the Naval Academy, then the construction of any public building in the United States, anywhere upon public ground, in connection with any public work, is incident to the public service.

Now, a bare statement of the facts and the principle shows that this decision was wrong, and this amendment is wrong under this rule of law. Now, then, you may say that Mr. Cox was an eminent parliamentarian. Yes; a clever man; dead and gone; and I will not discuss him. I will merely discuss the fact, and call attention to the fact that every member of this House has got to stand out on his public building, in connection with the Treasury, almost every member, or a majority of them, in the public service, because there is no law authorizing it. Now, then, I make that issue.

Mr. STEELE. There is a special reason why they should have an additional appropriation at Annapolis, but I think $500,000 is entirely too much.

Mr. MUDD. That is not the point.

Mr. STEELE. I think there would not have been such a point made if you had asked for a reasonable amount. We have had one building there so ruined that it can not be occupied, and it would not be wise to repair it; and I think if the gentleman would make a reduction of $450,000 and ask for $50,000 to repair a couple of buildings the point of order would not be made, because there ought really to be some repairs or a new building down there.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to state on behalf of the bill and of the committee that the reason why such an appropriation as this, in the opinion of the committee, ought not to go into this bill is found in the fact that for several years past there have been reports made and suggestions——

Mr. MUDD. Will the gentleman allow me to interrupt him?

Mr. BOUTELLE of Maine. You can not comment on anything, because I have said nothing. [Laughter.]

Mr. MUDD. I admit the gentleman has said nothing. I understand the gentleman from Illinois refused to reserve the point of order, and the question now is whether the Chair will sustain the formal point of order, and not whether the point ought to be made or not.

Mr. BOUTELLE of Maine. Was that the question you wanted to ask me?

Mr. MUDD. I wanted to suggest to you that you were speaking of the propriety of putting up a building.

The CHAIRMAN. Does the gentleman from Maine wish to discuss further the point of order?

Mr. BOUTELLE of Maine. I desire to say that there is already a comprehensive proposition for the reorganization——

Mr. HANDY. I call the gentleman to order. He is not discussing the point of order.

Mr. BOUTELLE of Maine. Then I will defer to the gentleman from Delaware and take the ruling of the Chair.

Mr. HANDY. That is some good I have done in my public service. [Laughter.]

Mr. BOUTELLE of Maine. There are all sorts of ways of getting advertised. [Laughter.]

Mr. LANDIS. That is right.

The CHAIRMAN. The Chair is ready to rule. The Chair, following the precedent cited, the decision of Chairman Cox, will overrule the point of order.

Mr. BOUTELLE of Maine was recognized.

Mr. MUDD. Mr. Chairman, have not I the floor, having offered an amendment?

The CHAIRMAN. The gentleman from Maine is recognized, and then the Chair will recognize the gentleman from Maryland.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to state very briefly——

Mr. LENTZ. Mr. Chairman, I rise to a question of privilege. We want to hear Mr. HANDY on this amendment.

The CHAIRMAN. The gentleman from Delaware seldom has any trouble in making himself heard. [Laughter.]

Mr. LOVE. Mr. Chairman, I want to know what the ruling of the Chair was.

The CHAIRMAN. Will gentlemen resume their seats and cease conversation? If the committee would maintain order, there would be no need of the gentleman rising and asking that question.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to state now that there has been presented to the Committee on Naval Affairs a proposition for the complete reorganization and rebuilding of the institution at Annapolis known as the Naval Academy. The Board of Visitors have reported in favor of it. The officers there have strongly recommended it. Tentative plans and diagrams have been made concerning it, and this proposition involves an entire realignment of the structures and an entire change of the relative positions of the buildings, and beyond that involves more or less the extension of the water front. The Committee on Naval Affairs have made appropriation heretofore to extend the water front. We have made such appropriations as should properly be made, in our judgment, without interfering with the operation of these proposed changes when a comprehensive plan should be adopted.

Mr. McINTIRE. Will the gentleman allow me an interruption?

Mr. BOUTELLE of Maine. When I get through.

Mr. McINTIRE. I wanted a reply to an inquiry in regard to a matter you have alluded to. Is it not true that those comprehensive plans of reorganization of the buildings have been in possession of the committee over three years?

Mr. BOUTELLE of Maine. I do not think it is necessary to answer that question, because it is not pertinent to what I was saying.

Mr. McINTIRE. Have they not been in your hands——

Mr. BOUTELLE of Maine. They have not been in my hands at all.

Mr. McINTIRE. In the hands of your committee?

Mr. BOUTELLE of Maine. If the gentleman wants to try me, that is one thing. If that is what he wanted me to yield him fifteen minutes for, I will revise my decision. It makes no difference where the plans are, or what became of them. The recommendation is there. I do not know myself how it would be practicable to tear down certain buildings at the Academy now on a large scale and replace them with new buildings without putting new structures in such a position as would interfere with the carrying out of this general plan.

The Committee on Naval Affairs, realizing that large emergency appropriations were required this year, have not felt that it was desirable or justifiable for us to incorporate into the annual appropriation bill any such comprehensive and expensive plan as that proposed for the Naval Academy, which involved in the estimate of expenditure, not all at once, but an inauguration of a

general plan that in carrying out would cost some $6,000,000. Now that there is need of repairs there, we know perfectly well——

Mr. NORTON of Ohio. Will the gentleman let me interrupt him?

Mr. BOUTELLE of Maine. If the gentleman will let me complete my sentence——

Mr. NORTON of Ohio. I did.

Mr. BOUTELLE of Maine. Then I will stop in the middle of it.

Mr. NORTON of Ohio. Is it not true—can you not state of your own positive knowledge—that the buildings at Annapolis now are in danger of falling down and bringing a catastrophe upon the men of this country who are there?

Mr. BOUTELLE of Maine. This bill carries a provision for such repairs as are necessary and as the committee deemed wise.

Mr. NORTON of Ohio. Am I not right?

Mr. BOUTELLE of Maine. I do not know whether you are right about it or not as you state it. I do not think I ought to be asked to indorse your statement.

Mr. NORTON of Ohio. I do not want your indorsement.

Mr. BOUTELLE of Maine. The report made to us was that the buildings there were in very bad condition, and, if I mistake not, this bill makes provision for certain repairs. What I have stated is true just the same, and the reason why we have not appropriated $500,000 or any large sum is, as I have stated, because it is recommended in the highest quarters, and, as I understand, it is contemplated to reorganize the situation of that Academy on an entirely different basis from that which exists to-day.

Mr. HANDY. Can not that reorganization be done under this amendment?

Mr. BOUTELLE of Maine. I think it hardly could.

Mr. HANDY. It certainly can.

Mr. BOUTELLE of Maine. The gentleman probably knows more about this subject than I do, as he possibly does on other subjects.

Mr. HANDY. I hope the gentleman is not trying to compliment me.

Mr. BOUTELLE of Maine. I am glad the gentleman has got into the RECORD with another exhibition of his native courtesy and refinement.

The CHAIRMAN. The time of the gentleman from Maine [Mr. BOUTELLE] has expired.

Mr. MUDD. Mr. Chairman, it seems to me that the proposition embraced in this amendment is as meritorious as almost any that could be submitted to this Congress. If the Government of the United States is to maintain a navy, it follows that the Navy must have officers—competent and skilled officers—to command it. These officers must be educated and trained to the duties and responsibilities of their positions. They must be so educated and trained at what we term the Naval Academy—the only institution supported and controlled by the Government where suitable naval instruction is given.

Now, if we are to rear and instruct young men to become the future officers of our naval force, I think it may be fairly conceded that they ought to have decent quarters in which to reside in comfort and respectability, and proper buildings, with all the necessary equipments and appliances, in which they may do the work assigned them as part of the instruction for the branch of service to which they devote their lives. They have not such accommodations now at the Naval Academy, either as to the buildings in which they lodge and live when not on duty or those in which they labor and receive their tuition.

The needs of this Academy in the line of new buildings, as well as the appropriations necessary to respond to these needs, have been recognized and pointed out by several Secretaries of the Navy and by several Boards of Visitors to the Naval Academy in the last few years, in reports made and resolutions adopted by the unanimous vote of the said boards. The Boards of Visitors to this Academy are constituted in part of United States Senators and Members of this House; and among those who, as members of the House, have concurred in the recommendations for new buildings at Annapolis, I refer to the gentleman from Texas, Mr. SAYERS, the gentleman from Louisiana, Mr. MEYER, and the gentleman from Illinois, Mr. FOSS, from all of whom I trust this amendment will receive earnest and consistent support.

The buildings urgently needed at this time, as specifically set forth by the Secretary of the Navy in a communication to the Naval Committee of this House and the Naval Committee of the Senate—a communication bearing date the 8th of January of the present year—are an armory, a boathouse, and a power house. The necessity and the functions of such buildings as these, with the intricate machinery and mechanical appliances incident and requisite thereto, in a naval training institution, I do not feel called upon to make any argument to explain or impress upon the attention of the House. The Secretary of the Navy, in a paper which I have before me—Senate Document No. 55—states in reference to the armory and boathouse—I will not advert to the statements of the Secretary in regard to other buildings which are needed—that they are unsafe and liable to fall in at any time.

His exact language, which is found upon page 2 of said document, as to these two buildings, is as follows:

> The following important buildings have been surveyed and found to be unsafe: (1) The armory, which was abandoned until supported by the erection of heavy timber props along the western wall; (2) the boathouse, which was declared unsafe for many of its original purposes and unworthy of repair.

Now, the Secretary of the Navy says that the armory and boathouse, in their present condition, are unsafe and in danger of falling down. The gentleman from Louisiana [Mr. MEYER] and the gentleman from Illinois [Mr. FOSS] have made the same statement, in reference to the same buildings, much more forcibly even than the Secretary of the Navy himself.

Now, Mr. Chairman, I take it for granted that Congress will not regard that as a wasteful and extravagant appropriation of money which provides at the Naval Academy buildings which are so essential to the proper prosecution of the special and distinctive course of studies which makes up the education of the cadets; will not characterize that as an unnecessary appropriation which provides buildings that will protect these young men from exposure, while undergoing their studies and performing the duties that equip them for our future naval commanders, to the danger of loss of life by the falling down of buildings over their heads.

The Secretary of the Navy, realizing the needs of the Academy and stating them as strongly as they can be stated and the miserable condition of dilapidation which prevails in those buildings now, has asked for and formally recommended an appropriation of $500,000 to be made in this bill; just the appropriation which my amendment contemplates.

We have listened to and heeded and the gentleman from Maine [Mr. BOUTELLE] has been pleased to listen to and heed the recommendations of the Secretary of the Navy in other lines. Why not pay equal respect to his recommendations in reference to these buildings—recommendations fortified by evidence furnished by the eyesight of every man who has placed his foot inside the Naval Academy during the last ten years.

The gentleman from Maine talks about an "emergency." He has admitted—and if he did not admit it, everybody knows the fact—that the battle ships provided for in this bill can not be constructed until two or three years after the "emergency" has entirely passed away. It has been publicly stated that the first class at the Naval Academy is to be ordered to sea if we are to have a war; and it looks to me that we shall. We are going to order these young men into the United States Navy for the purpose of engaging in war. Will any gentleman tell this committee or the House that it is not a proper thing for us to provide for them during the period of their pursuits at the Naval Academy buildings that will not subject them to dangers in some respects but little less serious than those which may confront them while engaged in the actual conflict and the real horrors of war?

A few years ago the people of this city and of this country were shocked at the tumbling down of a building in this city, occupied by officeholders, and much indignation was expressed when the suggestion was made that perhaps greater circumspection on the part of officers of the Government might have detected the insecure character of that building. Here we sit to-day talking of an "emergency," yet contentedly unregardful of greater danger to which these young men are exposed, for whose safety we are responsible. We are condemning them to pursue their studies in buildings in which they are huddled together in a manner almost suggesting the condition of the Spanish reconcentrados.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MUDD. I move to strike out the last word, for the purpose of occupying just a minute longer.

The CHAIRMAN. If there be no objection, the gentleman will be recognized for one minute longer.

There was no objection.

Mr. MUDD. I have only one further remark to make, sir. If we are to get these buildings at all, we will have to do so in the general appropriation bill. I understand from some of the members of the Committee on Appropriations that they realize the necessity of providing for such buildings by special act. But members of this House—members of this body who have been longer here than I—who have seen the operation of our rules know that that is not a very easy thing to accomplish.

They know that when this committee gets through with the consideration of the general appropriation bills, its other measures will have no priority over those from other committees. No preference will be given to them, and if we get the appropriation at all for this purpose, it would not be provided in that way, because when this bill shall have passed through, the Naval Committee will be placed on an equal footing with the other committees of the House that have no special privileges and that have no unusual advantages. They will have no chance to get a report acted upon and a bill passed through the House, because then the

committee—as, to a large extent, the House—will find itself under the control of the Committee on Rules.

The House knows the necessity of the action here recommended, as I have stated it. The committee knows it. It simply rests with you to say whether or not, with the buildings at the Academy crumbling down, you will rebuild to meet the urgent necessities that have arisen. There is but little need of argument upon this matter. The strongest argument that can be made, the most convincing and the most appealing argument that can be made, lies in a plain and unvarnished statement of the facts. The facts are just as I have stated them. It rests with the committee and the House to take just such action as in their judgment may seem best.

Mr. BOUTELLE of Maine. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN reported that the Committee of the Whole House on the state of the Union, having had under consideration the naval appropriation bill, had come to no resolution thereon.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the House do now adjourn.

CONTESTED ELECTION—RYAN VS. BREWSTER.

Pending the motion to adjourn, the following business was transacted by unanimous consent:

Mr. MAGUIRE. Mr. Speaker, I am instructed by the Committee on Elections No. 2 to submit the report of the committee in the contested-election case of William E. Ryan *vs.* Richard C. Brewster.

The SPEAKER. Does the gentleman desire action at this time?

Mr. MAGUIRE. No; I think it had better be printed.

The SPEAKER. The report will be printed and referred to the House Calendar.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 6931. An act granting a pension to James B. Rawlins;

H. R. 4526. An act granting a pension to Mary Vockey;

H. R. 2970. An act to permit an increase of the pension of John A. Anderson;

H. R. 1034. An act granting a pension to William H. Byrum;

H. R. 1331. An act granting an increase of pension to Elisha M. Luckett;

H. R. 1957. An act to increase the pension of William P. Cooper;

H. R. 7008. An act granting a pension to R. G. English;

H. R. 3802. An act increasing the pension of Francis M. Bruner;

H. Res. 182. Joint resolution providing for the temporary admission free of duty of naval and military supplies procured abroad;

H. R. 345. An act granting an increase of pension to George D. Cook;

H. R. 3184. An act granting an increase of pension to James H. Blakeman;

H. R. 290. An act to increase the pension of William H. Webster;

H. R. 1802. An act increasing the pension of Mary E. Wallick;

H. R. 3212. An act granting an increase of pension to Barbara Miller;

H. R. 4116. An act to increase the pension of Charles C. Short;

H. R. 5083. An act granting a pension to Thomas Lane;

H. R. 3661. An act granting a pension to Charles L. Stephens;

H. R. 4299. An act for increase of pension to Alexander E. Ingraham;

H. R. 3160. An act to place on the pension rolls the name of Minerva Sample;

H. R. 4467. An act to increase the pension of Carey H. Russell;

H. R. 2275. An act granting an increase of pension to Isaac B. Vail;

H. R. 2190. An act granting an increase of pension to Henry F. Rice;

H. R. 2349. An act granting a pension to Mrs. Weltha Post-Leggett;

H. R. 2924. An act granting an increase of pension to R. A. Browning;

H. R. 3798. An act granting an increase of pension to Milton Iserman;

H. R. 3915. An act granting a pension to Delia Elizabeth Woodward;

H. R. 7827. An act granting a pension to Elizabeth M. Tumy;

H. R. 4624. An act granting an increase of pension to Mary E. Herd;

H. R. 1306. An act increasing the pension of William Warner;

H. R. 2272. An act granting a pension to John N. Bruce;

H. R. 771. An act granting an increase of pension to Bernard Dunn; and

H. R. 2295. An act granting a pension to Mary J. Hart.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2652. An act granting an increase of pension to Mrs. Emma V. Gile—to the Committee on Invalid Pensions.

S. 2786. An act granting a pension to Martha E. Huddleston—to the Committee on Pensions.

S. 3169. An act granting a pension to John R. Bevan—to the Committee on Invalid Pensions.

S. 3110. An act granting a pension to Patrick Breen—to the Committee on Invalid Pensions.

S. 2357. An act granting an increase of pension to Merlin C. Harris, of Tonganoxie, Kans.—to the Committee on Invalid Pensions.

S. 2336. An act granting an increase of pension to David B. Stover—to the Committee on Pensions.

S. 4169. An act granting an increase of pension to Ida Emmott, dependent and invalid daughter of the late Thomas Emmott—to the Committee on Invalid Pensions.

S. 290. An act granting a pension to Charlotte Poe, widow of Isaiah Poe, deceased—to the Committee on Pensions.

S. 4004. An act granting a pension to Julia E. Warner—to the Committee on Invalid Pensions.

S. 1011. An act to increase the pension of Erika A. Norman—to the Committee on Invalid Pensions.

S. 3059. An act increasing the pension of Isaiah Mitchell—to the Committee on Invalid Pensions.

S. 2393. An act granting an increase of pension to Henry Hinckley—to the Committee on Invalid Pensions.

S. 3660. An act granting a pension to Thomas Edsall, of Grafton, Ill.—to the Committee on Invalid Pensions.

S. 4003. An act to construe an act approved June 3, 1884, relating and including the disability of Alonzo B. Chatfield, late of Company B, Thirty-third Regiment of Illinois Volunteer Infantry—to the Committee on Invalid Pensions.

S. 1353. An act for the increase of pension of Farnham J. Eastman—to the Committee on Invalid Pensions.

S. 1759. An act granting a pension to James H. Preston—to the Committee on Pensions.

S. 2588. An act increasing the pension of Corrissanda L. McGuire, of Shelbyville, Ind.—to the Committee on Invalid Pensions.

S. 3425. An act for the benefit of Evelyn N. Murray—to the Committee on Invalid Pensions.

S. 1938. An act granting an increase of pension to First Class Pilot Capt. James M. Herrington—to the Committee on Invalid Pensions.

S. 285. An act for the relief of Mrs. Mary L. Roderick—to the Committee on Pensions.

S. 1587. An act granting a pension to Susan C. Oden—to the Committee on Pensions.

S. 3026. An act granting a pension to Ida Emmott—to the Committee on Invalid Pensions.

S. 4080. An act providing for a national exposition of American products and manufactures at the city of Philadelphia for the encouragement of the export trade—to the Committee on Ways and Means.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CURTIS of Kansas, for ten days, on account of death in his family.

To Mr. MAHON, for ten days, on account of death of sister.

And then, on motion of Mr. BOUTELLE of Maine (at 5 o'clock and 7 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, together with other reports, submitting estimates of the cost of opening a channel through the bar at the mouth of Double Bayou, on the east side of Galveston Bay—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report relating to a survey and plan for a memorial bridge across the Potomac—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination in regard to the Fox and Wisconsin rivers—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RICHARDSON, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 9417) to amend the charter of the District of Columbia Suburban Railway Company, reported the same without amendment, accompanied by a report (No. 886); which said bill and report were referred to the House Calendar.

Mr. WHEELER of Alabama, from the Committee on Ways and Means, to which was referred the joint resolution of the House (H. Res. 14) authorizing articles imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Exposition, to be held at Dallas, Tex., to be imported free of duty, under regulations prescribed by the Secretary of the Treasury, reported the same with amendment, accompanied by a report (No. 888); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FENTON, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3190) granting an honorable discharge to John H. Smith, reported the same with amendment, accompanied by a report (No. 887); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 310) granting a pension to Johnson Hays, reported the same with amendment, accompanied by a report (No. 889); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8181) for relief of John A. Bingham, major and judge-advocate of volunteers, reported the same with amendment, accompanied by a report (No. 890); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9043) granting a pension to Mrs. Ann M. Smith, widow of the late Maj. Gen. Andrew J. Smith, reported the same with amendment, accompanied by a report (No. 891); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MAXWELL: A bill (H. R. 9600) to confer jurisdiction on the circuit court of the United States in cases of contested elections of members of Congress, the judge in each case to hear the evidence, have it reduced to writing, and find the facts in issue in the case, and transmit his findings and the evidence, duly certified, to the Clerk of the House of Representatives for the use of the House, the findings to be advisory only—to the Committee on the Judiciary.

By Mr. KING: A bill (H. R. 9601) to grant certain public lands to the State of Utah for perpetual use as a public park—to the Committee on the Public Lands.

By Mr. YOST: A bill (H. R. 9602) regulating the postage on letters written by the blind—to the Committee on the Post-Office and Post-Roads.

By Mr. KING (by request): A bill (H. R. 9603) to regulate the subletting of mail contracts—to the Committee on the Post-Office and Post-Roads.

By Mr. KELLEY: A bill (H. R. 9604) to grant a right of way to the village of Flandreau, S. Dak.—to the Committee on the Public Lands.

By Mr. CLARK of Missouri: A bill (H. R. 9624) for the improvement of the Missouri River at and near the mouth of Smiths Creek, near Bernheimer, Warren County, Mo.—to the Committee on Levees and Improvement of the Mississippi River.

By Mr. HOWELL: A bill (H. R. 9625) granting permission to Atlantic Highlands, Middletown Township, Monmouth County, N. J., to extend Roop avenue to low-water mark over Government land—to the Committee on Interstate and Foreign Commerce.

By Mr. BRADLEY: A bill (H. R. 9634) to authorize the Secretary of the Navy to inquire into the feasibility of having a graving dry dock cut from solid rock at Fort Washington Point, borough of Manhattan, city of New York, and State of New York—to the Committee on Naval Affairs.

By Mr. MAHANY: A joint resolution (H. Res. 207) recognizing the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. ADAMSON: A joint resolution (H. Res. 208) to recognize the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. TODD: A joint resolution (H. Res. 209) declaring war between the United States and the Kingdom of Spain, and recognizing the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. WHEELER of Alabama: A joint resolution (H. Res. 210) to recognize the independence of Cuba—to the Committee on Foreign Affairs.

By Mr. BAILEY: A joint resolution (H. Res. 211) recognizing the independence of Cuba—to the Committee on Foreign Affairs.

By Mr. BRODERICK: A joint resolution (H. Res. 212) recognizing the independence of the Republic of Cuba and providing for intervention by the United States—to the Committee on Foreign Affairs.

By Mr. FOSS: A joint resolution (H. Res. 213) authorizing the Secretary of War to prepare and submit estimates for the improvement of the harbor at Waukegan, Ill.—to the Committee on Rivers and Harbors.

By Mr. MERCER: A joint resolution (H. Res. 214) authorizing the Secretary of the Treasury to rent lighting apparatus for Government building at Trans-Mississippi and International Exposition—to the Committee on Ways and Means.

By Mr. BRUCKER: A joint resolution (H. Res. 215) amending the act of December 29, 1897—to the Committee on Ways and Means.

By Mr. LACEY: A memorial of the legislature of the State of Iowa, in favor of making Port Arthur a subport of entry—to the Committee on Ways and Means.

By Mr. CLARK of Iowa: A memorial of the legislature of the State of Iowa, relative to making Port Arthur a subport of entry—to the Committee on Ways and Means.

By Mr. UPDEGRAFF: A memorial of the legislature of the State of Iowa, asking that Port Arthur be made a subport of entry—to the Committee on Ways and Means.

By Mr. HENDERSON: A memorial of the legislature of the State of Iowa, in favor of a bill to make Port Arthur a subport of entry—to the Committee on Ways and Means.

By Mr. CURTIS of Iowa: A memorial of the legislature of the State of Iowa, relative to making Port Arthur a subport of entry—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARBER: A bill (H. R. 9605) granting a pension to Charles T. Stratton—to the Committee on Invalid Pensions.

By Mr. BRENNER of Ohio: A bill (H. R. 9606) to pension Hettie A. Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9607) to remove the charge of desertion from the record of Alexander Hines, late Company H, First United States Dragoons—to the Committee on Military Affairs.

Also, a bill (H. R. 9608) to remove the charge of desertion from the record of Jacob Ehla, alias John Eby, late Company E, One hundred and eighth Ohio Volunteer Infantry—to the Committee on Military Affairs.

By Mr. BRODERICK: A bill (H. R. 9609) for the relief of Jessie K. Sirlott—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 9610) for the relief of Charles H. Haswell, late a chief engineer in the United States Navy—to the Committee on Naval Affairs.

By Mr. GREENE (by request): A bill (H. R. 9611) to confer jurisdiction on the Court of Claims to hear and determine the claims of Robert Kittle and twenty-five others for damages alleged to have been sustained by them in the destruction of their houses and other buildings by United States soldiers, in the years 1881 and 1882, in the State of Nebraska—to the Committee on War Claims.

Also, a bill (H. R. 9612) to correct the military record of George W. McClaughan and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 9613) to correct the military record of Samuel Wakeman—to the Committee on Military Affairs.

By Mr. McDONALD: A bill (H. R. 9614) to provide for extra pay of John Quicke, late private at West Point Military Academy—to the Committee on Military Affairs.

By Mr. MEEKISON: A bill (H. R. 9615) granting a pension to Price W. Harney—to the Committee on Pensions.

By Mr. McCORMICK: A bill (H. R. 9616) to remove the charge

of desertion and grant an honorable discharge to James Perkinson—to the Committee on Military Affairs.

By Mr. PEARCE of Missouri: A bill (H. R. 9617) granting a pension to Mrs. Mary L. Purington, widow of the late Lieut. Col. George A. Purington—to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 9618) granting a pension to Julia A. Veazey—to the Committee on Invalid Pensions.

By Mr. ROBB (by request): A bill (H. R. 9619) granting a pension to Mrs. Ruth Walker—to the Committee on Invalid Pensions.

By Mr. STURTEVANT: A bill (H. R. 9620) to correct the naval record of John L. King—to the Committee on Naval Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 9621) for the relief of Lemuel Hannah, of Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 9622) for the relief of Jessie Vann, of Madison County, Ala.—to the Committee on War Claims.

By Mr. YOUNG of Pennsylvania: A bill (H. R. 9623) to remove the charge of desertion from the record of Samuel J. Matlack, late private Company F, First New Jersey Volunteer Infantry—to the Committee on Military Affairs.

By Mr. BULL: A bill (H. R. 9626) for the relief of Edgar E. Aldrich, of Rhode Island—to the Committee on Pensions.

By Mr. DOVENER: A bill (H. R. 9627) for the relief of Benjamin F. Harrison, of Company H, Forty-fifth Regiment Ohio Volunteer Infantry—to the Committee on Military Affairs.

By Mr. GARDNER: A bill (H. R. 9628) granting a pension to Surg. Harvey E. Bowles—to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 9629) to place upon the pension roll the name of Mary Ann Kinsella, of Bridgeport, Conn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9630) to increase the pension of Mrs. Julia F. Morehouse, of Fairfield, Conn.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9631) granting pension to Abigail E. Bogart, of Norwalk, Conn.—to the Committee on Invalid Pensions.

By Mr. ROBB (by request): A bill (H. R. 9632) to remove the charge of desertion from the military record of James Dunlap—to the Committee on Military Affairs.

By Mr. SUTHERLAND: A bill (H. R. 9633) to correct the military record of Nathan Monroe—to the Committee on Military Affairs.

By Mr. UNDERWOOD: A bill (H. R. 9635) for the relief of Sarah Mahaffey, and to have her name put on the pension roll—to the Committee on Pensions.

By Mr. MAGUIRE: A bill (H. R. 9636) granting a pension to Margaret Finnegass—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of Fayette Lodge, No. 239, Knights of Pythias, of Connellsville, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, resolution of Coal Center Assembly, No. 216, Knights of Labor, of Coal Center, Pa., in favor of the passage of the Lodge bill to prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of the Cumberland Presbyterian and Methodist Episcopal churches of Uniontown, Pa., and J. C. Work and 97 citizens of Uniontown, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. ARNOLD: Petition of the National Wholesale Lumber Dealers' Association, favoring currency reform based on the gold standard—to the Committee on Banking and Currency.

By Mr. BARHAM: Petition of the Humboldt County Christian Endeavor Union, of California, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Humboldt County Christian Endeavor Union, of California, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BARRETT: Resolutions of the Boston Chamber of Commerce, for the passage of House bill No. 6705, to regulate the manufacture of mixed flour—to the Committee on Ways and Means.

By Mr. BELL: Petitions of the Woman's Christian Temperance unions of Crested Butte and Paonia, Colo., and the Columbine Reading Club, of Denver, Colo., for the bill which prohibits the interstate transmission of lottery messages and other gambling matter by telegraph; also for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; also for the bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Crested Butte and Paonia and the Columbine Reading Club of Denver, Colo., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BINGHAM: Petition of James E. Brophy, on behalf of clerks to pay officers of the United States Navy, to accompany House bill No. 462—to the Committee on Naval Affairs.

By Mr. BRADLEY: Petition of H. D. Hunter and others in favor of House bill No. 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. BRENNER of Ohio: Petition of 40 citizens of Dayton, Ohio, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BOUTELLE of Maine: Petition of Priscilla Bean, signed by citizens of Presque Isle, Me., for relief—to the Committee on Invalid Pensions.

By Mr. BULL: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolution adopted at the annual meeting of the National Wholesale Lumber Dealers' Association, for the passage of an act to strengthen the public credit—to the Committee on Banking and Currency.

Also, resolutions of Iron Molders' Union No. 9, of Providence, R. I., asking for the passage of House bill No. 6095, protecting free labor against convict labor—to the Committee on Labor.

By Mr. CAPRON: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolution of the National Wholesale Lumber Dealers' Association, for a just and uniform bankruptcy law—to the Committee on the Judiciary.

Also, resolution of the National Lumber Dealers' Association, indorsing the principles of currency reform set forth in the report of the Indianapolis monetary convention and maintaining the gold standard—to the Committee on Banking and Currency.

Also, resolution of the Boston Chamber of Commerce, favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

Also, petition of the Free Baptist Church, Christian Endeavor Society, and Sabbath school of Pascoag, R. I., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Free Baptist Church, Sabbath school, and Christian Endeavor Society of Pascoag, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Free Baptist Church Sabbath school and Christian Endeavor Society of Pascoag, R. I., asking for the passage of a bill to raise the age of protection for girls—to the Committee on the Territories.

By Mr. CLARK of Iowa: Petition of business men of Fort Madison, Iowa, in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CLARKE of New Hampshire: Petition of citizens of Gilsum, N. H., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of the Woman's Christian Temperance unions of Hollis, Lyman, Rindge, Greenville, and Swiftwater, N. H., favoring bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Hollis, Lyman, Rindge, Greenville, and Swiftwater, N. H., and Methodist Episcopal Church of Lyman, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNELL: Memorial of the representatives of the Religious Society of Friends from Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. COOPER of Wisconsin: Petitions of citizens of Beloit, Elkhorn, Milton, Janesville, Delaven, Broadhead, and Darlington, Wis., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of citizens of Lima Center, Wis., and Woman's Christian Temperance Union of Broadhead, Wis., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of Mrs. C. G. Steele and other citizens of the State of Wisconsin, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Iowa: Resolutions of Cardiff Grange, No. 175, Patrons of Husbandry, of North English, Iowa, asking an amendment to the Interstate Commerce Commission law, as stated in Senate bill No. 3354—to the Committee on Agriculture.

Also, petition of Mary F. Machlin for a pension—to the Committee on Invalid Pensions.

Also, resolution of Federal Labor Union, No. 6303, of Muscatine, Iowa, favoring the passage of the anti-injunction bill and the bill for the relief of American seamen—to the Committee on the Judiciary.

Also, petition of Federal Labor Union, No. 6303, of Muscatine, Iowa, in favor of the passage of certain bills in the interest of labor—to the Committee on Labor.

Also, petitions of Hand-in-hand Lodge, No. 183, prominent business men, and Division No. 125, Brotherhood of Locomotive Engineers, all of Clinton, Iowa, and citizens of Bellevue, Davenport, and Maquoketa, Iowa, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Resolutions of Fort Pitt Lodge, No. 170, and Oakland Lodge, No. 121, Knights of Pythias, of Pittsburg, Pa., praying for the passage of House bill No. 6468, providing for the granting by the Government of a lease right, with hot-water privileges, to a piece of ground on the United States reservation at Hot Springs, Ark., for the purpose of establishing a national Pythian sanitarium—to the Committee on Public Lands.

Also, resolution of the Iron Molders' Union of Pittsburg, Pa., in favor of legislation to protect free against convict labor—to the Committee on Labor.

By Mr. DANFORD: Petitions of the Woman's Christian Temperance Union of Colerain, Belmont County, Ohio, asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Colerain, Ohio, to forbid the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of James Graham and other citizens of Landisburg, Pa., praying for the passage of laws for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. DAVIDSON of Wisconsin: Petition of 19 members of Walter Wellman Post, No. 197, of Plainfield, Wis., and W. D. Walker Post, No. 64, of Montello, Wis., Grand Army of the Republic, in favor of the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

Also, resolutions of T. B. Crawford Post, Grand Army of the Republic, of Westfield, Wis., against the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

Also, petitions of Cigar Makers' Union of Oshkosh, Wis., and Wisconsin State Federation of Labor, urging the passage of sundry bills pending for the protection of labor—to the Committee on Labor.

Also, petitions of citizens of Oshkosh, Neenah, Fond du Lac, and Manitowoc, Wis., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, protest of the St. Joseph Society of Two Rivers, Wis., against the passage of the Lodge immigration bill—to the Committee on Immigration and Naturalization.

Also, petition of David L. Holbrook and 200 other citizens of Fond du Lac, Wis., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of R. W. Parker and other citizens of Marquette County, Wis., in favor of the passage of House bills Nos. 4930 and 4931—to the Committee on the Post-Office and Post-Roads.

By Mr. DINGLEY: Petition of the Congregational Church of Richmond, Me., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DORR: Petition of citizens of Newlenton, W. Va., in regard to a bill introduced granting pensions to State troops—to the Committee on Pensions.

Also, petitions of the United Brethren Church, Presbyterian Church, and Methodist Episcopal Church, of Buckhannon, W. Va., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DOVENER: Petition of David Bell and 27 other citizens of Wheeling, W. Va., favoring the passage of Senate bill No. 3218, relating to the inspection of hulls and boilers—to the Committee on the Merchant Marine and Fisheries.

Also, papers to accompany House bill for the relief of John W. Vandine—to the Committee on Invalid Pensions.

Also, affidavits in support of House bill No. 6638, to pension Nicholas C. Wilson, of Braxton County, W. Va.—to the Committee on Pensions.

By Mr. ERMENTROUT: Resolutions of the National Wholesale Lumber Dealers' Association, favoring (1) the maintaining of the gold standard, (2) the retirement of all classes of United States notes, (3) a banking system which will equalize the rates of interest in all parts of the United States—to the Committee on Banking and Currency.

By Mr. FOWLER of New Jersey: Petitions of East Street Baptist Church and Fulton Street Methodist Episcopal Church, of Elizabeth, N. J., and Woman's Christian Temperance Union of Cranford, N. J., and certain churches of Milburn, N. J., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph, to raise the age of protection for girls, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of Fulton Street Methodist Episcopal Church and East Street Baptist Church, of Elizabeth, N. J., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GRIFFIN: Petition of the Young People's Society of Christian Endeavor of the First Presbyterian Church of La Crosse, Wis., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Petition of the Cincinnati Chamber of Commerce, asking for an appropriation for the proper maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

Also, petition of Longer Bros. & Smythe and 19 citizens of the State of Vermont, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. HANDY: Petitions of the Union Methodist Episcopal Church, of Wilmington, Del., favoring the passage of bills to protect State anti-cigarette laws and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Union Methodist Episcopal Church, of Wilmington, Del., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HICKS: Petitions of the Young People's Society of Christian Endeavor of the Second Presbyterian Church and the First United Brethren Church of Altoona, Pa., and Woman's Christian Temperance unions of Altoona and Blair County, Pa., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Young People's Society of Christian Endeavor of the Second Presbyterian Church, the Eighth Avenue Methodist Episcopal Church, and the First United Brethren Church, all of Altoona, Pa., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

Also, petition of the First United Brethren Church of Altoona, Pa., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Blair County and Altoona, Pa., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the Judiciary.

By Mr. HOOKER: Petition of Charles Kinney and other veterans and citizens of Brocton, N. Y., in favor of immediate action on the part of the United States in behalf of Cuba and pledging support in case of war with Spain—to the Committee on Foreign Affairs.

By Mr. HOWE: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on the Judiciary.

By Mr. HOWELL: Petitions of the Second Baptist Church (colored) of Asbury Park, N. J., favoring bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Second Baptist Church (colored) of Asbury Park, N. J., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HURLEY: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. JETT: Petition of the Federation of Labor of Springfield, Ill., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. KELLEY: Petitions of the Congregational Church and Christian Endeavor Society of Erwin, S. Dak., asking for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union, Congregational Church, and Christian Endeavor Society of Erwin, S. Dak., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories, and the interstate and mail circulation of extended descriptions of prize fights—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Congregational Church and religious societies of Erwin, S. Dak., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KERR: Petition of Lodge No. 356, Brotherhood of Locomotive Firemen, of Lorain, Ohio, in favor of passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal Church of New London, Ohio, for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of New London, Ohio, for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of A. D. Beechy, superintendent of the Norwalk public schools, and Woman's Christian Temperance Union of Norwalk, Ohio, for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. KITCHIN: Three petitions of citizens of Guilford College and High Point, N. C., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KULP: Resolutions of Tobin Lodge, No. 356, Knights of Pythias, of Shamokin, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petition of the Chamber of Commerce of Cincinnati, Ohio, for an appropriation for the maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

Also, petition of the Baptist Church of Eagles Mere, Pa., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of banks, insurance companies, and prominent business firms of New York City, protesting against the passage of House bill No. 9077, changing the site of the custom-house—to the Committee on Public Buildings and Grounds.

Also, petition of Eagles Mere Baptist Church, in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Baptist Church of Eagles Mere, Pa., favoring a bill to raise the age of protection for girls to 18 years and to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. LACEY: Petitions of the Friends' Church and Union Church, of Wright, Iowa, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Friends' Church and Union Church, of Wright, Iowa, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Friends' Church and Union Church, of Wright, Iowa, for the passage of a bill to protect State anti-cigarette laws and to forbid interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Local Union No. 2, of Hiteman, and Local Union No. 152, of Ottumwa, Iowa, United Mine Workers, in favor of House bills Nos. 6092 and 7389 and Senate bills Nos. 35 and 95, in the interests of labor—to the Committee on Labor.

Also, papers to accompany House bill in behalf of Franklin V. Ayres—to the Committee on Military Affairs.

By Mr. LENTZ (by request): Petition of the First Presbyterian Church of Lancaster, Ohio, for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also (by request), petition of the First Presbyterian Church of Lancaster, Ohio, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. LOUDENSLAGER: Petition of George W. Johnston, James A. Howell, Lotta McClure, and other citizens of Camden, N. J., urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. McALEER: Resolution of the National Wholesale Lumber Dealers' Association, in support of currency reform based on the gold standard—to the Committee on Banking and Currency.

By Mr. McCLELLAN: Eight petitions of citizens of New York City, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMICK: Petitions of the Church of Victor, Kans., Rev. J. C. Helmick, pastor, and the Temperance Society of Otega, Kans., in favor of the passage of bills to forbid interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on Public Buildings and Grounds.

Also, petition of the Church of Victor, Kans., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. McCLEARY: Petitions of the Congregational Sunday school and Christian Endeavor Society of Marshall, Minn., and Baptist Young People's Union of Luverne, Minn., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of John Lindholm and other citizens of Coon Creek, Minn., for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MERCER: Resolutions of Coopers' International Union of Omaha, Nebr., asking for the passage of House bill No. 7339, known as the eight-hour bill, and bill No. 6092, known as the prison-labor bill—to the Committee on Labor.

Also, protest of the Silent Cosmos Club, of Omaha, Nebr., against the passage of House bill No. 66, known as the Garrett bill—to the Committee on Education.

By Mr. NORTHWAY: Petition of Lake Shore Lodge, No. 84, Brotherhood of Railroad Trainmen, of Ashtabula, Ohio, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Petition of Sweetwater Lodge, No. 6, Knights of Pythias, of Rock Springs, Wyo., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. OTEY: Petition of citizens of Wolftrap, Va., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. OTJEN: Petitions of the Wisconsin State Federation of Labor, the Federated Trades, and the Building Trades of Milwaukee, Wis., in favor of (1) the eight-hour law; (2) Senate bill No. 35, relative to use of writ of injunction; (3) Senate bill No. 95; (4) against convict-labor competition—to the Committee on Labor.

By Mr. PERKINS: Petitions of the Woman's Christian Temperance Union, Epworth League, and Christian Endeavor Society of Milford, Iowa, praying for the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union, Epworth League, and Christian Endeavor Society of Milford, Iowa, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union, Epworth League, and Christian Endeavor Society of Milford, Iowa, for the passage of a bill forbidding the sale of liquor in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. PRINCE: Petitions of the Central Congregational Church, East Main Street Congregational Church, First Baptist Church, and Knox Street Congregational Church, all of Galesburg, Ill.; Presbyterian churches and Teachers' Institute, of Rock Island; First Congregational Church and Young People's Society of Christian Endeavor of Abingdon; Presbyterian Church of Manteno, and Methodist Episcopal Church and Woman's Christian Temperance Union of Rock Falls, all in the State of Illinois, asking for the passage of bills to forbid the interstate transmission of lottery messages and other gambling matter by telegraph, to protect anti-cigarette laws, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of certain churches of Galesburg, Rock Island, Manteno, and societies and churches of Abingdon and Rock Falls, Ill., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBB (by request): Papers to accompany House bill granting a pension to Mrs. Ruth Walker—to the Committee on Invalid Pensions.

By Mr. ROBBINS: Resolution of the Chamber of Commerce of Pittsburg, Pa., George H. Anderson, secretary, to give the name *Pittsburg* to one of the new ships of war to be constructed for the United States Navy—to the Committee on Naval Affairs.

By Mr. ROBINSON of Indiana: Petition of the Noble County (Ind.) Medical Society, protesting against the passage of the bill restricting vivisection—to the Committee on the District of Columbia.

By Mr. RIXEY: Petition of insurance agents and others in the District of Columbia, protesting against the passage of House bill No. 8883, regulating insurance in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SAUERHERING: Petition of the Military Order of the Loyal Legion of the United States, Commandery of the State of Wisconsin, for an appropriation for the erection of permanent monuments of lines of battle, etc., at Gettysburg, Pa.—to the Committee on the Library.

Also, petition of the Cigar Makers' Union and other local unions of labor of Eau Claire, Wis., in favor of the passage of certain bills pending in the interest of labor—to the Committee on Labor.

By Mr. SHAFROTH: Petition of E. J. Harris and 138 citizens of Denver, Colo., praying for the passage of a bill to restrict immigration—to the Committee on Immigration and Naturalization.

Also, petitions of the Woman's Christian Temperance Union of Fort Lupton, Colo., and H. E. Bennett and others, favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of Fishers Peak Division, No. 247, Order of Railway Conductors, of Trinidad, Colo., urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHATTUC: Resolution of the Chamber of Commerce of Cincinnati, Ohio, urging a firm and vigorous policy with Spain "which will have for its purpose, peaceful if we can, but with force if we must, the redress of past wrongs and the complete and qualified independence of Cuba"—to the Committee on Foreign Affairs.

By Mr. SHERMAN: Petition of the Grand Army of the Republic, Department of New Jersey; also petitions of 120 citizens of Fort Wayne, Ind.; Paint and Oil Club of New England, of Boston, Mass.; Grand Army of the Republic, Department of Delaware; Boston Merchants' Association, and Asheville (N. C.) Board of Trade, favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Arizona: Petition of George Hoxworth, commander of Grand Army of the Republic of Arizona, urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of a meeting of citizens at the First Methodist Episcopal Church, Meriden, Conn., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of meetings of citizens held in the First Congregational Church and First Methodist Episcopal Church, in Meriden, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of meetings held in the First Methodist Episcopal Church and First Congregational Church, of Meriden, Conn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STARK: Papers to accompany House bill No. 5804, granting an increase of pension to Benjamin W. Walker, of Germantown, Nebr.—to the Committee on Invalid Pensions.

By Mr. STEELE: Petition of Capt. James B. Curtis, of Indianapolis, Ind., for the passage of House bill No. 2876, to increase the efficiency of the militia—to the Committee on the Militia.

By Mr. STRODE of Nebraska: Petitions of the First Methodist Episcopal Church, University Place, Nebr., to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the First Methodist Episcopal Church of University Place, Nebr., for the passage of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Haigler, Nebr., and the Woman's Club of Lincoln, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. STURTEVANT: Remonstrance of Mrs. W. S. Smith and 18 other ladies of Meadville, Pa., against Senate amendment No. 4 to the Indian bill, allowing the appointment of Army officers to Indian agencies—to the Committee on Indian Affairs.

By Mr. TONGUE: Petitions of the First Presbyterian Church, United Presbyterian Church, Baptist Church, Methodist Episcopal Church, and Congregational Church, all of Albany, Oreg., and Christian Church and Methodist Episcopal Church, of Cottage Grove, Oreg., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WANGER: Petition of representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolutions of Pottstown Lodge, No. 429, Knights of Pythias, of Pottstown, Pa., in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. WHEELER of Alabama: Petition of George W. Hinshaw, of Jackson County, Ala., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. UPDEGRAFF: Petitions of George B. Freeman, C. A. Beebe, and 61 citizens of Mason City, Iowa; G. C. Huntting, C. L. Brown, and 12 others, of Clear Lake; George E. Moon, of Charles City; and S. A. Marine, J. L. E. Blythe, and others, of Mason City, all in the State of Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. VEHSLAGE: Petitions of William T. Lee and others, B. Franklin Trowbridge and others, F. M. Zahm and others, Edward Kendrick and others, A. M. Hepenstal and others, all of New York City, N. Y., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. VINCENT: Petition of citizens of Abilene, Kans., praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany House bill No. 7921, to increase the pension of J. R. Worth—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petitions of the First Baptist Church of Nunda, N. Y., and Woman's Christian Temperance Union of Byron, N. Y., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the First Baptist Church of Nunda and Woman's Christian Temperance Union of Byron, N. Y., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WHITE of North Carolina: Memorial of 300 aged ex-slaves, praying for suitable and proper legislation, by pension or otherwise, for relief—to the Committee on Pensions.

By Mr. YOUNG of Pennsylvania: Petition of John B. Wright, late lieutenant Company K, Thirty-fourth New Jersey Volunteer Infantry, for additional pension of $8 per month from date of discharge, and papers accompanying same—to the Committee on Invalid Pensions.

Also, memorial of representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolution of the Good Citizenship Conference of the

twenty-nine Young People's Societies of Christian Endeavor, comprising District No. 4, of the city of Philadelphia, Pa., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, paper to accompany House bill for the relief of Samuel J. Matlack—to the Committee on Military Affairs.

SENATE.

THURSDAY, *March 31, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

SAGINAW RIVER IMPROVEMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 22d instant, a report of the Chief of Engineers, United States Army, relative to the cost of improving the Saginaw River from its head to a point in Saginaw Bay, with a view of securing a channel 150 feet wide and an increase of depth to 16 feet from the head of the river to the Third Street Bridge in Bay City, etc.; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

REVENUE CUTTER DANIEL MANNING.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of January 10, 1898, information relative to the organization of a board of not less than three competent persons to inquire into and determine how much the hull, machinery, and appurtenances of the U. S. revenue cutter *Daniel Manning* cost the contractors over and above the contract price, etc.; which, with the accompanying papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 98) granting an increase of pension to Isaiah F. Force;

A bill (H. R. 378) granting a pension to Lowell H. Hopkinson;

A bill (H. R. 711) granting a pension to Anna M. Tate;

A bill (H. R. 864) granting a pension to Maria E. Hess, widow of Florian Hess;

A bill (H. R. 983) to grant an increase of pension to Nathaniel Haughton;

A bill (H. R. 1825) to increase the pension of David Parker;

A bill (H. R. 1855) granting an increase of pension to David C. Waring;

A bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky.;

A bill (H. R. 2113) granting an increase of pension to Lucy Ord Mason;

A bill (H. R. 2119) to grant a pension to Miss Sallie Work;

A bill (H. R. 2123) increasing the pension of William P. Haskell;

A bill (H. R. 2203) granting a pension to George G. Vogel;

A bill (H. R. 2253) granting an increase of pension to Joseph Montieth;

A bill (H. R. 2669) granting an increase of pension to Henry H. Tucker;

A bill (H. R. 2762) granting a pension to Mary C. Case;

A bill (H. R. 3025) increasing the pension of William S. Demott;

A bill (H. R. 3185) granting a pension to Lovezila L. Patterson;

A bill (H. R. 3663) granting a pension to George Barnes;

A bill (H. R. 3953) granting an increase of pension to Calvin P. Lynn;

A bill (H. R. 4143) granting a pension to Elizabeth Holt;

A bill (H. R. 4449) granting an increase of pension to Charles Beckwith;

A bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy;

A bill (H. R. 4611) granting an increase of pension to Marcia C. Barnes;

A bill (H. R. 4979) granting a pension to Charles A. Foster;

A bill (H. R. 5105) granting a pension to Margaret H. Townsend;

A bill (H. R. 5245) granting a pension to Florence N. Waldron;

A bill (H. R. 5775) granting a pension to Lewis K. Whitmore, a locomotive engineer in the military service and employ of the United States during the late civil war;

A bill (H. R. 5809) granting a pension to Charles E. Taylor;

A bill (H. R. 6680) granting a pension to Mrs. Janet Wemple;

A bill (H. R. 6793) granting an increase of pension to James F. McKinley;

A bill (H. R. 6928) granting a pension to Eva Seeley;

A bill (H. R. 6988) for the relief of Emory T. Hipple;

A bill (H. R. 7501) granting a pension to Daniel J. Melvin;

A bill (H. R. 7523) granting an increase of pension to Mary Speier;

A bill (H. R. 7628) granting a pension to Catherine Wiltse;

A bill (H. R. 7783) granting an increase of pension to Elizabeth Rogers;

A bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton;

A bill (H. R. 7952) granting a pension to William C. Ryan;

A bill (H. R. 8197) for the relief of Mary B. Hulings;

A bill (H. R. 8515) to increase the pension of William H. Savage;

A bill (H. R. 8636) granting an increase of pension to John X. Griffith;

A bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea;"

A bill (H. R. 8819) granting a pension to Gemima Millsap; and

A bill (H. R. 8834) granting a pension to John B. Hays.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 4650) for the relief of John Welty, of Portsmouth, Ohio; and

A bill (H. R. 6098) to correct the military record of N. Ward Cady, late major, Second Mounted Rifles, New York Volunteers, and to grant him an honorable discharge.

The bill (H. R. 8614) to correct the naval record of George W. Sherrard was read twice by its title, and referred to the Committee on Naval Affairs.

CARRIE F. BISSELL.

The bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo., was read twice by its title.

Mr. TELLER. I ask that that bill may be taken up and passed. I will state that the beneficiary is an old lady, entirely blind, and is getting now a pension of $17 a month. The House has passed the bill granting her a pension of $30. I have spoken to the chairman of the Committee on Pensions, and he has no objection to the bill being put on its passage.

Mr. GALLINGER. I will simply say that while this procedure is unusual, I have examined the bill and I know that the Committee on Pensions would report it back immediately. Hence I have no objection to its consideration.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Carrie F. Bissell, widow of Harmon D. Bissell, late regimental quartermaster Eighty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month, in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. HANNAH LETCHER STEVENSON.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John B. Stevenson.

Mr. GALLINGER. I move that the Senate nonconcur in the amendments made by the House of Representatives and ask for a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. KYLE, Mr. VEST, and Mr. BAKER were appointed.

Mr. GALLINGER. There are other Senate bills on the table with amendments.

Mr. ALLEN. I desire to suggest to the Senator from New Hampshire that the pension bills which have passed both Houses but have received slight amendments in the House ought to be taken up and considered now.

Mr. GALLINGER. That is what I have suggested. The amendments will be concurred in without question.

CAROLINE A. SLOCUM.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 2399) granting a pension to Caroline A. Slocum, which was, in line 8, after "Volunteers," to insert "and pay her a pension."

Mr. GALLINGER. I move that the Senate concur in the amendment.

The motion was agreed to.

ROBERT P. WILD.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 825) granting an increase of pension to Robert P. Wild.

The amendments were, in line 4, to strike out "pay" and insert "place the name of;" and in line 5, after "Infantry," to insert "on the pension rolls and pay him a pension of."

Mr. GALLINGER. I move concurrence in those amendments.

The motion was agreed to.

ANNA E. BOTSFORD.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of Sixteenth Regiment Ohio Volunteers.

The amendments were, in line 7, after "roll," to insert "and pay her a pension;" and in line 8 to strike out "amount" and insert "pension."

Mr. GALLINGER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

WILLIAM L. GRIGSBY.

The VICE-PRESIDENT laid before the Senate the amendments of the House to the bill (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.

The amendments were, in line 6, after "States," to insert "and pay him a pension;" and in line 7 to strike out all after the word "month."

Mr. ALLEN. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

SUSAN A. PADDOCK.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 178) granting a pension to Susan A. Paddock, which was, in line 7, after the word "her," to insert the words "a pension."

Mr. ALLEN. I move that the Senate concur in the amendment.

The motion was agreed to.

ANN M. MADDEN.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 431) granting a pension to Ann M. Madden, which was, in line 7, after "Volunteers," to insert "and pay her a pension."

Mr. GALLINGER. I move that the Senate concur in the amendment.

The motion was agreed to.

HARRIET R. MATLACK.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 655) granting a pension to Harriet R. Matlack, which was, in line 8, after "Volunteers," to insert "and pay her a pension."

Mr. GALLINGER. I move concurrence in the amendment.

The motion was agreed to.

OLEVIA S. WASHBURN.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3178) granting a pension to Olevia S. Washburn, which was, in line 7, after "Volunteers," to insert "and pay her a pension."

Mr. GALLINGER. I move that the Senate concur in the amendment.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. HOAR presented a petition of the Real Estate Exchange of Boston, Mass., praying for the ratification of a reciprocity treaty between the United States and the Dominion of Canada; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Young People's Christian Union of Beverly, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. GORMAN presented a petition of Berkeley Division, No. 234, Order of Railway Conductors, of Brunswick, Md., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Calvert, Md., praying for the enactment of legislation to protect anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Hyattsville, Md., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Hyattsville, Md., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Hyattsville, Md., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. MURPHY presented resolutions adopted by C. A. Glidden Camp, No. 6, Sons of Veterans, of Rochester, N. Y., favoring the absolute independence of Cuba; which were referred to the Committee on Foreign Relations.

He also presented a memorial of sundry citizens of New York City, remonstrating against the passage of Senate bill No. 1063, for the further prevention of cruelty to animals in the District of Columbia; which was ordered to lie on the table.

He also presented a petition of the West Side Woman's Christian Temperance Union, of Buffalo, N. Y., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the East Side Woman's Christian Temperance Union, of Buffalo, N. Y., and a petition of sundry citizens of Nelson, N. Y., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Nelson, N. Y., and a petition of the Order of Good Templars of Buffalo, N. Y., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. PASCO presented the petition of Rev. A. B. Dudley and 29 other citizens of Lake City, Fla., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Christian Endeavor Union of the State of Florida, praying for the enactment of legislation to amend the internal-revenue laws and prohibit licenses in States, counties, and municipalities where the sale of intoxicating liquors is forbidden by law; which was referred to the Committee on Public Buildings and Grounds.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Williston, Vt., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Waterbury, Williston, and East Hardwick; of the congregation of the Hedding Methodist Episcopal Church, of Barre; of the congregation of the Methodist Episcopal Church of South Royalton; of the members of the Sunday school of the Congregational Church of Jamaica, and of the Young People's Society of Christian Endeavor of Barnet, all in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Waterbury and East Hardwick; of the congregations of the Congregational Church of Barnet, the Second Congregational churches of Royalton and South Royalton, and the Methodist Episcopal Church of Williston; of members of the Sunday school of the Congregational Church of Jamaica, and of the Independent Order of Good Templars of South Royalton, all in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Williston, Waterbury, and East Hardwick; of the congregations of the Methodist Episcopal Church of South Royalton, the Second Congregational churches of Royalton and South Royalton, the Congregational Church of Barnet, and of members of the Sunday school of the Congregational Church of Jamaica, all in the State of Vermont, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. THURSTON presented a petition of Elkhorn Lodge, No. 208, Brotherhood of Locomotive Firemen, of North Platte, Nebr., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Alvo, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Hazard, Nebr., and a petition of the congregation of the Methodist Episcopal Church of Alvo, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Methodist Episcopal Church of Alvo, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. McMILLAN presented a petition of sundry business men of Detroit, Mich., praying for the passage of the Torrey bankruptcy bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of North Branch, Mich., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Local Union No. 393, Cigar Makers' International Union, of Cadillac, Mich., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented petitions of Division No. 503, Brotherhood of Locomotive Engineers, of Ionia; of Park Division, No. 555, Brotherhood of Railroad Trainmen, of Detroit, and of Division No. 6, Order of Railroad Conductors, of Battle Creek, all in the State of Michigan, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Reform Bureau and sundry citizens of the city of Washington, praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. PRITCHARD presented a petition of sundry citizens of Beaufort and Morehead City, N. C., praying for the establishment of a coast defense for the better protection of Beaufort Harbor, in that State; which was referred to the Committee on Coast Defenses.

Mr. SPOONER presented petitions of the congregations of the Algoma Street Methodist Episcopal Church, the First Methodist Episcopal Church, the Second Baptist Church, the German Methodist Episcopal Church, and the St. John's Universalist Church; of the Epworth League of the German Methodist Episcopal Church, the Young People's Christian Union of the Universalist Church, the Baptist Young People's Union of the First Church, and the Baptist Young People's Union of the Second Baptist Church, all of Oshkosh, in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. FAIRBANKS presented a memorial of Local Union No. 1, American Hod Carriers, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of Division No. 221, Brotherhood of Locomotive Engineers, of Huntington, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Friendswood, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of F. E. Dupell Lodge, No. 231, Brotherhood of Railroad Trainmen, of Terre Haute, Ind., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

Mr. BATE presented a petition of the congregation of the Independent Methodist Church of Harriman, Tenn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Independent Methodist Church of Harriman, Tenn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. TURPIE presented a memorial of the common council of the city of Elkhart, Ind., approving the action of the President in regard to the issues between this country and Spain; which was referred to the Committee on Foreign Relations.

Mr. GEAR presented a petition of 30 citizens of Grafton, Iowa, and a petition of Lodge No. 113, Brotherhood of Locomotive Engineers, of Des Moines, Iowa, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. TURNER presented petitions of Mountain Valley Grange, No. 79; of Columbia Grange, No. 87; of Charter Oak Grange, No. 78, and of Enterprise Grange, No. 85, Order of the Patrons of Husbandry, all of the State of Washington, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Mountain Valley Grange, No. 79; of Columbia Grange, No. 87, and of Charter Oak Grange, No. 78, Order of Patrons of Husbandry, all in the State of Washington, praying for the enactment of legislation to secure to the people of the rural sections of the country free rural mail delivery; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Charter Oak Grange, No. 78; of Columbia Grange, No. 87; of Mountain Valley Grange, No. 79, and of Enterprise Grange, No. 85, Order of Patrons of Husbandry, all in the State of Washington, praying for the enactment of legislation to secure to the people of the country protection against the use of adulterated food products; which were referred to the Committee on Agriculture and Forestry.

Mr. COCKRELL presented a petition of sundry citizens of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. SEWELL presented a concurrent resolution of the legislature of the State of New Jersey, in favor of securing national recognition of the services of William A. Newell in originating and establishing a life-saving system adopted by our Government; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF NEW JERSEY, EXECUTIVE DEPARTMENT.
Trenton, March 17, 1898.

SIR: I have the honor to respectfully call your attention to the following concurrent resolution, passed by the legislature the 17th day of March, A. D. 1898:

"Concurrent resolution.

"Whereas the legislature of New Jersey did, at its session in the year 1856, adopt a series of resolutions recognizing William A. Newell, a Representative in Congress from this State, as the originator, inventor, and founder of the United States Life-Saving Service, and extending thanks to him in the name of the State; and

"Whereas the legislature of the State of Washington, of which State William A. Newell is now a citizen, did at its last session indorse said resolution, and in addition thereto did request their Senators and Representatives in Congress to secure from the Congress of the United States, where the system was inaugurated, an indorsement of their testimonials of the States of New Jersey and of Washington, so eminently merited and so long withheld; and

"Whereas the Washington State resolutions have been thus presented and are now before committees for consideration and report: Therefore,

"*Be it resolved*, That our Senators and Representatives in Congress be requested to exert their best influence in securing national recognition of the services of William A. Newell in originating and establishing a life-saving system adopted by our Government, which during fifty years of successful operation has been instrumental in rescuing 150,000 human beings from the perils of the sea, together with many millions of dollars' worth of property for our citizens and a proportionate tariff revenue therefrom for the General Government.

"*Resolved*, That the Governor of this State be, and he is hereby, requested to forward a copy of these resolutions to the Representatives in Congress of the State of New Jersey."

FOSTER M. VOORHEES.

Hon. WILLIAM J. SEWELL,
United States Senator, Washington, D. C.

Mr. SEWELL presented a memorial of the representatives of the Religious Society of Friends for New Jersey, Pennsylvania, and Delaware, respecting the controversy between the United States and Spain; which was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

To the President, his Cabinet, and the Congress of the United States:

The memorial of the representatives of the Religious Society of Friends of Pennsylvania, New Jersey, and Delaware respectfully represents:

That for some months past we have regarded with deep interest and solicitude the disturbed relations between our Government and that of the Kingdom of Spain in connection with the insurrection in the Island of Cuba.

We sympathize with the friendly efforts that have been used by the present as well as by the late Administration to interpose the good offices of the United States in bringing to a close the inhuman warfare between Spain and her insurgent colony, and we deplore their want of success and the continued sufferings of the Cuban people.

Whilst desiring to uphold the hands of the President in all that may conduce to the benevolent end proposed by him, we are firmly impressed with the belief that this purpose is not likely to be attained by a menace of military force on the part of the United States. Should the irritation now felt by the two nations toward each other be inflamed to the point of open warfare, while we may profess to be actuated by the humane desire to relieve the sufferings of the noncombatants in Cuba, shall we not be amenable to the charge of inconsistency by bringing on a second calamity which would add to, rather than remedy, a prior evil? The soldiers and sailors of the United States who will, in case of war, be thrust into the front rank of the battle, many of whom may lose their lives or limbs in the contest, and whose families must suffer the bereavement of husbands, fathers, and brothers, have

surely no less a claim than the people of a foreign country upon the kind consideration of our rulers. Great and solemn, indeed, is the responsibility of men in power, whose action may light the flames of war and doom to death and untold misery many of their fellow-beings who have had no voice in its inception.

We hold the belief that there can be no difference between nations that can not be more advantageously adjusted to the real interests of both parties by peaceful negotiation or arbitration than by a resort to arms, that the principles of the Christian religion forbid war as emphatically as they do private combats, and that national honor can not be vindicated by mutual destruction and injury.

Should the United States and Spain be unable to adjust their present differences by the ordinary methods of peaceful diplomacy, we would urge the resort to arbitration as a course honorable in itself and in accord with the spirit which should animate a Christian nation. This method has been frequently and successfully resorted to by the United States in its intercourse with powerful governments, and would be no less just and honorable when a weaker one is involved in the controversy. In the intercourse between individuals no dispute, however serious or however it may touch an imaginary sense of honor, is regarded as beyond the ordinary peaceful process of the courts. Why, then, should the same principle be less applicable to the settlement of international differences?

We call our Union a Christian nation. The Lord Jesus Christ, whom we thus claim to follow, inculcated a loving regard on the part of His disciples toward all men, even to their enemies. An inspired apostle has declared that "the wisdom that is from above is first pure, then peaceable, gentle, and easy to be intreated, full of mercy and good fruits. * * * And the fruit of righteousness is sown in peace of them that make peace." (James iii, 17-18.)

We would, therefore, express our earnest desire and hope that pacific counsels may still prevail with our honored President, as we have rejoiced to believe that they have in good measure done, in the management of the momentous questions now pressing upon him, and that all departments of the Government may calmly seek for divine counsel so to direct them as to be instrumental in promoting the true interests of our beloved country, and receive the blessing pronounced by the Prince of Peace upon the peacemakers.

By direction and on behalf of a meeting of the representatives aforesaid, held in Philadelphia the 25th day of the Thirdmonth, 1898.

WM. EVANS, *Clerk for the Day.*

Mr. THURSTON presented sundry papers in support of the bill (S. 170) granting an increase of pension to Andrew J. Cook; which were referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. COCKRELL. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 4164) for the correction of the military record of James M. Crabtree, to report it without amendment and submit a report thereon.

I file with the report and the bill the affidavits of R. L. Dugan and R. A. Leonard.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 4165) for the correction of the military record of John R. Leonard, reported it without amendment, and submitted a report thereon.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 3177) to extend the time for the completion of the Fort Smith and Western Railroad, reported it without amendment.

Mr. LODGE, from the Committee on Foreign Relations, to whom the subject was referred, submitted a report, accompanied by a bill (S. 4303) for the purchase of a naval station in the West Indies; which was read twice by its title.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The bill will be placed on the Calendar.

Mr. LODGE. I give notice that to-morrow I shall, at the earliest possible moment, move to take the bill up for consideration in secret legislative session.

Mr. ALLISON. If the bill is to be considered in secret session, I do not see why it should be reported now in open session, though I make no point about it.

Mr. LODGE. I ask that the bill and report be printed at the earliest possible moment.

Mr. SPOONER. What is the subject of the bill?

Mr. LODGE. The bill provides for the purchase of a naval station in the West Indies.

The PRESIDING OFFICER. The bill and report will be printed under the rule.

Mr. LODGE. The report is a very full one.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 298) granting an increase of pension to Charles McAllister, reported it without amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom the subject was referred, reported a bill (S. 4304) to increase the Medical Corps of the Army; which was read twice by its title.

He also, from the same committee, to whom was referred the bill (S. 392) to promote the efficiency of the militia, reported it with amendments, and submitted a report thereon.

ESTATE OF T. C. FINNEY.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 3895) for the relief of the estate of T. C. Finney, deceased, late of Memphis, Tenn., reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 3895) entitled "A bill for the relief of the estate of T. C. Finney," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. RAWLINS introduced a bill (S. 4299) to grant to the State of Utah the Industrial Christian Home in Salt Lake City; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MONEY introduced a bill (S. 4300) for the relief of the legal representatives of Ann D. Halsey, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TURLEY introduced a bill (S. 4301) for the relief of John Conner, sr.; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 4302) granting a pension to Helen G. Sydenham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4305) for the relief of Capt. George A. Armes; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO BILLS.

Mr. ALLEN submitted an amendment relative to the acceptance of a parcel of land, and the erection of a public building thereon, at Wymore, Nebr., intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. BUTLER submitted two amendments relative to the reduction of rates now paid to railroad companies for the transportation of the United States mails, intended to be proposed by him to the Post-Office appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment relative to the deposit of moneys in the registry of the United States courts to the credit of the United States, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. HAWLEY submitted an amendment relative to an increase in the number of medical officers of the Army, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. SHOUP submitted an amendment intended to be proposed by him to the bill (H. R. 3268) to create a circuit court of the United States for the Tenth circuit and to create a court of appeals of the United States for the tenth circuit; which was referred to the Committee on the Judiciary, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 1320) granting a pension to Sophia J. Chilcott;

A bill (S. 1462) granting an increase of pension to Enoch G. Adams;

A bill (S. 1521) granting a pension to Sarah M. Spyker;

A bill (S. 1837) granting a pension to Sarah E. Colton;

A bill (H. R. 290) to increase the pension of William H. Webster;

A bill (H. R. 345) granting an increase of pension to George D. Cook;

A bill (H. R. 771) granting an increase of pension to Bernard Dunn;

A bill (H. R. 1034) granting a pension to William H. Byrum;

A bill (H. R. 1306) increasing the pension of William Warner;

A bill (H. R. 1381) granting an increase of pension to Elisha M. Luckett;

A bill (H. R. 1802) increasing the pension of Mary E. Wallick;

A bill (H. R. 1957) to increase the pension of William P. Cooper;

A bill (H. R. 2199) granting an increase of pension to Henry F. Rice;

A bill (H. R. 2272) granting a pension to John N. Bruce;

A bill (H. R. 2275) granting an increase of pension to Isaac B. Vail;

A bill (H. R. 2295) granting a pension to Mary J. Hart;

A bill (H. R. 2349) granting a pension to Mrs. Weltha Post-Leggett;

A bill (H. R. 2934) granting an increase of pension to R. A. Browning;

A bill (H. R. 2970) to permit an increase of the pension of John A. Anderson;
A bill (H. R. 3160) to place on the pension rolls the name of Minerva Sample;
A bill (H. R. 3184) granting an increase of pension to James H. Blakeman;
A bill (H. R. 3212) granting an increase of pension to Barbara Miller;
A bill (H. R. 3802) increasing the pension of Francis M. Bruner;
A bill (H. R. 3661) granting a pension to Charles L. Stephens;
A bill (H. R. 3798) granting an increase of pension to Milton Iserman;
A bill (H. R. 3915) granting a pension to Delia Elizabeth Woodward;
A bill (H. R. 4116) to increase the pension of Charles G. Short;
A bill (H. R. 4299) for increase of pension to Alexander E. Ingraham;
A bill (H. R. 4467) to increase the pension of Carey H. Russell;
A bill (H. R. 4526) granting a pension to Mary Vockey;
A bill (H. R. 4624) granting an increase of pension to Mary E. Herd;
A bill (H. R. 5083) granting a pension to Thomas Lane;
A bill (H. R. 6931) granting a pension to James B. Rawlins;
A bill (H. R. 7008) granting a pension to R. G. English;
A bill (H. R. 7827) granting a pension to Elizabeth M. Tumy; and
A joint resolution (H. Res. 183) providing for the temporary admission free of duty of naval and military supplies procured abroad.

CONSULAR CORRESPONDENCE ON AFFAIRS IN CUBA.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution reported from the Committee on Foreign Relations, resolution No. 324.

Mr. FRYE. I am instructed by the Committee on Foreign Relations to ask unanimous consent that that resolution may lie on the table until such time as they may desire its consideration.

Mr. PLATT of Connecticut. What is the resolution?

Mr. ALLEN. I trust the Senator from Maine will make that request subject to my right to call it up for discussion this morning.

Mr. SPOONER. I rise to inquire what the resolution is to which the Senator from Maine refers.

Mr. FRYE. It is a resolution calling for the Cuban consular correspondence.

Mr. TELLER. I should like to state that here in the rear of the Chamber we do not hear a word that is going on. We might as well be on the outside of the building.

Mr. FRYE. It is the resolution calling for the Cuban consular correspondence, and I am instructed by the Committee on Foreign Relations to ask unanimous consent that it may lie on the table until such time as they request that it may be taken up.

Mr. ALLEN. Mr. President——

Mr. FRYE. The Senator from Nebraska desires to address the Senate with some remarks in relation to it this morning. I ask unanimous consent that that order may be made after the Senator from Nebraska has completed his remarks, as I may not be here at the completion of his address.

The VICE-PRESIDENT. Will the Senator from Maine have the question taken now?

Mr. FRYE. Yes.

The VICE-PRESIDENT. Is unanimous consent given, as requested by the Senator from Maine, that the resolution shall be taken up when requested by the Committee on Foreign Relations, subject only to the address to be made by the Senator from Nebraska?

Mr. HOAR. I do not understand that that is the request of the Senator from Maine.

Mr. FRYE. The request was that it might lie on the table——

Mr. HOAR. Yes; that it lie on the table.

Mr. FRYE. Until such time as the committee shall request that it may be taken up.

Mr. HOAR. Of course.

Mr. CULLOM. That is all.

Mr. CHANDLER. I do not object, but——

Mr. FRYE. The committee is engaged in the committee room all the time, and there are reasons why it does not wish the resolution to be taken up and passed without the presence of the committee.

Mr. CHANDLER. I make no objection to the resolution being laid on the table, but I do not think a contract should be made by Senators with the Committee on Foreign Relations that the resolution shall never be taken up except by their consent.

Mr. ALLISON. I ask unanimous consent that after the observations of the Senator from Nebraska I may be permitted to proceed during the day with the consideration of the sundry civil appropriation bill.

The VICE-PRESIDENT. The request of the Senator from Maine is before the Senate. Is there any objection?

Mr. CHANDLER. I object to it in the form in which it is put.

Mr. FRYE. Then I move that the resolution be recommitted to the Committee on Foreign Relations.

Mr. ALLEN. Upon that motion I desire to be heard.

Mr. FRYE. I hope the Chair will consider that motion as pending.

Mr. CHANDLER. I suppose the motion to recommit is open to debate, and that we shall hear the views of the Senator from Nebraska on the motion.

The VICE-PRESIDENT. The question before the Senate is the motion to recommit the resolution made by the Senator from Maine. The Senator from Nebraska is entitled to the floor.

Mr. ALLEN. Mr. President, my zeal for Cuban independence is not new born, nor the growth of a mere night. I spoke for the liberation of the Cuban people when it was by no means a popular thing to do, and I recall very distinctly at this time that several years ago the then senior Senator from Florida [Mr. Call] and I were apparently the only persistent and outspoken friends of the Cuban people in this Chamber. We were indefatigable in our advocacy of independence and intervention. We were so persistent that we incurred the displeasure of many Senators, some of whom I am now glad to know have become the sincere and fearless advocates of independence. That I may prove the correctness of my statement, I will refer briefly to the record.

December 4, 1895, I introduced a resolution, of which this is a paragraph:

That the Government of the United States of America should promptly recognize the revolutionists of Cuba, who are now honestly struggling to secure their independence of the Spanish Government, as composing an independent nation and possessing the rights thereof according to the law of nations.

And, in speaking in its support at that time, I said, among other things:

I am of the number who believe that this Government should promptly recognize the revolutionists of Cuba and assist them in all lawful ways to secure their independence of the Spanish Government and enable them to establish an independent republic. I would not have this Government plunge headlong into a needless quarrel with the Spanish Government, but I would lend every assistance that could be lawfully and properly given to the aspirations of the people of Cuba for a republican form of government. I believe it to be the true policy and the true doctrine of our country that whenever a people show themselves desirous of establishing a republican form of government upon any territory adjacent to us they should receive our encouragement and support. If our form of government is the correct one—and of that I have no doubt—then its recognition or establishment in other lands should be encouraged, and when an opportunity shall present itself to us to lend this encouragement it should be promptly and effectually given.

Speaking to the same resolution December 11, 1895, I urged its adoption.

February 27, 1896, I said:

What is there to prohibit this Government, by proper act of Congress, whether it be in the form of a joint or concurrent resolution, from declaring the acknowledgment of the existence of the Cuban Republic; and would not that be a recognition of the independency of that republic, although as a matter of fact it may not have yet succeeded in repelling the power that assails it?

February 28 I introduced this resolution:

Resolved, That the President of the United States be, and he is hereby, authorized and requested to issue a proclamation recognizing the Republic of Cuba as it exists under the constitution and form of government proclaimed at Jimaguaya, under President Cisneros, in the month of May, A. D. 1895, as a free and independent nation, and according the envoy extraordinary and minister plenipotentiary of said Republic all the rights and privileges accorded to the envoy extraordinary and minister plenipotentiary of the Government of Spain.

And in its support said:

The Cubans have an established republic. It may be feeble, it is true, but certainly those people are in possession of three-fourths of that island and its life is maintained by their valor.

When we declare that the Republic of Cuba is an independent and sovereign nation, it becomes such in the meaning of international law, so far as we are concerned, although its complete independence of Spain may not have been accomplished. If the conclusion reached by the Senator from Delaware and the Senator from California is to be accepted as final, there are no circumstances under which a struggling people can be recognized as independent until, unaided and alone, they are able to maintain a government independent of those against whom they are in revolt. This is not the independent government spoken of and recognized by international law.

And again:

Mr. President, I would go further in the interest of humanity than these resolutions propose to go. I would not only recognize the belligerent rights of Cuba, but I would establish her as one of the republics of this earth. If need be, I would muster every man in the United States and every war vessel necessary to the accomplishment of the task, and I would erect on the ashes and ruins of Spain's control of that island a republic modeled after the institutions of our own. Sir, I would not only do that, but, if I had it in my power, I would admit the minister of the Republic of Cuba, feeble as it may be, unimportant in the eyes of the world as it may be, to the diplomatic circles at this capital upon terms of equality with the minister from Spain.

The same day, the Senate having under consideration a concurrent resolution reported from the Committee on Foreign Relations, declaring—

That the United States of America should maintain a strict neutrality

between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

And—

That the friendly offices of the United States should be offered by the President to the Spanish Government for the recognition of the independence of Cuba.

I offered as a substitute the resolution I have just quoted. A motion was made by Mr. Sherman, of Ohio, to lay my amendment on the table, and in support of it a yea-and-nay vote was taken, and the amendment was defeated—yeas 52, nays 17.

March 19, 1896, in discussing the constitutional power and the duty of the Government to recognize Cuban independence, I said, in reply to the Senator from Louisiana [Mr. CAFFERY]:

The Senator from Louisiana, as I said, is talking upon a very important question. Let it be conceded that authority may be found in international law applicable to the case of a kingdom or an empire, where the power of the executive is undoubted; but has the Senator any authority applicable to a Government like ours, where the governing power rests in three coordinate departments, which would lead him to believe that this high power is exclusive in the executive department?

Again, March 20, 1896, in combating the contention of the Senator from Louisiana that the Supreme Court had jurisdiction to determine a question of belligerency, I declared:

That the power to recognize the belligerency or political independence of a people is a purely political question with which the Supreme Court has no concern.

And I held, as I now hold, that it belongs to Congress, or, possibly in some instances, to Congress and the Executive together.

Yet, again, March 23, 1896, in discussing the Cuban question somewhat at length, I said:

Certainly a state of war exists on the Island of Cuba. What is war? Mr. President, it is simply an armed conflict between nations or between parts of nations. It must be something that rises above a riot; it must be a rebellion; and so far as Cuba is concerned, it is a rebellion, with a regular military organization upon the part of the insurgents. If that is not a state of war in fact, then I am entirely mistaken in my conception of what constitutes public war.

And further along:

My understanding is that about two-thirds of the Island of Cuba, possibly three-fourths, is under the dominion of the insurgents under the command of Gomez and Maceo and their followers. There is a distinct portion of that territory that has on its face as well equipped armies as could be expected under the circumstances, where the Republic of Cuba has absolute control and dominion over life and property. That is a portion of the territory through which the Spanish forces do not march and over which they do not exercise any control. There are well-equipped and drilled armies in the field under martial law. I have the number of troops here, to which I am going to refer in a moment. If that does not constitute a state of war, according to the definition of the books—if war is to be fought according to books—then I am mistaken in my understanding of what the books define to be necessary to constitute war.

And again:

Are we to stand here until the Spaniards cut the throats of the Cubans, and until the bloody events pass into the permanent history of the country, before we take any notice of what is transpiring there? We know that a state of war exists there, and the only question, in my judgment, is whether we have the patriotism to say that those people in Cuba who are struggling for their liberty shall be recognized as belligerents and have equal opportunities with the people of Spain in this country and in the ports of this country.

Still again:

If the struggling patriots of Cuba are entitled to any recognition whatever at our hands, why not give them that kind of recognition which will be of benefit to them? Why say to the people of Cuba who are waging this war for the preservation of their political rights, for the preservation of their homes, for the preservation of their wives and children, "We sympathize with you, but we can not extend to you aid under these circumstances?"

Mr. President, it occurs to me that it would be no more cruel to place water within the sight of a dying man upon a desert and to say to him, "We sympathize with you, but we can not give you the water." If we stand here and suffer Spain to apply the knife to the throats of the Cubans, we will be justly chargeable in the eyes of the civilized world with impotency and with cowardice. Why not put these resolutions in the form of a joint resolution? Why not send them to the President of the United States and say to him, "Sign these resolutions, make them a part of the law of the country, or take the responsibility of inviting the adverse criticism of your countrymen?"

A few days ago Senators in this Chamber, to use a phrase which probably is not altogether parliamentary, were falling over one another to vote for the resolution. There was a wonderful burst of patriotism and patriotic sentiment here, among Republicans and Democrats alike—and Populists were inspired a little, too—in order to demonstrate to the world by our votes that we not only sympathized with Cuba, but that we were willing, if need be, to afford her substantial aid under these distressing circumstances.

Yet our patriotism has been sifting out from that moment to this, until it is very doubtful whether the resolutions can pass here to-day. First came the senior Senator from Maine [Mr. HALE] antagonizing the resolutions, then the honorable senior Senator from Massachusetts [Mr. HOAR], and finally the chairman of the Committee on Foreign Relations, I guess, has concluded that it is about time for him to retreat, and we are offered the resolution now before the Senate to recommit the Cuban resolutions for further consideration. I suppose that is the end of it.

February 24, 1897, I introduced the following resolution:

Resolved, That it is the sense of the Senate that the President should speedily and effectually protect the lives and liberties of peaceable American citizens residing or sojourning in Cuba, and that he should promptly insist that Spain in her war against her colonists in the Island of Cuba should conduct the same on principles of civilized warfare, eliminating all unusual and unnecessary cruelty and barbarity; and for the enforcement of these reasonable and just requirements United States battle ships should be sent without delay to Cuban waters.

And on the succeeding day, in discussing and urging its passage, remarked:

It seems to be conclusively established that the Spanish military authorities in Cuba are gathering up the little girls in that island and selling them into a species of slavery, the worst conceivable in the human mind, selling them to lives of shame. Above that and beyond that, it seems to be conclusively established that Spanish soldiers have in one or more instances taken little infants by the heels, held them up, and hacked them to pieces with the deadly machete in the presence of the mothers and the fathers, and then have destroyed the mothers and fathers themselves.

But it does seem to me absolutely humiliating that a government of 72,000,000 people, claiming to be the most powerful government upon the face of the earth, with all the means in its hands to settle this question, will sit idly and supinely here and make no effort to protect these people, these innocent little girls and children, who are being treated with this extreme barbarity from day to day. Here is this decaying monarchy of Spain, a blot upon the map of the world, a disgrace, Mr. President, to the present civilization of Europe, a disgrace to the civilization of the Western Hemisphere; and here is Congress, with this conduct going on almost within 100 miles of our shores, and not a substantial effort is put forth to check it. Mr. President, the time will come, and come speedily, unless we take prompt action in this matter, when a man will have to hang his head in shame for being an American citizen.

Again, February 25, 1897, I said:

For the purpose of testing the question whether we shall have war or peace and whether there is any sincerity in these resolutions, I move that the Indian appropriation bill be temporarily laid aside and that the joint resolution with reference to Julio Sanguily be taken up for consideration.

May 11, 1897, the Senator from Alabama [Mr. MORGAN] having introduced a resolution declaring that a condition of public war existed in Cuba and that neutrality should be maintained, I observed:

The world knows that Spain has been guilty of atrocities that no civilized nation can sustain either directly or indirectly. The cruelties have been without a precedent in the last one hundred years of the world's existence. This Government has sent special agent after special agent to Cuba to ascertain the truth, and yet when we want information from the State Department we have to seek it as supplicants, not as Senators charged with a public duty and capable of discharging that duty. We have to appeal to the State Department or to the executive branch of the Government for information. Repeatedly the Senator from Alabama [Mr. MORGAN] has told us what the facts are, and he is a member of the Committee on Foreign Relations; and yet constantly we have this delay.

* * * * * * *

Is it possible that the United States by this indirection is willing to commit itself to the Spanish policy of atrocity and cruelty?

Is it possible that the President of the United States, or those who may represent him in this Chamber, are willing that these cruelties shall go on and that the Senate shall not voice its conviction of Spanish cruelty in Cuba? If that is the policy, Mr. President, I feel confident that the people of the United States will condemn it. If that is the policy, it is a cowardly policy for any Administration to adopt. The joint resolution ought to be adopted unanimously, without a dissenting voice.

December 8, 1897, I introduced this resolution:

Resolved, That it is the sense of the Senate that Congress should, with all due and convenient speed, acknowledge by appropriate act the political independence of the Republic of Cuba—

And, in support of it, said:

Notwithstanding the President has urged the contrary in his message, I would not be content or satisfied with a simple acknowledgment of the belligerent rights of the people of that island, but I would demand absolute and unconditional political liberty and a recognition of the government they themselves have formed and to whose sovereignty they owe allegiance.

The American people believe in political and religious liberty, and they are anxious to accord to others what they themselves esteem the birthright of all, and I am confident they will not be content with the course advised by this, as they were not with that pursued by the preceding, Administration in withholding from Cuba that priceless blessing.

And further along:

We have declared our unchangeable devotion to the doctrine that this continent shall be free soil and be trodden alone by freemen, and yet we sustain the hold of a tottering and cruel monarchy, the institutions of which are passing into decay and which is satisfied only when inflicting on a civilized people, struggling for their political independence, the most cruel torture. In His own good time, God will call us to account for such rank hypocrisy and such a flagrant neglect of public duty.

February 8, 1898, in speaking on the subject of Cuba, I remarked:

My attention has been called to the fact that since the opening of hostilities between the Republic of Cuba and the Spanish forces in that island 200,000 pacificos have died by starvation and disease generated and directly traceable to the lack of sufficient food and sanitary conditions. I had a conversation a few days ago with a gentleman who is very familiar with the island and the conditions existing there, whose word can not be doubted and whose position warrants him in speaking with authority, in which he informed me that it was the custom of the Spanish Government to herd hundreds of families together in sheds and exposed positions, without any sanitary conditions whatever, starving them until disease as a result of their starvation intervenes, and that over 300,000 of them had died in consequence of that treatment.

Mr. President, I have quoted freely from my resolutions and remarks, not to exalt myself in the eyes of anyone, but to show that in the years that have gone by I have steadfastly advocated the political independence embraced in the present discussion. I have never wavered in the belief nor lost faith in the fact that ultimately Cuba, by force of the public sentiment of this country and of the civilized world and by the gallantry of her soldiers, would win her freedom and add her name to the republics of this continent. I have at all times been convinced that sooner or later she would stand forth, perhaps weak at first but ultimately strong, a splendid young republic added to the grand galaxy of republics of the earth. In the hour of her deepest political night, when there did not seem a ray of hope or a gleam of light, I felt

confident that in the providence of God she would wrest her liberty from Spain and proudly take her station in the ranks of self-governed peoples.

Mr. President, nations, like men, that would accomplish great results must not grow weary; they must not hesitate; they must not turn back; they must not grow faint-hearted, but persistently push on, determined to accomplish their high purpose, and bide the time when an awakened sense of right in the enlightened world will aid them.

During the years of Cuba's gallant struggle for liberty—now happily, in my judgment, almost at an end—there were those who said our Government ought to tender its good offices for autonomy under the Spanish flag, while others favored merely the recognition of belligerency; but Cuba's true friends, penetrating the cloud of darkness, foresaw the outcome of the unhappy and unfortunate condition then prevailing.

Sir, we stand to Cuba as an elder brother. We owe her a duty we can not honorably escape. To desert her at this time would be base cowardice—a cowardice the people of the United States and the men of other generations would not palliate or excuse. We are the guardians of liberty on this continent. We must do our duty without temporizing or hesitancy, not in a swaggering manner like the bravado or the bully; not in a way that will indicate we are moved by prejudice or by passion, but in a manner that will convince the world that we believe the time has come at last when every foot of American soil occupied by the hideous monarchy of Spain should be wrested from her and be henceforth dedicated to the cause of human freedom.

I will not weary the Senate with lengthy remarks. I shall not take time to define my position, for I have defined it an infinite number of times before. I stand now where I stood at the first moment the war began—in favor of prompt, unconditional recognition of the political independence of the Republic of Cuba.

Our ancestors declared to the world that all men are by nature free and equal and entitled to certain inalienable rights, among which are life, liberty, and the pursuit of happiness. They did not confine themselves to the inhabitants of the colonies; they did not limit the declaration to the people of the Western Hemisphere; but they held that all men, under whatever sun they might be born or on whatever soil they might live, were created free and equal and entitled to life, liberty, and the pursuit of happiness.

Sir, I hold human freedom and the right of self-government to be as inalienable as the right to breathe the air or to enjoy the sunlight, or any of the manifold gifts of God to his people. My right to govern myself, if capable of doing so; to believe and act as I will, not interfering with the like right of others, and to worship the Supreme Being in my own way is as inseparable from my existence as life itself. The right of self-government is God-given and inalienable, and whoever violates it flies in the face of Providence and wrests from the individual the most precious gift of all.

Mr. President, for forty years the children of Israel wandered in the wilderness, fleeing from Pharaoh and his host of persecutors and taskmasters. For forty years they sought religious and political freedom in desert wastes. They fled from the land of oppression and bondage to the land of promise that flowed with milk and honey. Their great leader, in the nobleness of his nature, could not endure to see his people in slavery, compelled to make brick without straw for the Egyptians under the lash of their cruel masters. To him was revealed the duty of leading his brethren and the hosts of Israel to the promised land. They started on a journey made memorable by Biblical record—a journey unparalleled in the history of the world.

They had no food for their sustenance, but He who sees even the sparrow's fall fed them with manna and quail from on high. Their raiment was inadequate, but He who clothes the lily of the field wonderfully preserved their garments. Their cause was right. They trusted to God, who guides the destiny of nations and of individuals, and were delivered from the land of captivity and bondage and founded a mighty nation, whose people have increased and spread throughout the earth.

Mr. President, there is a striking similitude found in the condition of the Cubans. Twice forty years they have struggled for liberty and for freedom from Spanish masters. War has been repeatedly waged, thousands of human lives have been lost. While the struggle was an unequal one, resulting in disaster to their cause, they have been inspired by an unquenchable thirst for freedom by the example we furnished them, and they have persevered until now they stand within the dawn of absolute independence under the guidance of the master hand of Maximo Gomez. Gomez will occupy a bright page in the history of his country, now being rapidly written by current events, while Weyler's page will be made infamous by murder and assassination.

Gomez, advanced in years, frail of body, but stout of heart and resolute of purpose, can justly be ranked among the great commanders and revolutionists of the century. Almost any other man at his time of life would have sought repose rather than war, but he chose the field of glory whereon liberty is to be won or lost forever for his countrymen. He spurned bribes and offers of position at the hands of a cowardly Spanish dynasty. He is the firm and steadfast friend of his people, and has smitten the rock that will cause political freedom to gush forth and save a famishing nation.

Gomez, like his illustrious prototype, may not live to see the complete deliverance of his people from the bondage of Spain. He may be permitted to view the promised land from some mountain height and then be lost to the world forever and no man know the place of his burial, but the memory of his deeds will live fresh in the minds of the people as long as liberty has an abiding place on earth.

The life of Spain, extending over two thousand years, is written in innocent blood and is black with crime. Who can turn to the history of Cortez's conquest of Mexico from 1518 to 1521 and read of the hundreds of thousands of inoffensive men and women who were slain without turning from the appalling account sick at heart; or to Pizarro's expedition to Peru, where thousands of innocent lives were sacrificed and the Inca foully murdered after having paid over 4,600,000 ducats as the price of peace for his country; or to the account of the Duke of Alva in the Netherlands, whose crimes are so vividly portrayed by the historian Motley, without being absolutely appalled.

This savage monster first established what is known in history as the Blood Council. He destroyed all domestic judicial tribunals, and before himself and his Blood Council the innocent peasantry were brought for trial; but they were not tried. Without evidence and without hearing they were indiscriminately sent to the stake, to the rope, or to the funeral pile. The sickening account of blood and death is thus related:

> Thus the whole country became a charnel house; the death bell tolled hourly in every village; not a family but was called to mourn for its dearest relatives, while the survivors stalked listlessly about, the ghosts of their former selves, among the wrecks of their former homes. The spirit of the nation, within a few months after the arrival of Alva, seemed hopelessly broken. * * * The blood of its best and bravest had already stained the scaffold; men to whom it had been accustomed to look for guidance and protection were dead, in prison, or in exile. Submission had ceased to be of any avail, flight was impossible, and the spirit of vengeance had lighted at every fireside. The mourners went daily about the streets, for there was hardly a house which had not been made desolate.
>
> The scaffolds, the gallows, the funeral piles which had been sufficient in ordinary times, furnished now an entirely inadequate machinery for the incessant executions. Columns and stakes in every street, the doorposts of private houses, the fences in the fields, were laden with human carcasses, strangled, burned, beheaded. The orchards in the country bore on many a tree the hideous fruit of human bodies. Thus the Netherlands were crushed, and, but for the stringency of the tyranny which had now closed their gates, would have been depopulated.

Mr. President, this is a most striking and vivid parallel of the career of Weyler. That monster went to Cuba with the deliberate and premeditated purpose of depopulating it by every known process of extermination. The midnight darkness was made lurid by the torch applied to the habitations of a peaceful peasantry and the inhabitants were shot down or hacked to death by the machete in the light of the consuming flames. Those who were not engaged in the war and gave it no aid or sympathy, old men, innocent women, and sucklings, were destroyed indiscriminately.

Women were violated in the most shocking manner and destroyed, while orphaned children, as they wandered aimlessly about, were killed by an idle and reckless soldiery whose occupation is murder and whose pastime is pillage. The prison was the tomb from which none were permitted to escape alive. There was universal destruction, devastation, mourning, and ashes. Finally, being convinced that death was not speedy enough for his purpose, Weyler issued an order that all the pacificos should be concentrated at stated places, huddled together like animals, not furnished with food nor permitted to seek it for themselves, and, having no sanitary conveniences, they became the victims of certain starvation until the record of mortality, as we are informed, has reached 500,000 souls.

We have heard from the Senator from Vermont [Mr. PROCTOR], from the Senator from New Hampshire [Mr. GALLINGER], from my colleague [Mr. THURSTON], and from the Senator from Mississippi [Mr. MONEY] vivid relations of the sad story of death and devastation. In all history a more hideous and cruel character than Weyler can not be found. Cortez, Pizarro, the Duke of Alva, and Weyler will stand forth in all ages as typical Spanish soldiers, and Weyler will be regarded as the most inhuman of all. They are the butchers of the past and present age. The sea-green Robespierre in the palmiest days of the French Revolution, when heads were falling daily by the hundreds, was not more malicious or more fiendish than Weyler in Cuba, but 90 miles from our shores.

Is it to be supposed that the American people, the Christian conscience of the world, will longer submit to this wholesale murder and assassination? Weyler's rule was absolutism, tempered alone by murder and modified by assassination. The aim was

total extermination of the inhabitants of the island and a repeopling of that blood-soaked land by willing slaves from Spain and other servile countries.

Mr. President, I pass for a moment only to the sinking of the battle ship *Maine*. According to the recent custom of nations an armed vessel is permitted to enter the port of a friendly power and anchor at such place as may be designated by competent authority. The anchorage may be changed at the instance of the nation owning the port. It is an act of courtesy recognized by civilized governments. It can not be doubted that when an armed vessel of one nation enters the port of another and casts anchor in her waters at a place designated by her authorities there is at least an implied guaranty that the place of anchorage is reasonably safe and that no mine or outside explosive is concealed beneath the waves to send her to the bottom and the souls of her inmates to eternity.

I am not disposed to discuss the painful circumstances of the destruction of the *Maine* and the loss of life incident thereto. It is humiliating, it is mortifying, to say nothing of the inhumanity attending the act. I fully concur in the opinion that Spain must be made to atone for this wholesale murder, not by the payment of money, for she does not possess gold enough to compensate the insult offered this nation, or for one precious human life lost in the disaster of February 15. But she must compensate by freeing Cuba, by furling her dirty flag and leaving the Western Hemisphere never to return again; never, at least, while the Government of the United States exists and exercises a controlling influence in the politics of this continent.

Mr. President, I am the jingo of jingoes. From the time the war broke out between Spain and Cuba I have been the steadfast and uncompromising advocate of independence. I have never doubted that it would be won, although at times it looked dark; but that ultimately the Cubans would be able to wrest their freedom from the Spanish throne I have always thought certain, and they stand to-day in hailing distance of a new and more perfect civilization. Whatever adjustment is made of the *Maine* disaster, one thing must be definitely understood—it must not be submitted to the arbitrament of foreign powers. Spain must reckon with the American people alone.

Mr. President, possibly I would have exhibited better taste by closing my remarks in simply calling attention to the resolutions I have offered and the speeches I have made on the subject of recognizing Cuban independence, but I have thought it not out of place to take a brief general view of the Cuban situation.

I rejoice to know that the American people have become aroused to the extent that they will no longer listen to Spanish lying or give ear to Spanish threats. We are not a nation of braggarts; we do not seek war with Spain or with any other country. We will resort to arms only when our cause is just and when the enlightened judgment of the American people and of the world will approve our conduct. But, sir, because we are peace loving it must not be thought we are unmindful of the duties imposed on us or that our people are lacking in spirit. We at all times seek peace rather than war, but not that kind of peace that is to be purchased at any price, nor peace with Cuba in chains. In the language of the English ballad—

> We don't want to fight, but, by jingo, if we do,
> We've got the ships, we've got the men, we've got the money, too.

If Spain will hunt down and execute the deadly assassin who, under cover of darkness, sunk the battle ship *Maine* and sent, without warning, 266 souls into the presence of their Maker; if she will relinquish her occupancy of Cuba, take down her flag from this continent—a flag whose only claim to public attention is that it is stained with twenty centuries of innocent blood, cruelty, and crime—and leave American soil forever, we will be content. We have no greed for Spanish territory nor for Spanish gold. Our policy is that of a contented, domestic people. We do not want Cuba. We do not even desire to be her guardian. But we are determined she shall be free and that for all time we will be rid of the close proximity of a nation whose chief occupation is the shedding of innocent blood.

The torch that has lighted Cuba so long must be extinguished, the shrieks of dying women and children must be hushed, broken hearts must be bound up, wounds be healed, the prison pens be opened, and the people made free. Cuba, now draped in mourning, must once more become the gem of the Caribbean Sea, and when all these shall have been accomplished, speedily, let us hope, the American people can well afford to announce to the world that their account with the Spanish Kingdom is forever closed.

Sir, if I could have my own way, I would promptly recall our minister from Madrid and give Spain's minister at Washington his passport. I would close forever the political, financial, and commercial relations of the two nations, and not again permit an armed Spaniard to set foot on American soil.

Mr. President, it is well known that I am thoroughly and unalterably opposed to the President in most of his policies. It would be impossible for us to be brought together unless he should cease to be a Republican and become a Populist, a thing he probably will not do. I have no faith that our country can ever become permanently prosperous by an application of the domestic policies he would enforce.

But in this time of great national anxiety, when there is an impending cloud of war, as one of the Senators of one of the greatest and best States of the Union, I am willing to give him my support and encouragement and aid him in the solution of this troublesome question. In the presence of the grave circumstances now confronting the American people all mere party differences must for the time be laid aside, and all American citizens, regardless of political affiliation, stand together for the honor and glory of their country.

Sir, in all I have said in behalf of Cuban independence in the years gone by, from the time the subject first came to the notice of Congress to this moment, my conscience has been my sole guide. It has been—

> A lamp unto my feet and a light unto my path.

I have said for the Cubans what I would say for any other nation under like circumstances, and what I would want them to say for my country if positions were changed.

Mr. President, I believe Cuba is free. I believe but a few more days and we will witness the flag of the new Republic, consecrated by thousands of human lives, by so much blood, by the tears and groans of her people, the wailing of her womanhood and the sacrifice of her childhood, waving in triumph from Pinar del Rio to Santiago de Cuba. Then we will be able to exclaim, as did one of old:

> The Spirit of the Lord is upon me, because he hath anointed me to preach the gospel to the poor; he hath sent me to heal the broken hearted, to preach deliverance to the captives, and recovering of sight to the blind, to set at liberty them that are bruised, to preach the acceptable year of the Lord.

Mr. CHANDLER. Mr. President, the resolution now before the Senate was reported yesterday by the junior Senator from Maine [Mr. FRYE] from the Committee on Foreign Relations. It requests the President—

> If not incompatible with the public interest, to transmit to the Senate all of the consular correspondence relating to the conduct of the war in the Island of Cuba, the condition of the people, and other matters relating thereto.

The Senator from Maine twice stated in connection with the resolution yesterday that he should to-day ask for its consideration. The Senator now asks that the resolution may lie on the table, not to be called up without the consent of the Committee on Foreign Relations, and that request being objected to, he asks that it may be recommitted to the Committee on Foreign Relations.

This action indicates doubt and indecision on the part of the Committee on Foreign Relations, perhaps proper under existing circumstances. Yesterday they thought there ought to be a new call made upon the President of the United States for information as to the condition of the Cuban population. To-day they think the call ought to be delayed.

Mr. President, the first call made upon the President for information as to the condition of the suffering Cubans brought about by the Cuban war was adopted by the Senate on motion of the senior Senator from Alabama [Mr. MORGAN] on the 14th day of February. The first clause of the resolution then agreed to unanimously by the Senate requested the President—

> If in his opinion it is not incompatible with the public service, to send to the Senate copies of the reports of the consul-general and of the consuls of the United States in Cuba written or received since March 4, 1897, which relate to the state of the war in that island and the condition of the people there, or that he will send such parts of said reports as will inform the Senate as to these facts.

On the same day, the 14th of February, a resolution was reported from the Committee on Foreign Affairs of the House of Representatives, calling for the same information on that day asked for by the Senate. The House request was stated in detail and asked for full information on all points in relation to the condition of the Cubans in the Island of Cuba in connection with the pending war.

Mr. President, on the next day, February 15, at 9.40 o'clock in the evening, an answer to those resolutions came from Spain, but to this hour no answer has been received from the President of the United States. I am not unaware that there may be reasons why this information should be withheld. I am bound to presume that there are such reasons from the fact that from the 14th day of February until this moment we have had from the Executive no statement of the knowledge possessed by him as to the condition of the people of Cuba derived from the reports of Consul-General Lee and the other consuls on the island.

But the Senate and the country are not without some information as to the condition of the Cuban people. Such information was needed by the Senate and the country in order to determine what action, if any, should be taken by the United States in connection with the war in Cuba, and it has been furnished to us by four members of this body who have seen with their own eyes, who have heard with their own ears, and who have testified to us what they know on this subject; and whatever criticisms may be

made concerning the visit of any of those Senators to the Island of Cuba, I take occasion to say that the four Senators have rendered the greatest possible service they could render at this time to their own country, to the world, and to suffering humanity.

Mr. President, if there is any reason why the country should not know whether or not the official reports of Consul-General Lee and the United States consuls in Cuba confirm or refute the stories which have been told to us by our associates, I should be glad to be so informed. I do not myself believe there is a sufficient reason for withholding the reports of the consuls. I am impressed with the idea that the reports might have been sent in immediately after the calls were made upon the 14th of February, and I certainly think that upon the 16th day of February, after the news had come to the people of the United States of the destruction of the *Maine*, the Congress and the people of the United States ought to have been told what the testimony was on file in the State Department concerning the condition of the oppressed Cuban population.

But, Mr. President, I am not disposed to enlarge upon this subject. I have the fullest confidence in the Committee on Foreign Relations. I have confidence that the President of the United States intends to pursue a patriotic and righteous course in the pending crisis; and I shall thank God when he announces his conclusion concerning the present emergency. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. CHANDLER. Therefore I am not in rebellion as yet against the powers that be. I wait upon the President of the United States; I wait upon the Committee on Foreign Relations; but I do feel that as that committee yesterday deemed it advisable that this second call should be made upon the President for information and now have reached the conclusion that the second call should not be made, the Senator from Maine ought to give us some reason for their delay.

Mr. FRYE. Mr. President, the confidence which the Senator from New Hampshire expresses in the Committee on Foreign Relations renders any reply to his remarks unnecessary. The committee are acting advisedly in asking that this resolution may, for the present, lie over.

Mr. GRAY. We will try to be worthy of that confidence.

Mr. FRYE. And, as the Senator from Delaware says, we will try to entitle ourselves to the confidence which the Senator from New Hampshire reposes in us.

Mr. CHANDLER. Individually the two Senators before me have always had my confidence. Collectively, sometimes I think they are wrong and make mistakes.

Mr. FRYE. The committee has been made aware of that fact on several occasions.

Mr. CHANDLER. Undoubtedly. I shall always commend the two Senators when they are doing right and admonish them when I think they are doing wrong. I wish to be informed what is the present request of the Senator from Maine concerning his resolution.

Mr. FRYE. I made a motion to recommit.

Mr. CHANDLER. I shall not object to the control by the committee of their own resolution. They may start and back and start and back and start again, and I will help them whenever I can. I do not object if I may be allowed to offer a resolution myself and have it go over until to-morrow.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maine to recommit the resolution to the Committee on Foreign Relations.

The motion was agreed to.

Mr. CHANDLER. I present a resolution which I ask may be read and lie over.

The VICE-PRESIDENT. The resolution will be read.

The resolution was read, as follows:

Resolved, That the President be requested, if it is not incompatible with the public service, to send to the Senate the copies of the reports of the consul-general and of the consuls of the United States in Cuba referred to in the resolution of the Senate adopted on February 14, 1898.

Mr. FRYE. I give notice to the Senator from New Hampshire that to-morrow when the resolution is called up, I shall move its reference to the Committee on Foreign Relations.

Mr. CHANDLER. I am very much obliged to the Senator from Maine for the information.

The VICE-PRESIDENT. The resolution will lie over.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Senate to take up the bill (H. R. 8438) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

Mr. GALLINGER. Mr. President, I shall not object to the request of the Senator from Iowa, knowing that if he chose to move to take up the bill, it would undoubtedly be carried in the Senate; but I wish to call the attention of the Senator to the fact that the quarantine bill—a very important measure—is before the Senate, and I suggested yesterday that I desired to address the Senate on it to-day. I am quite content to have it go over for a few days, if necessary, or for a day or two, until the appropriation bill is out of the way; but I wish to say in the absence of the Senator from Missouri [Mr. VEST], who has charge of the so-called quarantine bill, that the other members of the committee are very anxious to have it pressed to a vote, so that the country may know whether or not we are to have legislation on this important measure.

Mr. ALLISON. I was not aware of the notice given by the Senator from New Hampshire. I take it for granted he will yield for an appropriation bill at any time.

Mr. GALLINGER. Certainly.

Mr. ALLISON. Therefore I hope there will be no objection to taking up the bill.

The VICE-PRESIDENT. The Senator from Iowa asks unanimous consent for the present consideration of the sundry civil appropriation bill. Is there objection? The Chair hears none.

UNCOMPAHGRE INDIAN RESERVATION.

Mr. PETTIGREW. I ask the Senator from Iowa to yield to me for the present consideration of the joint resolution (H. Res. 199) to postpone the opening of the Uncompahgre Indian Reservation, in the State of Utah.

Mr. ALLISON. I yield.

Mr. PETTIGREW. It was up yesterday and was objected to. I understand there will be no objection to it at the present time.

The VICE-PRESIDENT. The Senator from South Dakota asks unanimous consent for the present consideration of the joint resolution indicated by him. Is there objection?

Mr. COCKRELL. I call the attention of the Senator from Arkansas [Mr. JONES] to the request.

Mr. JONES of Arkansas. Has the joint resolution been modified to meet the views of the Senator from Minnesota [Mr. NELSON]?

Mr. NELSON. I have withdrawn objection to the consideration of the joint resolution, but in my opinion the changes which I suggested to the Senator from Arkansas ought to be made. They are not consented to, however. I think the effect of the Senate amendment will be to open all gilsonite lands outside of those surveyed to anybody who sees fit to take them; and that will be contrary to the spirit of the law. I think the words "known to contain" ought not to be in the Senate amendment, but I shall not take the responsibility of objecting to the measure, inasmuch as it is claimed to be important that it should pass. But in my opinion those words in the joint resolution will lead to this condition, that all gilsonite lands outside of the little which has been surveyed will be secured, and it will ultimately lead to a scandal.

Mr. JONES of Arkansas. I agree with the Senator from Minnesota that the term "known to contain" ought to be stricken out. I do not believe it is proper and right. Before objecting, I ask the attention of the Senator from South Dakota and the Senator from Utah, who I understand are taking some interest in the matter, to this expression:

That all lands within said reservation other than agricultural land and lands known to contain asphaltum.

There is no reason why lands containing asphaltum, whether it is known at the present time or not, should not be excepted from the operation of the measure. Any lands containing asphaltum ought to be excepted from the bill, and it ought to be made clear. I suggest to the Senators that the words "known to contain" ought to be stricken out; so as to read:

That all lands within said reservation other than agricultural land and lands containing asphaltum, etc.

I suggest the omission of those words and changing the word "contain" to "containing."

Mr. PETTIGREW. I will say to the Senator from Arkansas that the amendment is not mine. However, I believe that in the form in which I have presented the joint resolution it is entirely proper and that it protects the interests of the people of the United States. A large body of land containing gilsonite was discovered within this reservation. We sent the Geological Survey there, which investigated it and mapped it. It is supposed they have found and mapped all there is. Now, I can see no reason why, when we have reserved that which is already known, the other portion of this reservation shall not be opened to American enterprise.

The joint resolution opens it to the explorer to find a gold mine, and if he finds it his title is secure under the laws of the United States. If he finds gilsonite or elaterite or kindred substances through his energy and enterprise, why should that land be reserved, when a gold mine, if he should find one, even if it contained untold millions, would be accorded to him at once? It is a

reward for enterprise and discovery that induces the miner to go into that region, and if he finds beds of gilsonite not now discovered there is no reason under heaven why he should not have the same right to enter those under the mineral laws as to enter gold mines.

However, so far as I am personally concerned, I have no objection to the amendment of the Senator from Arkansas, but the Senators from Utah object, and if we are to get this measure through, it must be by unanimous consent; for by to-morrow this country will be open to settlement, agricultural and mineral lands as well.

Mr. NELSON. The gilsonite lands will not be open to settlement.

Mr. RAWLINS. Mr. President, the proposed amendment to the joint resolution as it passed the House was so framed as to be satisfactory to the representatives of the views entertained by some Senators, and it seems to me there is no reasonable objection to the words which are sought to be stricken out.

Mr. President, as already stated by the Senator from South Dakota, these lands in the Uncompahgre Indian Reservation have been subjected to a careful examination under the Geological Bureau, and all the lands supposed to contain asphaltum or gilsonite have been investigated, and a report as to those lands has been made by the Department. If there are any lands containing asphaltum outside of the pieces thus designated and described, they are unknown. It is the purpose of the joint resolution to throw open to entry on and after the 1st of April of this year all lands within that reservation excepting agricultural lands, and it is the design to give six months additional time to the Department to allot those lands to the Indians and to except lands known to contain asphaltum and gilsonite.

I am unwilling that the word "known" shall be stricken from the joint resolution for this reason: That is a desolate country. The poor prospector will go out when these lands are thrown open to prospect and enter under the mineral-land laws of the United States, and he may locate his mining claim 1,500 feet long and 600 feet wide; he may spend one, two, three years, or any other number of years and all the money he has in the development of his claim; and if in the course of that development work he should strike a vein of elaterite or gilsonite or asphaltum, I think he is entitled to it.

It is the rule which now prevails. For instance, if a man enters agricultural land and obtains title to it, mineral being unknown to exist in the land, and he should subsequently discover any valuable mineral upon the land, he is entitled to it. If a man locates a mining claim for lead, supposing it to contain lead, and it subsequently develops that it contains some other valuable mineral, he is entitled to it. I am unwilling to cloud the title of every man who goes into that desolate country and endures the hardships which he necessarily is compelled to endure in locating and developing a claim, as we would do, because, if the contention of the Senator from Minnesota and the Senator from Arkansas is correct, if he should locate land and subsequently obtain title to it and thereafter it should be discovered that there was some asphaltum or gilsonite or elaterite on the land, his title would be destroyed.

Again, there is no reason why this word should be stricken out, because the sole object of the reservation of these asphaltum lands from entry under the mineral-land laws, as I understand it, is that this mineral is known and located, and a man going in there and locating it would not have to run any risks in respect to its discovery. Therefore it is sought to reserve these lands in order to dispose of them by some other method. If the Senator from Arkansas is unwilling to let this measure pass as it is proposed, I shall be compelled to object to its consideration.

Mr. JONES of Arkansas. I believe it is very important that the time for opening this land shall be extended, and I am very anxious to comply with the request of the Interior Department to do it, but if the Senator from Utah is inclined to say that that can only be done on the condition that he shall be allowed to change the laws now applying to gilsonite lands, I say at once it can not be done.

Mr. STEWART. What is the amendment pending?

Mr. RAWLINS. The question is as to the consideration of the joint resolution, and I object.

Mr. JONES of Arkansas. There was a request for unanimous consent, which has not been granted. The discussion has been proceeding by unanimous consent.

The VICE-PRESIDENT. Unanimous consent has not been given. The amendment was proposed without unanimous consent having been formally given.

Mr. NELSON. I desire to say to the Senator from Arkansas that he is absolutely correct; that if the amendment is adopted it will change the existing law in respect to the disposal of gilsonite lands.

Mr. JONES of Arkansas. There can be no question about it.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. JONES of Arkansas. I object.

The VICE-PRESIDENT. Objection is made.

Mr. JONES of Arkansas. I am perfectly willing to allow the joint resolution to pass as it comes from the House. I have no objection to the amendment proposed by the Senator from Utah if he will allow the land laws as applied to gilsonite lands to remain as they are; but if the measure as it comes from the other House can not be allowed to pass without a material change in the law in regard to gilsonite lands, I shall object to the present consideration of the joint resolution.

The VICE-PRESIDENT. Objection is made.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the following acts:

An act (S. 179) granting a pension to Mary F. Hawley;

An act (S. 294) granting increase of pension to John J. Boatwright;

An act (S. 1111) granting an increase of pension to Joseph V. Bowie;

An act (S. 1200) granting a pension to Miss Mary Hayne;

An act (S. 1465) granting an increase of pension to Daniel Phillips;

An act (S. 3179) granting a pension to Bethiah H. Rollins; and

An act (S. 3873) to authorize the relocation and rebuilding of a pontoon bridge across the Mississippi River at Prairie du Chien, Wis.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes; in which it requested the concurrence of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask that the sundry civil appropriation bill be now proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. ALLISON. I ask unanimous consent that in the consideration of the bill the formal reading be dispensed with and that the bill be read for action upon the amendments, the amendments of the committee to be first considered.

Mr. NELSON. I want to reserve all points of order in connection with the bill. By waiving the formal reading I do not want to waive any point of order.

Mr. ALLISON. I will say to the Senator from Minnesota that he will have an opportunity to make any points upon any items in the bill.

Mr. NELSON. Very well. That is all.

The PRESIDING OFFICER (Mr. PERKINS in the chair). If there be no objection, the course suggested by the Senator from Iowa will be pursued.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the head of "Under the Treasury Department," on page 2, after line 9, to insert:

For completion of construction of a one-story annex building to the temporary post-office building at Chicago, Ill., $20,000.

The amendment was agreed to.

The next amendment was, on page 2, after line 21, to insert:

Old post-office building, Detroit, Mich.: That the Secretary of the Treasury is hereby directed to disregard sections 2 and 3 of the act entitled "An act to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.," approved March 2, 1895, authorizing the sale of the old post-office building located in the city of Detroit, Mich., and is hereby authorized to transfer from the appropriations heretofore made for the construction of a new public building in said city such sum as may be necessary to remodel said old post-office building and put the same in suitable repair for the use and accommodation of the Government departments at said city of Detroit, Mich.

The amendment was agreed to.

Mr. ALLISON. At the request of the Senator from Indiana [Mr. FAIRBANKS], the chairman of the Committee on Immigration, I ask that the amendments relating to immigrant buildings at Ellis Island may be passed over for the present, so that lines 10 to 19, inclusive, shall be open—all that deals with the subject.

The PRESIDING OFFICER. The amendments indicated by the Senator from Iowa will be passed over for the present, if there be no objection.

The next amendment of the Committee on Appropriations was, on page 3, after line 19, to insert:

For post-office and custom-house at Jacksonville, Fla.: For outbuilding for toilet-room purposes, $2,500.

The amendment was agreed to.

The next amendment was, on page 4, after line 9, to insert:

For mint building at San Francisco, Cal.: For necessary repairs, $45,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 4, after line 12, to insert:

For post-office at Annapolis, Md.: To enable the Secretary of the Treasury to select, designate, and procure, by purchase or otherwise, a suitable site, and to commence the construction of a fireproof post-office building thereon, in the city of Annapolis, Md., said site to contain at least 16,000 square feet of ground, and to leave an open space around the building to be erected thereon, including streets and alleys, of 40 feet, $120,000.

The amendment was agreed to,

The next amendment was, on page 4, after line 21, to insert:

Purchase of old Globe Building: To enable the Secretary of the Treasury to purchase the following real estate in the city of Washington, D. C., with the improvements thereon, known and designated as original lots No. 14 and 15, and part of original lot No. 16, in reservation No. 10, beginning, for said part of lot 16, 70 feet 2 inches northwardly from Pennsylvania avenue and running back with the full width of the lot to the public alley in the rear thereof, and containing 11,146 square feet, being the property of Edward H. Thomas, trustee, $45,000, or so much thereof as may be necessary.

Mr. NELSON. Mr. President, against that amendment I make the point of order that it is not a proper amendment under the first subdivision and the third subdivision of Rule XVI. It is entirely a new appropriation, and is not in pursuance of any existing law. The amendment provides for the purchase of an old, dilapidated building along the Avenue that was on the market when I came to Washington first, in 1883. I noticed in the newspapers a short time ago that a real estate man by the name of Warner has now got control of the property. I see the amendment says it belongs to Thomas, trustee. Why the Government should buy that old, dilapidated building at $45,000 I do not know. I make the point of order that the amendment is contrary to the provisions of Rule XVI of the Senate rules.

The PRESIDING OFFICER. The Senator from Minnesota makes a point of order against the amendment under Rule XVI.

Mr. COCKRELL. I wish to state that it does not seem pertinent for any point of order to lie against any action which the Senate and the House may desire for their own convenience and for the management of their own business. The amendment provides for the purchase of the building for the benefit of the Senate and the House, and it is certainly no ordinary legislation, such as is contemplated by the rule.

Mr. NELSON. Nothing of the kind appears on the face of the amendment, and that can be urged in reference to any item of appropriation. It is an entirely new appropriation; it is not in pursuance of any existing law, and I am surprised to find it in this appropriation bill. When we who are not fortunate enough to be on the Appropriations Committee have any matters to bring before that committee, when we desire to have any appropriations put on, we are met with a most solemn countenance and told, "You can not put this on; it is contrary to the rules; it is new legislation; it is an increase of the appropriation."

I think when the members of the Appropriations Committee apply these rigid rules to us, they ought at least to apply the same rules to themselves. Here is an old piece of dilapidated property that has been on the market here for a generation, down on the Avenue, and now it is proposed in these times, when the Government is economizing in all directions and getting ready for war, you might say, to buy the old lumbering building.

The PRESIDING OFFICER. The Chair will direct the Secretary to read for the information of the Senate the clauses of the rule bearing on the point of order raised by the Senator from Minnesota.

The Secretary read as follows:

RULE XVI.

AMENDMENTS TO APPROPRIATION BILLS.

1. All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

The PRESIDING OFFICER. The point of order made——

Mr. COCKRELL. One moment, Mr. President. Let me state the case. This amendment was referred to the Committee on Public Buildings and Grounds and favorably reported by that committee. It is clearly within the purview of the rule.

The PRESIDING OFFICER. The Chair was about to so state. The present occupant of the chair, occupying it by courtesy, thinks the question should be delegated to the Senate to pass upon. Therefore those who are in favor of sustaining the point of order made by the Senator from Minnesota will please signify the same by saying "aye;" contrary minded, "no." [Putting the question.] The "noes" appear to have it.

Mr. NELSON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STEWART. Before the vote is taken, I should like to inquire whether the amendment reported by the Committee on Appropriations was recommended by any committee or how it got on the bill. What is its status? Was it recommended by a standing or a select committee?

Mr. ALLISON. The amendment was introduced by some Senator—I do not remember who introduced it—and referred to the Committee on Public Buildings and Grounds. That committee reported favorably upon it and it was sent to the Committee on Appropriations under the rule. The Committee on Appropriations made an investigation, such an investigation as they could, respecting it, and thought it would be a wise thing to purchase the building, to be used by the two Houses for storage purposes in lieu of rented buildings now occupied by the two Houses costing $3,600 per annum. I have no care about the amendment, but I do not think that it is in any sense liable to a point of order. If we can not rent a building or buy one for our own immediate purposes, I do not see how we can get on. The Committee on Appropriations, as far as I know, have no special desire about the amendment one way or the other.

Mr. SPOONER. I should like to have the Senator from Minnesota restate his point of order.

Mr. NELSON. I will state my point of order succinctly. This is a new item of appropriation put in the bill, and it is not in pursuance of any existing law or treaty stipulation.

No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law or treaty stipulation.

Now, this is a new item of appropriation, and it is not made——

Mr. SPOONER. I had always supposed that rule applied to amendments offered on the floor of the Senate.

Mr. NELSON. It applies to all amendments.

Mr. SPOONER. I supposed it applied to amendments offered after the bill was reported.

Mr. BERRY. The Senator from Minnesota did not read all of the rule. The rule says:

Or unless the same be moved by direction of a standing or select committee of the Senate.

Mr. NELSON. That is another requisite. Those are both conditions. First, it must be recommended by a committee; and then it must be in pursuance of existing law. We are always met with that by the Appropriations Committee when we seek to get appropriations made; that the amendment is not in pursuance of existing law. We frequently get amendments recommended by other committees. In my experience I have had amendments referred to that committee recommended by other committees, and yet I have been politely told (and I do not find any fault with it) that it is not in pursuance of existing law; that it is new legislation.

A rule that is applied with such rigidity to us, the Committee on Appropriations ought to apply to themselves. The only excuse is that they want the old Globe Building, that has been an eyesore here on Pennsylvania avenue for years, as a sort of lumbering storeroom, and especially now, when we are getting the new Post-Office building ready and will have ample room. The idea of buying an old closet to store the odds and ends of creation on Pennsylvania avenue at this time for $45,000 seems to me supremely out of place. For that reason I object to the amendment both on its merits and as being, under the rules of the Senate, subject to a point of order.

Mr. WOLCOTT. This is an important matter, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The roll will be called by the Secretary.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Faulkner,	Mallory,	Shoup,
Allen,	Gallinger,	Martin,	Smith,
Allison,	Gear,	Mitchell,	Spooner,
Bacon,	Gorman,	Money,	Stewart,
Bate,	Hale,	Morrill,	Teller,
Berry,	Hanna,	Murphy,	Thurston,
Butler,	Hansbrough,	Nelson,	Tillman,
Cannon,	Harris,	Pasco,	Turley,
Carter,	Hawley,	Penrose,	Turner,
Chandler,	Hoar,	Perkins,	Walthall,
Chilton,	Jones, Ark.	Pettus,	Wetmore,
Clay,	Jones, Nev.	Platt, Conn.	Wilson,
Cockrell,	Lodge,	Platt, N. Y.	Wolcott.
Deboe,	McBride,	Pritchard,	
Elkins,	McEnery,	Rawlins,	
Fairbanks,	McMillan,	Sewell,	

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. A quorum is present.

Mr. CHILTON. Mr. President, the point of order made by the Senator from Minnesota, it seems to me, is clearly untenable. While I sympathize in a general way with the object of the Senator, yet it will be impossible to reach the item except by a vote. The rule referred to provides that—

All general appropriation bills shall be referred to the Committee on Appropriations, except bills making appropriations for rivers and harbors, which shall be referred to the Committee on Commerce; and no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation—

That is this case—

unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or—

Not "and" but "or"—

or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the Departments.

Now, if either of those alternatives be met, the item of appropriation is in order in the shape of an amendment to a general appropriation bill. A distinction must be drawn between new items of appropriation and items of general legislation which would be governed by the third clause of this rule. If it were general legislation proposed in the shape of an amendment to an appropriation bill, then the fact that it was reported by some standing or select committee of the Senate would not relieve it from the point of order. A distinction must also be drawn between a new item of appropriation such as this and an item of appropriation in payment of a private claim.

If this were an amendment to pay a private claim, then it would fall under section 4 of the rule and would be subject to the point of order, unless it was to carry out the provision of an existing law or a treaty stipulation. But, sir, being a new item of appropriation it is clearly in order if either state of case which I have described be met; that is, it may be proposed either under the estimate of a Department, under a law or a treaty, under an act or resolution of the Senate passed at the same session, or moved by a standing or select committee of this body.

Mr. COCKRELL. This amendment was recommended by a committee.

Mr. CHILTON. It has been so stated, and hence the point of order can not be sustained.

Mr. NELSON. To save time, and probably it will amount to the same thing, I will withdraw the point of order and ask for a yea-and-nay vote on the amendment.

Mr. STEWART. Before the vote is taken, I should like to make some inquiry in regard to the pending amendment and the one that follows it. I do not know so much about the value of the old Globe Building. The size of the lot and the frontage on the Avenue are not given. The description of it is very incomplete, and there is no statement that will enable the Senate to make a fair estimate of its value and no statement showing the necessity for it. The next amendment, which is connected with the one pending, is to me very objectionable. It proposes to purchase the Union Building:

Purchase of Union Building: To enable the Secretary of the Treasury to purchase lots B and C, 3 and 4, in square No. 454, situated on the north side of G street between Sixth and Seventh streets, in the city of Washington, D. C., and improved by a building known as the Union Building, $650,000, or so much thereof as may be necessary.

I know something about that building, having stabled my horses near that location while it was being constructed, and I know it is a very roughly constructed building, a cheap building, and not such a building as the Government of the United States wants for any purpose.

If we want a building, we ought to have one properly constructed, which will be suitable for the purposes designed. The building referred to is not a proper Government building by any means, and I think the price is excessive. I do not believe it could be sold in the market for $300,000, or anything like that sum.

As to the Globe Building, there is not a sufficient description given of it in the bill so as to enable us to know what is its frontage, and I am not familiar enough with it to form a correct estimate of its value. It seems to me before we buy that building we ought to have a report giving its dimensions, its height, etc., an estimate of the value of the improvements on the land, and also some statement as to the necessity for the Government owning it.

It seems to me both of these amendments ought to go out of the bill, and I shall vote against them. I am glad, however, that my friend from Minnesota has withdrawn his point of order, for that was not well taken; but as to the merits of the amendment, I am not sufficiently familiar with either one of the appropriations to vote for them.

Mr. NELSON. Mr. President, the amendment, as I undertand it, is now before the Senate on its merits. What is the amendment? Down on the north side of Pennsylvania avenue, between here and the National Hotel, is an old, rickety building. Once on a time, before the Government itself assumed the publication of the proceedings of the two Houses of Congress, the proceedings were published there by a private company. That was when the proceedings of Congress were published in what was known as the Congressional Globe. That company occupied that building and published the proceedings of Congress as a private enterprise. Years ago Congress decided to publish its own debates in its own Printing Office, and inaugurated the publication of the CONGRESSIONAL RECORD. Since that time the old Globe Building has been practically vacant and abandoned, and it stands there to-day an old, dilapidated wreck of a building.

As to the piece of land there, we have many places in Washington where there are more desirable and better pieces of land for the Government to occupy, land that is more likely to rise in value, and land that occupies a far better location than that. Such being the case, what is the use, what object can there be, in buying an old, rattletrap of a building down there, for the purpose of what? Of storing certain records.

Mr. President, if we need a place to store any of the records of Congress, if we need a public storehouse, there is a straight, legitimate way of getting at it. We do not want to buy a building that is good for nothing, that is a mere wreck, that is almost tenantless, and that you could not rent to-day for the taxes—we do not want to buy such a building and load up the Government with it. That is not the way, to my mind, to run the Government business.

I therefore trust, whatever else is done, that this item in the appropriation bill will be stricken out. I am sorry that I am compelled to object to the amendment. It may seem ungracious for an ordinary, plain member like myself to object to anything proposed by the Committee on Appropriations, but, in the language of the good old Methodist hymn, I can say,

Just as I am, O Lord, I come.

I am so built that when I see anything that is not just and fair, no matter if it comes from the Angel Gabriel, I can not help it, I have got to object. [Laughter.]

Mr. GALLINGER. Mr. President, I occupied a little time this morning in looking over the sundry civil appropriation bill as it came from the Committee on Appropriations, and I confess that these two items were the ones which caused me to wonder more than all the rest of the bill as to whether or not the committee had really acted wisely.

I can not see for the life of me any more than can the Senator from Minnesota [Mr. NELSON] what we want with the old Globe Building. I chance to know another party who a few months ago bargained for it, at least temporarily bargained for it, no money having been passed, but upon an examination of the building, that gentleman said to me, it was in such a dilapidated state that it was not fit for his purposes, and he did not think it was fit for any purpose. Why the Government wants to buy that old building on Pennsylvania avenue surpasses my comprehension. I trust the Senate will not agree to the recommendation of the Committee on Appropriations.

I am aware of the fact that Pennsylvania avenue ought to be improved. If we would follow the example set by Napoleon, and buy the entire property from Sixth street to the Peace Monument, tear down those buildings, and erect on the ground modern buildings, there would be wisdom in it; but to purchase for the use of the Government an old building in the midst of that conglomeration of architecture, when it is about ready to tumble down, is, to my mind, a procedure that we ought not to consent to.

Mr. President, while I am on my feet, I think that the next item is equally as objectionable. I think I am correct in saying that the so-called Union Building is the building that is now occupied by the city post-office. Am I correct in that, I will ask the chairman of the committee?

Mr. ALLISON. The first two floors of that building are occupied by the city post-office, the next two floors by the Interior Department, and the next two floors by the Public Printer, and from there are distributed all the documents that Senators and Representatives send out. We are paying for this building $47,000 rent per annum.

Mr. GALLINGER. That is about what I understood the building was used for. A very considerable portion of it is used for the city post-office, but the city post-office is soon to be moved to the building which the Government has erected on Pennsylvania avenue at a very large cost; and I do not wonder when the owners of the Union Building lose as good a tenant as the United States Government for a considerable part of that building that they want to sell it to somebody.

Mr. ALLISON. Will the Senator allow me to make a statement in respect to that?

Mr. GALLINGER. Certainly.

Mr. ALLISON. For the portion of the building occupied by the city post-office the Government pays $20,000 a year rent, and for the remainder of the building, occupied by other branches of the Government, there is paid $27,000 rent.

Mr. GALLINGER. So it is $47,000.

I was about to observe, further, that I notice in this bill a provision for the purchase of land for the Government Printing Office, which I think is a very judicious thing to be done—land adjacent to the present structure—something that I have always advocated, while other Senators have taken the view that we ought to purchase land in some other part of the city and erect a new Government Printing Office. If the proposition of the Committee on Appropriations to purchase that additional land for the Government Printing Office shall meet with the concurrence of Congress, then the third story of the Union Building probably will be for rent, because the Government Printing Office occupies it, and it will have additional room in the new building to be constructed and very likely will not require the third story of that building. Again, I do not wonder that the owners of that building want to sell it to somebody, and there is never so good a customer as the Government of the United States.

In addition to that, as suggested by the Senator from Connecticut [Mr. PLATT], there is going to be a great deal of additional or waste room, as we might call it, in the new Government Post-Office building into which the Government can move some of the bureaus, for the rooms occupied by which the Government is now paying rent.

Mr. CHANDLER. May I ask my colleague what it is proposed to do with the present Post-Office Department building after the Department moves into the new building on Pennsylvania avenue, leaving the whole of the present Post-Office Department building subject to Government use? Will not that be the case?

Mr. GALLINGER. I should judge that that will be the case, but I have no information as to what is to be done with that building.

In reference to these two proposed amendments, however, I have only to repeat that I am clearly of the opinion that no discreet business man, acting for himself, would invest any money in the old Globe Building, so far as the building is concerned. Whether the land, situated, as it is there, in not a very desirable part of the city, is worth $4 a foot or not I am not prepared to say; but I think if the Government is going to purchase land on which to erect a building, it should not go on that part of Pennsylvania avenue for that purpose.

Regarding the building, I have expressed myself very clearly. I do not know anything about its construction. The Senator from Nevada [Mr. STEWART] says it is a very cheaply constructed building, which I think is probably the fact from its appearance.

I shall vote against both these amendments, and I intended to do so when I read the bill. I hope the majority of the Senate will vote against them. If the Government is to expend money for further buildings, I trust the Government may purchase land in some desirable position of the city and erect a building, as the Government always erects buildings, of a first-class character.

Mr. PASCO. Mr. President, I was not in the Chamber at the time when the amendment was first discussed, and I have not heard the reasons why the two pieces of property referred to should be purchased. It may be that there are some important reasons why they should come into the possession of the Government by purchase; but it seems to me that unless there is some purpose to which this property can be immediately dedicated and for which it can be used the expenditure at the present time is unnecessary.

I also think when property is to be used by the Government that property in the middle of a block should not be taken; that it should be segregated as far as possible. The buildings which the Government uses for any purpose should be on land apart from other buildings, so that they may aid in decorating, adorning, and beautifying the city.

The amount of these two appropriations is about $700,000, and I think some very strong reasons should be urged if this large outlay is to be made. The building on Pennsylvania avenue certainly is not a desirable one, and I do not see any possible use to which it can be put except the storage of documents. The sum proposed to be appropriated is a very large amount of money to pay for an old building for such a purpose. I would rather have some larger accommodations provided near the present Printing Office, or in some other suitable place, where unused public documents can be stored.

The amount of $650,000 for the purchase of the Union Building, just as the Government is about to vacate a large portion of it and carry its post-office into another part of the city, seems to me to be altogether unnecessary. I think we ought to hear more as to the necessity for the expenditure before the Senate adopts these amendments.

Mr. COCKRELL. Mr. President, in regard to the first item here, as to the Globe Building, an amendment was offered to the bill, referred to the Committee on Public Buildings and Grounds, investigated by that committee, and reported favorably. When the matter came before the subcommittee of the Committee on Appropriations, we had the Acting Architect of the Capitol, Mr. Woods, whom we all know is acting as Architect, who is a man of decided ability and character, to go and examine the building and make a report to us, and also to examine the Union Building and make a report upon that. His report was that at an expenditure of anywhere from $10,000 to $15,000 the Globe Building could be made entirely safe and put in good condition for the storage of documents. The walls are good. There will need to be some additional floors, as would be needed in any building where documents are to be stored, and a new roof will also be needed.

Just in the rear of the building is an alley running north and south at a slight angle, and there is a little cross alley where there is a small piece of ground with a building on it, for which, in 1878 or 1879, we paid $100,000 for the ground, the building, printing plates, and certain bound volumes of the CONGRESSIONAL RECORD. To-day the Senate is paying $1,800 for the rent of rooms for the storage of documents which are distributed through our folding room, and the House of Representatives is paying $1,800 for like rooms for the storage of documents to be distributed by members of the House. That building is convenient. It is accessible, remarkably so, having an alley on one side and an alley at the end. It has strong walls, and it can be made suitable for the storage of documents of both the Senate and the House of Representatives. It will be economy in the end to make this purchase, the Senator from Minnesota [Mr. NELSON] to the contrary notwithstanding.

The Union Building is a large building, and we had it examined. It is to some extent, though not absolutely, a fireproof building; that is, it has a steel frame and is very strong. We investigated that question very thoroughly. We were told that its actual cost was the amount named in this bill. We have been paying for years $47,000 rent for that building. The city post-office occupies the lower floor and a part of the second floor, and Government employees and business occupy nearly the entire space that is left. Two floors are occupied by the Superintendent of Public Documents, where the documents which are distributed to the States, public libraries, and collegiate institutions are placed for distribution. This does not include the documents which are distributed through the Senate folding room.

A certain class of documents and a certain number of all documents go to the Superintendent of Documents, and it is through him that the general distribution to the colleges, libraries, and institutions of learning is made. Occasionally documents are distributed by him on the order of Senators, as in the case of the Messages and Papers of the Presidents. Those are placed not in the Senate and House folding rooms, but they are placed under the Superintendent of Documents, just as we heretofore placed the Census reports under the Superintendent of Documents in the Interior Department.

Mr. HOAR. May I ask the Senator a question?

Mr. COCKRELL. Certainly.

Mr. HOAR. How much rent does the Senator say the United States is now paying for the accommodations which they will get in these two buildings?

Mr. COCKRELL. Thirty-six hundred dollars and $47,000 would be $50,600.

Mr. HOAR. I understand for what we are now paying $50,600 a year, that we shall have to pay, if these two items are adopted, only $20,850; in other words, we make $20,000 a year by the operation.

Mr. GALLINGER. That is a mistake. The entire amount proposed for the purchase of the two buildings is $695,000, and I suppose we ought to reckon it at 6 per cent. I can not borrow money for less than that.

Mr. HOAR. But the Government borrows money for less than 3 per cent.

Mr. GALLINGER. Probably so; but I think in making such a calculation we ought not to put it at 3 per cent.

Mr. HOAR. If you put it at 6 per cent, you would save over $10,000, and at the present rate of Government bonds you would save $30,000.

Mr. COCKRELL. Yes; more than that. The Government bonds are not bringing 3 per cent.

We are paying a large sum for the rent of a great many other buildings outside of these. The Indian Office is outside of a Government building, the Geological Survey is outside, and all the outside offices will not be accommodated in the new Post-Office building. When the post-office goes into that building, and the Sixth Auditor's Office, as it was originally—now the office of the Auditor of the Post-Office Department—goes in there, and the building is occupied, there will be no space there for anything

else, as everybody knows who has investigated the matter and who has heard the contention in regard to it. It is not thought that there will be rooms for the Auditor in that building.

The Auditor of the Post-Office Department has a large number of employees and requires a large space, and there are other bureaus of the Government which are going into that building. The Indian Office will not go there; the Patent Office has not room; the General Land Office has not room, and they are all occupying outside buildings. This building was erected largely, not at the instance of the Government—I do not believe any such thing as that—but at the instance of officials of the Government, for the express purpose of being leased to the Government for governmental purposes, and was built strongly for that reason, with a steel frame and strong floors, some of the upper floors being stronger than the second floor.

Mr. WOLCOTT. In what year was the building erected; can the Senator tell us?

Mr. ALLISON. It was built in 1891.

Mr. COCKRELL. That is the present post-office on G street, less than a block east of the Interior Department. It is true that in that building there are not many brick partitions erected; but there is the frame. It was so left that partitions could be put up to suit the Government. Nearly all the models belonging to the Patent Office are there, and they occupy, if not all of two floors, nearly so. The Superintendent of Documents has stored there the documents I have described, which do not come to us, but which are distributed by him directly under general law to institutions of learning, to the libraries of the country, and to individuals upon our orders. He has them stored on those strong floors.

We had the Architect examine the building, and there was no indication of any sagging, no indication that the building was strained in any way. In the interest of the public, and knowing that the new Post-Office building will not accommodate all the Government offices and bureaus which are outside, we thought it would be economy to purchase the Union Building. That is the reason which governed the Committee on Appropriations.

Mr. WOLCOTT. May I ask the Senator a question?

Mr. COCKRELL. With pleasure.

Mr. WOLCOTT. The Senator from Missouri is interested more than most of the Senators in seeing that eventually we have in Washington, built modernly and one at a time, perhaps, a series of splendid public buildings, which shall be an adornment to the city and a credit to the whole country. I ask the Senator if he does not think, in view of that hope, which I know the Senator cherishes with the rest of us, that it would be wiser for us to lease buildings for a time, rather than to load ourselves with the burden of ownership of small, segregated pieces of property, which would be of no value eventually if these larger buildings are constructed, and the ownership of which might stand in the way of the erection of large and new and independent buildings, such as ought some day to adorn the city of Washington?

Mr. COCKRELL. The Government will never erect a costly ornamental building simply for the purpose of storing documents until such time as they can be distributed.

Mr. WOLCOTT. Oh, no; I do not mean for temporary storage.

Mr. COCKRELL. We had an instance of that in the erection of the building for a folding room. The bureaus that will go into this building can be accommodated.

Mr. WOLCOTT. Let me ask the Senator if his own colleague did not have a bill pending here for years for the erection of a hall of records which would be for that very purpose?

Mr. COCKRELL. Not for the storage of documents. That was to provide a place for the storage of the paper records of the different Departments, so as to take them out of the Department buildings, but it was not for the storage of documents, as I understood it.

Mr. PASCO. I ask the Senator from Missouri if he does not think the two objects could properly be combined in one large, handsome, and magnificent building for the storage of records and documents? One large building erected for those two important purposes would justify the expenditure of a large amount of money.

Mr. STEWART. A thoroughly fireproof building.

Mr. COCKRELL. So far as being fireproof is concerned, either one of these buildings is practically fireproof. There is no danger about that. We may theorize about what may be done and what can be done, but we shall never get a building of that kind. The jurisdiction over such buildings is always in contest. We have had a sad experience in regard to the Post-Office building, a wrangle and contention as to who shall have jurisdiction over it and who shall control it, and that will exist all the time. You will never see, in my judgment, a time when some of the branches of the Government will not be occupying buildings outside of the Department buildings proper.

For the Senate and House officers we need a building where documents can be stored, which will be convenient to the Printing Office, so as to store them until Senators wish to distribute them. That was the idea in proposing to purchase this building. If we undertake to erect a public building here, by the time we get it finished the increase of the Government employees will be such that there will be as many left outside as there were at the time it was begun; and that is now the case with the new Post-Office building on Pennsylvania avenue. We have been at work on that building for years, and yet we are not in occupancy of it, and by the time we get another building there will be a further increase in the number of employees.

These are the views of the committee. The committee simply thought it would be economy in the end to purchase these two buildings.

Mr. CARTER. Mr. President, knowing well the many difficulties the Committee on Appropriations contend with from day to day, and fully appreciating their commendable desire to reduce expenditures for rent in this District, I nevertheless feel that a public policy is involved in this question that should be pretty thoroughly understood before proceeding upon the lines indicated by these two amendments.

In the first place, it is proposed in a clause of the bill to enlarge the Government holdings of ground adjacent to the Government Printing Office. That extension should go far enough to accommodate the document rooms intended to be supplied in the Globe Building. Why transport public documents from the Government Printing Office ten or twelve blocks to a point on Pennsylvania avenue, instead of sending them from the printing room to an adjacent room for distribution? So the Globe Building proposition could be more advantageously taken care of contiguous to the Government Printing Office itself, and thus avoid an external expense of cartage or drayage charges between the place where the document is produced and the place where it is intended to be distributed.

But beyond that, Mr. President, the very apt suggestion of the Senator from Colorado [Mr. WOLCOTT] is to be considered. The building of an appropriate fireproof hall of records within the limits of this District has been a necessity for many years recognized by those familiar with the facts. If we begin now to purchase in piecemeal shanties and buildings here and there throughout the District for the purpose of storing documents and transacting the Government business in various parts of the city, rather than in concentrated points or places, we initiate a policy which will defer indefinitely and perchance ultimately defeat the commendable purpose of building a substantial, central, fireproof hall of records, accessible equally to all the Departments and to the Capitol Building as well.

I had some years ago occasion to visit the Union Building. It was proposed to move the General Land Office into that building. The Architect of the Capitol was called upon at that time to look the building over, and as the result of examinations by committees appointed by the Secretary of the Interior, the committee appointed by the Commissioner of the General Land Office, and personal examinations by both officers it was determined that the building was so constructed that the waste room within it would forbid the attempt to use it as any part or portion of a public office connected with the Land Office.

The building is constructed upon what is known as the slow-burning process. Anyone familiar with construction will pronounce it a cheap building. It is not a fireproof building. It is not a building fit for office purposes. It is not a suitable building for storage purposes. It is a building, in my humble judgment, put up in the cheapest possible manner, to be temporarily rented to the United States at a high rent and ultimately dumped upon the Government at a high figure.

The old Globe Building I only know as a passer-by on Pennsylvania avenue. It may be for sale at a very low figure compared with the rental we pay. My observation is that the Government, for the same accommodations, pays greater rent in the District than can be obtained from any individual, company, or corporation in the District; that, as a rule, the Government rents buildings that can not be rented to individuals. It was the case with the Census Office. It is the case with most of the buildings rented from time to time.

Now it is suggested that because, forsooth, we can save $30,000 a year for the next few years in rent or interest, if you please, it behooves us to load upon the Government a pile of property at an exorbitant price, for which the Government, when the hall of records shall have been constructed, will have no use whatever. Will Senators reflect upon the probable price we could get for the Union Building when the Government ceased to find it available for Government purposes and offered it at public auction? The part of the city in which it is located is not desirable for Government offices. It is a livery-stable community. It has livery stables either upon both sides of it or one, and I believe upon the opposite side, above and below. The street is narrow. There is no

vacant space on either side of the building such as is contemplated usually for a Government building, to guard it against fire from external cause or contact with other buildings.

If we are in need of a hall of records, and I believe we are, let the $700,000 that is to be invested in these two old buildings be doubled and let us start at once upon the work of construction. The Government to-day has a part or portion of the Judiciary Square in which a hall of records may be constructed, and we could connect that central building with the various Departments by a pneumatic-tube system or otherwise, so that documents may not only be preserved from fire, but may be rapidly distributed and at slight cost.

I doubt not that the prices named for these buildings are the best that can be obtained, but the plan or theory upon which we thus drift in the purchase is a pernicious one and will tend to prevent the accomplishment of the ultimate end in view, to wit, the concentration of the Government buildings rather than scattering them all over the District.

Mr. ELKINS. Mr. President, I quite agree with everything the Senator from Montana [Mr. CARTER] has said. I look upon this purchase as if I were going to purchase it myself. I do not think I would buy for myself any land on Pennsylvania avenue, especially an old building hardly suited to any purpose requiring modern conveniences. I think the Government has too much land on Pennsylvania avenue already. It is known that whenever there is high water in the Potomac the cellars are flooded, and I do not see what the Government wants with property of that kind.

The Senator from Montana is right when he says, if we need buildings for public service, let us build them in good places and on good sites, and construct modern buildings—for the best kind is none too good for the Government—with all the fittings, conveniences, and improvements that belong to a modern building, steam heat, electricity, etc.

This is an old building. It could hardly be used for anything else than what is proposed here, and it will not properly serve the purpose for which it is to be bought. I think that in the future, in making purchases for the Government, we ought to make them upon the theory that the Government is going to last a long time, that the buildings shall be useful, and that we should construct the best possible buildings, according to some approved plan or system, and let the buildings be befitting in their architecture.

I agree with the Senator that perhaps on Capitol Hill, connected with some other public building, would be a suitable place. This seems a high price to me. I do not know any individual who would give so much money for this property. That we already have land there is no argument to me to agree to this amendment. We ought not to increase our bad investments. We ought not to buy any bad land. My judgment would be to sell the land badly located and buy good land elsewhere and erect a modern building.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Appropriations.

Mr. STEWART. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PENROSE. I should like to ask the Senator who has the bill in charge whether he knows what the actual assessed value of the property is?

Mr. ALLISON. I do not. I will state that this amendment was sent to us by the Committee on Public Buildings and Grounds, of which the Senator's colleague is chairman, and of course that committee is more familiar with the details than I can be. The general information before the committee was that the building cost about $650,000 to construct, in addition to the land.

Mr. GALLINGER. The Senator refers to the Union Building?

Mr. ALLISON. The Union Building. Personally, I do not know what its value is.

Mr. WOLCOTT. Does the Senator know at what the property is assessed?

Mr. ALLISON. I have just answered that I do not know. The matter was sent to us from another committee—the Committee on Public Buildings and Grounds.

Mr. MORRILL. I merely wish to state that if this matter was considered in the Committee on Public Buildings and Grounds, it was at some time when I was not present.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. MALLORY (when his name was called). I have a general pair with the junior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. MARTIN (when his name was called). I have a general pair with the senior Senator from Montana [Mr. MANTLE]. As he has not voted, I will withhold my vote. I should vote "nay," if he were present.

Mr. NELSON (when his name was called). I am paired with the Senator from Missouri [Mr. VEST]. If he were present, I should vote "nay."

Mr. PASCO (when his name was called). I am paired with the Senator from Washington [Mr. WILSON]. If he were present, I should vote "nay."

The PRESIDING OFFICER (when the name of Mr. PERKINS was called). The present occupant of the chair is paired with the Senator from North Dakota [Mr. ROACH].

The roll call was concluded.

Mr. CAFFERY. I am paired generally with the Senator from Michigan [Mr. BURROWS]. I am not advised how he would stand on this question, and I will therefore withhold my vote. If he were present, I should vote "yea."

Mr. GALLINGER (after having voted in the negative). I have a general pair with the Senator from Texas [Mr. MILLS], who seems to be absent. I suggest to the Senator from Florida [Mr. PASCO] that we transfer our pairs. I have voted, and that will enable my vote to stand and the Senator from Florida to vote.

Mr. PASCO. Very well. I vote "nay."

Mr. NELSON. The Senator from Montana [Mr. MANTLE] is paired with the Senator from Virginia [Mr. MARTIN]. I suggest to the Senator from Virginia that he transfer his pair to the Senator from Missouri [Mr. VEST], so that he and I may vote.

Mr. MARTIN. Very well.

Mr. NELSON. I vote "nay."

Mr. MARTIN. I vote "nay."

The result was announced—yeas 19, nays 38; as follows:

YEAS—19.

Allison,	Hale,	McMillan,	Spooner,
Cockrell,	Hawley,	Murphy,	Teller,
Faulkner,	Jones, Ark.	Quay,	Turley,
Gear,	McBride,	Sewell,	Warren.
Gorman,	McEnery,	Smith,	

NAYS—38.

Allen,	Elkins,	Mitchell,	Stewart,
Bacon,	Fairbanks,	Money,	Thurston,
Bate,	Gallinger,	Morrill,	Tillman,
Butler,	Harris,	Nelson,	Turner,
Cannon,	Heitfeld,	Pasco,	Walthall,
Carter,	Kenney,	Penrose,	Wellington,
Chandler,	Kyle,	Pettus,	Wetmore,
Chilton,	Lindsay,	Platt, Conn.	Wolcott.
Clay,	McLaurin,	Platt, N. Y.	
Deboe,	Martin,	Rawlins,	

NOT VOTING—32.

Aldrich,	Davis,	Lodge,	Pritchard,
Baker,	Foraker,	Mallory,	Proctor,
Berry,	Frye,	Mantle,	Roach,
Burrows,	Gray,	Mason,	Shoup,
Caffery,	Hanna,	Mills,	Turpie,
Clark,	Hansbrough,	Morgan,	Vest,
Cullom,	Hoar,	Perkins,	White,
Daniel,	Jones, Nev.	Pettigrew,	Wilson.

So the amendment was rejected.

The next amendment of the Committee on Appropriations was, on page 5, after line 8, to insert:

Purchase of Union Building: To enable the Secretary of the Treasury to purchase lots B and C, 3 and 4, in square No. 454, situated on the north side of G street between Sixth and Seventh streets, in the city of Washington, D. C., and improved by a building known as the Union Building, $650,000, or so much thereof as may be necessary.

Mr. CHANDLER. Mr. President, this is a very large sum of money, and I think it fair to the Senate that the committee should give us more information than I certainly at present have on this subject. I should like to be informed how the amount which has been fixed here, $650,000, has been arrived at, and also to reiterate the request that was made as to the last item in the bill, for information as to the assessed value of the property for taxation. I know that is not an infallible guide, but it is of some value in considering a question of this kind. I am led to believe myself from mere observation of this building that the sum fixed is an exorbitant one. I wish to know how it was reached, and what is the assessed value of this building for taxation.

Mr. QUAY. I am not able to inform the Senator from New Hampshire what is the assessed value of the building. The amount stated in the bill represents its actual cost. It is the building now occupied by the city post-office, which we all know is shortly to be removed to the public building now in process of erection. It was built at the suggestion of the Government in 1890. The character of the building will appear from papers in the possession, I believe, of the chairman of the Committee on Appropriations, which I trust he will place before the Senate, if he has them here. It is a building which was built especially, as I have stated, for public uses. It is occupied entirely by the Government. The Government to-day pays a rent of $47,000 for it, which is much more than a fair percentage upon the amount fixed in the bill as a proper indemnification for the owners of the property.

The Census Office are now, I believe, anxious to occupy the space which is shortly to be vacated by the post-office, and it appeared to the Committee on Appropriations that it was wise economy on the part of the Government to take possession of the building now. That is about all I have to say upon the subject, I believe. The Senator from Iowa in charge of the bill has in his possession a letter from the corporation addressed to the chairman

of the Committee on Appropriations in the House which will explain everything that is necessary for the enlightenment of the Senate upon the subject. If the Senator from Iowa will send me the letter, I will ask to have it read. I ask the Secretary to read the paper I send to the desk.

The Secretary read as follows:

WASHINGTON, D. C., *December 11, 1897.*

DEAR SIR: Complying with your request, I send you herewith drawings showing the basement and first and second floors of the Union Building, situate on G street, between Sixth and Seventh streets NW. The five remaining floors are identical with the second-floor plan. I also inclose a statement showing the floor of each floor. You will observe the total floor space in the building is 138,297 square feet, a fraction over 3 acres. This statement will also show the occupancy of each floor, date of occupancy, and amount of rent paid per annum. In addition to this, you will find a statement showing the superficial carrying capacity of each floor and the thickness of the walls of the building. The average carrying capacity is a fraction over 90 pounds per square foot, evenly distributed. The usual superficial carrying capacity of the average office building is 20 pounds per square foot.

The building has a frontage of 106 feet 6 inches by a depth of 212 feet 6 inches, and is fireproof. There is a 15-foot alley on the west side opening on G street, 30 foot alley in the rear, and a 30-foot alley on the east side running back 112 feet 6 inches to a 15 foot alley opening on Sixth street, giving two outlets and offering the best possible facilities for loading and unloading United States mail or freight of every description.

The Union Building was built in 1801 and 1802 at the suggestion of the Government, which at that time was greatly in need of quarters for the city post-office. It is centrally located, was built in the belief and on a style that would commend and insure its entire occupancy by the Government, and cost $650,000.

Very truly, yours, MYRON M. PARKER,
President Union Building Company.

Hon. JOSEPH G. CANNON,
Chairman of Appropriations Committee,
House of Representatives, City.

Schedule of information, Union Building, G street, between Sixth and Seventh streets NW.—Floor spaces.

			Square feet.
Area of building entire			28,868.75
Basement:			
Front	square feet	8,021	
Back	do	6,493	
			14,514
Boiler room, toilet, stairs, and elevator			4,906
First floor:			
Post-office uses	square feet	18,560	
Stairs and elevator	do	952	
			19,612
Second floor:			
Post-offices uses	do	18,634	
Stairs, elevator, and toilet	do	1,083	
			19,722
Third floor:			
Interior Department	do	18,685	
Stairs, elevators, and toilet	do	1,088	
			19,773
Fourth floor:			
Interior Department	do	18,685	
Stairs, elevator, and toilet	do	1,088	
			19,773
Fifth floor:			
Government Printing Office	do	18,685	
Stairs, elevator, and toilet	do	1,088	
			19,773
Sixth floor:			
Government Printing Office	do	19,144	
Stairs, elevator, and toilet	do	1,088	
			20,232
Total square feet in building for office uses			126,907
Total square feet in building for stairs, toilet, elevator, boiler room, halls about stairs, and elevator			11,390
Total square feet in building			138,297

N. B.—I might add that the attic, or seventh floor, could, with nominal expenses, be utilized, which would add over 19,000 square feet. The walls are also of sufficient thickness and strength to admit of additional stories.

Superficial carrying capacity of floors.

First floor, 100 pounds per square foot, evenly distributed.
Second floor, 80 pounds per square foot, evenly distributed.
Third floor, 125 pounds per square foot, evenly distributed.
Fourth floor, 80 pounds per square foot, evenly distributed.
Fifth floor, 80 pounds per square foot, evenly distributed.
Sixth floor, 80 pounds per square foot, evenly distributed.

Thickness of walls.

	Inches.
Basement	30
First floor	26
Second floor	22
Third floor	18
Fourth floor	18
Fifth floor	18
Sixth floor	13

Annual rentals Union Building.

City post-office, front basement, first and second floors	$20,000
Interior Department, third and fourth floors	13,000
Government Printing Office, fifth and sixth floors	13,000
Sixth Auditor's Office, rear basement	1,000
Total annual rentals	47,000

Date of occupancy.

City post-office, from June 1, 1892; Department of the Interior, from August 1, 1893; Government Printing Office, from November 1, 1894; Sixth Auditor's Office, from July 1, 1893.

Mr. CHANDLER. I did not gather from the reading whether the building is fireproof.

Mr. QUAY. It is fireproof.

Mr. CHANDLER. I did not gather whether it is built of iron and brick.

Mr. QUAY. It is entirely fireproof.

Mr. CHANDLER. I wish the Senator from Pennsylvania, the chairman of the Committee on Public Buildings and Grounds, would tell us, if he knows, what Department is to be the future occupant of the present post-office building after the Post-Office Department has been moved into the new building upon Pennsylvania avenue?

Mr. QUAY. I mentioned in my remarks before that the Census Bureau or some of the officers have been consulting with the proprietors of this building in relation to the occupancy of the space to be vacated. Of course it will be occupied for any purpose for which the Government may lease it.

Mr. CHANDLER. I mean the present Post-Office Department building, which is to be vacated—the general Post-Office Department, where the Postmaster-General is. What is to become of that building when it is vacated if we are to buy all the present buildings in the city that are now occupied by Government offices?

Mr. QUAY. My understanding is, although I have it not officially, from the Secretary of the Interior that the office will be taken possession of by that Department. I do not know that there is any special arrangement to that effect.

Mr. CHANDLER. By the overflow from the Interior Department?

Mr. QUAY. Yes.

Mr. CHANDLER. I am opposed to paying so large a sum as this for that building at the present time. I do not see now any valuation of it. I am not told how much it is valued at for purposes of taxation. My belief is that it is not valued for purposes of taxation at over $150,000.

Mr. QUAY. I do not know.

Mr. CHANDLER. I think we are entitled to more information before the Senate is asked to take so large an appropriation upon itself as an amendment to a House bill, when the House of Representatives does not appear to have been convinced from the letter, which has been read, to the chairman of the House Committee on Appropriations, that this purchase ought to be made. I do not think the Senate ought to put this large amount upon the bill with its present information, or rather lack of information, as to its real value and as to the necessity of further using it for the purposes of the Government.

The statement that the building was built at the suggestion of the Government is very indefinite. Who is the Government? If there had been any formal or official request for the construction of this building, it would have been here. Who is authorized to suggest the construction of a $600,000 building for the Government? Did the chairman of the Senate Committee on Appropriations make the suggestion? I can think of no person connected with the legislative branch of the Government who would be any more entitled to make the suggestion or any more likely to carry out any intimation that at the proper time the building would be purchased by the Government than the Senator from Iowa.

Mr. CANNON. May I interrupt the Senator from New Hampshire?

Mr. CHANDLER. Certainly.

Mr. CANNON. The Senator appears desirous of learning the assessed valuation of this building and the ground upon which it stands. I am advised by the proper official of the District that the assessed valuation of the ground and building is $173,912.

Mr. CHANDLER. I did not think it was over $200,000. I guessed that it would be $150,000. If the assessed value had been $200,000, then we should have been obliged to assume that property in this District is assessed for only about one-third of its real value. I suppose over the country a fair rate of valuation for purposes of taxation is about two-thirds of the value of property. Suppose the assessment were $200,000 and it was two-thirds of the value, then the property would be worth $300,000.

I repeat, Mr. President, that is an enormous overvaluation of this piece of property, even if the Government ought to purchase it.

Mr. QUAY. Mr. President, I know nothing about the valuation of the property except from what was stated by those who seem to understand the proper value of property in this city. I am told that the building and site could not be replaced for the amount of money here appropriated. As the Senator from New Hampshire, as usual, seeks to have all the information possible upon this subject, I suggest to the chairman of the committee that the item go over and by to-morrow I shall be able to give him the information of which he is in search.

Mr. ALLISON. I quite agree to that course.

The PRESIDING OFFICER. If there be no objection, the amendment of the committee will go over for the present.

Mr. STEWART. We had better have it disposed of now, I think.

Mr. ALLISON. The Senator from New Hampshire desires some information which the Senator from Pennsylvania thinks he can furnish.

Mr. QUAY. I desire to have the amendment go over until to-morrow, when I can furnish the information of which the Senator from New Hampshire is in search.

Mr. ALLISON. I will allow it to be passed over.

Mr. STEWART. For what purpose?

Mr. ALLISON. For the information which the Senator from Pennsylvania proposes to furnish to the Senator from New Hampshire and other Senators.

Mr. QUAY. As to the valuation of the property under the officers of the Government at whose suggestion the house was built.

Mr. STEWART. I think if Senators will look at the building and inform themselves a little concerning it between now and the time the vote is taken there will be no danger of the amendment being agreed to.

The PRESIDING OFFICER. The proposed amendment will be passed over for the present.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 6, after line 18, to insert:

For marine hospital at Chicago, Ill.: For invalid elevator, including dynamo, $2,350; for new building for boiler and power plant, isolation ward, stable, and laundry, $35,000; in all, $37,350.

The amendment was agreed to.

The next amendment was, at the top of page 7, to insert:

For marine hospital at Cleveland, Ohio: For boiler house, stack, and new boilers, $8,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 7, to insert:

For marine hospital at San Francisco, Cal.: For improvements to station, $18,625.

The amendment was agreed to.

The next amendment was, on page 7, line 18, after the word "dollars," to insert "lavatories to barracks, $1,200; cistern, $1,000; baths and closets for contagious hospital, $500; in all, $3,200;" so as to make the clause read:

For quarantine station, Delaware Breakwater, Delaware: For fire-extinguishing apparatus, $500; lavatories to barracks, $1,200; cistern, $1,000; baths and closets for contagious hospital, $500; in all, $3,200.

The amendment was agreed to.

The next amendment was, on page 8, line 15, after the word "Florida," to insert "For improvement of wharf and new pier, $7,000; contagious-disease hospital, $1,200; in all, $8,200;" so as to read:

For quarantine station, Tortugas (Key West), Florida: For improvement of wharf and new pier, $7,000; contagious-disease hospital, $1,200; in all, $8,200.

The amendment was agreed to.

The next amendment was, on page 9, line 12, after the word "dollars," to insert "improvement of water service, $1,000; in all, $2,600;" so as to make the clause read:

For quarantine station, San Diego, Cal.: For new engine for quarantine launch, $1,600; improvement of water service, $1,000; in all, $2,600.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to insert:

For quarantine station, San Francisco, Cal.: For steam disinfecting boiler and baths for quarantine hulk *Omaha*, $1,000; telephone to mainland, $1,800; additions to disinfecting apparatus, $2,200; bichloride tank and pipes, $500; fire-extinguishing apparatus tanks, etc., $3,120; in all, $8,620.

The amendment was agreed to.

The next amendment was, on page 9, after line 23, to insert:

For quarantine station, Astoria, Oreg.: For the establishment of a quarantine station at or near Astoria, Oreg., and for the maintenance of said station, $20,000.

The amendment was agreed to.

The next amendment was, on page 10, line 9, to increase the appropriation for heating apparatus for public buildings from $100,000 to $125,000.

The amendment was agreed to.

The next amendment was, under the head of "Light-houses, beacons, and fog signals," on page 11, after line 1, to insert:

Whitehead light and fog-signal station, Maine: For construction of a keeper's dwelling, $3,400.

The amendment was agreed to.

The next amendment was, on page 11, after line 4, to insert:

Boon Island light station, Maine: For construction of a keeper's dwelling $3,400.

The amendment was agreed to.

The next amendment was, on page 11, after line 6, to insert:

Cape Elizabeth light station, Maine: For construction of a keeper's dwelling, $2,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 8, to insert:

Pollock Rip light and fog-signal station, Massachusetts: For establishing a light and fog-signal station to mark the channel through Pollock Rip Shoals, off the coast of Massachusetts, $40,000; and the total cost of said light and fog-signal station complete, under a contract which is hereby authorized therefor, shall not exceed $80,000.

The amendment was agreed to.

The next amendment was, on page 11, after line 15, to insert:

Sankaty Head light station, Massachusetts: For roadway from the station to the public road, $300.

The amendment was agreed to.

The next amendment was, on page 11, after line 18, to insert:

Plum Beach light and fog-signal station, Rhode Island: For completing the station, $9,000.

The amendment was agreed to.

The next amendment was, at the top of page 12, to insert:

Hart Island fog-signal station, Long Island Sound, New York: For establishing a fog-signal station at the southern end of Hart Island, New York, $2,500.

The amendment was agreed to.

The next amendment was, on page 12, after line 4, to insert:

Hog Island Shoal light and fog-signal station, Rhode Island: For establishing a light and fog-signal station on or near Hog Island Shoal, Narragansett Bay, Rhode Island, to take the place of the light-vessel now there, $35,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 14, to insert:

Cape May light station, New Jersey: For an additional keeper's dwelling, $4,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 16, to insert:

Edgemoor light-house depot, Delaware: For depot-keeper's dwelling and outbuildings, $5,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 18, to insert:

Hooper Island light and fog-signal station, Maryland: For establishing a light and fog-signal station on the shoals of Hooper Island, east side of Chesapeake Bay, Maryland, $30,000; and the total cost of said light and fog-signal station complete, under a contract which is hereby authorized therefor, shall not exceed $60,000.

The amendment was agreed to.

The next amendment was, at the top of page 13, to insert:

Ragged Point light and fog-signal station, Virginia: For constructing a light and fog-signal station near Ragged Point, Potomac River, Virginia, $30,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 3, to insert:

Cape Fear light station, North Carolina: For establishment of a first-order light station at or near the pitch of Cape Fear, North Carolina, $35,000; and the total cost of said light station complete, under a contract which is hereby authorized therefor, shall not exceed $70,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to insert:

Hillsboro Inlet light station, Florida: For constructing a first-order light station at or near Hillsboro Inlet, east coast of Florida, $45,000; and the total cost of said light station complete, under a contract which is hereby authorized therefor, shall not exceed $90,000.

The amendment was agreed to.

The next amendment was, on page 13, line 18, to increase the appropriation for building a light-keeper's dwelling at Egmont Key light station, Florida, from $2,000 to $3,500.

The amendment was agreed to.

The next amendment was, on page 14, after line 3, to insert:

Cubits Gap fog-signal station, Louisiana: For constructing a keeper's dwelling, $2,500.

The amendment was agreed to.

The next amendment was, on page 14, after line 6, to insert:

Red Fish Bar light station, Texas, on the edge of Red Fish Bar cut, $8,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 15, to insert:

Grand Traverse (Cat Head) light and fog-signal station, Michigan: For establishing a fog signal at Grand Traverse (Cat Head) light station, Lake Michigan, Michigan, $5,500.

The amendment was agreed to.

The next amendment was, on page 14, after line 19, to insert:

South Milwaukee light station, Wisconsin: For establishing a light station at or near the north Government pier at South Milwaukee, Lake Michigan, Wisconsin, $7,500.

The amendment was agreed to.

The next amendment was, on page 14, after line 23, to insert:

Tail Point, Wisconsin, light and fog-signal station: For moving the Tail Point light and fog-signal station to a point near the channel, head of Green Bay, $7,500.

The amendment was agreed to.

The next amendment was, on page 15, after line 8, to insert:

Depot for the Ninth light-house district, Lake Michigan: For establishing a light-house and depot near the northern end of Lake Michigan, $15,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 11, to insert:

Toledo Harbor light and fog-signal station, Ohio: For constructing a light and fog-signal station to mark the outer end of the main channel, entrance to Toledo Harbor, Ohio, $37,500; and the total cost of said light and fog-signal station complete, under a contract which is hereby authorized therefor, shall not exceed $75,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 18, to insert:

Grassy Island range light station (Ecorse), Michigan: For building a dwelling for the keeper of Grassy Island Range (Ecorse), Michigan, $5,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 21, to insert:

Grosse Isle North Channel range light station, Michigan: For building a range light keeper's dwelling at Grosse Isle North Channel range light station, Michigan, $3,500.

The amendment was agreed to.

The next amendment was, at the top of page 16, to insert:

Grosse Isle South Channel range light station, Michigan: For building a dwelling for the light keeper at Grosse Isle South Channel range light station, Detroit River, Michigan, $5,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to insert:

Cheboygan River front range light station, Michigan: For the purchase of additional lands for the Cheboygan River front range light station, Straits of Mackinac, Michigan, $1,750.

The amendment was agreed to.

The next amendment was, on page 16, after line 8, to insert:

Lake St. Clair, Michigan, light and fog-signal stations: For light and fog-signal stations to mark the new 20-foot channel, $20,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 11, to insert:

Mud Lake, Michigan, light station: For establishing a light to mark the turning point in the channel through Mud Lake, St. Marys River, Michigan, $3,500.

The amendment was agreed to.

The next amendment was, on page 16, after line 15, to insert:

Head of St. Marys River, Michigan, range lights: For establishing an additional set of range lights to mark the channel at the entrance to St. Marys River, $1,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 19, to insert:

Depot for the Eleventh light-house district, Lakes Superior, Huron, and St. Clair: For establishing a light-house and buoy depot in the vicinity of Sault Ste. Marie, Michigan, $15,000.

The amendment was agreed to.

The next amendment was, on page 16, after line 23, to insert:

Cape Mendocino light station, California: To erect a keeper's dwelling at Cape Mendocino light station, California, $5,500.

The amendment was agreed to.

The next amendment was, on page 17, after line 2, to insert:

Point Hueneme light station, California: For right of way to public road, $2,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 4, to insert:

Santa Barbara light station, California: For constructing a keeper's dwelling and tower, $7,500.

The amendment was agreed to.

The next amendment was, on page 17, after line 7, to insert:

Quarry Point fog signal station, California: For establishing a fog bell or other fog signal at or near Quarry Point, Angel Island, San Francisco Bay, California, $6,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 15, to insert:

Point No Point light station, Washington: For establishing a fog signal at Point No Point light station, Puget Sound, Washington, $6,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 18, to insert:

Point Brown beacon light and fog-signal station, Puget Sound, Washington: To establish a fog bell, with suitable dwelling, including site, $6,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 21, to insert:

Battery Point light and fog-signal station, Puget Sound, Washington: To establish a fog bell, with suitable dwelling, including site $6,000.

The amendment was agreed to.

The next amendment was, at the top of page 18, to insert:

Relief light vessel for the Fourth ight-House districts: For constructing, equipping, and outfitting, complete for service, a first-class steam light vessel, with steam fog signal, $95,000.

Mr. ALLISON. In line 1, page 18, after the word "Fourth," I move to insert "and Fifth," and the clerks will add a capital "L," so as to read: "Light-House." The clause should read:

Relief light vessel for the Fourth and Fifth Light-House districts.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 18, after line 4, to insert:

Relief light vessel for the Twelfth and Thirteenth light-house districts (Pacific coast): For constructing, equipping, and outfitting, complete for service, a first-class steam light vessel, with steam fog signal, $95,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 9, to insert:

Cape Lookout Shoals light vessel, North Carolina: For constructing, equipping, and outfitting, complete for service, a first-class steam light vessel, with steam fog signal, $95,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 13, to insert:

Tender for the Third light-house district: For new steam tender, for construction and repairs in the Third light-house district, New York, $85,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 16, to insert:

Tender for the Great Lakes: For constructing, equipping, and outfitting, complete for service, a new steam tender for buoyage, supply, and inspection on the Great Lakes, $85,000.

The amendment was agreed to.

The next amendment was, under the head of "Light-House Establishment," on page 19, line 9, to increase the appropriation "for supplies of light-houses" from $400,000 to $450,000.

The amendment was agreed to.

The next amendment was, on page 19, line 17, before the word "thousand," to strike out "five hundred and seventy-five" and insert "six hundred and fifty;" and in the same line, after the word "dollars," to insert the following proviso:

Provided, That necessary new auxiliary structures, at a total cost not to exceed $20,000, may be erected under this appropriation at established stations, no structure so erected to exceed in cost $1,000 at any one station.

So as to make the clause read:

Repairs of light-houses: For repairing, rebuilding, and improving light-houses and buildings; for improvements to grounds connected therewith; for establishing and repairing day marks and pier-head and other beacon lights; for illuminating apparatus and machinery to replace that already in use, and for incidental expenses relating to these various objects, $650,000: *Provided*, That necessary new auxiliary structures, at a total cost not to exceed $20,000, may be erected under this appropriation at established stations, no structure so erected to exceed in cost $1,000 at any one station.

The amendment was agreed to.

The next amendment was, on page 20, line 1, to increase the appropriation for "salaries of keepers of light-houses," from $720,000 to $730,000.

The amendment was agreed to.

The next amendment was, on page 20, line 23, before the word "Florida," to insert "and Indian River;" so as to read:

Lighting of rivers: For establishing, supplying, and maintaining post lights on the Hudson and East rivers, New York; the Raritan River, New Jersey; Connecticut River, Thames River between Norwich and New London, Conn.; the Delaware River between Philadelphia and Bordentown, N. J.; the Elk River, Maryland; York River, Virginia; Cape Fear River, North Carolina; Savannah River, Georgia; St. Johns River and Indian River, Florida, etc.

The amendment was agreed to.

The next amendment was, under the head of "Life-Saving Service," on page 24, after line 6, to insert:

That the Secretary of the Treasury is hereby authorized to establish a life-saving station at or near Nahant, Mass., at such point as the General Superintendent of the Life-Saving Service may recommend.

The amendment was agreed to.

The next amendment was, under the head of "Revenue-Cutter Service," on page 25, line 9, after the word "dollars," to insert the following proviso:

Provided, That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, one naval constructor in and for the Revenue-Cutter Service, who shall have the relative rank and pay of a first lieutenant in said service, as prescribed in section 2753, Revised Statutes.

The amendment was agreed to.

The next amendment was, on page 25, after line 15, to insert:

For constructing two revenue steamers, under the direction of the Secretary of the Treasury, one for harbor service at Boston, Mass., to replace the revenue steamer *Hamlin*, and one for harbor service at Philadelphia, Pa., to replace the revenue steamer *Washington*, at a cost not to exceed $45,000 each, $90,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 22, to insert:

For constructing two revenue steamers of the first class, under the direction of the Secretary of the Treasury, one for service in the Gulf of Mexico, to take the place of the revenue steamer *Seward*, and one for service at Charleston, S. C., and on the Atlantic coast, to take the place of the revenue steamer *Colfax*, $160,000; and the total cost of said revenue steamers, under a contract which is hereby authorized therefor, shall not exceed $160,000 each.

The amendment was agreed to.

The next amendment was, on page 26, after line 7, to insert:

For constructing a revenue steamer of the first class, under the direction of the Secretary of the Treasury, for service on and in the vicinity of the Columbia River Bar, Pacific coast, $125,000; and the total cost of said revenue steamer, under a contract which is hereby authorized therefor, shall not exceed $250,000.

Mr. ALLISON. I move to amend the amendment, in line 10, after the words "Pacific coast," by inserting "and Puget Sound."

The PRESIDING OFFICER. The amendment of the Senator from Iowa to the amendment will be stated.

The SECRETARY. In line 10, after the word "coast," it is proposed to amend the amendment by inserting "and Puget Sound;" so as to read:

For constructing a revenue steamer of the first class, under the direction of the Secretary of the Treasury, for service on and in the vicinity of the Columbia River Bar, Pacific coast, and Puget Sound, $125,000; and the total cost of said revenue steamer, under a contract which is hereby authorized therefor, shall not exceed $250,000.

The amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 26, after line 14, to insert:

For the purchase of six cophones, at not exceeding $500 each, $3,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Engraving and printing," on page 26, line 22, to increase the appropriation "for labor and expenses of engraving and printing" from $455,000 to $475,000.

The amendment was agreed to.

Mr. GALLINGER. I call the attention of the Senator in charge of the bill to line 23, on page 26, where the word "directions" should be "direction." I think the Senator will agree to that correction.

Mr. ALLISON. That is undoubtedly a typographical error.

The PRESIDING OFFICER. That correction will be made, in the absence of objection.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 27, line 7, to increase the appropriation "for wages of plate printers," etc., from $560,000 to $575,000.

The amendment was agreed to.

Mr. GALLINGER. I will state to the Senator having the bill in charge that I propose to offer an amendment to the paragraph just read, but I presume that the Senator prefers that the bill should be gone through with before amendments are offered upon the floor. If that is correct, I will withhold my amendment.

Mr. ALLISON. I do prefer to have that course adopted, as I think I have some anticipation of the amendment to be offered by the Senator from New Hampshire, and I want, on behalf of the Committee on Appropriations, to make some further investigation respecting the plan of the amendment.

Mr. GALLINGER. I simply want it understood by the friends of the amendment that I am diligent in the matter, and merely withhold it for the present.

Mr. ALLISON. They will undoubtedly take notice.

The reading of the bill was resumed and continued to the end of the appropriations for the Coast and Geodetic Survey, in line 3, on page 36.

ERECTION OF TEMPORARY FORTIFICATIONS IN STATES.

Mr. HAWLEY. The Senator in charge of the appropriation bill kindly consents, in view of the near close of the day's session, to my calling up Senate joint resolution No. 129, which was introduced by the Senator from Georgia [Mr. BACON]. The Senator from Georgia has prepared a substitute which will obviate, I think, all objections or criticisms which were made to the joint resolution in its original form.

Mr. BACON. Mr. President, I have, as stated by the Senator from Connecticut [Mr. HAWLEY], prepared a substitute for all that portion of the joint resolution following the resolving clause, which I submit at the suggestion of the Senator from Florida [Mr. PASCO], the Senator from Tennessee [Mr. BATE], and several others who objected to some of the phraseology of the pending joint resolution, and I propose to present my substitute for the original joint resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 129) relative to suspension of part of section 355 of Revised Statutes, relative to erection of forts, fortifications, etc.

Mr. BACON. I now offer the substitute to which I have referred.

The PRESIDING OFFICER. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. It is proposed to strike out all after the resolving clause of the joint resolution and insert:

That in case of emergency, when in the opinion of the President the immediate erection of any temporary fort or fortification is deemed important and urgent, such temporary fort or fortification may be constructed upon the written consent of the owner of the land upon which such work is to be placed; and the requirements of section 355 of the Revised Statutes shall not be applicable in such cases.

Mr. HAWLEY. I will accept the substitute, so far as I have authority to do so.

Mr. BATE. Is that the original joint resolution introduced by the Senator from Georgia?

Mr. BACON. It is not.

Mr. BATE. I opposed that joint resolution, but I think this is all right.

Mr. BACON. I so understood, and one of the objects I had in presenting the substitute was to conform to the views of the Senator from Tennessee.

Mr. BATE. I am very much obliged to the Senator. I always want to stand up for the rights of the States.

Mr. PASCO. The substitute offered by the Senator from Georgia avoids all the objections hitherto made to the original joint resolution, and I think it is now entirely satisfactory to all.

The PRESIDING OFFICER. The question is on the adoption of the amendment submitted by the Senator from Georgia.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

COST OF MAIL TRANSPORTATION.

Mr. PETTIGREW. I ask unanimous consent to have printed as a document a paper prepared by James L. Cowles with regard to railroad transportation and the cost of transporting the mails, in order to use it before the Committee on Post-Offices and Post-Roads.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from South Dakota? The Chair hears none, and that order will be made.

SUBLETTING OF MAIL CONTRACTS.

Mr. STEWART. I have here a statement, signed by a large number of persons acquainted with the matter, showing the evil of the subletting of mail contracts. I ask to have it printed as a document and referred to the Committee on Post-Offices and Post-Roads. It is very short, being a simple statement of facts.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Nevada? The Chair hears none, and that order will be made.

HOUSE BILL REFERRED.

The bill (H. R. 4936) for the allowance of certain claims for stores and supplies, reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes, was read twice by its title, and referred to the Committee on Claims.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 4 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 1, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 31, 1898.

UNITED STATES ATTORNEY.

Samuel L. Overstreet, of Oklahoma Territory, to be attorney of the United States for the Territory of Oklahoma, vice Caleb R. Brooks, resigned.

CONSUL.

Walter H. Faulkner, of Texas, to be consul of the United States at Durango, Mexico, vice Lewis M. Berg, declined.

SURVEYOR OF CUSTOMS.

James H. Bolton, of Iowa, to be surveyor of customs for the port of Sioux City, in the State of Iowa, to succeed W. B. Humphrey, whose term of office has expired by limitation.

PROMOTIONS IN THE ARMY—ARTILLERY ARM.

To be captains.

First Lieut. Sebree Smith, Second Artillery, March 8, 1898, vice Burbank, Third Artillery, promoted.

First Lieut. Henry Albert Reed, Second Artillery, March 8, 1898, vice Mills, Fifth Artillery, promoted.

First Lieut. Albert Simpson Cummins, Fourth Artillery, March 8, 1898, vice Story, Fourth Artillery, promoted.

First Lieut. Alexander Brydie Dyer, Fourth Artillery, March 8, 1898, vice Vose, Second Artillery, promoted.

First Lieut. Leverett Hull Walker, Fourth Artillery, March 8, 1898, vice Greenough, Fourth Artillery, promoted.

First Lieut. William Penn Duvall, Fifth Artillery, March 8, 1898, vice Russell, First Artillery, retired from active service.

First Lieut. Henry Merritt Andrews, First Artillery, March 8, 1898, vice Grugan, Second Artillery, promoted.

First Lieut. Charles Dyer Parkhurst, Fourth Artillery, March 8, 1898, vice Mitchell, Second Artillery, retired from active service.

PAYMASTER IN NAVY.

P. A. Paymaster Thomas S. Jewett, to be a paymaster in the Navy, from the 30th day of March, 1898, vice Paymaster George H. Read, retired.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 31, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. BAILEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BAILEY. Before the Journal is approved, I desire to suggest that I hardly think the Journal is quite full enough with reference to the decision on the point of order decided yesterday. The Speaker held, and in that holding I fully concur with him—and for the sake of the subsequent proceedings of the House I desire the Journal to show fully and exactly what the holding was—that if the resolution I had the honor to submit was a privileged matter, it was entitled to be disposed of at once, without any reference to a committee. I believe that was the holding of the Chair.

The SPEAKER. The statement of the Chair is set out in full in the Journal.

Mr. BAILEY. I did not catch the reading of it in that way. If so, I am, of course, content.

The SPEAKER. It is embodied in full in the Journal.

Subsequently,

Mr. BAILEY said: Mr. Speaker, having examined the Journal, I find that the Speaker's full statement of the matter referred to is there. The Clerk did not read it, as it is not usual to do so.

CONTESTED-ELECTION CASE—PATTERSON VS. CARMACK, TENTH DISTRICT, TENNESSEE.

Mr. KIRKPATRICK, on behalf of Committee on Elections No. 3, submitted the report of that committee in the contested-election case of Josiah Patterson, contestant, *vs.* E. W. Carmack, contestee, from the Tenth Congressional district of Tennessee; which was ordered to be printed, and referred to the House Calendar.

On motion of Mr. KIRKPATRICK, by unanimous consent, the minority of the committee were allowed one week in which to present their views.

NAVAL APPROPRIATION BILL.

And then, on motion of Mr. BOUTELLE of Maine, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill (H. R. 9378), with Mr. SHERMAN in the chair.

The CHAIRMAN. At the time the committee rose last night an amendment was pending which, for the information of the committee, the Clerk will again report.

The amendment was read, as follows:

In line 15, page 44, after the word "dollars," insert the following:

"For the erection of new buildings at and for the use of the Naval Academy, Annapolis, Md., of the character and to the extent that the Secretary of the Navy may in his judgment deem necessary and practicable under the appropriation, in accordance with plans to be determined upon by the Secretary, and for the removal of such old buildings as may, in the judgment of said Secretary, be necessary to be removed for the convenient and suitable location and construction of the said new buildings, $500,000."

Mr. McINTIRE. Mr. Chairman, as I have at no time since I have been a member of this body inflicted myself in the slightest upon it, I will now, in view of the importance of the matter now pending, ask the indulgence of the House for fifteen minutes in addition to the five minutes to which I am entitled under the rule.

Mr. DINGLEY. On this question?

Mr. McINTIRE. Yes.

The CHAIRMAN. The gentleman from Maryland [Mr. McINTIRE] asks unanimous consent that he may proceed for fifteen minutes in addition to the five minutes. Is there objection?

Mr. BOUTELLE of Maine. The gentleman will confine himself, of course, to the amendment.

Mr. McINTIRE. Absolutely to the amendment.

The CHAIRMAN. The Chair hears no objection.

Mr. McINTIRE. Mr. Chairman, in rising to speak to the matter under consideration, I do so impelled by a consciousness that I would be derelict in my duty were I to remain silent at such a time. I approach the subject with a feeling that is a strange mixture of shame and pleasure; shame that my country has for so long neglected the school at which our naval heroes, the Sigsbees of the future, are to receive their first instruction in their noble profession; pleasure because of a hope—born of egotism, perhaps—that some word of mine may tend to raise this honorable body from its state of lethargy to a sense of the folly of the course it is pursuing toward the Academy at Annapolis.

That Academy, gentlemen, should be the nation's glory. As it stands to-day it is the nation's disgrace. I do not make this assertion carelessly, but base it upon a large and indisputable array of cold, convincing facts. These facts are not of my discovery. The knowledge of them is in the exclusive possession of no man or set of men. The Navy Department knows of them and has laid them before the proper committees of both the legislative branches of the Government. The officers of the naval arm of the service have been cognizant of them for years. The press has published them, and the people, gentlemen, read the papers.

We alone seem blind to the real condition of that institution, or, if seeing, do so without realizing what the effect may be of further withholding from the Academy that support which should have been tendered it long ago. I do not go so far as to charge criminal neglect against this body, but I utter only what is the simple truth when I say that that is the view held by men abler than I am to pass upon the matter, and that there is good ground for this opinion I think is shown in the official reports, as well as by the individual expression of persons competent to judge. That the cadets who in later years are to command our warships should have to abandon their quarters, or a portion of them, for fear they would tumble down about their heads is a sad and melancholy truth. But truth it is, as I shall show a little further on, and one of which even the most energetic of those who oppose an appropriation for the Academy somewhat commensurate with its needs can scarcely feel proud. The buildings in which the cadets are even now housed are none too safe, and if this spirit of procrastination is longer to prevail a day may come when we will repent in sackcloth and ashes our present ill-directed efforts at economy.

The Naval Academy is as much a part of this Government and as important a part as any institution of the Republic, and yet the scant attention it has received from Congress and the meager sums rant in the matter to the supposition that it was in reality an American edition of London's famous Blue Coat Charity School on a little cheaper scale.

Why the Academy has been treated in this fashion I for one do not know. Various reasons have been assigned, among them that the Maryland delegation in past Congresses has been slow to recognize its pressing necessities and that politics in one way or another has tended to retard its progress. I do not know about this, and I think that whether or not the delegation has been slow to see the wants of the institution is a question the agitation of which at this time would be profitless to the Academy. Personally, I have little knowledge upon that point, and I will not the more quickly accept the criticism because the Maryland delegation up to the present Congress happened to be composed almost wholly of Democrats. To hold up the mirror to reflect the sins of omission of which anyone has been guilty will count for naught now except in so far as it bears directly upon the question at issue.

This is my first term in this body, and never before have I had even a suspicion that the Naval Academy was in the disgraceful condition that it is to-day. But since I know the truth, I will not hesitate to plead with this House for a change in its ruinous course with reference to it, and I am proud to say that there is not a single member of the solid Republican delegation from the Old Line State who will not join hands with me, and perhaps go me one better, in this work of redemption.

And I further trust, and I can not help but believe, that you gentlemen, without regard to party or faction or section, will come nobly to the rescue when once you fully comprehend the enormity of our mistake in denying or delaying the succor of which the school at Annapolis stands so much in need.

In doing what I can to aid in turning the search-light of truth upon the miserable pile of antiquated masonry, rotten shingles, and hideous architecture on the banks of the Severn, I would first make a comparison between the treatment of the Naval Academy and that vouchsafed its sister institution, the United States Military Academy at West Point.

In doing so I do not wish the comparison to be considered invidious. Not one cent do I envy West Point of the many thousands of dollars that have gone year after year for the upbuilding of that great army training school. If it were practicable, I should favor enlarging our annual appropriation for it. But, while according generous treatment to this branch of the service, I should not forget that there is another arm which is equally, I might well say more, deserving of our consideration.

To my mind—and the thought is not original—the sea power is destined to be the most important means of defense of this nation. With good ships, and plenty of them, carrying the best of guns, with brave and intelligent officers in command, and Americans at the guns, Uncle Sam may feel secure to face, without flinching, every just and righteous cause. With such a navy ready for instant action and a small army trained to the highest efficiency, so as to form a nucleus for the great bodies of citizen soldiery that would spring up at the first call to arms, we might well rest ourselves in the sustaining knowledge of our invincibility. [Applause.]

Such a navy would be a source of safety and comfort to our citizens in foreign lands, while to the people of the great commercial ports and seacoast of our own country it would be a means of protection which we of this generation may not fully appreciate until a hostile fleet comes thundering at our doors. Nay, more, it would be, indeed, a guaranty of our country's peace so long as we conduct ourselves in conformity to the laws of God and the practices of just and honest nations, for, with the best ships that money can buy, with nothing wanting in the brain and brawn of their crews, and nothing lacking in the number and quality of weapons, no government would care to disturb our serenity except for good and sufficient reasons.

You gentlemen I see around me grown gray in the country's service must know all this, and I can hope but to emphasize a fact well recognized wherever good thought and sound judgment obtain among men. And yet, filled as you are with this knowledge, you still hold doggedly to a policy that you know is wrong, showering upon West Point the bounties of your table while allowing Annapolis to pick up the crumbs of cold comfort which the gentlemen of the Naval Affairs Committee grudgingly sweep to the floor.

These are facts, not fancies. And right here I shall read a few figures, culled from official sources, to sustain me in my position. They are contained in statements of the amounts expended on the buildings and grounds of the Military and Naval Academies, respectively, for construction, repairs, grading, etc., during each fiscal year from July 1, 1886, to January 31, 1898:

Fiscal year.	Military Academy.	Naval Academy.
1887	$140,520.00	$21,000.00
1888	2,670.00	30,950.51
1889	617,470.20	50,991.87
1890	5,161.96	20,998.57
1891	123,328.00	64,455.41
1892	65,672.70	99,875.83
1893	114,640.00	20,815.17
1894	90,065.69	76,900.75
1895	940,090.23	48,908.71
1896	58,451.25	30,960.00
1897	111,770.00	98,913.35
1898	82,244.00	18,412.00
Total	1,752,088.03	523,260.76

During the fiscal year 1890 the sum of $90,000 was expended for the purchase of land adjacent to the Naval Academy, which is not included in the above statement.

Why you have treated the naval school in this way year after year I can not say. If it is because of the condition of the country's finances, I would respectfully submit that there is a broad inconsistency in this upholding of the appropriations for the military students and the scaling down of the appropriations for those for the Navy. And if you have never seen the matter in this light—which I grant is highly improbable—readjust your glasses and get the right view of things. Remember that the Navy is the bulwark of the country, and the nation that neglects its navy in these days will find itself at the mercy of another power when it is too late to remedy the mistake.

What is the feeling of the public upon this subject? The newspapers of Maryland, and especially those of Baltimore City, have given much publicity to the general condition of the Naval Academy and to the proposition to replace gradually the existing buildings with others befitting the importance and dignity of the institution. I have no doubt that the matter has been given wide circulation, and I would ask any member whether he has had one letter from a constituent urging him to use the pruning knife upon any amendment that might be offered to increase the appropriation with this purpose in view.

For myself I will say that the people of Baltimore City, a large portion of whom I have the honor to represent, are a conservative community who watch carefully the trend of national legislation, and are quick not to allow their Representatives to remain in the dark as to their wishes upon any important question; and yet I have not heard one word of protest against the effort to have given to the Naval Academy what rightfully belongs to it. The merchants, not only of Baltimore, but the country over, know that it is to their interest to have an efficient Navy to protect their property from foreign invasion; they know that there can be no efficient Navy without efficient officers and that there can be no efficient officers without the facilities to train them to efficiency in both a physical and mental sense.

And right in this connection I think it is proper to ask the members of this House if they know that fifty of the naval cadets, or 20 per cent of the whole number at the Academy, are suffering from an affection of the eyes caused by the poor light by which they have to study. That was the case a few weeks ago, and I can not say whether the number of cadets so afflicted has decreased or increased since. As one newspaper very truthfully remarks, "The sight of fifty naval cadets, robust, healthy-looking youngsters, equipped with eyeglasses is not a tribute to the lighting system of a school where it might be supposed that everything is done to promote the health of the students." I should like to ask the members of this body whether they are willing that the boys they nominate for Annapolis should suffer from the want of proper lighting facilities? I am sure you do not, and I am convinced that whether you vote for this amendment or not you will demand that some improvement be made in this regard at least.

You will realize how serious the condition is when you know that the imperfect lighting may cause the dismissal of a number of students whose eyes will not permit them to keep up with their studies, and among them are several who stand well in their classes, and whom the instructors think would make fine naval officers. Gas is still used, one burner for two boys to study by, and the gas fixtures are identically the same that were put in place more than thirty years ago. There should be a modern electric-lighting plant at the Academy, but there is not, and a story could be told in that connection that would mantle the cheeks of honest people with righteous indignation. [Applause.]

But bad lights are but a single item in the bill of complaint that might be lodged against the Naval Academy as it stands to-day, for the parsimonious policy of Congress has wrought sad havoc. I wish you gentlemen could find time to take a stroll through the old town of Annapolis, as I have done, along its quiet streets, beneath its spreading trees, past its quaint cottages of another century. I would have you go to the chamber in the statehouse where Washington resigned his commission of Commander in Chief of the Continental forces, to turn your thoughts to that noble man and to think of the pride he would have taken in seeing the country he did so much to make prospering and expanding under the blessings of God and the virtues of its people. Then quickly I would have you leave the chamber, cross the sward of State House Circle, and a moment later enter the grounds of the Naval Academy. Beautiful grounds, you say. Yes; well laid out and well kept, thanks to the care of the officers of the post. But the buildings you would never take to be the only naval school of the greatest nation of the globe. You could scarcely blame the Washington who laid down the sword but a few rods distant were he to appear in the flesh and repent having been the father of a country whose progress, taking its naval school as a criterion, must have been of the snail, if not the lobster, variety.

And John Paul Jones and Decatur and Perry, to say nothing of the later-day Farragut, were they allowed to talk, would not hold golden opinions of a nation which let the rising young exponents of a profession they helped to make glorious dig away for knowledge in badly ventilated garrets and buildings that have to be propped up to prevent collapse. No, gentlemen, the Naval Academy has not kept pace with the march of progress, and we alone are responsible.

Why, sirs, it is a marvel to me, when I see the conditions under which the bright boys down there are striving to prepare themselves for their life's business, that we have such a splendid set of officers as sail our ships to-day. Perhaps things were not so bad some years ago, but certainly the Academy has never been accorded that liberality by Congress to which it is entitled. The buildings seem to have been put up without regard for any idea that took into consideration the future importance of the institution. They were erected on a sort of "come day, go day, God send Sunday" plan, a plan for which some excuse might have been found in the earlier stages of life of the Academy, but which, continued as it has been up to the present time, is simply without the pale of apology.

Whenever the needs of the growing school became so urgent that the demand for covered space for the cadets could no longer be ignored, some kind of a makeshift structure was thrown up in which neither the art of the builder nor the skill of the architect was put to any pains, and the result was another addition to the unsightly group of rookeries which now form the larger part of the buildings. For some forty years this haphazard process has been going on, and the lamentable outcome is open to all who care for an ocular demonstration of the Government's grievous error. With no large appropriation for the school for thirty years, the officers in charge have had to do the best they could with what was at their disposal. When decay began to fasten itself upon this patchwork of framework can not be told, but it has eaten its way along until there is little left of the buildings but so many rotten timbers.

An illustration that may be cited to show that this is so is the old recitation hall, daily used by about 250 cadets, which was in last November reported by Superintendent Cooper to be liable to collapse at any time. In so much danger was it that the Superintendent begged the Department to take some action "to prevent a terrible catastrophe." The Secretary immediately wired Captain Cooper to vacate the hall at once. When the hall was later made the subject of an official inspection, it was ordered to be

torn down, not only because of its unsafety, but also for the reason that its condition caused apprehension that other structures in the neighborhood might be endangered by it. Upon recommendation of the Navy Department Congress appropriated $5,000, to be immediately available, for a temporary shed for recitation purposes.

This shed is now in course of building. Pending its completion these 250 cadets recite in a loft or attic, with pieces of sail for partitions between the several classes. Each class has to recite in the lowest tone in order that the others may not be disturbed, and you can easily imagine that the course of instruction is much interfered with.

It would be a heavy task to point out in detail all the shortcomings of the Academy, for it may be said with truth that such a work would embrace the buildings, almost without exception, on the grounds. There are a few points, however, to which I should like to call particular attention. Take, for instance, the "new quarters," as it is called, the most impressive building of the group. Erected to tide over an emergency, it is in the same condition as the rest of the temporary structures, pressed into permanent use. Imposing as it looks, it is a poor building, and there is a suspicious unsoundness about everything.

Crowded to a degree that the health of the cadets is endangered, with a lack of conveniences for living and bad studying arrangements, and an air of rack and fast-approaching ruin visible on every hand, this building is anything but a source of comfort to the young men who are compelled to pass their days under its roof. There is no place for the proper inspection of the cadets, and some portions of the floor are so weak that the cadets have to adopt "route step" in marching to lessen the likelihood of a collapse.

The armory, the only place in which the cadets can drill in bad weather, is totally inadequate for the purpose. The walls are cracked, the floor is shaky, and the building as a whole has been declared unsafe. That this is so is evidenced by the fact that it had to be abandoned until it was propped up from the outside by heavy timbers. The foundations of the boathouse, built six years ago, are already tremulous. There is not accommodation for all the boats used, and the house is very badly located. This building has been condemned.

The gas works are unsafe and "not susceptible of improvement." These are a few of the defects. I might refer to the storerooms, which are in such shape that the paymaster has notified the Department that he will not be responsible for the safety of the articles in his charge; to the officers' quarters, and to the chemical and physical laboratories, in scarcely more complimentary terms, but it would consume too much time.

Instead I would simply direct your attention to the report of Superintendent Cooper on the condition of the buildings, and to bring to your mind the terms "disgrace to the nation," "in dangerous condition," "better than nothing," "capacity too limited," "unworthy of repair," "tumbling down," "unsightly and unsuitable," "walls cracked," and a host of other phrases descriptive of the structures.

I would also invite your inspection of the letter of Secretary Long, under date of January 8 of this year, on this matter, to the Committees on Naval Affairs of both Houses of Congress, and that of Assistant Secretary Roosevelt to his chief. In one comprehensive sentence Mr. Long gives pointed expression to the thought which I attempted to impress upon you a few moments ago. He says:

> It would be poor economy to construct at great expense a numerous fleet of modern war vessels, complicated in every feature, without at the same time making ample and generous provision for the training of a body of officers who shall possess the requisite skill to care for and handle them economically, safely, and, should national emergency arise, effectively.

This "requisite skill," I may add upon my own responsibility, if it is being attained at the Academy, is acquired under adverse circumstances, such as we have no right to enforce upon the students here.

Mr. Roosevelt, in his usual forceful style, points out that there is certain work which it is absolutely indispensable should be done now; confirms in every particular the statements, coming from official and unofficial sources, of the decrepitude of the Academy buildings, and then goes into details with reference to the scheme submitted by Superintendent Cooper for the gradual development of the institution on common-sense lines, indorsing the plan without qualification.

Annapolis is the natural abiding place of the Naval Academy, and it was a keen, far-sighted judgment that chose the site. In a State that forms a connecting link between the North and South; near the seacoast, and upon a sheet of water that offers splendid facilities for naval evolutions; in proximity to the capital of the nation, and at a point that is susceptible of strong defense in time of war; with no large city or excessive festivities to distract the thought of the students, the Ancient City defies competition based upon a test of true merit.

With the $500,000 which the present amendment calls for to start in this work of revivification and fitting appropriations in succeeding years the school will by degrees assume that dignity and standing which its character demands. Then, with West Point and Annapolis both in the best possible condition, equipped with the proper facilities for fashioning the brain and body, our Army and Navy will be officered by the best material that the world can command.

It is pleasing to me to note that men whose experience makes their opinion worth something are of one mind on this matter of developing the Naval Academy, if the words attributed to them by the press be recorded correctly. A commission composed of officers whose ability and judgment are not to be questioned inspected the Academy in 1895, and transmitted a report to the Senate. Nothing ever came of that report and its suggestions, and the reports of the Board of Visitors, recommending that something be done for the relief of the school, have been treated in the same manner.

The report of the commission was especially exhaustive. Every building and every foot of ground had been studied by the members, plans for the improvements contemplated were drawn up by a competent architect, and estimates made showing what it would cost to remodel the Academy. The plan, while calling for the expenditure of a large sum of money, about $6,000,000, was really not extravagant, and made the burden upon the Government light by extending the expenditure over a term of years. It was based simply upon the actual requirements of the Academy. But, as I say, nothing ever came of the recommendations, the matter having been allowed to drop until the imperative needs of the school were emphasized by the threatened collapse, which called forth the cry for help from Superintendent Cooper last November.

Rear-Admiral Matthews, formerly commandant of the Yards and Docks Bureau, who was president of the commission to which I made reference, is in accord with the view which I would ask the House to accept to-day. He says the plan, if carried out, would soon give the Government the right sort of an academy. Commander W. H. Brownson, formerly commandant of cadets at Annapolis, after pronouncing the school "a disgrace to the Government," proceeds to advocate a complete rejuvenation. Rear-Admiral Norton says the Academy is "a reproach" and should be attended to at once. Captain Crowninshield, Chief of the Navigation Bureau, says:

> If Congress does not attend to the Academy at once there will be no place where the future officers of the Navy can be properly educated.

Naval Constructor Dashiell says it is remarkable that the course of instruction has been kept up so well in the face of the existing difficulties.

I am glad to note, too, that Senators and Representatives, without distinction of party, have stamped the plan for the development of the school with their approval. Can we afford to hesitate in the face of the overwhelming, nondivergent, intelligent, and convincing mass of opinion that confronts us? Shall we longer sit idly by and allow the Naval Academy to languish when we know full well the inevitable result of such a course? Shall we not be held accountable by the people, to whom this school is an honored and loved institution, for our action to-day? Let us rise to the occasion like wise and patriotic men, and in doing so infuse new hope and energy in the breasts of our naval students, place one more act to our credit upon which to base the claim of the confidence of the people in their representatives, and show to the world that we have strengthened our protection in time of war and the means of prolonging peace. [Applause.]

During the delivery of the foregoing,

Mr. NORTON of Ohio said: Mr. Chairman, I rise to a point of order. This is a most important subject, and I think the gentleman is giving us valuable information for our action. I ask that the committee be in order.

The CHAIRMAN. The point of order is sustained. The committee will please be in order.

The time of Mr. McINTIRE having expired,

Mr. HARTMAN asked unanimous consent that he be allowed to complete his remarks.

Mr. BOUTELLE of Maine. If the House desires to hear the gentleman further, I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. McINTIRE resumed and completed the delivery of the foregoing remarks.

Mr. CUMMINGS. Mr. Chairman——

The CHAIRMAN. The gentleman from New York.

Mr. HOPKINS. Before the gentleman from Maryland takes his seat, I desire to ask him a question.

The CHAIRMAN. Does the gentleman from New York yield?

Mr. CUMMINGS. I do.

Mr. HOPKINS. Some suggestion has been made that if this amendment should be carried it means more money than is expressed in the amendment. I desire to ask the gentleman who has just addressed the committee whether this amendment contemplates the expenditure of any more money than is expressed in the amendment itself?

Mr. McINTIRE. Not at this time.

Mr. HANDY. What was that reply?

Mr. McINTIRE. Not at this time.

Mr. MUDD. The amendment does not provide for the appropriation of any more money than is stated in the amendment.

Mr. DINGLEY. What expenditure does the plan contemplated by the Navy Department involve?

Mr. McINTIRE. The plan as contemplated by the Navy Department and recommended by Matthews contemplates the expenditure, in possibly a period of eight or nine years, of $6,000,000.

Mr. HENDERSON. How much by the pending amendment?

Mr. McINTIRE. Five hundred thousand dollars.

Mr. MUDD. I will state in reply to the question of the gentleman from Illinois [Mr. HOPKINS], that the amendment provides for no further expenditure of money and for no further contracts for the expenditure of money than that which is named in the amendment, $500,000. Of course the future will take care of itself.

Mr. CUMMINGS. Mr. Chairman, I should like to have the amendment read.

The CHAIRMAN. For the information of the committee the Clerk will again report the amendment.

The amendment was again read.

Mr. CUMMINGS. Mr. Speaker, for ten years an effort has been made to improve the grounds and reconstruct the buildings at the United States Naval Academy. They were unfit for the Academy in the first place, but we have been using the old buildings for years, patching them up and spending thousands upon thousands of dollars upon them in an effort to make them habitable and healthy. Still, sir, it is in evidence to-day that they are hardly habitable and are actually unhealthy. I have been a member of the Board of Visitors to the Academy. I have been on the subcommittee on Buildings and Grounds, and I tell you to-day that in my opinion many a cadet has died at the Naval Academy from typhoid fever because the Congress of the United States has not done its duty toward the reconstruction of this Academy.

The Academy to-day, as it stands, its buildings, and its grounds are an absolute disgrace to the American Government, and I know what I am talking about. Several efforts have been made by the Committee on Naval Affairs, at different times, to take initiative steps toward the rebuilding and reconstruction of the Naval Academy. All have failed. Why they have failed is not for me to say. Possibly in other cities of the United States there are business men who have a longing eye on the Naval Academy and desire its transfer to another location. I do not say that that is so, but I do say it seems to be the underlying spirit which has prevented the rebuilding of the Naval Academy and the putting of it into the condition in which it ought to be.

Now, Mr. Chairman, I shall favor this amendment. It is time that the initiative step was taken. It is time that the young men of our country who are sent there to learn naval engineering and take the course which is prescribed at the Academy shall have some provision to insure their lives when they enter the Academy. This can only be done by providing spacious and healthy quarters for their use, with proper sanitary precautions and grounds ample for naval evolutions and drills.

I hope, Mr. Chairman, that this step will be taken by Congress; for I believe if it is not taken, the committee will be in the same condition for years to come as it has been for years in the past and the reconstruction of this Academy be delayed for years. [Applause.]

Mr. BROMWELL. Mr. Chairman, I shall take but a few minutes of the time of this House in urging the passage of this amendment. I made a personal inspection a short time ago of the buildings and grounds at Annapolis, and I wish to assure the House that the statements that have been made by Representatives on this floor in regard to the condition of those buildings and their unfitness for the use of this great Naval Academy have not been overdrawn. There was a time, in the days of old wooden ships, when the cadet at Annapolis could prepare himself for the duties connected with the naval service by acquiring knowledge merely of navigation and the handling of a few of the old-time guns.

To-day the man who goes upon one of our war vessels must be an expert in every line of scientific knowledge. He must be a man that is in the forefront of the inventions and discoveries of science in the world. A single disqualified or unfit commander of one of these great battle ships, for which we spend millions of dollars, can cause the loss to this Government of a great many more dollars even in a few minutes, to say nothing of possible loss of life, than all the expenditures that we can reasonably expect to make on this Academy.

Mr. Chairman, the time was when the Army of the United States was looked upon as our great arm of defense. The time was, in the days of wooden vessels of war, that a few months were all that were required to build up the Navy. It was largely recruited from our merchant marine; but our merchant marine has gone, and there is no longer a possibility of constructing vessels of war inside of one, two, or three years. The Army of the United States is no longer the one arm of defense upon which we must depend. The battles of our country in the future, the battles of our country at this time, if we are to have any, must be fought by the Navy of the United States.

It is absolutely necessary, then, that we should prepare in a proper manner the young men who are one day to become the Sigsbees of our future Navy. I have seen the dilapidated condition of these buildings, and I say it is a disgrace to this Congress that this great Naval Academy should be in the condition it is in. It is not a local matter; it is not a matter simply of the State of Maryland; not a matter that concerns the Representatives of that State.

It is our matter, your matter and mine, that this great Academy should be put in proper condition. We take out of our districts the pick and choice of the young men among our constituents to send them to Annapolis to get this training which is going to fit them for future usefulness; and it is a duty we owe to them that we should give to them, while taking this course of academic instruction, buildings that are safe in which to get an education which will in the highest and best manner possible make them the skilled handlers of the future navies of the United States.

Mr. HANDY. Mr. Chairman, I wish to offer a substitute for the pending amendment, which I will send to the desk and ask to have read.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

The Secretary of the Navy is authorized to contract for the construction, at the Naval Academy, Annapolis, Md., of a building suitable for use as an armory, at a cost not to exceed $300,000; a boathouse, at a cost not to exceed $300,000; a power house, at a cost not to exceed $100,000; four double houses for officers' quarters, at a cost not to exceed $60,000, and for grading, electric-light wiring, removing old buildings, and preparing plans, at a cost not to exceed $90,000; and the sum of $500,000 is hereby appropriated toward the construction of the public works herein authorized.

Mr. HANDY. I ask unanimous consent that I may proceed to discuss this amendment and its substitute for ten minutes beyond the five allowed under the rule.

There was no objection.

Mr. RIDGELY. Before the gentleman proceeds, I would like to ask him a question.

Mr. HANDY. Certainly.

Mr. RIDGELY. I have been informed that this locality, Annapolis, is not as healthy a locality as are many others which might be made available for the naval school.

Mr. HANDY. I think the gentleman has been misinformed.

Mr. WHEELER of Alabama. Of course he has.

Mr. RIDGELY. Can you give any statistics as to the sanitary condition, as to health reports, compared with other places?

Mr. HANDY. I have not the health reports with me, but the salubrious climate of that part of the country is well known by everybody living in this general section of the country.

Mr. LOVE. I wish to ask the gentleman a question for information, and perhaps I had better do it now and not interrupt him later. If I am correctly informed, the buildings are all in a dilapidated condition, and I want to know if the amount asked for is to repair these old buildings, said to have been poorly constructed in the beginning and not in keeping with the progress of modern architecture or present necessities; and if so, whether it would be wise to put this appropriation of $500,000 into the repair of old buildings that must necessarily soon be replaced by new ones?

Mr. HANDY. That is a pertinent question. The substitute for the amendment is taken word for word from a clause prepared by the Secretary of the Navy and submitted to this Congress. It does not provide for the repairing and patching up of old buildings. It provides for building several new buildings in accordance with a general plan. It differs from the amendment offered by the gentleman from Maryland [Mr. MUDD] only in this respect: His amendment appropriates $500,000, which is enough for the present year, and stops there. My substitute makes exactly the same appropriation for this year, but the Secretary of the Navy wishes to contract for the construction of three or four buildings, their total cost to be $850,000. I consider it wiser and more economical to give the Secretary of the Navy authority to make the contract to complete the buildings than to give him a lump sum of $500,000 (not sufficient to complete them) and tie

him up with the provision that he must build them all within that sum.

Mr. BELKNAP. Will the gentleman allow me a question?

Mr. HANDY. Certainly.

Mr. BELKNAP. Are these buildings that your amendment proposes to contract for the ones that are most needed?

Mr. HANDY. So says the Secretary of the Navy. The substitute I have offered is the substitute drafted by the Secretary of the Navy and submitted to the House. You will find in this Senate Document No. 55 a draft of a clause drawn by the Secretary of the Navy with the hope it would be inserted in the naval appropriation bill. I have offered that clause as a substitute for the amendment of the gentleman from Maryland [Mr. MUDD].

Now, Mr. Chairman, this Government has two great schools, one at West Point and the other at Annapolis; one for the Army and the other for the Navy. The one at West Point is in the North and the one at Annapolis is in the South. The party controlling this House, the party controlling the Naval Affairs Committee at the present time, has allowed the Naval Academy at Annapolis to rot. The school in the South has been neglected; its buildings have been permitted to fall into absolute decay, until at last, in November, 1897, the recitation building actually was in danger of collapsing. They telegraphed, I believe, so great was the necessity—no, it was sent by mail—they sent a report from Annapolis to the Secretary of the Navy setting forth that the recitation hall in that institution, daily used by 250 cadets, was liable to collapse at any time, and recommended that immediate action be taken to prevent some terrible catastrophe.

The Department immediately by telegraph directed the Superintendent of the Academy not to use the recitation hall thus reported unsafe. The Department sent down an engineer, who made an investigation and such a report on the building that it has been abandoned and torn down. Congress appropriated $5,000 to put up a temporary shelter, which is being used for recitations. The general situation is so bad at Annapolis that another building is in such a condition that it has to be propped up by timbers to keep it from falling down. They had to abandon that building or prop it up. While the Naval Committee of this House has thus permitted the buildings at Annapolis to decay, the committee in charge of the Academy at West Point has been building it up and putting up good buildings there until the buildings of the Military Academy are all that can be asked for.

Mr. Chairman, I say now that the chairman of the Committee on Naval Affairs, as the committee stands here, is seriously to blame for having allowed this Naval Academy to run down in the matter of its buildings to its present condition. Yesterday the chairman of the Committee on Naval Affairs interposed objections to this matter because, forsooth, the amendment did not do enough. He wanted to wait, as I gathered from him, until he could bring in a measure that would do all that was necessary. His committee has for years had this situation before it. For years the gentleman from Maine has been very patient and willing, apparently, to let the buildings at Annapolis go to decay. But suddenly, when there is a bill here that is going to pass—the naval appropriation bill—and it is proposed to do something substantial in this bill for the Academy—suddenly he is not willing to do a little; he wants to wait to bring in a bill (which will not pass) that shall reorganize the whole affair and do a great deal. Mr. Chairman, I wonder whether the gentleman from Maine wants that Academy to rot to the ground, so that he may have it moved somewhere up in New England?

This is a bill of most generous appropriation. This is a naval appropriation bill, actually appropriating millions more than the Department asks for. Yet in this bill, granting millions more than were ever granted before, the gentleman from Maine can not find a place to do anything for this Naval Academy at Annapolis. "Emergency," he says. "Emergency" required the authorizing of expenditures which can not be utilized for years. An "emergency" required, I presume, that the Naval Academy at Annapolis should rot further and further toward the ground. The gentleman had to have—I call the attention of the House to this fact—the gentleman had to have a dry dock at Portsmouth, N. H.; but he did not have to have a new building at Annapolis, Md.

We people of the Southern and Middle States do not object to all proper expenditures at West Point; but we have reached a position where we object to allowing the Naval Academy at Annapolis to rot in order—well, I will not say in order to accomplish any particular purpose, but the gentleman from New York [Mr. CUMMINGS] suggested that he had heard whispers that it was desired to move this Academy to some other place.

Mr. Chairman, the Secretary of the Navy has reported on this matter favorably. Every Board of Visitors for years has reported on it favorably. The Superintendent of the school, Captain Cooper, has presented a report showing in vivid light the necessities of the institution in the matter of buildings.

This substitute provides for three principal buildings. First, an armory. What does the Superintendent say about the present armory?

The armory, which was abandoned until supported by the erection of heavy timber props along the western wall.

Mr. Chairman, when the armory at the Naval Academy has to be "supported by heavy timber props along the western wall," there is certainly necessity for a new armory.

I provide further in this substitute for a boathouse. On this subject the Superintendent says:

The boathouse, which was declared unsafe for many of its original purposes, and as unworthy of repair.

Mr. Chairman, when the boathouse at the Naval Academy has come to be "unsafe" and "unworthy of repair," the time has certainly come for building a new boathouse. This House ought not to hesitate a moment in authorizing the expenditure.

It appears further by this report of the Superintendent that the main recitation hall is utterly gone—has been torn down. The Superintendent says:

The main recitation hall, which is now being demolished as a menace to life.

Mr. Chairman, all these buildings are dilapidated. Then the Superintendent comes down to cadet quarters. What does he say about them?

Cadets' quarters: This building is a disgrace to the nation and would not be tolerated in any self-respecting municipality—cheap, unsanitary, and in a state of decrepitude.

Mr. Chairman, the Committee on Naval Affairs of this House, headed by the gentleman from Maine, although they knew from this statement of the Superintendent which was before them that the cadet quarters are in a building which is "a disgrace to the nation" and "would not be tolerated in any self-respecting municipality—cheap, unsanitary, and in a state of decrepitude," could not bring in any proposition on this bill for the erection of new buildings there.

Mr. HARTMAN. Probably they had not the consent of "the leading commercial nations of the earth."

Mr. HANDY. Oh, I hardly think we are going to wait for the consent of "the leading commercial nations of the earth." If we can only get the consent of one foreign State—if we can get the consent of the foreign State of Maine, we shall then be permitted to do this necessary work. We shall not await the consent of any other foreign country, save only Maine.

Mr. Chairman, it is necessary for us to meet this question in a generous spirit. For that reason I appeal to the House to substitute my proposition for that of the gentleman from Maryland. The purpose of the gentleman from Maryland [Mr. MUDD] is right; yet he feared to ask for enough. He feared a point of order, I fancy. He feared there would be a spirit of objection strong enough to overcome him. Mr. Chairman, as a friend of the Academy I would rather see my proposition adopted, even if you cut down the appropriation for this year to $300,000, with authority to contract for all these buildings, than the proposition of the gentleman from Maryland, which would give $500,000 this year, with no power to contract for buildings to their completion.

I can not close, Mr. Chairman, without making a reference to one of the remarks of the gentleman from Maryland [Mr. MCINTIRE]. That gentleman evidently did what he could on this floor to help this amendment. But in effect and in fact he did serious injury to the proposition. Certainly if gentlemen on this side of the Chamber had heard one of his comments—sitting close to him I heard it—it would have done his proposition very serious injury. He attempted to make something of political capital out of this matter. He called attention to the fact that he and his friends in this Congress were very active, while the Congressmen from Maryland in past Congresses, being Democrats, had been less active in this matter.

Mr. McINTIRE. Will the gentleman permit an interruption just there?

Mr. HANDY. With pleasure.

Mr. McINTIRE. Let me say that the only proposition I have ever heard or the only effort which was inaugurated and not prosecuted was because of the opposition of a Republican member of Congress.

Mr. HANDY. I did not catch the gentleman's remark. What is that?

Mr. McINTIRE. I say that the only effort intended in the House seriously to rejuvenate the Academy was stopped by the opposition of a Republican member. That is to show that there is nothing sectional in this matter.

Mr. HANDY. Mr. Chairman, if this proposition passes the House, as I think it will and think it ought, it will be because the Democrats sitting on this side of the House will be animated by a patriotic purpose and will join with those gentlemen on the other side who are in favor of doing justice to this institution. [Applause.]

The members who preceded the gentleman from Maryland on this floor in former Congresses were Democrats and the State of

Maryland need not be ashamed of them or of any of them. The immediate predecessor, I believe, of the gentleman from Maryland who has just addressed the House was the Hon. John K. Cowen, equally as intelligent, as able, and as active as the present Representative from that district. It was therefore a mistake of the gentleman to try to make political capital by throwing a reflection on former Maryland Congressmen. I understand from his remarks now that he did not mean to do that and that such was not his intention.

The truth is, that the Academy has been kept down by the Naval Committee of the House of Representatives, with the gentleman from Maine at the head of it; and it has been kept out of this bill by the Republican members of the Committee on Naval Affairs. The ranking member on the Democratic side of the committee, the gentleman from New York [Mr. CUMMINGS], was the first to get up on this floor and speak in favor of the Naval Academy. The Democratic members on the committee, so far as I know, are all in favor of improving this institution. The amendment, when it passes the House, as I think it will, will be passed because of the almost solid vote on the Democratic side of the House in favor of this patriotic proposition.

We are ready to treat with absolute impartiality and fairness both the Military Academy at West Point and the Naval Academy at Annapolis. We propose to treat both of them equally well and with due consideration, and to treat both of them just as they should be treated as institutions of this Government, important and necessary. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BELKNAP. Mr. Chairman, I do not regard this question as at all a political one. Gentlemen on both sides of the House have spoken most earnestly in favor of the proposition, or substantially the proposition, that is now pending. It is not a question concerning any particular section of the country, either the North or the South. It refers to and is in the interest of every portion of our common land.

I am heartily in favor of the proposition to make an appropriation for the improvement of the buildings at the Naval Academy at Annapolis. Under present conditions this, in my judgment, is most necessary. It is a disgrace, the condition in which these buildings are permitted to exist at this time.

I am heartily in favor of improving the Navy in every respect possible, and also of increasing the appropriation for our Naval Reserve. It was a surprise and a matter of sincere regret to me that the amendment offered the other day to increase the appropriation for the Naval Reserve from $60,000 to $100,000 was defeated on this floor. There is no gentleman who has recently visited the Naval Academy who will not admit the desirability of prompt action in this matter. It is a necessity which all can see.

I had occasion recently to spend a Sunday at the Academy. There is a young man in the institution from Louisiana, a fine young fellow, with whom I am acquainted. I called upon him, and to my extreme regret and surprise he made his appearance with large goggles upon his eyes, showing that he was suffering from an affliction which affected his sight, and I learned then that not only he but that two score more of the young men in that institution were in the same deplorable condition, suffering from inefficient light in which they are compelled to pursue their studies.

One of the old buildings had to be abandoned, as it was about tumbling down. They have erected a temporary building to take its place, but it is a mere barn or shed and a disgrace to the American nation. It would not be tolerated a moment if people could understand the situation. I investigated the matter of the condition of these buildings thoroughly and carefully. I talked with the officers in reference to the same, and they called my attention to one of the larger buildings occupied by the young men, one side of which in winter is kept warm with the greatest difficulty, and as a result many of the students have suffered from pneumonia and other sicknesses; and I have not the slightest doubt that many of the cadets, the flower of our American youth, have contracted diseases there which have resulted in their death.

Gentlemen, no true lover of his country can but be proud of our corps of naval cadets. There is no sincere lover of his country who can but feel pride in the naval history of this nation. At the Naval Academy each man has a fair show. There are found there the sons of poor men and the sons of rich men studying alike side by side; bright, energetic young fellows undergoing a thorough and trying course of instruction, each young man striving to excel, and it is a shame and a source of sorrow that the American nation has been so negligent of the needs of this splendid institution.

I appeal, therefore, to the House—I appeal to both sides of this Chamber, to vote unanimously for a liberal appropriation to start these much-needed improvements at one of the very best schools in all the world. [Applause.]

[Here the hammer fell.]

Mr. WHEELER of Alabama. Mr. Chairman, the future wars of this country will be conflicts with foreign countries, and the Navy will be the arm of the service upon which we must depend. I am glad and proud to say, Mr. Chairman, that our corps of naval officers, superb, gallant, and efficient, will be found equal to the highest possible expectations of the country. There can be no question but that the naval officers of the United States are very far superior to those of any other nation.

The war of 1861 was very largely internal, and while the Navy did its full duty, the nature of the conflict was such that the Army was brought more prominently before the country and the world. It is very probably owing to this circumstance that since 1861 the attention of Congress has been directed rather more to the military than to to the Naval Academy. For many years I was a member of the Military Committee, and it was one of my duties to prepare the annual appropriation bill for the Military Academy.

I have been several times a member of the Board of Visitors, and this, too, tended to familiarize me with the conditions and improvements at that place. It is only of late years that I have visited the Naval Academy, and I have been astonished to see how that important institution has been neglected. Speaking entirely from memory, I recall one appropriation of $900,000 to erect a new academic building at West Point, and the one torn down to make room for the present magnificent edifice was superior to any now in use at the Naval Academy.

I recall another appropriation of $125,000 for a gymnasium, another of $24,000 for bathrooms, $50,000 to improve the gas works, between $30,000 and $40,000 for sewerage, about the same sum for reservoir and waterworks, and nearly every year we appropriated a considerable sum for quarters for officers and soldiers. Never having been on the Naval Committee, I did not know until I looked into it that while these liberal appropriations were being made for the Military Academy, so little was being done for the Naval Academy.

I give below, in parallel columns, the amounts expended for buildings and grounds at the Military Academy and the Naval Academy during the last twelve years. It will be seen that during that time there has been spent for the Military Academy three and a half times the amount spent for the Naval Academy:

Expenditures for public buildings and grounds at the Military Academy and the Naval Academy from 1887 to 1898, inclusive, as prepared by the Department.

Year.	Military Academy.	Naval Academy.
1887	$140,520.00	$21,000.00
1888	2,670.00	30,950.51
1889	617,470.20	50,991.87
1890	5,161.96	20,996.57
1891	123,326.00	64,455.41
1892	65,672.70	30,875.83
1893	114,646.00	20,815.17
1894	90,065.00	76,900.75
1895	340,090.20	43,968.71
1896	58,451.25	30,980.00
1897	111,770.00	98,913.35
1898	82,244.00	18,412.00
Total	1,752,088.03	523,260.76

There is no possible reason for this discrimination. The law provides for the appointment of precisely the same number of cadets at the Naval as at the Military Academy. It is true that the vacancies to be filled in the Navy are much fewer than in the Army, and I understand that it was for that reason that the course was extended to include two years' sea service, the effect of which would be to reduce the annual number of graduates to about two-thirds what it would be if the graduation occurred at the end of four years, as it does at the Military Academy.

The necessity of fewer graduates at the Naval Academy justified the officials in exacting a much higher grade of efficiency than is required at the Military Academy. And this, exacting as it does a closer and more intense study, should have caused Congress to increase the comforts and facilities of these young men, rather than the reverse, as has been done. It is these young men, Mr. Chairman, that we are educating to become the defenders of the honor and prestige of this great nation upon the sea.

Now, Mr. Chairman, I can not doubt but that this amendment will receive the favorable consideration of this House. There is no question but what it will meet with the highest approbation of the country. We see the reports of the Secretary of the Navy, the reports of the various Superintendents of the Academy, and the reports of the Boards of Visitors year after year insisting and demanding that this question shall receive the attention of Congress.

Something has been said about the healthfulness of that locality. The only want of healthfulness has been occasioned, as I understand from the medical officer's reports, by the unsanitary buildings and other unsanitary conditions, and in their reports they appeal to Congress to provide for the Naval Academy with the same measure of the generosity and liberality that have been extended to the Military Academy.

Now, Mr. Chairman, I speak of these things from actual observation. I largely contributed to the passage of the measures which placed the Military Academy buildings and grounds in the condition in which they now are; and when I visited the Naval Academy and saw those inferior, unsanitary buildings, I could not conceive how this discrimination had arisen until I recalled the great eclat given to the Army by the war of 1861–1865, which brought it so much more prominently before the country, and I realized that as having enabled the Military Academy to secure the appropriations which have put it in its present superb condition.

I appeal to Congress to vote for this amendment and to give to the Naval Academy that which is essential to the comfort and health of the young men of our land who are sent there by members of Congress, and who, as the gentleman from Illinois [Mr. BELKNAP] has said, are striving with most commendable zeal and energy to fit themselves to become officers, to defend the honor of our country.

I thank the House for its attention. [Applause.]

Mr. BOUTELLE of Maine. Mr. Chairman, I do not know whether I ought to make even an effort to speak, after the withering arraignment which the distinguished gentleman from Delaware [Mr. HANDY] delivered, in occupying the time which he solicited of me. I suppose I ought to be sufficiently annihilated to keep quiet, but I want to call attention to just one or two facts. One of the facts is that the gentleman is the first person who has ever brought a sectional charge before this House in connection with the Naval Academy. I attribute a great deal of it to his intense feeling. I did not know that he was so intense a Southerner. As a matter of fact, I did not know he was a Southerner at all. I had an idea that Delaware was sort of betwixt and between. But he has seen fit to arraign me, as chairman of the Naval Committee, as being responsible for permitting the Naval Academy to rot, and he has intimated very strongly that I have done that because I live in Maine and because the Naval Academy is in Annapolis.

Now, I want to give to the gentleman, who is somewhat fresh here [laughter], a little information. I want to inform the gentleman that when he made that charge and put it on a sectional basis he was attempting, in what I regard as not a gentlemanly way, to make an assault upon a present member of the committee, which was just as applicable and more applicable to other gentlemen, concerning whom neither he nor anybody else would ever think of asserting a prejudice against the South. The gentleman probably does not know that during the fifteen years I have been a member of the Naval Committee I have only had the good fortune to be chairman of that committee for five years. Two years of that time that committee was presided over by a very distinguished gentleman now deceased, the Hon. Mr. Cox, of New York, and no man suspects him of having been prejudiced against the South.

For six years of that time that committee was very ably presided over, with my constant and hearty cooperation, by the distinguished gentleman from Alabama, Hon. Hilary A. Herbert, who was never suspected of prejudice against the South. For two years of that time that committee was presided over by the distinguished gentleman from New York, Mr. CUMMINGS, who certainly has never been suspected of prejudice against the South. So I dismiss that whole business as claptrap unworthy of being injected into the discussion of a business matter before this House. I am ready to take the floor, responsible for my action or my inaction.

I am ready to be arraigned by any man on this floor at any time he sees fit on the ground that I am a native, a citizen, and a member from the State of Maine, but I think that there might be some little relevancy to debate on this floor, and that gentlemen might restrain their exuberance somewhere, either within the domain of fact or the domain of argument; and if the gentleman from Delaware [Mr. HANDY] derives any great satisfaction from his explosion in my direction this afternoon, I am glad to say that he has it without my envy.

Mr. NORTON of Ohio. Was that explosion internal or external?

Mr .GAINES. It was from the outside. [Laughter.]

Mr. BOUTELLE of Maine. Now, Mr. Chairman, this is a very simple business proposition. It was not at all necessary for a gentleman to get up here to demonstrate the fact that the buildings at the Naval Academy are in bad shape. There is no doubt about it. The Naval Committee are in no wise opposed to a proper restoration of the efficiency of those buildings. The only question before this committee is as to what is the best and most effectual way of proceeding. The Committee on Naval Affairs and the subcommittee on the Naval Academy and Marine Corps has pending a comprehensive proposition; and I will state that my colleague, the gentleman from New York [Mr. CUMMINGS], is a member of that subcommittee.

We have pending in that committee a comprehensive proposition for an entire reorganization of the ground plan at Annapolis, involving such a change in the location of the buildings and the reclamation of a portion of the water front as would require the moving of nearly every building at that Academy. Some gentlemen say why have we not acted upon it? The fact that I am standing here to-day, at the end of nearly a week, in my effort to get through this House the largest, most liberal, and most comprehensive appropriation bill for the Navy in all its departments that has ever been submitted to Congress, ought to convince every member of this committee that my committee has been busily engaged during these exciting times, in which we have been the center of the demand for legislation, and in which we had been at work as no other committee has.

Now, we have before us a measure intended to be taken up and considered as soon as we get this measure out of the way, and one or two others. It is a comprehensive plan, reported upon by several boards of officers and recommended by the Secretary of the Navy, which involves an expenditure mounting up to a million of dollars.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEWIS of Washington. I ask for five minutes.

Mr. HARTMAN. I ask that the gentleman's time may be extended five minutes.

The CHAIRMAN. The gentleman from Montana asks unanimous consent that the time of the gentleman from Maine be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BOUTELLE of Maine. I thank the gentleman. I shall not use so much.

As I stated before, the committee have this comprehensive plan before them, but we have not been able to carefully consider it. It seemed to the committee, and it seems now to me, that it would be wise for that committee, or some other committee, if the Naval Committee does not attend to it—but it has not been referred to any other committee—to look over that plan and to come into the House with something like a comprehensive way, at least, of dealing with the suggestion of the Secretary of the Navy in regard to expenditures for the Naval Academy. These propositions stand by themselves. The committee at present do not know just exactly how far they coincide with other plans that have been made. We do not want to appropriate money to tear down some particular building at that Academy and erect upon its site an expensive new building that would have to be removed if we carry out the general plan. That would not be a wise policy.

Now, I want to disclaim any feeling about this amendment whatever. I have no interest in the question at all, as I have said, and it is no matter of pride of our committee. We do not stand upon appropriations in the bill. We are not personally bound by them. They are the recommendations made by the Committee on Naval Affairs, in good faith, after careful consideration—recommendations to this House in the exercise of its wisdom and judgment to determine.

Mr. STEELE. Could not the difficulty be avoided by providing that this money should be expended under the direction of the Secretary of the Navy?

Mr. BOUTELLE of Maine. I do not think that we would be fully guaranteed on that point. If the gentleman from Indiana means that he thinks it wiser for us to make appropriations and put them in the hands of the Secretary of the Navy for him to expend in pursuance of such plans of general reorganizations that are without limit of extent or cost than it is for Congress to do what it has done in regard to the Military Academy and what the House insists on doing in regard to every public building of the country, that is one thing; but our committee thought, and so far as I know the belief now of that committee is, that Congress in both branches would certainly expect to be consulted in a general reorganization of the building of that Academy.

Mr. HANDY. Will the gentleman permit a suggestion?

Mr. BOUTELLE of Maine. Certainly.

Mr. CUMMINGS. Mr. Chairman——

Mr. HANDY. I wanted to make a suggestion to the gentleman from Maine.

Mr. FITZPATRICK. Mr. Chairman, we can not hear what is said.

Mr. HANDY. I want to suggest to the gentleman from Maine, in response to the difficulty that seems to be in his mind, that the Assistant Secretary of the Navy, Mr. Roosevelt, has written the following. He says:

Accordingly the immediate action recommended—

And that recommendation is embodied in my substitute—

Accordingly the immediate action recommended is to do certain work which it is absolutely indispensable should now be done, but to do it in a way that will make it when done fit into the accompanying general plan for the buildings as a whole. If in the long run Congress rebuilds the Academy in accordance with this general plan, then the work which I propose to have done at once can be regarded simply as the essential first step toward this general plan.

Mr. SOUTHARD. All predicated on this general plan.

Mr. HANDY (reading)—

If the general plan is never adopted, then this first work is simply work which it was imperatively necessary to do anyhow.

Mr. BOUTELLE of Maine. I thank the gentleman for emphasizing on my mind something with which I was before perfectly

familiar. That does not answer the fact that no general plan has ever been authorized by Congress. The plan to which these gentlemen from the Navy Department refer is a general suggestion that was gotten up by certain gentlemen who manifested a great public interest in it, and who had certain drawings made, and we have them here in a public document. I do not know that that is the best plan that can be adopted; I know that one of the plans has been favored by quite a number of officials who are interested in the Academy, and I know that many modifications have been suggested as necessary. There is no general plan that has been authorized by anybody exercising any power in this Government.

Now, if the House, without knowing what this general plan is, knowing nothing of the suggestions, desires to authorize somebody to spend $500,000 for carrying out this general plan without knowing just what it is, I have no desire to restrain the action of the House in any direction it sees fit to go. But there is no plan formulated; there has been one sent to our committee and is under consideration there, but it has not been reported on, and up to the present time neither the House nor the Senate nor the public is aware as to what extent that plan goes, what it would involve, or whether at the conclusion of the rebuilding the result would be precisely what it wanted.

Mr. CANNON. May I ask the gentleman from Maine a question?

Mr. BOUTELLE of Maine. Certainly.

Mr. CUMMINGS. I hope it is not coming out of my time.

Mr. CANNON. Does the gentleman have in contemplation that the committee at an early day will take this subject up and investigate it?

Mr. BOUTELLE of Maine. It was the intention of the committee to proceed to the consideration of this and one or two other important matters just as soon as we could get rid of the appropriation bills. We shall do so. We are not anxious for the task, and if the House thinks it is wiser to delegate this whole matter to the Navy Department and relieve us of all responsibility in the matter, of course it has the right and the power to do it. I want to disabuse the mind of anybody here of any impression that I or my committee have any particular whim or desire about this matter. We have simply acted in accordance with the ordinary business principles that govern all the committees of the House. We brought our bill in here without this great appropriation because of the reasons I have stated. If the House thinks it is wise and best to put it in, of course it will do so.

Mr. McINTIRE. Will the gentleman yield to me for a question?

Mr. BOUTELLE of Maine. I will.

Mr. McINTIRE. The gentleman speaks of having a plan in the committee now that is known as the Matthews plan?

Mr. BOUTELLE of Maine. I am not familiar with it, although I have seen it.

Mr. CUMMINGS. Mr. Chairman, I will say for my colleague that during my service on the committee he has been heartily in favor of action toward the rebuilding of the Naval Academy. The great trouble has been that no action whatever has been taken. For ten years this subject has been mooted in the Naval Committee, and nothing definite has come from it. The rickety buildings are there still, and the defective sewerage and all the buildings are in just as bad order to-day, if not worse—for patching them, I believe, makes them worse—as they were ten years ago. Now, it is true that we have plans in the subcommittee of the Committee on Naval Affairs for the rebuilding of that Academy. But if we formulate a bill and it passes the full committee, we have no assurance whatever that we can get it before the House.

Mr. LENTZ. Mr. Chairman, we would like to hear what the gentleman from New York is saying, and if we can have this Cuban junta near me dissolved, I think we can hear. [Laughter.]

The CHAIRMAN. Gentlemen will be in order and please cease conversation.

Mr. CUMMINGS. We have no assurance that we can get such a bill before the House under the rules as they are to-day, and secure a vote upon it. This matter, it seems to me, is imperative. The Secretary of the Navy has undoubtedly considered several plans of improvement. He undoubtedly has some systematic plan within his mind to-day. I do not know but that he has sent such plans to our committee; but for one, I am willing to trust John D. Long. [Applause.] I have served in this House with him, and I know him to be an honest and conscientious public officer, of good judgment, and one whom of all others I would choose to select a plan to reconstruct this Academy.

Mr. BOUTELLE of Maine. How can the gentleman think so when Mr. Long comes from way down in Massachusetts, where, as the gentleman from Delaware [Mr. HANDY] thinks, there is such hostility to the Academy and the South?

Mr. CUMMINGS. I know no section in this country. [Applause.] I love Louisiana and I love Massachusetts. The injury of one is the concern of all, and I stand by the country every time, without reference to States. [Applause.] I do say that this House has before it now a practical proposition. If it fails to take advantage of this opportunity, it is my opinion, expressed after careful consideration, that it will be at least five years before you do anything for the Naval Academy at Annapolis.

Mr. JOHNSON of Indiana. To which proposition does the gentleman refer?

Mr. CUMMINGS. To the proposition of the gentleman from Maryland.

Mr. SOUTHARD. Mr. Chairman, this amendment as it now stands involves an appropriation, an immediate appropriation, of $850,000. This appropriation is not based upon the recommendation of the Secretary of the Navy. It is based upon a suggestion of the Secretary of the Navy, predicated on the carrying out of certain plans embodied in what is known as the Matthews report.

In 1895 the Board of Visitors at the Naval Academy adopted a resolution and suggested certain plans for the entire remodeling and rebuilding of the Naval Academy at Annapolis. It involved more than the rebuilding. It involved an expenditure of several hundred thousand dollars in reshaping the grounds and dredging, making a basin for the reception of torpedo boats, etc. This new plan was in accordance with a previous suggestion of the Secretary of the Navy, one that has been repeated from time to time. The same suggestion, I think, is found in the report of the Secretary of the Navy for this year. This is the language:

Attention is invited to the unanimous resolution of the Board of Visitors of the Naval Academy—

And I wish to say that this suggestion involving this plan was made so late as 1895. The plan has not been under consideration or advisement for any great length of time. It was reported in 1896, less than two years ago.

Attention is invited to the unanimous resolution of the Board of Visitors of the Naval Academy, in which the board calls attention to the obvious fact that the irregular methods of constructing buildings upon the Academy grounds have been wasteful and unsatisfactory, and recommends that in future different construction obtain here, especially in conformity with a general plan previously adopted.

This plan, as I understand it, involves the expenditure of a large amount of money—I do not know exactly how much, but I have been told not less than $6,000,000. Now, I venture to say that all the buildings upon the grounds of any one of our older educational institutions—I do not care which one you select—from its very inception until the present hour never cost anything like $6,000,000. This is a large expenditure of money. A plan of that kind should be well considered before it is adopted. And I do not believe that Congress desires to place this matter in the hands of the Secretary of the Navy or anybody else without some previous instruction.

Mr. McINTIRE. Does the gentleman believe there can be more capable hands than those of the Secretary of the Navy?

Mr. SOUTHARD. I am not going to decide that question, and am not going to express any belief on the subject. I believe it will be the desire of Congress to have something to say about any comprehensive plan that may be adopted for the entire rebuilding of this important institution.

Now, Mr. Chairman, I have said that the preliminary work of this improvement, before the buildings are commenced——

[Here the hammer fell.]

Mr. LEWIS of Washington. I ask that the gentleman be granted three minutes additional.

There was no objection.

Mr. SOUTHARD. The preliminary work of this improvement, before any buildings are commenced, involves an expenditure of about $400,000, according to these plans. And I want to call the attention of the House to the suggestion of the Secretary of the Navy in an official communication he made to the committee on the 27th of last December. He calls attention to what ought to be done in the first instance. This is only in the nature of a suggestion and is coupled with an "if"—"if these plans shall be adopted."

What we need at once is an appropriation as follows: $150,000 to construct the line of sea wall on the river side and for dredging and filling in as necessary. The use of the material dredged to fill in will provide necessary extension of the parade ground, etc.

Mr. McINTIRE. Does the Navy Department ever demand anything? Does it not simply "suggest" all the way through?

Mr. SOUTHARD. I do not say the Department has demanded anything; I do not say it has recommended anything. I say it has not done so. I say these are merely suggestions predicated upon the adoption by Congress of the plan which was submitted by the Board of Visitors.

Now, in a communication from the Secretary of the Navy to the committee, he says, after reciting that some improvements there are absolutely necessary, which we all admit:

In order to place the matter in such form that it may be directly considered and acted upon if approved by the committee, I have caused to be drawn

and inclose herewith, a draft of a clause suitable for insertion in the pending naval appropriation bill providing for certain of the appropriations which are most urgently needed if—

Observe the "if"—

if the plans proposed shall be adopted.

It will thus be seen that the recommendation of the Department is predicated entirely upon the adoption of this comprehensive plan looking to the rebuilding of this whole institution. Previous to that the ground must be reshaped and prepared for the construction of those buildings. There are a large number of buildings proposed—I think not less than twenty-five; I have a list of them here. They are all mentioned and located upon the plan sent in with the report. I wish I had time to read a list of them.

This work involves a large expenditure of money. Probably a good deal more than $6,000,000 will be necessary in order to carry out these recommendations.

And now, Mr. Chairman, we propose, simply on a suggestion of the Secretary of the Navy, to make an immediate appropriation of $850,000, which he must assume is to be expended in the direction which has been previously suggested.

Farther on he says:

This appropriation, if authorized, will provide for the construction of three new buildings—an armory, a boathouse, and a power house.

No quarters are provided for the officers or for the students; nothing of the kind is contemplated, apparently.

Mr. McINTIRE. If the gentleman will permit me, I do not want to do injustice to him, and I am sure he does not want to do injustice to himself. Will he allow me an interruption?

Mr. SOUTHARD. Certainly.

Mr. McINTIRE. Does not this same Secretary say that this should be done in accordance with the plans, and he asks immediate action in that regard?

Mr. SOUTHARD. Certainly; I have not disputed that.

Mr. McINTIRE. That is right. There is no "if" about that. There is no quibbling, nothing uncertain, but a positive and direct statement as to the necessities of the institution.

Mr. SOUTHARD. The only plan suggested is a comprehensive one involving the expenditure of money—an expenditure embracing many millions of dollars.

But, as I have just read, Secretary Long, as I have said, recommends the construction of the armory, a boathouse, and a power house. Then he goes on to make suggestions that if the plan be adopted further appropriations should be made to extend the buildings as they may be needed hereafter.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SOUTHARD. I ask a few moments longer.

Mr. LEWIS of Washington. I move that the gentleman have another minute, if that will enable him to conclude.

There was no objection.

Mr. SOUTHARD. The Secretary proposes an armory to cost not over $300,000, a boathouse to cost not to exceed $300,000, and a power house—all of these being important buildings, Mr. Chairman—to be constructed in accordance with the plans, involving the appropriation which has been already suggested, and the preparation of the ground at a great expense.

Now, it seems to me, and I wish to say in this connection that I have no objection to any amount of appropriation that may be suggested for carrying out any plans which may be devised by Congress for rebuilding the institution, but it seems to me a sensible way for us to pursue is to proceed in an orderly, systematic, and businesslike manner. That is the only course we should undertake to pursue. Let us first have a plan on which to proceed and then make reasonable appropriations to carry that plan into effect.

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3720. An act authorizing cities and towns in the Indian Territory to secure, by condemnation or otherwise, lands necessary for public improvements; and

S. 3729. An act making further provision for a civil government for Alaska.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. KYLE, Mr. VEST, and Mr. BAKER as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment the bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the Senate of the following titles:

S. 73. An act granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.;

S. 178. An act granting a pension to Susan A. Paddock;

S. 431. An act granting a pension to Ann M. Madden;

S. 655. An act granting a pension to Harriet R. Matlack;

S. 1181. An act to increase the pension of Ann E. Botsford, widow of Eli W. Botsford, late of Seventeenth Regiment Ohio Volunteers;

S. 1825. An act granting an increase of pension to Robert P. Wild;

S. 2290. An act granting a pension to Caroline A. Slocum; and

S. 3178. An act granting a pension to Olevia S. Washburn.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. LEWIS of Washington. Mr. Chairman, before proceeding I desire to ask that the committee may allow me five minutes in addition to the five to which I am entitled under the rule.

Mr. SIMPSON. I ask that the gentleman from Washington be permitted to occupy the floor for ten minutes at this time.

Mr. BOUTELLE of Maine. Speaking to the amendment.

Mr. LEWIS of Washington. My remarks, Mr. Chairman, will not be altogether foreign to the amendment.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. LEWIS of Washington. The gentleman from Maine can rest in my discretion in that matter, I think.

Mr. BOUTELLE of Maine. I will trust the gentleman not to abuse the privilege of the committee.

Mr. SIMPSON. He will not do that.

Mr. LEWIS of Washington. But, Mr. Chairman, I can not have the honorable chairman of the Committee on Naval Affairs to assume that my remarks are to be within such lines as he would regard as altogether appropriate and fitting to the occasion. But it is no intention of mine to abuse the courtesy of the committee; and if I shall transgress what the gentleman from Maine thinks the proper line within the consent which has been given to me, it is his duty, his privilege, to make the point of order against me, for I do not want any favors extended to me. I seek only my rights on this floor.

Mr. Chairman, this amendment has for its purpose the increasing of the facilities by which a certain class of the youth of this country may be educated and the lessons of patriotism instilled within them.

There has never been a civilized nation in the history of the world where there was not an effort made, wherein schools of this character were not only encouraged, but always supported with the most prodigal generosity. We have it symbolized in the accredited history of ancient Greece that even after Æschines was banished from home and took up his residence in Rhodes the first lecture delivered by him was upon the patriotism of the student. We recall that the student, in the Arcadian groves of Greece, watching the sunlight on the statue of Mennon, murmured upon his lips the closing words of the oration of Demosthenes against Philip—"my country must be saved if I shall live."

It is then not inappropriate at this moment that I ask this honorable committee if we are not surrounded with conditions that make it not only appropriate but most onerous upon us that we do something to instill a patriotism into the youth of this country, when we behold how the youth grown up in the past generation have become so debased, so lacking in patriotism, so lacking in decency that one of them, calling himself a banker, should address a letter to the President of the United States—our President, irrespective of our party—calling upon him for an answer as to "why should the mere loss of 250 lives be of consequence enough for him to unsettle all the stable values of this country by irritating Spain to conflict." [Cries of "Oh!" "Oh!"]

When we, sir, keep in view that the public press brings us from a credible source that there have been here in Washington a flock of these vultures wheeling around the head of the President, biding their time to feed upon his patriotism; when we shudder at their offense in an hour when he sought to take matters in his hands as the Chief Executive to come to the rescue of the immediate necessities of the country whose destinies we desire to espouse, that these "patriots" dared to confront the honorable President with the threat on Sunday night that if he took drastic action which would affect their securities they would present their obligations against the Government payable in gold and take $50,000,000 of gold out of the Treasury in one day, thus weakening the financial vertebræ of the nation, that wriggling she would fall.

These creatures who say they are patriots are "neither men nor women, neither brutes nor human; they are ghouls." [Applause on the Democratic side.] Added to this, this banditti of bankers have assumed that in a crisis like this they may impose upon the susceptibility of charity or the weakness of an emergency and now demand that the honorable President of the United States

shall sell the liberties of the Island of Cuba to them for $200,000,000 and allow these men a mortgage upon the tax facilities of Cuba, and in order to guarantee and indemnify them for the fund they shall pay this nation is to pledge to them its credit and honor. God forbid that these men who would coin dollars from the breath of a dying nation and distill interest percentages from its dripping blood should ever succeed in our country in an hour like this. [Applause.]

I do not know, Mr. Chairman, what attitude the honorable President of the United States shall take upon this matter. I hear from his friends—for it is not my honor to know him personally—that he is a Christian man. If that be so, as I hope it is, he is not the man who would mortgage these prostrate people, with their outstretched hands beseeching our aid, their faces drenched in tears, their bedraggled garments bespattered with their sacrificed blood. Surely the President is not the man who would put these people in bondage, into the hands of those who would hold them as a ransom and use them for the purpose of increasing dollars to private fortunes. [Applause.]

Mr. Chairman, I then rise to say that the substitute to this amendment becomes appropriate in an hour like this, when it becomes the duty of this great American House to instill patriotism where we see it is both waning and debased. I do not know how far, gentlemen of this House, these men may come; but, as God helps me, if one of these harpies dares come within the portals of this building to lure by their familiar arts or influence any man in this House to their nefarious and dastardly schemes, I will brand him where he stands and demand that he be kicked from the portals of the Capitol. [Applause.] He shall not proceed here as long as I am in this House; and I pledge you, my friends, I am coming back to execute my promise. [Applause.]

Mr. Chairman, I appreciate the courtesy of the gentleman in allowing this expression. I remarked a moment ago, sir, that I did not know what attitude would be taken by the President or his followers. I do not; but if it shall ever come that in a weak moment we shall ever yield to conditions such as I am told are now being considered, patriotism is dead, statesmanship a thing of the past, the grandeur of our nation worse than "the glory that was Rome and the grandeur that was Greece," because there will be none to sing her songs, save in a requiem to disgrace and dishonor. [Applause.] I do not know whether the question is before you now or not, gentlemen, but if it is, as heaven shall witness, you have thrown at your feet to-day, in the twentieth century, the same question that was thrown at the feet of the first, "Will you take Barabbas or Christ?" If it shall be the thief, I myself say it shall be the thief crucified and not glorified by this American House of Representatives. [Loud applause.]

Mr. BOUTELLE of Maine. Mr. Chairman, I move to close all debate on this paragraph and amendments.

Mr. JOHNSON of Indiana. I should like five minutes.

Mr. BOUTELLE of Maine. I move, if possible, to close debate in five minutes.

The CHAIRMAN. The gentleman from Maine moves, pending the recognition of the gentleman from Indiana, that debate on this paragraph and amendments be closed in five minutes.

Mr. HARTMAN. I move as an amendment ten minutes.

Mr. JOHNSON of Indiana. I do not care for ten minutes.

The CHAIRMAN. The gentleman from Montana moves as an amendment that debate be closed in ten minutes.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The CHAIRMAN. Debate on the pending paragraph and amendment will be closed in ten minutes. The gentleman from Indiana [Mr. JOHNSON] is recognized.

Mr. JOHNSON of Indiana. Mr. Chairman, I wish to say that I am not surprised at the remarkable exhibition given by the gentleman who has just taken his seat. His evident desire for notoriety has not failed to impress both sides of this Chamber. He has seized upon some wild rumor, one of the thousand of wild rumors that are now being circulated, and made it the text for a foolish and unnecessary speech. This is not the first time that the gentleman has intruded himself upon the House, and sought to intrude himself upon the country. [Laughter.] He is one of those irrepressible patriots who seem to be determined to have gore.

Now, I suggest that this whole Spanish problem is very easy of solution. There is no necessity for this House voting $50,000,000 to carry on war. It is all folly to be scouring the markets of the world to find battle ships and equip them to enter upon a conflict with Spain. There is a much easier and much safer way—except for the Spanish people—of bringing the entire matter to a triumphant conclusion. I suggest, and I do it with all seriousness, that the best way to make an end of this whole affair is to harness up the gentleman from Washington and turn him loose upon Spain. [Great laughter.]

Mr. BRUCKER. Do it with a million umbrellas.

Mr. JOHNSON of Indiana. I venture to predict that if we do this thing the Spanish flag will be wiped out of existence on the Western Hemisphere in a much shorter space of time than by the exercise of all the military and naval power of the Federal Government. [Laughter.] There is no need of any umbrellas. All we need in the world is the gentleman from Washington, and he will not require any help in an undertaking of this character. There is, however, an objection to this plan. There is one consideration that should restrain us. We are a Christian nation. We should not engage in a war of absolute extermination. [Great laughter.]

Imagine, Mr. Chairman, what an awful condition we would be in if, having "cried havoc and let slip the dogs of war," we should then find it impossible to choke off the ferocious gentleman from Washington, and he should persist in his warfare until the Spanish nation should be blotted entirely off of the face of the earth. [Great laughter.]

Now, sir, in all seriousness, I utterly deprecate and despise this cry for war which we have heard on that side of the Chamber. Do gentlemen stop to reflect for a moment what it means if we should enter upon hostilities?

Mr. KELLEY. Will the gentleman allow me to ask him a question?

Mr. JOHNSON of Indiana. I can not yield, as I have only five minutes.

Mr. KELLEY. The gentleman has had his time extended to ten minutes.

Mr. JOHNSON of Indiana. I want to call the attention of this House to the fact that if war comes with Spain it will be an unnecessary war [hisses in the gallery]—a war which we could have averted.

Mr. BOUTELLE of Maine. Mr. Chairman, I demand order in the galleries.

Mr. JOHNSON of Indiana. If the hot-headedness of men in public life shall force the President of the United States to put Spain into an embarrassing position by an imperious demand for instant concessions which her proud spirit will not permit her to accede to, they, and not the President, will have to bear the responsibility. If public men in Congress would simply restrain their impetuous natures and keep their hands off the President, he would be able to accomplish in a very short space of time by the arts of diplomacy and without a conflict the independence of Cuba.

Spain started out, sir, with the idea of the absolute subjugation of Cuba, without qualifications or conditions. This Government made firm and diplomatic representations to Spain until she withdrew Weyler and offered a system of autonomy, and she has continued to yield to the diplomatic representations of this country until she has absolutely given up everything except the independence of the island. Indeed, sir, her last proposition shows you that she would give what would be absolute independence, with the sole reservation that her flag shall fly over the island and that she shall be permitted to appoint its Captain-General. What is this but practical independence, with merely nominal control by the Spanish authority?

Now, on the other hand, the Cuban insurgents started in with the cry of independence or death. They refused to accept any compromise whatever. Nobody is more anxious, sir, to see the Cubans independent of the Spaniard than I, but I would regret if we should have to sacrifice American lives in order to achieve that result. Now we hear, however, that the Cuban junta in New York say that the insurgents are willing to raise and can raise $100,000,000 in order to purchase their independence. It appears, therefore, that we have brought these two antagonistic forces thus far together by the exercise of the judgment, the diplomacy, and the exalted patriotism of the statesman in the White House. [Applause.] And I believe if we will give him a fair opportunity to carry out his purposes——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEWIS of Washington. I ask that the gentleman have five minutes more.

Mr. JOHNSON of Indiana (continuing). He will bring us to a triumphant conclusion without shedding an ounce of American blood. [Great applause.]

Mr. BOUTELLE of Maine. I hope we will now have a vote on the amendment.

Mr. NORTON of Ohio. Mr. Chairman, I regret sincerely that I have been limited to the time given me, for I hope to speak sincerely upon this question. For I say to you that no man in all this land has his heart more deeply interested in the Naval Academy than I. To-day almost the hope of my life is centered in the Navy of the United States. I regret and I blush for shame that I am compelled to digress from the interests of that Naval Academy and reply for one single instant to the man upon that side of the House that voices the language of the President, coming as his adviser, to speak in the language of Spain.

I believe, sir—and I am proud to know that there is a little patriotism left on the other side of the House—that when the hour

shall come, they will resent the insults to the party of Americans represented on the other side. [Applause on the Democratic side.]

Mr. Chairman, I desire to speak on the subject of this bill alone and its necessities. Twice in every year for more than fourteen years I have been upon the naval grounds, and the state of facts I have seen there was such a disgrace and a shame to the flag of my country that I could scarcely contain myself from violating the confidence placed in me by the men in charge and letting the world know the condition of affairs there.

Out of that Naval Academy have come the brightest men, the greatest geniuses, the bravest men, the truest patriots that God ever gave to any flag. To-day they stand between you and the menace to the nation. The men confined within the walls of that Academy are now being, by the negligence of the Naval Committee, permitted to breathe the noisome air and to die, to become diseased and brought on the retired list even before they graduate, solely because of the absolute imbecile negligence of that committee.

I challenge the chairman of that committee to say that he has ever presented any plan for the reorganization of that institution. I appeal to the gentleman from New York [Mr. CUMMINGS], and I challenge him to say if he has ever even put his eyes upon it. You and I know that that plan has never been considered and never will be, under the rule and management of the committee as it is constituted, until Gabriel shall blow his trumpet.

Mr. CUMMINGS. The gentleman is entirely and utterly mistaken. The Naval Committee six years ago were considering plans for the rehabilitation of that Academy. What I complain of is that they never fructify, they never produce fruit, and here is an opportunity to do it without the committee.

Mr. NORTON of Ohio. I am glad to know that they have been for six years engaging the attention of the committee. They will be six years more, under the rules of this House. You know you can not bring a bill in here; you know you can not get it considered. The occupant of the chair is opposed to this; he is from the State of Maine, and by the nod of his head or the movement of his hand no bill making an appropriation can ever see the light of day.

Now, gentlemen, here is an opportunity. If you have any patriotism left on that side of the House, you will join with us and let us do this thing. Wait! You have been pursuing a waiting policy, your President is waiting, you are waiting now, while the worst flotilla that ever started out under the flag of any nation is pushing its nose toward the city of New York, and may throw their shells into New Orleans.

Wait in your imbecility; wait in cowardice; wait in that humility, and in obedience to greed and avarice; wait with the blush of shame indelibly stamped on your brows forever. To-day, here is your opportunity. The man who refuses to vote for this appropriation does not deserve to stand on the floor of this House; the man who refuses to act and splits hairs upon this occasion would split hairs upon the nation's honor and wait until the doom of the nation's death. [Applause.]

I regret more than words can express that the limit of time stifles my voice upon this question.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Delaware to the amendment. The Clerk will report the substitute again for the information of the committee.

The Clerk again read the substitute.

Mr. DINGLEY. A parliamentary inquiry, Mr. Chairman. Is this a substitute for the amendment proposed by the gentleman from Maryland [Mr. MUDD]?

The CHAIRMAN. It is. The gentleman has properly stated it.

The question was taken; and on a division (demanded by Mr. HANDY) there were—ayes 82, noes 98.

Mr. HANDY. Tellers, Mr. Chairman.

Tellers were ordered; and the Chair appointed Mr. BOUTELLE of Maine and Mr. HANDY.

Mr. BOUTELLE of Maine. I ask, Mr. Chairman, that the gentleman from Maryland [Mr. MUDD] will be substituted in my place as one of the tellers.

The motion was agreed to.

The committee again divided; and the tellers reported—ayes 82, noes 108.

So the substitute to the amendment was rejected.

The CHAIRMAN. The question now is upon agreeing to the amendment offered by the gentleman from Maryland [Mr. MUDD].

The question was taken; and on a division (demanded by Mr. HANDY) there were—ayes 89, noes 56.

So the amendment was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having taken the chair, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 23, 1898:

H. R. 7541. An act to require certain writs to be directed to and executed by the marshal of the District of Columbia;

H. R. 7344. An act granting a right of way through the naval station, New London, in the State of Connecticut, to the Norwich and Worcester Railroad Company;

H. R. 101. An act to correct the naval record of and grant an honorable discharge to Thomas H. Holden, of Pawtucket, R. I.; and

H. R. 2477. An act to relieve John McCarthy from the charge of desertion.

On March 25, 1898:

H. R. 4698. An act for the relief of W. E. Judkins, executor of Lewis McKenzie.

On March 26, 1898:

H. R. 6542. An act for the relief of Eldred G. Davis.

On March 29, 1898:

H. R. 6079. An act to amend an act entitled "An act to authorize the Denison and Northern Railway Company to construct and operate a railway through the Indian Territory, and for other purposes."

On March 30, 1898:

H. R. 8618. An act for the relief of the sufferers by the destruction of the U. S. S. *Maine* in the harbor of Havana, Cuba; and

H. R. 6358. An act authorizing the Nebraska, Kansas and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes.

On March 31, 1898:

H. R. 3737. An act granting an increase of pension to Orlando J. Hopkins.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

MARINE CORPS.

Pay, Marine Corps: For pay of officers on the active list: For 1 colonel commandant, 1 colonel, 2 lieutenant-colonels, 1 paymaster, 1 quartermaster, 1 adjutant and inspector, 4 majors, 2 assistant quartermasters, 20 captains, 30 first lieutenants, and 13 second lieutenants, $180,360.

Mr. LEWIS of Washington. I move to amend by striking out the last word. Mr. Chairman, having had during my past service in this House nothing apparently but the kindest and most courteous associations with the gentleman from Indiana [Mr. JOHNSON], I was somewhat at a loss to understand what particular motive animated him in his effort to create an excitation of the risibilities of this House by making me the special subject of his most elastic, reverberating, and perplexing remarks. [Applause.]

The gentleman took occasion to observe that if one desired to come to the rescue of Spain, far from appropriating $50,000,000, he would advise that the gentleman from Washington be substituted. To that extent it will be admitted that "the gentleman from Washington" at least has the qualification of firing his own gun at his own pleasure and whenever he sees the enemy in sight. Unfortunately for the gentleman from Indiana, if Spain has been casting her eye to his record or the record of the other side of the House, she would certainly not expect him to come to her rescue, but rather, in her charity, seek that he should declare first his own independence. [Laughter and applause on the Democratic side.]

From day to day, Mr. Chairman, we have watched that singular restlessness with which the gentleman, like a caged lion, would pace up and down the aisle in front of the Speaker, each day coming to our side and promising that in the next hour he would no longer chafe beneath the yoke of the Speaker of the House, but would rise in his might and dispatch him with an army of words. [Laughter.] But for some reason when the Speaker would cast his ferocious eye at the gentleman, he would wilt like a leaf in the summer heat. [Laughter and applause.]

Day after day, I have never a doubt, his beseeching constituents have been trying to persuade him to take the muzzle from his mouth and the shackles from his limbs; but fearing, Mr. Chairman, to move in the direction that common decency, justice, and independence would require, he thought it would be an appropriate thing to turn upon a gentleman who never offended him, trusting that he might infuse into the House some sense of spontaneous humor and be known hereafter as a wit. [Laughter.]

I do not know, Mr. Chairman, whether the President of the United States has selected the gentleman as his fidus Achates, as his good friend and defender on this floor, but certainly if such is the case, then, as an humble adviser of the President, I would suggest that he join in the prayer of Cæsar to be delivered from his friends. [Laughter and applause.] If it should come to pass that the President should receive, as some people in certain quarters hope and others fear, his political death, then those who may write his obituary, if the gentleman from Indiana continues in the course he has been pursuing, may content themselves with the elegy, "Too Much JOHNSON." [Loud and continued laughter and applause.]

Mr. JOHNSON of Indiana obtained the floor.

The CHAIRMAN. The Chair regrets to be compelled again to call the attention of visitors in the galleries and the officers in charge there to the fact that manifestations of applause or disapproval on the part of occupants of the gallery are not in order. The Chair hopes he may not have occasion again to call attention to this subject. The committee will be in order. The gentleman from Indiana [Mr. JOHNSON] has been recognized.

Mr. JOHNSON of Indiana. Mr. Chairman, the gentleman from Washington [Mr. LEWIS] on this occasion, as on all others, has served simply to amuse the House rather than to instruct it. It has not heretofore, nor do I apprehend that it has on this occasion, fallen within his province to utter anything worthy of more than a cursory and passing notice. There are some men who get into political power not so much because they have any of those sterling qualities which make it proper to invest them with such power, as because of a to them happy combination of circumstances which serve only to show one of the weaknesses of our republican form of government. [Applause.]

Mr. LEWIS of Washington. The gentleman may withdraw his plea of guilty.

Mr. JOHNSON of Indiana. The gentleman from Washington on this occasion, as on all others, has absolutely failed to rise to its height, and if there is any man on this floor who might be expected to insult a great public crisis by injecting into it as he did in his first speech a lot of blind and claptrap matter, tending to darken rather than illumine the situation, one would naturally suppose that the gentleman from Washington would be that man.

Now, it is hardly necessary for me to deny any accusation made against me by the gentleman from Washington. Therefore I pay myself, I admit, no very high compliment by undertaking to repel certain things which he has attributed to me. But his intimation that I have paced the floor of this House with a pent-up feeling for war——

Mr. LEWIS of Washington. Not against Spain.

Mr. JOHNSON of Indiana. Liable at any time to explode, is as far from the truth as any other thing that the gentleman has stated on this subject. I have realized, sir, from the start that the danger to the nation was in the hot-headedness of those men who never stop to reflect into what they are liable to precipitate the country. I have never had the least desire for hostilities. My voice has been and still is for peace; not for peace at any price, but for honorable peace, and for exhausting the last reasonable alternative before embarking in war. Whether my views were popular or not I have not stopped to inquire.

I have had no hesitancy in recognizing in the person of the gentleman from Washington [Mr. LEWIS] one of those ferocious statesmen who are determined to have war, no difference what may be the cost or what may be the result. His intimation that I have ever been laboring under the yoke of the Speaker of this House, or of any other man, is so entirely foreign to my nature, as known to my colleagues upon this floor, that it refutes itself without any answer from me.

I submit, Mr. Chairman, with grace and thankfulness to any yoke, whether imposed by the White House, by that Chair, or by my own conscience, that leads me to stop in these troublous times and calmly think before I take any step in a perilous crisis. The intimation that I have ever said that I would ally myself with the explosive element on this floor which, regardless of consequences, would precipitate a conflict that would result in the shedding of precious American blood is absolutely and unqualifiedly false.

The mere fact that it has been stated in a spirit of levity or ribaldry, of which the gentleman alone is capable, will not prevent me from giving it a flat denial. I am opposed to war—war with its disastrous consequences, war which involves a vast expenditure of public money, which involves burdens of taxation to be paid by the people, which involves the issuing of paper money, which involves a period of wild speculation——

Mr. KELLEY. What is the matter with the gold standard?

Mr. JOHNSON of Indiana. War which, while it affords opportunities for exalted patriotism and heroic devotion to the flag, at the same time opens up an arena for the cormorants who always prey upon the Government and seek to take advantage of its necessity. I am opposed to that condition of affairs which would sacrifice the flower of American manhood, which would put women into garments of mourning, and which would torture our unhappy ears with the wail of the orphan. I am opposed to war not only because of that which accompanies it, but because of that which follows and succeeds it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELLE of Maine, Mr. HARTMAN, and Mr. LEWIS of Washington asked that the time of Mr. JOHNSON of Indiana be extended five minutes.

The CHAIRMAN. The gentleman from Maine [Mr. BOUTELLE] asks unanimous consent that the time of the gentleman from Indiana be extended five minutes.

Mr. LEWIS of Washington. I made the request, or joined in it.

Several MEMBERS. Make it ten minutes.

The CHAIRMAN. Is there objection? The Chair hears none. The time of the gentleman from Indiana is extended five minutes in accordance with the request of the gentleman from Maine.

Mr. JOHNSON of Indiana. I am opposed to war, because I know that its evils follow it, and that it is always succeeded by a season of depression and reaction. The bubble of speculation must burst; the currency must be contracted; the debts that have been incurred must be paid, and during all this period of time those great administrative and legislative reforms in government, by the passage of which alone can the happiness and prosperity of my countrymen best be secured, are to be postponed and held in abeyance.

I infinitely prefer peace. I make bold, sir, to avow it. I will say here to-day that I believe in going to the extremes of magnanimity before precipitating the country into war. The nation is powerful enough, it is great enough, to afford to do this thing. I would go to war only as a last resort, as a dire necessity, when every expedient to avert its horrors has been tried and has failed. I would not sacrifice American blood except our quarrel should be a just one.

I should want to go into the conflict conscious that we had done everything we possibly could to avert it, knowing that the sound of the first gun would bring every American citizen, North, South, East, and West, regardless of party, color, or religion, to the support of the flag; that our action would carry with it the moral support of the civilized world, for he who believes, sir, that the moral support of the world is to be ignored in a conflict between two great nations advertises himself to humanity as a man who knows nothing of those influences which, in a time of international conflict, tend powerfully toward victory.

When I sat down a short while ago, Mr. Chairman, I was attempting to make before this House and the country, if indeed the country will heed a voice so feeble as my own, a statement of the fact that by the steady policy of diplomacy, the sensible, honest, patriotic course of the President of the United States, we were gradually bringing these two antagonistic elements together; that Spain had come down to the point where she was willing to abandon possession of Cuba upon a mere nominal consideration, and that the Cuban junta, authorized, I doubt not, to act for the insurgents, had declared that they could and would raise a hundred million dollars in order to purchase their independence.

I was attempting to enforce upon the House that these were concessions, harbingers of a settlement, and that it would be better to allow the President, conscious of our continued support, to move firmly and steadily forward, never backward, until by the process of diplomatic art he could make apparent to Spain without danger of incurring her resentment or rejection the demands of the American people, and that thus she would decide to yield independence to Cuba.

I insist, sir, that we have forced the Executive to precipitate action just at this time. I fear that the ultimatum has been too abruptly presented at Madrid. I dread Spanish refusal and consequent hostilities.

I believe, too, that if this House had been as patient of late as it has been heretofore, and if the Senate had been as reasonable as heretofore, and if we had all given to the President ample time to press our views upon Spain along such lines as would enable her to accept them without subjecting her to too great mortification, that thirty days from this time would not have elapsed until Cuba would have been an independent state. Spain knows she can not conquer the insurgents. Her unfortunate experience has amply satisfied her of this. She fully realizes that if she persists in her efforts to do so it will be likely to involve her in war with this nation.

The leading nations of the earth also recognize these facts. If the President was given time he would be able to bring upon Spain the earnest and powerful advice of most of these nations to submit to the inevitable without further war. Gentlemen may talk about the influence of the bankers and of the monetary and business interests of the world as bitterly as they please. They may, if they desire, stigmatize those who desire to maintain peace as being animated solely by a regard for commercial interests.

Before God, sir, I will not arraign upon this floor any influence, monetary or otherwise, that can make for honorable peace at this critical juncture of our affairs. If those who are interested in Spanish bonds, whether here or abroad, can prevail upon the Spanish Government to yield peacefully, I shall not reproach them with the statement that they are actuated by selfish motives in so doing.

I say again, that if the President has sent an ultimatum to Spain, and if that ultimatum is a demand that she shall instantly evacuate Cuba, you will excite the Spanish pride, you will increase the Spanish resentment, you will leave Sagasta in a condition where he is not able to make the concession. The chances are that you will have war. You will shed American blood.

You will expend millions of money. True, you will achieve

Cuban independence, but at what a cost. Stop and reflect a minute, and do not, I beg you, longer hamper or interfere with the President in the wise and patriotic course he would still pursue. Do not be too impetuous, too abrupt. Spain can reach by an incline the height which she can not and will not attain at one bound.

The gentleman intimates that I am speaking as a representative of the President. That is not true. I was not in favor of his nomination. I would not favor it again under similar circumstances.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Indiana. I should like to have five minutes more.

There was no objection.

Mr. JOHNSON of Indiana. I am not his mouthpiece. I am not even in his confidence. No man on this floor has greater reason to feel unkindly toward him than I have. Why, he is quite well aware. But this is not a personal matter. It is a subject which concerns the country, and I hesitate not to declare that his whole conduct throughout has been marked by the exercise of that good judgment and exalted patriotism which entitle him to the confidence and respect of the people—North, South, East, and West—without regard to party ties. He should not now be abandoned. We should rather continue to give him our earnest and undivided support.

Shame on any man on the other side of this Chamber who dares to make party capital out of this matter, as the gentleman from Washington attempted to do, as will plainly appear when he allows his remarks to go to the country as he made them.

Mr. OGDEN. Will the gentleman allow me to ask him a question?

Mr. JOHNSON of Indiana. I hope the gentleman will not interrupt me.

Mr. OGDEN. I want to know——

Mr. JOHNSON of Indiana. If the gentleman will pardon me.

Mr. OGDEN. I want to know whether the proposition is that this Government shall force the Cubans to pay $100,000,000 for their independence?

Mr. JOHNSON of Indiana. I will answer the gentleman that this Government had better allow the Cubans to pay $200,000,000 to acquire their independence than that one drop of American blood should be unnecessarily shed. [Applause on the Republican side and hisses in the gallery.]

Mr. OGDEN. We stand by the old declaration, "Millions for defense, but not one cent for tribute."

Mr. JOHNSON of Indiana. I say to gentlemen who have hissed the remarks that I have uttered——

Mr. LEWIS of Washington. No gentleman on the floor did so. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Washington?

Mr. JOHNSON of Indiana. Yes.

Mr. LEWIS of Washington. I desire to inform the honorable gentleman from Indiana that no hisses were from the floor.

Mr. JOHNSON of Indiana. It does not make any difference to me whether I am hissed or whether I am not hissed by the galleries. It is not personally a matter of importance to me whether my course is approved, nor is my reelection a matter of concern. I declare my convictions, whether my views are approved or disapproved in this House. I believe before God that they are right, and I only wish that I had declared them here on an earlier occasion, when it might have arrested the attention of the country, instead of deferring it to this time. I delayed speaking in hope that some more conspicuous gentleman would say as much as I now say.

Mr. BOUTELLE of Maine. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Maine?

Mr. JOHNSON of Indiana. Yes.

Mr. BOUTELLE of Maine. I rise to say that if it is true, as the gentleman from Washington stated, that the hisses were from the galleries, that a repetition of the offense ought to be the occasion of clearing the galleries.

The CHAIRMAN. The Chair desires to state that while the present occupant of the chair is in the chair he does not propose that the galleries shall hiss any member on the floor, no matter of what party he is or upon what subject he is speaking.

Mr. WALKER of Massachusetts. Or cheer, either. We have had cheers from the galleries for a week, and I object to it.

Mr. JOHNSON of Indiana. Mr. Chairman, I shall not be deflected from my course either by manifestations of approval or disapproval. My judgment is not infallible, I admit, but I endeavor always to reach a judgment that is right, and once having reached a conclusion which I believe to be just, I am not in the habit of consulting the expediencies in making it known. I believe we are standing on the verge of a volcano, and I sincerely hope that the ultimatum of the President will not strike so suddenly that it will arouse such a resentment as to provoke a war, thus making it impossible to secure the independence of Cuba by further diplomatic and peaceful agencies.

But if war does come, every beat of my heart, every impulse of my nature, every effort of which I am capable will be thrown into the scale in behalf of a speedy and vigorous prosecution and a victorious conclusion of that war. If it turns out that the President's ultimatum is indeed rejected by Spain, I hope to God that the Representatives of the American people on this floor, the Senators who represent the sovereign States at the other end of the Capitol, will pause and see where we are tending; will see the necessity of upholding the arms of the President if he sees fit to still further proceed in the matter upon the counter proposals which it is said Spain may proffer to him.

I am told by those who have consulted with him that he is anxious and concerned; that he has declared that he feels it is a solemn duty he owes to the country to avert war.

Let no man mistake the temperament of the American people. They are not all for war. The unthinking, the unreflecting, favor it. Many men of good sense and judgment appear also to think it advisable, but there is a great conservative sentiment in the country that is opposed to hostilities except as a last resort. They desire Cuban independence, but they believe in the President and are at his back. I warn gentlemen that it is not the temporary applause of the multitude that they should seek. They should rather endeavor to deserve the calm and deliberate approval of our countrymen, which is certain to be conferred, when the war cloud has passed away and the danger is gone, upon those who fearlessly perform their duty at this time.

I appeal, sir, from the jeers with which my remarks have been greeted; I appeal from the hisses of the gallery, where I do not look for inspiration, and whose occupants can not be relied upon to do the fighting if war ensues, to the cooler, calmer, more impartial judgment which my countrymen will pass upon my utterances when the time for retrospection and the making up of their ultimate verdict shall arrive.

That time, sir, will assuredly come, and garlands will be placed upon the brows alone of those who have been willing to stand inexorably against the sentiment that would precipitate a bloody conflict before patiently and earnestly exhausting every expedient to avoid it.

Mr. Chairman, I trust that the solidity of the Democratic party and the Populist party upon this floor in support of the Administration, an exhibition of patriotism that has not been paralleled in the last quarter of a century, may be continued unto the end.

I trust the resolution offered the other day by the distinguished gentleman from Texas [Mr. BAILEY] will not be construed by the country as a pure effort at party advantage. I trust that it was not intended as a party measure. The matters here involved are beyond all consideration of party. The Democratic members and the Populist members have stood patriotically for the country. They have stood by the President. They have been taken into his councils and have manifested and exhibited a spirit of genuine Americanism. Why should they abandon him now? Do they not prefer peace to war? Do they want to——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELLE of Maine. I move to close debate on this paragraph, so that we may make some progress with the bill. Gentlemen understand that the five-minute discussion can go right on upon the next paragraph.

Mr. WILLIAMS of Mississippi. I think the gentleman's proposition is not a fair one, in view of the time which has been occupied on the other side. I move to amend the motion of the gentleman so as to provide that debate be closed on the pending paragraph in twenty minutes.

Mr. BOUTELLE of Maine. I ask unanimous consent that debate on this paragraph may be considered as closed.

Several members objected.

The CHAIRMAN. The question is upon the amendment of the gentleman from Mississippi [Mr. WILLIAMS] to the motion of the gentleman from Maine [Mr. BOUTELLE].

The amendment of Mr. WILLIAMS of Mississippi was agreed to; and the motion of Mr. BOUTELLE of Maine as amended was adopted.

Mr. BAILEY and Mr. LEWIS of Washington addressed the Chair.

The CHAIRMAN. The gentleman from Texas [Mr. BAILEY] is recognized.

Mr. BAILEY. The gentleman from Washington can proceed now, and I will follow him.

Mr. LEWIS of Washington. I am perfectly willing to yield to the gentleman from Texas, but by his graciousness I will proceed now.

Mr. BAILEY. Very well.

Mr. LEWIS of Washington. Mr. Chairman, it is needless for me to say that I have listened with much gratification to the very eloquent remarks of the gentleman from Indiana [Mr. JOHNSON]. If that distinguished gentleman fancies for a moment, as I gathered from his remarks he did, that any assertions I made were

intended to be purely personal to him, to that extent I certainly disavow them.

But the gentleman from Indiana will admit that in the brief remarks which preceded his first speech I made not the slightest reference to him—delightful as might have been that occupation under other circumstances. In his reply to me he abandons his personal assault, and has found it agreeable—to satisfy what inclination or to gratify what purpose I know not—to forsake the pleasant ribaldry passing between us and to turn the discussion to one of more serious import. I am not inclined to depart from his precedent, nor shall I violate the serious dignity of the House, which demands that a question so momentous and portentous should be confronted and disposed of with a gravity becoming our high position in a nation and according to the great trust which has been reposed in us.

Mr. Chairman, there is but one remark of the distinguished gentleman which I feel the slightest necessity of adverting to. He has seen fit—upon what authority I can not conjure or devise—to assert on the floor of this House that I am for war irrespective of the causes and indifferent to the justification. I dispute the distinguished gentleman's assertion. I deny that any remark that has ever fallen from me on this floor can justify a statement of that sort. It is born of the gentleman's desire to calumniate now when it is wholly unnecessary.

I do assert, Mr. Chairman, that the only attitude I have ever occupied here, one which I feel has been consistent with right and honor and justice—one which in the future I can with satisfaction and confidence occupy—is one that demands universal justice and universal freedom. [Applause.] I have never uttered a word inconsistent with this position. No one can join more heartily than myself with the distinguished gentleman in his glowing recitation of the monologue of Aristides which I observe he has paraphrased from Homer.

I realize as well as he that the barbarous cruelties which are born of war far surpass the depictation of any man's tongue or the delineation of any man's pen. But there is an hour in which God comes to the earth through His humble servants, crying out through His ambassadors and demanding universal justice to His children [applause]; and while all of us deprecate and abhor the cruelties of war, yet if an hour should come to this country in which the honor of the nation is to be preserved, the salvation of her citizens wrought out, the glory of her past to be maintained, and if this can be done only by war, then there is no alternative left us if we are a brave and honorable people. [Applause.]

I for one deplore any such necessity. I say heartily to the gentleman from Indiana that if there are any measures on foot looking to a peaceful solution of this question, measures that shall give to Cuba liberty and to this nation honor, I am ready to cooperate in such measures. I deny, however, that I have at any time undertaken to make a party question of this issue, or that there has fallen from my lips any utterance which any just man can attribute to such a purpose. I do not know what object the distinguished gentleman from Indiana has had in making that charge.

In conclusion I will say, before yielding the floor to the distinguished gentleman from Texas [Mr. BAILEY], that I am for peace when peace can come with liberty and with the blessing of God; that I am not for a peace which means the sacrifice of any humble and dependent human being, the disgrace of my people, the dishonor of my country, or the humiliation of her flag. [Loud applause.]

Mr. BAILEY. Mr. Chairman, with the personal controversy between the gentleman from Indiana [Mr. JOHNSON] and the gentleman from Washington [Mr. LEWIS] I have nothing whatever to do. The House knows each of these gentlemen well enough to know that each is worthy of any foeman's steel. I know too the standing of the gentleman from Indiana in the counsels of his own party and before the country well enough to know that what he has spoken has been spoken with deliberation and is entitled to be considered almost as authoritative. When he stands here and says that the President of the United States is trying to reconcile the misunderstanding between this nation and the Spanish Government upon a basis which will compel the Island of Cuba to buy its liberty from the butchers of Spain, we are justified in supposing that it is for that purpose that the House has been denied an opportunity to vote on a resolution which declared that the Cuban patriots have fairly won their independence. [Applause on the Democratic side.]

Mr. JOHNSON of Indiana. Will the gentleman permit me? I know he does not want to do me an injustice.

Mr. BAILEY. Assuredly not.

Mr. JOHNSON of Indiana. The gentleman from Texas will remember that I stated positively I did not speak by the authority of the President of the United States; and the gentleman is equally mistaken in saying that "I knew" or "believed" that there was a proposition pending to purchase the liberties of the Cuban people.

Mr. BAILEY. Mr. Chairman, I was very guarded in the statement I made. I said that the gentleman from Indiana, standing high in the counsels of his party, was in a position to talk upon this subject in such way as to entitle his statement to very great weight on this floor, and that when he made the declaration that the President of the United States was about to adjust the differences between the two nations, we were justified in believing that he spoke with a knowledge of the facts; and I know that the gentleman from Indiana does not speak as possessing personal knowledge when he is ignorant upon any subject. He is not in the habit of doing that.

I believed on yesterday, and I know to-day, that the policy of that side of the House is to delay a decision of this question in the hope that the rich and powerful interests of this and other nations will compel the struggling patriots of Cuba to buy the freedom that they have fairly won with their courage and by their sword. [Applause on the Democratic side.]

I owe the Republican party no kindly offices; but I will venture to warn it that if its leaders agree, and it sanctions an agreement, to compel any people under the sun to buy that liberty which God has given to them, it will never outlive the odium which will be fastened upon it by the outraged sentiment of the American people. [Applause on the Democratic side.]

Mr. Chairman, liberty is not a purchasable commodity. [Renewed applause.] There was a time in this Republic when no man in high station would have suggested that one nation could sell it, or that another should be compelled to buy it. [Applause on the Democratic side.] It is a birthright of men; and it is their duty to assert it, though war be necessary to its assertion. [Prolonged applause on the Democratic side.]

I am myself, Mr. Chairman, as averse to war as any gentleman who occupies a seat on that side of the Chamber. We know, and you know, that a war will benefit the party in power, and yet, knowing this, we have twice during the present session of Congress, walked up to the altar of our country and made a willing sacrifice of our political advancement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. I ask that the gentleman from Texas be permitted to control the remaining ten minutes on this side of the discussion.

The CHAIRMAN. Is there objection to the extension of the time of the gentleman from Texas for ten minutes?

There was no objection.

Mr. BAILEY. And yet, Mr. Chairman, with a knowledge that we were pursuing a policy to the advantage of our political opponents, and to the injury of ourselves, we have done all you have asked us to do; and we have asked you to do more than you are willing to do. In all the history of this Republic, no party has ever acted more patriotically or more unselfishly than the Democratic party has acted during this crisis! [Applause on the Democratic side.]

This war could have been avoided. Six months ago, if you had done as we urged you to do, as we entreated you to do, if you had recognized the right of those struggling patriots to fight for the independence of their own country, there would have been no war, and the Republic of Cuba would to-day be an established fact in the history of the world. [Applause on the Democratic side.]

A MEMBER. And the battle ship *Maine*, with all the accompanying lives of American seamen, would not have been sacrificed.

Mr. BAILEY (continuing). And that unfortunate disaster, which has horrified humanity and humiliated the American people would never have occurred. [Applause.] The great battle ship which bore the name of a sovereign State of this Union would still be upon the high seas, flying the flag of this great Republic; and the more than 250 brave seamen, many of whom now sleep fathoms deep beneath Cuban waters, would have been wearing the uniform of the nation which they honored with their courage and sought to defend with their lives. [Prolonged applause.]

You refused to act, and the progress of events has simply intensified the situation. The longer you postpone doing the right thing, the more certain it is that war, and war alone, will extricate you. In trying to allow Spain to complete her reconquest of Cuba, you will make it absolutely necessary that you shall intervene in the cause of freedom. There may be time still to avert a war. Within the last forty-eight hours a representative of the Cuban Republic has said to me that they do not desire us to engage in war with Spain; they only ask us to recognize their independence, and thus give them the credit and standing to which they are entitled among the nations of the earth, and with their own strong arms and their own brave hearts they will achieve their own independence. [Applause on the Democratic side.]

They prefer that course, and I sympathize with the spirit which prompts them to prefer it. Any people worthy to be free desire to achieve their own freedom, and if the Cuban people sought their freedom through American intervention, I should doubt their ability to maintain it when it was given to them. They hope to have a national history. They hope to have national heroes. They hope to teach their children, who, in turn, will teach their

children and their children's children, how Cuban patriots wrought out the problem of Cuban freedom. [Applause on the Democratic side.]

Is there a man who does not sympathize with that lofty sentiment? A representative of the Cuban Republic said to me, with great frankness and feeling:

We do not seek to involve the United States in a war with Spain. It is unnecessary. Give us a recognition of our independence, so that we can obtain arms and heavy artillery, and in thirty days we will put an army of a hundred thousand Cuban patriots in the field, and in thirty days more the flag of Spain will be trailing in the dust of Cuba.

[Applause on the Democratic side.]

That is their spirit. Why do we not meet them in it?

War! You invite it with all its horrors, which I know as well as the gentleman from Indiana [Mr. JOHNSON] does. I was raised in a section that witnessed its desolation. My father and my kinsmen came back from the battlefields rendered historic by the courage of those who wore the blue as well as of those who wore the gray. When they turned from Appomattox, where they had left everything except their honor, on every hand they witnessed the horrors and desolations of war.

Where they had left happy homes they found charred and blackened ruins. What had once been a peaceful dwelling where a busy housewife plied her daily care, where little children trained its vines and played in peace, there were only ashes. They came back to find their social system subverted, their industrial condition changed, their fortunes gone, and many of their bravest and best had fallen in that unhappy strife. They remember all this, but it has not conquered their resentment against wrong and injustice. A one-armed Confederate veteran manifested their spirit when he said to me a few days ago, "I had rather take this other arm and lay it by the side of one that fertilizes the battlefield of Shiloh than to see my country insulted or the freedon of a brave people denied." [Applause on the Democratic side.] We do not want war. We have twice offered you the opportunity to avoid it. But, Mr. Chairman, we might as well be bold. If it takes a war to free the Island of Cuba, my voice, and the voice of those with whom I have the honor to act, is for war. Our motto is: "Cuba free, without a war if possible; Cuba free, with a war if necessary." [Prolonged applause on the Democratic side.]

Mr. GROW. Mr. Chairman——

The CHAIRMAN. Debate upon this amendment is exhausted by order of the House. If there be no objection, the informal amendment will be considered as withdrawn. The Chair hears no objection. The Clerk will read the next section.

The Clerk read as follows:

Pay of noncommissioned officers, musicians, and privates: For 1 sergeant major, 1 quartermaster-sergeant, 1 leader of the band, 1 drum-major, 50 first sergeants, 150 sergeants, 220 corporals, 30 musicians, 120 drummers and fifers, and 2,499 privates, and the number of enlisted men authorized as above for the Marine Corps shall be exclusive of those undergoing imprisonment with sentence of dishonorable discharge from the service at expiration of such confinement, and for the expenses of clerks of the United States Marine Corps traveling under orders, $509,888.

Mr. GROW. Mr. Chairman, I am induced to trespass upon the attention of the committee for a few minutes by the remark of the gentleman from Texas [Mr. BAILEY] that if Congress had recognized the Cuban patriots as belligerents this war would have ended long since. This prediction of what might have happened if something had been done that was not done leads me to claim the attention of the House briefly.

Belligerency means what? That the Government recognizes two parties in a contest as engaged in a war for supremacy. That would not relieve this Government from its obligation of strict neutrality between them. It would have to maintain it the same as it has been doing. Not a gun, not a man could go to help the Cuban patriots under belligerency that can not go to-day. They could have had no aid nor assistance more than they have had during this time that the Government has been watching these movements.

This Government made England pay over $15,000,000 for not observing strict neutrality after she had recognized the belligerent rights of the Confederates in our civil war, and we should have involved ourselves in the danger of a war long before this had belligerency been recognized. Spain would stop an American vessel to overhaul it to see if it had contraband of war, and the doctrine of this Government, proclaimed and maintained in the second war of independence, was that the flag protected all over which it floated and no right of search could be permitted to any nation.

A chance shot would have opened all the bloody drama of a war long ago, in my judgment; and my prediction is just as good as the prediction of the gentleman from Texas that the war would have been ended.

Belligerency, therefore, would have been of no advantage to the patriots on the Island of Cuba. I have regarded this question from the first, Mr. Chairman, as simply resolving itself into one thing in the end.

When the day should come when this Government would feel justified in its own right and position on this hemisphere, in view of the public sentiment of the Christian world, to recognize the independence of Cuba, then it would become our duty as American citizens, our duty to the country and to the common cause of liberty and the rights of humanity, to maintain and declare the independence of the patriots of Cuba; and that would be a warning to Spain that she must withdraw her control over Cuba, and if it was not done it might then be the duty of this Government to intervene with military force.

There was a time when the Spanish flag floated over more of this hemisphere than the flags of all other nations, and she had on this continent more territory than any other nation. But she has lost it all. Cuba and Puerto Rico is all of this mighty possession that is left under her flag. The day is soon to come when Cuba must be free; and it is only a question of time. I would say to gentlemen you can have war any day. That question will keep. No danger of losing the opportunity. [Laughter.]

That seems to be the trouble with our impatient friends on the other side, that they are afraid of losing a chance for war. [Laughter and applause.] Mr. Chairman, when the time comes for the recognition of the independence of Cuba, and I think it is near, if war must come as a result, I think a little delay of the war would be better. If we are to begin the war in the rainy season in Cuba, what would be the effect? The men sent to Cuba, not acclimated, would, most of them, find a grave in the island in the rainy season, the same as the Spanish soldier.

The climate has killed more Spanish soldiers than the arms of the patriots, and will continue to do so. God Almighty is on the side of the patriots in Cuba, and their salvation will soon come through the aid of climatic influences. It is impossible for a nation to bring soldiers enough 3,000 miles over the ocean to conquer a brave people, though they may be comparatively few in numbers as our fathers proved in the Revolution. From reliable information from two hundred and fifty to sixty thousand Spanish soldiers have been sent to Cuba.

[Here the hammer fell.]

Mr. GROW. If the House will indulge me for a couple of minutes, I shall be through.

There was no objection.

Mr. GROW. Spain has sent of her sons already 250,000 or 260,000 to Cuba, and to-day, by the best information that can be obtained, there are probably not to exceed 30,000 fit to take the field. How long would it take her to conquer Cuba?

The climate has done its work and will continue to do its work; and when the rainy season is over this year, Spain must send reenforcements again, as she has done every year heretofore, or abandon the contest. In view of that state of things, the executive department of our Government can, by negotiation, settle the question in a short time, so that Cuba shall be an independent nation, and the great Republic will welcome the patriots of Cuba as a sister republic.

In the war between England and Spain, before our Revolution, England attempted to wrest Cuba from Spain, and then of the men from Connecticut and Massachusetts who under the British flag attempted to take Cuba, of all who landed upon the island, only a small remnant returned to their homes. The climate did for them what the climate has done for the Spanish soldier and would do for ours in the rainy season.

In conclusion, I think the time is near at hand when this Government should recognize the independence of this people as a sister republic struggling as did our fathers for the great principles of our own Declaration of Independence. When that is done, this Government must be ready to see to it that recognition secures the independence of this people. [Loud applause on the Republican side.]

Mr. GROSVENOR. Mr. Chairman, I did not intend to answer the argument of the gentleman from Texas, but I feel a very strong degree of sympathy for him. When a man has been for nearly a year trying to play a game of small politics on the question of war and has failed every time, and has finally made an exhibition of himself in a futile effort in that direction unparalleled in the history of this body, it is a matter that becomes pathetic. I rose to point out one or two absurd statements constantly repeated in the newspapers and which found an echo in the voice of the gentleman from Texas.

He warns this side of the House that if the President attempts to force the Cubans to buy their freedom, hell will break loose in about fifteen seconds on the Democratic side. [Laughter on the Republican side.] Nobody proposes to force the Cubans to buy their independence. It is like "a tale told by the idiots, full of sound and fury, and signifying nothing." There is no such proposition by, to, or from the Administration, and the whole idle tattle of this character in the newspapers has been just so much folly and nonsense, and yet statesmen, leaders of a great division upon this floor, rise and solemnly warn the Republican side of this House that if the President drives Cuba to buy her independence, they will go to work to prevent it!

Nobody has attempted it. It is an idle dream of somebody and talk in the newspapers. Again, what does the gentleman know about how far matters have progressed between the United States as the intermediary source of diplomacy and Spain and Cuba on the other side? The gentleman says he is in close touch with the Cuban junta; he says he has their confidence, and I am glad to hear it.

Mr. BAILEY. I am not in close touch.

Mr. GROSVENOR. That is what the gentleman said.

Mr. BAILEY. I invite them to come to my house, and I would do it one hundred times.

Mr. GROSVENOR. I am delighted to hear it. I am as anxious as the gentleman from Texas that Cuba shall be free. Has any man connected with the Cuban junta intimated that the President of the United States has interposed any condition that Cuba shall pay——

Mr. BAILEY. The gentleman from Ohio speaks of the "Cuban junta." I know nothing about it. I have conferred with the representatives of the Cuban Republic in my house.

Mr. GROSVENOR. Has the gentleman heard from "the representatives of the Cuban Republic in my house" that the President was trying to force them to pay for their independence?

Mr. BAILEY. I said nothing of the kind.

Mr. GROSVENOR. Then what was there in what the gentleman did say——

Mr. BAILEY. You asked me a question. Now let me finish my answer. Every man knows, and the gentleman from Ohio knows, that I did not pretend that they had told me that or that the President of the United States had told me that. I took the statement from the gentleman from Indiana [Mr. JOHNSON].

Mr. JOHNSON of Indiana. Then the gentleman drew a very erroneous impression from my remarks.

Mr. GROSVENOR. The gentleman from Indiana said nothing of the kind. The gentleman said something to the effect that the Cubans had a right to be allowed to buy their independence.

Mr. NORTHWAY. The gentleman from Texas said yesterday that he believed that it was so, and says he knows it to-day.

Mr. GROSVENOR. I understand that the gentleman from Texas did say that yesterday he believed the President of the United States was trying to force it upon the Cubans, and to-day he said he knew it. Now, I rose simply to say that the gentleman is wholly mistaken. If he had such information from an authoritative source, he ought to make it public. The time has come in this country when misunderstanding of what is going on is doing more harm than the views of people who do understand.

Mr. WILLIAMS of Mississippi. Will the gentleman from Ohio yield for a question?

Mr. GROSVENOR. Yes; if it is a question.

Mr. WILLIAMS of Mississippi. Will the gentleman state that he believes from what he knows that it is not in contemplation by the President of the United States in the negotiations now going on to treat of a money consideration for the freedom of Cuba?

Mr. GROSVENOR. It is too contemptible to answer. There never was such a thought ever entered into the head of any man connected with the Administration.

Mr. WILLIAMS of Mississippi. Is not there an intimation of that kind in the negotiations at Madrid?

Mr. GROSVENOR. What have we to do with the negotiations at Madrid? I say the purchase of Cuba by the Government or the suggestion of its approval is a story told by "an idiot, full of sound and fury, signifying nothing." There never was anything in it, and this is only done to fan anew the flame that seeks for political advantage upon this floor by springing so-called questions of privilege that make the author of them ridiculous in the sight of common humanity.

The CHAIRMAN. The gentleman's time has expired.

Mr. LOUDENSLAGER. I ask that the gentleman's time be extended ten minutes.

There was no objection.

Mr. LENTZ. Will the gentleman from Ohio permit me a question?

Mr. GROSVENOR. Yes.

Mr. LENTZ. I see in the newspaper that forty-five members on that side of the House met two or three evenings ago and held a caucus, intending to vote for a resolution for the independence of Cuba. Were they seeking our political advantage or their own political advantage?

Mr. GROSVENOR. I heard something of that kind; but I heard something better than that. Yesterday, when the scheme to promote a political advantage was sprung here, with the awkwardness of a Fourth of July boy burning firecrackers, I noticed 178 gentlemen put their names down on the right side of the organization of party and party concord. [Applause.]

Mr. LENTZ. Will the gentleman answer about the 87 members who did not vote on that side?

Mr. GROSVENOR. How many on that side of the House did not vote?

Mr. LENTZ and several others. Not one.

Mr. GROSVENOR. There were only two gentlemen on this side who did not vote, and those two gentlemen had a good right to vote as they pleased. We were able to defeat the machinations that sought to stampede this House into disorganization. [Applause.] Now, let me close what I have to say on this subject. The exact fact is, that two Republicans refused to vote to sustain the Speaker, and every other man on this side who was present and not voting was paired. That is the exact fact. Two men, answering to their own consciences—and they had as good a right in that respect as I had—declined to vote to uphold the Speaker. How many gentlemen on the other side voted to override the Speaker, confessing at the same time that he had ruled according to law? How many?

A MEMBER (on the Republican side). Every one.

Mr. GROSVENOR. I could name a good many of them myself.

Now, in conclusion, the Administration of this Government to-day is as anxious for the freedom and independence of Cuba as any gentleman on the other side of the House. [Applause.] There is not one man, from the President down to the humblest member on this floor, who will ever, without the consent of the Cuban insurgents, ratify, agree to, or approve any settlement of the Cuban question that does not involve absolute independence for Cuba [applause]; and there is not a gentleman on the other side of the House who knows this fact better or from a more direct source of information than does the gentleman from Texas, because he has had the fullest opportunity to learn the fact; and he knows it is unjust to the President to intimate that he to-day knows that the President is trying to force Cuba to buy her independence.

Mr. Chairman, this movement will go forward. The Republicans of this House, the Republicans of the Senate, and the loyal people of the United States, Republicans and Democrats, are in favor of the independence of Cuba. But they are in favor of avoiding war if it can possibly be done consistently with the honor, dignity, and glory of the American name. [Applause.]

Do you think that this great party in power to-day is going to be unfaithful to a trust which, as the gentleman from Texas intimates, will, if properly discharged, bring glory to the Administration? Will the Administration now in power run away from the most brilliant opportunity that any Administration since the days of Abraham Lincoln has had to establish itself and its party in the praise and honor and glory of a mighty people? [Applause.] Any gentleman who thinks so does not understand the man at the head of affairs. He may be persistent in his purpose, because he understands that purpose. He may be going more slowly than many of us think he ought to go.

I sympathize to a great extent in that feeling myself, but he is going in the right direction. Nothing has been lost to this country. The journals of the civilized word this morning have spoken with stronger terms of indorsement than ever before of the attitude and action of the people of the United States, and in that connection one and all of the English-speaking journals put it forward as the cardinal idea that Cuba must be free, and that we would make her free. [Applause.]

As the gentleman from Pennsylvania has said "war will keep." Diplomacy may go slower than we think it ought to go; but when we know it is going in the right direction, guided by the right sort of hands, inspired by the right sort of hearts, there is no danger that the people of this country are to be betrayed by their rulers.

Let us stand together and cease this attempt at political capital. [Applause.] It is unworthy of a great political party; it is unworthy of any gentleman who wants to be the leader in this House or the next. He can not climb the ladder by attempting to go up a rope of that character loosely suspended from the top.

There is something more than temporary political advantage to be considered in this matter. There is statesmanship, there is honor, there is integrity. There is glory in the right direction. Cuba will be free, and Cuba will be free by the intervention of the United States. I would not give one cent for a declaration of independence unaccompanied by a further declaration. What nonsense it would be to declare the Island of Cuba independent and then let her starve to death!

What sense would there be in declaring a nation independent that has not a gun-making shop, has not a ship, has not a piece of artillery, so far as I know? The thing to do in the case of Cuba is to exhaust all that honest diplomacy can do to achieve her liberty and independence, and, failing in that, stop not at the halfway house that the gentleman from Texas is talking about—not only declare that Cuba is independent and shall be free, but accompany that declaration with an army and a navy to make our declaration worth something. [Applause.]

[Here the hammer fell.]

Mr. CUMMINGS obtained the floor.

Mr. BRUMM. I ask that the gentleman from Ohio [Mr. GROSVENOR] have five minutes more.

The CHAIRMAN. The Chair has recognized the gentleman from New York [Mr. CUMMINGS]. Will the gentleman from New York permit the Chair to put the request for unanimous consent that the gentleman from Ohio have five minutes additional?

Mr. CUMMINGS. Certainly.

The CHAIRMAN. Is there objection to extending the time of the gentleman from Ohio for five minutes?

There was no objection.

Mr. GROSVENOR. Mr. Chairman, this mighty demonstration and organization of war—what does it mean?

Mr. GRIGGS. Will the gentleman allow me to interrupt him for a question?

Mr. GROSVENOR. Certainly.

Mr. GRIGGS. I desire to ask the gentleman, would not the recognition of the independence of Cuba, followed by the enforcement of the Monroe doctrine, be sufficient?

Mr. GROSVENOR. Why, does the gentleman ask that question in earnest? [Laughter and applause on the Republican side.]

Mr. GRIGGS. Yes, sir.

Mr. GROSVENOR. Because the Monroe doctrine has no application whatever in a case like that. So I beg the gentleman will not trifle with the subject with which I am dealing. What is the Monroe doctrine? What means the mighty demonstration of war that is being made in this country? What does it mean when every arsenal of whatever kind or shape, when every navy-yard and every appliance in the country is working by night and by day, irrespective of price, to forge the engines of war?

What does it mean, I ask the gentleman? What is the United States going to do? Is it going to make a "shilly-shally" declaration that the Cubans are free, and then let them go to the devil, in the clutch of the Spanish nation? [Applause on the Republican side.] Is that the idea of gentlemen?

Let me tell the gentleman that behind the efforts of the Administration, that knows what it is talking about, behind the mighty demonstration of loyalty that comes up from the people of this country, behind the mighty impulse of the people, who know what they are doing, and they are ready—they are preparing now—to carry into force the declaration they made, the declaration that may be demanded from us, not only that Cuba is free and independent, but that we have been charged with her defense, and propose to see that she shall be forever free hereafter. [Prolonged applause on the Republican side.]

What does it mean that we have abandoned our own shipyards and have gone abroad to buy, with a profusion of expenditure, the ships of war of other nations? What does it mean that every preparation that can be determined upon as rapidly as possible is being made, and being pushed forward with expedition?

My countrymen, you have not been betrayed by your Administration or deceived by it. [Applause on the Republican side.] That Administration is in touch with the highest inspiration and the best motives of patriotic citizens throughout the whole land; and if the people—with the help of the Democratic party if we can get it, or without its help if we can not get it, but we will get it—I say with the help of the Democratic party, without their engineering and paltry, demagogical speeches on the floor of this House, in due time—at an early time, too—the people of this country will shout in praise of a Republican Administration which will carry into execution the power, the will, and the edicts of the American people. [Prolonged applause on the Republican side.]

Mr. BAILEY. Mr. Chairman——

Mr. BOUTELLE of Maine. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BOUTELLE of Maine. I would ask if it is possible, by unanimous consent, or by any other process, to obtain an armistice long enough on this question in order to enable us to proceed with business on this bill?

The CHAIRMAN. The Chair thinks that is hardly a parliamentary inquiry.

Mr. BOUTELLE of Maine. There seem to be a great many men on the floor who are more desirous of declaring war than of getting ready to declare war. I suppose they want to declare it with their voices, and if it were done now, we certainly would be able to present a strong front on this floor. [Cries of "Regular order!"]

Mr. BAILEY. Let the "stormy petrel" from Maine rage for a while and then we will get on with the bill.

Mr. BOUTELLE of Maine. I wish to give notice that at the conclusion of these remarks I shall ask the committee to go on with the bill. [Hisses on the Democratic side.] Let gentlemen hiss if they desire to. I enjoy it just as much as I do their cheers or applause.

The CHAIRMAN. The committee will be in order.

Mr. OGDEN. Everybody is in order but the gentleman from Maine.

The CHAIRMAN. The Chair does not think that the gentleman's remark is in order.

Mr. BAILEY. Mr. Chairman, the gentleman from Ohio, Mr. GROSVENOR, generally observes the decencies of life in debate, but on this occasion he has failed to do so.

Mr. QUIGG. I call the attention of the gentleman from Texas to the fact that the gentleman from Ohio has just left his seat. I am sure that he would prefer the gentleman from Ohio to be in his seat, to hear what the gentleman is about to say.

Mr. BAILEY. I will take great pleasure in waiting, for I want him to hear this.

Mr. QUIGG. I was sure the gentleman would prefer that course.

Mr. BAILEY. And until the gentleman from Ohio returns I will allow the gentleman from New York to proceed.

Mr. CUMMINGS. Mr. Chairman, it affords me great pleasure to note the fact that gentlemen on this side of the Chamber have voted to recognize the independence of Cuba. It gives me additional pleasure, sir, to be assured by the gentleman from Ohio [Mr. GROSVENOR] that the other side of the Chamber favor the recognition of the independence of the people of Cuba. There ought to be no politics in such a crisis. "A plague on both your houses." Behind you stand the American people. They are not asking you as Republicans whether you will recognize the independence of Cuba, nor are they asking the Democratic party on this floor whether they are in favor of it. They ask your action as Americans without regard to party, appealing, as they have a right to appeal, as American citizens to an American Congress. They point, sir, to the fact that with every day of delay thousands of little children, thousands of women and other reconcentrados of Cuba are dying of starvation. Every day hundreds of deaths are heaped upon the heads of this Congress because of its policy of inaction.

I said yesterday that Weyler's order was still in force. If the newspapers are to be believed, Blanco is about to revoke it. But while I speak it is still in force, Mr. Chairman. This order includes not only Cubans, but American citizens as well. I saw in Matanzas an American citizen who, two years ago, was worth $200,000. He had an estate 6 miles up the Matanzas River. He married his wife in Amherst, Mass. When Weyler's order was issued his plantation was destroyed and he was driven within the trocha of Matanzas with the other reconcentrados. Ah, sir, here was the initial step for intervention by the American Government. It was at that time that not only a protest but a peremptory order should have been given to Spain. She should have been told, "You can drive your own people into these pens if you see fit, but keep your hands off from American citizens." [Applause.]

These American citizens were driven into this pen. The consul at Matanzas, Mr. Brice, told me with his own lips that he had reported this to the State Department, where the report has remained buried to the present hour. This American citizen and his family are still penned in at Matanzas, and are saved from starvation by the $50,000 Congressional appropriation.

At Sagua, sir, Consul Barker told me of an American citizen who, refusing to obey the order of Weyler, was murdered, his plantation destroyed, his cattle killed. The consul sent to the State Department the affidavits of seven eyewitnesses of the murder, and that report has remained buried in the State Department out of sight of the light of day.

Mr. Chairman, I repeat, the American people want no politics here in Congress on this question. [Applause.] They demand action as Americans. They demand the action of an American Congress; and so far as I am concerned, Mr. Chairman, I shall vote with any party and with every party that will support a proposition to end this war and give freedom and independence to Cuba. [Applause.]

Mr. WILLIAMS of Mississippi. You will not do as they did yesterday—vote against a resolution because it comes from the other side.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CUMMINGS. One word more, Mr. Chairman. If this is not done, and a dishonorable course is taken, let the Navy Department paint its ships in black, let the Almighty drape the heavens, and let the American people sit down in sackcloth and ashes, for there is one thing worse than war, and that is national cowardice. [Prolonged applause.]

Mr. BAILEY. Mr. Chairman——

The CHAIRMAN. The gentleman from Texas is recognized on a motion to strike out the last two words.

Mr. BAILEY. Mr. Chairman, when my attention was called to the fact that the gentleman from Ohio [Mr. GROSVENOR] was absent from the Chamber, I had proceeded so far as to say that he generally observed the decencies of debate, but that he had signally failed to do so to-day.

The theory is that we are all equals here, and no man with a proper respect for himself or a proper respect for this forum will permit himself to stigmatize the statements of his fellow-members

as "jargon and the gabble of an idiot." Perhaps I do not repeat the gentleman's exact words. I do recall, however, his use of the familiar quotation from Shakespeare that "it is a tale told by an idiot, full of sound and fury, signifying nothing."

Mr. GROSVENOR. Not quite that, if the gentleman will allow me. I used the proper quotation, and not what the gentleman is saying. The quotation is "Like" or "as a tale told by an idiot;" not that it is a tale told by an idiot.

Mr. BAILEY—

And why should all this difference be
'Twixt tweedledum and tweedledee?

[Laughter.]

Now, Mr. Chairman, if it is a tale told by an idiot, I refer that respectfully to the gentleman from Indiana, who——

Mr. JOHNSON of Indiana. Mr. Chairman——

Mr. BAILEY. Let me finish my statement—whose reputation for fairness, in spite of his partisanship, is as much above the reputation of the gentleman from Ohio as an eagle is above a glowworm. [Applause on the Democratic side.]

Mr. JOHNSON of Indiana. Mr. Speaker——

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. BAILEY. I do.

Mr. JOHNSON of Indiana. While the gentleman smiles, it is as one who would twist a knife under my ribs. The gentleman must not misquote me.

Mr. BAILEY. Mr. Chairman, the gentleman not only said it once, but he repeated it; he declared in commendation of the President that he had brought the parties to this dispute so far toward an amicable understanding that the Cuban junta had agreed to pay a hundred million dollars and Spain was about ready to accept it. Do I state him correctly?

Mr. JOHNSON of Indiana. Substantially correctly, but there was no intimation with it, if the gentleman pleases——

Mr. BAILEY. I should like the reporter's notes.

Mr. JOHNSON of Indiana. The gentleman must take my remarks in their entirety. That is the way to get at my true meaning. There was no intimation at all on my part that the President had forced or compelled anybody to offer anything for Cuban independence.

Mr. BAILEY. Did the gentleman use the words "that the President had brought them to it?"

Mr. JOHNSON of Indiana. Possibly; but if you will take my remarks entire, you will find, as I said, that it was simply by virtue of negotiations——

Mr. BAILEY. If the gentleman explains that very much more, it will not be worth talking about——

Mr. JOHNSON of Indiana. That it was in the spirit of compromise.

Mr. BAILEY (continuing). Because the very point of what he said was that the President, great and wise—and I have made no criticism against the President up to this time—that the President, great and wise, in the exercise of his patience and his forbearance, had almost solved this question, or at least had proceeded so far in the solution of it that the Cuban junta had offered to buy the freedom of the island and the Spanish Government was entertaining the offer. And if the gentleman did not assert that as being to the credit of the Administration, then I am totally mistaken in my position.

But the gentleman says I am substantially correct. Then what I quote him as saying is, that the President has brought the high contending parties in this bloody drama to the south of us almost to an understanding.

But the gentleman from Ohio says that the proposition that Cuba is to buy its independence of Spain "is a tale told by an idiot, full of sound and fury." I commend his quotation, with my compliments, to the gentleman from Indiana [Mr. JOHNSON]. [Laughter and applause on the Democratic side.]

If there is an idiot here, it is not on this side of the Chamber, but on that, and I suspect that the idiot is not the member from Indiana, but the member from Ohio. [Laughter and applause on the Democratic side.] Now, Mr. Chairman, how carefully did the gentleman from Ohio protect himself. He declared that there had never been any such proposition, and yet a little further on he says that it is absurd to say that the President or any man on that side of the Chamber will ever consent to a proposition for the purchase of Cuba that does not involve its independence. How do you know, if it has not been discussed among you?

Mr. GROSVENOR. We are all intelligent enough, I think, to know. [Laughter on the Republican side.]

Mr. BAILEY. Did the gentleman use the word "honest"?

Mr. GROSVENOR. Yes. [Laughter.]

Mr. BAILEY. There was a tribe in the biblical days that stood upon the corners of the streets declaring their honesty and thanking God that they were not as other men were, and yet that same tribe are to-day more despised than any people of whom the Bible tells us.

The most dishonest man is he who boasts of his honesty and stands in sore need of a testimonial in favor of it. But the gentleman from Ohio then proceeded a little further to reveal the attitude of his party. Of course the President of the United States will not negotiate the purchase. Of course Congress will not be asked to ratify it. But if, after this Government has withheld first the recognition of belligerency and then of independence, the Cuban patriots are driven to make terms with their Spanish oppressors, Congress will be told that the representatives of the Cuban Republic have made to the representatives of the Spanish Government a proposition which has been accepted and that the whole matter then has passed from our hands.

It then becomes a closed incident, and nothing remains except, I presume, to arbitrate the destruction of the *Maine*, and that bloody deed, the most disgraceful in American history, will be closed by arbitrating the murder of our sailors and the destruction of our ship. Is that your policy?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAILEY. I ask a moment more.

The CHAIRMAN. The gentleman asks unanimous consent that he may be allowed to continue his remarks five minutes more.

Mr. WILLIAMS of Mississippi. Ten minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman may be allowed to continue his remarks ten minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Indiana. Before the gentleman proceeds, may I ask him a question?

Mr. BAILEY. Certainly.

Mr. JOHNSON of Indiana. I want to get at the gentleman's real position. Of the two alternatives, which would you prefer—a voluntary purchase of their independence of Spain by the Cubans, or their independence obtained through war by the United States?

Mr. BAILEY. I have no objection to answering. Mr. Chairman, I never will compel or agree that the Cuban people shall pay one dollar for their liberty to a nation which has starved their wives and children. [Applause on the floor and in the galleries.]

Mr. JOHNSON of Indiana. Just answer my question. How far will the gentleman go in order to prevent the Cubans obtaining their independence from Spain by voluntary purchase?

Mr. BAILEY. I did not hear the gentleman exactly.

Mr. JOHNSON of Indiana. To what extent did the gentleman say he would go in order to prevent negotiations for the voluntary purchase by the Cubans of their independence from Spain?

Mr. BAILEY. The gentleman states his question adroitly, but not fairly. My answer is this: If you will recognize the independence of Cuba, there is no power on earth that can compel them to negotiate with Spain for the purchase of their freedom.

Mr. JOHNSON of Indiana. That is not an answer to my question. You have said as between two alternatives you would not permit Cuba to purchase her liberty of Spain. Now, how would the United States Government prevent Cuba purchasing her own liberty if she desires to do so?

Mr. BAILEY. Mr. Chairman, I have answered that question, and my time is running. [Cries of "Oh!" on the Republican side.]

Mr. Chairman, I have always tried to be respectful to my political opponents; but for the last two or three weeks I have never taken this floor to make a statement but gentlemen on that side have tried to drown my voice. I have believed that their sense of justice and common decency would restrain them from doing so; but it has not done so, and yesterday I felt provoked to call them the Speaker's "servants," and I now think I ought to have said I believed them to be the Speaker's "menials." [Applause on the Democratic side.]

Since I have been a member of this House I have never interrupted any man by a jeer or any attempt to drown his voice, and I think that in common decency and fairness I ought to be exempt from the interruptions that I have been subjected to whenever I have attempted to occupy the floor within the last three weeks.

To return to my controversy with the gentleman from Indiana [Mr. JOHNSON], I have here his exact statement, which I will read:

When I sat down a short while ago, I was attempting to make before this House and the country, if indeed the country will heed one voice so feeble as my own, a statement of the fact that by the steady policy of diplomacy, the honest, patriotic course of the President of the United States, we were gradually bringing these two antagonistic elements together, that Spain had come down to the point that she was willing to abandon possession of Cuba upon a mere nominal consideration, and that the Cuban junta, authorized, I doubt not, to act for the insurgents, had agreed that they could and would raise $100,000,000 in order to purchase their independence.

Now, I want to call the attention of the House to a speech delivered on the 20th day of May, 1897, almost a year ago, by the distinguished gentleman from Ohio [Mr. GROSVENOR], in which he plead then, as he pleads to-day, for time; time for the Republican party to solve this question. Almost a year ago! How much more time do you want, while the spirits of the starving men, women, and children are revisiting their wasted places? How

much longer must we wait while the Cuban patriot looks into the pale and hungry faces of his wife and children, and then looks toward our own great and free land and on his bended knees begs the God of nations to send him relief?

How much longer must these patriots, who are struggling as our forefathers more than one hundred years ago were compelled to struggle, wait before the American Congress will send them a message recognizing that their heroic struggle has attracted the attention and commands the approval of a liberty-loving and free people at their very doors? [Applause.] I shall ask the Clerk to read what the gentleman from Ohio said one year ago. It sounds so much like what he said to-day that it will be the best answer that I can make.

The CHAIRMAN. If there is no objection, the Clerk will read.

Mr JOHNSON of Indiana. I would like to have the gentleman from Texas, when he gets through, answer the last question that I put to him.

The Clerk read as follows:

Let me say to the gentleman that the Republicans of the United States were born and raised in sympathy with Cuba—free Cuba. It was a Republican President who, against the protest of the Democratic party, sought to relieve Cuba of her troubles long ago. And it is the Republicans on this floor who feel a genuine and honest sympathy for Cuba. And when the right time comes, in the right order of things and upon their own motion, they will be found voting not only for belligerent rights to Cuba, but they will be found demanding liberty and national independence for the men of Cuba who have suffered. [Applause on the Republican side.]

Mr. BAILEY. They applaud. Will a man stand up and say that you have ever voted for the recognition of belligerency? And yet General GROSVENOR said you would do it. Is there a man among you that ever voted for Cuban independence? And yet General GROSVENOR said you would do it. While the Republican party has been waiting and praying for wisdom to solve this momentous problem, 300,000 men, women, and children have starved to death in this unhappy island. [Applause on the Democratic side.]

Mr. GROSVENOR. Will the gentleman allow me a question?

Mr. BAILEY. Yes.

Mr. GROSVENOR. Is it not a fact that even prior to that speech every Republican on this floor had voted to recognize the rights of belligerency for the people of Cuba, and did not your Democratic President refuse to execute the orders of Congress? And did the gentleman from Texas introduce any resolution to drive forward that scheme of liberty and justice?

Mr. BAILEY. My answer is that every Democrat, with a very few exceptions, voted for that resolution when there was a so-called Democratic President; they voted for it then and they have voted for it every time since. How is it with your side? You voted for it when you did not have the President, and you vote against it when you happen to have the President. [Applause on the Democratic side.]

The gentleman from Ohio boasts of a united party. Are you united? If so, what meant that caucus of reconcentrados that assembled in the Library building yesterday afternoon? [Laughter and applause on the Democratic side.]

The CHAIRMAN. The gentleman's time has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

Mr. JOHNSON of Indiana. I ask that it be unlimited. I hope the gentleman will not forget my last question before he sits down.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended five minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Indiana rose.

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Indiana?

Mr. BAILEY. Yes.

Mr. JOHNSON of Indiana. I asked the gentleman a bit ago which alternative he would prefer, that the Cubans should voluntarily purchase their independence of Spain, or that they should achieve it through war with the United States. His answer was that he would not permit the Cubans to purchase their independence—that was the substance. Now, I ask him how far he wants the Government of the United States to go in order to prevent the Cubans from voluntarily purchasing their liberty of Spain?

Mr. BAILEY. An examination of the reporter's notes will show that I have answered that question twice; the third time would not make the answer any more emphatic, and I desire to occupy the brief time I have by recalling the fact that when we were making provision for the starving inhabitants of Cuba less than a year ago, the gentlemen on that side told us that war could wait, but famine would not; that we must first relieve the hunger, and then we would take up the question of independence.

We tried to force this House to couple with its provision a recognition of the right of this people to fight for their own independence. We believed then as we believe now that if our policy had prevailed Cuba would be free and the grave crisis that now threatens the peace of two nations would have been averted. But a practically united Republican majority taunted us with opprobrious epithets. They declared that we were disregarding the appeals of humanity and the cries of famine; that we were delaying the sending of provisions to men who starved while we played the many-sided game of politics. They promised that when the starvation had been relieved they would meet and would decide the question of belligerency and independence.

There is your record. There are the words and the promises of the gentleman who assumes to speak for this Administration. You need not answer me; but you must answer the exasperated people of this country. Have you kept your promise? Have you voted for belligerency? Have you voted for independence? Perhaps many of you have been anxious to do it. I have been told that a large number of you held a caucus yesterday afternoon. I am told that you appointed a committee to wait upon the President.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BAILEY. I will not ask the House to indulge me further. I leave that committee to make its report from the President to the next Republican caucus of reconcentrados. [Laughter.]

Mr. BOUTELLE of Maine. I move that all debate on the pending paragraph and amendments thereto be now closed, if all the arguments in favor of and opposed to the pending amendment have been exhausted.

The motion to close debate was agreed to.

The CHAIRMAN. If there be no objection, the informal amendment will be considered as withdrawn.

There was no objection.

The Clerk read as follows:

Mileage: For mileage of officers traveling under orders without troops, $8,000.

Mr. LENTZ. I move to amend by striking out the last word. Mr. Chairman, several remarks have been made which I think ought to be taken up, and I begin by taking a remark of the gentleman from Indiana [Mr. JOHNSON] that we ought to hold up the hands—or the arms, rather—of the President at this time. I submit to all fair-minded men that the arms of the President of the United States can not be held up, because they are now tied behind his back by the money power. [Applause on the Democratic side, and derisive cries on the Republican side.]

I thank you for that derision, gentlemen on the other side. I will answer you by the words of my friend from Ohio, General GROSVENOR. You have already had an answer from the gentleman from Texas [Mr. BAILEY] to your groaning in answer to his most eloquent plea for Cuba. You on the opposite side are playing and singing a different tune to-day from what you did on the 6th of January last. On that day my friend General GROSVENOR was for war, and now he, too, is saying, "Wait, wait, wait." On that day he condemned his own party and read to you from the St. Louis platform of June, 1896, on the Cuban question. We are now well along in 1898.

General GROSVENOR was twitted for having abandoned the St. Louis platform on the civil service, and he answered you then and defended himself with sneers and taunts as to your record on the Cuban question. He read to you the declaration of the St. Louis platform on that subject, and I repeat it, reading from his speech of the 6th of January, when he stood before you and asked you how you liked it.

From the hour of achieving their independence the people of the United States have regarded with sympathy the struggles of other American peoples to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

The Government of Spain having lost control of Cuba—

In June, 1896, gentlemen, you said the Government of Spain had lost control of Cuba—

and being unable to protect the property or lives of resident Americans—

You said that, too, in June, 1896—

or to comply with its treaty obligations—

You said that, too, in June, 1896—

We believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

You said that, too, in June, 1896.

Yet when our friend from Texas [Mr. BAILEY] introduced his resolution yesterday, you spent half a day in technical quibbles against the recognition of the independence of Cuba. Talk about taunts and sneers on this side! I want to say to you, gentlemen of the opposition, that the truth is not in any plank of the St. Louis platform. "Actions speak louder than words."

If you meant what you said in 1896, why did you not prove it yesterday by your votes for the independence of Cuba? Almost two years ago you put before the people that solemn declaration I have just read. You, above all men, gentlemen, ought to have honor enough to defend your President, to whose loyal support we came by joining with you in giving into his hands $50,000,000 of the

money of the people—a thing unprecedented in the history of this country. We gave it to him with our godspeed, that he might use it like a thunderbolt to strike the chains of oppression from the bleeding limbs of starving Cubans, who have suffered more at the hands of Spain than did any pioneer at the burning stake of fiend or savage. We helped you to put into force and effect your St. Louis platform on Cuban independence and the protection of the lives and property of American citizens, but you have not been manly or candid enough to accept our aid.

[Here the hammer fell.]

Mr. BOUTELLE of Maine. I move that all debate on this paragraph be now closed.

Mr. BAILEY. I hope that the gentleman from Ohio [Mr. LENTZ] may be allowed to proceed for five minutes further.

Mr. BOUTELLE of Maine. If the gentleman from Ohio desires to go on for five minutes more in explanation of his amendment, I am willing.

The CHAIRMAN. Does the gentleman from Maine move to close debate at the expiration of five minutes?

Mr. BOUTELLE of Maine. Yes; I modify my motion in that way.

The motion of Mr. BOUTELLE of Maine as modified was agreed to.

The CHAIRMAN. If there be no objection, the Chair will again recognize the gentleman from Ohio [Mr. LENTZ] for five minutes.

There was no objection.

Mr. LENTZ. Mr. Chairman and my friends on the other side of the House, let me remind you of another factor which ought to make your Americanism blush, if you had any Americanism left in your composition. The chief representative of that effete and barbarous Government called Spain stood in your capital city by virtue of your courtesy, and in a confidential communication to his Government said that the Chief Executive of 75,000,000 American people was nothing but a "low politician!"

Following that, when you sent your flag on a battle ship—the *Maine*—smiling with friendship into the harbor of Havana, what did the Spaniards do? They received and placed a generous, patient, and charitable visitor, bearing the olive branch of peace, in a position which was designated by themselves and best suited for the cowardly crime of the assassin. Did they receive and place our battle ship in a position such as we provided for the *Viscaya* at New York, or in such a position as the one in which they would have placed one of their own great war ships? No; not at all. They are not the men to do a thing of that kind.

What are the circumstances in the case? They are well known to our people, and the country will demand full reparation for it. Those who have investigated the condition of the wreck tell us that they found a certain wire "which looked as if it did not belong to the ship." They were not able to trace it from under the wreck of the *Maine*, or to follow it to the shore of the harbor, but you can place your own interpretation on the testimony upon that point. What is the indication? It indicates the connecting link between Moro Castle, under the control of Spanish arms, and the mine under the bow of the steamer *Maine* which destroyed that great vessel.

Is it not very peculiar, Mr. Chairman, that this particular wire, which was entirely under the control of the Spanish authorities, should be the one to connect the submarine mine under the *Maine* with the mainland? They have many other wires to other mines, but the evidence shows that this was the only one that seems to have been touched. I say it was a very plain case of design and treachery such as no civilized nation has ever perpetrated in the history of the world. Aye, sirs, the annals of barbarism and the cruel traditions of savagery may now be destroyed and forgotten, for they have all been surpassed. On such evidence as that embodied in the report in regard to the destruction of the *Maine* there is no court in this land that would not have found the accused guilty of the foul crime of assassination and condemned him to be hung as a murderer in the first degree, the vilest and lowest degree of infamy.

They say it was an "accident!" They say it was not murder! Ah, Mr. Chairman, it was the foul act of a miserable assassin that blew into eternity the lives of 266 American seamen. "Wait," "Wait," "Wait," they say. "Let us take the matter coolly and considerately," they say. We are to wait, according to this theory, until the last Cuban patriot is starved to death. I say that your policy of waiting is a policy of stupidity. It is a policy of cowardice.

It is about time that this country, with its 75,000,000 people, should be heard once for all in defense of American citizenship, once for all for American patriotism, once for all for national honor. With an area equal to all of Europe, with more gold, with more silver, with more coal, with more iron, with more corn, and more wheat, and more of everything that goes to make riches, and more of all these rich and great conditions of life than all of Russia, Germany, France, England, Spain, Italy, Austria, and all other European nations combined, shall we be heard or shall we remain impotent? Some of you on that side of the House say that this country is not great enough and powerful enough to demand justice for the struggling Cubans; but I say, and every one of my associates whose creed is the Chicago platform, declares that they shall be free and independent as a people who have so fairly won their liberty by their own exertions. [Applause on the Democratic side.]

The Cubans request us to take but one step—they request us to acknowledge their independence; and if, as the gentleman from Pennsylvania says, it will do no good, it certainly can do no harm to recognize them and their independence. If Spain wants to declare war for that, let her make the most of it. In the name of the American manhood which fought and won in every war in which the American people have ever engaged, let us now, when we are three, ten, and fifteen times as strong, engage, if need be, in another war and avenge the lives of the American patriots who now sleep a restless sleep in Cuban soil. Cuba must be free. Those 266 American citizens can not and shall not sleep their eternal sleep in the land of tyrants. The money power shall not dictate the policy of American manhood. I protest against it in behalf of ninety-nine out of every hundred of the Democrats, as well as the Republicans, in the great State of Ohio. [Applause.]

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For commutation of quarters to officers on duty without troops where there are no public quarters, $4,000.

Mr. BELFORD. Mr. Chairman, I move to strike out the last word.

The question of liberal, aye, bounteous, appropriations for the increase of the United States Navy is one that addresses itself to every dictate of sound judgment and every impulse of lofty patriotism. Under the complex conditions of modern civilization and international intercourse it seems that the necessary condition of peace is a thorough and adequate equipment for war; and under circumstances such as those that now confront us, and in the solemn and momentous situation in which we find ourselves to-day, the voice of everyone, irrespective of political lines or political affinities, must favor the placing of the American Navy on such a footing as will enable it to successfully cope with any navy upon the broad expanse of the ocean. And it is probable that this proposition has never been more forcibly emphasized nor the attention of the country more sharply directed to this truth than at the present hour.

Conditions are such now with reference to our relations to the Government of Spain that at any moment we may either choose or be forced to make a test of our naval strength upon the high seas. But it must prove a source of universal gratification, Mr. Chairman, to the hearts of American people to know that if we do so choose, or are thus forced, it will be in one of the most righteous causes upon which the smile of God has ever rested. [Applause on the Democratic side.]

The history of Cuba for fifty years has been the history of a people vainly struggling for freedom. I say to you, Mr. Chairman, that the hour is now here when Cuba must be free. [Applause.] The pledge of the American people, the will of God, decree this. [Applause.] You can no longer forestall this conclusion, gentlemen. And while I have been highly edified at the exalted exhibition of virtue and courage upon that side of the Chamber, I want to reassure you, gentlemen, as to the attitude of this side so far as I am individually concerned. You will see this question settled, see it settled by the Republican party, voicing the highest aspirations of the American people, see it settled as honor dictates, see it settled as the highest dictates of conscience and of manhood demand. [Applause.]

And in my humble judgment, Mr. Chairman, Cuba must be free, not by purchase, not by the payment of two hundred millions, or less or more, in gold, but free by the diviner right of having purchased her freedom by a higher price than gold—the blood of her patriotic sons, shed in the most cruel, the most inhuman, the most infamous war that has ever befouled the pages of history. If these results can be accomplished by peaceful negotiations, well and good; but accomplished they must be, or the voice of the American people go unheeded. And if to accomplish them there must be an appeal to the most solemn and terrible of all tribunals, as Longfellow sings of the Building of the Ship, so will the undivided voice of the American people say to our noble President and to our gallant Navy which he shall thus commission:

> Our hearts, our hopes, are all with thee,—
> Our hearts, our hopes, our prayers, our tears,
> Our faith triumphant o'er our fears,
> Are all with thee,—are all with thee!

[Applause.]

Mr. WILLIAMS of Mississippi. Through the action of Americans.

[Here the hammer fell.]

The Clerk began the reading of the next section.

Mr. DOCKERY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Missouri desire to address the committee?

Mr. DOCKERY. No; I was just going to indulge the hope that we could now proceed with the consideration of the bill.

Mr. BOUTELLE of Maine. I thank my friend.

Mr. DOCKERY. There is a probability that in the near future we may have graver matters to consider even than this.

Mr. LACEY. I call the gentleman from Missouri to order. He has no right to insist on going on with the bill. [Laughter.]

Mr. HANDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Delaware rises to a parliamentary inquiry.

Mr. HANDY. Where is the Clerk reading in the bill?

The CHAIRMAN. The Clerk is reading line 14, page 47. The Clerk will proceed.

The Clerk read as follows:

In the office of the adjutant and inspector: One chief clerk, at $1,540.80; one clerk, at $1,400.52;

Mr. GRIGGS. Mr. Chairman, a few moments ago I asked a question of the gentleman from Ohio [Mr. GROSVENOR]. I asked it respectfully and in all seriousness and candor. I will read the question and the reply:

Mr. GRIGGS. I desire to ask the gentleman, Would not the recognition of the independence of Cuba, followed by the enforcement of the Monroe doctrine, be sufficient?

Mr. GROSVENOR. Why, does the gentleman ask that question in earnest?

Mr. GRIGGS. Yes, sir.

Mr. GROSVENOR. Because the Monroe doctrine has no application whatever in a case like that. So, I beg the gentleman will not trifle with the subject with which I am dealing. What is the Monroe doctrine?

Had not the gentleman intimated that I was trifling with the serious subject which he was discussing, I should have nothing to say in reply. But I desire, Mr. Chairman, now to inform the all-wise gentleman from Ohio what the Monroe doctrine is, in the exact language of the President who first declared it, and thereby acquit myself of the charge of trifling with this question.

Mr. Monroe said:

We owe it therefore to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere, but with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and just principles acknowledged, we could not view any interposition for the purpose of oppressing them or of controlling in any manner their destiny by any European power in any other light than as a manifestation of an unfriendly disposition toward the United States.

[Applause.]

That is the Monroe doctrine willingly furnished by the humble gentleman from Georgia to the omniscient gentleman from Ohio.

The gentleman from Ohio is a lawyer, and he ought to know that the language of Mr. Monroe, "and whose independence we have on great consideration and just principles acknowledged," has direct application to the situation which would follow the recognition by us of Cuba as an independent State. This is the reply of the gentleman from Georgia to the question of the gentleman from Ohio, and if the gentleman from Ohio is satisfied the gentleman from Georgia is. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. BOUTELLE of Maine. I appeal to the committee. There has been exceedingly wide latitude, and I hope we will be able to make a little progress with the reading of the bill.

Mr. DRIGGS. I hope so, myself.

Mr. BOUTELLE of Maine. I know this is very much more useful than the naval bill!

[Mr. SKINNER addressed the committee. See Appendix.]

Mr. BOUTELLE of Maine. It is obvious that this committee has no particular business duty toward the United States, and I move that the committee do now rise.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn.

There was no objection.

The motion that the committee rise was then agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill making appropriations for the naval establishment and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIX, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3720. An act authorizing cities and towns in the Indian Territory to secure, by condemnation or otherwise, lands necessary for public improvements—to the Committee on Indian Affairs.

S. 3729. An act making further provision for a civil government for Alaska—to the Committee on the Territories.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1462. An act granting an increase of pension to Enoch G. Adams;

S. 1837. An act granting a pension to Sarah E. Cotton;

S. 1320. An act granting a pension to Sophia J. Chilcott; and

S. 1521. An act granting a pension to Sarah M. Spyker.

SUGAR-BEET INDUSTRY.

The SPEAKER laid before the House a message from the President of the United States, transmitting for the information of Congress a communication from the Secretary of Agriculture, covering a detailed report showing the present condition of the beet-sugar industry in this country and the results of experiments made by the Department of Agriculture in the production of sugar from beets in the United States during the past year; which was referred to the Committee on Agriculture, and ordered to be printed.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. SOUTHWICK to withdraw from the files of the House, without leaving copies, papers in the case of John McNeil.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WHITE of North Carolina for four days, on account of urgent business.

On motion of Mr. BOUTELLE of Maine (at 4 o'clock and 55 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Howell L. Moore, administrator of William Moore, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Surgeon-General of the Marine-Hospital Service submitting an additional estimate of deficiency in appropriation for the quarantine service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for repairing and improving the telephone line from the Navy Department and navy-yard to the naval proving ground—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS.

Under clause 2 of Rule XIII, Mr. MARSH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9338) to restore to the State of New York the flag carried by the One hundred and fourth New York Volunteer Infantry, reported the same without amendment, accompanied by a report (No. 915); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DAVISON of Kentucky, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8969) for the relief of the First Baptist Church, of Crab Orchard, Ky., reported the same without amendment, accompanied by a report (No. 893); which said bill and report were referred to the Private Calendar.

Mr. JETT, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3991) for the relief of Henry J. Fleming, reported the same with amendment, accompanied by a report (No. 894); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7802) granting a pension to Emily A. Hausner, reported the same without amendment, accompanied by a report (No. 896); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5776) for the relief of Sidney J. Hare, late private in Company C, Ninety-sixth Regiment of New York Volunteers, reported the same with amendment,

accompanied by a report (No. 897); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1467) granting a pension to Adolphine Krez, widow of Conrad Krez, late colonel Twenty-seventh Wisconsin Infantry and brevet brigadier-general of volunteers, reported the same with amendment, accompanied by a report (No. 898); which said bill and report were referred to the Private Calendar

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4961) to pension George W. Osborn, reported the same with amendment, accompanied by a report (No. 899); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 157) to increase the pension of Gen. James W. McMillan, reported the same without amendment, accompanied by a report (No. 900); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 487) granting a pension to Delia Gilman, reported the same without amendment, accompanied by a report (No. 901); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1345) granting an increase of pension to Sarah Brumm, reported the same with amendment, accompanied by a report (No. 902); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2497) to increase the pension of James E. Eaton, reported the same with amendment, accompanied by a report (No. 903); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 603) granting a pension to Clarissa E. Hobbs, reported the same with amendment, accompanied by a report (No. 904); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 99) granting a pension to Ira Ingraham, reported the same with amendment, accompanied by a report (No. 905); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2318) for the relief of John T. Brewster, reported the same without amendment, accompanied by a report (No. 906); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1450) granting a pension to Catherine Leary, reported the same without amendment, accompanied by a report (No. 907); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 499) granting a pension to Sarah R. Frary, reported the same without amendment, accompanied by a report (No. 908); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7554) granting a pension to William Iott, of Gowen, Mich., reported the same without amendment, accompanied by a report (No. 909); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 116) granting a pension to W. L. Faxon, reported the same without amendment, accompanied by a report (No. 910); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4691) to increase the pension of Charles Hoffman, reported the same with amendment, accompanied by a report (No. 911); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 497) granting an increase of pension to Betsey B. Olin, reported the same without amendment, accompanied by a report (No. 912); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1541) granting a pension to "Itewayaka" or "One-armed Jim," reported the same without amendment, accompanied by a report (No. 913); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6785) restoring Julia L. Roberts, late Julia L. Doty, to the pension roll, reported the same with amendment, accompanied by a report (No. 914); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GUNN: A bill (H. R. 9637) to ratify an agreement with the Indians of the Fort Hall Indian Reservation, in Idaho, and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

By Mr. HULL: A bill (H. R. 9638) to increase the number of surgeons in the United States Army—to the Committee on Military Affairs.

By Mr. WHEELER of Alabama: A bill (H. R. 9639) for the relief of the starving Cubans—to the Committee on Appropriations.

By Mr. McCLELLAN: A bill (H. R. 9640) to authorize the President of the United States to confer brevet rank upon Louis P. Di Cesnola, late colonel Fourth New York Cavalry—to the Committee on Military Affairs.

By Mr. HULL: A memorial of the legislature of the State of Iowa, relative to making Port Arthur a subport of entry—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARLOW: A bill (H. R. 9641) for the relief of Mrs. Anna McNamara—to the Committee on Invalid Pensions.

By Mr. BELDEN: A bill (H. R. 9642) granting an increase of pension to Michael Mahoney—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 9643) to increase the pension of Charlotte L. Carmody—to the Committee on Invalid Pensions.

By Mr. CARMACK: A bill (H. R. 9644) for the relief of Charles C. Burke, administrator of Elizabeth Burke, deceased, late of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9645) for the relief of Mrs. Clara E. Bryant, Shelby County, Tenn.—to the Committee on War Claims.

By Mr. CHICKERING: A bill (H. R. 9646) to amend the military record of Frank Ehart, late a private in Company D, One hundred and forty-seventh and Fifteenth New York Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 9647) for the relief of De Estang Shepard—to the Committee on Military Affairs.

By Mr. CURTIS of Iowa: A bill (H. R. 9648) for the relief of Capt. George A. Armes—to the Committee on Military Affairs.

By Mr. DALZELL: A bill (H. R. 9649) for the relief of the heirs of George W. Welsh—to the Committee on War Claims.

By Mr. DANFORD: A bill (H. R. 9650) for the pensioning of Mrs. S. Amanda Mansfield—to the Committee on Invalid Pensions.

By Mr. FENTON: A bill (H. R. 9651) to correct the military record of Charles K. Dawson—to the Committee on Military Affairs.

By Mr. FITZPATRICK: A bill (H. R. 9652) for the relief of William Webb, of Alphoretta, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 9653) removing charge of desertion from military record of Jesse Dennis—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 9654) for the removal of charge of desertion standing against Herman F. Schafer, late of Company K, Third and Forty-fifth Indiana—to the Committee on Military Affairs.

By Mr. LEWIS of Georgia: A bill (H. R. 9655) granting a pension to Adaline Simons—to the Committee on Pensions.

By Mr. LINNEY: A bill (H. R. 9656) granting a pension to Hesekiah A. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9657) granting a pension to Gillomiel L. Smoot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9658) granting a pension to Mrs. Jane Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9659) granting a pension to Mrs. Rhoda Harris—to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 9660) for the relief of the estate of Jamerson W. Rice—to the Committee on War Claims.

By Mr. MERCER: A bill (H. R. 9661) granting a pension to Maj. W. W. Lowe—to the Committee on Invalid Pensions.

By Mr. RIDGELY: A bill (H. R. 9662) to remove the charge of desertion from the military record of John McIntosh—to the Committee on Military Affairs.

Also, a bill (H. R. 9663) granting a pension to W. J. Tims—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 9664) to remove charge of desertion standing against Ramsom Brodock—to the Committee on Military Affairs.

By Mr. SMITH of Arizona: A bill (H. R. 9665) to remove the

charge of desertion from the military record of John Tayhen—to the Committee on Military Affairs.

Also, a bill (H. R. 9666) directing the issue of a duplicate lost check drawn by C. C. Sniffen, major, United States Army, in favor of Fourth National Bank, New York City—to the Committee on Claims.

Also, a bill (H. R. 9667) for the relief of Charles Delahaye—to the Committee on Military Affairs.

By Mr. STARK: A bill (H. R. 9668) granting a pension to Emma M. Wilcott—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 9669) to correct the military record of Patrick Dunphy—to the Committee on Military Affairs.

By Mr. BROWNLOW: A bill (H. R. 9670) to restore Nancy Simmons to the pension roll—to the Committee on Invalid Pensions.

By Mr. GARDNER: A bill (H. R. 9671) for the relief of John H. Anderson—to the Committee on War Claims.

By Mr. McDOWELL: A bill (H. R. 9672) to remove the charge of desertion against John G. Frost—to the Committee on Military Affairs.

Also, a bill (H. R. 9673) to muster Henry Knisely as a member of Company L, Eighth Regiment Ohio Volunteers, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 9674) to remove the charge of desertion against George Webb—to the Committee on Military Affairs.

By Mr. MILLS: A joint resolution (H. Res. 216) to restore the status of the Chicago Dragoons—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Petition of the representatives of the Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, memorial of the Philadelphia Board of Trade, favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. ARNOLD: Petition of Glen Richey Lodge, No. 383, Knights of Pythias, of Glen Richey, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. BARBER: Petition of Grace Chapter, Epworth League, Washington, D. C., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Protestant Church and Woman's Christian Temperance Union of Girdletree, Md., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Methodist Protestant Church and Woman's Christian Temperance Union of Girdletree, Md., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the Judiciary.

By Mr. BARNEY: Resolutions of the Wisconsin State Federation of Labor, the central bodies of Wisconsin, and the local unions of Eau Claire, Wis., urging the passage of sundry bills pending for the protection of labor—to the Committee on Labor.

By Mr. BARTLETT: Petition of J. C. Beauchamp, J. W. Williamson and other citizens, James S. Boynton, R. L. Allen and others, W. H. Beck and others, all of Williamson, Ga.; L. F. Blalock, W. T. Glover, T. J. Mitchell and others, of Fayetteville, Ga., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BELDEN: Petition of citizens of Nelson, N. Y., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BELFORD: Petition of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolutions of the National Wholesale Lumber Dealers' Association of New York, in favor of the Indianapolis monetary commission bill and the maintenance of the gold standard—to the Committee on Banking and Currency.

Also, petition of the Woman's Christian Temperance Union of Central Islip, N. Y., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of citizens of Waterville, Me., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of A. F. Gerald and 19 other citizens of the State of Maine, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, petition of Anson Grange, No. 88, Patrons of Husbandry, of Maine, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Anson Grange, No. 88, Patrons of Husbandry, and Woman's Christian Temperance Union of North Anson, Me., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. BUTLER: Resolutions of Spring City Lodge, No. 91, Knights of Pythias, of Spring City, Pa., in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. CARMACK: Two petitions of citizens of Moscow, Tenn., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CHICKERING: Petition of the Woman's Christian Temperance Union of Palermo, N. Y., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance Union of Wilton, N. H., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Wilton, N. H., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. CODDING: Petitions of the Woman's Christian Temperance unions of New Albany, Factoryville, Canton, Tunkhannock, Columbia Crossroads, and Bradford County, and the Baptist Church of Hawley, all in the State of Pennsylvania, favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of various societies of Scranton, Brooklyn, Tunkhannock, Columbia Crossroads, New Albany, Standing Stone, and Factoryville, and the Baptist Church of Hawley, all in the State of Pennsylvania, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Woman's Christian Temperance Union of Tunkhannock, Pa., favoring a bill to establish a Sabbath law for the national capital—to the Committee on the District of Columbia.

Also, petition of members of the bar of Wayne County, Pa., favoring an amendment to the bill creating a new Federal district in Pennsylvania—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Tunkhannock, Pa., favoring a bill to appoint a commission to investigate problems of labor and capital—to the Committee on Labor.

Also, petition of Tunkhannock Lodge, No. 254, Knights of Pythias, of Tunkhannock, Pa., favoring House bill No. 6468, to erect a national Knights of Pythias hospital and sanitarium at Hot Springs, Ark.—to the Committee on the Public Lands.

Also, petition of Union Hose Company, of Athens, Pa., against Senate bill No. 2736, regulating insurance—to the Committee on the Judiciary.

Also, petitions of A. L. Rowland and others, of Wayne County, and Woman's Christian Temperance Union of Tunkhannock, Pa., for the passage of a bill to prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. CUMMINGS: Petition of Hamilton R. Squier and 5 citizens of New York City, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS of Iowa: Resolutions of Building and Trades Union of St. Louis, Mo., in suppport of the right of franchise in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DOVENER: Paper to accompany House bill for the relief of Benjamin F. Harrison, granting him an honorable discharge—to the Committee on Military Affairs.

By Mr. FITZGERALD: Resolutions of the Boston Chamber of

Commerce, indorsing whatever action the President or Congress may take in behalf of Cuba, and extending to the suffering people of Cuba sympathy in their distress—to the Committee on Foreign Affairs.

Also, resolutions of the Boston Boot and Shoe Club, in favor of the monetary commission bill and a sound currency—to the Committee on Banking and Currency.

Also, petition of the Merchants' Association and Paint and Oil Club of New England, all of Boston, Mass., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZPATRICK: Papers to accompany House bill relating to the claim of William Webb—to the Committee on War Claims.

By Mr. GARDNER: Petitions of Woman's Christian Temperance unions of Beverly and Burlington, N. J.; the Methodist Episcopal Church, the Baptist Church, the Presbyterian Church, and the Mount Pleasant Methodist Protestant Church, of Pleasantville, N. J., and the Epworth League of Brigantine, N. J., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of certain churches and societies of Burlington and Brigantine, N. J., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of certain churches and societies of Burlington and Brigantine, N. J., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of certain churches and societies of Columbus, Beverly, and Brigantine, N. J., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Columbus, N. J., asking for legislation that will allow women to participate in and vote at election for officers who regulate the sale of intoxicating liquors—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of State Firemen's Relief Association of New Jersey, in opposition to Senate bill No. 2736, to establish a Government insurance department—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Mercer Lodge, No. 239, of Trenton, N. J., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Washington Camp, No. 6, of Trenton, N. J., Patriotic Order Sons of America, favoring the passage by Congress of the Lodge immigration bill—to the Committee on Immigration and Naturalization.

By Mr. GRIFFITH: Petition of Herman F. Schaefer, late of Company K, Third Indiana Cavalry, and Forty-fifth Regiment Indiana Volunteers, to accompany House bill for the removal of the charge of desertion—to the Committee on Military Affairs.

By Mr. GROSVENOR: Petitions of the Methodist Episcopal Church and Young People's Society, of Nelsonville, Ohio, for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Petition of the Chamber of Commerce of Boston, Mass., asking for the passage of House bill No. 6705, to prevent the adulteration of flour—to the Committee on Ways and Means.

Also, petition of Hiram Hyde and 91 citizens of Strafford, Vt., and vicinity, in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. HAY: Three petitions of citizens of the State of Virginia, in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Baptist Young People's Union and the Woman's Christian Temperance Union, of Singerglen, Va., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HENDERSON: Memorial of representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, petitions of C. E. Ebbeson and 18 citizens of Carpenter, Iowa; E. L. Merrifield and other citizens of New York City, and resolutions of Eagle Grove Division, No. 164, of Eagle Grove, Iowa, Order of Railway Conductors, urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Petition of Woman's Christian Temperance Union of New Britain, Conn., to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. HILBORN: Petitions of the Woman's Christian Temperance Union of West Oakland and Benicia, Cal., and Mothers' Meetings of Benicia, favoring the passage of bills providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of West Oakland and Benicia, and Mothers' Meetings of Benicia, Cal., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HILL: Petitions of the Disciples Church of Danbury, Conn., and Congregational Church of Bethel, Conn., to forbid the sale of intoxicating beverages in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Second Advent Church of Danbury, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. HITT: Memorial of representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, petitions of the Free Methodist Church, the Baptist Young People's Union of the South Baptist Church, Methodist Episcopal Church, Woman's Christian Temperance Union, Epworth League, German Evangelical Church, Baptist Young People's Union of the First Baptist Church, Christian Endeavor Society of the Presbyterian Church, and North Belvidere Woman's Christian Temperance Union, all of Belvidere, Ill., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of various churches and societies of Belvidere, Ill., in favor of the passage of a bill to substitute voluntary arbitration for railway strikes—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Belvidere, Ill., in favor of the passage of a bill to prohibit the interstate and mail circulation of extended newspaper descriptions of prize fights—to the Committee on the Judiciary.

Also, petitions from various churches and societies of Belvidere, Ill., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of various churches and societies of Belvidere, Ill., for the bill forbidding the interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Belvidere, Ill., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Belvidere, Ill., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Belvidere, Ill., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Polo, Ill., praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: Petitions of the Congregational Church, Methodist Episcopal Church, and Mitchellville Lodge, No. 109, Independent Order of Good Templars, all of Mitchellville, Iowa, to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Mitchellville, Iowa, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of North Dakota: Petition of the First Baptist Church, Baptist Young People's Union, and Luther League of Fargo, N. Dak.; Methodist Episcopal Church, Congregational Church, Ladies' Aid Society, Woman's Christian Temperance Union, and Independent Order of Good Templars of Hope, N. Dak.; Woman's Christian Temperance unions of Durbin and Harlem; Young People's Society of Christian Endeavor of the Presbyterian Church of Grand Forks, and mass meeting of citizens of Kelso, N. Dak., for a law to regulate the interstate commerce of cigarettes and to prohibit the interstate transmission of

lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain churches and religious societies in the State of North Dakota, praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petitions of certain churches and religious societies of Fargo, Durbin, Harlem, Elliott, Lakota, and Maza, N. Dak., favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

Also, petition of the Methodist Church of Drayton, N. Dak., for the passage of a bill to further protect the first day of the week in the District of Columbia—to the Committee on the District of Columbia.

By Mr. JOY: Petition of the Hargadine McKittrick Dry Goods Company and 28 other firms in St. Louis, Mo., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Young People's Society of Christian Endeavor and Hyde Park Congregational Church, of St. Louis, Mo., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. KITCHIN: Resolution of the board of directors of North Carolina penitentiary asking for the permanent location of the Federal prison for the South in the North Carolina penitentiary—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Guilford College, N. C., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Guilford College, N. C., for the passage of the bills to raise the age of protection for girls to 18 years, to protect State anti-cigarette laws, and to forbid the interstate transmission of lottery messages—to the Committee on the Judiciary.

By Mr. LEWIS of Georgia (by request): Petitions of citizens of Fort Valley and Hawkinsville, Ga., praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LEWIS of Washington: Petitions of Christian Sunday School, Christian Church, Congregational Sunday School, and citizens of Olympia; Woman's Christian Temperance Union, Methodist Episcopal Church, First Presbyterian Church of Everett; Methodist Episcopal Church, and Society of Christian Endeavor of Church of Christ of Garfield; Woman's Christian Temperance Union of Goldendale; First Methodist Episcopal Church of Tacoma, and citizens, all of the State of Washington, for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petitions of various churches and societies of Goldendale, Garfield, Tacoma, Olympia, and citizens of the State of Washington, for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of various societies of Goldendale and Garfield, Wash., favoring the passage of a bill to forbid interstate gambling by telegraph or telephone—to the Committee on the Judiciary.

Also, petitions of various societies of Goldendale and Garfield, Wash., to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of citizens of Toledo and other places, State of Washington, urging the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, resolutions of Spokane Division, No. 285, and Tacoma Division, No. 249, State of Washington, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Seattle Chamber of Commerce, State of Washington, favoring the annexation of Hawaii—to the Committee on Foreign Affairs.

Also, petitions of Columbia County Council, Patrons of Husbandry, State of Washington, favoring postal savings banks, pure food, and free rural mail delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. LIVINGSTON: Two petitions of citizens of Atlanta, Ga., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUD: Petitions of the Congregational Church and the Young People's Society of Christian Endeavor of Saratoga, Cal., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Congregational Church and the Young People's Society of Christian Endeavor of Saratoga, Cal., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. LOUDENSLAGER: Petition of Charles Waters and 3 other citizens of Camden, N. J., praying Congress to investigate and correct abuses in the National Home for Disabled Volunteer Soldiers—to the Committee on Military Affairs.

Also, petition of the First Presbyterian Church of Merchantsville, N. J., to forbid the sale of intoxicating liquors within 200 feet of a church, schoolhouse, or charitable institution—to the Committee on the District of Columbia.

Also, petition of the First Presbyterian Church of Merchantsville, N. J.; Young People's Society of Christian Endeavor of Bridgeton, and Landis Township Teachers' Association, of Vineland, N. J., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Landis Township Teachers' Association, of Vineland, N. J., and the First Presbyterian Church of Merchantsville, N. J., in favor of the passage of bills to forbid interstate transmission of lottery messages by telegraph and to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. McCLEARY: Petitions of the Woman's Christian Temperance Union and citizens of Jasper, Minn., favoring the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Jasper, Minn., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. McCLELLAN: Petition of 7 citizens of New York City, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMICK: Paper to accompany House bill to correct the military record of James W. Johnson—to the Committee on Military Affairs.

Also, paper to accompany House bill to correct the military record of John Kirkpatrick—to the Committee on Military Affairs.

By Mr. McDOWELL: Papers to accompany House bill to remove the charge of desertion against George Webb—to the Committee on Military Affairs.

By Mr. McINTIRE: Resolution of the Merchants and Manufacturers' Association of Baltimore, Md., expressing sympathy for the suffering people of Cuba, pledging support to whatever course the President and Congress may take for their assistance, and affirming that war is the last remedy to which as a people we should have recourse—to the Committee on Foreign Affairs.

By Mr. MAHON: Petitions of the Woman's Christian Temperance Union of Selinsgrove, Pa., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Baptist Church of Union City, Pa., favoring the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Selinsgrove, Pa., and Christian Endeavor Union of Hartleton, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MANN: Petitions of Marie Methodist Episcopal Chapel congregation, of Chicago, Ill., favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

Also, petition of the Marie Methodist Episcopal Chapel congregation, of Chicago, Ill., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of messages by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. MAXWELL: Petition of 275 citizens of Neligh, Nebr., praying that the age of protection for girls be raised to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. MEYER of Louisiana (by request): Petition of the heirs of Barry Hayes, deceased, late of New Orleans, La., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. MINOR: Two petitions of citizens of Stevens Point,

Wis., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of Woman's Christian Temperance unions of Pine Grove and Baldwins Mills, Wis., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union, Methodist Episcopal Church, and citizens of Sturgeon Bay, Wis., praying for the enactment of legislation to forbid the interstate transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of citizens of Green Bay, Wis., praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Hope Congregational Church, Methodist Episcopal Church, and numerous citizens of Sturgeon Bay, Wis., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MOON (by request): Petitions of D. L. Lloyd and 18 others, William E. Seitz and 19 others, of Washington, D. C.; Otto W. Geisendufer and 18 others, Frank S. Browne and 18 others, James Smith and 17 others, William W. Wright and 19 others, Dr. Frederick Hoffa and 18 others, of the District of Columbia and other places, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. OTEY: Petition of 200 citizens of the State of Virginia, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Petitions of W. H. Seward and 5 others, George R. Peck and 3 others, A. W. Lanton and 3 others, E. H. Any and 4 others, Charles Hoskins and 3 others, Charles F. Rattigan and 3 others, R. A. Dyer and 3 others, George C. Mills and 4 others, George W. Clooth and 3 others, A. R. Knox and 3 others, E. H. Townsend and 3 others, Henry L. Stork and 3 others, W. H. Hudson and 3 others, E. J. Jewhurst and 3 others, H. J. Knapp and 3 others, H. F. Horton and 3 others, W. R. Laird, M. D., and 5 others, A. G. Culom and 4 others, of Auburn; W. J. Donsick and 5 others, M. J. Hirschfield and 5 others, M. J. Dillon and 5 others, John C. Jager and 6 others, of Geneva; Edward D. Martin and 5 others, Milo Bruhan and 6 others, of Chapinville; Fred T. Nester and 6 others, of Geneva and Watkins; John Sutton and 6 others, of Hopewell Center and Chapinville; Nelson W. Elrod and 6 others, of Auburn and Union Springs; N. B. Remick and 6 others, of Geneva, Seneca Falls, and Clifton Springs; Charles White and 2 others, of Fleming and Amelins; Amos O. Lee and 2 others, of Averelius, all of the State of New York, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the members of the First Methodist Episcopal Church of Penn Yan, N. Y., favoring the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the members of the First Methodist Episcopal Church of Penn Yan, N. Y., remonstrating against the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the members of the First Methodist Episcopal Church of Penn Yan, N. Y., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. RIDGELY: Petitions of the Woman's Christian Temperance unions of Niotaze, Parsons, and Winfield, Kans., Presbyterian Church of Osage, Gospel Temperance Meeting of Mound Valley, and Presbyterian, Methodist Episcopal, Christian, and Baptist churches of Girard, Kans., praying for the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls, and to forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Winfield, Kans., favoring the passage of a bill to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petition of the Woman's Christian Temperance Union of Winfield, Kans., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Coopers' International Union, of Kansas City, Kans., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBBINS: Resolutions of Westmoreland Lodge, No. 415, Knights of Pythias, of Irwin, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. RUSSELL: Petitions of the Baptist Church of Norwich and Congregational Church of Hanover, Conn., favoring the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Congregational Church of Hanover and Baptist Church of Norwich, Conn., asking for the passage of a bill to raise the age of protection for girls—to the Committee on the District of Columbia.

Also, petitions of the Baptist Church of Norwich and Congregational Church of Hanover, Conn., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH: Petitions of citizens of Fort Lupton, Colo., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of citizens of Fort Lupton, Colo., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Grand Junction Division, No. 325, of Grand Junction, and Denver Division, No. 44, of Denver, Colo., Order of Railway Conductors, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN. Papers to accompany House bill to remove the charge of desertion against Ransom Brodock—to the Committee on Military Affairs.

By Mr. SPERRY: Petitions of the Congregational Church and Endeavor Society of East Haven, Conn., favoring the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Congregational Church and Endeavor Society of East Haven, Conn., in favor of the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Congregational Church and Endeavor Society of East Haven, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. STEWART of Wisconsin: Resolution of the American Federation of Labor and Cigar Makers' Union No. 85, of Eau Claire, Wis., in favor of House bills Nos. 6092 and 7389 and Senate bills Nos. 35 and 95, in the interests of labor—to the Committee on Labor.

Also, petition of Pioneer Grange No. 538, Patrons of Husbandry, of Medford, Wis., asking for the passage of a bill to prevent the adulteration of food—to the Committee on the Judiciary.

Also, petition of 40 citizens of Ashland, Wis., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Military Order of the Loyal Legion of the United States, Commandery of the State of Wisconsin, for an appropriation for the erection of permanent monuments of lines of battle, etc., at Gettysburg, Pa.—to the Committee on Military Affairs.

By Mr. CHARLES W. STONE: Memorial of the Evangelical Lutheran Church of Kane, Pa., in favor of certain measures to promote public morality—to the Committee on the Judiciary.

By Mr. SUTHERLAND: Petitions of the Woman's Christian Temperance Union and Christian Endeavor of Roseland, Nebr., to raise the age of protection for girls to 18 years, and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Christian Endeavor and Woman's Christian Temperance Union of Roseland, Nebr., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. TONGUE: Petition of the First United Evangelical Church of Portland, Oreg., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the First Baptist Church and Friends' Church of Newburg, Oreg., and citizens of the State of Oregon, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. VEHSLAGE: Three petitions of citizens of New York City, in favor of the passage of House bill No. 7130, known as the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. VINCENT: Petition of the Northwest Kansas Annual Conference of the Methodist Episcopal Church of Minneapolis, Kans., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Northwest Kansas Annual Conference of the Methodist Episcopal Church, of Minneapolis, Kans., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Northwest Kansas Annual Conference of the Methodist Episcopal Church, of Minneapolis, Kans., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

By Mr. WADSWORTH: Petitions of George S. Gooding and 8 others, F. E. Hine and 7 others, T. T. Feeley and 8 others, John R. Earl and 6 others, E. R. Gailer and 6 others, L. W. Kurgley and 4 others, John E. Pound and 5 others, of Lockport; Arthur Schoellkopf and 6 others, J. W. Cutler and 5 others, Charles N. Owens and 6 others, William Pool and 6 others, P. Porter and 7 others, of Niagara Falls; W. F. Beswick and 4 others, C. Freedman and 5 others, H. C. Cotter and 2 others, of Bergen; A. H. Latz and 6 others, W. H. Barber and 6 others, of Sanborn; F. E. Moocrs and 6 others, of Alexander, all of the State of New York, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: Petitions of the Woman's Christian Temperance Union of Wrightstown, Pa., praying for the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Wrightstown, Pa., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. WARD: Petition of C. E. Storey and other citizens of Mount Vernon, N. Y., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Pennsylvania: Resolution of the Trades League of Philadelphia, in favor of House bill No. 8066, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Appropriations.

Also, resolutions of Radiant Star Lodge, No. 178, of Plymouth, Pa., Knights of Pythias, in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, memorial and resolutions of the Trades League of Philadelphia, Pa., asking that the words "with intent to rob" be stricken out of the title and body of House bill No. 8057, relating to train wreckage—to the Committee on Interstate and Foreign Commerce.

Also, memorial of John R. Pope, president Masonic Board of Relief, New York, favoring the passage of House bill No. 7130, a bill to amend an act entitled "An act to regulate commerce"—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Lincoln Club (colored), of Luzerne County, Pa., deploring the sad fate of the battle ship *Maine*, commending the course of the President and Congress, and offering support in case of conflict with any foreign power—to the Committee on Naval Affairs.

SENATE.

FRIDAY, *April 1, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HOAR, and by unanimous consent, the further reading was dispensed with.

THE BEET-SUGAR INDUSTRY.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry, and ordered to be printed:

To the Congress:

I transmit herewith, for the information of Congress, a communication from the Secretary of Agriculture covering a detailed report showing the present condition of the beet-sugar industry in this country and the results of experiments made by the Department of Agriculture in the production of sugar from beets in the United States during the past year.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *March 31, 1898.*

NOTE.—Accompanying papers are sent with message to House of Representatives.

ANTIETAM BATTLEFIELD.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting an estimate of appropriation for care and preservation of monuments, tablets, roads, etc., at the Antietam battlefield, $3,000; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SEWELL presented petitions of the Young People's Society of Christian Endeavor of the Central Methodist Episcopal Church, of Bridgeton; of the congregations of the First Baptist Church of Salem; the Broadway Methodist Church, of Salem, and the First Methodist Episcopal Church of Salem, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregations of the First Baptist Church, the Broadway Methodist Church, and the First Methodist Episcopal Church, all of Salem, in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the First Baptist Church, the Broadway Methodist Church, and the First Methodist Episcopal Church, all of Salem, in the State of New Jersey, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

Mr. MITCHELL. I present a brief telegram, signed by a large number of solid citizens of Milwaukee. I ask that it be read and referred to the Committee on Foreign Relations.

There being no objection, the telegram was read, and referred to the Committee on Foreign Relations, as follows:

[Telegram.]

MILWAUKEE, WIS., *March 31, 1898.*

Hon. JOHN L. MITCHELL, *Washington, D. C.:*

The business people and conservative elements of the country at large are in favor of peace if same can be maintained with honor to our flag, and believe that overt acts or expressions of hostility on the part of the United States should be avoided. If Spain should force war upon us, the situation would of course be entirely changed, but war should be deprecated except as a last resort after all diplomatic efforts have failed. Any reasonable concessions on the part of Spain should be met in a conciliatory spirit.

Fredk. Pabst, Gen. F. C. Winkler, Edw. P. Vilas, James G. Flanders, Wm. P. McLaren, August Uihlein, Frank R. Falk, Charles Best, Fredk. Kasten, Ernest Borchert, C. W. Henning, Wm. Bigelow, H. H. Camp, Henry Uihlein, Albert Blatz, E. P. Matthews, Charles E. Dyer, Chas. Ray, Robert Hill, John Johnston, Frederick Layton, Washington Becker, William L. Jones, Wilford M. Patton, John S. George, Gustav Wollaeger.

Mr. PLATT of Connecticut presented a petition of Lodge No. 284, Brotherhood of Locomotive Firemen, of Elm City, Conn. praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Endeavor Society of the Congregational Church of East Haven, Conn., and a petition of the congregation of the Congregational Church of East Haven, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Endeavor Society of the Congregational Church of East Haven, Conn., and a petition of the congregation of the Congregational Church of East Haven, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Endeavor Society of the Congregational Church of East Haven, Conn., and a petition of the congregation of the Congregational Church of East Haven, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. WELLINGTON. I present a petition from the committee on philanthropic labor of the Religious Society of Friends, which I ask may be read and referred to the Committee on Foreign Relations.

There being no objection, the petition was read, and referred to the Committee on Foreign Relations, as follows:

BALTIMORE, *March 31, 1898.*

To the Senate of the United States:

The committee on philanthropic labor of the Religious Society of Friends (Park avenue), representing 3,000 persons living in Pennsylvania, Maryland, Virginia, and the District of Columbia, would respectfully petition that

measures contemplating forcible intervention in the dispute between Spain and her colony, Cuba, shall not receive the support of the members of your body.

Believing that war is an unnecessary and most cruel as well as ineffectual method of settling disputes, and that conciliation and arbitration accomplish far better results, and are more in accord with the spirit of the closing years of this century, we are much concerned at the warlike spirit manifested by our Senators, and would urge that they give loyal support to the President of the United States in his wise and patriotic efforts to maintain peace, and commend our Senators to those principles of justice, peace, and universal brotherhood which become a Christian people.

O. EDWARD JANNEY, *Chairman.*
ELLA SUTTON,
Secretary, 1725 Linden Avenue, Baltimore.

Mr. TURNER presented a petition of the Woman's Christian Temperance Union of Huntsville, Wash., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Huntsville, Wash., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Huntsville, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Huntsville, Wash., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. GEAR presented a petition of Lodge No. 216, Order of Railway Conductors, of Ottumwa, Iowa, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. MASON presented a petition of Peoria Division, No. 79, Order of Railway Conductors, of Peoria, Ill., and a petition of Racine Division, No. 27, Brotherhood of Locomotive Engineers, of Freeport, Ill., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented memorials of members of the fire department of Wenonah, Mount Pulaski, and Vandalia, all in the State of Illinois, remonstrating against the enactment of legislation to authorize the establishment of a division in the Treasury Department regulating insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Morrison, Maple Park, and Bloomington; of the Epworth League of the Methodist Episcopal Church of Bloomington, and of the Society of Christian Endeavor of the Congregational Church of Harvey, all in the State of Illinois, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Maple Park, Ill., and a petition of the Society of Christian Endeavor of the Congregational Church of Harvey, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Morrison, Maple Park, and Bloomington; of the Epworth League of the Methodist Episcopal Church of Bloomington; of the Society of Christian Endeavor of the Congregational Church of Harvey, and of the Christian Endeavor Society of the Congregational Church of Kewaunee, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. MORRILL presented a petition of the Le Droit "Y" branch of the Young Woman's Christian Temperance Union, of the City of Washington, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. KENNEY presented a petition of the congregation of the Presbyterian Church of Middletown, Del., and a petition of the congregation of the Methodist Episcopal Church of Stanton, Del., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the First Presbyterian Church of Middletown, Del., and a petition of the congregations of the Methodist Episcopal churches of Marshallton and Stanton, Del., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Bethesda Methodist Episcopal Church, of Middletown, Del., and a petition of the congregations of the Methodist Episcopal churches of Marshallton and Stanton, Del., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. HOAR presented petitions of the Woman's Christian Temperance Union and the Sons of Temperance of North Brookfield; of the Woman's Christian Temperance Union, the Baptist Society, and the Friends' Society of Bolton; of the pastor of the Congregational Church, the rector of St. John's Church, and sundry physicians of Athol, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union and the Sons of Temperance of North Brookfield; of the Woman's Christian Temperance Union, the Baptist Society, and the Friends' Society of Bolton; of the pastor of the Congregational Church, the rector of St. John's Church, and sundry physicians of Athol, all in the State of Massachusetts, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance Union and the Sons of Temperance of North Brookfield; of the Woman's Christian Temperance Union, the Baptist Society, and the Friends' Society of Bolton; of the Epworth League of Grace Church of Taunton, and of the congregations of the First and Second Unitarian churches of Athol, all in the State of Massachusetts, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of Woodstock Valley and of the congregation of the Baptist Church of Eastford and Westford, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Woodstock Valley and of the congregation of the Baptist Church of Eastford and Westford, all in the State of Connecticut, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Woodstock Valley and of the congregation of the Baptist Church of Eastford and Westford, all in the State of Connecticut, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Woodstock Valley, of the congregation of the Baptist Church of Eastford and Westford, and of the Christian Endeavor Society of the Congregational Church of West Woodstock, all in the State of Connecticut, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the Woman's Christian Temperance Union of Kahoka, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. PASCO presented a petition of the Florida Christian Endeavor Union, of Winter Park, Fla., praying for the enactment of a Sunday-rest law for the District of Columbia, for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, for the appointment of a nonpartisan labor

commission, to exclude illiterate immigrants, and to substitute voluntary arbitration for railway strikes; which was referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of City Point, Lake Helen, Orange City, Key West, Sebastian, West Palm Beach, New Smyrna, St. Augustine, Port Orange, and Lemon City, all in the State of Florida, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

CHANGE OF REFERENCE.

Mr. PASCO. I desire to call attention to the reference which was made yesterday of the petition of the Christian Endeavor Union of the State of Florida, praying for the enactment of legislation to amend the internal-revenue laws and prohibit licenses in States, counties, and municipalities where the sale of intoxicating liquors is forbidden by law. The petition was referred to the Committee on Public Buildings and Grounds. I ask that the reference be changed, as the petition does not belong there, and that it be sent to the Committee on Finance.

The VICE-PRESIDENT. Without objection, the change of reference will be made, and the petition will be referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2009) to provide for the restatement, readjustment, and payment of dues to army officers or ex-officers in certain cases, reported adversely thereon, and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, reported a bill (S. 4306) to authorize the readjustment of the accounts of army officers who were graduates of West Point Military Academy; which was read twice by its title.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2430) removing charge of desertion from military record of W. H. Cohorn, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 1031) granting a pension to Noah Pillsbury, reported it with amendments, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8541) to define the rights of purchasers of the Belt Railway, and for other purposes, reported it with amendments.

He also, from the same committee, to whom was referred the bill (H. R. 6148) to amend the charter of the Eckington and Soldiers' Home Railway Company, of the District of Columbia, the Maryland and Washington Railway Company, and for other purposes, reported it with amendments.

Mr. SHOUP, from the Committee on Military Affairs, to whom was referred the bill (S. 582) for the relief of Francis S. Davidson, late first lieutenant, Ninth United States Cavalry, reported it with an amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 4307) to readjust the boundary of the National Zoological Park and preserve its seclusion between Park road on the east and Cincinnati street and Connecticut avenue on the west; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SEWELL introduced a bill (S. 4308) for the relief of George Whittaker, late private Company C, Twelfth Regiment New Jersey Infantry Volunteers; which was read twice by its title, and, with accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4309) granting an increase of pension to Laura Sprigg Foster; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 4310) to correct the military record of John E. McCollough, of Florence, Washington County, Pa.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of New York (by request) introduced a bill (S. 4311) incorporating "Sorosis" in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GEAR (by request) introduced a bill (S. 4312) for the relief of Emily M. Hooe; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 4313) for the relief of the estate of William H. Harris, deceased, late of Carroll Parish, La.; which was read twice by its title, and referred to the Committee on Claims.

Mr. LINDSAY introduced a bill (S. 4314) in regard to the Inspector-General's Department of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MASON introduced a joint resolution (S. R. 137) to restore the status of the Chicago Dragoons, who served during the war of the rebellion; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. BERRY. At the request of Mr. Roley McIntosh, the delegate from the Creek Nation, I offer an amendment relating to certain claims of the Creek Indians, which I move be printed and, with the accompanying papers, referred to the Committee on Indian Affairs, to be proposed as an amendment to the general deficiency appropriation bill. I desire to state that I have not had time to examine the claim, and do not know as to its merits, but I hope that the Committee on Indian Affairs will give it a thorough examination.

The motion was agreed to.

REPORT ON DESTRUCTION OF BATTLE SHIP MAINE.

On motion of Mr. WARREN, it was

Ordered, That there be printed for the use of the Senate 3,000 additional copies of Senate Document No. 207, being a message from the President transmitting the report of the naval court of inquiry upon the destruction of the United States battle ship *Maine* in Havana Harbor, February 15, 1898, together with the testimony taken before the court.

GEORGIA SEACOAST DEFENSES.

Mr. BACON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate, That the Secretary of War is directed to give to the Senate, as soon as practicable, the following information:

I. What provision, if any, has been made by the War Department for the construction of fortifications and the furnishing of guns for the defense of the harbor of Brunswick, in Georgia?

II. What part of the $50,000,000 appropriated for the public defense by Congress at its present session has been allotted, through the War Department, for the construction of fortifications and the furnishing of guns for the defense of the harbors and cities and towns on the seacoast of Georgia? with specification of the said fortifications and guns for which said provision has been made.

LIQUOR TRAFFIC IN ALASKA.

Mr. HANSBROUGH submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury is hereby directed to inform the Senate whether section 14, chapter 53, Statutes at Large, volume 23, prohibiting the importation, manufacture, and sale of intoxicating liquors, etc., in the District of Alaska, is being enforced; and if not, what means are necessary to provide for the full enforcement thereof.

INDEPENDENCE OF CUBA.

Mr. QUAY. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Committee on Foreign Relations be, and is hereby, instructed to report on or before the 5th instant a bill for the recognition of the independence of the Republic of Cuba.

Mr. PLATT of Connecticut. Let the resolution go over.

The VICE-PRESIDENT. The resolution will go over.

CONSULAR REPORTS ON AFFAIRS IN CUBA.

The VICE-PRESIDENT. The Chair lays before the Senate resolution No. 325, offered by the Senator from New Hampshire [Mr. CHANDLER]. It will be read:

The resolution submitted yesterday by Mr. CHANDLER was read, as follows:

Resolved, That the President be requested, if it is not incompatible with the public service, to send to the Senate the copies of the reports of the consul-general and of the consuls of the United States in Cuba referred to in the resolution of the Senate adopted on February 14, 1898.

Mr. CHANDLER. I desire to gratify the Senator from Maine [Mr. FRYE]. Therefore I move that the resolution be referred to the Committee on Foreign Relations, and I invoke for it their deliberate consideration.

The VICE-PRESIDENT. The reference of the resolution is asked to the Committee on Foreign Relations. Is there any objection? The Chair hears none, and it is so referred.

Mr. CHANDLER. I submit a resolution which I ask may go over until to-morrow.

The resolution was read, as follows:

Resolved, That the Secretary of State be, and he hereby is, directed, if in his opinion not incompatible with the public interest, to inform the Senate what information, if any, has been received at the Department of State concerning the present condition of the reconcentrados in Cuba; and to send to the Senate copies of all such reports from consuls, vice-consuls, and commercial agents of the United States in Cuba as may shed light upon the subject.

The VICE-PRESIDENT. The resolution will lie over, at the request of the Senator from New Hampshire.

SANITARIUM FOR PULMONARY DISEASES.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 4190) authorizing the Secretary of the Interior to issue a permit to the American Invalid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases.

Mr. ALLEN. I should like to have the Senator from New Hampshire indulge me just a moment.

Mr. GALLINGER. With pleasure.

The VICE-PRESIDENT. Is there objection to the consideration of the bill indicated by the Senator from New Hampshire? The Chair hears none; and it is before the Senate as in Committee of the Whole.

Mr. GALLINGER. I yield to the Senator from Nebraska.

Mr. ALLEN. I did not understand what became of the resolution of the Senator from New Hampshire [Mr. CHANDLER].

The VICE-PRESIDENT. It was referred to the Committee on Foreign Relations.

Mr. ALLEN. I understood from what was said here yesterday that the resolution was to be taken up for consideration to-day.

The VICE-PRESIDENT. It was referred by request of the Senator who introduced it.

Mr. ALLEN. The Senator from New Hampshire himself asked that it be referred?

Mr. CHANDLER. The junior Senator from Maine [Mr. FRYE] yesterday said that the Committee on Foreign Relations desired that action should be deferred on any resolution of this kind for a short time, and the Senator gave notice that he would move to refer the resolution which I offered to the Committee on Foreign Relations. Being desirous of gratifying the Senator from Maine and acting so far as possible in accord with that great committee of this body, which has the most important interests now in charge, I myself moved that the resolution be referred to the Committee on Foreign Relations, and it was so ordered.

Mr. PLATT of Connecticut. And introduced another.

Mr. CHANDLER. I also offered another resolution, which is in condensed form the resolution of the House of Representatives which was adopted on the 14th of February. That resolution has gone over until to-morrow, so that the subject is within the control of the Senate. In due time I have no doubt the Senate will hear from the Senator from Nebraska upon this new resolution of mine.

Mr. ALLEN. If the Senator from New Hampshire [Mr. GALLINGER] will permit me just a moment, I will state that I have no desire to be heard any further than I have already been heard; but the Senator from New Hampshire [Mr. CHANDLER] was so urgent yesterday about the passage of his resolution, having criticised with some degree of spirit the junior Senator from Maine for a failure to make a report from the Committee on Foreign Relations, that I had no doubt his resolution would come up this morning for discussion, and we would be at liberty to vote on it. I myself was prepared to vote on it, and I was surprised when I was told that the Senator from New Hampshire had acquiesced in, if he had not himself requested, the reference of the resolution to the Committee on Foreign Relations.

The point that struck me most is, What change has come over the condition of affairs since yesterday that has induced the enthusiasm of the Senator from New Hampshire to ooze out at his finger ends? That is, Is there any change in the condition of the Cuban question to-day from what it was yesterday; and if so, in what respect? If it were necessary and urgent that we should pass the resolution yesterday, do not that urgency and necessity exist now?

Mr. GALLINGER. I now ask that the bill in which I am interested be read.

The Secretary read the bill (S. 4190) authorizing the Secretary of the Interior to issue a permit to the American Invalid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases; and it was considered as in Committee of the Whole.

Mr. GALLINGER. I desire simply to state that during the last Congress a bill was passed through the Senate granting to this charitable society the abandoned military reservation of Fort Marcy, at Santa Fe. That bill failed to get consideration in the House. There was some objection by the citizens of Santa Fe to the establishment of the proposed sanitarium in that city. I have asked in the bill about to be considered that the Fort Stanton Military Reservation, which is entirely abandoned and the buildings going to decay, shall be granted to this society, which is a purely charitable organization. The Secretary of the Interior and the Commissioner of the General Land Office have stated in letters which are in my possession, and which I desire to have printed in connection with this debate, that the Department thought 160 acres would be sufficient, and the Committee on Public Lands, in their discretion, have changed the bill so as to provide that it shall not be an absolute gift, but simply a permit to use 160 acres of the reservation. I think that will answer every purpose of the society, and I trust that the bill may pass without objection.

Mr. COCKRELL. How much land is there in the reservation?

Mr. GALLINGER. It is a large area. There are 10,249 acres.

Mr. COCKRELL. How much can this institution use?

Mr. GALLINGER. They could use, I think, a larger tract than 160 acres, because I apprehend their policy will be to build cottages and allow the people whom they send there through the charitable funds contributed by the society to do something perhaps in the line of agriculture. I had wished that it might be at least 320 acres instead of 160, because the land is practically valueless, and the people at Fort Stanton want the enterprise to be established. But I have not felt like asking it in opposition to the expressed views of the Commissioner of the General Land Office.

Mr. COCKRELL. Has the fort been entirely abandoned?

Mr. GALLINGER. Entirely so; and the buildings are rapidly going to decay, as appears by a letter from a citizen of Fort Stanton, which I shall have printed in connection with the passage of the bill.

Mr. COCKRELL. Does the Secretary of War state that it has been abandoned?

Mr. GALLINGER. Yes, sir; all those facts appear of record.

Mr. COCKRELL. And turned over to the Interior Department?

Mr. GALLINGER. Yes, sir; it has been turned over to the Interior Department.

Mr. CAFFERY. I ask the Senator from New Hampshire what institution the sanitarium is to be in charge of?

Mr. GALLINGER. I will state to the Senator from Louisiana that the title as well as the body of the bill explains that it is the American Invalid Aid Society, of Boston, Mass., a society that has in its membership such men as Rev. Edward Everett Hale, Dr. Charles R. Nichols, Solomon Schindler (who is at the head of the Hebrew charitable societies of Boston), Hezekiah Butterworth, and other well-known citizens of New England; Mrs. Julia Ward Howe, Mrs. Mary A. Livermore, and other leading women of Boston are also greatly interested in the work. The society has already done a great deal of work and expended considerable money. They have sent hundreds of poor people to the Rocky Mountain region at the expense of the society, many of whom have been cured of consumption and other forms of pulmonary diseases. They propose to continue this beneficent work, but they would like such a degree of recognition on the part of the Government as to have permission to use a part of this old and abandoned military reservation, the buildings of which, as I said, are tumbling down. That is all they ask.

Mr. CAFFERY. Are the invalids to be treated free of charge?

Mr. GALLINGER. Yes, sir; absolutely so. The society has already spent a great many thousands of dollars in this charitable work.

Mr. CAFFERY. How long are they to continue in possession of the reservation?

Mr. GALLINGER. It is a permit, and it can be revoked if it is not used.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

Mr. COCKRELL. One moment. This permission can be revoked at any time?

Mr. GALLINGER. Undoubtedly.

The bill was passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill authorizing the Secretary of the Interior to issue a permit to the American Invalid Aid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases."

Mr. GALLINGER. I ask permission to print in connection with the passage of the bill a letter from the Secretary of the Interior, a letter from the Commissioner of the General Land Office, and a letter from J. N. Cox, a resident of Fort Stanton, N. Mex.

The VICE-PRESIDENT. There being no objection, the order will be made.

The letters referred to are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 9, 1898.

SIR: I have the honor to acknowledge the receipt, by reference of your committee on the 25th ultimo for views, of a copy of S. 462, "Granting to the American Invalid Aid Society, of Boston, Mass., the abandoned Fort Stanton Military Reservation, N. Mex., for the purpose of a national sanitarium for the treatment of pulmonary diseases."

In response to the reference, I inclose herein a copy of the report on the bill by the Commissioner of the General Land Office, under date of the 8th instant.

He has detailed the facts relating to the reservation, which embraces an area of 10,249 acres, and on which there were thirty-eight buildings when it was placed under the control of this Department.

He has also expressed the view that it is not presumed that it was intended to grant this entire tract of upward of 10,000 acres to the association named. He has accordingly recommended an amendment to the bill so that it shall grant 160 acres of the reservation, to which no valid claim has attached, together with the buildings thereon, to the association for the purpose specified, and has suggested the addition of a clause thereto for the protection of any possible valid claims that may have attached to any of the lands in the reservation.

As thus amended the Commissioner has no objection to the passage of the bill.

I concur in the report.

Very respectfully,

THOS. RYAN,
Acting Secretary.

The CHAIRMAN OF THE COMMITTEE ON PUBLIC LANDS,
Senate.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., February 8, 1898.

SIR: I am in receipt by your reference for early report in duplicate and return of paper, of Senate bill No. 462, "Granting to the American Invalid Aid Society, of Boston, Mass., the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases."

In reply I have the honor to report that the Fort Stanton Military Reservation, situated in Lincoln County, N. Mex., was established by Executive order of May 12, 1859. It was placed under the control of the Interior Department December 30, 1895, with thirty-eight buildings, for disposal under the act of July 5, 1884 (23 Stat., 103).

The lands in this reservation have not been surveyed, but the estimated area thereof is 10,249 acres.

The buildings were appraised in 1896, with a view to their sale at public auction under the law, but action thereon was suspended, with departmental approval, in view of the fact that said buildings, constructed principally of stone and adobe, could not be sold to advantage, if at all, to be pulled down and removed from the reservation, and also, because legislation was then pending in Congress to grant the reservation and buildings to the said American Invalid Aid Society.

The legislation referred to was Senate bill No. 2503, with the identical title and intent as the bill under consideration. Said bill was submitted to this office for report, but before report was made thereon the same bill, amended so as to substitute "Fort Marcy" for "Fort Stanton," was submitted for report, and upon this amended bill a favorable report was made by this office May 4, 1896. It does not appear that said amended bill became a law.

The local officers at Roswell, N. Mex., were informed on December 22, 1897, under departmental instructions dated November 27, 1897, that, although the area of the reservation exceeds 5,000 acres, yet, on account of the date of its relinquishment, the lands therein were not subject to settlement under the act of August 23, 1894 (28 Stat., 491); that said lands had not yet been surveyed and, under existing law, were subject to disposal only under said act of July 5, 1884, which provides for the sale of such lands after survey and appraisement, and for the entry thereof under the mineral-land laws, and also for the entry thereof, under the homestead law, by persons who settled thereon prior to the establishment of the reservation, or prior to January 1, 1884, and have maintained continuous residence since the date of settlement.

No claims have been placed of record for lands in this reservation, but it is possible that valid claims may have attached to said lands under the homestead or mineral laws, and a clause should be inserted in the bill looking to the protection of any possible valid claims.

The bill under consideration proposes to grant this entire reservation of over 10,000 acres of land and the buildings thereon to an association for the establishment of a sanitarium. It is not to be presumed that it was the intention of the mover of the bill to seek to secure from the Government such a large amount of land for the purpose mentioned.

I therefore have the honor to recommend that the bill be so amended as to grant 160 acres of land in this reservation, to which no valid claim has attached, together with the buildings belonging to the Government situated thereon, to the said Invalid Aid Society for the purpose of the establishment and maintenance of a sanitarium for the treatment of pulmonary diseases.

With the amendment made as suggested, I have no objections to urge against the passage of the bill, which is herewith inclosed.

Very respectfully,

BINGER HERMANN, *Commissioner.*

The SECRETARY OF THE INTERIOR.

FORT STANTON, N. MEX., *January 15, 1898.*

MY DEAR SIR: It has been my intention for some time to write you in regard to Fort Stanton and try to impress you with the urgent necessity of aiding us into turning it into something of a public nature, thus not only benefiting our people, but saving the beautiful old fort from vandalism. This is still our post-office, but I seldom go there as I used to when it was our best market. But I went in this week to see Mr. Reed, the newly appointed custodian, and was thoroughly disgusted to see and hear Mr. Reed tell of the wanton destruction that had been going on since Lieutenant Wright left it eighteen months since, he being the last officer there. The back doors of all buildings were, says Mr. Reed, broken in and pillaged of all contents, loose and much wanton mischief.

You remember the beautiful trees around parade ground, hospital, etc. They are all going before another season unless they get immediate attention, all of which destruction would be a burning shame in view of the great boon it has been to this isolated section, and might be again if Congress would not pose any longer as the dog in the manger, but dispose of it to somebody that would save it ere it is too late. The damage already sustained would reach into thousands of dollars.

Now, Mr. FERGUSSON, as you have been with us so much in Lincoln County, I know you can grasp the situation at once. You know the people here are powerless to save it. You are in a position to do more to save this grand old landmark to Lincoln County than any other citizen in New Mexico. There is nothing you could do for Lincoln County that would be appreciated more by a grateful people than your earnest effort in behalf of Fort Stanton. It is the one thing we all agree on. It has been the great public benefactor for more than a quarter of a century of this people, and there is no good reason that it should not continue a public benefit, though under another management.

If Uncle Sam will turn this thing loose, it will be doing something for our people in less than a year. It is a grand central point for a college, which you know our people stand greatly in need of. There is no place in southern New Mexico better located for a sanitarium or a health resort. Four-fifths of our people want to make it our county seat. In short, we want it to go up instead of down, and we await your answer with eagerness. I will be ready to give you any further information any time.

Very respectfully, yours, etc.,

J. N. COX.

H. B. FERGUSSON, M. C.

Mr. HANSBROUGH, from the Committee on Public Lands, reported the following bill as a substitute for S. 462:

A bill (S. 4190) authorizing the Secretary of the Interior to issue a permit to the American Invalid Aid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to issue a permit in writing to the American Invalid Aid Society, of Boston, Mass., to occupy and to use land to the extent of not more than 160 acres, and all improvements thereon, being part of the abandoned Fort Stanton Military Reservation, situated in the Territory of New Mexico, for the purpose of the establishment and maintenance thereon of a national sanitarium for the treatment of pulmonary diseases: *Provided*, That said society shall, within two years from the granting of the permit, establish on said land a sanitarium for the purposes herein named; and so long as the said land shall be used by the said society for the purposes herein provided the permit shall continue in force, the Secretary of the Interior having authority only to revoke the permit upon sufficient evidence that the said lands are no longer used for the purposes herein designated.

HOMESTEAD SETTLERS IN OKLAHOMA.

Mr. LODGE. I desire to bring before the Senate a matter which I think should be considered in secret legislative session. I therefore make the motion that the galleries be cleared and the doors closed.

Mr. ALLEN. I ask the Senator from Massachusetts to yield to me a moment to put on its passage a short bill that will not lead to any discussion.

Mr. LODGE. I will yield if it involves no debate.

Mr. ALLEN. I ask the Senate to proceed to the consideration of the bill (H. R. 5489) extending the right of commutation to certain homestead settlers on lands in Oklahoma Territory, opened to settlement under the provisions of the act entitled "An act to ratify and confirm the agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read, as follows:

Be it enacted, etc., That the right of commutation is hereby extended to all bona fide homestead settlers on the lands in Oklahoma Territory, opened to settlement under the provisions of the act of Congress entitled "An act to ratify and confirm an agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect," approved March 3, 1893, and the President's proclamation thereon, after fourteen months from the date of settlement, upon full payment for the lands at the price provided in said act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

Mr. ALLISON. The Senator from Massachusetts yields to me that I may move that when the Senate adjourn to-day it adjourn to meet on Monday next. I make that motion.

The motion was agreed to.

THE UNIVERSITY OF KANSAS.

Mr. HARRIS. Will the Senator from Massachusetts yield to me to call up a bill?

Mr. LODGE. I will yield to the Senator from Kansas if the bill leads to no debate, but I can not yield any further.

Mr. HARRIS. I ask unanimous consent for the present consideration of the bill (S. 2677) for the relief of the University of Kansas.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The preamble recites that on or about the 20th day of May, 1856, Deputy United States Marshal and Sheriff Jones, with a posse, acting directly on the findings of the United States grand jury, called by Judge Lecompte, of the United States court, sitting at Lecompton, entered the town of Lawrence and destroyed the Free State Hotel, owned by the New England Emigrant Aid Company; that some time thereafter the company presented a claim for damages in the amount of $20,000 to the United States Government, and before its dissolution transferred the claim to the University of Kansas.

The bill proposes to pay to the University of Kansas $20,000, in full settlement of the claim.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

POSTAL SAVINGS BANKS.

Mr. BUTLER. I ask the Senator from Massachusetts to yield to me to request the publication of a document.

Mr. LODGE. As it is only a request for the publication of a document, I yield.

Mr. BUTLER. The Senate has already made an order for the publication of certain matters relating to postal savings banks, which appear in a document known as No. 39. I ask to have reprinted and bound with that document, as an appendix to Document No. 39, a document on the same subject, already printed by the Senate, known as Document No. 154, Fifty-fifth Congress, first session. I ask that it be bound as a part of the document already printed.

There being no objection, the order was reduced to writing, and agreed to, as follows:

Ordered, That Senate Document No. 154, Fifty-fifth Congress, first session, Postal Savings Banks in Foreign Countries, be reprinted and bound as an appendix to Senate Document No. 39, Fifty-fifth Congress, second session, on the same subject, ordered printed by the Senate.

SESSION WITH CLOSED DOORS.

Mr. LODGE (at 12 o'clock and 35 minutes p. m.). I move that the galleries be cleared and the doors closed.

Mr. PLATT of Connecticut. I second the motion.

The VICE-PRESIDENT. Under Rule XXXV of the Senate, the Sergeant-at-Arms is directed to clear the galleries and close the doors.

The Senate proceeded to deliberate with closed doors. At 4 o'clock and 30 minutes p. m. the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, April 4, 1898, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 31, 1898.

CONSUL.

German Bülle, of New York, to be consul of the United States at Cardenas, Cuba.

RECEIVERS OF PUBLIC MONEYS.

Jay M. Smith, of Duluth, Minn., to be receiver of public moneys at Duluth, Minn.

Henry S. Sargent, of Stockton, Cal., to be receiver of public moneys at Stockton, Cal.

Frank E. Densmore, of Independence, Cal., to be receiver of public moneys at Independence, Cal.

Miss Martha C. Brown, of Gunnison, Colo., to be receiver of public moneys at Gunnison, Colo.

REGISTERS OF THE LAND OFFICE.

John D. Maxey, of Stockton, Cal., to be register of the land office at Stockton, Cal.

Charles F. Hamlin, of Gunnison, Colo., to be register of the land office at Gunnison, Colo.

Stafford W. Austin, of Lone Pine, Cal., to be register of the land office at Independence, Cal.

Angus J. Crookshank, of Santa Ana, Cal., to be register of the land office at Los Angeles, Cal.

POSTMASTERS.

Frank E. Riley, to be postmaster at Two Rivers, in the county of Manitowoc and State of Wisconsin.

Robert Z. Bennett, to be postmaster at Beresford, in the county of Union and State of South Dakota.

William B. Lewis, to be postmaster at Eldorado Springs, in the county of Cedar and State of Missouri.

Floyd Thompson, to be postmaster at Hope, in the county of Hempstead and State of Arkansas.

C. A. Dickson, to be postmaster at Cleburne, in the county of Johnson and State of Texas.

George M. Mayer, to be postmaster at Olean, in the county of Cattaraugus and State of New York.

William A. Alcorn, to be postmaster at Clarksdale, in the county of Coahoma and State of Mississippi.

John E. Sawyer, to be postmaster at Methuen, in the county of Essex and State of Massachusetts.

William J. Smith, to be postmaster at Elkton, in the county of Cecil and State of Maryland.

James W. Akers, to be postmaster at Prescott, in the county of Yavapai and Territory of Arizona.

E. L. Fisher, to be postmaster at Duluth, in the county of St. Louis and State of Minnesota.

James Wallace, to be postmaster at Yale, in the county of St. Clair and State of Michigan.

William J. Wallace, to be postmaster at Norwood, in the county of Norfolk and State of Massachusetts.

Edward G. Armstrong, to be postmaster at Bartlett, in the county of Williamson and State of Texas.

Frank E. Helvey, to be postmaster at Nebraska City, in the county of Otoe and State of Nebraska.

H. G. Wire, to be postmaster at St. Cloud, in the county of Stearns and State of Minnesota.

Edwin Fore, to be postmaster at Pittsburg, in the county of Camp and State of Texas.

J. T. Dawes, to be postmaster at Crockett, in the county of Houston and State of Texas.

H. T. Canfield, to be postmaster at Wichita Falls, in the county of Wichita and State of Texas.

Charles J. Hostrasser, to be postmaster at Hearne, in the county of Robertson and State of Texas.

Lou Hazzard, to be postmaster at Colorado, in the county of Mitchell and State of Texas.

J. A. Gammill, to be postmaster at Calvert, in the county of Robertson and State of Texas.

Harry Martin, to be postmaster at Bonham, in the county of Fannin and State of Texas.

Robert J. King, to be postmaster at Clarksville, in the county of Red River and State of Texas.

W. B. Norvell, to be postmaster at Hubbard, in the county of Hill and State of Texas.

Charles T. Ramsdell, to be postmaster at Denton, in the county of Denton and State of Texas.

William Pilley, to be postmaster at Wills Point, in the county of Van Zandt and State of Texas.

William M. Nagle, to be postmaster at Denison, in the county of Grayson and State of Texas.

Hugo E. Smith, to be postmaster at McKinney, in the county of Collin and State of Texas.

Florence Sheasby, to be postmaster at Elgin, in the county of Bastrop and State of Texas.

Charles W. Rush, to be postmaster at Commerce, in the county of Hunt and State of Texas.

James L. Taylor, to be postmaster at Llano, in the county of Llano and State of Texas.

E. L. Soule, to be postmaster at Rockport, in the county of Aransas and State of Texas.

Henry L. Somerville, to be postmaster at Richmond, in the county of Fort Bend and State of Texas.

E. W. Martin, to be postmaster at Buckhannon, in the county of Upshur and State of West Virginia.

Mark H. Moody, to be postmaster at Waterbury, in the county of Washington and State of Vermont.

S. J. Weaver, to be postmaster at Dublin, in the county of Erath and State of Texas.

Newton L. Wilson, to be postmaster at Blocton, in the county of Bibb and State of Alabama.

Margaret Miller, to be postmaster at Tuscaloosa, in the county of Tuscaloosa and State of Alabama.

Edward P. Holtenhouse, to be postmaster at Evanston, in the county of Uinta and State of Wyoming.

Don R. Davidson, to be postmaster at Wahpeton, in the county of Richland and State of North Dakota.

Richard Daeley, to be postmaster at Devils Lake, in the county of Ramsey and State of North Dakota.

Rachel E. Booth, to be postmaster at Dothan (late Dothen), in the county of Henry and State of Alabama.

A. E. Barnes, to be postmaster at Delavan, in the county of Walworth and State of Wisconsin.

William H. Catts, to be postmaster at Granbury, in the county of Hood and State of Texas.

George K. McEwan, to be postmaster at Park River, in the county of Walsh and State of North Dakota.

C. F. Mohr, to be postmaster at Portage, in the county of Columbia and State of Wisconsin.

I. D. Hurlbut, to be postmaster at Prairie du Chien, in the county of Crawford and State of Wisconsin.

William Case, to be postmaster at Mauston, in the county of Juneau and State of Wisconsin.

Executive nominations confirmed by the Senate April 1, 1898.

REGISTER OF THE TREASURY.

Judson W. Lyons, of Georgia, to be Register of the Treasury.

CONSUL-GENERAL.

Campbell L. Maxwell, of Ohio, to be consul-general of the United States at Santo Domingo, Dominican Republic.

CONSULS.

James C. McCook, of Pennsylvania, to be consul of the United States at Dawson City, Northwest Territories.

Louis Kaiser, of Illinois, to be consul of the United States at Mazatlan, Mexico.

COLLECTOR OF INTERNAL REVENUE.

Frank E. Kellogg, of Missouri, to be collector of internal revenue for the Sixth district of Missouri.

SURVEYOR OF CUSTOMS.

Mahlon M. Garland, of Pennsylvania, to be surveyor of customs for the port of Pittsburg, in the State of Pennsylvania.

PROMOTIONS IN THE ARMY.

Infantry arm.

Maj. George Whitefield Davis, Ninth Infantry, to be lieutenant-colonel.

Capt. William Henry Boyle, Twenty-first Infantry, to be major.

First Lieut. Solomon Eaton Sparrow, Twenty-first Infantry, to be captain.

Second Lieut. Lutz Wahl, Fifth Infantry, to be first lieutenant.

First Lieut. Robert Campbell Van Vliet, Tenth Infantry, to be captain.

First Lieut. Eaton Albert Edwards, Twenty-fifth Infantry, to be captain.

Second Lieut. Harry Alexander Smith, First Infantry, to be first lieutenant.

Second Lieut. Hollis Chenery Clark, Twenty-third Infantry, to be first lieutenant.
Second Lieut. George Coolidge Saffarrans, Sixth Infantry, to be first lieutenant.
First Lieut. William Langdon Buck, Thirteenth Infantry, to be captain.
Second Lieut. Palmer Eddy Pierce, Sixth Infantry, to be first lieutenant.

Artillery arm.

TO BE MAJORS.

Capt. James Brattle Burbank, Third Artillery.
Capt. Samuel Myers Mills, Fifth Artillery.
Capt. John Patten Story, Fourth Artillery.
Capt. William Preston Vose, Second Artillery.
Capt. George Gordon Greenough, Fourth Artillery.
Capt. Frank Carter Grugan, Second Artillery.

TO BE CAPTAIN.

First Lieut. Garland Nelson Whistler, Fifth Artillery.

REJECTION.

Executive nomination rejected by the Senate March 31, 1898.

POSTMASTER.

James A. Grimmet, to be postmaster at Tuskegee, in the county of Macon and State of Alabama.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 1, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. BOUTELLE of Maine. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for the further consideration of the naval appropriation bill.

Mr. BRUMM. Mr. Speaker, this is Private Calendar day, and we shall insist on having our day. There is no reason why this bill should intervene and take the day away from us.

The SPEAKER. The House will have to determine that.

Mr. BOUTELLE of Maine. I desire to say, Mr. Speaker, that there has been no purpose on the part of the Naval Committee to antagonize any other committee of the House. I have consulted, as far as I was able this morning, members of the House, and the sentiment on both sides, in view of the fact that so many days have been already exhausted in consideration of this bill and of the very important character of it, seems to be that if the naval bill can be brought up, there will be no unusual obstruction to the consideration and action of the House upon it. Of course, it goes without saying that this great appropriation bill ought not to be further delayed. It has yet to pass the other House of Congress, which has not yet had an opportunity to consider it. Therefore gentlemen will understand the importance of having it passed through this body as speedily as possible, in order that the Senate may pass upon it and send it to the President.

Mr. BAILEY. I suggest, Mr. Speaker, that next Tuesday be set apart for private-bill day instead of to-day.

Mr. BRUMM. That was a proposition I was about to make myself; that would be agreeable.

Mr. BOUTELLE of Maine. Then, Mr. Speaker, I ask unanimous consent that next Tuesday be set apart by special order for the consideration of private claims.

Mr. DOCKERY. The evening session, too.

Mr. SHAFROTH. I would like to ask the gentleman from Maine, the chairman of the committee, how long it will take to finish up the naval bill?

Mr. BOUTELLE of Maine. In my judgment, and from what I have been able to gather from opinions of the members of the House—it may be fallacious—I do not think it ought to take over an hour and a half.

Mr. SHAFROTH. Why not proceed with the bill, and then, after that is disposed of, take up the Private Calendar?

The SPEAKER. The Chair would suggest that an arrangement about private bills can be made at any time.

Mr. BRUMM. I ask unanimous consent, Mr. Speaker, that the Private Calendar be postponed until next Tuesday; that we have Tuesday instead of to-day.

Mr. TAWNEY. That will include Friday evening with it?

Mr. BRUMM. Of course; the same arrangement that has been made heretofore.

Mr. BOUTELLE of Maine. It might possibly suit the members of the committee if we were to agree here that we would consider the remaining portions of this bill in a strictly legitimate manner, get through it as rapidly as possible, and then give the Committee on Claims the remainder of the day and to-morrow.

Mr. BAILEY. Mr. Speaker, of course there can be no understanding of that kind——

The SPEAKER. The gentleman from Texas objects——

Mr. BAILEY. No, Mr. Speaker; the Chair must not say the gentleman from Texas objects.

The SPEAKER. If there is no understanding of that kind, it is equivalent to an objection.

Mr. BAILEY. There can be none.

The SPEAKER. That makes a still more insurmountable objection.

Mr. BAILEY. The Chair is not entitled to say that the gentleman from Texas objects, when the gentleman from Texas only suggests that there can be no understanding such as the gentleman from Maine suggests. I say to the gentleman from Maine that we recognize the necessity of disposing of this particular bill, and we have no disposition to delay it or obstruct it. We do not agree that what we have done heretofore was in the nature of obstruction to the bill.

Mr. BOUTELLE of Maine. I only spoke of the fact that it had been delayed. I cast no imputations upon anybody.

Mr. BRUMM. I ask unanimous consent to substitute Tuesday for to-day under the rules. That question has not been put to the House.

The SPEAKER. The Chair will put it.

Mr. GIBSON. Including the night session?

Mr. BRUMM. Of course.

The SPEAKER. The gentleman from Pennsylvania [Mr. BRUMM] asks unanimous consent that Tuesday next be substituted for to-day in all respects——

Mr. HENRY of Connecticut. Will that carry over the night session?

The SPEAKER. It will.

Mr. BROMWELL. I should like to inquire whether this arrangement would prevent the Committee on Foreign Affairs, in case they should have a report to make to this House, from making it on next Tuesday?

The SPEAKER. It certainly would.

Mr. BROMWELL. Then I shall object.

Mr. BRUMM. In case of anything so important as that, of course we could come to some understanding that the private business should go over. No one would undertake to interfere with a matter of that kind. Private business could, of course, go over.

Mr. STEELE. Whether we should proceed to private business or not would, of course, be subject to the question of consideration.

Mr. BRUMM. Yes, sir.

Mr. BAILEY. I suggest that the gentleman from Pennsylvania submit his request, with the condition that the business under this order shall not interfere with any report that the Committee on Foreign Affairs may desire to make.

Mr. BRUMM. Certainly.

Mr. BAILEY. In that case there can be no objection to this proposition.

Mr. BROMWELL. With that understanding, I will withdraw my objection.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that next Tuesday be substituted for to-day with reference to the business of the evening session as well as the day session, but that this arrangement shall not interfere with any report of the Committee on Foreign Affairs. Is there objection? [A pause.] The Chair hears none.

NAVAL APPROPRIATION BILL.

The question being put on the motion of Mr. BOUTELLE of Maine, it was agreed to; and accordingly the House resolved itself into Committee of the Whole on the state of the Union (Mr. SHERMAN in the chair) and resumed the consideration of the naval appropriation bill.

The Clerk, resuming the reading, read the following:

Fuel, Marine Corps: For heating barracks and quarters, for ranges and stoves for cooking, fuel for enlisted men, for mess to officers, maintaining electric lights, and for hot-air closets, $19,500.

Mr. UNDERWOOD. I offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "dollars," in line 13, page 42, insert the following:
"For establishment of coaling station and the construction of docks at Fort Morgan, in Mobile Harbor, $25,000."

Mr. BOUTELLE of Maine. That is not germane to this paragraph. It has no relation to the Marine Corps.

Mr. UNDERWOOD. I ask the gentleman to reserve his point of order for a moment.

Mr. BOUTELLE of Maine. Very well. If the gentleman wishes, I will reserve the point for five minutes.

Mr. UNDERWOOD. Mr. Chairman, there is no coaling station on the South Atlantic or Gulf coast south of Newport News. In the present situation we may find on any day that the coal barges carrying coal from Newport News south for our Navy are cut off by the war vessels of the enemy. It is of the utmost importance that we should have coaling stations in these harbors, where the American fleets may go in times of emergency and receive their coal. It is true that there is talk of establishing a coaling station at the Dry Tortugas; but that is unprotected. It may take years before suitable guns can be planted there and suitable fortifications erected so as to protect it as a coaling station in time of war.

At Mobile Harbor there are already Government fortifications. The Government has established two forts there. One, Fort Morgan, is completed; and at the entrance of the bay the Government is now completing the erection of another fort, Fort Gaines. Each of these forts has two disappearing guns. The entrance of the harbor is only 3 miles across; and those guns absolutely protect the harbor to-day. It does not require any further fortification; there is not necessary any additional expenditure of money in that direction.

Mobile Bay is a large bay, completely landlocked, except the entrance to the harbor, 3 miles broad. With these guns commanding this entrance, no hostile fleet could possibly enter the harbor or interfere with the coaling station. The land already belongs to the Government; no purchase of new land is required. All that is necessary is that the Government should put up a suitable number of docks in order that coal may be placed there for the supply of vessels that may come to receive it.

On yesterday I called on the Secretary of the Navy, together with other members of this House from the South, requesting that he should establish a coaling station at this point or at some other convenient Southern seaport. He stated that it was not within his power to do so under the law, and that it would require the action of Congress to authorize the establishment of a coaling station at any one of these ports.

Now, Mr. Chairman, I recognize fully that the amendment is not germane to the particular point in the bill where it is offered. But I did not have the opportunity to offer it at a point in the bill where it would have been germane. The chairman of the Committee on Naval Affairs, therefore, I hope—the gentleman from Maine—will not insist on the point of order at this time. A very small appropriation will establish a good coaling station there, and one that is absolutely necessary. Mobile is about a middle point on the line of the Gulf coast, accessible to all of the naval vessels which may be cruising in the Gulf of Mexico, and it is in all respects a desirable location for this establishment.

The Government can also, and this is worthy of consideration, get its coal supplies at less than $2 a ton—probably at $1.80 a ton—at that point, and to-day. It is paying at the rate of $3 a ton at Key West; quite an important difference. The contracts that are being let by the Navy Department to-day are being let at duplicate points. It was but a few days ago that the Navy Department let a contract for 10,000 tons of coal to be delivered, at the option of the Government, at either Newport News or Key West. These two ports are 1,000 or 1,500 miles apart.

The committee can readily see, therefore, that any contractor in submitting bids for this work would have to be guided by the possibility of being compelled to deliver all the coal at the farthest port and the one that is most difficult for him to reach. No contractor would bid for one of these ports—the nearer one to him—when he expected, possibly, that the Government might demand of him to deliver the coal at another port far distant; and he would not make such a bid unless he put into such a contract an amount which would protect him from loss or give him a profit for delivering the coal at the most distant point.

I hope, therefore, in view of the necessity of the occasion, that the gentleman from Maine will not insist on the point of order, but let the House determine this question for itself.

Mr. BOUTELLE of Maine. Mr. Chairman, before making the point of order I desire to state that the proposition to establish a coaling station at another point on this coast was submitted, as was stated in the papers last night, by a number of gentlemen, who urged several points at different places along the coast, one being Tybee Island, another Mobile, and, I think, the third was proposed at Pensacola.

Now, I will state, for the information of the committee, that we have a coaling station at Port Royal, on the Atlantic coast, established many years ago, and we have one at Key West, for which the committee in this bill—in that portion which has already passed the House—made liberal provision. We have also adopted the following as a portion of the bill bearing on this question:

Naval station, Key West, Fla.: The Secretary of the Navy is hereby authorized to consolidate the following sums heretofore appropriated, namely: Act of July 26, 1894, for coal shed, $10,000; act of March 2, 1895, for coaling pier, $40,000; and act of June 6, 1896, for coal shed (additional), $4,000, and to expend the aggregate, $54,000, or so much thereof as may be necessary, for the construction of a coal shed inside the iron pier at the United States naval station, Key West, Fla.

Since that time there has also been passed by the House a special appropriation of $100,000 to provide further coaling facilities at that point.

I must therefore make the point of order on this amendment that it is not authorized by existing law. I do not think it is necessary.

The CHAIRMAN. The point of order of the gentleman from Maine is sustained; and the Clerk will proceed with the reading of the bill.

The Clerk proceeded with the reading of the bill, and read the heading of the paragraph, "Increase of Navy."

Mr. BROMWELL. Mr. Chairman, I desire to make an inquiry concerning this paragraph about to be read, which contains a number of distinct and separate items. I was going to ask the chairman of the Committee on Naval Affairs if he would consent to treat it as a number of paragraphs embracing each of these different items, and not as a distinct and separate paragraph of the bill? This will permit amendments at the end of every paragraph relating to each separate subject. For instance, the first subject-matter is that relating to the construction of battle ships.

Now, I desire to ask if an amendment will lie to any part of the paragraph as we proceed?

Mr. BOUTELLE of Maine. After the reading of the entire paragraph, of course amendments can be offered to any portion of it. That is the rule and custom of the committee.

Mr. BROMWELL. But why not treat it as separate paragraphs?

Mr. BOUTELLE of Maine. It is not necessary. Each portion of the paragraph is subject to amendment.

Mr. STEELE. I call for the regular order.

Mr. BOUTELLE of Maine. I desire, Mr. Chairman, to state to the gentleman from Ohio that the custom is to read the entire paragraph, and then amendments are in order to any part of it.

Mr. STEELE. I ask for the regular order.

The CHAIRMAN. The regular order is demanded, and the Clerk will proceed with the reading of the bill.

The Clerk read as follows:

INCREASE OF THE NAVY.

That for the purpose of further increasing the naval establishment of the United States the President is hereby authorized to have constructed by contract three seagoing coast-line battle ships designed to carry the heaviest armor and most powerful ordnance upon a displacement of about 11,000 tons, to have the highest practicable speed for vessels of their class, and to cost, exclusive of armament, not exceeding $3,000,000 each, one of said battle ships to be named the *Maine;* and six torpedo-boat destroyers of about 350 tons displacement, and six torpedo boats of about 150 tons displacement, to have the highest practicable speed, and to cost in all, exclusive of armament, not exceeding $2,340,000; and one gunboat to take the place of the U. S. S. *Michigan*, to cost, exclusive of armament, not more than $260,000, said gunboat to be constructed on the Great Lakes or their connecting waters: *Provided*, That said construction of said gunboat shall conform to all existing treaties and conventions. The contracts for the construction of each of said vessels shall be awarded by the Secretary of the Navy to the lowest best responsible bidder, having in view the best results and most expeditious delivery; and in the construction of all said vessels all of the provisions of the act of August 3, 1886, entitled "An act to increase the naval establishment," and amendments subsequently made thereto as to materials for said vessels, their engines, boilers, and machinery, the contracts under which they are built, except as to premiums, which are not to be offered, the notice of any proposals for the same, the plans, drawings, and specifications therefor, and the method of executing said contracts, shall be observed and followed, and said vessels shall be built in compliance with the terms of said act, save that in all their parts said vessels shall be of domestic manufacture; and, subject to the provisions hereinafter made, one and not more than one of the aforesaid seagoing battle ships shall be built on or near the coast of the Pacific Ocean, or in the waters connecting therewith: *Provided*, That if it shall appear to the satisfaction of the President of the United States from the biddings for such contracts when the same are opened and examined by him, said vessel can not be constructed on or near the coast of the Pacific Ocean at a cost not exceeding 4 per cent above the lowest accepted bid for the other battle ships provided for in this act, he shall authorize the construction of said vessel elsewhere in the United States, subject to the limitations as to cost hereinbefore provided: *Provided further*, That the contracts for the construction of the vessels herein provided for shall be made within sixty days from the passage of this act.

Mr. CANNON. I offer the amendment which I send to the Clerk's desk.

Mr. DOCKERY. I hope we may have order, so that very important amendment can be heard.

The CHAIRMAN. Will all gentlemen cease conversation and be seated?

Mr. KING. Will the gentleman from Illinois permit me to reserve the point of order before he offers that amendment? I rose to do so before the Clerk had completed the reading of the paragraph.

Mr. CANNON. Of course the gentleman has a right to make the point of order if he desires.

Mr. KING. I desire to make it before the consideration of the amendment.

Mr. CANNON. After the reading of the amendment the gentleman can reserve the point of order, if he desires.

Mr. DOCKERY. He desires to reserve a point of order to the section.

Mr. KING. I desire to reserve a point of order to the section itself, not the amendment offered by the gentleman from Illinois.

Mr. CANNON. If the point of order is to be made, it seems to me it ought to be disposed of before the section is amended.

Mr. KING. That is what I supposed, and that is the reason I asked the gentleman from Illinois if he would withdraw his amendment and permit me to submit a point of order.

Mr. CANNON. My amendment has not yet been read. I suppose the gentleman's point of order would be in time and could be submitted as a matter of right.

Mr. KING. I make the point of order now, against this paragraph just read, that it is new legislation.

Mr. BOUTELLE of Maine. What is the point of order?

Mr. KING. That it is new legislation. It is not in continuation of any existing contract.

Mr. BOUTELLE of Maine. I ask the Chair to make a ruling on that without any discussion.

Mr. KING. I desire to make one observation.

Mr. BOUTELLE of Maine. That has been decided over and over again.

The CHAIRMAN. The gentleman desires to discuss the point of order.

Mr. KING. Very briefly, Mr. Chairman. I concede that there are precedents upon this question which the distinguished gentleman from Maine can appeal to in support of his contention, but if the Chair preserves any harmony in his rulings he must sustain the point of order which is suggested to this paragraph. When the question was considered a few days ago with reference to the construction of dry docks, the gentleman from Illinois [Mr. CANNON] suggested a point of order, contending, as I remember, that the appropriation therein authorized was not for the purpose of continuing a dry dock which had been authorized by previous legislation. The Chair held that the point of order was well taken. Now, it seems to me that for the same reason, and applying the principle which was then invoked by the gentleman from Illinois——

The CHAIRMAN. The Chair begs to correct the gentleman from Utah. The Chair overruled the point of order.

Mr. KING. I understood that the dry dock which was to be constructed at Galveston was ruled out.

The CHAIRMAN. That was not the proposition with respect to Galveston.

Mr. KING. I understood the point of order was raised against the appropriation for the construction of a dry dock at Galveston.

The CHAIRMAN. There was no such provision in the bill.

Mr. KING. And also at Algiers.

The CHAIRMAN. There was no provision in the bill for an appropriation for the construction of a dry dock at Galveston.

Mr. KING. There was one also provided for at Algiers, and the same point of order was raised by the gentleman from Illinois against that.

Mr. BOUTELLE of Maine. Will the gentleman permit me to make a suggestion to him?

Mr. KING. With pleasure.

Mr. BOUTELLE of Maine. That is that the rulings have been uniform in refusing to entertain this point of order. They have been absolutely uniform on the item for vessels for the Navy.

Mr. KING. I said, as I stated at the outset, that there were precedents, perhaps, without number, in support of the position which the gentleman from Maine now assumes.

Mr. BOUTELLE of Maine. All the precedents are that way.

Mr. KING. But by analogy and by the application of the rule as it has been construed repeatedly upon the floor of the House the Chair ought to sustain this point of order. It is new legislation. It is not an appropriation which has been heretofore authorized. It is not in continuation of any appropriation which has been authorized by past legislation, and therefore, under the rules of this House, it seems to me it is subject to the point of order.

Mr. BOUTELLE of Maine. The Chair is perfectly familiar with this question, and I have no argument to make.

The CHAIRMAN. The Chair simply desires to say, in order that he may state the entire proposition correctly, that the Chair overruled the point of order in reference to the dry dock at Algiers, upon the express ground that that was provided for by the legislation of 1893 and 1894, and the Chair sustained the point of order upon the proposition in reference to Galveston, not because it appropriated for the construction of a dry dock there, but because it simply provided for a naval board, to examine into and determine the desirability of constructing a dry dock there.

Without referring at this time to the various decisions upon the point which the gentleman from Utah now raises against this provision, the Chair, following strictly in the line of prior decisions upon the same point, overrules the point of order.

The amendment of Mr. CANNON was read, as follows:

Strike out all of lines 9 to 25, inclusive, on page 53, all of page 54, and all of lines 1 to 7, inclusive, on page 55, and insert in lieu thereof the following:

"That for the purpose of further increasing the naval establishment of the United States the President is hereby authorized to have constructed by contract 1 seagoing coast-line battle ship designed to carry the heaviest armor and most powerful ordnance upon a displacement of about 11,000 tons, to have the highest practicable speed for vessels of its class, and to cost, exclusive of armament, not exceeding $3,000,000, said battle ship to be named the *Maine;* and 12 torpedo-boat destroyers of about 350 tons displacement, and 12 torpedo boats of about 150 tons displacement, to have the highest practicable speed, and to cost in all, exclusive of armament, not exceeding $4,680,000; and 1 gunboat to take the place of the U. S. S. *Michigan*, to cost, exclusive of armament, not more than $200,000, said gunboat to be constructed on the Great Lakes or their connecting waters: *Provided*, That said construction of said gunboat shall conform to all existing treaties and conventions. The contracts for the construction of each of said vessels shall be awarded by the Secretary of the Navy to the lowest best responsible bidder, having in view the best results and most expeditious delivery; and in the construction of all said vessels all of the provisions of the act of August 3, 1886, entitled 'An act to increase the naval establishment,' and amendments subsequently made thereto as to materials for said vessels, their engines, boilers, and machinery, the contracts under which they are built, except as to premiums, which are not to be offered, the notice of any proposals for the same, the plans, drawings, and specifications therefor, and the method of executing said contracts, shall be observed and followed, and said vessels shall be built in compliance with the terms of said act, save that in all their parts said vessels shall be of domestic manufacture; and, subject to the provisions hereinafter made: *Provided*, That the contracts for the construction of the vessels herein provided for shall be made within sixty days from the passage of this act."

Mr. PEARCE of Missouri. Mr. Chairman, I would like to inquire of the gentleman from Illinois if he will not consent to have separate votes on his amendment, so that a separate vote may be had on that portion of it which relates to battle ships and another separate vote on that portion which relates to torpedo boats and torpedo-boat destroyers?

Mr. CANNON. The amendment as a whole is an amendment to this whole clause. I would be glad to have a vote upon the amendment pure and simple to test the sense of the House. I have no desire in the slightest to obstruct this bill. I only want an expression of the committee upon the proposition to strike out the two battle ships and double the torpedo boats and torpedo-boat destroyers authorized by the bill.

Mr. SHAFROTH. Will the gentleman state how it would affect the total amount of the appropriation?

Mr. CANNON. I will explain in a moment.

Mr. PEARCE of Missouri. Some of us would be most glad to support one portion of the amendment, but we might have views different from the gentleman from Illinois in regard to the other portion.

Mr. CANNON. Then, if my amendment is voted down, the paragraph will be subject to amendment.

Mr. PEARCE of Missouri. That is true; but we wanted to see if we could not make some arrangement before that.

Mr. CANNON. Now, Mr. Chairman, I will ask for order.

Mr. Chairman, it is with great diffidence that I offer this amendment; and in offering it I want to testify to the highest respect for the committee that reports this bill, and nothing but a belief that is earnest and fixed, that it is my duty as a member of the committee to offer this amendment, compels me to do it. I think, if I can have the real attention of the committee for five minutes, I can state just what there is in the amendment, and then, so far as I am concerned, I am ready for a vote. The amendment, in a word, strikes out, if it is adopted, two battle ships and makes one instead of three. The amendment increases the number of torpedo-boat destroyers six, doubling them. The amendment doubles the number of torpedo boats, making twelve instead of six. The amendment increases the appropriation for torpedo boats and torpedo-boat destroyers by $2,300,000, which will pay in full for them. Now, that is all there is in the amendment, although it is a pretty lengthy one and gentlemen might suppose it contained more. It strikes out and inserts, if adopted.

Mr. DOCKERY. Will the gentleman right there allow me to ask him a question?

Mr. CANNON. Certainly.

Mr. DOCKERY. How long does it take to construct a battle ship?

Mr. CANNON. Working stress, three years.

Mr. DOCKERY. Three years!

Mr. CANNON. Three years ago the *Kentucky* and *Kearsarge* were authorized, and have just been launched.

Mr. DOCKERY. How long will it require to construct torpedo boats?

Mr. CANNON. These torpedo boats, working stress, and utilizing the shipyards of the country, upon the lakes and elsewhere, can be completed, as I am informed by the Navy Department, working stress, from three to eight months.

Mr. LOUDENSLAGER. Will the gentleman answer me a question?

Mr. CANNON. If I can answer the gentleman, I will.

Mr. LOUDENSLAGER. How long has it been since the last authorization for the construction of torpedo boats?

Mr. CANNON. I will say to my friend, frankly, he is more familiar with that than I. I do not know.

Mr. LOUDENSLAGER. Has it been longer than six months?

Mr. CANNON. I presume it has.

Mr. SHAFROTH. How does this amendment of yours affect the total appropriation in the bill?

Mr. CANNON. I will explain that. The effect of this amendment, and it is just why I offered it, is this: This bill authorizes, in round numbers, the construction of works in connection with the Navy, $20,000,000, that can not materialize for three years. The three battle ships that are authorized will cost over $5,000,000 apiece. They can not be placed in commission by any means whatever short of three years from the time they are contracted for. So that if this amendment is adopted, instead of authorizing three battle ships that will cost $15,000,000, it authorizes one that will cost $5,000,000; and if it is adopted, instead of authorizing six torpedo-boat destroyers and six torpedo boats that will cost $2,300,000, it doubles the number of torpedo boats and torpedo-boat destroyers and increases the appropriation $2,300,000, while it decreases the expense carried by the bill by $10,000,000 represented by the two battle ships.

Mr. RIDGELY. What is the cost of one of these torpedo boats of the first class, and torpedo-boat destroyers?

Mr. CANNON. Six torpedo-boat destroyers and six torpedo boats cost $2,300,000. Just how the expense is divided I do not know. Twelve would cost twice that much.

Mr. CARMACK. That is the total cost?

Mr. CANNON. The total cost.

Mr. BROMWELL. I want to inquire of the gentleman if he knows whether all——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEELE. Mr. Chairman, I desire to offer an amendment to the amendment, striking out "one" and inserting "two," so as to make it two battle ships.

Mr. NORTHWAY. I ask unanimous consent that the time of the gentleman may be extended.

Mr. STEELE. I want to offer an amendment to the amendment.

Mr. NORTHWAY. I ask unanimous consent that the gentleman from Illinois may have an opportunity to explain his amendment.

Mr. SHAFROTH. I ask unanimous consent that his time be extended ten minutes.

Mr. CANNON. I only want ten minutes.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the gentleman from Illinois may be allowed to continue his remarks for ten minutes. Is there objection?

Mr. STEELE. I have an amendment to the amendment.

There was no objection.

Mr. BROMWELL. Will the gentleman allow me to ask him a question?

Mr. CANNON. I will.

Mr. BROMWELL. I wish to ask if it is not true that all the great naval powers of the world, in their budgets for the present and coming year, have not included the construction of an additional number of battle ships; whether the naval experts throughout the world do not look upon the battle ship as being one of the essential forms of naval defense?

Mr. BOUTELLE of Maine. That is the judgment of the civilized world to-day.

Mr. CANNON. My friend from Maine is much more competent to answer that question than I am, and I have no doubt the gentleman from Ohio [Mr. BROMWELL] has more knowledge touching the budgets of foreign nations and whether they cover ships than I have. I do not set up for an expert touching naval warfare or naval construction. Now, having said that, I ask for only five minutes' attention of the committee to state the reasons, in the absence of expert knowledge, which address themselves to my mind and compel me, following my judgment as a Representative, to offer this amendment.

First. Last December, when there was some prospect of a difficulty with Spain—or, if you choose, you may call it no prospect of a difficulty, just as you please—the Secretary of the Navy, in his report, after full discussion, recommended one battle ship to care for the future, three or four years away. This bill recommends three.

Mr. BOUTELLE of Maine. One is to replace the one we lost.

Mr. CANNON. I understand; the gentleman can answer when he comes to reply. I want to be very brief. Now, then, what has happened since that time to authorize the building of three? Why, the prospect of war with Spain. You had a prospect of war in December. If we have a war with Spain, is there any gentleman within the sound of my voice that is not satisfied to a moral certainty that long before the three years have rolled around and these battle ships can be placed in commission the war would be over? I take it, then, that this is a provision to care for the Navy without regard to the war with Spain, if we are to have one.

Last December the Secretary of the Navy said, Build one. What has happened to make a change in the ordinary policy for the future wants of the Navy as disassociated with Spain? Nothing on earth except the patriotic feeling of 70,000,000 people which is to be utilized to construct battle ships that can not be used in the coming war. To do what? To get ready for another war. I believe as a business man, I believe there is no man in this House as a business man, if he could control it in his business affairs, and his business embraced the national affairs, but what, if we are to have a war with Spain, would prefer, before he had bound this Government to put $15,000,000 in three battle ships, that a test as to the value of the battle ships should be made between this and the expiration of the close of the war before he would make a contract to bind the Government $15,000,000 or more.

I honestly believe, if we do have a war, long before the battle ships can become completed they would either be shown to be obsolete or their method of construction would be so changed that the Government, with a strong hand, would repudiate the contract and pay damages and abandon them.

Now, then, that is all there is of it. I say, build twice as many torpedo-boat destroyers, twice as many torpedo boats—if necessary, more. They can be built, working stress in the shipyards of the country, in from three to eight months, as I am informed at the Navy Department.

Mr. NORTON of Ohio. They can be completed before the *Kearsarge* and *Kentucky* can be completed.

Mr. CANNON. Yes; before the *Kearsarge* and *Kentucky* can be finished. That is all there is of it. There is no man on the floor of this House, or in the United States, that would vote more cheerfully than I would any amount of money that can be utilized in preparation for the trouble that is just upon us. Gentlemen may say that it would have been better if three years ago we had authorized these battle ships, and they were ready to-day. They were not authorized.

Mr. SPALDING. How long will it take to finish the *Kearsarge* and *Kentucky*?

Mr. CANNON. Eight months, and they probably will not be finished for twelve months. That is all there is of it, and for these reasons I offer the amendment, and I appeal to this House that we take the counsel of our judgment in the premises. [Applause.]

Mr. DOCKERY If I understand the position of the gentleman from Illinois, it is this: In view of the grave doubt as to the fighting qualities of battle ships, and the fact that they can not be constructed in less than three years, he thinks we had better proceed slowly in this line of construction and build up the Navy in pursuance of the recommendation of the Secretary of the Navy?

Mr. CANNON. It seems to me so, and to build only one battle ship. Now, I want to say just a word before I sit down in respect to the Committee on Naval Affairs. I wish to say to my friend from Maine that there is no man in this House that has a higher appreciation of his ability touching the matters embraced in this bill, and touching naval affairs generally, than myself. It is a matter of regret to me that my sense of duty compels me, according to my best lights, to disagree with the gentleman. I have no pride in that disagreement. It is, instead, a matter of sorrow. All I ask is that in cool blood, without passion, keeping our heads and with cool judgment, we act for all the people as any wise man would act if he were called upon to act for himself under similar conditions.

Mr. LOUDENSLAGER. Will the gentleman allow me to ask a question?

Mr. CANNON. If I have time.

Mr. LOUDENSLAGER. I ask consent that the gentleman have further time.

The CHAIRMAN. The time of the gentleman from Illinois has not expired.

Mr. CANNON. Then certainly I will answer.

Mr. LOUDENSLAGER. I ask the gentleman whether he does not consider that it would have been the part of wisdom, three, four, or five years ago, instead of being parsimonious in our appropriations at that time, to have been more liberal and to have built battle ships and cruisers, so that we would not be compelled at this time to go abroad in order to get them? [Applause.]

Mr. CANNON. I have already answered that question. Whether it would or would not, we did not authorize these exact three battle ships three, four, or five years ago.

Mr. LOUDENSLAGER rose.

Mr. CANNON. Let me answer the question. In a quarter of a century—from 1873 down to this time——

[Here the hammer fell.]

Mr. LOUDENSLAGER. I ask unanimous consent that the time of the gentleman from Illinois be extended for five minutes.

Mr. CANNON. I do not desire further time, except to answer the gentleman's question.

The CHAIRMAN. Is there objection to extending the time of the gentleman from Illinois for five minutes?

There was no objection.

Mr. CANNON. I have heard that same question asked under somewhat different conditions for a quarter of a century. During our civil war, and for years afterwards, there was a revolution in naval construction; and we refrained from entering upon construction during that period of evolution. I think it was wise that we did refrain; and I think it was wise that along about 1883 or 1884, under the Secretaryship of Mr. Chandler, we commenced to build a new Navy.

Take the *Texas*, which I believe was the first one of our battle ships constructed. Does not my friend thank God that there were not any more battle ships like the *Texas* built? Yet at the time it was built it was probably the best of its type.

A MEMBER. It was built on English plans.

Mr. CANNON. It was built on English plans, but it was probably the best of its type. Take the *Maine*, which sank a few weeks ago. Does not the gentleman know that these ships whose construction is now being authorized are no more like the *Maine* than I am like a seraph? [Laughter.] That is all I want to say.

Mr. NORTON of Ohio. I would like to ask the gentleman a question.

Mr. CANNON. Very well.

Mr. NORTON of Ohio. What objection has the gentleman to permitting the provision for three battle ships to remain in the bill as it now stands, and at the same time increasing the torpedo boats and torpedo-boat destroyers to the number that the gentleman would deem desirable? [Applause.]

Many MEMBERS. That is right.

Mr. BRUMM. I have already such an amendment prepared, which I desire to offer as an amendment to the amendment.

Mr. CANNON. I will answer the question of the gentleman from Ohio; and I want order while I do so, for it is a very important question.

The CHAIRMAN. The Committee of the Whole will be in order. Business will be suspended until it is in order.

Mr. CANNON (resuming, after a pause). Mr. Chairman, in answer to that question I will say this: Most gentlemen here believe that in seven days from this time we shall be at war with one of the nations of the earth.

Mr. BOUTELLE of Maine. I hope the gentleman will confine himself to the paragraph.

The CHAIRMAN. The committee will be in order.

Mr. CANNON. I am in the habit of confining myself to the paragraph. Nothing short of divine charity and patience could keep a man in good temper with the galleries full and noisy, with much confusion on the floor, and the gentleman from Maine in charge of the bill interjecting his exclamations. [Laughter and applause.] I want to answer one question at a time. The gentleman from Ohio [Mr. NORTON] has asked me a most important question. I want to do him the courtesy of answering it, and I want this committee to extend me the courtesy of good order while I attempt to answer.

Several MEMBERS. That is right.

Mr. CANNON. Most gentlemen here believe that within a week's time we shall be at war with one of the powers of the earth. Now, what does that mean? It already has meant $50,000,000 of emergency appropriation. It means additional taxation that will bring in $100,000,000 a year. It means the authorization—and I measure my words, laying my hand on the shoulder of the chairman of the Committee on Ways and Means [Mr. DINGLEY]—that we are to borrow at least $500,000,000. It means the putting of these burdens upon the country. Let the amount be a thousand millions, if necessary; increase the taxation to whatever extent may be needful for the well-being of the country; but let us not spend a single dollar, or authorize a single dollar of expenditure, unless to equip ourselves for the fight that seems to be just in front of us. [Applause.] And the reason I do not want to join in authorizing three battle ships is that long before they can be launched, let alone completed, the war will be over and I fear the battle ships will be obsolete. That is my reason. [Applause.]

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to say briefly, in reply to some suggestions of the gentleman from Illinois, that the question as to whether these battle ships can be completed in season to participate in certain anticipated circumstances or emergencies which now threaten is not the question that is before the committee at the present time. We have a number of battle ships, fortunately, ready for service. When these battle ships were authorized, there was no question raised as to their availability in three months, or two months, or any other specified time. No exigencies existed at the time. They were not expected to be available until after their complete construction, allowing the ordinary time for that work. But they were begun because the common sense and patriotism of the American people and Congress taught them that the time might come—not that it was almost here, but that it might come—when we would need them seriously; and Congress, responding to that conviction of duty, made provision from time to time for their construction.

But, sir, there is not a man within the sound of my voice on this floor who does not know that but for that provision, and for the strength afforded by these battle ships to-day, we would be in no position to raise our voice or to maintain the attitude of dignity which this nation owes to itself even against the feeble war power of Spain. [Applause.]

We do not expect, and ought not to expect, that the world is to come to an end in a week or a month or in a few days. We have had demonstrated to us beyond all question, we have had it burned into our very souls for the last few months, that the Congress of the United States has been absolutely derelict in its duty in not strengthening our naval power far beyond its present condition. [Applause.]

And, Mr. Chairman, your Committee on Naval Affairs, responding not only to the universal demand of the people of this country, but to the dictates of wise prudence, common sense, and a broad public policy that teaches an intelligent people that they should not only recognize what is transpiring in the world to-day, but should look forward with careful regard to the future; in view of the fact that it took years to build these ships—although the gentleman has exaggerated that point, as we can easily establish—but in view of the fact that we can not provide ships suitable to the necessities of the present day, as we were able to improvise them in 1861, we felt resting upon us a responsibility to perform the duty which we have endeavored to discharge in the preparation of this feature of the naval appropriation bill by providing at the very earliest practicable moment to add at least the war vessels recommended to the naval power of the Government. And, Mr. Chairman, we have no apologies to make to the House for the recommendation of the construction of these three battle ships and twelve torpedo vessels, but rely upon what we believe to be the sound sense and patriotic sentiment of this House and the country. [Applause.]

Mr. GAINES. Will the gentleman permit an interruption?

Mr. BOUTELLE of Maine. I must decline to be interrupted.

Mr. GAINES. Then the gentleman declines to answer a question bearing upon this subject?

Mr. BOUTELLE of Maine. It has been said, Mr. Chairman, that we can not undertake to equal foreign nations in their armaments for naval supremacy. But against whom are we to arm ourselves? Against what aggression? Gentlemen say that they are ready to admit that we shall be liberal in our application of our resources to meet any foreign complications and prepare ourselves to resist any foreign aggression. But how are we to do it unless we provide ourselves with the means? What steps are we to pursue to attain that end, when gentlemen are willing only to snap their fingers at the lessons taught by the civilized world as to the necessity for offensive and defensive armament?

At this very hour there are forty-two great battle ships being constructed by the nations of the world. Are we to have no part in this matter? Is the United States to lie dormant, and silent, and let itself be outstripped by all the foreign powers of the earth, no matter how insignificant? England, France, Germany, and the great nations of the earth to-day are making these preparations far in excess of those that we propose.

But gentlemen tell us that they will rely solely and entirely upon one branch of our naval force; and what is that branch? They would depend, Mr. Chairman, upon torpedo boats, a class of vessels many of which can not cross the ocean without a convoy, that can not blockade or capture the ports of any great power of the world—simply an auxiliary class of naval vessels, that, in the consensus of the judgment of the great naval experts of the world, and whose judgment in matters of naval construction and defense is entitled to the highest consideration, declare incapable of furnishing the war power of any nation, or of becoming more than an auxiliary portion of a great navy.

The history of the naval affairs of the world shows that the great naval battles were fought and victories were gained by the heavy fighting line. The achievements of Nelson, of Hull, of Farragut, and the other great commanders—the whole history of naval warfare, in fact—illustrates the fact that while all kinds of vessels have been utilized for naval purposes, the great battles in which the sea power of nations has been established have been won by the great ships of the line of battle. Now, we ask this House to authorize the construction of three of these great battle ships for the use of the United States, and we believe that the House will enthusiastically consent to that request.

I ask a vote.

[Here the hammer fell.]

Mr. LOUDENSLAGER. I ask that the gentleman's time be extended.

Mr. BOUTELLE of Maine. I have said about all I desired to say on this question.

Mr. McCLELLAN. I wish to ask the gentleman a question.

Mr. BOUTELLE of Maine. I will accept the extension of time long enough to hear the question of the gentleman from New York.

Mr. HILBORN. Mr. Chairman——

Mr. MCCLELLAN. I move to strike out the last word for the purpose of asking a question.

The CHAIRMAN. The time of the gentleman has expired, and the gentleman from California, a member of the committee, has been recognized.

Mr. HILBORN. Mr. Chairman, a few moments ago the gentleman from Ohio [Mr. BROMWELL] asked the question of the gentleman from Illinois [Mr. CANNON] if it was true that the great naval nations of the world were strengthening themselves in the line of the construction of great battle ships. The gentleman from Illinois adroitly refrained from answering that question. I desire to say a few words on that subject.

The great men of the world, who are to-day working out the problems of naval warfare throughout the world, have agreed that the battle ship is the strong right arm of power on the seas. There never was a time since the days when naval warfare began when the nations of the world were spending as much money as they are to-day in the preparation of naval armament; and there never was a day when men who are competent to express an opinion on the subject have been more emphatic in their approval of the battle ship. There was never a time when the battle ship was more popular as a means of offensive and defensive warfare than the present time.

The British budget for the present year involves an expenditure of $127,750,000. The naval budget of Russia involves an expenditure of $83,333,400. Germany will spend $95,000,000, and 60 per cent of that money will be spent for battle ships. The Emperor of Germany presented his budget, and the other day it passed the Reichstag without a division. Let me show you what is involved in that plan of future military operations on the sea. Germany has now 12 battle ships, 8 armored coast-defense vessels, 13 armored gunboats, 10 large cruisers, and 23 small cruisers. Now, here is her ideal fleet, which she proposes to build: Nineteen battle ships, an increase of 7 in number of battle ships; no more coast-defense vessels; no more armored gunboats; no more large cruisers. She has 1 too many now, but she is going to build 3 small cruisers, and 60 per cent of this great increase is to be put into battle ships.

Now, how is it with England? England, with her immense budget, has now in course of construction 9 of the largest battle ships that were ever built. We are building nothing but eleven and twelve thousand ton vessels. She builds nothing less than 15,000 tons now. She has 3 nearly completed, she has 3 in an advanced stage of completion, and she has 3 that she commenced this year. Since her budget has passed she is going to lay down 3 more. And let me tell you this: She would have advanced much more rapidly except for the fact that the armor-plate establishments in England can not furnish armor plate enough so that she could complete this type of vessels fast enough to meet what she believes are the urgent demands of the times.

Mr. HOPKINS. Why do we not build larger battle ships?

Mr. HILBORN. There are two reasons why we do not build larger battle ships, but the main reason is that our harbors are not as deep and spacious as the harbors of Europe.

Mr. DAYTON. And another reason is the limit of price.

Mr. HILBORN. And another reason is that we have limited, clear down to the very last degree, the amount that we shall expend in building these ships. There is one other significant fact that I want to mention.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. I ask that the time of the gentleman be extended five minutes. He is a member of the committee.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent that the time of the gentleman from California be extended five minutes. Is there objection?

There was no objection.

Mr. HILBORN. The gentleman from Illinois [Mr. CANNON] rather congratulates this House that in our past economy we have made no mistakes. It is true that our yards have been closed, that our skilled mechanics have been walking the streets, but it is true also that there came a time when, with $50,000,000 we scoured over the whole civilized world to buy these ships that we could have built at home, and we could not buy one. We may go abroad and buy every dollar of gold there is in the world, but you can not buy and can not get for love or money a single good fighting ship in the world.

Mr. LOW. They are very valuable property at this time.

Mr. HILBORN. They are very valuable property, and it pays to build them. You can buy ships supposed to be fighting ships, but such ships as we build are the best in the world. Every foreign critic admits, when we launch a vessel, that it is the most perfect fighting machine that was ever launched in the world; and yet the parsimony of this House will not permit us to build these vessels at home, but allows us to go abroad and beg and borrow their second-hand old articles. Is that economy? [Applause.]

Mr. FOOTE. Will the gentleman allow me to ask him a question?

Mr. HILBORN. Yes.

Mr. FOOTE. Does not the gentleman think he is now condemning the action of his own committee in the last two years?

Mr. HILBORN. I think that the Naval Committee in the past, as it has in this instance, has reported all that the House would stand. We have reported here three battle ships, and we come here and are met with a storm of opposition, and the Naval Committee has to study the temper of the House in preparing bills of this kind.

Mr. FOOTE. Does not the gentleman remember a year ago, when an amendment was brought in for six battle ships, that it was very strenuously opposed by the Naval Committee?

Mr. HILBORN. No; I do not think it was.

Mr. FOOTE. The House may remember it.

The CHAIRMAN. Has the gentleman from California completed his remarks?

Mr. HILBORN. I yield the floor to the gentleman from Ohio [Mr. BROWN].

Mr. CUMMINGS. Mr. Chairman, I am heartily in favor of the latter part of the amendment of the gentleman from Illinois [Mr. CANNON], and I am equally as heartily and strenuously opposed to the former part.

Mr. Chairman, it has been said upon the floor of this House that the value of the battle ship has never been proved in any actual naval engagement. This, Mr. Chairman, is untrue. The only gauge of the value of battle ships we have had was in the war between China and Japan. The contest at the Yalu River was between battle ships and cruisers, and the Japanese, owning cruisers commanded by Japanese officers, overpowered the Chinese, who were fighting a battle ship commanded by American and German officers. But the Chinese battle ship, although struck hundreds of times by shell and solid shot, withdrew from the fight without capture.

The value of battle ships was so well demonstrated in this engagement that to-day the Emperor of Japan has a battle ship in process of construction in nearly every first-class shipyard in Europe and America. They have two already nearly completed in our own shipyards, and two years have not elapsed since they were ordered. The United States Government has in vain appealed to the Japanese Government to sell these ships. The Japanese Government has in process of construction 6 battle ships in the navy-yards of England, 2 in France, and several in Germany. Now, the Japanese is an economic Government, as economic in its way as the American nation, and if it did not know the value of battle ships by practical demonstration it would not now be pouring out its money like water into foreign countries for the construction of these ships.

But more than this, Mr. Chairman, the Japanese were not the only ones who were taught a lesson by the result of the battle of the Yalu. England has heeded it; and my friend from California [Mr. HILBORN] has accurately told you of the provisions she is making in view of the lesson taught at the Yalu. France has heeded it; and France is by no means behind England in the construction of battle ships. But above all, that great ally of this Government in years past, the Emperor of Russia, has heeded the lesson, and he to-day is using every effort to equal if not surpass the efforts of England and France in the construction of these ships.

I say what I know when I say that the greatest of American shipbuilders, Charles Cramp, has gone to Russia at the solicitation of the CZAR. He is now in St. Petersburg, conferring with the Emperor of Russia, who is evidently intent upon securing all the battle ships that Cramp can turn out for the next few years, and I am told that he is trying to induce that American constructor to put down a plant at St. Petersburg.

Mr. BALL. Will the gentleman yield to me for a question?

Mr. CUMMINGS. Certainly.

Mr. BALL. Commodore Melville, Chief Engineer of the United States Navy, I understand stated that—

> The battle of the Yalu—so called—to my mind proves nothing. There was no battle; there was but a slaughter of Chinamen. We must wait for a battle of the modern giants, who can and do fight, to show the value of our modern fighting machines.
>
> As to our Navy at present, in personnel and material, I am proud to say that, man for man, ship for ship, tar for tar, and gun for gun, America has not her superior in the world.

The gentleman is aware of that?

Mr. CUMMINGS. The Chief Engineer of the Navy is the chief of the engineer department of the Navy and not of the fighting force. Engineers do not command battle ships.

Mr. JONES of Washington. Is it not a fact that in the battle of the Yalu River only two first-class battle ships were engaged, the *Chen Yuen* and the *Ping Yuen*, owned by the Chinese, and that the Japanese had an ordinary freighter that had put on it a little armament, and at that time it engaged both battle ships at the same time, and received two projectiles, which would have destroyed it if it had been armored, but being unarmored, they passed through it without doing further damage than making a couple of

holes, and as a matter of fact they were the only battle ships engaged? That is the information we get.

Mr. CUMMINGS. I prefer to take the reports published in the Yearbook of Naval Progress, issued here at Washington by the Navy Department, and they do not state it as a fact.

Mr. JONES of Washington. I ask the gentleman if that is not the fact as stated by Mr. Mahan, and if he is not a good authority?

Mr. CUMMINGS. I will say to the gentleman that, admitting all that you say is so, it is no argument against battle ships. Why, then, did Japan immediately order twelve of these battle ships? She was apparently satisfied with the experiment at the Yalu.

Mr. JONES of Washington. I will answer that question by asking why the Japanese fleet ran away after the Chinese were out of ammunition?

Mr. CUMMINGS. We have to take the official reports, and the official reports are conclusive. The battle ships were tested, and the Japanese Government accepted the test.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMPSON. I ask that the gentleman have five minutes more.

There was no objection.

Mr. CUMMINGS. Now, Mr. Chairman, I hold that the action of the Japanese Government alone is conclusive proof of the value of these battle ships; and if that is not conclusive, I hold that the action of the Emperor of Germany, the Czar of Russia, the Republic of France, and the Government of Great Britain is triply conclusive. They have all arrived at the same conclusion. To bring up newspaper reports and haphazard statements as to the battle of the Yalu never will alter the facts.

The Japanese money is being spent in the construction of such ships. It is being spent like water; the money is sent out of that country into other countries to construct such battle ships. We are following suit in draining money from the Treasury to buy war ships in foreign countries while our mechanics and workingmen are walking the streets in search of work. If this gentleman of the House could have gone to the Brooklyn Navy-Yard, to the Norfolk Navy-Yard, or to any other navy-yard owned by the Government nine months ago, he would have seen a roll there of a hundred calkers, a hundred machinists, and hundreds of mechanics anxiously awaiting an opportunity to work. None was ordered. The maxim "In time of peace prepare for war" had been disregarded. This House itself, in the last Congress, voted for four battle ships. You afterwards got three, because you accepted the amendment offered by the Senate.

My colleague [Mr. FOOTE] alluded to the fact that the House had voted down the proposition for six battle ships. Let me inform him that the Naval Committee, with one exception, voted unanimously for six ships, and afterwards, in deference to what they believed to be the wish of the House, they accepted four, and they came here and were heartily sustained by the House. They did not believe that the House would stand six. If we needed four battle ships then—and you decided that we did by a rousing majority—we certainly need two more now, for this proposition to build three is only really a proposition to increase the Navy by two, for you are constructing one in place of the *Maine*.

Mr. GAINES. Will the gentleman allow me to ask him a question?

Mr. CUMMINGS. Certainly.

Mr. GAINES. How long will it take to build these ships?

Mr. CUMMINGS. The gentleman from Illinois said it will take three years. I answer, on the authority of Charles H. Cramp, it will take only two years. Now, Mr. Chairman, having demonstrated, as I believe, the utility of these battle ships, and knowing as I do that no nation on the face of the earth has ever yet arrived at the flood tide of commercial prosperity and civilization that did not have a large navy, I hope the House will decide that it is not only for the interest of Congress, but for the interest of the whole country to sanction an increase of our naval force by building two battle ships at this time for the American Navy. [Applause.]

Mr. PEARCE of Missouri. Mr. Chairman, I desire to offer the following amendment to the original paragraph. The proposition of the gentleman from Illinois was in the nature of a substitute.

The CHAIRMAN. The Clerk will report the amendment to the original paragraph.

The amendment is as follows:

In line 18, page 53, strike out the word "six" and substitute in lieu thereof the word "twelve."

In line 19, page 53, strike out the word "six" and substitute in lieu thereof the word "twelve."

In line 22, page 53, strike out the words "two million three hundred and forty" and insert in lieu thereof the words "four million six hundred and eighty."

Mr. BOUTELLE of Maine. Do I understand the gentleman from Missouri proposes to double the number of torpedo boats and the number of torpedo-boat destroyers?

Mr. PEARCE of Missouri. And the money appropriation.

Mr. BOUTELLE of Maine. Then, if the Clerk will double the money provision, he will get the amendment right. I desire to say, on behalf of the Committee on Naval Affairs, that we cheerfully accept that amendment. [Applause.]

Mr. McMILLIN. Mr. Chairman, I make the point of order that there are already two amendments pending.

Mr. PAYNE. One is a motion to substitute.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] moved a substitute for the paragraph.

Mr. McMILLIN. Then this would be in order, and I withdraw the point of order.

Mr. PEARCE of Missouri. Mr. Chairman, I am heartily in accord with nearly all the provisions of this bill, and I shall support it with great satisfaction, because I have believed for twenty years that this Government can not maintain her standing among the nations of the earth or hold her own in the race of commercial enterprise and development or continue to exert her beneficent influence upon civilization, for which, in my judgment, God Almighty created this Republic, without keeping pace year by year and month by month with all her sister governments in all that appertains to power upon the sea as well as power upon the land.

The gentleman from Illinois suggests that this will cost money and cost time. Yes, gentlemen, it will cost money and cost time, but it will be money spent and time spent which we ought to have expended ten years ago [applause]; and every dollar we spend, every energy we put out at this time, and for the months to come, will put us in a still better preparation to meet all the exigencies that lie in the future. The gentleman talked to us about the battle ship *Texas*, and asked us if we regarded it as a wise expenditure of money. I say yes, every dollar of it. Whether the ship is a good ship or a bad ship argues nothing to-day. If it was a bad ship, we have been to a primary school in naval architecture and we have learned something from it. But let me say to the gentlemen of this House that we have five of the best battle ships that exist in the world, and that is one of the results of constructing the battle ship *Texas*.

Mr. KING. Would it interrupt the gentleman for me to ask him a question?

Mr. PEARCE of Missouri. No, sir.

Mr. KING. I want to ask whether the history of battle ships is reassuring that they will be the naval ship of the future?

Mr. PEARCE of Missouri. The history of battle ships is encouraging, to say the least; but whether it is assuring or whether it is not, it is my judgment, gentlemen, that it is our duty, and we shall be wise if we heed it, to keep pace day by day, month by month, and year by year, with all the great nations of the earth. [Applause.] Not a dollar is misspent. All this money goes out to our own people, and it does not hurt us even if ships do not prove a success. But what is the experience of the world to-day?

Two years and a half ago, for the purpose of studying this very subject, I made a trip around the world and examined a type of every battle ship in the world. I became persuaded then, and I am doubly persuaded now, that instead of having a provision in this bill for three battle ships, it ought to have been six.

Fortunately, in this age at least, we have no need of more than a nominal standing army. The broad oceans are our bulwarks against foreign hosts, and even if their ever threatening waters are traversed by the invader, the universal patriotism and universal adaptability to military exigencies of 70,000,000 of liberty-loving people can marshal a million of defenders at the sound of the trumpet.

This power upon the land—the power of wealth, the power of intelligence, the power of industry, the power of invention, the power of natural resources, the power of rapid mobilization and concentration, and, above all, that power of universal brotherhood which, born amid the throes of the Revolution, was regenerated and rebaptized with the precious blood of a million heroes from both the Northland and the Southland who made their supreme sacrifice in the agonies of internecine war—this power upon the land, imperial in its majesty, will endure, resistless and supreme, as long as the sacred fire continues to burn on the mountain tops of the Republic.

Not so with power upon the sea. Strong arms and faithful hearts are useless unless they have the means of achievement. A cheese box upon a raft revolutionized the navies of the world. That creative principle, born on American soil, appropriated and amplified by foreign nations, drives us inexorably to a corresponding development or to a surrender of our high estate.

I listened with amazement to a statement made a few days ago by a distinguished Representative on this floor that the glory of this Republic was in the preservation of what he termed its "insular isolation."

Why, Mr. Chairman, you might as well endeavor to dam up the mighty Mississippi with a bundle of straw as to isolate the resistless energies of the American people from the great movements of civilization that are going on about them.

In two centuries those mighty energies have subdued a continent vaster than antiquity ever dreamed of. Mountains have been leveled, rivers and cataracts have been harnessed, and ten thousand valleys have been made to resound with the music of the hammer and the forge. On and on they have swept with ever-increasing strength, and wherever they have gone they have set up, not the gloomy tombstone of isolation, the historic emblem of decay, but the banner of freedom and progress and industrial development; and, Mr. Chairman, wherever that banner floats in the breeze, whether amid Alaska's eternal glaciers or amid the soothing shades of the islands of the blue Pacific, there will abide the genius of liberty and the sovereignty of the United States. This, sir, and this alone, is the divine mission, this the true glory of the Republic.

It would not be profitable, Mr. Chairman, for me to traverse with particularity ground which has been so ably occupied by others who have already spoken upon this bill. I will content myself with the observation that the spirit of the present age is one of commercial aggression and conquest. Nearly all the nations of the earth, pagan as well as Christian, are moving upon these lines. The American people are no exception. They could not divest themselves of this impelling spirit if they would. The organic principle of their existence is the principle of progress But even if they could turn back upon themselves and be content with the achievements already attained, yet the preservation of their existing commercial and political status demands the institution of a maritime power sufficient to compel the respect of the world and to successfully resist the encroachments of competing nations.

That which is called the code of international law was instituted by governments which have the power of enforcing diplomacy with fleets and armies. Power lies at the basis of all conventions for arbitration. There is no forum, and there never has been a forum, in which a weak and helpless nation of itself and by itself can be or ever has been assured of just treatment in its international relations.

The history of the past has uniformly told one fact, and that fact has been recorded over and over again since national life began. No nation that has neglected in times of peace to keep itself prepared for war has ever continued to hold a commanding position in the family of states. If it has survived at all, it has done so by sufferance, or because its existence has been necessary to a balance of power.

I am no advocate of aggression or conquest. I would deprecate and resist every attempt in either direction; but I believe that if Congress had done ten years ago what it is doing to-day under the constraint of impending danger, not only would no danger exist, but 200,000 starved and murdered victims of Spanish barbarism would be living at this hour, and Cuba would be a free republic, moving forward and upward in the peaceful race of life under the sheltering protection of the United States, and every nation on the face of the earth would bid her welcome and godspeed.

But the bill, Mr. Chairman, is, in my judgment, faulty in one respect. Experience thus far had shows to us that this bill does not contain provision for enough torpedo boats and torpedo-boat destroyers.

Mr. LOW. Why not provide for twenty-five torpedo boats? The House will grant them if you propose it.

Mr. PEARCE of Missouri. I would most gladly make that proposition if I thought this House would sustain me. We ought to have 150 torpedo boats and torpedo-boat destroyers. [Applause.]

Now, what has been done by other nations of the world, whose admiralty departments have been studying this subject from hour to hour and day to day ever since the old monitor came into existence down to the present time? What have they done? Let us look at Great Britain. Great Britain has in service and in progress of construction 320 torpedo boats to 284 fighting ships of all classes, or about 1¼ torpedo boats to every ship, while to-day the Government of the United States has but 23 torpedo boats to 58 fighting ships of all classes, or only 1 torpedo boat to 2½ fighters.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. PEARCE of Missouri. I should like to have about two minutes more.

Mr. BOUTELLE of Maine. I hope the gentleman will be permitted to conclude his remarks. He asks for only two or three minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Missouri be permitted to conclude his remarks. Is there objection? The Chair hears none.

Mr. PEARCE of Missouri. If the experimentation already had proves anything, it proves, in the language of a prominent naval officer of this city, that the *Iowa*, the *New York*, and the *Indiana*, lying 6 miles off Key West, and he might have said the *Puritan* and the *Brooklyn*, lying at Hampton Roads, are practically at the mercy of a dozen torpedo boats lying in the harbor of Puerto Rico. It may be considered an extreme statement—however that may be, I venture the statement—that no battle ship can exert its full power of attack or protect itself from attack below water line without a full and proper complement of swift picket guard boats and torpedo-boat destroyers. All the leading nations of Europe—Great Britain, France, Germany, Russia, and Italy—have recognized the correctness of this proposition and have conformed to it in their naval development. Why should the United States stand alone in respect to this system of complementary construction? Why create battle ships unless you throw around them every protection that ingenuity can devise or money can buy against torpedo-boat attacks? It would be a false economy—nay, more, it would be a crime—to hazard the lives of our sailors if the exposure can in any degree be lessened by a provision which is everywhere recognized by naval constructors as essential to a complete equipment. I hope, Mr. Chairman and gentlemen, that this amendment will be adopted.

Mr. JONES of Washington. I should like to ask the gentleman from Missouri how a battle ship is going to protect itself from a submarine torpedo boat such as is now being experimented with in the bay of New York?

Mr. PEARCE of Missouri. That is entirely another phase of this subject. I am not arguing on the subject of battle ships. My amendment calls for torpedo boats.

Mr. JONES of Washington. But I understood the gentleman to say that our battle ships down there are at the mercy of the torpedo boats and torpedo-boat destroyers of the Spanish fleet.

Mr. BOUTELLE of Maine. Mr. Chairman, I understand that this amendment goes to the perfecting of the original paragraph. I wish simply to call attention to its purport as I gather it. It comprises one portion of the substitute offered by the gentleman from Illinois, namely, an increase in the number of torpedo boats. I wish to say in behalf of the Committee on Naval Affairs that we recognize the value of that class of vessels thoroughly, and we inserted in the bill the number there provided for, with the view of making such recognition on the part, first, of the committee and then of the House. The relatively small number which we have provided for was due to the fact that we always anticipate additions to our appropriation bills elsewhere, additions of a more or less, and usually more, liberal character, and sometimes in preparing our bill, after placing in it the principal and essential elements, we have left some verge for other legislators under whose scrutiny these measures have to pass, that they may take some share in providing for great matters of public interest.

We had no idea when we brought this bill into the House that there would be only six torpedo boats and six torpedo-boat destroyers provided for this year. We had every reason to believe—in fact, we knew as well as we could know anything in advance—that a large number of torpedo boats would be provided for. All gentlemen who keep abreast of current news must be aware it is already reported that the Department itself, under the plenary authority vested in it by Congress, is taking measures for the construction of a large number of torpedo boats.

Now we are entirely willing to accept this proposition, and I ask the committee to allow an immediate vote on the amendment in order to perfect the paragraph presented in the pending bill.

Mr. BROMWELL. Before the vote is taken, Mr. Chairman, I desire to offer an amendment to the amendment.

The CHAIRMAN. The gentleman will send up the amendment.

Mr. BROMWELL. I desire to offer an amendment by inserting, after the word "Maine," on line 17 of the original paragraph, the words "and one to be named the Ohio."

Mr. BOUTELLE of Maine. That would not be germane to the amendment of the gentleman from Missouri.

Mr. BROMWELL. I think I would like to be heard on that proposition.

Mr. BOUTELLE of Maine. It strikes me it would not be germane.

Mr. BROMWELL. I think it would.

Mr. BOUTELLE of Maine. But I wish to suggest to the gentleman that we have attempted that in the House a number of times heretofore. Such an attempt, I will state, has never been successful. There are some forty-odd States in the Union, and all would like to be distinguished by having a battle ship named after them. I speak absolutely without self-interest in the matter, because the insertion of the name "Maine," proposed in the bill, was not at my instance, and was not even suggested by me. Gentlemen all know the circumstances which induced its insertion, so that we were not governed by any consideration of the kind such as the gentleman's amendment would suggest. That, of course, will be recognized by everybody. But if the amendment of the gentleman is offered, there will be another, another, and another, until every one of the States has been suggested, and it will degenerate into a mere jocular contention or scramble that will not be in the interest of good legislation, and will not facilitate the passage of the bill.

I hope, therefore, the amendment will not be suggested or pressed. I ask that we may have a vote on the pending amendment first.

Mr. GAINES. Mr. Chairman, I desire to offer an amendment here.

The CHAIRMAN (Mr. HOPKINS in the chair). The Chair desires to state that all of the amendments are pending now that are admissible under the rule.

Mr. SIMPSON. Mr. Chairman, I understood the Chair had recognized me for five minutes, but I yielded to the gentleman from Missouri [Mr. PEARCE], whose time was extended. Am I not entitled to the floor at this time?

The CHAIRMAN. The Chair thinks not.

Mr. BOUTELLE of Maine. The gentleman can talk to some other paragraph of the bill that follows this one. Let us have a vote here first.

Mr. BROMWELL. I desire to have a vote on the amendment I have offered.

Mr. SIMPSON. Mr. Chairman——

Mr. BOUTELLE of Maine. Let us have a vote first.

Mr. SIMPSON. The point I wish to discuss is the very question that is now pending.

Mr. POWERS. I would like to ask the Chairman if it would be in order to move to substitute in the amendment proposed by the gentleman from Ohio the word "Vermont" for the word "Ohio"?

The CHAIRMAN. It would not be in order, for the reason that there is an amendment pending to the original paragraph. To that the gentleman from Ohio has offered an amendment, and that exhausts the power of amendment until these are disposed of.

Mr. POWERS. Then I hope the committee will vote down the amendment of the gentleman from Ohio and substitute the word "Vermont" for "Ohio."

Mr. BOUTELLE of Maine. I make the point of order that this amendment is not germane to the pending amendment of the gentleman from Missouri.

The CHAIRMAN. Does the gentleman from Ohio desire to be heard upon that?

Mr. BROMWELL. Most certainly I do.

The amendment of the gentleman from Missouri [Mr. PEARCE] starts with the wording of the section, and covers a great portion of the language of the original bill. It is not consecutive. It is not limited to one particular topic, but covers a number of them. Now, this is an amendment to the original section. I propose to add the words at the end of the proposed amendment, to follow the word "Maine" in the original section, the words "and Ohio." It is just as pertinent and relevant to the section as the amendment of the gentleman from Missouri.

The CHAIRMAN. The Chair desires to state to the gentleman from Ohio that in reading the amendment sent up by him to the Clerk's desk, instead of being an amendment to the amendment offered by the gentleman from Missouri, it is an amendment to the paragraph itself, and is not in order until the other amendment is disposed of.

Mr. BROMWELL. Permit me a moment, Mr. Chairman. The amendment, I stated, was an amendment to the amendment. The amendment as written, which I desire now to correct, was written as an amendment to the original paragraph, without knowledge that the gentleman from Missouri was going to offer his amendment. The verbal amendment was to insert in the amendment of the gentleman from Missouri the word "Ohio" in place of "Maine."

The CHAIRMAN. The gentleman will have to reduce his amendment to writing. When that is done, the Chair will hear him on the question of its admissibility.

Mr. SIMPSON. I wish to speak upon this.

Mr. BROMWELL. I will solve the difficulty by withdrawing the amendment and offering it further along.

Mr. SIMPSON. I desire to speak on the amendment of the gentleman from Missouri.

The CHAIRMAN. The amendment offered by the gentleman from Ohio [Mr. BROMWELL] has been withdrawn.

Mr. SIMPSON. I desire to speak on the amendment of the gentleman from Missouri.

The CHAIRMAN. The gentleman from Kansas.

Mr. BOUTELLE of Maine. I move that we close debate and take a vote in five minutes.

Mr. SIMPSON. I can not be taken off the floor.

The CHAIRMAN. The Chair has recognized the gentleman from Kansas.

Mr. SIMPSON. Mr. Speaker, we are often tempted to a very superficial view of the importance of our action in this House when we are preparing to vote upon our annual appropriation bills. And yet this is the very point at which the conscientious legislator should study the fundamentals of his political faith and be guided by their teaching. And this is especially the case when we are considering a bill that will practically affect the national policy as to the construction and maintenance of our Navy. For the purpose of calling the attention of the House to what it seems to me should be the unvarying desire of every member, I wish to read the following extract from the writings of Wendell Phillips—the man who, in my opinion, stands in the very front rank of American scholars and patriots:

> What did the Pilgrims do? Why, sir, it was the great question of that day which course to take. Cromwell and Hampden stood on one side, Carver and Bradford on the other. Which would best reform the English Government, staying at home or going away? History answers which effected the most. Which has struck the heaviest blows at the English aristocracy, the efforts of those who stood nearest or the sight and example of America, as she loomed up in gigantic proportions?
>
> Mr. President, they say that Michael Angelo once entered a palace at Rome where Raphael was ornamenting the ceiling, and as Angelo walked around, he saw that all the figures were too small for the room. Stopping a moment, he sketched on one side an immense head, proportioned to the chamber; and when his friends asked him why, his reply was, "I criticise by creation, not by finding fault." Carver and Bradford did so. They came across the water, created a great model state, and had England take warning.

Here is raised a high standard for us to observe. In its conception Wendell Phillips recognized one of the most important factors in successful life, whether of the individual or of the nation—we must have a distinct object and aim. The man without high ideals is the man of small achievement. The nation having no other aim than national aggrandizement is the nation whose decline is already written in the book of fate. And as the history of a nation is the story of the lives of its citizens, so the national aim is the average aspiration of its citizens. And especially must this be true of a country seeking the perfection of representative government and the crowning of the citizens as sovereigns.

These were doubtless the motives of the leaders who rebelled against the conditions of English life in the last century and established on these shores a new experiment in self-government. While we may not—and I certainly do not—accept all the tributes that are to-day laid at the feet of the early settlers, we may grant to their leaders the credit of having rebelled against the hampering edicts of English aristocracy. In estimating the lives of men we must not fail to take account of the times and conditions in which they lived.

I am of the optimists who firmly believe that the world is growing better, in spite of the evils so clear to our eyes, aye, indeed, because we see those evils with such increasing clearness. I look upon the unrest of the hour as the best possible proof of the survival of the cherished aims of our ancestors and of the growth of a true American spirit that shall lead to more widespread results than those which gave Wendell Phillips reason to esteem the fruits of Carver and Bradford above those of Cromwell and Hampden.

Discouraged reformers have often declared there was no room for men of radical views in the Congress of the United States. This was because of the fact that they must seem to oppose by their voting the principles they advocate. Under this form of reasoning I may be criticised because, teaching absolute free trade, I uniformly vote for payments of money for the erection of barriers to commerce in the form of custom-houses and for the maintenance of a horde of officials to interfere with the freedom of trade of the people. 'I have learned to have greater charity for all error because of the fact that, in common with all searchers after truth, I, too, have come into light from great darkness.

Time was when I might have hugged the delusion that men could make themselves rich by taxation. There came a better day when I could see that such efforts merely resulted in altering the currents of exchange, conferring on the few the results of the labor of many; and so, too, I might have been found among those who could only see inconsistency in a free trader voting for any tariff or tax upon any product of human industry. But I have outgrown that error in learning that under a republican form of government radical reforms are practically impossible. Because of the operation of natural laws the progress of human society must be evolutionary.

It would have been as impossible for the aborigines of this continent to have erected this building or that magnificent Library as for a people indoctrinated with the fallacies of high protection to have a clear conception of human liberty, or for a national banker to recognize the fundamental principles of "honest money." The truest radical, therefore, is he who seeks to accomplish his ends with the least possible friction, and yet cherishing a hatred of that conservatism which would protect vested rights in wrong at the expense of the natural rights of all. And since under our Government all reforms must come through legislation, the radical, standing as a legislator, constantly presses his argument to the limit and yields in action to that legislation which most directly accords with his views.

Thus, upon a question of a tariff upon imports, I believe it my duty to vote for the lowest attainable rate, regardless of the question whether or not there will be adequate revenue collected under a system which interferes with the freedom of commerce essential to the highest freedom of the state. And I do this, indifferent to the possibility of collecting an adequate revenue, because of my

belief that through inevitable failures the people will see that they have been seeking an impossible thing in their tariff legislation.

And there is another question which must force action contrary to my views as a radical. I am a man of peace. I believe firmly in the possibility of securing an agreement among civilized nations that will make unnecessary the maintenance of expensive armies and navies. I know of nothing more absurd than the rivalry of the nations in the matter of building unwieldy ships of war and in the construction of guns to pierce them. For years two departments of our Navy have been engaged in a fierce contest. The constructors have been striving to build a ship that no gun could pierce, while the Ordnance Department has been equally earnest in efforts to make a gun that no ship could withstand.

Not only have we reached the limit of armor plate that the ships will bear without sinking, but we have also, on the other end of the line, reached the utmost limit—if we have not gone far beyond it—of enormous guns. For I am informed by a skilled naval officer that a new danger threatens the Navy in that the men have become afraid of their own guns, and it has come to pass that they esteem the most dangerous place for a sailor to be in their rear rather than in front. Formerly it was the custom to assume that a gun could be fired over one hundred times. To-day, after sacrificing many valuable lives, we have no possible way of determining the line of safety. In the manufacture of these big guns we have crossed the line of scientific construction and have produced a weapon more dangerous to ourselves than to the enemy.

Doing this, it seems to me that we have repeated history in demonstrating that the heaviest war ships are an unsafe reliance in case of war, and that we shall soon be turning our attention to the possibility of constructing ships of light draft and great speed. To me this has always seemed the inevitable result of our policy, and I have always voted for the sums demanded for the Navy under a strong mental protest and seeking the smallest possible waste. Nor have I deemed that the waste was to be determined by the cost. We have ships in our Navy that would be dear at any price.

I yield no part of my faith in the desirability and possibility of dispensing with these expensive armaments. I can admit that until this world has progressed further from barbarism we must continue this waste of our substance, not merely for our own protection, but to aid those who lack our power and are hindered in their progress by more powerful though less civilized nations. In the early days of California there were many citizens attracted to the New El Dorado who had been brought up under the best of influences and had lofty ideas of right and wrong and of the proper administration of governmental affairs. They believed firmly in the rule of law and order.

They stood for the suppression of lawlessness and for the maintenance of the supremacy of the constituted authorities. But they felt the pressure of their environments. Stand never so firmly for the right, they were forced under the law of self-preservation to arm themselves, and frequently to take the law into their own hands and execute summary justice upon marauders who had flocked to the coast in advance of the establishment of a stable government. There have been silly carpers who have had nothing but rebukes for the California vigilantes of the early days; but I hold them in respect as the men whose bravery and clear vision led them to action which resulted in the final establishment of justice. They were actuated by the principle of always standing with the people, right or wrong; and the men who rebuke such action would cast the same reproach on the policy which inspired Moses to bear with his people, even while he recognized their error, and finally led them into the promised land.

And since the avowed object of these floating batteries is the creation of respect through fear, it is clear that the very best must always be the cheapest, and that the heavy expenditure thus necessitated will the sooner lead to a recognition of its folly. Therefore we must submit with all possible grace to the inevitable until a better time comes. The dude with checks on his trousers 2 inches square will always feel a contempt for his fellow whose legs have been made less conspicuous by his tailor and Creator. But I will do my best to establish conditions under which respect for this country shall rest firmly upon something better than the thickness of our armor plates or skulls. But for such considerations as these I would never vote a dollar for the increase of our Army or Navy in times of peace.

Mr. Chairman, this bill carries a very large appropriation. Taken in connection with the $50,000,000 voted a few weeks ago, and supposing that half of that sum will be devoted to coast defense, it still leaves an appropriation, including that voted a few weeks ago, of at least $60,000,000 to provide a navy for the country. This is an extraordinary appropriation, and could not and can not be justified except under extraordinary conditions.

We have an emergency to meet. Now, the question follows, How shall we meet it? By the construction of battle ships, or the construction of torpedo-boat destroyers? I disagree with some things that have been said as to whether it has been demonstrated that the battle ship has been proven to be the best fighting machine. I also disagree with some of the statements made here that in every great naval engagement in the world the big line-of-battle ship has been the successful fighting machine. History does not bear that out.

There are to be found in the history of the past sound reasons for the belief that the days of big armored ships are soon to be numbered. Looking back to our own war of the rebellion, we recall the destruction of the *Merrimac* by the little *Monitor*, ridiculed as the "little Yankee cheese box on a raft." In the naval contest between China and Japan the small ships of the latter proved of far more destructive power than the unwieldy craft of the former, even after making all due allowance for the superior skill possessed by the Japanese.

And looking back to the history of earlier naval warfare, we find the same lesson impressed upon every page. Three centuries ago our ancestors learned the value of light ships as against the unwieldy craft brought against them by the Spaniards. Then the oceans were generally named as the Spanish Main. The Spaniards ruled the waves and believed themselves invincible on the water. They brought their wonderful armada to sustain their authority and anticipated an easy victory against the smaller fleet that could be mustered against them. Motley, in his History of the Netherlands, gives a clear statement of the progress of the action which humbled the power of Spain and should have established for all time the true theory of naval warfare.

That was a proud moment for the Spanish captains when they assembled in form of a crescent their hundred and forty huge ships against which less than half that number of small and light craft were to contend. With heavier ships, heavier guns, and an overwhelming force, the commanders of the allied fleet believed they had victory in their grasp. But they reckoned without thought of the enemy. The lighter and more easily handled vessels of the English fleet gave battle, indeed, but it was on lines of their own choosing.

They attacked each end of their opponents' line, and easily escaped from the pursuit made against them. And when the Spanish captains sought to render assistance to each other when embarrassed by the onslaughts of the lighter ships of the enemy, they fouled each other and became more of a terror than the enemy. The end is a matter of history. The first day of battle ended in the disgraceful escape of the major portion of the armada and the forsaking of crippled and endangered comrades to the mercy of the enemy, who took many captives, for which they commanded large ransoms.

Three days later the final engagement was had. Here again the English captains pursued the same tactics. They met the efforts of the Spanish captains to bring them into close conflict by skillful maneuvers, and, after an engagement lasting six hours, drove the enemy from the field badly crippled and easy prey to the elements.

Now, there is a provision in the amendment of the gentleman from Missouri to equip the naval force with a greater number of torpedo boats. We ought to double it or treble it, if we are going to meet this emergency, if we are going to defend our coasts and our battle ships.

It is well understood by naval authorities that the torpedo boat and the torpedo-boat destroyer are adjuncts to the battle ship, and we have been derelict in our duty in not providing a greater number of them. Beyond question they will be our defense. If war comes, it will come speedily. Within the next month, perhaps, we shall need these ships. I am not one of those who believe, however, that the war will be over in three months. If it is over in three years we shall be fortunate. Once we enter upon this engagement no man can set a day when it will end. So we ought to begin at once to provide adequate defense for our coast and for our battle ships.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMPSON. Mr. Chairman, I should like to have five minutes more.

Mr. BOUTELLE of Maine. I move to close debate on this amendment.

Mr. CUMMINGS. I ask unanimous consent that the gentleman from Kansas [Mr. SIMPSON] have five minutes more.

Mr. SIMPSON. I have not said a word on this question before.

Mr. BOUTELLE of Maine. I move to close debate upon this amendment in five minutes.

The CHAIRMAN. The gentleman from Maine [Mr. BOUTELLE] moves to close debate in five minutes.

Mr. DOCKERY. I should like to have five minutes on this.

The CHAIRMAN. And the request has been made that the gentleman from Kansas be permitted to consume the five minutes.

Mr. DOCKERY. I should like to have five minutes on this question.

Mr. HANDY. I move to amend to close debate in twenty minutes.

The CHAIRMAN. The gentleman from Delaware moves to amend by closing debate in twenty minutes.

The amendment was agreed to.

The motion of Mr. BOUTELLE of Maine as amended was agreed to.

Mr. FOOTE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. FOOTE. Is this on the paragraph or on the entire section?

The CHAIRMAN. Debate upon this amendment is closed in twenty minutes.

Mr. BROMWELL. What amendment? Is this the Pearce amendment?

The CHAIRMAN. The Pearce amendment.

Mr. SIMPSON. Naval authorities agree——

Mr. LENTZ. Mr. Chairman, I would like to have a little better order. I want to hear what the gentleman from Kansas says.

The CHAIRMAN. The committee will be in order.

Mr. SIMPSON. Mr. Chairman, naval authorities agree that the torpedo boat is absolutely deadly if it gets within a quarter of a mile of a battle ship. At that distance it can shoot a torpedo with absolute accuracy and with force enough to explode the torpedo, which means the destruction of the battle ship. The torpedo-boat destroyer, if I understand what it is intended for, is a small ship built for speed, with great speed, whose usefulness or purpose will be to overtake and destroy the torpedo boat before she gets within that distance of her enemy.

The battle ship in line of battle, therefore, in any naval engagement will have to be protected by these swift, light-armored torpedo boats and torpedo-boat destroyers. They are an adjunct, an auxiliary, and take shelter as they will in the lee of the battle ship, ready at any time to meet this deadly foe and destroyer of battle ships. Therefore I think it is a very wise provision of this amendment to provide these torpedo boats, and it would have been better to have doubled them.

Were we, and I hope we are not, going to enter into this new policy of building up a tremendous navy in order to rank equal with any other country for the purpose of attacking foreign nations, I hope and trust that our policy will be in the future as it has been in the past, one of self-defense. If it is, we do not need a large number of seagoing battle ships. What we do need is monitors, boats constructed purposely for coast and self defense. The monitors will have a low free board that shows a small mark out of the water.

I am satisfied they will prove to be the most effective fighting machines for self-defense. If gentlemen think, however, that we are justified, and we are going to enter upon this new policy, going into rivalry with other nations in regard to having a great navy for aggressive purposes, that is another question. I do not think this Republic proposes to do that. Neither do I think the people will sustain a vote in Congress with that object in view. Our purpose alone can be one of self-defense; and we are entering upon this policy of building up a navy for self-defense alone.

Then it follows, Mr. Chairman, that this is the purpose; and it has been demonstrated that these torpedo boats or torpedo-boat destroyers are best for defense; that they can be most quickly constructed, before the war will be over, before we will have any use, perhaps, for the battle ship; and, as has been very wisely suggested by the gentleman from Illinois [Mr. CANNON], if we go into this war with Spain, in the course of a year we will have demonstrated whether the battle ship is the best fighting machine.

Go on with the construction of these three battle ships. That is all right. Before they will be completed we will know of the efficiency of the battle ship; and if it is not best, they can be turned into light-armored cruisers; but we ought to vote for this amendment. I think we ought to double the number of torpedo boats and double the number of torpedo-boat destroyers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SIMPSON. I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. DOCKERY. Mr. Chairman, this bill is not an emergent measure. I am, however, in favor of building up and strengthening the Navy, but not in favor of agreeing to important propositions without the consideration of a committee and without the approval of the proper head of Department. I am opposed to the amendment to the amendment offered by my distinguished colleague [Mr. PEARCE]. I am, however, willing to stand by this paragraph of the bill as reported by the committee.

I agree with the gentleman from Illinois [Mr. CANNON] that there are grave doubts as to the fighting qualities of the battle ship, but I shall reluctantly resolve the doubts in favor of the committee. I desire to know, Mr. Chairman, here and now, whether the chairman of the committee intends to abandon this paragraph of his bill.

Mr. PEARCE of Missouri. I understood the chairman of the committee to say——

Mr. DOCKERY. I understand the proposition comes from the gentleman from Missouri and the gentleman from Maine has consented to the amendment of my colleague.

Mr. PEARCE of Missouri. If the gentleman will allow me.

Mr. DOCKERY. Mr. Chairman, I am willing to vote for all the torpedo boats and torpedo-boat destroyers carried by the amendment of my colleague, provided the Secretary of the Navy shall approve the proposition. If, Mr. Chairman, I had any doubt of the danger of imminent trouble, that doubt would be dispelled by the very atmosphere which I breathe around me, already charged, as it is, with extravagance of war.

I desire to say further, Mr. Chairman, that I will support the War and Navy Departments in all their requisitions for men and money; but I am unwilling, and this House should be unwilling, to accept even the judgment of so distinguished a Representative as my colleague, and double the number of torpedo boats and torpedo-boat destroyers without a committee having considered the amendment and without Secretary Long having given it his approval.

Sir, I warn this House on the threshold of probable war—I fear the warning will fall on leaden ears—that, while all Representatives, whether Democrats, Republicans, or Populists, are willing to vote every dollar the Government may need, every dollar called for by the heads of Departments and approved by committees, we should not depart from the time-honored methods of considering such measures by committees and after the Departments have submitted estimates. This amendment may be adopted in a patriotic spirit and an outburst of enthusiasm, but it thus takes more the form of an assault on the Treasury of the United States than it does on Spain.

All the money we are now appropriating, and let it be a thousand millions, if necessary, to uphold the national honor, must be paid ultimately by the men who follow the plow, by the men who delve in the mines, by the men who work on the railroads and in other productive industries. They will pay it willingly and cheerfully if the Government needs it, but let us not in a passionate moment support appropriations not asked for by the Secretary of War or the Secretary of the Navy and not required by the needs of the public service. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SOUTHARD. Mr. Chairman, I have no desire to delay the vote on this amendment, but I desire to say, in answer to the query the gentleman has proposed, that it is not the intention of the committee to abandon this paragraph. It was the purpose of the committee to present a bill which was and is in no sense an emergency measure. Some fifteen years ago we commenced building what is styled the new Navy, and we have proceeded by regular steps until this time, when it is contended, upon the part of a good many that we have got a respectable Navy, and upon the part of others that we have been very derelict in the matter of making reasonable provision for a navy.

It has seemed to me that we have made reasonable progress during the last fifteen years, and that we should keep on with that steady advancement which has characterized the building up of this new Navy in the past. The committee, however, have presented this bill not as an emergency measure, and it was and is the purpose of the committee to leave all matters of this kind for the consideration of the House. Now, one thing is certain: In the future, as in the past, all the fighting that is done upon the seas will be done by ships, and the heavy fighting will be done by the heavy battle ships. This is as certain and conclusive as anything can be.

It is said the ships have not been tested. That may be true to a certain extent, but if any changes are to be made in the future, if the modern battle ship is to be changed in any material respect, it will be in the matter of armor and armament. All material changes will occur along this line. The construction of these ships will not have so far progressed by another year that all material changes along this line or necessary changes along these lines can not be made if it should be demonstrated in any way that the modern battle ships as now constructed will not meet the requirement of the future. This is not the first bill in which three battle ships have been provided for. The Fifty-fourth Congress provided for three battle ships, and in my opinion Congress for some time to come should provide for a steady, gradual increase of the Navy, without regard to any kind of emergency.

As I have said, I have no desire to prolong the debate upon this amendment, and I simply want to say to the House that, in my judgment, no good reason has been presented against providing for the building of the three battle ships in this bill.

Mr. CANNON. Will the gentleman from Ohio answer me a question?

Mr. SOUTHARD. With pleasure.

Mr. CANNON. The following proviso is in the text of the bill:

Provided further, That the contract for the construction of the vessels herein provided for shall be made within sixty days from the passage of this act.

Will my friend allow me to ask him if, in his judgment, it would not be better, if the text is to stand, to say "shall within the discretion of the President be made," etc., so that if the shipyards

are busy working stress on something else they may not be contracted for within ninety days or six months; in other words, give discretion to the Executive?

Mr. HILBORN. Will the gentleman from Ohio allow me to answer the question? In the case of the *Kearsarge* and *Kentucky* there was no restriction as to the time in which the contract should be let. The result followed that the contracts were not let for eleven months. This arbitrary exercise of power was resented, and in order to prevent a repetition, the language that the gentleman challenges has been inserted in every subsequent bill.

Mr. WALKER of Massachusetts. Mr. Chairman, I rise to a parliamentary inquiry. It has been customary to divide the time between the friends of the affirmative and the negative of a proposition.

The CHAIRMAN. The Chair will recognize the gentleman from Massachusetts if he desires.

Mr. WALKER of Massachusetts. I desire to support the amendment of the gentleman from Illinois [Mr. CANNON]. The gentleman from Ohio [Mr. SOUTHARD] has just said that this bill is in no sense an emergency measure; that it was brought into the House in the regular order of legislation and upon the principle that we should continue to build our Navy upon the plan we have adopted and which has been in operation for fifteen years. Upon that plan, upon that theory, I should make no opposition, and I should not support the amendment of the gentleman from Illinois on the battle-ship question under ordinary conditions.

But I have felt from the beginning of my term of service here that whenever the battle ships were thoroughly tested, they would prove a failure; that it was for the best interest of this country to build smaller and exceedingly fleet craft that would carry a less number of guns, so that more vessels could be built and several engage an enemy and be far more effective.

Now, my point is this: As a business proposition, should we fill up our navy-yards, repair shops, and our shipyards with vessels in process that can not be constructed in less than three years and can not be effective in the near future when we ought to construct vessels of a character that we could complete within six months to meet the emergency which we fear is now upon us? And ought we not to wait for six months, when this question of the practical fighting value of the battle ship may be settled, and then determine whether we shall go on with these battle ships, and make all speed in constructing them within two years and a half then, rather than beginning now for three years?

As a clear, plain business proposition, ought we not to delay the three battle ships and provide for the present emergency, when it is morally certain that if we have a war, we shall have data upon which to legislate which no nation has to-day? These battle ships have been exceedingly unfortunate. A torpedo boat may destroy any one of them. I would rather have three or four ships engaged with a battle ship, each carrying less guns——

Mr. SOUTHARD. Is there any war vessel that a torpedo boat can not destroy under favorable circumstances?

Mr. WALKER of Massachusetts. Not at all. But when a torpedo boat destroys one battle ship with 500 men, the vessel and the men are gone, while if that torpedo boat destroys but one of three smaller ships, we have lost but 100 or 150 men and only one small vessel. In my judgment, these guns that we count on in a large ship ought to be divided and mounted on several smaller ships.

But, as I said in the beginning, if there were no opportunity to soon test this question, no opportunity likely to occur within three months or six months, I would not oppose the proposition, but would vote for these battle ships. Under the circumstances, however, it seems to me it would be best to delay ordering these battle ships until the next session of this Congress.

I reserve the balance of my time, if I have any.

Mr. JONES of Washington addressed the Chair.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. JONES of Washington. I desire to discuss the amendment of the gentleman from Illinois.

The CHAIRMAN. But the gentleman from Massachusetts [Mr. WALKER] has the floor.

Mr. JONES of Washington. I understood he had yielded the floor.

The CHAIRMAN. The time of the gentleman from Massachusetts has now expired; and under the order adopted by the committee, debate on this amendment is exhausted.

Mr. JONES of Washington. I ask unanimous consent to discuss the question at this time. It seems to me it will not delay the bill any more to discuss it at this time than later.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to address the committee——

Mr. SOUTHARD. For how long?

Mr. JONES of Washington. Ten minutes.

Mr. SOUTHARD. I would not object to five minutes.

Mr. FITZGERALD. I would like to make it fifteen minutes.

The CHAIRMAN. The Chair understands that the request of the gentleman from Washington is objected to by the gentleman from Ohio.

Mr. JONES of Washington. Very well; then I will take five minutes.

The CHAIRMAN. Is there objection to the request that the gentleman from Washington be allowed five minutes? The Chair hears no objection.

Mr. JONES of Washington. Mr. Chairman, in support of the amendment offered by the gentleman from Illinois I desire to say that I concede to no man in this House—neither the gentleman from Maine nor any other gentleman—a greater desire to see this country well defended by an efficient navy than I have myself. We are the greatest nation in the world and we should have the greatest navy. I believe that every port, not alone upon the Atlantic, but upon the Pacific Ocean also, should be well and adequately defended. But I believe that at this juncture it is an unwise expenditure of money to put $15,000,000 into a class of fighting machines which I say to-day are acknowledged by naval experts everywhere to be only a theory and an experiment.

It has been said here in support of these battle ships that it is the consensus of naval expert opinion that the battle ship is a good fighting machine; and we are called to witness the fact that Russia and Germany and England are to-day investing millions of money in battle ships. Mr. Chairman, with all due regard for the opinion of naval experts throughout the world, I say that is not an argument in favor of the battle ship. And I want to remind my friends who are so enthusiastic in favor of this special type of vessel that before our recent war all the nations of the world were engaged in building frigates; and had it not been for the good judgment, the sound sense, the native resolution of a rail splitter from Illinois who fortunately occupied the White House in 1861, the *Monitor* never would have been built; the Navy Department never would have let a contract for it.

When Ericsson proposed the *Monitor* it was derided and denounced by every naval officer of the United States of any high position. And the Navy Department did everything in its power to prevent the construction of the *Monitor* until it was forced to let that contract to Mr. Ericsson; and when the contract was let, it in the first place looked as though it would be an impossibility for Mr. Ericsson to respond. He was required to complete that *Monitor* within one hundred days, and the Navy Department tried to impose conditions upon him that would make it impossible for him to carry out the contract. This, Mr. Chairman, is history. And I say that the opinion of naval "experts" throughout the world on the subject of the battle ships is of no more weight to-day in favor of the battle ship than it was against the *Monitor* at that time.

And let me remind gentlemen further that after the *Monitor* had gone to Hampton Roads and successfully defended the wooden fleet there from the *Merrimac*, even yet the derision and denunciation of the Navy Department was not withdrawn. Even after that time several of the admirals of the Navy continued to deride and underrate the *Monitor*. Dupont's fleet was down at Charleston, S. C., maintaining a blockade there. The Confederacy built the *Atlanta*, which was at that time supposed to be the most formidable naval vessel that had been put afloat.

So certain were the Confederates that the *Atlanta* would destroy Dupont's fleet that excursion boats followed that ship out of Charleston Harbor "to see the fun of sinking the Yankee fleet." Admiral Dupont was on the point of running away with his whole fleet when Captain Rodgers, in command of the monitor, said "No; I will meet the *Atlanta* with the monitor, and I think you can rely upon the result." He went out and met the *Atlanta* with the monitor *Weehawken*, and in his graphic report of that engagement to the Secretary of the Navy he stated: "The first shot deprived her of the disposition to fight, and the second of the ability to get away." That was all there was of the *Atlanta*. Within fifteen minutes after the time Rodgers opened fire the *Atlanta* surrendered.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONES of Washington. I ask an extension of five minutes.

Mr. BOUTELLE of Maine. Mr. Chairman, I must ask that debate be closed on the paragraph. We have not voted on one single amendment to this important part of the bill.

Mr. JONES of Washington. I ask five minutes longer.

Mr. BOUTELLE of Maine (addressing the House). Do you want to hear more? [Cries of "Yes!" "Yes!" and "Go on!"] All right.

The CHAIRMAN. In the absence of objection, the gentleman will proceed for five minutes.

There was no objection.

Mr. JONES of Washington. As I stated, Mr. Chairman, I only recited this instance to emphasize the fact that even that illustration of the monitor's value did not remove the prejudice existing in the Navy Department and amongst the commodores and admirals of the Navy against the monitors, because these vessels were not in accordance with their preconceived notions.

Mr. HILBORN. Will the gentleman allow me to ask him a question?

Mr. JONES of Washington. Certainly.

Mr. HILBORN. Does not the gentleman know that the modern battle ship is only a modified form of the monitor? Does he not know that the monitor was simply a platform to support a revolving turret containing the guns, and that a battle ship, if you shoot off the entire superstructure, would be only a monitor with five or six revolving turrets or platforms for the guns? It is practically the same thing in somewhat different shape.

Mr. JONES of Washington. I understand, Mr. Chairman, precisely the difference between the two. The illustration the gentleman makes is not material. Of course I understand the difference between a monitor as it existed then and the battle ship as it exists to-day. I simply undertook to show that the *Monitor* was antagonized by the Navy Department and by naval experts throughout the world until it absolutely fought its title to superiority and fame, and to indicate that their opinion is no better now than it was then. And because the naval experts undertake to say that the battle ship is a big thing and a great fighting machine I claim is no argument in its favor.

But, Mr. Chairman, I was about to add, with reference to this fight to which I have referred, that after Captain Rodgers had saved the fleet of Admiral Dupont, the latter—the Admiral—wrote a letter to the Secretary of the Navy so disparaging of the *Monitor*, because it did not conform to his ideas, that it is worthy of comment at this time. It was so filled with injustice and so lacking in generosity that the authorities had to take cognizance of it, and shortly afterwards his resignation was accepted. He had ceased to be useful. He was not regarded by the "rail splitter from Illinois" as fit to be commanding a fleet in the American Navy, because he could not open his eyes to advancing conditions.

This incident so forcibly illustrates the idolatrous adherence of naval officers to their pet theories and preconceived notions about naval construction that I deem it a fitting time to call the attention of the committee and the country somewhat at length to the ungenerous, not to say shameful, treatment Captain Ericsson received at the hands of the Navy Department.

In 1839 Congress authorized the construction of the *Princeton*, and Captain Stockton, of the Navy Department, was subsequently put in charge of the work. He employed Captain Ericsson, who had recently come to this country and become a citizen, to aid. This was done with the full knowledge of the Navy Department. His services were of almost inestimable value, as I shall hereafter more fully show.

After the *Princeton* was completed and proved herself an immense success, Captain Ericsson presented an itemized bill to the Department claiming $15,080 for his actual expenses incurred in the work, and a very moderate charge for his labor. This bill included not one single cent for compensation for more than forty of his own inventions which were applied in the ship. The Navy Department rejected his bill in toto. Subsequently his claim was submitted to the Court of Claims.

In 1856 his claim was reached, and the court unanimously approved it, calling special attention to its moderateness and intimating that the Government should not complain had it been many times larger. This decision is given in full in Report No. 1826 of the first session Fifty-first Congress, which is before me and to which I desire to invite your attention. Four times was this claim unanimously reported to the House for payment, the last report being the one referred to by me, and to show the outrageous treatment of Captain Ericsson I desire to read a few extracts from that report.

On page 2 the committee says:

> Captain Ericsson devoted four hundred and twenty days to this work of making drawings of machinery, armament, gun carriage, etc., the superintending of the construction thereof, and paid out a large sum of money for office rent, instruments, stationery, postage, traveling and other expenses. This Schedule A is convincing proof of the enormous labor performed by Captain Ericsson and the reasonable amount of his claim as therein stated in full detail.
>
> The ship *Princeton* was constructed according to the drawings and inventions of Captain Ericsson and largely under his personal superintendence, and the result was entirely satisfactory to Captain Stockton and highly advantageous to the United States. Captain Stockton reported her to the Secretary of the Navy as a "full-rigged ship of great speed and power, able to perform any service that can be expected from a ship of war." (See his letter, Exhibit A, page 24.)

And on page 5—

> The *Princeton* proved a wonderful and complete success, largely due to the many new and important features invented and introduced by Captain Ericsson. It is not strange, however, that Captain Stockton wanted the greater part of the glory. Such is human nature.

And on page 6—

> It is well known that after he had invented the *Monitor*, and his genius foresaw its success, he refused to come to Washington to explain his invention to the Navy Department, because he felt that the Government had wronged and neglected him in the *Princeton* matter. Finally an appeal was made to his pride, and he came to Washington and explained his great invention to several of the leading naval officers, some of whom had faith in it and others none. At any rate, he made such an impression that an arrangement was made by which the *Monitor* could be constructed by outside capital, to be repaid by the Government if it proved a success. It was completed and manned just in time to meet the ironclad *Merrimac* in Hampton Roads, after the *Congress* and *Cumberland* had gone down to a watery grave by the powerful blow of the monster.
>
> The country knows the history of the memorable battle between the *Monitor* and the *Merrimac*. In less than ten days after the sinking of the wooden ships, had not the *Monitor* appeared, the *Merrimac* would have leisurely steamed up to Washington and the capital of a struggling nation would have fallen into the hands of the enemy. If that had happened, no man can tell what the result of the war would have been.
>
> Captain Ericsson saved the nation, and his name and fame were heralded to the world. The principle of his *Monitor* was adopted by every naval power in the world. The country owes him a debt it can never pay. After his death his executors came here and asked Congress to pay his estate an honest debt, ascertained and due from this Government many years before the invention of the *Monitor*.

To the everlasting disgrace of this country I am compelled to add that this claim still remains unpaid, and to this fact I would like now to especially invite the attention of my friends who so eloquently talk about "national dishonor and repudiation." What strange views some people do have about "national honor."

No wonder Captain Ericsson was reluctant to submit his plans of the *Monitor* to the Navy Department, or trust to the sense of justice of this Government. No wonder he was loath to subject himself to the humiliation of attempting to improve a Navy domineered by such bigots.

His pride and patriotism alone induced him to do so, and then, had it not been for the interference of President Lincoln, who knew nothing about naval affairs, but who possessed a mind unobscured by prejudice and an intellect capable of grasping a problem in mechanics, it is more than likely that the *Monitor* would never have been built. But he interfered in behalf of the *Monitor*, and the result was that the Navy Department grudgingly accorded a most onerous and ungenerous contract. It must be completed within one hundred days, and even then the Government did not undertake to pay anything for it unless it proved its superiority by a battle test, and even while it was being built, the Department, through Commodore Smith, who seemed to have been charged with the duty of seeing to it that no civilian should be permitted to prove that anyone but a naval officer could by any possibility understand the relation between cause and effect, sought to embarrass the great inventor by methods unworthy of a ward politician.

On September 30, 1861, Commodore Smith wrote to Ericsson and reminded him that the Department had already condemned the *Monitor*. Among other pleasant things he said:

> Placing the vessel before the enemy's batteries will test the capacity to resist shot and shell; that is the least of the difficulties I apprehend in the success of the vessel.

Be it said, however, to the credit of the board, presided over by Commodore Smith, to judge of the *Monitor's* merits, they frankly avowed in their report of September 16, 1861, their entire ignorance of the subject they had been selected to consider. How aptly does Commodore Soley, late Assistant Secretary of the Navy, in his work, Battles and Leaders of the Civil War, describe the naval situation of to-day.

> Our Navy—
>
> Said he—
>
> was always grasping at the shadow and leaving the substance. The commodore of the period was an august personage, who went to sea in a great flagship surrounded by a conventional grandeur which was calculated to inspire a becoming respect and awe. As the years of peace rolled on this figure became more and more august, more and more conventional. The fatal defects of the system were not noticed until 1861, when the crisis came and the service was unprepared to meet it; and to this cause was largely due the feebleness of naval operations during the first year of the war. There seems to have been a total want of information at the central office of the Administration in reference to the existing demands of naval war and the measures necessary to put the machine into efficient operation.

From the foregoing commentary how easy it is for us to see the lace-harnessed admiral of to-day proudly strutting on the deck of his battle ship gloating over the magnificent spectacle she presents when anchored in front of some metropolis, and inspired by the glorious opportunities his costly craft affords for the display of his gorgeous uniform at swell receptions. [Laughter.]

After Mr. Ericsson had nearly completed the *Monitor*, the Department sent a "naval expert" who had about as accurate a conception of the vessel as a Fiji Islander has of the doctrine of evolution to "inspect" the work of the great inventor, and as his reputation for genius as a "naval expert" depended on his ability to point out the mistakes of Ericsson, he took a casual glance at the plebeian and vulgar-looking craft and promptly ordered her back on the ways to have some changes made in her machinery, an order which, if complied with, would have delayed her completion thirty days and allowed the *Merrimac* to save the "lost cause" and Captain Ericsson to forfeit his contract.

Captain Ericsson politely but firmly declined to act on the suggestion of this Napoleon of naval architecture, and he returned to Washington to report the *Monitor* a failure.

If the consensus of expert naval opinion is to be accepted as the measure of our progress in naval architecture, it is much to be feared that we will never learn how to improve our Navy except by seeing it destroyed. The history of the past certainly does not

justify us in accepting the opinions of "naval experts" as conclusive.

Now, Mr. Chairman, another thing before I conclude. I ask any member, I ask every member of this body, suppose that he was aware of the fact that Spain had such a little antagonist as the Holland boat, that is now being exhibited in New York, afloat amongst our battle ships as an enemy, what would we do under the circumstances? Why, of course, you all know the nation would demand that these ships should be withdrawn and put in dock, or placed at some point of safety where this boat could not get at them. We know that they would be placed at the mercy of such a destroyer, and we would consider them absolutely useless for the purpose of warfare against such a vessel, which could hide itself under the waters.

Mr. HILBORN. In the judgment of the gentleman, what kind of boat would be practicable as an antagonist to this Holland submarine boat?

Mr. JONES of Washington. None, sir, that we have now, unless one can be discovered equal in capacity to get away and shield itself under water; and that is just why I insist that we ought not to rush headlong and blindly into the expenditure of such enormous sums of money on vessels which your question admits may be of no value. [Applause.]

And right here I want to call attention to the remarkable efforts put forth by this Government and the Navy Department to ascertain the merits of submarine boats. Some years ago Captain Holland convinced Congress that he could make a submarine boat that would do practical work. It resulted in an appropriation for the purpose of carrying out his designs, being incorporated into the act of March 3, 1893. The Navy Department was authorized to let a contract to Mr. Holland to construct such a craft, but it must be constructed under the supervision of the Navy Department. The man who invented the boat must be instructed how to build it by men who not only knew nothing about the subject, but who have given many evidences of an earnest hope that it would be a failure.

Its construction was authorized more than five years ago. It is still unfinished; but during the progress of the work the Navy Department has been industrious in its efforts to show Captain Holland how a submarine boat should be built. Every bureau in the Department has got its work in on that poor little torpedo boat, until it is filled so full of the mechanical contrivances of naval experts that a man can scarcely get around in it at all. The best information we can get about it is that it is filled with useless machinery, and its efficiency greatly impaired, if not destroyed, by the officious meddling of naval experts. It is not at all unlikely that the abused little craft will fully sustain the present fixed opinion of "naval experts"—that the submarine torpedo boat is wholly impracticable. [Laughter.]

Captain Holland became so disgusted with the apparent purpose of "naval experts" to make the submarine torpedo boat a failure that he organized a company, which, at its own expense, has constructed a boat that has already put the "naval experts" to guessing and made the nation wonder what the battle ship is good for anyhow.

What a shame it would be if this audacious pleteian should have the impudence to actually drive the battle ship from the seas with this hideous and unpoetic craft. No more fat contracts for armor plate. No more grand dinners aboard ship. No more Bradley-Martin receptions on the quarter-deck. No more splendid displays in foreign ports. Oh, this would be too terrible! [Laughter.]

I do not want to be understood as making a dogmatic assertion that the battle ship is of no value except on paper. I do not know, nobody knows, and the consensus of naval expert opinion does not even raise a presumption in its favor. History shows that the consensus of expert naval opinion has generally been wrong, and the history of battle ships thus far, if it proves anything, proves that they are more dangerous to themselves and their friends than to anyone else.

It is but yesterday that England was plunged in grief by the sad incident of the *Camperdown* and *Victoria*, when the latter, as the result of a collision which amounted to little more than a mere touch, went to the bottom so suddenly that practically her entire crew was carried with her. The world is still wondering what became of the *Reina Regente*, that disappeared in a squall which comparatively insignificant craft weathered without remark. Only recently the terrible *Rossia*, of the Russian fleet, in target practice, split up all her decks from the strain of firing. The *Gangoot*, of the same fleet, mysteriously went to the bottom while returning from the practice grounds, and there seems to be no other explanation for her disappearance than that the recoil of her own guns parted her plates. This is what they have done to themselves and their friends. What have they done to the enemy?

The battle of the Yalu River is cited by my friend from New York [Mr. CUMMINGS] as evidence of their value. Only two battle ships were engaged in that action—the *Chen Yuen* and the *Ting Yuen*, of the Chinese fleet. The Japanese had no battle ships whatever, and yet they destroyed five vessels of the Chinese fleet and lost not one themselves.

This mournful chapter in the history of the battle ship certainly does not entitle it to popular favor, "naval experts" to the contrary notwithstanding, and when we are asked to squander $15,000,000 on these battle ships some better reason ought to be advanced than that other nations are throwing away more money this way than we are.

This very bill is a confession that it takes a numerous fleet of small craft, torpedo boats and torpedo-boat destroyers, to protect one battle ship. And for what? So that she may engage one of the enemy's battle ships, which is itself in far greater danger from the little craft than from its big opponent.

Nor do I wish to be understood as asserting that the small craft provided for in this bill, nor the submarine boat of Mr. Holland mark the ultima thule of naval progress. I do not know; but your attention is directed to the fact that while our naval circles are not in the least disturbed by the presence of the big Spanish battle ships at Havana, they are growing hysterical over the approach of Spain's mosquito fleet.

I do not complain of the amount of money appropriated by this bill. I am willing to vote for any sum necessary to properly protect this country. I only complain that no honest or intelligent effort has been made or is being made to ascertain how it ought to be spent, and it does look now as though the intelligent expenditure of a fraction of the cost of a battle ship in developing these small craft would speedily set the battle ship question at rest.

And therefore at this juncture, when predictions are being made that there is a strong probability of war with Spain, the question offers a prospect of speedy solution. Within sixty days after war commences, we will know something of their merits and demerits. Let us profit by this experence, and before investing $15,000,000 in vessels which confessedly can not be completed within three years, and may prove to be practically worthless even before their construction is commenced, learn whether our battle ships are going to be worth anything, of any importance as fighting engines upon the high seas or not. My judgment is that the first naval brush between any two powers that can fight battle ships in an engagment, such as was fought at the Yalu River, will demonstrate what I believe to be a fact, that they are of little value as fighting engines, and they will be as universally condemned by "naval experts" as they are now applauded and approved by the same class of people. [Applause.]

Mr. BOUTELLE of Maine. I ask for a vote.

The CHAIRMAN. The Clerk will again report the amendment, so that gentlemen may vote understandingly.

The amendment was again read.

Mr. DOCKERY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DOCKERY. As I understand the amendment just reported, and upon which the committee will first vote, it is the amendment offered by my colleague from Missouri [Mr. PEARCE].

The CHAIRMAN. That is correct.

Mr. DOCKERY. And is not the amendment offered by the gentleman from Illinois [Mr. CANNON], which will be voted on later.

The CHAIRMAN. The gentleman from Illinois [Mr. CANNON] offered a substitute for the section.

Mr. BOUTELLE of Maine. It is identical with that portion of the gentleman's substitute relating to torpedo boats.

The CHAIRMAN. The question is on the amendment just read by the Clerk, which was offered by the gentleman from Missouri [Mr. PEARCE].

Mr. CUMMINGS. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from New York will state it.

Mr. CUMMINGS. Do I understand that this amendment has been accepted by the chairman of the Naval Committee?

The CHAIRMAN. That is not a parliamentary inquiry.

The question being taken, on a division (demanded by Mr. DOCKERY) there were—ayes 142, noes 48.

So the amendment was agreed to.

The announcement of the result was received with applause.

Mr. JONES of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. FOOTE. I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

Strike out in line 11, page 53, after the word "contract," the word "three" and insert the word "four;" insert in line 17, page 53, after the word "*Maine*," "two armored cruisers, to cost, exclusive of armament, not to exceed $5,000,000."

Mr. FOOTE. Mr. Chairman, this amendment carries one battle ship and two cruisers, in addition to the number carried in the original bill. I know it is generally a good rule to follow the recommendations of the committee; but in view of past events

it seems to me that each one of us must take upon himself the responsibility of shaping our naval policy, and if those past events have shown anything, they have taught us that it is absolutely necessary to have a proper navy, and also an adequate coast defense.

No man can at this time commend the policy that has given us our coast defense of to-day and our present Navy. I do not say this in a spirit of criticism. The time for criticism has passed; but I do say, Mr. Chairman, that this House must to-day give us a policy that will give us a navy by which we can not only command the respect of nations, but force that respect, if necessary. We have listened, Mr. Chairman, on the floor of this House to-day and last Saturday to the remarks of the honorable gentleman from Illinois in regard to a navy. Last Saturday he asked this question:

Mr. CANNON. Mr. Chairman, I submit to the gentleman from Maine and the committee that if, in their opinion, it was not wise to authorize the building of three battle ships last December that could not be completed for four years, much less is it wise to do so now, when we have the possibility or probability of immediate war upon our hands, which, if it comes, can not last until these battle ships are completed.

Mr. Chairman, it is a strange policy that says to us to-day that because we can not complete these battle ships before the war is ended, therefore we should not have the battle ships. Mr. Chairman, we are not building these battle ships for peace. We are getting these battle ships for war, if it shall be, and in answer to the question of the gentleman from Illinois I would ask the gentleman a question.

Was it a wise policy for him to oppose, as he has in the past and as he is to-day, the protection of our Government by an efficient navy, and then witness the humiliating, although patriotic and grand, spectacle of the same gentleman coming before this body and in a storm of enthusiasm ask for and obtain $50,000,000 for coast defense and navy? It seems to me, Mr. Chairman, that this alone answers the gentleman's own question better than anything else. But I could give another answer for it, if he desires it. Does that gentleman to-day commend the policy of sending abroad to buy ships for the Navy, and have our emissaries scouring the earth in undignified and frightened haste, when for the last four years, Mr. Chairman, our forges have been still, our machine shops silent, and American labor standing on the street corners with folded, brawny arms looking at the gates of our shipyards, which the policy of this House has closed?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOW. I ask unanimous consent that the gentleman may be allowed to continue his remarks five minutes.

There was no objection.

Mr. FOOTE. Mr. Chairman, the economists of this House have called "Peace!" "Peace!" and there was no peace. They have been industrious in saving the pennies, and to-day we see dollars wasted to get us a navy. Mr. Chairman, we need no warnings more than we have had in the past. Only two years ago this country, with an effrontery that was sublime had it not been ridiculous, threw down the gantlet to the greatest maritime nation on earth, and the God of nations alone prevented us witnessing a war that would have humiliated us in the eyes of the world.

Mr. Chairman, three weeks ago $500,000 was paid for a yacht to be utilized as a torpedo boat, and the other day we purchased tugboats which have been robbed of their vocation of pulling the peaceful barge, and they are now to patrol the coast and protect us from a fifth-rate nation. We have been buying pleasure boats that have only been used to the pop of the champagne cork, and it is proposed to send them out into the ocean, where they may hear the roar of cannon. Mr. Chairman, to-day the flag of the United States is floating half-mast high over what was once a powerful battle ship, and the filth and slime of a foreign harbor is to-day the grave of men who died in the service of that flag. No more beautiful, no more mutely eloquent appeal has ever been made to the people of the United States than the flag that floats half-mast high on the battle ship *Maine*.

It calls to you gentlemen, it calls to every patriotic American citizen, to give us a policy that shall force respect for the Stars and Stripes; that shall teach the nations of the earth that the Stars and Stripes are a guaranty of life, liberty, and the pursuit of happiness, and that we will command that respect, if need be, not in the soft tones of diplomacy, but in the roar of cannon. I am for this amendment, Mr. Chairman. Our people are calling for it. Once again the cry has gone out over this land, "Millions for defense, but not one cent for tribute." I think it is time for this House to heed that cry. The people are willing to pay for a navy, and I think the earnest gentleman from Illinois, who so carefully guards our Treasury against the attacks of men who would rob it, will himself admit that it were better to buy a few torpedo boats and let some of our Soldiers' Homes go for a year or two. [Applause on the Republican side.]

Mr. CANNON. I just want to say a word. The gentleman speaks without knowledge and without wisdom. "The gentleman from Illinois" is quite willing to care for the soldiers of the late war, and the Treasury is able to stand it; and I have but little patience for the unfriendly and the unwarranted criticism of the gentleman from New York, who postures here more in aid of contractors than he does for the service of his country. [Applause.]

Mr. FOOTE. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. Does the gentleman state he rises to a question of personal privilege?

Mr. FOOTE. I do.

The gentleman has made a statement, and I doubt very much if he believes it.

Mr. CANNON. It was an apt answer to an uncalled-for, unprovoked, and untrue attack.

Mr. FOOTE. Mr. Chairman, I will still state that I do not believe that he meant to say that I was here in the interest of any contractor.

Mr. CANNON. I said the policy of the gentleman.

Mr. FOOTE. I do not believe he meant to say that. I do not believe he dares to say that I am here in the interest of contractors. I think it is a strange thing, Mr. Chairman, that in our speeches here we are unable to criticise the judgment of others. I have imputed no wrong motive to the gentleman from Illinois. I did say that his judgment was wrong in appropriating for the Soldiers' Homes at this time. I say there is nothing wrong in it, but I say it was poor policy. I impute no base motive to him.

Mr. NORTON of Ohio. Mr. Chairman, in propounding the question to the gentleman from Illinois [Mr. CANNON] that apparently has precipitated so long a debate, when I asked him if he were not content to allow the three battle ships to remain within the provisions of the bill and to admit of the construction of double the amount of torpedo boats and torpedo-boat destroyers, it was propounded for the direct purpose and to attract the attention of this House to what I believed to be a serious matter.

That question was propounded with the hope that I now am glad to see realized, namely, that not only the three battle ships would be secured, but that the number of torpedo boats and torpedo-boat destroyers would be doubled. Seven long days you have discussed this measure, and the strongest flotilla that has ever gone out from any nation on earth has come 1,000 miles nearer to our shores. You are sitting here hour by hour discussing the merits of the battle ship, comparing its strength and efficiency with that of the torpedo boat, knowing, I say, and I say it kindly, so little of either that it seems to me an idle waste of time for men to compare or even to intimate which is the stronger arm of the naval service.

Let me appeal to your reason when I say that both are necessary and no navy is complete without a full complement of either. The world has made its progression, and science has moved along the line of naval construction as well as any other, and I say to you that the battle ship of to-day is as necessary almost as the air of freedom and the torpedo boat as necessary as national independence. Each is dependent upon the other. No battle ship ever made by the hand of man can alone withstand for an hour the assault of the mosquito fleet, and neither can the mosquito fleet with safety assault a battle ship unless it has a battle ship behind it as a support.

But let us cease discussion. Let us give to the hands of the Government now the opportunity of moving forward in this line. There is an emergency. Do people believe that this flotilla of Spain is coming to our shores to pay us a friendly visit? We have received and paid "friendly visits" enough to Spain. Are gentlemen content to believe that they are coming here to carry away the provisions that a charitable and Christian nation shall donate to the starving subjects of Spain? Or do you not believe that they are coming here with the direct intent and purpose not only to assault, but to destroy as much of this nation, its lives and property, as may be within their power?

I am glad to pay my compliments to the gentleman from Illinois [Mr. CANNON]. I believe in his probity, in his honesty of purpose. Ofttimes I commend his clear and keen judgment, but I say to him that had he been as wise and patriotic and as ready to fight in the past six years as he was to-day upon an imaginary insult from the gentleman from New York [Mr. FOOTE], he would have already provided for the Navy and need not to have trembled at the approach of any navy in the world.

There is no necessity, however, that we should discuss this question for a single hour. Suppose it takes three years to build a battle ship; what of it? If war shall come and continue, we will need them. If there shall be no war, then they will be ours and ready for any other emergency that may arise. Let us act and act quickly, and leave to the genius and skill of our naval constructors the task of completing the work for which this appropriation shall be made. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BOUTELLE of Maine. Mr. Chairman, the committee would like to vote upon this amendment.

Mr. FITZGERALD. Mr. Chairman——

The CHAIRMAN. Debate upon the amendment is exhausted. The Clerk will report the amendment again for the information of the committee.

The Clerk again read the amendment.

The question was taken; and on a division (demanded by Mr. FOOTE) there were—ayes 40, noes 90.

So the amendment was rejected.

Mr. STEELE. Mr. Chairman, I have an amendment I want to offer. I understand the gentleman from Illinois has an amendment pending.

The CHAIRMAN. No; the section will be perfected first.

Mr. STEELE. Then I move to strike out the word "three," in line 11, and insert "two."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 11, page 53, strike out the word "three" and insert the word "two."

Mr. STEELE. Mr. Chairman, I do not think that I can add anything to the proposition by discussing it; it is a business proposition. Before I sit down I want to make a motion with a view of getting through the business. I think the House understands how it wants to vote on every paragraph in this bill, and for that reason I am going to take advantage of having the floor to make a motion that all debate on this paragraph and amendments be limited to thirty minutes.

Mr. BROMWELL. I rise to a question of order.

Mr. BOUTELLE of Maine. This is certainly a very unusual proceeding for the gentleman from Indiana to undertake to assume charge of this bill. I object seriously to the gentleman imperiling the very excellent provisions of the bill by assuming its management in any such way.

The CHAIRMAN. The gentleman from Ohio [Mr. BROMWELL] rose to a point of order. He will state it.

Mr. BROMWELL. My point is that the gentleman from Indiana [Mr. STEELE] was recognized to offer an amendment, not for the purpose of submitting a motion to cut off the privilege of debate on the part of the rest of us who have amendments which we wish to offer and discuss. The gentleman has choked me off once to-day, and I do not propose to be choked off again.

Mr. STEELE. I would as soon undertake to choke off Niagara as the gentleman from Ohio.

Mr. BROMWELL. "The gentleman from Ohio" is going to talk.

Mr. STEELE. I know he is going to talk. He has demonstrated that from the beginning of the session.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this paragraph and amendments be now closed.

Mr. STEELE. Oh, no; I said in thirty minutes. I am willing to make it one hour.

Mr. BOUTELLE of Maine. The proposition is to close all debate on what?

The CHAIRMAN. On the paragraph and amendments.

Mr. BOUTELLE of Maine. Well, I hope that motion will be voted down.

Mr. STEELE. I am willing to modify the proposition by substituting one hour for thirty minutes.

Mr. BOUTELLE of Maine. I hope all propositions of that kind will be voted down.

Mr. DE ARMOND. I rise to a parliamentary inquiry. I understood that I was recognized before the gentleman from Indiana submitted the motion he has just made.

The CHAIRMAN. The Chair understood that the gentleman from Indiana had surrendered the floor; but in that respect the Chair was mistaken. The gentleman, while occupying the floor, has the right to make the motion which he does.

Mr. STEELE. I will withdraw my motion, preferring to have a vote on my amendment.

The CHAIRMAN. The gentleman from Missouri [Mr. DE ARMOND] is recognized.

Mr. STEELE. I have not given up my right to the floor. I am holding the floor. My time has not expired.

The CHAIRMAN. The gentleman's time has expired. [Laughter.] The gentleman from Missouri has been recognized.

Mr. BOUTELLE of Maine. Will the Chair please state what is before the Committee of the Whole?

The CHAIRMAN. The pending question is on the amendment offered by the gentleman from Indiana. The gentleman from Missouri has been recognized in opposition to the amendment.

Mr. BOUTELLE of Maine. I did not know but that the gentleman from Indiana had withdrawn my bill. [Laughter.]

Mr. STEELE. I believe it has impressed the mind of every man on this floor that somebody ought to have withdrawn the bill from the gentleman from Maine since he took charge of it. [Laughter.]

The CHAIRMAN. The gentleman from Missouri will proceed.

Mr. DE ARMOND. Mr. Chairman, the subject before the House is one of very great importance. It is divisible, it seems to me, into two lesser subjects. One is in reference to a general policy concerning the Navy; the other is in reference to what might be called emergency legislation.

The building of battle ships may be good as part of a general policy, but it has no regard for the present situation. It is clear that the battle ships can not be completed in less than two years, perhaps not in less than three years. So that the provision made for battle ships, whatever it may be, will, in the nature of things, be a permanent provision, without special reference to the present condition of affairs in this country.

As to the lesser vessels—torpedo boats and torpedo-boat destroyers—I understand that legislation on that subject may have relation to the present needs of the nation, as well as to the general efficiency of the Navy in the future.

It seems to be an open and disputed question as to the relative value of these two classes of vessels. The better opinion, perhaps, as expressed by the gentleman from Ohio [Mr. NORTON], is that the one is the complement of the other, and that a navy, to be properly equipped, to be a good navy, must contain both classes of vessels—the battle ships and these smaller boats for their protection, and for the destruction of the enemy's battle ships and little boats.

The impression seems to be abroad in the country—and it was voiced in this Chamber but a few minutes ago by my colleague from Missouri [Mr. PEARCE]—that there are speeding toward these shores now some dangerous samples of the lesser war craft. That gentleman stated—and it has been stated repeatedly—that naval officers, those best qualified to judge in such matters, are apprehensive as to what may result to our great ships if the Spanish torpedo boats and torpedo-boat destroyers shall reach our waters in safety. That is a subject, Mr. Chairman, that has reference to the present—has reference to matters that ought to be attended to at once, that ought to have been attended to ere now.

As the gentleman from Ohio [Mr. NORTON] said in his eloquent speech, we expose our country to great danger when we quietly sit by and allow a secret enemy, soon to become an open enemy, to send here to attack us a fleet which may be denominated, and in technical phrase perhaps is denominated, a "mosquito fleet," yet one exceedingly formidable.

Mr. Chairman, we know to our sorrow that but a very short time since a magnificent ship belonging to the American Navy, manned by a crew of gallant American seamen, was blown up and destroyed in what was supposed to be—falsely supposed to be—the friendly harbor of Havana. A torpedo or a mine, such an engine of destruction as these small boats can set loose and turn with deadly effect upon our mighty ships, wrought the ruin of that splendid vessel and a destruction of life among its brave crew unparalleled in the history of the American Navy.

Now, sir, when such things can be done, when such things have been done, and done recently, is there not great and grave danger, in these trying times, of trusting to "diplomacy" and to the supposed "friendly disposition" of Spain? "Diplomacy" and "confidence" have increased our provocation and have caused further complications. They have not been an approach to honorable peace. Is there not grave danger in trusting to the diplomacy which has not produced good results rather than in trusting to our own strong arm and to our mighty agents of war now ready for the high seas?

The grave matter before the country at this moment is the approach of the Spanish flotilla toward our shores—a fleet approaching, as we believe, with hostile intent. What are they coming here for? Not for a mere holiday visit. That is manifest. For what, then, is this visit intended? Not for the purpose of making further war against the unfortunate insurgents in Cuba, who have no ships, but manifestly in preparation for a struggle with us, for the purpose of menacing and attacking us. And meanwhile, Mr. Chairman, what are we doing?

Unfortunately the representatives of the American people must rely for information as to what is going on upon other sources than those on which they should rely and from which they should receive intelligence. They have to gather their information as to these matters not from the sources whence we ought to get it, from the governmental channels, but from the newspapers of the country, day after day. Perhaps orders have been issued to intercept that hostile flotilla and prevent its nearer approach to our shores. If we stop, disperse, sink, or capture that Spanish flotilla, war will be averted, or it will be begun and ended with a single blow. Perhaps, again, no such orders have been given. Perhaps, instead of relying upon our own guns, of long range and deadly force, and upon our splendid ships with their strong armor, with which we are ready to meet any foe that comes—instead of relying upon the brave seamen who man our great ships of war——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOCKERY. I ask that my colleague may be permitted to proceed for five minutes longer.

The CHAIRMAN. Without objection, the gentleman from Missouri will have five minutes more.

Mr. DE ARMOND. As I was saying, Mr. Chairman, perhaps, instead of relying upon the immense agencies of defense and protection—or of aggression, if need be—that we already possess, we have been depending absolutely upon the broken reed of diplomacy; and perhaps that dependence may continue until real danger shall menace us face to face. [Applause.]

If war is to result, if we have to fight, if we have the battle to brave and the contest to endure, why should we not meet the enemy under circumstances most favorable to ourselves? [Applause.] Why ought we to delay and wait until the foe is best prepared to strike us with telling effect? [Renewed applause.]

When an American ship goes down, American treasure sinks with it. When an American ship goes down, the healthy, strong, and noble manhood of America goes down with it. The best protection for a nation is in the might, the patriotism, of its citizens. The best protection of our shores in time of danger is not to be found in idly waiting; not in resting upon a hope of peace, to be derived from diplomacy and confidence, but by being aggressive and striking while we have the advantage. [Applause.] When war comes on between nations, it is not a mere contest for points.

You can not liken it unto a battle between trained giants of pugilism or the contest upon the so-called "field of honor," with pistols equally good in the hands of men well matched. It is not a question as to which of two antagonists—both equally strong, both equally vigorous—shall prevail. But the question is one as to which nation, with war possible, shall be first and best prepared for it; which nation shall see farthest into the future; which when danger threatens shall meet it halfway, strike the first blow, avert war by disarming its adversary, and thus without sacrifice maintain itself in the attitude of superiority. [Applause.]

Now, it was said a little while ago in this debate that if war should result from our present complications with Spain it would not be a war of three months, but that it might be a war of three years. I can not believe that. I can not believe that the mightiest nation on the face of this earth can be held at bay for any considerable length of time by one of the weakest and most contemptible countries under God's heavens. [Applause.] But I do believe that every hostile bark that crosses the Atlantic brings with it a new danger.

I do not believe that all the Spanish power, all its naval force and land force, could resist us for a short time even, much less wrest the victory from us—at least, if we do not invite disaster and recklessly await its coming. But I do believe that every time another vessel crosses the briny deep from hostile Spain to this country greater efforts will be required on our part and on the part of our people to maintain the proud position we have assumed, and the greater, I fear, may be the expenditure of the treasure and the blood of our countrymen.

Let us protect ourselves, my friends, by striking before we are stricken. [Applause.] Let us not wait. We have waited too long. We do not know—I think we ought to know; I believe the representatives of the people ought to know everything that any branch of the Government knows, especially in trying times [applause]—we do not know, but let us hope, if we can, that proper precautions have been taken, that proper measures of energy are on foot, and that what I apprehend as serious danger will be avoided.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DE ARMOND. I should like a few minutes more.

Mr. DOCKERY. I ask unanimous consent that my colleague have five minutes more.

Mr. BOUTELLE of Maine. I must ask the committee to close debate.

The CHAIRMAN. The gentleman from Missouri [Mr. DOCKERY] asks unanimous consent that the time of his colleague be extended five minutes. Is there objection?

Mr. BOUTELLE of Maine. In my judgment, the committee desires to close the debate.

The CHAIRMAN. Is there objection?

Mr. BOUTELLE of Maine. I move to close debate.

The CHAIRMAN. The Chair hears no objection. [Applause.]

Mr. BOUTELLE of Maine. The Chair was addressing me. I made a motion.

The CHAIRMAN. The Chair asked immediately if there was objection to the request.

Mr. BOUTELLE of Maine. I made a motion.

The CHAIRMAN. The Chair heard no objection, and hears none.

Mr. BOUTELLE of Maine. If the motion was not in order, then the Chair need not entertain it. [Cries of "Order!"]

Mr. DE ARMOND. Mr. Chairman, the main question before this body at this time is as to the relative value of the different kinds of craft which go to make up a navy. I listened, with interest, to the remarks of my friend from Washington [Mr. JONES] when he spoke of that wonder of submarine architecture, the Holland boat, which, under the water of bay or ocean, may move silently, swiftly, unseen, on its errand of destruction.

It has seemed to me in reading descriptions of that craft and in hearing gentlemen speak of it, and knowing as we all know of the terrible power of the explosives which these small boats can launch against the greatest—realizing as we must realize that electricity and all the combined and mighty agencies of nature are at hand for the fashioning of resistless engines and missiles—it hardly is wise for this Government, in the time for immediate action with reference to a present emergency, to provide rather for a distant future, when, perhaps, the provision will be needless or useless. If war should occur, it will soon be demonstrated what the value of the modern battle ship is.

No man doubts, no man can doubt, the value of the modern agents of destruction known as the torpedo boat and the torpedo-boat destroyer. Silently and stealthily, in the watches of the night, over the still waters, these swift boats proceed upon their errand of devastation. Insignificant in themselves, they carry such mighty agencies of destruction that the proudest battle ship that ever floated is as a mere paper box when assailed by them. It is simply a trap, or a magnificent grave beneath the waters, for those who unfortunately happen to be on board when the destroyer strikes.

Now, these little boats can be built quickly; whether quickly enough, I do not know; but legislation in the direction of preparing that which can be prepared quickly, and above all, prompt action in the use of that which we have, will go far toward rendering our magnificent battle ships safe now and perhaps useless in the future.

When a great, unwieldy ship is on the waters, how helpless it is if it must be attended by a fleet or squadron of these small boats for its own protection. If unable to protect itself against the swift torpedo boats, trivial in appearance but mighty in effect, is it the agency upon which we should bestow millions of dollars and years of time for either offensive or aggressive purposes?

How much more in keeping with the theory of our Government and with the simplicity of our institutions to rely upon the genius of our people, and upon these swift little destroyers that are here, there, and everywhere when an emergency requires, than to rest our hopes upon those great, massive floating machines—the huge battle ships—which may be a protection; which may be a menace; which, though great engines of destruction, may prove destructive merely to those on board them.

But above all things, Mr. Chairman, let me again, if I may, impress upon the House that the danger to be provided against is the danger which menaces us now—the danger speeding toward us with the Spanish flotilla. Every hour and every minute across the waters of the Atlantic is coming fast that danger. Every hour and every minute it is closer to us, and every hour and every minute we are less secure in consequence of it. I hope that those who have influence, who have the ear of the officers now directing and controlling the Government (largely to the exclusion of the legislative branch), may exert their influence, that if that has not been done which ought to be done for our protection, it may be done without further delay. [Applause.]

[Here the hammer fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. STEELE].

The amendment was rejected.

Mr. BODINE. I wish to offer an amendment.

The CHAIRMAN. The gentleman from Missouri, a member of the committee, offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding in line 17, page 53, after the word "*Maine*," the following:

"And one of said battle ships to be named the *Missouri*."

Mr. BROMWELL. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. BROMWELL. I desire to offer an amendment to the amendment.

The CHAIRMAN. When the gentleman from Missouri has finished discussing his amendment, the Chair will recognize the gentleman to offer his amendment to the amendment.

Mr. DINGLEY. Mr. Chairman, I desire to reserve the point of order against the amendment. I make the point of order.

The CHAIRMAN. What is the point of order?

Mr. DINGLEY. That it is new legislation.

Mr. OGDEN. I would like to hear the amendment read.

The amendment was again reported.

Mr. DINGLEY. Let me state to the Chair that the law now authorizes the Secretary of the Navy to give names to these ships, and this is a proposition to take that power from the Secretary of the Navy; and if it should be commenced, there will be no end to it.

Mr. BROMWELL. I would like to ask the gentleman from Maine whether his objection also applies to the name "*Maine?*"

Mr. DINGLEY. If there had been a proposition of that kind, I should have objected.

Mr. BROMWELL. There is such a proposition in the bill.

Mr. DINGLEY. The gentleman knows the particular reason why it was given that name. It would be subject to a point of order if the point of order had been made, but it was inserted because of the destruction of the vessel of that name.

Mr. BROMWELL. I understand; but I ask if he is raising the point of order on the naming of the *Maine* by the bill?

Mr. DINGLEY. I made no point of order on that at all.

The CHAIRMAN. The Chair would like to ask the gentleman from Maine whether there is any law which authorizes the Secretary of the Navy to name battle ships?

Mr. DINGLEY. There is. It is printed in the Revised Statutes. I can not cite it at present.

The CHAIRMAN. The Chair is informed by a member of the Committee on Naval Affairs that there is no such statute.

Mr. BOUTELLE of Maine. The member of the Committee on Naval Affairs was misinformed.

The CHAIRMAN. Then the Chair would like to hear the gentleman from Maine upon the proposition, there being a provision in the bill which possibly might have been subject to a point of order had it been made; but not having been made, the Chair would like to hear the gentleman.

Mr. DINGLEY. But this is not a proposed amendment to that provision in the bill; it is a proposition to insert a new legislative provision.

The CHAIRMAN. It is an amendment.

Mr. DINGLEY. I think we had better leave it to the Secretary of the Navy, where the law leaves it now.

The CHAIRMAN. The question of whether it is better to allow the Secretary of the Navy to name battle ships can not be considered by the Chair.

Mr. DINGLEY. I understand that.

The CHAIRMAN. The only question with the Chair is whether this amendment is in order; and there being a provision in the bill for the naming of the battle ship *Maine*——

Mr. PAYNE. I understand that this is a proposition to name one other of the vessels than the one to be named the *Maine*, and to name it the *Missouri*, or some other State.

Mr. BROMWELL. *Ohio.*

Mr. PAYNE. That is the proposition. Now, the fact that one of these vessels is named the *Maine* does not furnish any justification for this amendment, because this is not a proposition to amend the name of the vessel that is to be called the *Maine*. If the gentleman from Missouri had offered an amendment to substitute the word "*Missouri*" for the word "*Maine*," then it would be in order, because it would then be germane to the provision already in the bill. But it is not germane to any provision in the bill. It is to name another one of these vessels the *Missouri*. Now, it being admitted, Mr. Chairman—if I can have the attention of the Chair for a moment——

The CHAIRMAN. The Chair is listening.

Mr. PAYNE (continuing). That the general law in the Revised Statutes authorizes the Secretary of the Navy to name any war ship that is built after the authorization, of course giving him discretion to select the name for any such vessel. That is the fact, and the Chairman must have had personal knowledge of the naming of those two new vessels that have been bought recently by the Government. It being admitted that the law now gives in effect to the Secretary of the Navy that discretion, this amendment would take away that discretion; and the House itself and the Congress, by legislation on an appropriation bill, would give to this vessel the name of *Missouri* instead of leaving it to the discretion of the Secretary of the Navy. It seems to me very plain the point of order is well taken.

Mr. BOUTELLE of Maine. Mr. Chairman, as the Naval Committee has been cited as an authority, I desire to read the law, which possibly might have some indirect bearing on this subject [laughter], although I do not feel sure. [Renewed laughter.]

This is section 1531 of the Revised Statutes, passed June 12, 1858:

SEC. 1531. The vessels of the Navy shall be named by the Secretary of the Navy, under the direction of the President, according to the following rule:

Sailing vessels of the first class shall be named after the States of the Union, those of the second class after the rivers, those of the third class after the principal cities and towns, and those of the fourth class as the President may direct.

Steamships of the first class shall be named after the States of the Union, those of the second class after the rivers and principal cities and towns, and those of the third class as the President may direct.

Mr. DOCKERY. The provision of law the gentleman has just read would be a sufficient reason for leaving out of the paragraph in the bill the authorization for the naming of one of the battle ships *Maine*——

Mr. BOUTELLE of Maine. It would have been out of order; but nobody supposed that any man would raise a point of order——

Mr. DOCKERY. If the gentleman from Maine will allow me and not interrupt me——

Mr. BOUTELLE of Maine (continuing). If anybody wants to make a point of order upon it, I will ask to have the provision for the naming of the *Maine* withdrawn.

Mr. DOCKERY. If the gentleman from Maine will quietly take his seat, having had the floor four-fifths of the time since we began to consider this bill, I will complete my statement; and, after having completed it, the gentleman will observe, as is his habit, he has violated the decorum of debate——

Mr. BOUTELLE of Maine. I shall call the gentleman to order. I am not here to take a lesson from him.

Mr. DOCKERY (continuing). And that there is no foundation whatever for his criticism. Nobody expects the gentleman from Maine to take a lesson from me.

Mr. BOUTELLE of Maine. I should not go to Missouri for it.

Mr. DOCKERY. As I was about to say, Mr. Chairman, when I was interrupted by the "amiable" chairman of the committee, no gentleman on the floor criticises in the slightest degree the Naval Committee for reporting a provision to name one of the battle ships *Maine*. On the contrary, we indorse and applaud it. Similar action was taken in a former instance after the *Kearsarge* went down on a reef somewhere in the southern waters. The Naval Committee then authorized one of the new battle ships to be named after the vessel which had been destroyed.

Mr. Chairman, I will now come to the point of order. There is a provision here that one of the battle ships should be named *Maine*. It was subject to a point of order because it changed existing law. No one raised it, because no one desired to do so. Every Representative on this floor approved of the action of the committee in reporting that provision. Now, then, the provision being in the bill, it must be subject to amendment. The bill provides that one of the battle ships shall be named the *Maine*, and it is competent and germane under the rules to amend the paragraph so that another of the battle ships shall be named after some other sovereign State of the Union.

Mr. STEELE. You say you applaud naming one of the battle ships *Maine*. That being the case, would it not be in line with the same sentiment not to take advantage of it——

Mr. DOCKERY. Oh, I have no apology to offer for asking the American House of Representatives to name one of the battle ships for the splendid Commonwealth of Missouri.

Mr. STEELE. Certainly not, and I would not want you to do it.

Mr. BLAND. Mr. Chairman, I do not desire to address the committee but a few moments. The paragraph has opened up and made germane this amendment; in other words, the question of naming battle ships is in the paragraph. It is part of the paragraph and a part of the subject-matter, and is there without objection, there by unanimous consent. The subject-matter of that paragraph is the naming of battle ships. Then why can not an amendment to that paragraph be made? The fact that one battle ship is to be named *Maine* opens up the whole question, because it opens up the subject-matter of naming battle ships.

We do not desire to offer an amendment to that proposition to name one of them *Maine;* we do not object to it; but it thereby interjects into the paragraph the subject-matter of naming battle ships. The Naval Committee and this committee have reasons of their own, and good reasons, for permitting the subject-matter of naming battle ships to be ingrafted into the paragraph. How can gentlemen say it is not germane and not a part of the paragraph? It is a part of the subject-matter, and hence, having been opened up, this amendment is clearly in order.

Mr. DALZELL. Has the Chair ruled upon this question?

The CHAIRMAN. The Chair has not. Does the gentleman from Pennsylvania wish to discuss the point of order?

Mr. DALZELL. Not at all.

Mr. BOUTELLE of Maine. Mr. Chairman, if it will in any sense relieve the Chair or relieve this bill, I will ask unanimous consent to return to that portion of the paragraph in which the provision for naming one of the battle ships *Maine* is made, in order that any gentleman can make it the subject of a point of order.

Mr. BLAND. Oh, that is nothing but buncombe and the gentleman knows it. I object to it if nobody else does.

The CHAIRMAN. It seems to the Chair that while the law expressly provides that the Secretary of the Navy shall name the battle ships, the provision inserted in the bill was subject to a point of order if it had been raised; but not having been raised, it would be permissible to strike out the word "*Maine*" and insert any other name. That does not, however, permit the changing of the law so as to name more than one ship. Therefore the Chair sustains the point of order.

Mr. LACEY. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 7, page 55, strike out "within sixty days from the passage of this act" and insert in lieu thereof "within the discretion of the President;" so as to read: "*Provided further*, That the contracts for the construction of the vessels herein provided for shall be made within the discretion of the President."

Mr. LACEY. Upon this amendment I wish the attention of the Committee of the Whole for a moment. We are proposing, in the peculiar situation in which the country is placed to-day, to vote an appropriation of fourteen or fifteen million dollars for battle ships, and to require that the work for which this appropriation is made be put under contract within sixty days from this time. It is an old adage that "diplomacy takes three steps in a bushel basket." It goes slowly. But war moves fast. We do not know what the situation will be sixty days from now. It may be that by that time we shall not want our shipyards obstructed

with three battle ships that can not be used for three years to come. It may therefore be the worst possible policy for us to tie up $15,000,000 for battle ships that can not possibly be used in the war which we are expecting—a war which certainly is "in the air," if it has not made its actual appearance upon the sea.

Now, as to battle ships, they are to some extent an experiment. We know that the *Victoria* lies at the bottom of the Mediterranean. We know that $500 worth of dynamite or some other explosive has destroyed a battle ship as she lay in Havana harbor—a battle ship that cost four or five million dollars.

We do not know what will come out of the war prospect that we are all thinking about and talking of. But if war does come, it will not be between Chinese and Japanese. It will be between men who have known war in the past. It will be between men who will think fast, who will invent new explosives, who will contrive all the engines of warlike destruction and contrive them rapidly. It may therefore in sixty days from this time be demonstrated to have been a great mistake to put these great battle ships upon the stocks. In no event can they be used within two years.

We have placed recently in the power and control of the President $50,000,000. Let us also put under his control the time of making the $15,000,000 contracts, trusting to his sagacity and discretion to use the money or not as may seem wise in view of events which may rapidly develop, instead of binding him now to make a contract for certain classes of vessels and to do so at once.

Within the next two weeks we may be required to make many military and naval contracts. Why should we bind ourselves thus to a contract to be made within sixty days for ships for some future war? Let us rather push those works of immediate necessity, and make the contracts for two years hence, without the rush required by a sixty-day limit in which to select contractors. It seems to me that this short limit is a mistake. Even though we may not make any change in the construction of our battle ships, we may at least lodge this discretion with the President, where it will be absolutely safe, and where we must trust it in the end.

Mr. BOUTELLE of Maine. Mr. Chairman, I desire to be heard on this amendment very briefly. The reason that this proviso was inserted in the bill is precisely that which has actuated the committee on former occasions in providing against unnecessary delay on the part of officers of the Department in making plans and carrying on work. I have not had time to look over the various bills, but I think we have invariably, or almost invariably, put upon provisions of this kind a limitation similar to this. The propriety of such a limitation in this case ought to be obvious. We wanted to give the House an assurance that these vessels would be begun as early as possible. The provisions of the bill have been submitted to leading officials of the Navy Department for several weeks; yet, so far as I know, no suggestion or intimation has come from any official source that there was any objection to this proviso. I doubt whether any such information has reached the gentleman from Illinois [Mr. CANNON]. I will ask him whether either the President or the Secretary of the Navy or any of the responsible officers of the Navy Department have requested a change of the bill in this respect?

Mr. CANNON. I will say to the gentleman—and I hope he will allow me the courtesy of just a quarter of a minute to answer him——

Mr. BOUTELLE of Maine. I will allow you all the time you want.

Mr. CANNON. I have not had a conference with the Secretary of the Navy touching this matter, nor has any suggestion come from the Secretary to me on this subject. But I want to ask my friend in the utmost good faith—as this bill compels the making of a contract in sixty days, and as we are to have a great many of the stress ships built as rapidly as possible—whether the gentleman thinks it wise that this stress work——

Mr. BOUTELLE of Maine. What "stress work?"

Mr. CANNON. I mean the torpedo boats and the torpedo-boat destroyers.

Mr. BOUTELLE of Maine. They are not going to put any "stress" on American builders.

Mr. CANNON. I want to ask the gentleman whether he thinks it wise to place it in the power of private shipbuilders, by combination or otherwise, to force upon the Secretary of the Navy the making of a contract, although it might be an unreasonable one?

Mr. BOUTELLE of Maine. I do not understand the gentleman at all. If he desires to intimate that the interests of contractors were in any possible way thought of by the committee, there is not any fact to warrant any such intimation, and the gentleman ought not to make it.

Mr. CANNON. I do not desire in the slightest degree to convey any such intimation. But if the result of this provision, when it shall become law, would be to put the Department at the mercy of contractors, then it seems to me the President had better have a little discretion in this matter.

Mr. BOUTELLE of Maine. Now, Mr. Chairman, "see how plain a tale will put the gentleman down."

Mr. CANNON. I am down. [Laughter.]

Mr. BOUTELLE of Maine. There is not one line or one word in this bill that compels the President of the United States or the Secretary of the Navy to act in any haste whatever.

Mr. CANNON. Well, I ask to have the proviso read in answer to that.

Mr. BOUTELLE of Maine. I understand what the proviso is. When I spoke my impression was that we had required that these proposals should be opened within sixty days.

But, Mr. Chairman, when we authorized the construction of the first three battle ships—and, mark you, at that time we had not built one—my impression is that within thirty days from the authorization, or, indeed, within exactly thirty days, we had the three vessels under contract. Now, we have had experience in such construction. We have the plant, and it is an open secret that these ships are practically designed to-day. There is no reason, as we suppose, for any delay in their construction.

Now, so far as the committee is concerned, and so far as I am concerned, we care very little whether the vessels are contracted for in sixty days or in ninety days. But with reference to the proposition of the gentleman from Iowa [Mr. LACEY], I am unalterably opposed to it. The Congress of the United States is not going to put three battle ships into this bill with the understanding that either the President or the Secretary of the Navy or anyone else may use his discretion as to whether they shall be built at all or not. We have put them into the bill because we want them built.

We are not at all strenuous; and if the gentleman from Iowa [Mr. LACEY] or the gentleman from Illinois [Mr. CANNON] can suggest any objection from any official of the Government who has ever had anything to do with the business, or from the President or any officer in authority in the Navy Department who has had anything to do with the matter, then I will yield with pleasure. I am not at all strenuous, I repeat. But it was put into the bill by the committee with the desire of expressing our assurance to Congress that we intended to have these vessels constructed as speedily as possible.

Mr. NORTHWAY. Will the gentleman allow an interruption?

Mr. BOUTELLE of Maine. Certainly.

Mr. NORTHWAY. Is this provision contemplated to secure the contracts for these vessels within sixty days after the passage of the act or within sixty days after the taking effect of the bill?

Mr. LACEY. It requires the contract to be let within sixty days after the passage.

Mr. BOUTELLE of Maine. The language of the bill is:

Provided further, That the contract for the construction of the vessels herein provided for shall be made within sixty days from the passage of this act.

I want to say that, in my judgment, that is ample time. I am under the impression and fully believe, Mr. Chairman, that the Secretary of the Navy would, under this provision, have ample time. But if it shall be found to be too short a period, there is abundant opportunity and ample time to have the matter corrected before the passage of the bill through another body, and it can be attended to there.

Mr. RIDGELY. Mr. Chairman——

Mr. GAINES. I would like to have the amendment again reported, Mr. Chairman.

The CHAIRMAN. The Clerk will again report the amendment, if there be no objection.

The amendment was again read.

Mr. GAINES. I would like to be heard upon that.

The CHAIRMAN. The gentleman from Kansas [Mr. RIDGELY] has been recognized.

Mr. RIDGELY. Mr. Chairman, and gentlemen of the committee, I have not been taking up your time in the consideration of this bill; but the pending amendment of the gentleman from Iowa, in my judgment, is well worthy the attention of every man who is responsible for legislation here.

The bill, as it reads, not only provides for the construction of three battle ships, which shall be contracted for within sixty days from the passage of the act, but it provides that every vessel that you have made appropriation for in the bill, twenty-seven in all, shall be under contract within sixty days from its passage. Thus you are forcing on the Government, in my judgment, very unbusinesslike and embarrassing conditions. I do not believe, I do not think, that there is any business man within the confines of this nation who believes it possible by such haste to secure all of the points and safeguards involved in contracting to the best advantage the three battle ships herein provided for. Neither is it safe to force the contracting for the gunboats and minor vessels also provided for within the sixty-day limit of the bill. It seems to me that it is a most unbusinesslike step. For my part, I believe it will be safer to leave the time to the President rather than force

on this Government the duty of letting the contracts without due time for consideration.

If you will read carefully the provisions of the bill, you will find that it provides for the apportionment of these three large vessels, one of which may go, under certain provisions, to the Pacific coast, and the other two are supposed to be let to builders on the Atlantic seaboard. We have, I think, three great shipbuilding establishments in this land. We are virtually apportioning by this bill one ship to each of these contractors, and saying to the officers of the Government, "You must let the contracts within sixty days"—they have no volition in the matter—and also forcing the contracting of all the others, thus leaving our Government yards idle.

I hope the members of the committee, therefore, will support the amendment of the gentleman from Iowa as a safeguard in behalf of the Government and the taxpayers, adopt the amendment, and give the President a little discretion and time to protect the Government and the Treasury against a hasty piece of unwise legislation, which would necessarily be involved in the passage of this bill in its present form. Let him have an opportunity of making the best contracts he can make, and do not force upon him the necessity of such unwise haste.

I appeal, then, to all the members, when you vote, to stand by the amendment and not force this provision upon the Department. If the committee bill passes providing for three war ships and torpedo boats, which number has been increased by the amendment, and you provide that the contract for these vessels shall be let within sixty days, you are certainly violating a business principle. Such haste no man would pursue in his own private affairs, and the people of the country will hold you responsible for it. [Applause.]

I hope, therefore, the amendment will be supported as a necessary safeguard to the country, and also permit the construction of some of the smaller vessels by the Government in its own yards.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Iowa.

Mr. HOWE. I wish to be heard on the other amendment.

Mr. FITZGERALD. Mr. Chairman——

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. FITZGERALD. Mr. Chairman, I offer the amendment I send to the desk.

The Clerk read as follows:

And authority is also granted to the President to order the construction of vessels immediately on the passage of this act, if he deems it necessary.

Mr. FITZGERALD. Mr. Chairman, I am in favor of giving the largest amount of authority to the Administration, as far as it affects the proposals contained in this bill, so that the initiative may be taken immediately upon the passage of this bill for the construction of the vessels authorized by its provisions.

I am glad that this House has at last come to a realization of the dangers that confront this country. A few weeks ago the Spanish flotilla, consisting of battle ships, torpedo boats, and torpedo-boat destroyers left the other side of the ocean, and, if I am informed correctly, the United States Government has not a single torpedo-boat destroyer to cope with this fleet. Shame upon such a policy! We claim to be the proudest and wealthiest nation in this world to-day, yet we have but a sixth-class navy. [Applause.]

The comparative summary of the principal fleets of the world, built and building, just published, shows that England has 680 vessels; France, 539 vessels; Russia, 329 vessels; Italy, 293 vessels; Germany, 234 vessels, and the United States but 105 vessels.

For the year 1897–98 England leads with appropriation amounting to $26,500,000, and she will complete during the present year 15 battle ships, equal to three times our present number, in addition to the large number she has had before, 12 first-class cruisers, 9 second-class cruisers, 10 third-class cruisers, 56 torpedo-boat destroyers, and other boats to the number of 117.

France is building 17 vessels, at a cost of some $16,000,000, and Japan, a practically unheard of nation until a few years ago, is building 4 large first-class battle ships, 4 armored cruisers, 6 protected cruisers, 9 torpedo-boat destroyers, and 13 torpedo boats. Spain this year will complete 2 first-class armored cruisers, 1 protected cruiser, 2 gunboats, and 6 torpedo-boat destroyers. She is also building, I am informed, 4 armored cruisers, 4 protected cruisers, 4 gunboats, 4 torpedo boats, and 3 battle ships, to be fitted with boilers and guns in France.

When we recognize the fact that it takes two years or more to build a first-class battle ship in this country, while the same kind of a vessel can be completed within a year in England, our parsimony and delay seem almost criminal.

During the present Administration there has been more of a disposition to produce a surplus for the Dingley bill than to provide adequate defense and protection to the Government. This was very vividly illustrated a couple of months ago when the war cloud was not so imminent, but near enough, in my judgment, to have demanded more patriotic action in the consideration of the fortifications bill.

The members of this House who represented constituencies which bordered along the coast begged for an increase in the amounts allowed by the committee, so that the cities and towns lying along our coast in all sections of the country could receive proper protection in the matter of coast defense. Although the members of the Republican party in this House had guaranteed within a reasonable time to free Cuba, and though they knew that Spain would never give up that island without a great struggle, in which this Government would surely be involved, the leaders of that party opposed these wise and necessary provisions, and it was only through a request of the President of the United States, when war was actually upon us, that money was appropriated for this purpose.

I do not believe the people of this country will indorse such a policy, and I am in favor, war or no war, of placing our Navy on a footing that will enable us at all times to maintain the proud and honorable position that we occupy among the nations of the world. [Applause.] It was only the other day that this House made provision for suitable dry docks, after we had been humiliated again and again by seeing our vessels seek foreign shores to be properly docked and repaired.

This policy of inaction by this Government could not be illustrated to better advantage than by depicting the condition of affairs that has existed at the Charlestown Navy-Yard the past dozen years. Although this plant is considered to be one of the best in the whole United States, with a water front unsurpassed and buildings equal to those of any navy-yard in this country, in a neighborhood where reside the most skilled and most intelligent mechanics in this country, if not in the world, the grass has been growing within its walks, and until very recently the sound of the hammer and the glow of the fire have been absent.

Since the occupation of the office of Secretary of the Navy by a Massachusetts man, small vessels have been sent there for repair, it being impossible to repair the larger ones, owing to the inadequacy of the machinery. When I first became a member of this body I attempted to secure appropriations for the putting in proper shape, for the repair of all classes of vessels, all departments of this yard, but the hostility of the Secretary of the Navy, Mr. Herbert, who was friendly to the Norfolk Navy-Yard, made it impossible to secure any recognition from the committee.

I am glad to say that in the present bill we have succeeded in obtaining an appropriation of $100,000 for these different departments, and when this money becomes available the Charlestown Navy-Yard should resume its old-time condition of activity and the hum of industry be resumed.

This is a wise policy. We are not a second-class nation in any respect. The people will not begrudge liberal appropriations, but they will hold to a strict accountability any party that will not properly appreciate the wants and necessities of a great Government like ours.

We read in the papers every day of the millions that are being made in Wall street by stock manipulators who gamble on the complications of the Government. These men do not wish a large navy, because it might encourage us to defend ourselves if attacked. They consider it unwise to be prepared to resent an insult lest their bonds and stocks should fluctuate.

This class of men have too long controlled the policies of this country. The people have begun to make themselves heard, and from one end of this broad land to the other comes the cry for a wise, businesslike, and liberal appropriation for our Navy, to the end that the flag of this Government, wherever it floats, will receive the respect which is demanded for it by the freest, bravest, and most enlightened people on the face of God's earth. [Prolonged applause.]

Mr. HOWE. Mr. Chairman, I desire to say a word in opposition to this amendment. The clouds that now hang over the nation may roll away within sixty days and they may not. To provide for an emergency, a safety valve, is wisdom. "In time of peace prepare for war" is a wise and logical maxim. Self-preservation is the first law of nature, and is as applicable to nations as to men.

Two hundred and sixty-six American seamen blown into eternity without a chance to fight for their lives or to demonstrate their valor on the decks of their noble battle ship, together with threatened war, have at last aroused our country to a sense of its danger because of a lack of coast defense and naval vessels.

Mr. Chairman, history records that the greatness of ancient Greece and Rome was largely attributable to the extent of their coast lines and their naval power. While our country is richly endowed with mountainous mines of wealth and coast lines more extensive than any other civilized nation in the world, with the commerce of the world floating in our every port, with the flags of all nations vying with each other in carrying to and fro the products of our land and of the world, making this one of the most

prosperous countries on the globe, yet we should not close our eyes to the fact that we are weak in coast defense and in naval power.

I would not only vote for three battle ships, but for ten, and with them thirty torpedo boats.

As I said in the beginning, the clouds that now hang over us may roll away; but we should prepare for future emergencies. The navy of a nation should be in proportion to its commerce and the extent of its coast line. Herein, and herein alone, is the defect in the American shield of defense; and I would not, Mr. Chairman, vote for this amendment. [Applause on the Republican side.]

The CHAIRMAN. Debate on this amendment is exhausted. The question is on the amendment of the gentleman from Massachusetts to the amendment offered by the gentleman from Iowa.

Mr. SHAFROTH. Mr. Chairman, I would like to be heard on the amendment for five minutes.

The CHAIRMAN. Debate has been exhausted.

Mr. LACEY. I ask that the amendment to the amendment and the amendment be again reported.

The CHAIRMAN. The Clerk will again report the amendment and the amendment to the amendment, and the committee will in the meantime be in order.

The amendment to the amendment and the amendment were again reported.

Mr. FITZGERALD. I withdraw the amendment.

The CHAIRMAN. The question is on the amendment to the amendment.

Mr. HANDY. I move to strike out the last word.

The CHAIRMAN. That amendment can not be entertained at this time.

Mr. FITZGERALD. I ask unanimous consent to withdraw the last amendment.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to withdraw his amendment to the amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. SHAFROTH. I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. HEMENWAY. I move to strike out the last word.

Mr. Chairman, I think it is a very good plan for the members of this committee to be very careful before voting upon this amendment. There have been added to this bill by the committee to-day 12 additional vessels, which provides altogether for 27 vessels. Now, this provision provides that the contract shall be made within sixty days for the construction of 27 vessels. What business man would do that in his own affairs? It means, if we are to have war, war prices will be paid for all of 27 vessels, and the 3 battle ships that will not be ready for three years are to be contracted for at war prices. There are only three great shipbuilding companies in this country, and if these ships are to be contracted for here at once, simply because of the danger of war, this committee ought not to lose their heads on a business proposition and be forced to paying war prices for the 27 vessels.

Mr. LACEY. Will the gentleman allow me to interrupt him?

Mr. HEMENWAY. No; I do not want to be interrupted.

We are perfectly willing to appropriate money and pay out every dollar of money necessary for making preparations for war; but what business man is there in this House who wants to say that the Government shall be placed in position that it may be compelled through combinations of shipbuilding companies to pay war prices if we are compelled to let these contracts within sixty days? This may occur should our great shipbuilding companies enter into a combination, should they combine together for high prices. Under this provision here in this bill the Government is powerless, and must let the contracts notwithstanding the fact that possibly the price is twice as much as it ought to be.

Mr. HANDY. Will the gentleman permit me to ask him a question?

Mr. HEMENWAY. I have only five minutes. I will answer it if it is a short question.

Mr. HANDY. I just wanted to ask the gentleman if the limit of cost of every one of these vessels is not fixed in the bill?

Mr. HEMENWAY. But if the limit of cost is fixed in the bill, you have fixed it up high or you would not have fixed it at all; and you know, and every other gentleman on this floor knows, that in this country we are not in a condition to build these ships thus rapidly; and as a business proposition there is not a man upon this floor who, if acting for himself, would let these contracts, if he had to pay the bill himself, who would limit himself to sixty days in which to let the contract.

I say that this business should be done as private business is done; and I am satisfied that no business man, no man on this floor, in letting great contracts that he had to pay for out of his own pocket, would limit himself to sixty days in which to let the contracts. That provision ought to be stricken out of the bill. I believe the chairman of the Committee on Naval Affairs will agree with me when the Committee on Naval Affairs thinks of the twelve additional ships provided for.

Mr. BOUTELLE of Maine. As to these torpedo vessels, I want the contracts made as speedily as possible; and they ought to be built as rapidly as possible, because they can be built in a brief period.

Mr. HEMENWAY. Certainly; and that is why I want all the power put to work on ships that can be made available at an early date.

Mr. BOUTELLE of Maine. Certainly.

Mr. HEMENWAY. And there is no reason why there should be any rush to construct the three battle ships. It ought to be done promptly, as soon as can be done at a fair price; and discretion ought to be given to the President of the United States in the matter. I do not believe in long delays. If they had made it ten months, eight months, or six months, it would have been better. Now, there is another consideration here.

Every one of these ship companies repairs ships as well as builds these torpedo boats. So that in this condition, with this sixty-day limit in which to contract for an expenditure of $15,000,000 for the construction of three battle ships, if the Government is made to do that, it seems to me it is a mistake, and would put the Government in the hands of the gentlemen who build the ships, if they should combine. I do not say that they will combine, but in this country and in every other country men will combine when they can make money by doing so, and all the law that we have passed heretofore has not prevented them from doing so; and while we do not know that they will combine, we have just as much reason to believe that these gentlemen will combine as that others have in the past.

Mr. BOUTELLE of Maine. Mr. Chairman, I have no desire to prolong this debate, but it does seem to me that the committee ought to understand what this amendment means, what it will bring about. I state again that, so far as I am concerned, and as far as the committee is concerned, it makes no difference when the contract is let. We put in the provision to get rid of delay that we have encountered before. We thought they ought to be prompt. We know the Department is more advanced in the issuing of proposals than it ever has been before. The first battle ship was under contract, if not in thirty days, in ninety days, and we had then had no experience and had to make new plans. I think in thirty days we had the ships under contract.

As far as that provision is concerned, I have no care about it at all, whether it be sixty days or one hundred and thirty days, except that I do think it would be an absurdity to pass this bill permitting the Department to delay for months a contract for the construction of the torpedo boats, the increased number of which has been put in the bill for no other purpose than to secure their early construction. But this amendment does not mean this. I want to explain what the effect of the amendment of the gentleman from Iowa [Mr. LACEY] would be, who put it in at the suggestion of somebody else. I want the House to know it, and I want to repeat that I have no wish against deferring to the wishes of the House. It was the business of my committee to make suggestions from our feeble fund of information, and we have made them and they are before the House, and the House will do what it thinks wise; but I want it to know what it is about.

Now, legislation in all appropriation bills for increasing the Navy has been in the form of a mandate to the Executive to do certain things. It is enacted by law that the President of the United States shall do certain things. We get down to the close of this authorization for the building of the battle ships and torpedo boats and say it shall be in a certain time. Now, the proposition is to strike out the limitation of time for making the contract, and insert these words, "That they shall be constructed so and so," and instead of stating that the contract shall be made in sixty days, that these ships, which we have just ordered the President to build because Congress wants them built, and feels sure that they ought to be built, may be constructed within the discretion of the President.

I have no doubt or apprehension about the wise discretion of the President, but that in my judgment is not the way to legislate. When we instruct the President to add to the Navy by building three battle ships, it does not seem to be sensible to say that they shall be constructed or not in accordance with the President's discretion. I want the battle ships built; I believe Congress is competent to determine whether they ought to be built, and after we have said that they shall be built it seems like nonsense to say they shall be built at the discretion of the President. It is to give the President a false conception of our action; it is to mislead him in the position we have taken.

If I understand the spirit of the House, it is not the purpose to say to the President that he may build the ships that he wants to. While we have given him the power to go to Europe and buy ships, we want to begin to build ships that we are to use in America again as speedily as possible, and we do not intend to invest the

discretion whether they shall be built or not with anybody at all. Now, any amendment that may be made as to time I shall be glad to accept, but to put it within the discretion of the President seems to me to indicate, as the remarks of my friend from Iowa and Illinois plainly show, some idea in their minds that something may occur within one, two, or five months to justify the President in failing to build these ships at all. My committee brought this bill in with the idea of having these ships built.

The CHAIRMAN. Debate on this amendment is exhausted. The question is on the informal amendment.

The informal amendment was rejected.

The CHAIRMAN. The question now is on the original amendment offered by the gentleman from Iowa [Mr. LACEY], which the Clerk will again report.

The Clerk again read the amendment.

A MEMBER. Mr. Chairman, is it admissible to divide the amendment?

The CHAIRMAN. The Chair thinks it is rather late to raise that question, but the Chair will look at it and see.

Mr. BOUTELLE of Maine. Mr. Chairman, I ask unanimous consent to amend the paragraph by changing the time from sixty to ninety days.

Mr. LACEY. I object to that. It does not relieve the situation; it still makes a short limit.

Mr. BOUTELLE of Maine. What does the gentleman want?

Mr. LACEY. I think it should be left to the discretion of the President.

Mr. BOUTELLE of Maine. I ask unanimous consent, then, Mr. Chairman, to make it one hundred and twenty days.

Mr. LOW. I object.

Mr. BOUTELLE of Maine. Then I will not ask unanimous consent any more. [Laughter.]

Mr. WHEELER of Alabama. Mr. Chairman, the gentlemen who have preceded me have divided this question into what they call general and special propositions. On the one side much has been said as to the general policy which should govern Congress in dealing with the national defense, and they seek to separate that question from the policy that should govern in framing a bill in the present emergency.

The soldiers and sailors of the United States are the bravest on earth, and I insist that it is the duty of the Government to provide our Navy with a sufficient number of the best ships and our Army with the best possible organization, arms, and equipment.

Those who contend against appropriating for the ships provided for in this bill tell us that they oppose the proposition because it will take two or more years to complete them and that there is no use in providing for vessels that will not be immediately available for use.

I contend, Mr. Chairman, that while it may take two or three years to build these ships, the beneficial effect will be immediate in our showing to the world that the greatest nation on earth has determined to provide itself with the means of both aggressive and defensive warfare, and this would certainly tend to add to the strength and power and dignity of this country among the nations of the earth.

This is no new idea with me. I have expressed these views oftentimes before. I expressed them, Mr. Chairman, twelve years ago, when gentlemen engaging in debate in this Hall were combating the efforts of those who sought to build up national defenses worthy of the dignity of the nation. I ask the Clerk to read from a speech which I made on this subject June 18, 1886—twelve years ago.

The Clerk read as follows:

DANGER OF DELAYS.

I think it may be worth considering in this connection if the very wisest policy for a country anxious to remain at peace with all the world is not to be ready at any time to go to war with any power.

I am aware that some gentlemen entertain the idea that it will be time enough to engage in preparations for an armed conflict when, by some means, we shall have become embroiled with a foreign government. In my humble judgment it will be most unwise for us to pursue any such policy. I am firmly convinced that perfect readiness for war is the surest means of maintaining peace.

History is filled with illustrations of the truth of this proposition.

Any of us may readily conceive how it might happen that, being wholly unprepared for war, we would be plunged into hostilities that mere readiness for the contest would have avoided.

Should differences arise with England (or any other power), the mere fact of our engaging in unusual and hurried preparations for war would be immediately followed by similar preparations on the part of our possible opponent.

This would inevitably engender bad blood, stimulate ill-feeling, and intensify antagonisms to such a degree that all preexisting spirit of conciliation or concession on either side would probably be swallowed up in the sentiment of national pride, jealousy, and passion, and a contest would be precipitated which diplomacy might have avoided had not the necessity of preparing for war rendered peace impossible.

I insist, Mr. Chairman, the way to preserve peace is to be ready for war.

[Here the hammer fell.]

Mr. DAYTON. Mr. Chairman, I earnestly hope that the members of this Committee of the Whole will not forget the fact that all these questions, especially this one, have been fully and carefully considered in the committee room. I hope they will also exercise a degree of forbearance and recollect the fact that after earnest consideration of all these provisions the fifteen members of that committee have not sought to put into this bill any other provisions than those that are wise and conducive to the best interests of the naval service and the country in general.

Mr. LACEY. Will the gentleman yield for a question?

Mr. DAYTON. The gentleman must pardon me one moment. I want to call attention to the fact—and I make the statement frankly—that I have visited the Navy Department in connection with this very provision that these contracts should be let within sixty days; and I want to say that the Construction Department is in entire accord and sympathy with it and desires it to stand.

Now, to show how easy it is for gentlemen who have ideas on these subjects, but have not had opportunity to make examinations, to get information, I simply want to call the attention of the House kindly to the remark made by the gentleman from Indiana that the first thing we knew we would be paying war prices for these vessels if we had to construct them under the provision that the contracts be let within sixty days. I want to call attention to the fact that the cost of these vessels is in every instance limited and that the contracts for their construction can now be let at a lower price than similar vessels can be built for anywhere else in the world. It may be that within six months from now we would not be able to build them for less than a third more than they would cost now.

Mr. HEMENWAY. Will the gentleman allow me a moment?

Mr. DAYTON. I must decline to yield, because I have but a few moments. The gentleman declined to answer a question of mine, and I must return the compliment.

I wish to say, with all due respect, that it is not the function of the President of the United States to do this work. If we propose to pursue a proper policy in building up our Navy, it is the duty of Congress to do this work and not put it wholly in the hands of the President. Let it be done in the way that Congress may think best, with the light that it has before it.

The proposition of the pending amendment simply means that we have been discussing the question whether battle ships should be built or not, and now, as a last resort, we will say to the President of the United States, "You take charge of this question and decide it; you do what you think best about it; build these ships if you see fit, or do not build them if you do not see fit." I wish to say that, while I am a Republican, I do not believe in these extreme concessions of power, even to the President of the United States, where they are not necessary; and we have not before us now any such emergency measure as makes it necessary for us to shirk the responsibility and the duty resting upon us as the Congress of the United States. This is not an emergency measure. This, I insist, is simply a provision in accordance with the policy of Congress to build up an American Navy of which American citizens can be proud and not ashamed.

Mr. KING. Why does not the committee extend the time for six months? In thirty days we may be in the midst of a war.

Mr. DAYTON. The chairman of the committee [Mr. BOUTELLE of Maine] has already stated that an amendment fixing any reasonable time—ninety days, four months, six months, one hundred and twenty days—would be accepted. But here is the point I want the committee to understand: By this amendment it is proposed we shall say that, after all this discussion, we will decline the exercise of our legitimate legislative functions, and will simply say to the President of the United States, "Your will shall be supreme. We shall have battle ships, if you see fit; otherwise, not." I say that such a position is inconsistent with the function of the House of Representatives or of Congress. I hope the amendment will not be adopted.

Mr. BOUTELLE of Maine. I hope, Mr. Chairman, we may now have a vote. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the formal amendment to strike out the last word.

The amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment of the gentleman from Iowa.

Mr. HANDY. Mr. Chairman, I move to strike out the last two words.

Mr. BOUTELLE of Maine. I move that all debate upon this paragraph and all amendments thereto be closed in five minutes.

Mr. SHAFROTH. I move to amend the motion by making it ten minutes.

Mr. BOUTELLE of Maine. If gentlemen want more time, I am perfectly willing that they should be indulged. I move to close all debate on the pending paragraph, and all amendments thereto, in fifteen minutes.

Mr. BRUMM. Pending that, I would like to submit a substantial amendment to the amendment now pending for consideration.

The CHAIRMAN. The amendment of the gentleman from Pennsylvania will be received.

Mr. PARKER of New Jersey. I also wish to offer an amendment.

Mr. FISCHER. I move to amend by making the time thirty minutes.

Mr. BOUTELLE of Maine. Very well; if you want the time, go on.

The amendment to the amendment was agreed to.

The motion as amended was agreed to.

Mr. BOUTELLE of Maine. Of course I do not know how this time is to be divided.

Mr. BRUMM. Let the amendment I have offered be read.

Mr. HANDY. I move to strike out the last two words.

The CHAIRMAN. The amendment proposed by the gentleman from Pennsylvania to the amendment now pending will be read.

The Clerk read as follows:

Strike out, in line 5, page 53, all after the word "farther" and insert "that the President be directed to have these ships built as soon as possible, consistent with existing conditions."

Mr. FISCHER. Mr. Chairman, very much has been said here concerning the prices which may be charged to the Government by shipbuilders for the construction of the vessels provided for in the pending bill. It is contended by some that the contractors, whose business it is to build vessels of this character, may charge war prices for them, and that the Government, finding it necessary to comply with the requirements of this act, will be compelled to pay the prices thus exacted. It has been said, further, that there are but four concerns in the country capable of building these vessels.

Mr. Chairman, I am not forgetful of the fact, and I desire to remind gentlemen of it, that the Government of the United States owns its own plants in some parts of the country, and may construct some of these vessels itself. At the Norfolk and at the Brooklyn Navy-Yard, the Government owns a complete plant for the construction of vessels of any character. At the Norfolk Navy-Yard, for instance, they constructed the *Raleigh* and the *Texas*, and at the Brooklyn Navy-Yard they constructed the *Maine* and the *Cincinnati*. My purpose in rising now is to make known to the committee my intention to offer an amendment at the proper time, which I will send up and have read by the Clerk when the time comes, and which I think will meet the objections that gentlemen make with reference to the question of construction——

Mr. BRUMM. Let it be sent up and reported now.

Mr. FISCHER. Very well; I will send it up and have it read for information.

The Clerk read as follows:

On page 55, after line 7, insert: "That the President may, however, cause any of said vessels to be built at any navy-yard which in his opinion shall be capable of speedily and properly constructing the same."

Mr. BRUMM. Mr. Chairman, I will withdraw my amendment and allow the gentleman from New York to offer his. That will cover the ground I intended to cover.

The CHAIRMAN. Without objection, the amendment of the gentleman from Pennsylvania will be withdrawn and that of the gentleman from New York substituted.

There was no objection.

Mr. LACEY. I make the point of order against that amendment.

Mr. BRUMM. Then I will renew my own.

The CHAIRMAN. What is the point of order?

Mr. LACEY. That the amendment is not germane.

Mr. FISCHER. Does the gentleman make the point of order or reserve it?

Mr. LACEY. I will either make it or reserve it, as the gentleman desires.

Mr. FISCHER. I thought that any ingenious scheme presented would be met by such an objection.

Mr. LACEY. I did not know that the gentleman's plan was "an ingenious scheme."

Mr. FISCHER. No; but yours is. On what ground does the gentleman make the point of order?

Mr. LACEY. On the ground that the amendment is not germane.

Mr. FISCHER. Oh, I think the gentleman will hardly stand on that. This bill calls for the construction of a number of battle ships and torpedo boats, and provides that the Government shall cause them to be constructed after advertising for bids, and provides that they shall be awarded to the lowest bidder.

The Government has constructed its own vessels heretofore at these yards. It has the right under this bill to call for their construction. It may be possible that the contractors either can not build, by reason of the fact that they shall be overcrowded with work, or they may charge a price that the Government may consider exorbitant. This amendment will permit the President to send to our own yards and have constructed there the very work that this bill provides for. I can not see that this is not germane. The bill provides for construction.

The CHAIRMAN. The Chair thinks that the amendment is not germane to the proviso.

Mr. BRUMM. Then I renew my amendment.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BRUMM] renews his amendment.

Mr. BRUMM. And on that I should like to say a word.

The CHAIRMAN. Does the gentleman from New York [Mr. FISCHER] yield to the gentleman from Pennsylvania for a moment?

Mr. FISCHER. Yes.

Mr. BRUMM. The trouble seems to be, on the one hand, that limiting the time to sixty days leaves no discretion to the President and puts him practically at the mercy of the shipbuilders. On the other hand, the amendment offered by the gentleman from Iowa leaves the whole matter at the discretion of the President. I say the amendment offered by the gentleman from Iowa places the whole subject at the discretion of the President, not only as to time, but as to whether the vessels shall be built at all. My amendment is simply a direction to the President that he shall complete these vessels as soon as possible under existing conditions. That is all I have to say, and it seems to me it covers the ground.

[Here the hammer fell.]

Mr. PARKER of New Jersey. Mr. Chairman, I desire the attention of the committee for a moment to an amendment which I will have read as a part of my remarks, which I expect to offer at the proper time. I ask the Clerk to read it.

The Clerk read as follows:

Insert in line 23, page 53, after the word "dollars," the following:
"And fifty smaller torpedo boats, to have the highest practicable speed, and to cost, exclusive of armament, not to exceed $3,500,000."

Mr. PARKER of New Jersey. Mr. Chairman, it is a strange fact that there is no provision in this bill, as it now reads, for the smaller class of torpedo boats, which is regarded all over the world as an essential part of torpedo armament. The bill provides for torpedo destroyers of 350 tons and for first-class torpedo boats of 150 tons, but second and third class torpedo boats, such as the *Gwyn* and the *Talbot* and the *Stiletto*, of 65, 45½, and 31 tons—I believe those are the figures—are not provided for in the bill at all. What is more, the proportion of these boats is strangely small in our present Navy.

Of our 23 torpedo boats and destroyers now in existence, only 5 are under a hundred tons, while France has of the large only 49 and of the small 229. England has of the large, 141; of the small, 134; Russia of the large, 82, and of the small, 105. Germany has 75 of the large and 59 of the small. Japan has 11 of the large and 40 of the small. Spain has 16 of the large and 33 of the small. We have but 5, and we do not propose to add any to that number by this bill.

Within two days they had a trial at Key West or the Tortugas of the approach of battle ships by torpedo boats, and the little boats got in and the big ones did not, because they were too large to be unseen in the dark.

I call this matter to the attention of the committee as one that deserves consideration. I have been trying all day to get this matter before the committee. We want the little torpedo boats clustered about our battle ships in harbor and ready as their auxiliaries. We want the little ones, also, to sneak over and make attacks upon battle ships in the harbor of an enemy. What is more, they are cheap. They can be built quickly.

I saw yesterday that it was stated in the Times that the Chief of the Bureau of Construction had recommended that we should have a hundred of these craft. A voice from the dead bids me speak on this matter. About a year ago I was talking with Admiral Meade with reference to our ability to stand up against a first-class naval power.

He said, "Our Navy will give a good account of itself against any navy in the world. Of course, we shall not meet them fleet to fleet, but our ships will meet them ship to ship." I said, "How will you protect those vessels and the ports from which they must issue?" He said, "Give me control, and not even England shall enter our ports, but I must have 300 torpedo boats." I was surprised at such a number.

He said: "I do not want large torpedo boats, complicated and expensive engines, but I want the mere machines, the swift, small hull, with a strong engine, no matter how coarse or with how much rack, that can be laid up on shore when not needed and turned into the water when needed, that can be made on the same pattern by all the machine shops in the United States, each taking hold of a particular part. These," said he, "will not cost over $30,000 apiece, and we can make them, working night and day, in three months, and they will make our harbors absolutely safe."

Mr. BRUMM. Will the gentleman permit me to ask him a question for information?

Mr. PARKER of New Jersey. I will yield to the gentleman in a minute if I have the time. I only give to the House what was said to me as the judgment of a man as to whose repute and skill as an officer of the Navy, ingenious in command, and of his knowledge of the construction of all kinds of ordnance, vessels, and fleets there is no doubt. I have called this matter to the attention of the chairman of the Naval Committee, but I do not think I had the opportunity to impress it on him as I want now to do. I ask, as a beginning, that instead of having 300 of these small vessels we build 50 of them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUMM. I ask that the time of the gentleman may be extended three minutes.

There was no objection.

Mr. BRUMM. I should like to ask the gentleman, as a matter of information purely, is it not true that the boats the Government is buying, for instance, tug boats, yachts, etc., and smaller crafts, are not being turned into torpedo boats of the kind you mention?

Mr. PARKER of New Jersey. Not exactly. They are not available for that purpose.

Mr. BRUMM. I thought they were, to a large extent.

Mr. PARKER of New Jersey. These small boats run up to 20 knots an hour, and these tugs run up to 12 knots an hour. And these fast boats, from 60 to 80 feet long and 5 to 6 feet wide, may approach our ships, as I am told that these torpedo boats did until they were in effective distance before they were discovered.

Mr. BRUMM. How about the larger ones, the yachts?

Mr. PARKER of New Jersey. They can not be cut down so as to be small enough. They stand high above the water, and their engines and smokestacks are well above the water. I have found one exhaustive book on torpedo vessels by Captain Armstrong, an English writer, which was written in 1896, and to that date it appears to me to be absolutely in point.

He calls attention to the fact that some governments have been recently building only the larger boats, but he says that that is a mistake. For a torpedo boat to be effective it must be small, so as not to be seen as it approaches. Now, I think I have said all I desire to say, except I ask unanimous consent, in spite of the rule that has been adopted that this debate shall close in half an hour on the amendment, a time long enough to be allowed for the consideration of this amendment, which I consider the most important amendment that has been offered to this bill.

The CHAIRMAN. The gentleman asks unanimous consent that—how long?—ten minutes be allowed in addition to the time already allowed for the discussion of the amendment which he has offered. Is there objection?

Mr. MAHON. I object.

Mr. CUMMINGS. Mr. Chairman, while I have no particular objection to the amendment offered by the gentleman from Pennsylvania [Mr. BRUMM], I do object strongly to the amendment offered by the gentleman from Iowa [Mr. LACEY]. I do not believe that this House is ready to turn its legislative power over to the Executive of this nation. I know we have already placed $50,000,000 in his hands, to be spent at his discretion for the defense of the nation; but when a gentleman on this floor offers an amendment providing that the President shall build these battle ships at his discretion, it seems to me that it is time to pause. Has the House no regard for its dignity? Such a proposition trenches on its dignity by an abdication of its legislative function.

I have confidence in the President of the United States. I have served on the floor of this House with him for four years. I have seen him twice while a member of this body come to the front and protect the minority of this House from arbitrary rulings of the Speaker, independent of political considerations and advantages. I know he is honest and conscientious, and I believe him to be patriotic and devoted to the interests of the nation; but I do not believe it is either prudent or dignified in us to pass any proposition giving him discretion as to the building of battle ships. I believe that it is the duty of the Congress to make provisions for the Navy and to see that they are carried out. The amendment of the gentleman from Pennsylvania simply proposes that the President of the United States be directed to have these battle ships built at the earliest possible moment. That is in effect what the committee who have reported the bill do, and I have no objection to it; but I do protest against this House, without very good reason, indeed, delegating its legislative power to the Executive of the nation. [Applause on the Democratic side.]

Mr. SHAFROTH. Mr. Chairman, no one believes in delegating legislative power to the Executive of the nation unless it is necessary; and there comes a time in the history of all nations when it is wise and proper to rest and vest in the Executive of the nation most ample powers. We had a clear illustration of it the other day when we gave him power to expend the $50,000,000 that we did. I concede, Mr. Chairman, that in ordinary times a provision such as that contained in this bill limiting the time for contracting for these vessels to sixty days or ninety days would be wise and would be proper, but there comes a time, Mr. Chairman, when it is not wise and not proper to do that very same thing. What may occur in sixty days, neither you nor I know.

What may be the condition of this country sixty days from now Congress can not foretell, and therefore it becomes wise and expedient to let the matter rest in the hands of some one in whom we have confidence and whom we know will exercise the discretion wisely. There are but four companies in the United States that can construct battle ships of the first class. They are a firm in Wilmington, Del., the Newport News Company, the Cramps Company, of Philadelphia, and the Union Iron Works, of San Francisco.

Mr. BRUMM. And there is another one, the Roach's.

Mr. SHAFROTH. Can they make a first-class battle ship? I have been informed that there were only four concerns that are equipped to make a first-class battle ship. But suppose there is another one and the President is directed to contract for these within sixty days, besides the construction of twenty-four torpedo boats and torpedo-boat destroyers, will it not practically put it in the power of these few companies to dictate exorbitant terms to the United States? Now, Mr. Chairman, it seems to me this limitation of time is unnecessary, especially as the committee claims it is not an emergency measure, but a measure looking to the upbuilding of the Navy in the future. It seems absurd to require the contracts for these battle ships to be let in sixty days when a crisis is approaching, when the President may need these very shipyards for other purposes, when the docks may be required for other ships that can be of more immediate use, when within sixty days it might be determined whether the first-class battle ship is a success or not.

It seems to me that wisdom and calm judgment at this time should make us conclude that the proper course is to adopt the amendment of the gentleman from Iowa [Mr. LACEY] and invest the power of determining when the battle ships shall be built in the man that this House has voted is worthy of confidence. I hope the amendment will be adopted.

Mr. HILBORN. Will the gentleman allow me a question?

Mr. SHAFROTH. Certainly.

Mr. HILBORN. Does the gentleman not know that there are over sixty yards or places in the United States where these torpedo destroyers and torpedo boats can be built—that it is not true that there are only four or five firms that can bid for them?

Mr. SHAFROTH. I do not understand that there are only four or five places where torpedo boats can be built; I think there are a large number of places where the torpedo boats and torpedo-boat destroyers can be built; but I was speaking of the places at which first-class battle ships can be constructed.

Mr. BOUTELLE of Maine. With another effort, Mr. Chairman, to expedite action, I ask unanimous consent to strike out this proviso altogether.

Several MEMBERS. That is right.

Mr. LACEY. Mr. Chairman, I ask unanimous consent to withdraw the amendment I offered.

Mr. BRUMM. I also ask, Mr. Chairman, unanimous consent to withdraw the amendment offered by me. [Applause.]

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Iowa and the amendment offered by the gentleman from Pennsylvania will be withdrawn and the proviso will be stricken out.

There was no objection.

Mr. PARKER of New Jersey. Mr. Chairman, I ask that the amendment that I sent to the Clerk's desk be read, and I ask consideration for it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New Jersey.

The Clerk read as follows:

Insert in line 23, page 53, after the word "dollars," the following:
"And fifty smaller torpedo boats, to have the highest practicable speed, and to cost, exclusive of armament, not exceeding $3,500,000."

Mr. BOUTELLE of Maine. Mr. Chairman, is the proviso stricken out?

The CHAIRMAN. It is out.

Mr. BAILEY. Mr. Chairman, I want to ask the gentleman from Maine if he expects to be able to conclude the bill to-night?

Mr. BOUTELLE of Maine. After consulting with a number of members I think we can complete it. There are only one or two provisions that will be likely to result in any discussion.

Mr. DOCKERY. I desire to ask the gentleman in charge of the bill [Mr. BOUTELLE of Maine] if this amendment offered by the gentleman from New Jersey has the approval of the Naval Committee?

Mr. BOUTELLE of Maine. It has not; we have already provided for the building of torpedo boats, and we know that contracts are being prepared under the $50,000,000 appropriation for a large number of boats.

The amendment offered by Mr. PARKER of New Jersey was rejected.

Mr. GIBSON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

Insert in line 5, page 55, after the word "provided," the following:

"*And provided further*, That all ships and boats purchased by the Government of the United States in foreign lands shall be sold by the Secretary of the Navy as soon as the exigencies which caused their purchase will, in the judgment of the President, permit, and the proceeds of such sale applied to the construction and equipment of similar ships and boats."

Mr. BOUTELLE of Maine. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FISCHER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 55, line 5, after the words "hereinbefore provided," insert:

"*Provided, however*, That the President may cause any of the vessels authorized by this act to be constructed at any navy-yard which, in his opinion, shall be capable of speedily and properly constructing the same."

The amendment was rejected.

Mr. GAINES. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report.

The Clerk read as follows:

Strike out, in lines 17 and 18, page 54, after the word "act," line 17, "save that in all their parts said vessels shall be of domestic manufacture."

The amendment was rejected.

The CHAIRMAN. The gentleman from Illinois [Mr. BOUTELL] desires to offer an amendment.

Mr. BOUTELL of Illinois. I should like to ask the gentleman from Maine——

Mr. BOUTELLE of Maine. Debate has closed. The gentleman can offer an amendment, but he can not debate it.

The CHAIRMAN. Does the gentleman from Illinois offer an amendment?

Mr. BOUTELL of Illinois. I would like to offer an amendment, because I think——

Mr. BOUTELLE of Maine. You can offer it, but you can not debate it.

Mr. BOUTELL of Illinois. I think if the chairman of the committee would allow me to state the amendment, he would accept it at once.

The CHAIRMAN. The gentleman from Illinois will present his amendment. Debate has closed.

Mr. BOUTELL of Illinois. It is an amendment on page 54. I have not even had time to write it. I would like to state it, because I think the striking out of the proviso has created a very serious objection to the language of this paragraph, unless a suitable amendment can be adopted.

The CHAIRMAN. The gentleman will state his amendment, and the Clerk will take it down.

Mr. BOUTELL of Illinois. By the provision on page 54 the construction of all these vessels is to be made to conform in all respects to the provisions of the act of 1886, except as to the matter of premiums. Now, the law in reference——

The CHAIRMAN. Debate is closed.

Mr. BOUTELL of Illinois. This law provides that the President——

Mr. BOUTELLE of Maine. What do you want to amend?

[Cries of "Regular order!"]

The CHAIRMAN. The regular order is demanded. Debate is closed. Does the gentleman from Illinois offer an amendment?

Mr. BOUTELL of Illinois. Yes, sir.

The CHAIRMAN. The gentleman will please state it.

Mr. BOUTELL of Illinois. The amendment I offer is that the exception in line 13——

The CHAIRMAN. The gentleman will please state the words of his amendment.

Mr. BOUTELL of Illinois. My amendment is to insert a parenthesis before the word "except," in line 13, and to end the parenthesis with the word "same," in line 14. Unless this amendment be made the Department, under the law of 1886, can not complete these vessels in five months.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Illinois.

Mr. BOUTELL of Illinois. I should like to be heard on that amendment.

The CHAIRMAN. Debate on this paragraph is closed.

The question being taken, the amendment of Mr. BOUTELL of Illinois was rejected.

The CHAIRMAN. The question is now on the substitute offered by the gentleman from Illinois [Mr. CANNON].

The substitute was again read.

Mr. BRUCKER. Would an amendment to this substitute be in order?

The CHAIRMAN. It would.

Mr. BRUCKER. I move to amend so as to provide that the gunboat which is to take the place of the gunboat *Michigan* be named the *Michigan*.

Mr. BOUTELLE of Maine. I suggest to the gentleman that if this amendment be adopted, the Department will be unable to name one of the battle ships after his State.

The CHAIRMAN. The amendment of the gentleman from Michigan will be read.

The Clerk read as follows:

After the word "waters," in the second line of the second page of the substitute, insert "said gunboat to be called the *Michigan*."

Mr. BOUTELLE of Maine. I rise to a point of order—that this amendment is a change of existing law.

Mr. BRUCKER. In view of the suggestion of the gentleman from Maine, and for the reason that I wish one of these battle ships hereafter to be constructed may be named the *Michigan*, I withdraw my amendment.

The question being taken on agreeing to the substitute offered by Mr. CANNON, it was rejected; there being—ayes 78, noes 124.

The Clerk read as follows:

Construction and machinery: On account of the hulls and outfits of vessels and steam machinery of vessels heretofore and herein authorized, $6,070,473: *Provided*, That section 2 of the act entitled "An act to increase the naval establishment," approved August 3, 1886, be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That in the construction of all naval vessels the steel material shall be of domestic manufacture, and of the quality and characteristics best adapted to the various purposes for which it may be used, in accordance with specifications approved by the Secretary of the Navy."

Mr. BOUTELLE of Maine. In order to conform to the action of the House in providing for additional torpedo boats, I move to amend by striking out, in lines 10 and 11, on page 55, "six million and seventy thousand" and inserting "seven million six hundred and forty-eight thousand."

The amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. PAYNE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 5489) extending the right of commutation to certain homestead settlers on lands in Oklahoma Territory, opened to settlement under the provisions of the act entitled "An act to ratify and confirm the agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect."

The message also announced that the Senate had passed joint resolution (S. R. 129) relative to suspension of part of section 350 of Revised Statutes, relative to erection of forts, fortifications, etc.; in which the concurrence of the House is requested.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. UNDERWOOD. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert in line 15, page 55, after the word "follows," the following:

"That for the construction of all naval vessels the sum of $4,000,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the erection of suitable buildings and the purchase of suitable machinery and other material necessary for the establishment and maintenance of a plant for furnishing armor plate for the use of the Navy.

"That the Secretary of the Navy is hereby authorized to appoint a board, to consist of three officers of the Navy, who shall examine and report what, in their opinion, is the most suitable site for the erection of the plant provided for in the foregoing section of this act, and no money shall be expended until the point so selected shall have been approved by the Secretary of the Navy."

Mr. BOUTELLE of Maine. I make a point of order on that amendment, of course.

Mr. UNDERWOOD. I ask unanimous consent that in arguing the point of order I may be allowed to speak to the merits of the amendment.

Mr. DALZELL. For how long?

Mr. UNDERWOOD. I will ask for fifteen minutes.

The CHAIRMAN. Is there objection?

Mr. BENNETT. I object.

Mr. MCMILLIN. I suggest to the gentleman from Maine that he withhold his point of order until the gentleman from Alabama can be heard.

Mr. BOUTELLE of Maine. Very well; I will reserve my point of order for such time as the Committee of the Whole may be disposed to hear the gentleman.

The CHAIRMAN. The gentleman from Alabama will be recognized for five minutes, if there be no objection.

There was no objection.

[Mr. UNDERWOOD addressed the committee. See Appendix.]

Mr. BOUTELLE of Maine. Mr. Chairman, I ask that the Clerk proceed with the reading of the bill.

The Clerk read as follows:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized by the act of July 26, 1894, of the vessels authorized under the act of March 2, 1895, of those authorized by the act of June 10, 1896, of the three torpedo boats authorized by the act of March 3, 1897, and of those authorized by this act, including the completion of ordnance outfit for the six torpedo boat destroyers and six torpedo boats named herein, $5,458,800: *Provided*, That the total cost of the armor, according to the plans and specifications already prepared, for the three battle ships authorized by the act of June 10, 1896, shall not exceed $3,210,000, including all cost of nickel in the same, and exclusive of the cost of transportation, ballistic test plates, and tests, and no contract for armor plate shall be made at an average rate to exceed $400 per ton of 2,240 pounds, including nickel as aforesaid.

Mr. BALL. Mr. Chairman, I make the point of order on that provision allowing $400 a ton for armor plate.

The CHAIRMAN. What point of order does the gentleman make?

Mr. BALL. That it changes existing law and that it is new legislation.

The CHAIRMAN. Does the gentleman make the point of order or reserve it?

Mr. BALL. I make the point of order.

Mr. BOUTELLE of Maine. Let me say to the gentleman that there is a law in the last bill providing for this, and this is simply a limitation upon it. It is no change of existing law. It simply puts a limitation upon the appropriation made by the present bill.

Mr. BALL. I make the point of order, Mr. Chairman, that the section under consideration, in so far as it fixes the price of armor plate at $400 instead of $300, is new legislation and changes existing law. I desire to call the attention of the Chair to the fact that in the first session of the Fifty-fifth Congress it was decided that no contract for armor plate should be made at a cost to exceed $300 per ton. That is the law. It has never been repealed, and the provision sought to be incorporated in this appropriation bill is a change of the law as it now exists, and it is new legislation, and is therefore properly subject to a point of order. I will read the provision. On page 123 of the Statutes of the United States of America, acts of the Fifty-fifth Congress, first session, I find the following——

Mr. TAWNEY. Is not that the naval appropriation bill passed at the first session of this Congress?

Mr. BALL. It is a statute that I am reading from.

Mr. TAWNEY. Is it not the naval appropriation bill, and is not that a limitation upon the appropriation of money authorized in that act?

Mr. CUMMINGS. It was in the naval appropriation bill.

Mr. BOUTELLE of Maine. It was in the act in which we made appropriation for the armor and armament of the vessels of the Navy, all the vessels still incomplete, including the vessels that are authorized by this bill, and this paragraph is nothing but a limitation upon this appropriation in this bill.

Mr. BALL. I do not agree with that.

Mr. BOUTELLE of Maine. It simply makes a limitation upon the appropriation which precedes it. The appropriation is of a certain amount for the arming and armament of ships, including the three battle ships which have not yet been armed. That appropriation having been made, the bill proceeds to put a limitation upon it by providing conditions and terms under which a certain portion of this appropriation shall be expended; that is, for the providing of armor for three battle ships included in this provision, limited by the proviso that the total cost shall not be more than so much.

Mr. BALL. The gentleman from Maine should not attempt to take me from the floor. Let me discuss the point of order, and he can then speak in his own time. Congress has before passed upon the price to be paid for armor plate, and advantage ought not now to be taken of the present situation to allow more than the deliberate judgment of Congress at that time said was all that armor plate was worth. If it was right then, it is right now.

Mr. BAILEY. Will my colleague allow me to suggest to him that if he were to strike out this provision, then the Navy Department could give $600 a ton for this armor?

Mr. BOUTELLE of Maine. Certainly.

Mr. BAILEY. And the provision is the only thing that limits them to $400. I suggest that to my colleague. I am very frank to say that I voted in the last session to limit the price to $300 a ton. We were unable to buy it at that figure, and now we must buy it.

Mr. BALL. I think the gentleman is mistaken; only $300 per ton could be charged. I wish to read from the law. I hope the gentleman from Texas [Mr. BAILEY] will listen to this:

Armor plate: That the total cost of the armor, according to the weights prepared for the three battle ships authorized by the act of June 10, 1896, shall not exceed $2,407,500, exclusive of the cost of transportation, ballistic test plates, and tests, and no contract for armor plate shall be made at an average rate to exceed $300 per ton of 2,240 pounds: *And provided further*, That the Secretary of the Navy is authorized, in his discretion, to contract with either or all of the builders of the hulls and machinery of these vessels, or with any one or more bidders, for the furnishing of the entire amount of said armor at a cost not exceeding the aforesaid $300 per ton, if he shall deem it for the best interests of the Government.

In case the Secretary of the Navy shall find it impossible to make contracts for said armor within the limits as to price above fixed, he shall be, and hereby is, authorized and directed to take steps to establish a Government armor factory of sufficient capacity to make such armor. In executing this authority he shall prepare a description and plans and specifications of the land, buildings, and machinery suitable for the factory; and shall advertise for proposals to furnish such land, buildings, and machinery as a whole plant, or separately, for the land or buildings, or the whole or any part of said machinery, and report to Congress at its next session. The Secretary shall also appoint an armor-factory board, to consist of competent naval officers of suitable rank, to advise and assist him in executing the authority hereby conferred.

Mr. FLEMING. That only applies to those three ships.

Mr. BOUTELLE of Maine. That is exactly similar to the limitation put upon the appropriation made last year. This is a limitation made upon the appropriation this year. The proviso which the gentleman reads is in the naval appropriation bill, and the limitation was in precisely the same language, except that last year the limitation was $300 per ton, while this bill, for reasons known to gentlemen on that side, changes the limitation to $400 a ton. [Cries of "Rule!" "Rule!"]

Mr. BALL. I simply wish to call the attention of the gentleman from Maine and the Chair to the fact that the vessels authorized by the act of July 26, 1894, the vessels authorized by the act of March 2, 1895, the vessels authorized by the act of June 10, 1896, and those authorized by the act of March 3, 1897, are mentioned in this bill. The law I have read clearly includes them as to the price to be paid for armor plate, and the clause prohibiting any contract for the payment of more than $300 per ton includes all the vessels provided for in this bill. I insist, therefore, that the point of order is well taken and should be sustained.

The CHAIRMAN. The provision in the naval appropriation bill of March last is identical in terms with the provision in the naval appropriation bill to which the gentleman now raises the point of order. It seems to the Chair perfectly clear that the provision in the last naval bill was a limitation which touched merely the appropriation therein provided for, and the provision here is a limitation upon the appropriation herein provided for. Therefore the Chair overrules the point of order.

Mr. UNDERWOOD. I move to strike out the last word.

The CHAIRMAN. There is an amendment pending offered by the gentleman from Ohio [Mr. SOUTHARD], which the Clerk will report.

The Clerk read as follows:

In line 5, page 56, strike out the word "six" before the words "torpedo-boat destroyers," and the word "six" before the words "torpedo boats," and insert the word "twelve" in each place; so that it will read:

"Including the completion of ordnance outfit for the twelve torpedo-boat destroyers and twelve torpedo boats named herein."

Mr. BOUTELLE of Maine. My colleague desires to offer an amendment.

Mr. DALZELL. I just want, in view of the fact that the gentleman from Alabama [Mr. UNDERWOOD] was cut off from making his remarks by the five-minute rule, to ask unanimous consent that he be allowed to print his remarks upon this subject in the RECORD.

Mr. BOUTELLE of Maine. Certainly.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken; and the amendment was agreed to.

Mr. CUMMINGS. I would like to ask my colleague from Maine if he has changed his total?

Mr. BOUTELLE of Maine. My colleague from Ohio sent up an amendment which I understand effects that.

The CHAIRMAN. The amendment offered by the gentleman from Ohio has been adopted.

Mr. HANDY. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman from Delaware will state it.

Mr. HANDY. What is the last paragraph read?

The CHAIRMAN. Ending at line 16, page 56. The gentleman from Ohio offered two amendments; but one was reported and acted upon. The other will be reported by the Clerk.

The Clerk read as follows:

In line 6, page 56, strike out the words "four hundred and fifty-eight thousand" and insert "six hundred and sixty-two thousand."

Mr. BOUTELLE of Maine. That is correct.

The amendment was agreed to.

Mr. BARLOW. Mr. Chairman, I have an amendment I desire to offer to that section.

The Clerk read as follows:

Strike out "four," in line 14, page 56, and insert "three."

[Cries of "Vote!"]

Mr. BARLOW. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire to discuss his amendment?

Mr. BARLOW. Yes, sir.

The CHAIRMAN. The gentleman from California.

Mr. BARLOW. Mr. Chairman, my amendment simply puts the price of armor plate at $300 a ton, which is the same price set

upon armor after a full discussion in the Senate last year; and it was proved before a Senate committee that investigated this matter that the cost of armor was only $149 per ton. Yet that same company had contracted with Russia for the delivery of this same armor plate, with the nickel ingredient that is in it, for $248. Now, I do not see why in the name of heaven we should pay $400 a ton for it when $300 is ample. [Cries of "Vote!"]

Mr. BOUTELLE of Maine. Simply because we want to have some armor.

Mr. MAHON. I ask unanimous consent to submit an article to be printed in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to have a statement printed in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The article is as follows:

AMERICAN ARMOR FOR FOREIGN SHIPS.

[Army and Navy Journal, February 19, 1898.]

Russia on Saturday last awarded contracts to the Carnegie Steel Company for sufficient harveyized nickel-steel armor to complete two battle ships now under construction. The contract price is $500 per ton, which is $33.12 less per ton than the company received for the armor it furnished under its last Russian contract, $200 more than the United States is allowed to pay under the law for armor for the battle ships *Illinois*, *Alabama*, and *Wisconsin*, and $100 more than the Senate and House Naval Committees are willing to allow for the armor for these three ships.

The Russian Government a few months ago advertised for bids for completing the armoring of the Russian battle ships *Peresvet* and *Olysibia*, the armor plate to be delivered within a year and a half. Following are the bids received: Vickers Sons & Co. (English), $583.96 per ton; John Brown & Co. (English), $569.28 per ton; St. Chamond (French), $490 for 9-inch, $498 for 8-inch, $509 for 5-inch, and $548 for 4-inch; Le Creusot (French), $498 for 9-inch, $478.64 for 8-inch, $530.75 for 7-inch, $550 for 5-inch, and $569 for 4-inch; Chatillion (French), $486 for 9-inch, $496 for 8-inch, $517 for 7-inch, $563.50 for 4 and 5-inch; Marrel Frères (French), $530.75 for 6-inch and $382.14 for 4-inch; Krupp (German), $562.52 for all sizes; Dillingen (German), $559.30 for all sizes; Wilkowitz (Austria), $452.20 for all sizes; Bethlehem Iron Company (American), $530.45 for all sizes; Carnegie Steel Company (American), $530.45 for all sizes.

The Russian Government rejected all the bids on the ground that they were too high, but after negotiations with the Carnegie Company, as a result of which the bid of that firm was reduced to $500 per ton, it was finally decided to award the contracts to it. The *Peresvet* and the *Olysibia* are first-class battle ships, and when completed will have a displacement of 12,840 tons each. One is expected to be ready for launching the latter part of this year and the other in 1900. The fact that the Russian Government determined to return to harveyized nickel-steel armor, after having tried armor manufactured by the Krupp process, is complimentary to the judgment of Capt. Charles O'Neil, Chief of the Navy Bureau of Ordnance, and other American naval experts.

It has been reported to the Navy Department that on Krupp's good showing with a 11.8-inch Krupp plate, the German received a contract for armor for the Russian battle ship *Poltava*, a vessel of 10,950 tons. The price paid was $542.64 per ton delivered in St. Petersburg. Although the test plate of this contract cracked, the Government waived the imperfection and concluded to accept the armor. The action of the Russian Government in making a contract for harveyized nickel-steel armor is regarded as a severe reflection on Krupp armor. Carnegie and Bethlehem companies recently acquired the right to use the Krupp process, but it is not likely that either company will make a contract to supply Krupp armor at present, in view of the reported undeveloped condition of the process.

[Cries of "Vote!"]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. TODD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Strike out in line 14, page 56, and insert the following:
Strike out the words "four hundred" and insert "two hundred and fifty."

[Cries of "Vote!"]

[Mr. TODD addressed the committee. See Appendix.]

The amendment was rejected.

Mr. GAINES. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Armor-plate factories: For the building and equipping of two factories for the manufacture of armor plate, one to be located in the South and the other in the Northwest, by the Secretary of the Navy, on considerations of proximity of material and transportation, $3,000,000.

Mr. BOUTELLE of Maine. A point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

For the installation of electric plants in gunboats numbered 10, 11, 12, and 13, $40,000.

Mr. HANDY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

No money appropriated in this act shall, after the next vacancy occurs on the active list in his grade, be paid any officer on the retired list under the regular retiring age and not having the legal forty years' service, whom the Navy Department may deem able physically, mentally, and morally to resume on the active list the duties of his existing commission, and may order back to duty in the said active-list vacancy.

Mr. BOUTELLE of Maine. A point of order, Mr. Chairman, that it changes existing law.

Mr. HANDY. I would like to be heard upon that. I claim it is not subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HANDY. But, Mr. Chairman——

The CHAIRMAN. The Chair does not desire to hear the gentleman upon the point of order.

Mr. HANDY. I know the Chair wishes to be perfectly fair, and if he will read that amendment, I think he will not hold that it is subject to a point of order.

The CHAIRMAN. The Chair carefully listened to the reading of the amendment, and it is clearly not germane to the section.

Mr. HANDY. It is germane to the whole bill. It is a limitation on the appropriation.

The CHAIRMAN. The Chair has sustained the point of order.

Mr. HANDY. I appeal from the decision of the Chair.

The CHAIRMAN. The appeal is too late.

Mr. CUMMINGS. Mr. Chairman, I ask unanimous consent to print some remarks in the RECORD upon armor plate.

There was no objection.

Mr. BOUTELLE of Maine. Mr. Chairman, I move that the committee now rise and report the bill and amendment to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committees of the Whole House, reported that the Committee of the Whole House on the state of the Union had had under consideration House bill 9378, making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes, and had instructed him to report the same back to the House with sundry amendments and with a favorable recommendation.

Mr. BOUTELLE of Maine. Mr. Speaker, I move the previous question on the bill and amendments.

The previous question was ordered.

The SPEAKER. Does any gentleman desire a separate vote upon any item? If not, the question is on agreeing to the amendments.

The amendments were agreed to.

Mr. BOUTELLE of Maine. Mr. Speaker, I ask unanimous consent to make a correction in the text of the bill, which I will briefly state. We first authorized battle ships not to exceed in cost $4,000,000, exclusive of armament. That was subsequently ruled upon by the Treasury Department in the disbursing of the money in the various bureaus. We have reduced that amount of limitation which has never been reached, under the contract for the hull and machinery, to $3,750,000.

The last ships contracted for were contracted for at a price of $2,700,000, and the committee this year thought they would reduce the outside limitation again, because the price of vessels had been reduced down to $2,600,000, and we therefore struck off $750,000 and limited the ships to cost, exclusive of armament, $3,000,000. It afterwards came to the attention of the committee that by a ruling of the Treasury Department the hull armor has been excluded from the account of what is known as the armament.

So the armament does not take account of $1,000,000 worth, and gentlemen will perceive that according to that ruling the cost of the vessel exclusive of armament has to be the cost of the contract price for the hull and machinery, which is $2,670,000, and a million dollars of that goes into armor that goes on the hull of the ship. It does not increase the cost of the vessel, but it is a limitation that does not take effect upon a million dollars of armor that it was originally intended to. I am familiar with the bills, because I drew the first one.

Now I ask unanimous consent to insert, after the word "of," in line 15, page 53, the words "armor and;" so as to read "to cost, exclusive of armor and armament, not exceeding $3,000,000 each."

Mr. UNDERWOOD. If this amendment be made, will the limitation of $400 a ton on the cost of armor plate be still operative?

Mr. BOUTELLE of Maine. Oh, yes; this will not affect that at all. In drafting the language in the bill we overlooked the fact that the cost of armor, as well as armament, should be excluded from this sum of $3,000,000, which would not be sufficient to provide for the building of the hulls and also provide a million dollars' worth of armor.

Mr. McMILLIN. The effect of this amendment, as I understand——

Mr. BOUTELLE of Maine. I think I can anticipate the gentleman's inquiry. The effect of the amendment is practically the same as if we put back the $3,750,000.

Mr. McMILLIN. This does not increase the amount which may be charged for any particular part of the work beyond the limit already fixed?

Mr. BOUTELLE of Maine. Not in the slightest degree; but if the amendment be not made, the Secretary of the Navy might be

prevented from accepting bids which would be entirely satisfactory to him, because there would not be money enough appropriated.

Mr. McMILLIN. I made the inquiry simply because we are obliged, under the present circumstances, to let up on some things where we know an excessive charge is being made—notably on the question of armor plate.

Mr. BOUTELLE of Maine. I would not ask the House to agree to a provision of this kind if it could possibly have any such effect.

The amendment proposed by Mr. BOUTELLE of Maine was read, as follows:

After the word "of," at the end of line 15, page 53, insert "armor and;" so as to read: "To cost, exclusive of armor and armament, not exceeding $3,000,000 each."

There being no objection, the amendment was considered, and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the last vote was laid on the table.

ADJOURNMENT UNTIL MONDAY.

Mr. DINGLEY. I move that when the House adjourns to-day it adjourn to meet on Monday next.

Mr. BAILEY. I desire to ask the gentleman from Maine whether the Senate has adjourned until Monday?

Mr. DINGLEY. It has.

Mr. BAILEY. In view of that fact, I will not object.

The motion was agreed to.

PRINTING MESSAGE ON THE MAINE DISASTER.

Mr. TAYLER of Ohio. I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That there be printed for the use of the House of Representatives 3,000 copies of the message of the President dated March 28, 1898, and also of the report of the naval commission upon the destruction of the *Maine* and the accompanying evidence.

Mr. PERKINS. I think that this resolution had better go to the Committee on Printing. On Tuesday last the House authorized the printing of this report, which, I think, exhausted the power of the House under a simple resolution.

The SPEAKER. The gentleman from Iowa [Mr. PERKINS] objects to the immediate consideration of the resolution. If there be no objection, it will be referred to the Committee on Printing.

There was no objection; and the resolution was referred accordingly.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 6906. An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport; and

H. R. 1181. An act granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 1825. An act granting an increase of pension to Robert P. Wild;

S. 2299. An act granting a pension to Caroline A. Slocum;

S. 3178. An act granting a pension to Olevia S. Washburn;

S. 655. An act granting a pension to Harriet R. Matlack;

S. 431. An act granting a pension to Ann M. Madden;

S. 178. An act granting a pension to Susan A. Paddock;

S. 1181. An act to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of Sixteenth Regiment Ohio Volunteers; and

S. 73. An act granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. R. 129. Joint resolution relative to suspension of part of section 350 of Revised Statutes relative to erection of forts, fortifications, etc.—to the Committee on Appropriations.

LEAVE TO PRINT.

Mr. GAINES. I ask unanimous consent to print some remarks on the subject of armor plate.

The SPEAKER. The gentleman from Tennessee [Mr. GAINES] asks unanimous consent to extend in the RECORD his remarks upon the question of armor plate.

Mr. PERKINS. To what extent?

Mr. GAINES. I do not know that any other gentleman has been limited.

Mr. PERKINS. There has been some suggestion of printing long reports under the guise of extending remarks in the RECORD.

Mr. GAINES. I have never been guilty of doing anything wrong in this matter. Mr. Speaker, I stand on my rights.

The SPEAKER. Is there objection to the request?

Mr. PERKINS. I will not object, though I think my question was a very proper one.

The SPEAKER. The Chair hears no objection; and the request is granted.

Mr. TODD. I ask unanimous consent for the printing of 500 additional copies of House resolution 209. This is the resolution recognizing the independence of Cuba.

Mr. DINGLEY. I move that the House adjourn.

The motion was agreed to; and accordingly (at 6 o'clock p. m.) the House, in pursuance of its previous order, adjourned until Monday next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with letter of the Chief of Engineers, report of a preliminary examination and survey of Duwamish River and its tributaries, Washington—to the Committee on Rivers and Harbors, and ordered to be printed.

A message from the President, transmitting a communication from the Secretary of Agriculture showing the present condition of the beet-sugar industry in this country—to the Committee on Agriculture, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioner of Internal Revenue submitting an estimate of deficiency in the appropriation for "punishment for violations of internal-revenue laws"—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Navy, transmitting a report of a survey of Pearl Harbor, Hawaiian Islands—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 7743) authorizing the Missouri, Oklahoma and Texas Railway Company to construct and operate a railway through the Indian Territory and Oklahoma Territory, and for other purposes, reported the same with amendment, accompanied by a report (No. 917); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6903) to amend section 1176 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 921); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8489) to grant lands to the State of Alabama for the use of the Agricultural and Mechanical College of Alabama, for negroes, and the State Normal College at Florence, Ala., reported the same with amendment, accompanied by a report (No. 922); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MILLS, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 9604) to grant a right of way to the village of Flandreau, S. Dak., reported the same with amendment, accompanied by a report (No. 938); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 80) providing procedure in certain pension cases, reported the same with amendment, accompanied by a report (No. 920); which said bill and report were referred to the House Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9598) to

encourage enlistments by veterans of the late war during the coming war with Spain, reported the same with amendment, accompanied by a report (No. 923); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BARNEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 1272) for the relief of Thomas Rosbrugh, reported the same without amendment, accompanied by a report (No. 916); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6388) granting a pension to J. R. Mathers, reported the same with amendment, accompanied by a report (No. 918); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pension, to which was referred the bill of the House (H. R. 6242) to restore the name of Dr. J. C. Kinkle to the pension roll, reported the same with amendment, accompanied by a report (No. 919); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1773) to amend the military record of George F. Miller, reported the same without amendment, accompanied by a report (No. 924); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6616) to remove the charge of desertion against John Phelan, deceased, reported the same with amendment, accompanied by a report (No. 925); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3790) to remove the charge of desertion against John Willoughby, reported the same with amendment, accompanied by a report (No. 926); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2632) to remove the charge of desertion from the military record of Thomas W. O'Brien, reported the same with amendment, accompanied by a report (No. 927); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7561) to correct the military record of William P. Brassington, reported the same with amendment, accompanied by a report (No. 928); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5046) to remove the charge of desertion from the military record of Lawrence P. Ressler, reported the same with amendment, accompanied by a report (No. 929); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3071) for the relief of James A. Stoddard, reported the same with amendment, accompanied by a report (No. 930); which said bill and report were referred to the Private Calendar.

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1845) to amend the record of Capt. Thomas H. Reeves, United States Army, retired, reported the same without amendment, accompanied by a report (No. 931); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4332) to correct the military record of Isaac Alger, reported the same with amendment, accompanied by a report (No. 932); which said bill and report were referred to the Private Calendar.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7673) for the relief of William E. Anderson, reported the same with amendment, accompanied by a report (No. 933); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 6938) for the relief of Recknagel & Co., reported the same with amendment, accompanied by a report (No. 936); which said bill and report were referred to the Private Calendar.

Mr. CLARDY, from the Committee on Claims, to which was referred the bill of the Senate (S. 693) for the relief of John Veeley, reported the same without amendment, accompanied by a report (No. 937); which said bill and report were referred to the Private Calendar.

Mr. GRIFFITH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 7318) for the relief of Frank Loyd, of Georgia, reported the same with amendment, accompanied by a report (No. 939); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1829) granting an increase of pension to James H. Kile, reported the same with amendment, accompanied by a report (No. 940); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 637) granting an increase of pension to Oliver P. Silvey, reported the same with amendment, accompanied by a report (No. 941); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table as follows:

Mr. McDONALD, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4117) to remove the findings of a court-martial by which Charles Held was discharged from the military service of the United States, reported the same adversely, accompanied by a report (No. 934); which said bill and report were laid on the table.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3475) to relieve John W. Barnes of the charge of desertion, reported the same adversely, accompanied by a report (No. 935); which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Military Affairs was discharged from the consideration of joint resolution (H. Res. 216) to restore the status of the Chicago Dragoons; and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HANDY: A bill (H. R. 9675) to define and prescribe the duties of the officers of the Inspector-General's Department of the Army, and for other purposes—to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 9688) for the erection of a public building in the city of Evanston, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9689) for the erection of a public building in the city of Waukegan, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. WM. ALDEN SMITH: A bill (H. R. 9690) creating a national board of pardons—to the Committee on the Judiciary.

By Mr. WILLIAM A. STONE: A joint resolution (H. Res. 217) authorizing the President to take such steps as will speedily bring the war in Cuba to a close, under such conditions as will establish Cuban independence—to the Committee on Foreign Affairs.

By Mr. FLEMING: A resolution (House Res. No. 276) of inquiry for information from the Navy Department—to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BOTKIN: A bill (H. R. 9676) granting arrears of pension to Jared N. Fancher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9677) granting a pension to Jeff Tourney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9678) granting an increase of pension to L. W. Crain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9679) granting a pension to William Blundell, alias David Robinson—to the Committee on Invalid Pensions.

By Mr. BULL: A bill (H. R. 9680) to remove the charge of desertion from the record of Thomas Holmes, of Company E, Seventy-ninth New York Infantry Volunteers—to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 9681) to correct the military record of Levi R. Shadell—to the Committee on Military Affairs.

By Mr. LOVE: A bill (H. R. 9682) for the relief of Francisco Krebs—to the Committee on Private Land Claims.

By Mr. ODELL: A bill (H. R. 9683) for the relief of James J. Cox—to the Committee on Claims.

By Mr. ROBB (by request): A bill (H. R. 9684) granting a pension to Solomon Butler—to the Committee on Invalid Pensions.

By Mr. STROWD of North Carolina: A bill (H. R. 9685) for relief of Tony Jenkins, of Chapelhill, N. C.—to the Committee on War Claims.

By Mr. SLAYDEN: A bill (H. R. 9686) to confer jurisdiction on the Court of Claims to hear and determine the claim of Luther Sargent, of Eagle Pass, Tex., for cattle taken by the Comanche Indians—to the Committee on Claims.

By Mr. BROWNLOW: A bill (H. R. 9687) granting a pension to John B. Walker—to the Committee on Invalid Pensions.

By Mr. STALLINGS: A bill (H. R. 9691) granting a pension to Robert Selden—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petitions of the Woman's Christian Temperance Union, Methodist Episcopal Church, and United Presbyterian Church of West Alexander, Pa., praying for the enactment of legislation to forbid the interstate transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church, United Presbyterian Church, and Woman's Christian Temperance Union of West Alexander, Pa., favoring the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. ARNOLD: Resolutions of the Central Pennsylvania Methodist Episcopal Church Conference, asking for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: Petition of the Woman's Christian Temperance Union of Mineral Point, Wis., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. BALL: Petitions of citizens of Hockley, Tex., and resolution of Houston Division, No. 7, Order of Railway Conductors, of Houston, Tex., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BARBER: Petition of the committee on philanthropic labor of the Religious Society of Friends, Park avenue, Baltimore, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. BARTLETT: Petition of R. A. Mallory, J. J. Lee, and other citizens of Concord, Ga., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BELFORD: Resolutions of the Board of Trade of Binghamton, N. Y., favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. BELL: Petitions of the Woman's Christian Temperance unions of La Junta and Pueblo, Colo., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Central Woman's Christian Temperance Union of Pueblo, Colo., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, resolutions of the Grand Junction Camera Club, of Grand Junction, Colo., protesting against the passage of the anti-photography copyright bills—to the Committee on Patents.

Also, petitions of citizens of Pueblo and Fishers Peak Division, No. 247, Order of Railway Conductors, of Trinidad, Colo., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BENNETT: Petition of W. P. Murphy and other citizens of Brooklyn, N. Y., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BOTKIN: Papers in support of a bill granting a pension to William Blundell, alias David Robinson—to the Committee on Invalid Pensions.

By Mr. BOUTELLE of Maine: Petitions of the Woman's Christian Temperance Union, Free Mission Church, First Baptist Church, and Lutheran Church of New Sweden, Me., asking for the passage of bills to prohibit the transmission of gambling matter by telegraph and to protect anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of New Sweden, Me., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BRENNER of Ohio: Petition of the Woman's Christian Temperance Union of Camden, Ohio, favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. BRUMM: Two petitions of citizens of Schuylkill County, Pa., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. BULL: Resolution of the Board of Trade of Providence, R. I., in favor of House bill No. 8066, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill to remove the charge of desertion against Thomas Holmes, of Providence, R. I.—to the Committee on Military Affairs.

By Mr. BURLEIGH: Petition of the Congregational Church of Litchfield Corners, Kennebec County, Me., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of the Friends' Church of West Gardiner, Me., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Friends' Church of West Gardiner, Me., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on the Judiciary.

By Mr. CAPRON: Petitions of the Young Woman's Christian Temperance Union and Baptist Church of Woonsocket, R. I., for the passage of bills to prohibit interstate gambling by telegraph, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Young Woman's Christian Temperance Union and Baptist Church of Woonsocket, R. I., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, resolutions of the Board of Trade of Providence, R. I., asking for the passage of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. CLARKE of New Hampshire: Petitions of the Woman's Christian Temperance Union and Methodist Episcopal churches of East Colebrook and East Columbia, N. H., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union and Methodist Episcopal churches of East Colebrook and East Columbia, N. H., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. DALZELL: Resolutions of Grant Lodge, No. 258, Knights of Pythias, of Pittsburg, Pa., in favor of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petition of permanent committee on temperance of the Presbyterian Church in the United States, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DAVIS: Petitions of 10 citizens of Lake Helen, 16 citizens of West Palmbeach, 21 citizens of New Smyrna, 14 citizens of St. Augustine, 12 citizens of Port Orange, 10 citizens of Lemon City, 14 citizens of City Point, 10 citizens of Ormond, 20 citizens of Sebastian, 11 citizens of Fort Pierce, 33 citizens of Miami, 6 citizens of Oak Hill, 10 citizens of Orange City, 16 citizens of Cocoa, 7 citizens of Miami, and 31 citizens of Jacksonville, all of the State of Florida, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DINGLEY: Petitions of the Woman's Christian Temperance Union of Stratton, Me., and Epworth League of Round Pond, Me., favoring the passage of a bill to protect State anti-cigarette laws and to forbid interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Round Pond and Quarterly Conference of the Methodist Episcopal Church of Union, Me., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of

Columbia and the Territories—to the Committee on the District of Columbia.

Also, petitions of the Woman's Christian Temperance Union of Stratton, Me., and Epworth League of Round Pond, Me., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DOCKERY: Petition of citizens of Chillicothe, Mo., in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Grant City, Worth County, Mo., adopted at a mass meeting March 20, 1898, for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of citizens of Grant City, Mo., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. FARIS: Petition of C. M. Thompson and other citizens of Terre Haute, Ind., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Resolution adopted at the annual meeting of the National Wholesale Lumber Dealers' Association, for the passage of an act to strengthen the public credit—to the Committee on Banking and Currency.

By Mr. FOX: Petitions of S. W. Roane and other citizens of West Point, J. M. Wilson and others of Kilmichael, State of Mississippi, praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER: Petition of members of the Moorestown Natural History Society, of the State of New Jersey, favoring the passage of the bill prohibiting the importation into the United States of birds and their feathers for ornamental purposes—to the Committee on Ways and Means.

Also, petitions of the Broad Street Methodist Episcopal Church, Broad Street Park Church, Hamilton Avenue Methodist Episcopal Church, and Swedish Zion congregation, all of Trenton, N. J., and Trenton Post, No. 1, Volunteers of America, Chapter 3163, Epworth League, of Pennington, N. J., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of Woman's Christian Temperance Union No. 3, of Trenton, N. J., and Chapter No. 3163, Epworth League, of Pennington, N. J., asking for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of Chapter No. 3163, Epworth League, of Pennington, N. J.; Broad Street Park Methodist Episcopal Church, Broad Street Methodist Episcopal Church, Hamilton Avenue Methodist Episcopal Church, Young People's societies of Christian Endeavor of Bethany Presbyterian and Hamilton Avenue Methodist Episcopal churches, Woman's Christian Temperance Union No. 3, Swedish Zion Congregation, and Mercer Division, No. 260, Sons of Temperance, all of Trenton, N. J., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Resolutions of the Vermont Dairymen's Association, G. W. Pierce, secretary, Brattleboro, Vt., in favor of the passage of Senate bill No. 3354, relating to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. GROW: Petition of Presbyterian union service at Clarion, Pa., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of 500 citizens of Clarion, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol building—to the Committee on Public Buildings and Grounds.

By Mr. HANDY: Petitions of the First Presbyterian Church and Bethesda Methodist Episcopal Church, of Middletown, Del., in favor of a bill to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Bethesda Methodist Episcopal Church, of Middletown, Del., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HENDERSON: Petition of Mrs. S. C. Silker and other citizens of Lamont, Buchanan County, Iowa, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of Mae Draper and citizens of Lamont, Iowa, for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HICKS: Petitions of the Young People's Societies of Christian Endeavor of the Second Presbyterian Church, the Eighth Avenue Methodist Episcopal Church, and the First United Brethren Church, all of Altoona, Pa.; United Presbyterian Church of Freeport; school teachers of Freeport; the Humane Society of Central Pennsylvania; Methodist Episcopal and Presbyterian churches and Woman's Christian Temperance Union of Williamsburg, Pa., in favor of bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the United Presbyterian Church of Freeport, Pa., Methodist Episcopal and Presbyterian churches and Woman's Christian Temperance Union of Williamsburg, Pa., for the passage of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOOKER: Petitions of the Woman's Christian Temperance unions of Panama and East Randolph, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Panama and East Randolph, N. Y., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HUNTER: Paper to accompany House bill No. 2830, granting an increase of pension to Ira Bacon, of Company A, Fifty-second Indiana Volunteers—to the Committee on Invalid Pensions.

By Mr. KELLEY: Petition of the Woman's Christian Temperance Union of South Dakota, praying that the age of protection for girls be raised to 18 years in the District of Columbia and the Territories, and to enact a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of the Woman's Christian Temperance Union of South Dakota and Young Woman's Christian Temperance Union of Sioux Falls, S. Dak., for the passage of a bill to forbid the interstate transmission of lottery messages and other gambling matter by telegraph, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation substituting voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petition of the Woman's Christian Temperance Union of South Dakota, praying for the enactment of legislation prohibiting kinetoscope reproduction of prize fights in the District of Columbia and the Territories—to the Committee on Interstate and Foreign Commerce.

By Mr. KETCHAM: Petition of the Central Baptist Church of Pawling, N. Y., praying for the enactment of legislation to protect State anti-cigarette laws and forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Central Baptist Church of Pawling, N. Y., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KULP: Petition of the representatives of the Society of Friends for Pennsylvania, New Jersey, and Delaware, respecting the controversy between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolutions of the Commercial Club of Wilkesbarre, Pa., urging the use of anthracite coal in the Navy—to the Committee on Naval Affairs.

Also, resolutions passed by the Methodist Central Pennsylvania Conference, held at Danville, Pa., and a letter of Rev. D. E. Schoedler, of Turbotville, Pa., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of J. L. Dillon, of Bloomsburg, Pa., in support of House bill No. 6894, regulating the importation of trees, plants, etc.—to the Committee on Agriculture.

Also, petition of the Central Pennsylvania Conference of the Methodist Episcopal Church, held at Danville, Pa., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Mount Carmel Congregational Tabernacle, of Mount Carmel, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, letter in support of House bill No. 6149, relating to the erection of a Catholic chapel at West Point—to the Committee on Military Affairs.

By Mr. LACEY: Resolution of Division No. 216, Order of Railway Conductors, of Ottumwa, Iowa, urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCLEARY: Petition of Col. William Pfaender and 74 other citizens of New Ulm, Minn., against legislation restricting immigration—to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Petition of the Men's League of Chicago, Ill., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Men's League of Chicago, Ill., for the passage of a bill forbidding the interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. MAXWELL: Petitions of the Woman's Christian Temperance Union and Young People's Christian Endeavor Society, of Monroe, Nebr., praying for the enactment of legislation to forbid the interstate transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of Lodge No. 83, Independent Order of Good Templars, of Monroe, Nebr., to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MILLS: Eighteen petitions of business men of Chicago, Ill., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. NORTHWAY: Petitions of Emanuel Union Congregation, Manchester Union Congregation, and Evangelical Lutheran Congregation, of Clinton, Ohio, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Lodge No. 536, Brotherhood of Railway Trainmen, of Kent, Ohio, in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Mesopotamia, Ohio, and the Methodist Episcopal Church of Newbury Center, Ohio, favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Congregational Church of South Newbury, Ohio, praying that the age of protection for girls be raised to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the Congregational Church of South Newbury, Ohio, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Congregational Church of South Newbury, Ohio, praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

By Mr. OTEY: Petition of W. E. Hazlewood and other citizens of Lynchburg, Va., expressing sympathy for Cuba—to the Committee on Foreign Affairs.

Also, declaration of the National Guard of Lynchburg, Va., expressing sympathy for Cuba and requesting Senators and Representatives to take firm and definite action—to the Committee on Military Affairs.

By Mr. PAYNE: Petitions of P. H. Brown and other citizens of Geneva and E. Holmes and others, of Oaks Corners, N. Y., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PITNEY: Petition of E. H. Greene and 81 citizens of Lambertville, N. J., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of citizens of Sergeantsville and Boonton, N. J., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. POWERS: Petitions of the Methodist Episcopal Church, Congregational Church, and Waterville Lodge, Independent Order of Good Templars, and Woman's Christian Temperance Union of Waterville, Vt., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of Mrs. Frank Miller, of the Methodist Episcopal Missionary Society, of Waterville, Vt., and other citizens of the State of Vermont, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. PRINCE: Petition of F. F. Cook and 80 other citizens of Galesburg, Ill., praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of New Windsor, Prophetstown, and Green River, Ill.; Christian Endeavor of New Windsor, Ill., and Advent Christian Church and Woman's Christian Temperance Union of Whiteside, N. H., praying for the enactment of legislation to protect State anti-cigarette laws and to forbid the interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of New Windsor, Prophetstown, and Green River, Ill.; Christian Endeavor of New Windsor, Ill., and Advent Christian Church and Woman's Christian Temperance Union of Whiteside, N. H., to forbid the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBBINS: Petition of citizens of Brockwayville, Pa., praying for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the United Presbyterian, Methodist Episcopal, and Presbyterian churches of Elderton, Pa., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the United Presbyterian Church of Elderton and school-teachers of Mount Carmel, Pa., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal and Presbyterian churches of Elderton, Pa., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. SHOWALTER: Petitions of the United Presbyterian Church of Beaver Falls, Pa., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of messages by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the United Presbyterian Church of Beaver Falls, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WM. ALDEN SMITH: Petition of the Board of Trade of Grand Rapids, Mich., favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia, and the creation of a department of commerce and industry—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: Resolution of Kilpatrick Post, No. 82, Department of Nebraska, Grand Army of the Republic, requesting of the President and Congress immediate recognition of the Island of Cuba—to the Committee on Foreign Affairs.

Also, petition of the Christian Endeavor Society of the Christian Church of Belvidere, Nebr., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Crete, Nebr., praying for the enactment of legislation prohibiting interstate gambling by telegraph, telephone, or otherwise—to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE: Petition of Fidelity Lodge, No. 109, of Logansport, Ind., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STRODE of Nebraska: Petition of many citizens of Lincoln, Nebr., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. UPDEGRAFF: Petitions of the Methodist Episcopal Church of Volga City, Clayton County, Iowa, asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Volga City, Iowa, in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of George C. Paisol, M. W. Gaunt, and 20 other citizens of Kensett; W. B. Ingersoll, John Jamison, and 160 others, of Oelwein; C.W. Walser, Charles Reineke, and 65 others of Elkader; L. B. Mattoon and others, of Elgin; Bert Hamilton and others, of Northwood; J. T. McCraney and others, of Manly; L. Schoeder and 20 others, of Marble Rock; E. R. Acres,

Frank Sayers, and 107 others, of Decorah; W. W. Barden, A. E. Cole, and 13 others, of Nora Springs, all in the State of Iowa, in favor of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Charles Christian, George Swallow, and 26 other citizens of Grafton, Iowa; C. S. Ebbeson, E. C. Lubirns, and 16 others, of Carpenter, Iowa, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. VAN VOORHIS: Petitions of the Methodist Episcopal Church, Church of Christ, and Woman's Christian Temperance Union of Quaker City, Ohio, favoring bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and in favor of a bill to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church, Church of Christ, and Woman's Christian Temperance Union of Quaker City, Ohio, favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. VINCENT: Petition of citizens of Clay Center, Kans., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WARD: Petition of citizens of Yorktown, Peekskill, Scarboro, and vicinity, praying for the passage of laws for the restriction of immigration—to the Committee on Immigration and Naturalization.

Also, protests of St. Bonifacius Society, of 626 East One hundred and fifty-first street, New York, and German Roman Catholic societies of New York, against the passage of the Lodge immigration bill—to the Committee on Immigration and Naturalization.

Also, petition of John R. Collins and other citizens of Tarrytown, N. Y., in favor of passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the New York Board of Trade and Transportation, for the improvement of the channels of New York Harbor—to the Committee on Rivers and Harbors.

Also, protest of the municipal assembly of New York City, against any curtailment of the postal facilities of New York City—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the United Brotherhood of Carpenters and Joiners of Yonkers, N. Y., praying for the passage of the so-called eight-hour bill, the prison-labor bill, and the anti-injunction bill—to the Committee on Labor.

Also, petition of the Reformed Church of Mount Vernon, N. Y., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

Also, petition of the Reformed Church of Mount Vernon, N. Y., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Reformed Church of Mount Vernon, N. Y., praying for the enactment of legislation prohibiting the interstate transmission of newspaper descriptions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Reformed Church of Mount Vernon, N. Y., asking for the passage of a bill to raise the age of protection for girls to 18 years, to forbid interstate transmission of lottery messages by telegraph, and kinetoscope reproductions of prize fights—to the Committee on the Judiciary.

By Mr. WILLIAMS of Pennsylvania: Resolution of the Board of Trade of Wilkesbarre, Pa., in favor of House bill No. 8066, for an appropriation for a national exposition of American products and manufactures in Philadelphia, Pa.—to the Committee on Appropriations.

Also, petition of Fairview Lodge, No. 154, of Ashley, Pa., Brotherhood of Railway Trainmen, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Local Union No. 718, of Kingston, Pa., United Mine Workers, in favor of House bills Nos. 6092 and 7389 and Senate bills Nos. 35 and 95, in the interests of labor—to the Committee on Labor.

By Mr. YOST: Petition of citizens of New Glasgow, Va., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of fourth-class postmasters of Bath County, Va., in favor of the Cummings and Handy bills to increase the compensation of said postmasters—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG of Pennsylvania: Resolutions of Lincoln Post, No. 11, Grand Army of the Republic, in favor of Cuban independence, with copy of letter to the President by Grenville M. Weeks, M. D.—to the Committee on Foreign Affairs.

SENATE.

MONDAY, *April 4, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on motion of Mr. WILSON, and by unanimous consent, the further reading was dispensed with.

USELESS PAPERS OF THE WAR DEPARTMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, in compliance with a requirement of the act entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," and in accordance with the report of the joint committee of the Senate and House of Representatives, stating that certain useless papers of the War Department have been disposed of and the proceeds, amounting in the aggregate to $1,531.42, deposited in the Treasury of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed.

STAR-ROUTE CONTRACTS.

The VICE-PRESIDENT laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 28th ultimo, information relative to the pay of contractors and subcontractors for carrying the mails on what are known as star routes, and the amount annually paid to certain specified contractors and the subcontract rate of pay on the routes sublet by these contractors; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 9378) making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 78) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.;

A bill (S. 178) granting a pension to Susan A. Paddock;

A bill (S. 431) granting a pension to Ann M. Madden;

A bill (S. 655) granting a pension to Harriet R. Matlack;

A bill (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of Sixteenth Regiment Ohio Volunteers;

A bill (S. 1825) granting an increase of pension to Robert P. Wild;

A bill (S. 2299) granting a pension to Caroline A. Slocum;

A bill (S. 3178) granting a pension to Olevia S. Washburn;

A bill (H. R. 1181) granting an increase of pension to Carrie F. Bissell, of Pueblo, Colo.; and

A bill (H. R. 6906) to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a resolution adopted by the New York Board of Trade and Transportation, relative to the conditions existing between the United States and Cuba; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Ministerial Union of Ocala, Fla., remonstrating against the murder of the postmaster at Lake City, S. C., and praying that relief be granted the family of the murdered postmaster; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Woman's Christian Temperance Union of Toledo, Ohio, remonstrating against the United States entering into war; which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the select and common councils of Philadelphia, Pa., favoring the equipping of the League Island Navy-Yard for a repairing station, and also that an appropriation be made for the construction of retaining walls to the back channel, now the fresh-water basin, at the League Island Navy-Yard, and also for the purpose of deepening the channel of the Delaware River; which were referred to the Committee on Military Affairs.

Mr. MORRILL presented a petition of the Woman's Christian Temperance Union of Manchester, Vt., and a petition of the Woman's Christian Temperance Union and the Young Woman's Christian Temperance Union of Hinesburg, Vt., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Christian Endeavor Society of Manchester, of the Woman's Christian Temperance Union of Manchester, and of the Woman's Christian Temperance Union and the Young Woman's Christian Temperance Union of Hinesburg, all in the State of Vermont, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the committee on Interstate Commerce.

He also presented petitions of the Christian Endeavor Society of Manchester, of the Woman's Christian Temperance Union of Manchester, and of the Woman's Christian Temperance Union of Hinesburg, all in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. PLATT of New York presented a petition of the Woman's Christian Temperance Union of Poland, N. Y., and a petition of members of the Hensonville Charge, of Hensonville, N. Y., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of East Randolph and Panama; of members of the Hensonville Charge, of Hensonville, and of the congregation of the Methodist Episcopal Church of Westford, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of East Randolph, Galway, Panama, Avon, and East Otto, and of the congregation of the Methodist Episcopal Church of East Otto, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PRITCHARD presented the petitions of J. T. Smith and 7 other citizens; of J. C. Gibson and 18 other citizens; of the Board of Trade of Asheville; of J. M. Odell and 22 other citizens, and of Swannanoa Division, No. 267, of Asheville, all in the State of North Carolina, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the congregation of the Methodist Protestant Church of Lagrange, of the Woman's Christian Temperance Union of North Wilkesboro, and of the Young Woman's Christian Temperance Union of Guilford College, all in the State of North Carolina, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Protestant Church of Lagrange, of the Woman's Christian Temperance Union of North Wilkesboro, and of the Young Woman's Christian Temperance Union of Guilford College, all in the State of North Carolina, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of North Wilkesboro, N. C., and a petition of the Young Woman's Christian Temperance Union of Guilford College, N. C., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. ALLEN presented a petition of the Woman's Christian Temperance Union and the Christian Endeavor Society of Roseland, Nebr., and a petition of the Young People's Christian Endeavor Society of the Presbyterian Church of Monroe, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union and the Christian Endeavor Society of Roseland, Nebr., and a petition of Lodge No. 32, Independent Order of Good Templars, of Monroe, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union and the Christian Endeavor Society of Roseland, Nebr., and a petition of the Woman's Christian Temperance Union of Monroe, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Kilpatrick Post, No. 82, Grand Army of the Republic, Department of Nebraska, praying Congress to recognize the independence of Cuba, and pledging their support in case of war; which was referred to the Committee on Foreign Relations.

Mr. MITCHELL presented a petition of the congregation of the First Baptist Church of Sun Prairie, Wis., and a petition of the Woman's Christian Temperance Union of Mineral Point, Wis., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the congregation of the First Baptist Church of Sun Prairie, Wis., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Baptist Church of Sun Prairie, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of Lodge No. 173, International Association of Machinists, of Eau Claire; of Cigar Makers' Union No. 85, of Eau Claire; of the Federated Trades Council of Milwaukee; of Amalgamated Wood Workers' Union No. 8, of Milwaukee; of Union No. 222, Brotherhood of Painters and Decorators, of Milwaukee; of Local Branch No. 18, National Association of Steam Fitters and Steam Fitters' Helpers, of Milwaukee; of the American Federation of Machinists, of Milwaukee; of Badger Lodge, No. 66, Independent Association of Machinists, of Milwaukee; of Union No. 188, Brotherhood of Carpenters and Joiners, of Milwaukee; of Journeymen Barbers' Union No. 50, of Milwaukee; of Coopers' International Union No. 35, of Milwaukee; of Local Union No. 25, Carriage and Wagon Workers' International Union, of Milwaukee; of Cream City Lodge, No. 107; of Local Union No. 29, Upholsterers' International Union, of Milwaukee, and of the Lake Seamen's Union of Milwaukee, all in the State of Wisconsin, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

Mr. HARRIS presented a petition of sundry citizens of Lawrence, Kans., praying for the passage of the so called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. TURNER presented a petition of 44 citizens of Tacoma, Wash., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Dauntless Lodge, No. 93, Independent Order of Good Templars, of Tacoma, Wash., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented petitions of 102 citizens of Tacoma; of the Epworth League of the Methodist Episcopal Church of Tacoma, and of Dauntless Lodge, No. 93, Independent Order of Good Templars, of Tacoma, all in the State of Washington, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. McLAURIN presented a petition of sundry citizens of South Carolina, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. WILSON presented a petition of the Chamber of Commerce of Tacoma, Wash., praying that the public lands of the United States be ceded to the States; which was referred to the Committee on Public Lands.

Mr. LODGE presented a petition of the Boston (Mass.) Druggists' Association, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Boston, Mass., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented a petition of the city council of Boston, Mass., praying that the Charlestown Navy-Yard, in that State, be operated to its full capacity, so as to enable capable mechanics and laborers to secure employment therein; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Brookline, Mass., praying Congress to uphold the President in his plans for

the diplomatic solution of the Cuban question; which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Real Estate Exchange of Boston, Mass., indorsing the action of the Chamber of Commerce in its efforts to secure a treaty of reciprocity between the United States and the Dominion of Canada; which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Board of Fire Underwriters of Boston, Mass., expressing their approval of the peace policy of the President and indorsing the same; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Christian Temperance Union of Boston, Mass., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Boston, Mass., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a memorial of the Trades and Labor Council of Lowell, Mass., remonstrating against the passage of the so-called Loud bill, relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union of Boston, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Central Labor Union of North Adams, Mass., praying for the passage of the so-called prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Somerville Lodge, No. 507, Brotherhood of Railroad Trainmen, of Boston, Mass., and a petition of Tri-Mountain Lodge, No. 486, Brotherhood of Railroad Trainmen, of Boston, Mass., praying for the passage of Senate bill No. 3662, concerning carriers engaged in interstate commerce and their employees; which were referred to the Committee on Education and Labor.

Mr. MALLORY presented sundry petitions of citizens of Fort Pierce, Ormond, and Oak Hill, all in the State of Florida, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. VEST presented a petition of the congregation of the First Congregational Church of Webster Groves, Mo., praying for the enactment of legislation to exclude illiterate immigrants; which was ordered to lie on the table.

He also presented a petition of the congregation of the First Congregational Church of Webster Groves, Mo., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the congregation of the First Congregational Church of Webster Groves, Mo., praying for the enactment of legislation to prohibit kinetoscope reproductions of prize fights in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the congregation of the First Congregational Church of Webster Groves, Mo., and a petition of the Woman's Christian Temperance Union of Jameson, Mo., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the congregations of the Christian Church, the Presbyterian Church, and the Baptist Church, of Tarkio; of the First Congregational Church of Webster Groves, and of the Woman's Christian Temperance Union of Jameson, all in the State of Missouri, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Baptist Church and the Presbyterian Church, of Tarkio; of the Hyde Park Congregational Church; of the Young People's Christian Endeavor Society of the Hyde Park Congregational Church; of the Epworth League of the Methodist Episcopal Church of Carondelet, St. Louis; of the Woman's Christian Temperance Union of Jameson; of the Ladies' Aid Society of the Hyde Park Congregational Church, of St. Louis, and of the congregation of the First Congregational Church of Webster Groves, all in the State of Missouri, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Drummond Tobacco Company and sundry other business firms and of the Interstate Merchants' Association and sundry business men, all of St. Louis, and of Peter J. Noll and sundry other citizens of Marceline, all in the State of Missouri, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a memorial of Typographical Union No. 158, of Springfield, Mo., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the congregations of the First Congregational Church of Webster Groves and the Presbyterian Church of Tarkio, of the Woman's Christian Temperance Union of Jameson, and of the Friends' Sunday school, of Kansas City, all in the State of Missouri, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. TURPIE presented a petition of Fidelity Lodge, No. 109, of Logansport, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. CULLOM presented the memorial of Daniel Ernst and 75 other citizens of Warsaw, Ill., remonstrating against the enactment of legislation to establish in the Treasury Department a division regulating insurance companies; which was referred to the Committee on Interstate Commerce.

He also presented a petition of S. C. Foster, jr., Lodge No. 44, Brotherhood of Railroad Trainmen, of Roodhouse, Ill., and a petition of Albert Keep Lodge, No. 364, Brotherhood of Railroad Trainmen, of West Chicago, Ill., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which were referred to the Committee on Education and Labor.

He also presented petitions of Division No. 27, Brotherhood of Locomotive Engineers, of Racine; of Division No. 79, Order of Railway Conductors, of Peoria; of Rev. R. R. Marquis, of Quincy; of Rev. W. S. Calhoun, of Monticello; of Rev. J. L. Ladd, of Ottawa; of Rev. A. Mainville, of Hoopeston; of Rev. P. Kolb, Rev. A. Werfelmann, and Rev. Marsin Daib, of Strasburg, and of W. F. Ayres and 24 other citizens of Sanemin, all in the State of Illinois; of members of the Grand Army of the Republic of Maryland; of Division No. 216, Order of Railway Conductors, of Ottumwa, Iowa; of the Boston (Mass.) Druggist Association, and of the council of administration, Grand Army of the Republic of Georgia and South Carolina, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. FRYE presented a petition of members of Excelsior No Surrender Lodge, No. 138, Loyal Orange Order, of Lewiston, Me., praying that immediate steps be taken to end the war in Cuba, and offering their services to the Government of the United States in case of war; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of South Berwick; of the Woman's Christian Temperance Union of Grange Hall, and of the congregation of the Baptist Church of Amity, all in the State of Maine, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Manset, Me., and a petition of the congregation of the Baptist Church of Amity, Me., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Manset, of the congregation of the Baptist Church of Amity, and of the Woman's Christian Temperance Union of Grange Hall, all in the State of Maine, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. HANSBROUGH presented a petition of the Woman's Christian Temperance Union of Grafton, N. Dak., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Knox, Moselle, Harlem, Durbin, and Lisbon; of the congregations of the First Methodist Episcopal Church and the Presbyterian Church, of Lisbon, and of the Methodist Episcopal Church of Churchs Ferry, all in the State of North Dakota, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church of Maza, N. Dak., and a petition of the congregation of the Presbyterian Church of Minto, N. Dak., praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented petitions of the Woman's Christian Temperance Union of Knox; of the Lutheran League of Fargo; of the congregation of the Roberts Street Methodist Episcopal Church, of Fargo; of the Independent Order of Good Templars of Fargo; of the Woman's Christian Temperance Union of Harlem; of the Young People's Society of Christian Endeavor of the Presbyterian Church of Grand Forks; of the Woman's Christian Temperance Union of Durbin; of the Woman's Christian Temperance Union of Grafton, and of the Woman's Christian Temperance Union of Moselle, all in the State of North Dakota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Moselle, Lisbon, Knox, Harlem, and Durbin; of the congregations of the First Methodist Episcopal Church and the Presbyterian Church, of Lisbon; of Lodge No. 1, Independent Order of Good Templars, of Fargo; of the Lutheran League of Fargo, and of the congregation of the Roberts Street Methodist Episcopal Church, of Fargo, all in the State of North Dakota, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. NELSON presented a petition of the officers and members of Company G, First Infantry, National Guard State of Minnesota, praying that House bill No. 2876, to promote the efficiency of the militia, be amended so that the annual appropriation for the National Guard shall be not less than $1,000,000; which was ordered to lie on the table.

He also presented a petition of the Board of Trade of Minneapolis, Minn., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the National Wholesale Lumber Dealers' Association, praying for the enactment of legislation to strengthen the credit of the country; which was referred to the Committee on Finance.

He also presented memorials of members of the fire department of Anoka, Minneapolis, and St. Paul, all in the State of Minnesota, remonstrating against the enactment of legislation to establish a division in the Treasury Department regulating insurance companies; which were referred to the Committee on Interstate Commerce.

Mr. GEAR. I present a telegram from the general assembly of the State of Iowa, which I ask may be read and referred to the Committee on Foreign Relations.

There being no objection, the telegram was read, and referred to the Committee on Foreign Relations, as follows:

[Telegram.]

DES MOINES, IOWA, ——, 1898.

To Hon. JOHN H. GEAR:

The general assembly has unanimously adopted a resolution indorsing the President and the Congress in relation to Spain and pledging the earnest support of the State in case of war.

J. H. TREWIN.

Mr. HOAR presented a petition of the Boston (Mass.) Druggists' Association, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the First Baptist Church of East Raynham, Mass., and a petition of the Woman's Christian Temperance Union of Haydenville, Mass., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Haydenville, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Congregational Church of Haydenville, Mass., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented sundry petitions of citizens of St. Louis and Richmond, in the State of Missouri, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. PETTIGREW. I present a petition, which I wish to read. It is brief. The petition comes from a town of about 500 people, and it has over 100 autograph signatures. It is from Estelline, in South Dakota:

All parties here want torpedo flotilla turned back or destroyed and Spain driven from Cuba immediately. Patience exhausted.

I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. PETTIGREW presented petitions of the congregations of the Baptist Church, the Presbyterian Church, and the Methodist Episcopal Church, all of Parker, in the State of South Dakota, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented sundry papers in support of the bill (S. 2154) for the relief of John H. McLaughlin; which were referred to the Committee on Claims.

Mr. MASON presented a petition of sundry citizens of Chicago, Ill., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a memorial of sundry members of the fire department of Warsaw, Ill., remonstrating against the enactment of legislation to establish a division in the Treasury Department regulating insurance companies; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of New Windsor, Prophetstown, and Greenriver; of the congregations of the Methodist Episcopal Church of Prophetstown, the Garfield Boulevard Methodist Episcopal Church, and the Methodist Episcopal Church of Lighthouse; of the Christian Endeavor Society of New Windsor, and of the East Jordan Sunday school, of Penrose, all in the State of Illinois, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Greenriver, Prophetstown, and New Windsor; of the congregations of the Congregational Church and the Methodist Episcopal Church of Prophetstown; of the Christian Endeavor Society of New Windsor; of the congregations of the Garfield Boulevard Methodist Episcopal Church, of Chicago, and of the Methodist Episcopal Church of Lighthouse, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of New Windsor, Greenriver, and Prophetstown; of the congregations of the Methodist Episcopal Church and the Congregational Church of Prophetstown, the Garfield Boulevard Methodist Episcopal Church of Chicago, and the Methodist Episcopal Church of Lighthouse; of the Christian Endeavor Society of New Windsor, and of the East Jordan Young People's Christian Union, of Penrose, all in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. MCMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 3816) for the relief of Mary J. Cranston, of Washington, D. C., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8602) for the relief of Charlotte J. Gottwals from the operation of the act restricting the ownership of real estate in the Territories and the District of Columbia to American citizens, reported it without amendment and submitted a report thereon.

Mr. MCMILLAN. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 5149) to amend the charter of the Capital Railway Company, to report it with amendments and to submit a report thereon.

The VICE-PRESIDENT. The bill will be placed upon the Calendar.

Mr. MCMILLAN. I move that the bill (S. 3153) to amend the charter of the Capital Railway Company, being Order of Business 569 on the Calendar, be indefinitely postponed, and that the House bill just reported by me be given the place of the Senate bill on the Calendar.

The motion was agreed to.

Mr. WETMORE, from the Committee on the Library, to whom the subject was referred, reported a bill (S. 4816) to incorporate the American Social Science Association; which was read twice by its title.

He also, from the same committee, to whom the subject was referred, submitted a report thereon, and reported a joint resolution

(S. R. 139) authorizing the Librarian of Congress to accept the collection of engravings proposed to be donated to the Library of Congress by Mrs. Gertrude M. Hubbard; which was read twice by its title.

Mr. MARTIN, from the Committee on Naval Affairs, reported an amendment providing for lengthening in concrete to 450 feet the stone dry dock at the Norfolk Navy-Yard, near Norfolk, Va., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HALE, from the Committee on Naval Affairs, reported an amendment relative to the construction of a steel floating dock at Algiers, La., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TILLMAN, from the Committee on Naval Affairs, reported an amendment relative to the naval station at Port Royal, S. C., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also, from the same committee, reported an amendment providing for dredging a channel to the naval station, and thence to the terminus of the Port Royal and Augusta Railway, in Port Royal, S. C., etc., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 3028) to pay to the widow of the late Samuel F. Miller, a justice of the Supreme Court, a sum equal to the balance of his salary for the year in which he died, reported it without amendment.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2768) for the relief of George Peyton from the charge of desertion and to grant him an honorable discharge, reported it with amendments.

Mr. CHANDLER. From the Committee on Naval Affairs I report an amendment intended to be proposed to the naval appropriation bill, which I ask may be read and referred to the Committee on Appropriations.

The SECRETARY. It is proposed to add to the clause for the increase of the Navy the following:

; also not less than three harbor-defense vessels of the monitor type, each having one or two turrets, at a cost exclusive of armament not to exceed for all said vessels $6,000,000.

The VICE-PRESIDENT. The amendment will be printed and referred to the Committee on Appropriations.

CATALOGUE OF BOOKS AND MAPS.

Mr. LODGE, from the Committee on Printing, to whom was referred the resolution submitted by Mr. WETMORE on the 23d ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the Senate 1,000 additional pamphlet copies of Senate Document 161, being the catalogue of books and maps in the Library of Congress relating to Cuba, 500 copies for the use of the Senate and 500 copies for distribution by the Librarian of Congress.

REPORT OF NAVAL COURT OF INQUIRY.

Mr. LODGE. I am directed by the Committee on Printing to report a resolution, for which I ask immediate consideration.

The resolution was read, as follows:

Resolved, That 5,000 additional copies of the report of the naval court of inquiry upon the loss of the battle ship *Maine* be printed for the use of the Senate.

Mr. COCKRELL. Only a day or two ago did we not order three or four thousand copies of that document to be printed for the use of the Senate?

Mr. WALTHALL. Three thousand.

Mr. LODGE. We ordered 3,000, and I am informed that all those are already gone. I have been asked by a great many Senators to have an additional supply printed as soon as possible. The demand is far outrunning any copies that we have at our control.

Mr. PASCO. I hope the Senator from Missouri will not object.

Mr. COCKRELL. I am not objecting, but I want to know what has become of the balance.

Mr. LODGE. I know that all mine have been distributed. I do not know what others have done.

Mr. PASCO. I have distributed my own quota.

Mr. BATE. Three or four of us here on this side have received but two copies each.

The resolution was considered by unanimous consent, and agreed to.

DISTRIBUTION OF UNITED STATES STATUTES TO JUDICIAL OFFICERS.

Mr. HOAR introduced a bill (S. 4315) to amend an act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HOAR. I am directed by the Committee on the Judiciary to report favorably, without amendment, the bill just introduced.

The VICE-PRESIDENT. The bill will take its place on the Calendar.

BILLS INTRODUCED.

Mr. CANNON introduced a bill (S. 4317) to provide for the opening of lands containing asphaltum, gilsonite, elaterite, and kindred substances in the State of Utah; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 4318) providing for the publication of the pension roll; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 4319) for the relief of Hiram Johnson and others; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 4320) to increase the pension of Ellen C. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SEWELL introduced a bill (S. 4321) to correct the naval record of and grant an honorable discharge to Edward Pritchard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4322) for the relief of Jacob B. Grau, late chaplain of the Tenth Regiment New Jersey Infantry Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PETTIGREW introduced a bill (S. 4323) granting a pension to Jessie K. Chandler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHILTON introduced a bill (S. 4324) granting an increase of pension to Lemon Holton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4325) to amend the twenty-first section of an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes," approved May 28, 1896; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McLAURIN introduced a bill (S. 4326) to regulate the sitting of the United States courts within the district of South Carolina; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CULLOM introduced a bill (S. 4327) for the relief of John Burns; which was read twice by its title, and referred to the Committee on Claims.

Mr. GEAR introduced the following bills; which were severally read by their titles, and referred to the Committee on Pensions:

A bill (S. 4328) granting pension to Elizabeth J. Morse (with an accompanying paper);

A bill (S. 4329) granting pension to John R. McCoy (with accompanying papers);

A bill (S. 4330) granting pension to Mrs. J. Shawd; and

A bill (S. 4331) granting a pension to Levi Chandler.

Mr. MASON introduced a bill (S. 4333) for the relief of P. J. Sexton, Ezekiel Smith, and Frank Jubin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4334) appropriating $25,000 for the repairs on the levee on the Ohio River at Shawneetown, Ill.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GALLINGER introduced a joint resolution (S. R. 138) for the suspension of the collection of certain taxes in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. PETTUS submitted an amendment relative to the coaling of ships of war and their tenders, barges, and other vessels at the wharves and elevators at the city of Mobile, etc., intended to be proposed by him to the sundry civil appropriation bill; which was ordered to lie on the table and to be printed.

DESTRUCTION OF BATTLE SHIP MAINE.

Mr. ALLEN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate of the total number of human lives that were lost by the sinking of the United States battle ship *Maine* in Havana Harbor, Cuba, on the 15th day of February, 1898, the total number of dead bodies rescued from said ship, the total number remaining unrescued, and what effort, if any, is being made to rescue them.

POLICY CONCERNING CUBA.

Mr. TURNER. I desire to submit a resolution. I ask that it lie over until to-morrow, at which time, unless events shall occur to make it unnecessary, I shall call it up for action and present some remarks thereon.

The resolution was read, as follows:

Resolved, That the Committee on Foreign Relations of this body be directed to report at the earliest practicable moment, and without waiting for the

concurrence or advice of any department of the Government, what action, if any, in view of the loss of the battle ship *Maine* and the destruction of the lives of 266 American sailors, and in view of the well-known deplorable condition of affairs in the Island of Cuba, is required from the Congress of the United States to sustain and vindicate the honor and dignity of this nation, and to meet and answer the obligations of humanity imposed on this Government as the result of the condition of affairs in said island, and that said committee report by bill, resolution, or otherwise, as it may deem most expedient.

The VICE-PRESIDENT. The resolution will lie over.

RIGHT OF SUFFRAGE.

Mr. CHANDLER. I submit a resolution, which I ask may be read and referred to the Committee on Privileges and Elections and printed.

The resolution was read, as follows:

Resolved, That the Committee on Privileges and Elections be directed to inquire whether, if any State shall by constitution or law prescribe qualifications for the exercise of the right of suffrage by its citizens which are by any device of expression to be required of the colored citizens of the State but not of certain white citizens of the State or of their sons or grandsons, such action of the State will be in violation of the fifteenth amendment of the Constitution of the United States; and, if so, whether such State is entitled to representation in the Senate or House of Representatives of the United States while such violation continues; and whether any such contemplated violation of the fifteenth amendment can be averted and prevented by legislation of Congress; said committee to report to the Senate by bill or otherwise, as it may deem expedient.

The VICE-PRESIDENT. The resolution, at the request of the introducer, will be referred to the Committee on Privileges and Elections and printed.

ADDITIONAL CLERK OF COMMITTEE ON POST-OFFICES AND POST-ROADS.

Mr. WOLCOTT. I desire to offer a resolution, and to it I call the attention of the Senator from New Hampshire [Mr. GALLINGER]. It is simply to replace an extra clerk whose term expires with the expiration of the present fiscal year.

The resolution was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads is authorized to employ an additional clerk at the rate of $1,440 per annum, whose compensation shall be paid from the contingent fund of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 9378) making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

CONSULAR REPORTS ON AFFAIRS IN CUBA.

The VICE-PRESIDENT. The Chair lays before the Senate a resolution coming over from last Friday, resolution No. 328, offered by the Senator from New Hampshire [Mr. CHANDLER]. The resolution will be read.

The Secretary read the resolution submitted by Mr. CHANDLER on the 1st instant, as follows:

Resolved, That the Secretary of State be, and he hereby is, directed, if in his opinion not incompatible with the public interest, to inform the Senate what information, if any, has been received at the Department of State concerning the present condition of the reconcentrados in Cuba; and to send to the Senate copies of all such reports from consuls, vice-consuls, and commercial agents of the United States in Cuba as may shed light upon the subject.

Mr. CHANDLER. I observe that the chairman of the Committee on Foreign Relations is in his seat. I ask him whether his committee are willing to have the resolution acted upon at this time?

Mr. DAVIS. I ask that the resolution may lie over until Wednesday morning.

Mr. CHANDLER. I have no objection to that course.

The VICE-PRESIDENT. That will be the order.

INDEPENDENCE OF CUBA.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from Pennsylvania [Mr. QUAY], coming over from a previous day The resolution will be read.

The resolution submitted by Mr. QUAY on the 1st instant was read, as follows:

Resolved, That the Committee on Foreign Relations be, and is hereby, instructed to report on or before the 5th instant a bill for the recognition of the independence of the Republic of Cuba.

Mr. QUAY. The resolution can go over for the present.

The VICE-PRESIDENT. The resolution offered by the Senator from Pennsylvania will lie over.

Mr. CLAY. Mr. President, I desire to submit a few remarks to the Senate on the resolution of the Senator from Ohio [Mr. FORAKER].

While I stand ready to support a policy which demands the absolute freedom and independence of Cuba, I do not desire to involve this country in war to accomplish this result if there be any honorable and peaceable way to otherwise secure it. Neither am I willing to say that the President must act within a certain definite time, otherwise Congress will immediately declare war. In a great crisis like this we should exercise patience as well as thought, and so long as the executive branch of the Government has any reasonable assurance that independence is likely to be accomplished by honorable and peaceful means let us uphold the President and give him our support.

We are confronted to-day, and have been for several months, with a state of affairs that demands at the hands of the President and the American Congress calm, deliberate, thoughtful, and dispassionate consideration. This nation has been on the verge of war for many weeks, and it is the part of statesmanship to use every reasonable and honorable means to avert it. In the hour of great danger it will not do to appeal to passion or act with undue haste, but we must consult reason, always keeping in view the honor and safety of the nation. This is an age and era of the highest civilization, and nations, like individuals, should settle their differences without going to war if possible.

We must, however, deal with facts and great problems of government as we find them. If the disease be one that necessarily requires a desperate remedy, let us have the courage to apply the proper remedy and one that will exterminate the cause of the disease, even should it involve our country in war. God forbid that such a calamity should befall our people, but if we can not possibly avoid it without dishonor to our flag or without the starvation and destruction of thousands of helpless women and children within almost sight of our doors, then I say, let war come. It may result in great loss of life and the destruction of property, and doubtless will, and we should use all honorable means to prevent it; but if it must come, there is one satisfaction—it will forever end Spanish tyranny and misgovernment on the Western Hemisphere.

Mr. President, although the Cubans have gone through a revolution unprecedented for loss of life and destruction of property, lasting from 1868 to 1878, a period of ten years, and notwithstanding the fact that the people of the island had endured and lived under the worst form of government ever devised for man, when the present revolution began the inhabitants of that productive and fertile island, containing an area equal to that of Pennsylvania, produced annually more than a million tons of sugar and exported more than 300,000,000 pounds of tobacco. When the last revolution began the island had a population of 1,700,000 people. This population during the last three years has dwindled down to 1,000,000.

The people of this island were, when let alone, a docile, happy, peaceful, and harmless race. Nature has blessed the island with every possible advantage necessary to make it the habitation and home of a thrifty, happy, contented, and liberty-loving people. Where will you find a more productive soil, one not only adapted to coffee, sugar, and tobacco, but one that produces almost without labor every variety of tropical fruits, and an island with sufficient harbors to shelter the navies of the world?

When we study the natural conditions and surroundings of this beautiful island, we can easily understand why Columbus declared it to be the "goodliest land that eye ever saw." Blessed with these great natural advantages that ought to bring an abundance to clothe and feed her people, the question arises, What is the present condition of her people? If it be one of misery, want, and actual starvation, to what must we attribute this deplorable condition? It is the part of statesmanship to ascertain the cause of this great suffering and distress, and not only to discover the cause but also to procure an effective and permanent remedy and to apply it at once. In order to do this we must acquaint ourselves with every phase of the troubles existing between Spain and Cuba in order that we may act intelligently. It is a fact that we should not lose sight of that a bitter and unrelenting hatred has existed for a long time between the Cubans and the Spanish officials.

I do not propose to discuss in detail the form of government Spain has given to the people of Cuba; such a discussion could be productive of no possible good in solving the complications now existing between Spain and her colony or between Spain and this country. This hatred has been intensified by the cruel, heartless, and merciless treatment of the Cubans by the Spanish Government. In endeavoring to effect a solution of the troubles between the two parties it will not do to overlook the fact that the insurgents have reached the point where they prefer death to Spanish rule. With this hostile feeling existing it is not probable or hardly possible to expect anything like a permanent reconciliation between Spain and her colony or a reconciliation that would cause the Cuban insurgents to submit to Spanish rule.

Then, if a reconciliation should even be had, in all probability it would be temporary, and in a few years we would have this same trouble on our hands again. The situation in that island is one that appalls us and one that ought to appall the civilized world. We are no longer left to conjecture as to the real condition of affairs in that island. Men of the highest character and intelligence and possessing the esteem and confidence of the American people have been and seen, and there is but one opinion—not the slightest difference when they come to make their report.

The scenes of sickness, distress, and starvation as narrated by them have shocked and aroused the conscience of this enlightened

and Christian people as they were never aroused before. We have at last realized that 600,000 of the people on this island have perished during the last three years—nearly a third of the entire population. We have realized that while many were killed, more have died from the want of medical attention and from actual starvation. We have at last realized that the entire rural population have been driven from their country homes and imprisoned in the fortified towns with nothing to do, nothing to eat, and little to wear.

We are told that under the inhuman policy of Weyler more than 400,000 of simple, self-supporting, peaceable, defenseless farmers were driven from their homes in the agricultural portions of the island and imprisoned within the lines of the Spanish army. Their humble homes were burned, their property destroyed, and the country was one field of waste and ruin. We are told that these were mostly old and decrepit men and women and helpless little children, and that they were taken to the towns in control of the Spaniards without food, clothing, shelter, or medical attention, and dependent entirely upon the charity of the cities to save them from actual starvation.

We are told by witnesses whose testimony can not be impeached or questioned that more than 200,000 of these unfortunate creatures have died for the want of proper food and medical attention during the last few months. We are told by the same witnesses that it is not uncommon to see little children lying dead at the markets every morning, where they have crawled to beg food to save them from starvation. Is it any wonder that the junior Senator from Vermont has said on the floor of this Chamber, "It is no longer war or peace there, but it is desolation and distress, misery and starvation"?

I have not yet heard an argument advanced that Spain is likely to subdue the insurgents; but, on the contrary, the facts would indicate that the only way she can ever again obtain complete control of this island is to exterminate the Cubans. The insurgents in the mountains are likely to be able to protract the struggle for years to come. This means there is no end to the war for years to come; it means the distress and starvation and the effusion of blood must continue for an indefinite period of time, and no one can tell the result. It would doubtless, if let alone, result in either independence to the Cubans or their total destruction.

No thoughtful man can expect to see any permanent peace between Spain and Cuba until Spain shall relinquish her right to govern the island and leave Cuba to be free. These people have long been deprived of their political and civil liberty and excluded from public station as well as from profitable employment and honorable occupation by the Government of Spain. They have borne heavy and unjust taxation to maintain and support the horde of Spanish officials sent there to govern them against their will and against their interest. They have been forced to contribute millions to maintain the standing army and navy of the mother country organized and equipped to keep in subjection and to forever crush the spirit of liberty and self-government that burns in the souls of the Cuban people.

These acts of cruelty and oppression have resulted in a deadly hatred between the native Cubans and the Spanish Government. This hatred is of long standing. The Cubans have no confidence in the promises of the Spanish Government. They were promised self-government at the close of the revolution in 1878. These promises were never kept by the Spanish, and now the Cubans will not trust the Spanish Government any further.

The only way Spain can expect to retain and govern the island in peace is to exterminate the Cubans and populate it with Spaniards. There is no such thing as permanent peace without independence. The spirit of freedom that inspired the souls of Patrick Henry and John Adams, that kindled the flame that brought on the American Revolution that resulted in giving to us our independence, permeates the soul of the insurgents, and, feeling that they have been grievously wronged, no hardship is too great for them to endure if they can bring about freedom and independence to the island. It is with them liberty and independence or death. They prefer death rather than to bear the exactions and burdens of the mother country any longer. What this country wants, and what all Christendom wants, is peace, and permanent peace. What we want is to see a remedy applied that will forever settle the differences between Spain and her colony, a remedy that will not call upon us to settle another revolution in a few years to come.

The United States might send an army now and aid Spain in subduing the insurgents, and this would temporarily crush them and temporarily establish Spanish authority over the island; but every thinking man knows that such a course would only pacify the insurgents until an opportunity would come to rebel against their oppressors. By force they would be compelled to submit, but would submit only so long as force lasted. Do you suppose that they would forget the suffering and distress they have borne at the hands of the Spanish Government? Do you suppose they would forget that 200,000 of their own people had died from actual starvation?

Do you suppose that they would forget that their homes had been burned and their fields laid waste, and that more than a third of their population had been killed or died as a result of Spanish oppression? Do you suppose they would forget that everywhere they turned could be seen the new-made graves of their comrades? If we do, we have not studied and understood human nature. Can we expect the people entertaining the hostile feelings the Cubans do toward the Spaniards to ever submit to Spanish government if they can possibly avoid it? If they are forced to submit now, it is a question of time when another outbreak will occur and another revolution take place.

It is to the interest of Spain as well as the United States to have a remedy applied that will forever end this trouble. There is only one possible way this can be done. The Cubans will never live in peace with Spain under Spanish government. It will cost Spain five times the value of that island to maintain Spanish supremacy there. The only way to bring about a permanent peace is to give them independence and let them establish a government of their own. No student of history can point out a single case where friendly relations have been restored between a mother country and her colonies under existing conditions except by absolute freedom and independence. The hatred existing between the Spanish and Cubans is of long standing and time instead of softening has intensified it.

Nearly four hundred years ago, when the island was seized by the Spaniards, one of her chiefs who had fled from Haiti to escape Spanish oppression was seized by the Spanish soldiers for his resistance of their entrance into the island. When he was tied to the stake to be burned and the fagots were piled around him, a Spanish soldier and murderer stood by and urged him to abjure the feeble gods of his ancestors and to accept Spanish Christianity in order that the flames which consumed his body might waft his soul to the regions of eternal bliss.

He knew his conversion would not prevent his cremation. He inquired if there were any Spaniards in those happy abodes, and on being answered in the affirmative, he said: "I will not go to a place where I will meet one of that accursed race." That story of history but illustrates the state of feelings now existing between the Spaniards and the Cubans. In order to bring about permanent peace we must understand the exact status of affairs there and must fully realize that the antipathy existing between the Spaniards and the Cubans is so great that it is utterly impossible to reconcile the Cuban people to Spanish authority. You may rule for a while by force a people struggling for liberty and self-government, but it will be found to be a costly experience—an experience that will keep a country and people involved in a bloody revolution.

We must look to international law to solve this problem. Spain is an independent country, and as such is entitled to govern her own people. Under the general rule of international law the United States would not be permitted and could not justify any interference with the internal affairs of Spain. Noninterference is the general established rule of international law, but there are exceptions to all general rules. Nations, in declaring and carrying on war, both internal and external, are bound to conduct such wars in accordance with the principles of civilized warfare.

The first question to be considered is, Have we a right under international law to interfere in the affairs of Spain under present conditions? Clearly, to my mind, we not only have the right to interfere, but it is our Christian duty to do so. Mr. Hall, an international law writer of eminent ability, names one of the exceptions to the general rule of noninterference, and distinctly says, "Interference against wrongdoing, immoral acts, massacres, and brutality are not only permissible, but justifiable." The same distinguished author tells us: "Intervention, for the purpose of checking tyranny, stopping the effusion of blood, or helping a people to free themselves from an inhumane and tyrannical government is regarded with favor."

Dr. Wheaton, another international law writer of high standing and respectability, says:

> Interference is justified where the general interests of humanity are infringed by the excesses of a barbarous and despotic government.

Mr. Vattel says:

> Humanity revolts against a sovereign who, without necessity or without any powerful reason, lavishes the blood of his most faithful subjects and exposes his people to the calamities of war, when he has it in his power to maintain them in the enjoyment of honorable and salutary peace.

Spain is responsible to God and the world for the effusion of blood and the distress and starvation now existing on the Island of Cuba. History and international law furnish to us almost a parallel case to the one now submitted to us for our consideration. The student of history is familiar with the character of the bloodthirsty and warlike nature of the Turks. The struggle

between the Greeks and the Turks in 1827 was of such a cruel and barbarous character as to finally attract the attention of the civilized world. It was conducted very much on the same plane which has characterized the Spanish-Cuban war. The heartless and cruel Turks would show no quarter to the mild and amiable Greeks.

It was some time before the sentiment of the Christian nations raised their voices in behalf of suffering humanity, just as it has been in the sufferings of Cuba; but when you once arouse public sympathy in behalf of justice and mercy and against cruelty, tyranny, and oppression, the sentiment of a civilized, kind-hearted, Christian people will always come to the relief of the distressed, administer to the wants of the suffering, and forever crush and grind to powder tyranny and oppression. Great Britain, France, and Russia were aroused to action on account of this cruel and barbarous warfare, and determined, if possible, to put an end to it.

They determined to do this solely on the grounds of humanity. They at first did not declare war against either country. They determined, if possible, to put an end to it by friendly means, but if it could not be accomplished by this means, then to forcibly stop it and to give to the Greeks independence and self-government. What course did they pursue? The three great European powers for humanity's sake determined to mediate in behalf of peace, to offer and use their friendly assistance to stop the effusion of blood.

During these pending negotiations and the offer to mediate they asked both the Turks and the Greeks to declare an armistice for thirty days, that the three great European powers might use their good influences to adjust and settle the conflict so furiously waged between them. The Greeks cheerfully accepted the mediation of the three great powers, declaring their readiness to cease all hostilities, but the bloody Turks would not consent. They continued to thirst for the blood of their antagonists. Peaceable intervention having failed to stop the conflict, Great Britain, France, and Russia determined on armed interference, and sent an army to aid the cause of the Greeks and end the war, and the very first battle fought brought the Turks to their senses, ended the war, and established the independence of Greece.

Dr. Wheaton, in his work on international law, tells us that these three great Christian powers of Europe were eminently justified in their interference to rescue a whole nation, not merely from religious persecution, but from the cruel alternative of being transported from their native land into Egyptian bondage or exterminated by their merciless oppressors. The same distinguished author tells us that the right of human nature, wantonly outraged by the cruel warfare, was but tardily and imperfectly vindicated by this measure, and its principles were fully justified on the broad ground of self-preservation and humanity.

Now, Mr. President, we have a state of facts before us—a state of facts about which there is no dispute—a state of facts which presents for our consideration and solution great and momentous questions. No great question is ever fully settled until it is settled right. I repeat, the only solution of Cuban-Spanish affairs that will restore permanent peace, relieve present suffering, and secure future safety is absolute freedom and independence of the people of Cuba. If the statesmen of Spain would view the situation in its true light, they could not possibly avoid reaching this conclusion.

Many of the most eminent statesmen of England realized this to be true as to the American colonies when they were struggling for their independence from their mother country. If the English Government had followed their advice and counsel, her people would have saved millions of dollars in ending an unprofitable and destructive war and would have been spared the humiliation of defeat. There is but one way that the Spanish Government can make Cuba her friend. Let the Spanish Government say to them, "We have tried to govern you in peace and can not do it. We know you can never be a happy, contented, and thrifty people until you can have absolute freedom and independence. We see that you will never be satisfied until you are allowed to elect your own rulers, make your own laws, and regulate your own internal affairs. We regret to give you up. You have supported our armies and our navies. Our officials and soldiers have fattened upon your substance. We would prefer still to rule and govern you; but if we can not govern you in peace, we will let you go. Selfishness shall no longer predominate our nature. We thank you and are grateful for the past favors we have received at your hands. Go, now, and make your own laws, elect your own rulers, rebuild your homes, cultivate your fields, educate your children, develop your mines, improve your commerce, and grow to be a great and powerful nation of five millions of people."

If the statesmanship of Spain would only pursue such a broad, liberal, and statesmanlike policy, the civilized world would forget her past history—even the horrors of the Spanish Inquisition—and this noble and Christian act would be a new era in her history for which the Christian people of the civilized world would praise and bless her. This course would make the Cubans their friends, patrons, and benefactors.

But, Mr. President, I must come to the conclusion of my remarks. How can this state of affairs be brought about? What is the duty of our Government in this great emergency? We have seventy millions of happy and contented people. The first duty we owe is to them, to protect their lives and their property. Coming, as I do, from a Southern State, I realize that the South will be the great sufferer in case of war between Spain and the United States. I know that our seacoast and our citizens will have to bear the brunt of the invasion, if any occurs.

I realize that the products of the South, and especially her cotton crop, will be cheapened and greatly injured in case of war. I shall not vote to involve them in war if we can procure the independence of Cuba without it. But I see no real good that we can accomplish except to declare for independence, and if Spain resist it, then we will defend our course. It is the part of statesmanship to take every possible precaution and to make every reasonable sacrifice to prevent war.

We were taught by our blessed Master in his memorable Sermon on the Mount, "Blessed are the peacemakers, for they shall be called the children of God." We are taught in the same blessed old book that God never fails to carry out His promises to His afflicted children. This is fully illustrated in His deliverance of the children of Israel from the bondage of Egypt and restoring to them the land of Canaan when the hosts of Pharaoh perished in the sea. Our blessed Master came as the Prince of Peace. He has never taught us that peace was to be purchased at the cost of honor or at the sacrifice of human life and in total disregard of the rights of humanity.

While it is our first duty to protect our own people and save them, if possible, from the horrors of war, we can not live alone to ourselves. We belong to the family of Christian nations and, thank God, in the past we have never lived alone for selfish purposes. The great heart of the American people is always right. We have ever stood in favor of relieving distress and suffering and in favor of peace and mercy. The people of the South are conservative, patriotic, loyal to the flag of our country, and are anxious to live in peace with the world; but they are also against tyranny and oppression and human butchery, and if they must fight to preserve the honor of the nation or to relieve the suffering and distress, and prevent the unjust effusion of the blood of their neighbors, they are not afraid to do so.

They are not cowards, but are a brave, peaceable, just, and patriotic people. What ought our country to do under such circumstances as exist now? What will we be justified in doing in the sight of all Christian nations? What should be the policy of our Government? If we shape a policy, it should be a just one, and then we should enforce it peaceably, if possible, but forcibly if the policy can not be peaceably accomplished.

We should undertake no policy that looks short of the independence of Cuba. No other policy is just, and no other remedy will cure the disease. Let it be accomplished, if possible, by peaceable means, but if it can not be accomplished any other way except by war, let us meet the crisis like a just, brave, and fearless people, and there can be but one result. Let us exhaust every reasonable means to accomplish it by peace. Let us intervene at once on humanitarian grounds, and say to Spain and the Cuban insurgents that the United States is ready to mediate between the two parties.

This offer on our part ought to be accompanied with a request to cease all hostilities for thirty days, to permit us to settle the differences and end the war. Let Spain know that no settlement will ever be satisfactory to us that does not give absolute independence to these people. During the pending negotiations, if our mediation is accepted, we should take care of the suffering Cubans.

If our mediation should be accepted by Spain we should appeal to her reason and statesmanship, and say to her that this great struggle had been protracted for three years at the sacrifice of life and treasure and that it is utterly impossible to reconcile the people of Cuba to the Spanish Government. We should say to the Spanish Government that the interest of humanity and Christian civilization demands the absolute freedom and independence of these people. We should say to Spain that due consideration for her honor and interest demanded the independence of these people. This would be friendly intervention.

If Spain would not accept our mediation, or in case she did, and failed to harken to the voice of reason and humanity and give these people absolute independence, then we would have exhausted all peaceable means to accomplish our policy. Then we should at once acknowledge the independence of Cuba. If Spain resisted it, we should drive her army and navy from Cuban soil.

Our Government in forcing this humane policy would have the support and sympathy of the civilized world. We can declare for independence without a declaration of war. We can acknowledge her independence; we can treat the Cubans as a free and independent nation, granting to them all the rights and privileges

of an independent nation without any overt act of war toward Spain. In all probability Spain would treat this act on our part as an interference in her affairs and declare war against us, but if she did, we would land an American army on Cuban soil and end the barbarous war, relieve a distressed and starving people, and give to them the God-given right to form and put in operation a government of their own choosing.

We would send an American army to Cuban soil and teach Spain that American patriotism and American valor in this nineteenth century will not tolerate the cruelty, tyranny, and oppression of the Dark Ages. We could then say to her that the United States exhausted every possible peaceful means to convince the Government of Spain that the interest of peace, Christianity, and the cause of humanity demanded the independence of these people.

We then could say to the civilized world Spain would not listen to our appeals, and in the interest of justice and mercy and in the advancement of the cause of liberty we have decreed that these people shall be free, and that decree, if resisted, will be enforced by the Army and Navy of a Government that never went down in defeat. Say to the world we do not want one foot of Cuban soil. We do not ask or expect any pecuniary benefit resulting from their independence. Say to the world that we were prompted in the course that we have pursued by no selfish or unpatriotic purposes. Say to Spain that we gave them independence to make them free, happy, and self-supporting. Say to Spain that our chief desire was to relieve the suffering and distress of this starving and grief-stricken people, and to place them in a position where they could govern themselves. Mr. President, to accomplish this noble, unselfish, and patriotic purpose the Empire State of the South will do her full share.

Mr. PERKINS. Mr. President, I would not at this time trespass upon the Senate—and I shall only do so for a few minutes—were I not impelled by a sense of duty to give expression to the views which will influence and actuate me in casting my vote in the coming crisis.

I appreciate how terrible a thing is war. I know something of its horrors, something of its miseries, something of the destruction which it entails. I realize that only overwhelming reasons should permit a conflict between nations to occur. They should be reasons which involve national honor, without which no people can be truly a nation. They should be reasons which bring conviction to every sincere lover of his country, and which will make him ready to sacrifice his life, if need be, in the maintenance of the right. They should be reasons formulated without haste or passion, neglecting not the principles of justice, having always in view the honor of the nation, and resting on the broad and solid foundations which underlie national existence. When such reasons exist, a nation, if it is worthy of the name, becomes a nation of warriors. If it is not worthy of the name, it is in danger of ceasing to be known as a nation. Nations may battle for principle and be defeated, and yet stand higher than ever among the peoples of the world. The nation which has no principles to fight for must cease to exist.

The history of the United States is the history of a nation. Its foundation is the broad principle of liberty, which it demands for itself and concedes to others. Liberty has brought with it the responsibility of truth and justice, which have ever marked our intercourse with the world. We have ever been patient, slow to wrath, seeking the right rather than the advantage, fully realizing that in the former only lies the victory.

Such has been the attitude of the United States throughout the Cuban troubles. A great nation has long watched with patience, but with sympathy, the struggles of a people who seek the freedom which we enjoy. It has been mindful of the claims of Spain and jealous of its honor as of its own.

THE FAIRNESS OF THE ADMINISTRATION.

The Administration, imbued with the national spirit of fairness, has dealt with the questions that have arisen with the conservatism and dignity which become the representatives of a great people. Though the principal actors have been men of war, their actions have been those of men of peace. President McKinley, General Woodford, and General Lee have won distinction on the field of battle, and the laurels which came to them through the smoke of conflict will never fade. They there showed the bravery born of conviction. In the no less trying times of peace they have shown an equal heroism born of the national spirit of justice and the vivid recollections of the horrors of war. They have been the true representatives of a patient nation which loves peace and abhors war, but which will spring to arms at the first tap of a drum and fight as Americans can, and will fight for the honor of their country and their flag.

Mr. President, more than once has the sympathy of the United States gone out to Cuba. More than once has its indignation been aroused by the cruelties inflicted by Spain upon the people of that island. But with all its sympathy, with all its indignation, it has been patient, unwilling to do aught that might touch the pride of a friendly nation; unwilling to do aught that truth and right would not justify. It saw waged a war whose horrors increased in number and took on the character of barbarism. It saw murders by wholesale under the guise of military executions. It saw methods of warfare introduced which before the world were only methods of treachery and crime. It saw at last an officially organized plan for the starvation of more than a million people, and of this number it saw 600,000 die according to the programme of the Spanish Government. Not the barbarity of the Duke of Alva in the Netherlands could compare with the barbarity of General Weyler in Cuba. And this barbarity continues to this day and within four hours' steaming of our shore. In four hours one passes from a land where men are free to one where they are starved by law because they want the freedom which we enjoy.

NO MORE DELAY.

How long, Mr. President, could a generous people be expected to look with patience upon such a scene; how long withhold their demand that this great disgrace to Christian civilization should cease? A little more delay, and we should become accessories to the greatest crime of modern times. But the patience of a great nation has its limits, and that of the United States has been reached. Right, justice, and humanity demand that barbarism on our very shores shall cease, and the people of the United States have demanded that it shall cease—as it shall.

We have too long complied with Spain's desires in using our fleets to prevent succor from being taken to her Cuban foes. We have spent too much money in acting the part of friend to an enemy of a people fighting for freedom. Too long have we sent to men and women starved by law the food which keeps them alive within the Spanish lines. It has been a labor of love, in which men and women of all classes and conditions have most gladly taken part, and to which the nation, through Congress, has liberally given from the public Treasury. It has appealed to the charitable individual and to the charitable associations, and until the need is passed it will be continued. But it will be continued among those who are free, and great will be the generosity of this great people in their efforts to bring back to health and strength the hundreds of thousands among whom Clara Barton, that angel of mercy, has so long walked with stricken heart.

DESTRUCTION OF THE MAINE.

But we are at peace with Spain, and have constantly desired that peaceful relations be maintained. We have shown our confidence in her honor toward us by sending a ship into the harbor of Havana on a visit of peace. When the *Maine* steamed by Morro Castle on the morning of January 25, she went with the sincere hope of the nation that her presence would be instrumental in promoting a better understanding between Spain and the United States, to the end that the pacification of the island might follow.

She went under agreement with the Spanish minister at Washington. She had no hostile message to carry and no hostile purpose in view. She lay in the harbor of Havana, swinging with the tide, while her officers visited the shore as friends, made social and official calls upon the Spanish, attended places of amusement, and endeavored to pass the time as pleasantly and to make themselves as agreeable to their hosts as possible. No word or act of theirs was other than that of friends. No word or act of the Spanish was other than that of enemies.

On the evening of February 15 the United States battle ship *Maine* was utterly destroyed as she lay at her moorings. Two hundred and sixty-six officers and sailors were then killed or shortly after died of their wounds. Nearly all had been in their hammocks asleep, and awoke only to meet death in its most horrid shape. The battle ship sank where she lay, a mass of jagged iron which imprisoned beneath the water more than a hundred American sailors. Destruction had come, swift, sudden, and complete. Death had come as in a whirlwind of fire, and the number of the dead was equal to that of many a stubborn battle.

A BRAVE MAN'S COMMAND TO THE NATION.

Then occurred what must forever be regarded by the world with wonder and admiration. In his message announcing the destruction of his ship, Captain Sigsbee used two words which will make him famous in all history as a hero and a patriot, "Suspend judgment;" and a brave nation obeyed the command of a brave man, and, with hushed breath, sat still until the truth might be proven by indisputable evidence. The first thought of the people of the United States was of Spanish treachery. The ill-concealed delight of the Spaniards of Havana strengthened that suspicion. It was known that the *Maine* was looked on as a hostile vessel and that its destruction had been predicted. There was no reason to believe that the destruction of the great ship was by accident; but there was no proof, and loyally the people of the United States, though hot with wrath, obeyed the wish of the brave captain, and "withheld judgment."

Long and minute has been the examination of the wreck of the *Maine* to learn the story which it has to tell. Patiently were details gone over that there might be no error, no chance for disagreement, no opportunity to question the verdict. Longer than

the Saviour wandered in the wilderness have the people restrained themselves, although sorely tempted to break bounds by the facts which became known to them. For more than forty days and nights has it withheld its judgment until it could have before it the final report of the court of investigation. This has been presented, and its verdict has been unanimously affirmed on the strength of the evidence.

SPAIN'S CRIME.

The *Maine* was blown up from the outside. It needs not the great bulk of evidence presented to establish this fact. It only requires to be known that the bottom of the ship is bent upward, with bow and stern pointing downward, while a mass of iron that came from the extreme bottom is in the wreckage 40 feet above its original position. All other evidence is cumulative. The fact is established beyond the possibility of a doubt by the position of the bow and that of the iron from the bottom where the mine first took effect.

By whose act, Mr. President, did this destruction of life, this annihilation of a great battle ship, occur? Surely not by the act of friends. Neither by accident, for such quantities of high explosives as accomplished the ruin wrought in Havana Harbor are not by accident at the anchorage of a ship of war. None were found near the Spanish war ship that was safely swinging at her moorings in the same harbor. It was by design that these explosives were where they were. Was it by design that they were exploded beneath the *Maine*? The people believe that it was, and I am one of the people. If by design, was it the act of the Spanish Government or of an unofficial person? I believe that the latter may be exonerated.

THE HARBOR UNDER MILITARY CONTROL.

No private person was likely to have such access to the harbor that he could plant such a destructive mine without the knowledge of the military officials. It has always been under absolute military control. No boats are at night permitted to ply on its waters, and if they do they are overhauled by the guard boats. It is apparently impossible that anyone could have planted a mine at the *Maine* mooring buoy without the knowledge and consent of the military officials. If the mine was planted with their knowledge and consent, the *Maine* was placed over it at their command by the Government pilot through the order of the harbor master, who designated the anchorage.

If placed knowingly over a mine by Spanish officials, is it to be supposed that the *Maine* was destroyed without their knowledge and consent? Is it conceivable that she was destroyed except by their order? If it were a floating mine or torpedo floated from the shore, official cognizance is as strongly established. No private person in Havana could have secured so great an amount of explosives without the consent of Spanish officials, for every cartridge, every pound of powder, dynamite, or other explosive or war material passes exclusively into their hands and leaves them only to get into the possession of those they trust.

HOSTILITY TO THE MAINE.

No unofficial person in Havana could have made a floating mine without securing the explosives from the Government, and could not have launched it and placed it under the *Maine's* side without official cognizance. Weyler often boasted that the harbor of Havana would be fatal to hostile vessels, and he knew whereof he spoke. And the *Maine* was considered a hostile vessel not only by the populace of Havana but by the Spanish officials. The very day that she entered the harbor Consul-General Lee telegraphed to the State Department that the—

Authorities profess to think United States has ulterior purpose in sending ship. * * * Ask that it be not done until they can get instructions from Madrid and say if for friendly purpose as claimed delay unimportant.

But the ship was already on her way, and entered port not long after this message was dispatched. In view of this, can it be doubted that the *Maine* was regarded as a hostile ship, and if hostile, that an effort would be made to make true Weyler's boast? But that she was regarded as hostile is further evidenced by the treatment of its officers by the Spanish officials. There were none of those friendly visits to the *Maine* which occur in friendly ports. Official visitors were few, constrained in manner, refusing hospitalities, and clearly showing that hate, not friendship or even courtesy, brought them there.

It has been stated, and not officially contradicted, that at the time of the destruction of the *Maine* all the electric lights connected with the main system of the city of Havana went out. This is a coincidence of great importance and one calling for further investigation as corroborating the evidence that the *Maine* was blown up from external causes.

The temporary extinguishment of electric lights would indicate that the electricity had been diverted to another channel; and when it is known that a powerful current is necessary to explode a mine, the occurrence of the explosion simultaneously with the extinguishment of the lights is one of the strongest links in the chain of proof against Spain.

WHERE THE MINE WAS MADE.

In this connection, too, must be taken the statement of Joseph Panell Gibbons, a submarine mine manufacturer of London, who, over his signature, states that he made 56 ground mines and 25 buoyant mines for Spain, which were shipped in a Spanish naval vessel to Havana and Ferrol. The mechanism of the firing apparatus is such that the mines could not be exploded by accident, and could be fired only with the knowledge and consent of two Spanish officials, whose cooperation is necessary. Mr. Gibbons is confident that the *Maine* was deliberately destroyed by one of his mines, containing 500 pounds of gun cotton.

I am prepared—

Says Mr. Gibbons—

to satisfy by demonstration any jury of reasonable men that this is the true explanation of the destruction of the *Maine*.

A SUGGESTIVE COINCIDENCE.

There is a coincidence in connection with this wholesale murder in Havana Harbor to which, I think, not enough prominence has been given. A few days before, the Spanish minister, Senor Don Enrique Dupuy De Lôme, had been compelled to resign his office.

As the representative of a great power he had been received here with every honor by the Government, and every courtesy which society could bestow had been his. He was one to whom all doors were open and to whom all hands were outstretched in friendly greeting.

But while accepting all the offerings which a generous people could give, a letter which he acknowledged showed that he had not only been acting the part of a trickster, but that to duplicity and treachery he added insults to the President of the United States and to the people. He was forced to leave Washington, and scarcely had he departed when the *Maine* was destroyed in the harbor of Havana. Can we not see in the Washington incident a contributory cause, influencing sympathizing Spanish officials in Havana to seek revenge for the discovery of the duplicity of the Spanish Ambassador?

MURDERS IN COLD BLOOD.

Mr. President, I do not think that an impartial judge can fail to fix the responsibility for the destruction of the battle ship *Maine* and 266 brave men upon Spain. I do not know of any characteristic of the Spanish people or any fact in the history of that nation which would render a belief in such treachery untenable. I do not think that a nation which produced an Alva, to boast that he had killed in cold blood 18,000 men and women on account of their religious belief, and a Weyler, who can calmly make and enforce a plan for the deliberate starvation of a whole people who hold different ideas of liberty from his, will be found lacking in men who will blow into eternity 266 sleeping sailors.

Spain is to-day at heart as cruel, as treacherous, and as heartless as it was when the people of Madrid welcomed back from the Netherlands the bloody butcher of the bigot Philip—the same people who welcomed back Weyler from his 600,000 Cuban murders. I believe—I see no reason for any other belief—that on the Spanish nation rests the responsibility for the most hideous crime of the nineteenth century. It was a crime characteristic of the people. It was a crime to deeds like which in all ages they have given the name of war. And it was, Mr. President, in my opinion, an act of war, and as an act of war it will be regarded by the world.

The manner in which Spain's attention has been officially called to the destruction in one of her harbors of a battle ship of the United States is an evidence of the forbearance of this country, which can not fail to impress all nations. No intimation of complicity was made. Only the plain facts were placed before her. Were Spain guiltless, Spanish honor should have compelled an immediate, full, sincere, and friendly reply and an offer of reparation which would have satisfied the most sensitive American. But there came no offer of reparation. There came no condemnation of the deed which has shocked the world. There came only the insult of the naval attaché of the Spanish legation, that the *Maine* was blown up because of the carelessness and incompetency of her officers and the lack of discipline on board. This insult was echoed back from Spain. Had such a deed been committed in the harbor of any other nation of the world, all the power of its government would have been exerted to discover and punish the criminals. Not to do so would have been considered as culpable as the crime itself. But Spain made no effort in that direction. The attitude assumed was one almost of defiance. It was the attitude of one who is conscious of responsibility. It was one which strengthens the belief in Spain's complicity. The sole suggestion made was that the matter be arbitrated.

GOLD CAN NOT ATONE FOR BLOOD.

I believe in the principle of arbitration and have voted here in accordance with that belief. But there are questions that do not admit of arbitration. Men do not arbitrate questions of honor. Neither do nations. The treachery and cruelty involved in the destruction of the *Maine* place it beyond the pale of arbitration.

It was an outrage upon this country which struck at the national honor and which can not be atoned for through the mediation of a third party, and for which the payment of gold can not atone.

Mr. President, the battle ship *Maine* was destroyed and 266 brave men were killed in the cause of freedom. It is a cause in which the United States has fought more than once, and in which we stand ready to fight again. We have with sympathy and patience long watched the struggles of a heroic people fighting for liberty. They have proven to the world that they desire it, and that they will have it is written down in the book of fate. The United States stands ready to assist the cause in which such grievous loss has come to her by the recognition of the independence of Cuba and by intervention in behalf of the struggling people should Spain refuse to relinquish her claim to an island which she has wasted with fire and sword and half depopulated by deliberate starvation.

Mr. President, if war must come, we are conscious of the justice of our cause. Appealing to the God of nations, let us press forward in the cause of humanity, our banner bearing the inscription:

Teach us to sow the seed of many a noble deed;
Make us determined, undaunted, and strong;
Armed with the sword of right, dauntless amid the fight,
Help us to level the bulwark of wrong.

[Applause in the galleries.]

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a concurrent resolution to print 20,000 copies of the message of the President of the United States dated March 28, 1898, together with the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine;* in which it requested the concurrence of the Senate.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

The motion was agreed to.

Mr. FAIRBANKS. I desire to present an amendment which I shall offer to the bill at a later date.

The VICE-PRESIDENT. The amendment will be received.

Mr. MANTLE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Montana?

Mr. ALLISON. I yield.

Mr. MANTLE. Mr. President, before this subject passes from the attention of the Senate this morning I shall ask its indulgence for a few brief moments for the purpose of giving expression to the sentiments which I hold bearing upon the grave questions now pressing upon the American people, and also because I desire to place upon the records of this body the overwhelming sentiment which I believe exists among the people of the State which I have the honor in part to represent.

Mr. President, I am in hearty accord with the humane and patriotic sentiments which have been so eloquently and forcibly expressed by many distinguished members of this body in favor of recognizing the independence of the heroic men upon the Island of Cuba who for years have been engaged in a death struggle against tremendous odds in the effort to achieve their liberty and to secure for themselves the God-given right of self-government. I give my unqualified indorsement, and shall gladly give my vote, for a resolution authorizing and directing the President of the United States to employ the armed forces of the nation and all its resources that may be necessary for the purpose of bringing to an immediate termination the barbarities now being practiced upon those persecuted, stricken, and helpless people.

Mr. President, I shall not stop here to repeat the tale of murder, of starvation, and all the unspeakable atrocities visited upon those hapless victims of Spanish tyranny. Suffice it for me to say that they stand unsurpassed in the bloodiest and most infamous pages which history has yet recorded.

The details of this story of savagery and suffering have been told by lips far more eloquent and impressive than mine. The cold, bare, indisputable facts have been laid before the Senate and the country by men whose word can not be questioned. The distinguished Senators from Vermont, New Hampshire, Nebraska, and Mississippi have seen these things with their own eyes and heard with their own ears, and from their lips we have learned the whole wretched truth.

And as a result, Mr. President, the heart and conscience, the sympathy, and the indignation of the American people are aroused and stirred as they have not been for a third of a century. And the great body of the people, rising above all selfish and partisan considerations, responding to the demands of outraged humanity, stimulated by that love of liberty bequeathed to them by the fathers and founders of our own Republic, stand ready to declare that the limit of endurance has been reached, that patience and forbearance in this case have ceased to be virtues, and that in the name of persecuted humanity, in the name of liberty, justice, and peace, and in the sacred name of a just and outraged God this murder of helpless men and starving women and children, too long tolerated, must cease.

Mr. President, it is true that in deference to the aroused indignation of the American people, and in the hope, no doubt, of changing the issue and diverting us from our manifest purpose, Spain has within a few days adopted what upon its face seems to be a more humane policy toward the victims of her past cruelty. But this act of reparation comes too late to be of value. In the light of her past record, no one believes that Spain's action is prompted by a genuine sentiment of sympathy, or that any promises that she may make under duress would be kept for a single moment if the fear of intervention by the United States were removed.

Besides, Mr. President, this eleventh-hour repentance can not now atone for the enormities of which she has been guilty or restore to life and usefulness the 400,000 men, women, and children whom she has deliberately starved to death. Moreover, it must not be forgotten that, although seven long weeks have passed since the destruction of the *Maine* in the friendly harbor of Havana, up to this moment no expression of regret has been tendered and no offer of reparation has been made by the Spanish Government, although it must now be apparent to the most skeptical and unbelieving that our ship could never have been so destroyed and her crew mercilessly slaughtered except by the connivance and with the knowledge of Spanish officials.

Mr. President, I have no wish or intention of criticising or casting the slightest reflection upon the Administration in this trying hour. I have no doubt but that the distinguished man who stands at the head of this nation has pursued and is pursuing what seems to him a wise and patriotic course, and that he has earnestly endeavored, through the necessarily slow channels of diplomacy, to bring about a settlement which should, if possible, avoid an armed conflict, preserve peace, and do substantial justice to all concerned.

But, Mr. President, it must be evident to every reflecting mind that the time for diplomatic adjustment of these issues has passed. The American people have been patient and long-suffering; for while all their sympathies were with the struggling Cubans, they have yet resigned themselves with calmness and fairness to the heavy burden of expense involved in maintaining neutrality and a just observance of their international obligations. At a cost of millions of dollars we have policed the seas with our ships and have stood guard for Spain along our coast.

We have borne with resignation the loss of an immense trade and the destruction of valuable American property. We have seen our flag insulted and our citizens unjustly incarcerated and assassinated. But all this time we have endeavored to restrain our just anger while waiting for Spain to restore order in Cuba and make reparation for the injuries done us. And while the American people, at great cost, have striven to maintain neutrality, and thus given aid and comfort indirectly to Spain, what, Mr. President, has been her conduct and how has she repaid us? She has violated every principle of civilized warfare and every sentiment of humanity by waging a cruel war of extermination—not against armed soldiers on the field of battle, not against foemen capable of defending themselves, but against old men, against the wounded and sick; against weak women and innocent children. And to this has been added the crowning infamy of all her offenses, the murder in cold blood of 266 officers and men of the American Navy, and the destruction of an American battle ship in a Spanish harbor, while floating at a mooring assigned to her by a Spanish official, by a submarine mine laid and fired by Spaniards.

Mr. President, if I understand the sentiment and the wishes of the great body of the American people aright, what they demand now is not the polished phrases employed in diplomatic negotiation, but open, aggressive, decisive action, such as befits American traditions and American character. They ask that diplomacy and circumlocution and every sort of subterfuge be laid aside, and that the cry of humanity and the demand for justice be now heeded.

Mr. President, we have often been told in the discussion of this grave question that war is a terrible thing and that it should never be resorted to except in the last extremity and in defense of the national honor. We are told that if we are to go to war it must be in a cause that is sacred—such a cause as will fully justify us in the eyes of the civilized world; such a cause as shall sanctify every sacrifice that must be made in its prosecution—in short, a cause so righteous that the individual and national conscience shall be satisfied and clear and the arm of every citizen nerved and strengthened by the solemn conviction that it is being raised for humanity, for justice, for honor, for God, and the right.

Accepting the test of these conditions as our rule of action and applying them at this time, I do not hesitate to declare that in my judgment our Government has ample justification and that it becomes our solemn duty, in the circumstances now surrounding and confronting us, to recognize the independence of Cuba and to use armed force, if necessary, to give such recognition full and complete effect.

Beyond this, but upon wholly separate and distinct grounds,

I believe that we shall be fully justified in declaring war against Spain for the destruction of the *Maine* and the cowardly murder of her crew, and in prosecuting it with all the vigor and power at the nation's command until that wrong shall have been avenged, until the national honor shall have been vindicated, and until full and complete satisfaction shall have been rendered the American people.

Mr. President, while holding these pronounced views, I shall yet await with calm confidence the action of the great committee of this body having this grave subject in charge, satisfied that out of the fullness of their ripe judgment, their profound statesmanship, and their exalted patriotism will be evolved a plan of action which shall meet all the demands of this trying situation, which shall do justice to the oppressed, which shall vindicate the courage and Christian character of the American people, which shall enthrone liberty in Cuba and preserve unsullied the honor and dignity of the nation, and which shall declare to the world that there is no room beneath the folds of our flag or within its shadow for inhumanity and injustice, for humiliation or fear.

Mr. RAWLINS. Will the Senator from Iowa yield to me for a few moments?

Mr. ALLISON. I will yield to the Senator from Utah, unless he desires to occupy more time than I think we ought to spare from the consideration of the sundry civil appropriation bill. How much time does the Senator desire?

Mr. RAWLINS. I think not to exceed fifteen minutes.

Mr. ALLISON. I yield to the Senator from Utah.

Mr. RAWLINS. Mr. President, the facts in our relations to Spain and Cuba are known. The case has been made up, and the question now is, What are we going to do? It is not a question for solution, in my judgment, by the executive department. It is a question which belongs peculiarly to Congress. It is for us, the representatives of the States on this side of the Capitol and the representatives of the people on the other side of the Capitol, to decide in this emergency what we are to do. It is for Congress under the Constitution to declare war, and Congress ought to be willing to take that full responsibility when the grave and critical emergency arises. The President is not vested with that power. The President, after war is declared by the competent constitutional authority, may, with the consent of two-thirds of this body, terminate the war by a treaty of peace.

I do not rise to make any censure of the President of the United States. If any censure now is to go to any tribunal or authority, it must be to that which is clothed under the Constitution with this profound responsibility.

The facts being known, the case being made up, shall we declare war or shall we decide for peace? Mr. President, it is not necessary to wait upon the President to know whether in view of the exigencies which have arisen and the facts which are known we shall have peace or war. We can decide to have peace—peace with incidental Spanish outrage and clandestine murder. We can decide it to-day and relieve the President from all responsibility and connection with it. As against the peace, we can, under the Constitution, by virtue of our authority, have war. I am free to say that we ought not to declare war except for grave and sufficient reasons. It seems to me that those reasons exist.

Mr. President, we are asked to delay. The Committee on Foreign Relations of the Senate, composed of the ablest and wisest statesmen in our nation, has had this subject under consideration, and I doubt not that this body has full confidence in the judgment and wisdom of that committee. I am informed that that committee have decided in their own minds what action should be taken, and that they are prepared to make it known to the Senate. I am informed that they are asked from another department of the Government, for some reason or for no reason, not to report to this body the conclusion to which they have arrived. I am informed (how true that may be of course the members of that committee will well know) that the executive authority knows what the proposed action of our committee is in relation to this grave subject. I am informed, but I may be mistaken in it, that our committee have not been advised by the Executive as to what his purpose or his policy in respect to this matter is to be. He wants more time.

Every member of Congress of this coordinate and equal department of the Government should endeavor to maintain, so far as we can, the equipoise as provided in the Constitution between the equal and coordinate departments of the Government. We are desirous of acting in full harmony with the Chief Executive of this nation, because we know that when we declare war we shall have discharged our duty and responsibility in that regard. The President, as Commander in Chief of the Army, has the duty of waging the war to a successful conclusion.

Why are we asked to delay? How long has it been since the destruction of our good ship *Maine* and the 266 men in the service of their country by the explosion of a submarine Spanish mine placed in the harbor by Spain at the buoy, which shall hereafter be known in history as No. 4, and anchored there, and the decisive moment awaited when it should by wind and tide be drifted to the fated spot, then an explosion and then the clandestine murder of our seamen? Forty-eight days have gone by. That is one fact that is known; but it is not all.

For three years we are told that many American citizens, guilty of no offense against the Spanish authority, have been without just cause imprisoned and some have been assassinated in their prison cells. American citizens engaged in peaceful pursuits in the management of their own property, lawfully within the Island of Cuba, have been by Spanish officers and soldiers taken out into the highways and shot to death. The consuls of the United States have not been derelict in the performance of their duty and have undoubtedly advised the executive department of the Government of all these heinous outrages against American citizens and against the American nation.

We appealed to the Executive to send us months ago those advices—the evidence of those outrages upon our people. What answer has been made to us? That it would not be safe—it would not be compatible with the public interests—must be the answer. Because if what our consuls in Cuba have reported concerning the heinous, clandestine, and treacherous outrages upon American citizens should be communicated to the American people, it would so inflame our people and our members of Congress, who alone have the authority to declare war, that they could no longer be restrained, and they would rise in their majesty and avenge the outrage which has been perpetrated upon them.

Mr. President, we have appealed in vain for that official information to which we were entitled, and its nonpresentation to us can be excused only upon the ground that Spain is without honor, that she has no control over her officials, that her officers and her soldiers are prepared even to strike a clandestine and treacherous deathblow to our representatives in that island. We have waited month after month and day after day until the feeling has permeated and impregnated the very bones of the American people that our patience has been exhausted, and that if we are a self-respecting nation we ought to act.

But, Mr. President, let us think of it a little further. Why should we longer delay? We were told last week that the Executive was desirous of keeping himself in harmony with the undoubted sentiment of the American people and of the American Congress; that he, too, had come to the conclusion that some decisive and heroic action was necessary, but that he wished a little delay should take place for a few days—to Thursday or Friday of last week. The most confidential friends and advisers of the President in Congress told us that he would be content with nothing less than the absolute independence of Cuba, and that in his opinion the declaration of such independence would be inadequate, but that it must be accompanied by armed intervention.

At the time that declaration was made, when we were asked to delay on that account, there was being penned the message in the Executive Mansion of the private and confidential secretary of the President, addressed to one of the leading newspapers, deprecating the disposition of the majority of Congress and invoking the exercise of influence by leading and influential citizens throughout this country to induce a majority to cease all further action in this regard in order that there might be further and more protracted negotiations with Spain to bring about peace.

We were next informed that the Executive had presented an ultimatum of some kind to the Kingdom of Spain, and we in some vague way were told or advised that with that ultimate declaration to Spain this Government would be content with nothing less than the absolute independence of the Island of Cuba.

Mr. President, we are told from across the water, in what purports to be an official interview, by the prime minister of the Spanish Kingdom, that in the whole progress of the negotiations there has never been a suggestion of the independence of the suffering people of Cuba. Does he speak true? Does any one doubt the authenticity of that message? The President has accredited his veracity and his sense of honor and of justice in a message which he has communicated to the American Congress. We have been advised that we should have peace, peace, glorious peace, at any price, with all the incidental and infamous outrage which Spain can inflict upon us, and we are now told that a little delay will bring about that result. We are told in circular letters emanating from the city of New York and the city of Philadelphia, and it is whispered about in the corridors of the Capitol and intended to reach every object whereby the result might be accomplished, and what is it?

That Spain has no respect, that Spain has no fear for the American nation, that any proposition of settlement emanating from this Government would be treated by that Government with contempt, and that it would be disregarded. Accordingly, having come to that abject and humiliating situation of degradation, we are to invoke Great Britain or Germany or some other nation for whom the Spanish people have some respect and of whom they have some fear, contrary to the traditions and policy of our Government that foreign interference is incompatible in the affairs of the American continent and would not be tolerated. We are asked to invoke those nations to use their influence to bring Spain

to a position where she might be willing to accept some proposition which it is supposed that the Executive of this Government had then presented to her authority.

Mr. President, if this Government had taken heroic and decisive action, which is often the highest conservatism, in the performance of the duty which it owes to every one of the citizens who are ready to render it allegiance, there would have been no necessity for us to call upon foreign nations to aid us in bringing any foreign government to just and reasonable terms in respect to any outrage which may have been committed upon our citizenship. But for years our Government Administration, our conduct in respect to the Cuban question, our relations to the Kingdom of Spain, have been so cowardly and pusillanimous, so unworthy of any self-respecting people in this wide world, that the Spanish people are justified in holding us in contempt. Had it been that they respected and feared us, as they would fear and respect any other self-respecting government, our ship *Maine* would not have been treacherously destroyed and the bodies of our sailors would not have been mangled and lost. That crime must be charged to our indecision and cowardice.

I do not desire to use strong language; perhaps I may use too harsh a word when I say cowardice, but it was that which, in its nature and in its effect under the circumstances of the case, was equivalent to cowardice: it was a display of weakness which a nation and a people like Spain would ever be ready, if known, to take advantage of.

Mr. President, I do not care to take very much of the time of the Senate, because it seems to me the time has arrived when we should act rather than talk. It is the case of American citizens assassinated, American citizens unjustly imprisoned, American ships willfully destroyed, with no evidence of contrition or regret expressed in any form that we have heard of; repeated peaceful protests made against the outrage which has been committed, strenuous efforts which philanthropy made to bring relief to the peaceful inhabitants who have been driven in, detained without provision to shelter, feed, or clothe them, and thereby causing their willful destruction to the numbers of hundreds of thousands by starvation, and of protests made useless.

I have no doubt that our Government has objected that these things should take place, although we are not officially advised of it. But if so, our protests have been ignored and disregarded. For years such has been the case. I ask any reasonable man how we can expect that a further effort in that same direction will have any other or greater effect than it has had in the past.

And what are you going to do about it? is the question which we must decide. Mr. President, the introduction of the resolution by me which was referred to the Committee on Foreign Relations seemed to me the proper thing to do about it. It was to recognize the independence of the Republic of Cuba. But we are advised categorically and absolutely by Spain that any peaceful effort on our part to bring about that result will not for one moment be entertained; that it will be regarded as an unfriendly act. To make effective that recognition armed intervention is a necessity. Ought we to stop with a declaration that the President if necessary should make armed intervention?

It seems to me to take that course would be to endeavor to unload the responsibility and duty devolved upon Congress on the shoulders of the President. For instance, if we pass a resolution declaring that the President if necessary shall use the Army and Navy to drive the Spanish soldiers or the Spanish navy away from Cuba, we are undertaking to direct him to commit an act of war, and we endeavor to delegate to him in his discretion to decide whether or not we shall have war. We ought not to do that. We ought not to undertake to delegate or devolve upon the President a duty and a responsibility which must belong to us. Knowing that armed intervention means war, knowing, because we are officially advised of the intimation of Spain that it will be regarded as an act of war, we can not now consistently stop there and direct the President to use the Army and Navy in forcible intervention in behalf of Cuba without making a declaration of war.

Mr. President, armed intervention necessarily means war. Now, shall we make a declaration to that effect and relieve the President of all further responsibility and insist upon that question? Undoubtedly the Committee on Foreign Relations will take that question into consideration. But it seems to me that if we simply content ourselves by passing a resolution to the effect that it should be armed intervention and leave it to the President to determine whether the Army or the Navy would be employed for that purpose we will have taken no step in advance except as indicating an expression of desire on the part of Congress, rather than a final and conclusive declaration.

If we pass such a resolution will not those gentlemen whose influences are desirous of peace at any price, those humanitarian associations, which so far deprecate the idea of bloodshed that they would be willing that this Government should ignore any affront or outrage which may be committed upon us, appeal to the President and say to him, "Wait; wait a little while. Spain may after all be willing to do justice and voluntarily withdraw her forces from Cuba. Wait a little while. The insurgents themselves may succeed in expelling the Spanish soldiers from the Island of Cuba. Wait a little while; six months or a year; wait, and if by that time it appears that it will be impossible for the Cubans to attain their independence without the use of the Army of the United States, then will be time enough for the President to employ force."

They will also further say, I take it, to the President that Congress having undertaken to load the responsibility upon the President of committing an act of war, which is equivalent to a declaration of war, that power being vested in Congress alone, the President ought to ignore it. I am not sure but that that argument would be justly taken. The President ought to hesitate to commit an act which amounts to a declaration of war when this duty and this authority have not been committed to him by the Constitution of our country.

Now, Mr. President, I have no greater desire for war than the most peaceful man in the Senate. If Congress shall decide that the resolution declaring war against Spain or recognizing the independence of Cuba should not pass, it would be equivalent to an expression of purpose no longer to interfere in behalf of the people of Cuba. If we should decide upon that finally, and let it go, while it will be to the shame and the disgrace of our country, it would be far better, in my judgment, to so conclude, and drop this question and let it alone, than to continue in the hopeless state of exasperation and uncertainty with which the country has been inflicted for the months and the years that have gone by.

If we shall decide for war, let us do it openly and absolutely and unequivocally; let the President of the United States, as it would be his duty and no doubt his pleasure, proceed to employ the Army and the Navy, waging that war immediately and decisively to a conclusion. Probably four weeks would decide the contest; and in my judgment it would decide it without the loss of a life. That may be regarded as a very hopeful outlook for the situation.

Mr. President, 35,000 Cubans, unarmed, without recognition as an independent government, without any ships, or without any instrumentalities, relatively speaking, for the purpose of carrying on war, dared to take up arms against the Kingdom of Spain, and in the course of a three years' struggle have fought her almost to a standstill, and they have not only encountered all the forces that Spain could bring to bear in order to bring them into subjection, but they have encountered the opposition of the United States, whose resources in a measure have been employed in order to intercept any supplies that might be carried to the Cubans.

Thirty-five thousand poor, struggling Cubans are now upon the point—so it is claimed by the men who desire peace at any price—ready and competent to bring about their own independence, and yet we speak through chattering teeth about the dangers of a conflict with the Kingdom of Spain. Decisive action would prevent any serious trouble, in my judgment, and we ought to take it.

Mr. President, I rose simply for the purpose of setting forth in this desultory and informal way the reason why I thought we ought to pass a resolution recognizing the independence of Cuba and declaring war against Spain.

IMPROVEMENT OF INDIAN RIVER, FLORIDA.

Mr. ALLISON. I hope we shall now proceed with the consideration of the sundry civil appropriation bill.

Mr. QUAY. I ask the indulgence of the Senator from Iowa having charge of the sundry civil appropriation bill to permit me to report a bill from the Committee on Commerce and to put it on its passage. I think it will occupy but a moment of the time of the Senate.

Mr. ALLISON. I will yield to the Senator.

Mr. QUAY. I am instructed by the Committee on Commerce to report, as originating in that committee, a bill to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 3, 1896; and I ask unanimous consent that it may be placed upon its passage.

The bill (S. 4332) to amend an act "Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896, was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That that part of the act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 3, 1896, which reads, "Improving Indian River, Florida: By dredging channel at Negro Cut, near Indian River, $7,500," be, and the same hereby is, amended to read as follows: "Improving Indian River, Florida: By dredging channel at Negro Cut, near Indian River Inlet, and construction of training wall or piling for the protection of the dredged channel, $7,500."

The PRESIDING OFFICER (Mr. PENROSE in the chair). The Senator from Pennsylvania [Mr. QUAY] asks unanimous consent for the present consideration of the bill which has been read. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REPORT OF NAVAL COURT OF INQUIRY.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution of the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That there be printed 20,000 copies of the message of the President of the United States, dated March 28, 1898, together with the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine*, in Havana Harbor, February 15, 1898, and the testimony taken before the court, 13,500 copies for the use of the House of Representatives and 6,500 for the use of the Senate.

VENEZUELAN CLAIMS.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

In response to the resolution of the Senate of January 17, 1898, I transmit a report from the Secretary of State, accompanied by copies of correspondence exchanged between Henry Woodruff, trustee and of counsel for the holders of a majority of the first-mortgage bonds of "The Railway of the East," of Venezuela, et al., and the Department of State, and by a list of claims of citizens of the United States presented after August 1, 1868, and, so far as appears, not settled by Venezuela, nor disposed of by the commission of 1889-90.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
Washington, April 4, 1898.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

The PRESIDING OFFICER. The reading of the bill will be resumed.

Mr. GALLINGER. Mr. President, I want to inquire about the item on page 5, for the purchase of the Union Building, which was laid over with the understanding, I think, that it would be taken up this morning. I will ask the Senator in charge of the bill if he is prepared to consider that item at this time?

Mr. ALLISON. It was passed over without any special understanding, so far as I know, as to the time when it should be again taken up. I should be glad to go on with the bill, and leave that item for consideration later, when there is a fuller Senate, if the Senator will allow me. There is no haste about it, I think.

Mr. GALLINGER. The only reason why I ask for the consideration of the amendment in relation to the Union Building is that I think it a very irregular way to pass over important items in an appropriation bill and then have them come up later when possibly Senators who are interested in them may not be here. I have very pronounced opinions about this proposed purchase of the Union Building, and there is no telling when we shall have a larger Senate than we have now. We certainly can call a quorum and thereby get a full Senate. I wish the amendment might be disposed of this morning. I have made an investigation of this matter, and I should like to state my conclusions to the Senate rather than possibly have this item go over to some time when I may not be here. That is all.

Mr. ALLISON. I hope that the Senator from Pennsylvania [Mr. QUAY] may also have an opportunity to be heard.

Mr. QUAY. I have been paying some attention to this subject; and if the Senator from New Hampshire is so exceedingly anxious that the bill shall be taken up when those interested are present, it seems to me he might have waited my presence in the Chamber the other day when the item was under consideration.

Mr. GALLINGER. I did not look to see whether the Senator was in the Chamber or not. It is his duty to be here. I am not his keeper.

Mr. QUAY. It is the duty of all Senators to be here, and therefore the occasion of the consideration of this amendment might as well be at one time as another if duty alone is to be regarded in the case. I do not know but that the Senator from New Hampshire is right that this question might be disposed of as well at one time as at another, though I suppose from the disposition indicated in the Senate the other day that it is scarcely worth while to expect a favorable result.

The clause went over when it was last before the Senate on the questions, I think, first, of the assessment of this property as indicative of its value, and, second, upon the desire of my distinguished friend from New Hampshire to know what officer or person represented the Government in suggesting the construction of the building. I asked that the clause might be laid aside until I could procure the information which was desired. I have inquired of the president of the corporation, first, how the assessment compares with the assessments of similar property in the city of like value, and, second, at whose suggestion the building was constructed. I have the following reply:

WASHINGTON, D. C., *April 4, 1898.*

MY DEAR SIR: Referring to my talk with you respecting the purchase of the Union Building, its character, cost, and assessment, I beg leave to state for your information that the building was built in 1891-92 of steel, is practically fireproof, and capable of carrying enormous weights, as shown by the report of the architect, which report can easily be verified by the Architect of the Capitol.

In a report made to Congress the Public Printer stated that it was nearer fireproof than any building outside of a Government building in Washington. It could easily accommodate 2,500 people. I do not claim that its assessed valuation in any manner represents the value of the property. The present assessment is $173,962; it was formerly assessed at $207,500. The Corcoran Building, corner of Fifteenth and F streets, is assessed at $200,278 and could not be bought for less than $700,000. The National Safe Deposit building, corner of Fifteenth street and New York avenue, is assessed at $154,468 and could not be bought for less than $600,000. The Atlantic Building, F street between Ninth and Tenth streets, assessed at $99,335 could not be bought for less than $400,000, and the Inter-Ocean Building, Ninth street between E and F streets, assessed at $55,885, can not be purchased for less than $175,000.

Property owners in Washington usually get the lowest rate of assessment possible and then feel they are paying taxes enough.

Owing to the uncertain rental of this building, leases being made from year to year, I represented about a year ago to the board of assessors that the rate of assessment was too high; on this statement it was cut down. This should not be regarded as any evidence of valuation. The building cost the present owners exactly $635,000. There were some other items of expense which came in incidentally, so in my letter to Mr. CANNON I stated that the cost was $650,000.

The erection of the building was suggested by the Postmaster-General, who, in 1891, was very much in need of quarters for the city post-office. It was therefore built with the view to accommodate Government needs.

Very truly, yours,

MYRON M. PARKER.

Hon. M. S. QUAY,
United States Senate, City.

That is the reply to the inquiry of the Senator from New Hampshire. I do not know that I have anything further to add to what I said on Thursday last in relation to the question of economy to the Government in purchasing this building. As I said then, the Government is paying $47,000 per annum rent for it, and in my judgment it will save money by the purchase. If, in the opinion of the Senator from New Hampshire—or the Senators from New Hampshire, I should say—and other Senators, the price is too high and the Government is in need of additional accommodations, it is very easy to so amend the suggestion that the Secretary of the Treasury or the Secretary of the Interior or some other officer of the Government shall, in his discretion, if it is essential to have this building for the purposes of the Government, examine and condemn it.

Mr. GALLINGER. Mr. President, the Senate will bear me out in the statement that a moment ago, when I very courteously asked the Senator having charge of this bill [Mr. ALLISON] whether or not this proposed amendment was to be considered this morning, I was simply negotiating with the Senator as to the question involved in my inquiry, and that the criticism uttered by the Senator from Pennsylvania [Mr. QUAY] was not justified by anything I had said or done. The amendment was not before the Senate, and it would not have been considered, certainly so far as I am concerned, in the absence of the distinguished Senator from Pennsylvania.

Mr. President, I am opposed to this amendment absolutely, totally, and forever. I believe it is utterly vicious, and that it ought not to be in this bill. Since the Senate adjourned on Thursday last I have received two letters from a certain distinguished citizen of Washington concerning this property. One is dated April 1 and the other is dated April 4, and as they are almost identical in terms, I presume that "the babies got mixed," and that the author of the letters intended to send the second letter to some other Senator instead of sending it to me, although in both instances I am addressed. It is evident that this gentleman, who is a large owner in this building, is very anxious to sell it to the Government, or he would not have written me twice in three days concerning it. In the first letter he says that the building cost the present owners $650,000, and in the second letter he says it cost $635,000. I am prepared to show to the Senate that it did not cost either of these sums or anywhere near either of these sums.

It will be remembered that when we were discussing the Globe Building the proposition was for the Government to pay the owners of that building $45,000; and yet that property was offered to a private citizen within two or three months, to my own personal knowledge, for $35,000; and it is a matter of history—as Senators can find out for themselves if they will go back a few years—that this building figured in a bill before Congress for something over $100,000—this same property. It was proposed then to unload it on the Government for over $100,000, and now it is proposed to unload it on the Government for $45,000, when it was offered to a private citizen for $35,000.

I was told yesterday that this proposed amendment was going to be adopted no matter what I should say about it. I do not believe it is going to be adopted, Mr. President, and I shall not believe it until the vote is counted. The letters that I have in my hand, addressed to me by a prominent citizen of this District, say that he owns one-third of the building, and a certain distinguished gentleman who was once a member of this body is likewise a large owner in it, and he makes the statement, as I have said, in one letter that it cost $635,000 and in the other that it cost $650,000. The discrepancy is trivial, yet it shows a want of exactness.

Mr. President, I have seen a gentleman who owned this building not a great while ago—at least he owned a very large interest in it—who informed me that when it was purchased by its present owners it was capitalized at $384,000, and stock was issued to that amount. That stock was purchased of the present owners, some at par and some for less than par, and it is idle for anybody to come here and say that that building cost the present owners $650,000. The gentleman to whom I allude said to me that, in his judgment—and he has had experience in that direction—the building can be duplicated to-day for at least $75,000 less than it cost seven or eight years ago, because of the greatly decreased cost of iron, steel, brick, and almost everything else that enters into the construction of a building. My judgment is that $300,000 would be a very large price for that building; but I am satisfied that the Government does not want to buy it at any price, and I think I shall show conclusive reasons why the Government does not want it at any price.

Mr. President, I took the trouble to consult a builder who has had intimate knowledge of that building and who has been all over it time and time again, and I asked him if he would kindly make me an estimate of what he thought that building could be duplicated for. He did so. He is a gentleman of integrity and of much experience in building operations. He says that the land cost $107,000; that is, at $5 a foot, but nobody would think of paying that for it now on the street where it is located; but he admits that the sum of $107,000 was paid for it. He makes a further estimate and says that in his judgment—he did not say he would duplicate it himself, but my impression is he would—the building can be duplicated for $227,000, not including the part under the ground. I then asked the gentleman with whom I had previously conversed and who at one time was a large owner in the building what he thought the basement of it cost, and he said $40,000 would be a fair price, which would make a total of $267,000.

It is a well-known fact that there is some steel and iron in this building, but it is likewise a well-known fact that the best iron frames, ready to go up, cost at this time only 2¼ cents a pound, while they cost about 4 cents a pound when that building was constructed; and I have ascertained from competent authority that steel beams to-day, not fitted, can be bought for a cent and a half a pound, which is the lowest amount that steel beams probably ever have been sold for in the history of the world, and very much less than they cost when that building was constructed.

Mr. President, if the Government wants a building like the Union Building, why does not the Government advertise for 20,000 feet of land in some eligible part of this great city and advertise for proposals to duplicate that building? That would be business. There is a vast amount of land that men want to sell in this city, and they would like the Government for a customer. There are constructors in this city who would be glad of an opportunity to duplicate that building at a fair price, and I say that if the Government really wants a building of that kind, the business proposition, and the only business proposition, is for the Government to advertise for the land and to advertise for proposals to duplicate the building precisely as it stands to-day.

I have not any doubt, Mr. President, but that if the Government will do that, the Government will get a proposition to duplicate that building for less than one-half what it is proposed to pay for it in this bill. That is my deliberate conviction. I may be wrong, but that is my judgment. Believing that, of course I can not vote for a proposition that the Government shall pay the present owners of that building $650,000 for it.

Mr. President, I walked through that street the other day. It is not a very wide street; it is rather a narrow street; and I noted the accessories to that building, the surroundings, and I want to read them to the Senate, and then ask my colleagues if they think that the Government ought to buy a building situated as that building is, and at the price proposed.

It will be remembered that when the Government constructs a building in any town or city of the American Union the Government demands that there shall be a clear space of 40 feet around the building. In the little city in which I live there is a beautiful Government building costing $200,000, and we had to pay $60,000 to get land such as the Government demanded we should have, so that there should be an open space of 40 feet entirely around the structure. That is the requirement in every instance, and that requirement goes into every bill which passes this body for the construction of a public building, and yet we are calmly asked to purchase a building upon a narrow street in the city of Washington that is hemmed in by other buildings of the most inflammable kind and without any protection whatever, so far as fire is concerned, beyond the fact that gentlemen say it is a fireproof building. The term "fireproof building" is a very elastic one, as we chance to know by observation and experience in this country. A great many so-called fireproof buildings have gone up in smoke.

As to the surroundings. I went on the south side of G street, rather a narrow street, and I started in at Seventh street. First, I encountered an eating house and saloon; next, a residence; next, a small shop occupied by a sign painter; next, a steam laundry; next, a dairy lunch room; next, a small shop occupied by a jeweler; next, a lunch room; next, a Chinese laundry; next, a small shoe-repairing shop; next, a small oyster saloon; next, a scouring establishment; next, a harness shop; next, three residences, and wound up on the corner of Sixth street with a large liquor establishment and pool room.

I then went across the street on the side where the Union Building is located, and I again started at Seventh street. I found first a lunch room; then a billiard room; next a small shop for repairing shoes; next a sign painter and barber shop; next a small cigar store; next a small machine shop; next a large livery stable; next to that another livery stable, running up directly to the walls of the Union Building. I went beyond the Union Building and found there tumble-down carpenter shops, probably with a frontage of 150 feet; and the carpenter shop next to the Union Building is occupied by a gentleman to whom it was willed with the understanding that he could occupy it just so long as that building should remain; and he is going to occupy it just as long as the clapboards or pieces of timber are in that building, because if the building is removed, he loses his interest in the property. Next, I came to a Chinese laundry. Then there were several cheap shops, and then a bakery and eating house.

Mr. President, these are the surroundings of the Union Building, and I submit that if the Senate of the United States concludes to purchase a piece of property located where this property is, at this excessive valuation, it will be a greater surprise to me than I have ever had during my public career.

I do not arraign the Committee on Appropriations in this matter at all. The members of the Committee on Appropriations are hurried, busy, and overworked—they must be. I do not suppose that any member of the Committee on Appropriations took the trouble or had the time to go to G street and look at the surroundings of this property, nor is it very likely that they have had the time to make an investigation as to its real value. They have taken the word of some distinguished gentlemen in the city of Washington whom we are always glad to believe if we choose to do so.

Mr. President, this proposition was submitted to the House of Representatives, where appropriation bills properly originate, and after investigation the House refused to put it in the bill—at least it is not in the bill as it comes to the Senate; and I submit it is not the part of wisdom, after the House made investigation and sent this appropriation bill over here, that we should load it down with propositions such as this. I do not believe the Senate is going to do it; I do not believe that the Senate is going to vote $650,000 to buy a piece of property without the most careful and conscientious examination of the matter.

We should ascertain, first, is it worth the money? Second, do we want the property on a street such as G street is between Sixth and Seventh streets? And third, whether in this emergency, when the public Treasury is not oversupplied with money and there may be a demand for every dollar that can be raised by even increased taxation, we want to purchase a building that it has not been shown the Government needs at the present time, at, as I have said before, a value that in my judgment is absolutely out of proportion to the cost of the building, or to its duplication, if such duplication should be had.

I feel very warmly on this subject, I confess, Mr. President. I feel that if this proposed amendment goes through, it will be a notice to every real-estate holder in the city of Washington that if he can only make it appear that the Government needs additional accommodations, and can furthermore make it appear that somebody connected directly or indirectly with the Government suggested that it might be well to erect a building somewhere and that the Government would lease it for a time, there will be a very excellent opportunity given for all such men—and this city is full of them—to come here and ask us to buy all sorts of properties. We have a job lot of Government buildings in this great capital city at the present time, scattered all over the city, and some of them ought not to be located where they are.

Now, it is proposed not to mass these buildings, if we are to erect more, not to have any system in regard to where they are to be placed, but that we shall go down on this little street occupied by drinking houses and eating houses and Chinese laundries and barber shops and invest $650,000 to purchase a building that we do not want at the present time and that we ought not to buy under any circumstances which can possibly arise.

I have had laid on my desk at this moment—I do not know who sent it—a memorandum which says, "This building and land cost $384,000, as the treasury books will show." I do not know from whom that came, but my investigation on Saturday last persuaded me that that was precisely the amount of money that was represented in this building by stock, some of which was bought at less than par by the present holders.

I regret, Mr. President, that the committee have not withdrawn this amendment after the debate which occurred on Thursday

last. If they still insist upon it, I trust that the vote of the Senate may be a notice to the gentlemen who hold real estate in this city that they would like to unload on the Government of the United States that we do not propose to buy their buildings unless they are offered at a fair price or unless the Government actually needs them and unless they are located in proper parts of the city.

Mr. ELKINS. Mr. President, I am opposed to the appropriation of such a sum of money for the purchase of a building like the Union Building. In my judgment, the building and ground are not worth $600,000. I am told that the building was erected in 1891 at a cost of $384,000. A building which cost $384,000 in 1891 can be built to-day, I think, for 60 per cent of the then cost, on account of the decline in the price of labor and material. That would furnish a measure of value which is more nearly in accordance with my idea of the proper value of this building. The Government has already paid rent for it, as I understand, to the amount of $350,000, and its assessed value is $175,000. If the building is worth $650,000, it would be assessed for more than $175,000. The building is not located in a good part of the city where property is likely to maintain its present value.

Again, I do not think the building is fireproof; and if the Government needs buildings, why not erect modern fireproof buildings, buildings that will last hundreds of years, or five hundred years, buildings with all modern improvements? The Government is entitled to have the best buildings for its service, and the buying of inferior buildings is bad economy, in my judgment. It is not a good investment. It is not such an investment as I should make as a private citizen, and I can not consent to make it for the Government for the reasons I have stated and the figures I have given.

Mr. QUAY. Mr. President, I do not desire to reply at any length to the Senator from New Hampshire. The facts are that the Government does occupy this building, and it seems that it does need it, for it is paying to-day $47,000 rent for it. The fact is that in the purchase of other buildings the Government paid no attention to the liberation from adjoining buildings. In the case of the Maltby Building and other houses which the Government has purchased they adjoin other buildings. They may not be liquor houses and laundries, but there are other buildings butting right up against them.

The radical difference between the Senator from New Hampshire and myself (and I must confess that I have no personal knowledge as to the value or indeed as to the location of this property) is first as to the needs of the Government and second as to the value of the property. If the Government does not need this property, I have no desire to urge that it shall take it. If the property is not worth the $650,000, I have no desire that the Government shall pay more than it is worth.

Now, I suggest the following amendment: In line 9, strike out the clause and insert:

The Secretary of the Treasury is hereby authorized, if in his opinion it is for the interest of the Government, to acquire—

Then insert the description of the property—

to secure the same by condemnation.

I think I will have to ask the Senator from Iowa to pass the item over until I can draft the amendment. It is a little complicated.

Mr. GALLINGER. Let it go over temporarily.

Mr. QUAY. Let the matter be passed over temporarily.

The PRESIDING OFFICER. The amendment will be passed over, without objection.

Mr. QUAY. I will try to arrange it so that the property will not be taken unless the Government needs it, and that the Government shall not pay more money than a jury of citizens of the District decide it is worth, which it seems to me will meet all the requirements of the Senator from New Hampshire.

Mr. GALLINGER. While the Senator from Pennsylvania is preparing his amendment, I desire to give notice that I shall not agree to the Government acquiring any property, except under the most urgent conditions, by condemnation——

Mr. QUAY. I did not expect——

Mr. GALLINGER. We have had some experience in that direction.

Mr. WOLCOTT. I ask that the amendment to the amendment may be stated.

The PRESIDING OFFICER. The amendment to the amendment has not yet been prepared.

Mr. ALLISON. Let the matter be passed over.

The PRESIDING OFFICER. The Senator from Pennsylvania asks unanimous consent that the matter may go over temporarily until he can prepare his amendment to the amendment. If there is no objection, it will be passed over. The reading of the bill will be proceded with.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 36, line 15, to increase the appropriation for continuing ethnological researches among the American Indians, under the direction of the Smithsonian Institution, etc., from $45,000 to $50,000.

The amendment was agreed to.

The next amendment was, on page 37, line 13, before the word "thousand," to strike out "sixty" and insert "seventy," and in line 14, before the word "thousand," to strike out "three" and insert "five;" so as to make the clause read:

For continuing the preservation, exhibition, and increase of the collections from the surveying and exploring expeditions of the Government, and from other sources, including salaries or compensation of all necessary employees, $170,000, of which sum $5,500 may be used for necessary drawings and illustrations for publications of the National Museum.

The amendment was agreed to.

The next amendment was, on page 38, line 21, to increase the appropriation for continuing the construction of roads, walks, bridges, water supply, sewerage, drainage, etc., in the National Zoological Park from $60,000 to $65,000.

The amendment was agreed to.

The reading of the bill was resumed to the end of line 2, on page 39.

Mr. GALLINGER. Mr. President, some weeks ago I offered a proposed amendment to this part of the bill under consideration and sent it to the Committee on the District of Columbia, which committee reported it favorably, and in turn sent it to the Committee on Appropriations. That amendment proposed to increase the appropriation $5,000 and to use the appropriation of $5,000 for the construction of a studio for artists, to be built under the direction of the Secretary of the Smithsonian Institution and the superintendent of the Zoological Park. In behalf of that amendment I had the warm approval of Dr. Baker, who is the superintendent of the Park, and the written approval of Mr. Langley, the Secretary of the Smithsonian Institution, which approval of Mr. Langley I now hold in my hand.

The amendment went to the Committee on Appropriations, and I was granted the courtesy of making a statement to the committee, and I left flattering myself that possibly I had made some impression on the kind hearts of the committee, and that I might get this little appropriation of $5,000 to carry out one of the objects of the park which Secretary Langley alludes to, to wit, "the advancement of science and the instruction of the people." But when the bill came back I found that the general appropriation had been increased $5,000, but that the committee had lost sight of the amendment I had proposed.

I wish to state that, in my judgment, there can not possibly be an appropriation made by Congress in connection with the Zoological Park which will be so valuable to the people of this country as the one I propose, considering the smallness of the amount. I met in the Yellowstone National Park last summer artists who had gone from New York, Philadelphia, and elsewhere to study the habits of animals, spending several months of time in the park, riding all over the park, and in some instances they failed to find the animal of which they were in search even when their vacation was concluded.

Artists have said to me that in all this country there is not a place where animal painters can go and work and under proper conditions study the anatomy, the pose, and the habits of animals, and I have simply asked that $5,000 shall be appropriated for a building where the animal artists of this country, and they are becoming a very important class of people, illustrating our magazines and writing books, can go and quietly, away from the public, have an animal brought in in a cage and where they can sit and paint the animal. I have been informed by the superintendent of the Zoological Park that there is an old building in the park which can be reconstructed and made available for the purpose I propose.

Mr. President, I regret that the committee dropped out this little amendment, and I desire to ask the distinguished chairman of the committee if he is willing to have this matter go into conference by increasing the item of $65,000 to $70,000, and have these words added:

And $5,000 shall be used for the construction of a studio for artists, to be built under the direction of the Secretary of the Smithsonian Institution and the superintendent of the Zoological Park.

Mr. ALLISON. Under the arrangement made when the bill was taken up, it was understood that the amendments of the committee should first be disposed of. After they shall have been considered I am perfectly willing to take up this question.

Mr. GALLINGER. Mr. President, that is perfectly satisfactory to me.

Mr. QUAY. Mr. President, I have now in readiness the amendment I propose to offer to the clause relating to the Union Building, on page 5, and I think it may as well be disposed of. I have nothing more to say, except to take the sense of the Senate upon the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to strike out from line 9 to line 15, inclusive, on page 5, and insert:

That the Secretary of the Treasury, if in his judgment for the interest of the Government, is hereby authorized to acquire by condemnation lots B and C, 3 and 4, in square No. 454, situated on the north side of G street between Sixth and Seventh streets in the city of Washington and District of Columbia, improved by a building known as the Union Building; and upon

approval of the award delivered in condemnation of said property by the Secretary of the Treasury the amount thereof shall be paid out of any money not otherwise appropriated in the Treasury.

Mr. GALLINGER. Mr. President, I have two objections to the amendment. The first is that I am not aware of an instance where the Government has proceeded to condemn land within the District of Columbia except where the Government urgently needed land, and it has not been shown that there is any urgent need on the part of the Government for the Union Building on G street. I have an objection in addition to that which runs in this wise: As far as my observation goes, the Government has never condemned land in the District of Columbia without paying about twice what it is worth. We have juries in the District of Columbia to condemn land, and about three-fourths of the citizens of the District of mature age and of business capacity are real-estate dealers, and I do not propose, if my vote can prevent it, to send this proposition to a jury of that character. I hope the amendment to the amendment will be voted down.

Mr. QUAY. This proposition is simply to take the property, if the Government needs it, leaving that question in the discretion of the Secretary of the Treasury, and to pay for the property what it is worth in the judgment of a jury of citizens of the District of Columbia, who know what property in the District of Columbia is worth. I desire a vote of the Senate upon it, and am indifferent as to the result.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania to the amendment of the committee.

Mr. QUAY and Mr. NELSON called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. HANSBROUGH (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. MALLORY (when his name was called). I am paired with the junior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. MITCHELL (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON], but on matters of this kind we are at liberty, by our understanding, to vote, and I will therefore vote. I vote "nay."

Mr. TURPIE (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL] who is out of the Chamber. I therefore withhold my vote.

The roll call was concluded.

Mr. GEAR (after having voted in the affirmative). I desire to ask whether the Senator from New Jersey [Mr. SMITH] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. GEAR. I withdraw my vote, being paired with that Senator.

Mr. PROCTOR. I am paired with the junior Senator from Florida [Mr. MALLORY]. As he is not present, I withhold my vote.

The result was announced—yeas 15, nays 43; as follows:

YEAS—15.

Allison,	Jones, Nev.	Platt, N. Y.	Teller,
Cullom,	Mantle,	Quay,	Warren,
Davis,	Morgan,	Sewell,	Wilson.
Gorman,	Penrose,	Spooner,	

NAYS—43.

Allen,	Elkins,	Kyle,	Roach,
Bacon,	Fairbanks,	Lindsay,	Stewart,
Bate,	Foraker,	McMillan,	Tillman,
Berry,	Frye,	Martin,	Turley,
Burrows,	Gallinger,	Money,	Turner,
Butler,	Gray,	Nelson,	Vest,
Caffery,	Hanna,	Pasco,	Walthall,
Cannon,	Harris,	Perkins,	Wellington,
Chilton,	Hawley,	Pettus,	Wetmore,
Clay,	Hoar,	Platt, Conn.	Wolcott.
Daniel,	Kenney,	Rawlins,	

NOT VOTING—31.

Aldrich,	Gear,	McLaurin,	Pritchard,
Baker,	Hale,	Mallory,	Proctor,
Carter,	Hansbrough,	Mason,	Shoup,
Chandler,	Heitfeld,	Mills,	Smith,
Clark,	Jones, Ark.	Mitchell,	Thurston,
Cockrell,	Lodge,	Morrill,	Turpie,
Deboe,	McBride,	Murphy,	White.
Faulkner,	McEnery,	Pettigrew,	

So the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the committee.

Mr. GALLINGER. Before a vote is taken on the amendment, I desire to state that I have received a telegram this moment from one of the dearest friends I have in the world, who telegraphs me from a city a good many hundred miles from Washington: "I am asked to request you not to oppose purchase of Union Building. Hope you can do this." My friend has not converted me. I am against the purchase of the Union Building.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The reading of the bill was continued to line 19, page 41.

Mr. ALLISON. In line 19, on page 41, in the appropriations for the Fish Commission, in the items for Woods Hole (Mass.) Station, I move to strike out the word "skilled" before the word "laborer."

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the head of "Fish Commission," on page 42, line 9, before the word "hundred," to strike out "two" and insert "five," and in line 11, before the word "hundred," to strike out "one" and insert "four;" so as to make the clause read:

Wytheville (Va.) Station: Superintendent, $1,500; foreman, $900; fish-culturist, $900; laborer, $360; in all, $3,420.

The amendment was agreed to.

The next amendment was, on page 43, line 14, after the word "dollars," to insert "foreman, $1,200;" in line 15, after the word "each," to strike out "two assistant fish-culturists, at $720 each" and insert "skilled laborer, $720;" and in line 19, before the word "dollars," to strike out "two hundred and twenty" and insert "seven hundred;" so as to make the clause read:

Leadville (Colo.) Station: Superintendent, $1,500; foreman, $1,200; two fish-culturists, at $900 each; skilled laborer, $720; cook, $480; in all, $5,700.

The amendment was agreed to.

The reading of the bill was resumed, and continued to page 44, line 20.

Mr. GALLINGER. I desire at this point to make an inquiry of the Senator in charge of the bill, the chairman of the Committee on Appropriations. I do it simply for the purpose of having the Senator make a statement that I can communicate to my people.

There is a fish hatchery authorized to be built in the State of New Hampshire, and the present Commissioner of Fish and Fisheries a little time ago sent me a letter which I submitted to the Committee on Appropriations, saying that in his opinion the superintendent and other officers should be provided for in this bill. I called it to the attention of the committee, but they in their wisdom have not inserted it. To-day I received a letter from a prominent citizen of my State, in which he says:

The money has been paid and the deed has passed conveying to the United States the land and water for the fish hatchery. This you are doubtless aware of, but you are probably not aware that our people are a little uneasy at the present status of the matter in so far as the appointment of a superintendent for the same is concerned, or rather the lack of such an appointment.

Mr. President, I think I understand the attitude of the committee. They think it will be time enough to provide for these officers in the next appropriation bill; but I wish that they would see their way clear to make the appropriation now, contingent upon no money being paid to these officers until the hatchery is fully built and in operation. The building will probably be completed during the summer months, and if we go over until next May before we pass another sundry civil appropriation bill the hatchery will stand completed eight or nine months without any officers in charge of it.

I would not be willing that the appropriation should be made for the officers and have them assume their duties now and draw pay from the Government during the construction of the building, but it seems to me that we might provide for their salaries with a proviso that they shall be available until the building is ready to be turned over to the Government and is ready for operation.

I hope the committee will concede that and permit me to offer an amendment without invoking the point of order, after the reading of the bill is concluded. Still I will not antagonize the committee. They have been very kind. A great many things have been asked of them, and I am not here for the purpose of putting myself in antagonism to the bill.

Mr. ALLISON. The understanding that we have is that the hatchery will not be completed until December or January. It has been usual not to make appropriations for superintendents and other employees until the building is completed. My own belief is that it will not be completed even at that time, although, of course, I do not know. But it is usual, it has frequently been the practice, to use the general appropriation for the maintenance of hatcheries to temporarily pay the employees in the service until a regular appropriation can be made.

Mr. GALLINGER. Can that be done?

Mr. ALLISON. That can be done; and we have increased that appropriation $8,000 beyond the amount appropriated by the House of Representatives. So I apprehend that there will be no difficulty about the matter if the hatchery shall be completed before the 1st of January.

Mr. GALLINGER. Upon the statement of the Senator from Iowa that it has not been usual to appropriate for these officers until the building has been constructed, and the further statement, which is very gratifying to me, that there is a fund that can be used temporarily for that purpose, I am content.

The reading was resumed. The next amendment was, on page 47, line 3, to increase the appropriation for propagation of food fishes from $133,500 to $140,000.

The amendment was agreed to.

The next amendment was, on page 48, after line 5, to insert:

For construction of buildings, and repair and improvement of buildings and grounds, at the United States fish-cultural station at Leadville, Colo., $2,500.

The amendment was agreed to.

The next amendment was, on page 48, after line 9, to insert:

For repairs to buildings, and rebuilding wharves, at the United States fish-cultural station at Woods Hole, Mass., $2,000.

The amendment was agreed to.

The next amendment was, on page 48, after line 12, to insert:

For the completion of the fish-cultural station at Erwin, Tenn., including construction of ponds, buildings, roads, grading, and other necessary constructions and equipment, $4,818.

The amendment was agreed to.

The next amendment was, on page 48, after line 16, to insert:

For the purchase of 40 acres of land (known as Crow Farm) adjoining the fish-cultural station at Erwin, Tenn., $1,200.

The amendment was agreed to.

The next amendment was, on page 48, after line 19, to insert:

For the establishment of a fish-cultural station in the State of North Carolina, construction of buildings and ponds, and equipment of same, $15,000, or so much thereof as may be necessary: *Provided*, That the site for the same, to be selected by the Commissioner of Fish and Fisheries, shall be donated to the Government for the purpose of the said station before any expenditure hereunder.

Mr. ALLISON. In line 21, page 48, after the words "North Carolina," I move to insert "purchase of site;" and to strike out all after the word "provided," in line 23, and insert:

That not more than $1,000 of said sum shall be used for the purchase of a suitable site for the purposes of said station.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 49, after line 2, to insert:

For the establishment of a fish-cultural station at Cold Spring, Meriwether County, in the State of Georgia, construction of buildings and ponds, and equipment of the same, $15,000: *Provided*, That the site for the same, to be selected by the Commissioner of Fish and Fisheries, consisting of about 16 acres, shall be donated to the Government for the purpose of the said station before any expenditure hereunder.

The amendment was agreed to.

The next amendment was, on page 49, after line 10, to insert:

For the establishment of a fish-cultural station in the State of Washington for the propagation of salmon and other fishes, and construction and equipment of station, $10,000: *Provided*, That the site for the same, to be selected by the Commissioner of Fish and Fisheries, shall be donated to the Government for the purpose of the said station before any expenditure hereunder.

The amendment was agreed to.

The next amendment was, under the head of "Interstate Commerce Commission," at the top of page 50, to strike out:

For all other necessary expenditures to enable the commission to properly carry out the objects of the "Act to regulate commerce," including expenditures for counsel, to give effect to the provisions of said act and all acts and amendments supplementary thereto, and including not exceeding $1,500 for the purchase of necessary books, reports, and periodicals, and not exceeding $1,500 for printing other than that done at the Government Printing Office; and not exceeding $10,000 to enable the commission to more effectively carry out the provisions of the act in the matter of investigations and prosecutions under the act, which last-named sum, or so much thereof as may be necessary, shall be audited by the proper accounting officers of the Treasury, in the same manner as provided in section 291 of the Revised Statutes, the certificate of the chairman of the commission to be deemed a sufficient voucher for the sum therein expressed to have been expended, $209,000.

And insert:

For all other necessary expenditures, to enable the commission to give effect to the provisions of the "Act to regulate commerce," and all acts and amendments supplementary thereto, $209,000, of which sum not exceeding $25,000 may be expended in the employment of counsel, and not exceeding $1,500 may be expended for the purchase of necessary books, reports, and periodicals, and not exceeding $1,500 may be expended for printing other than that done at the Government Printing Office.

The amendment was agreed to.

The next amendment was, under the head of "Miscellaneous objects under the Treasury Department," on page 51, after line 9, to insert:

Reimbursement of Quandt Brewing Company and others: To enable the Secretary of the Treasury to pay to the following parties amounts paid to the late collector of internal revenue for the Fourteenth district of New York in advance for internal-revenue stamps, which stamps were never delivered to said parties, namely: To the Quandt Brewing Company, $2,343.03; to Ruscher & Co., $2,925.92; to S. Bolton's Sons, $13,458.75; to Taylor Brewing Company, $416.25; to D. Mayer Brewing Company, $250; in all, $19,393.95.

The amendment was agreed to.

The next amendment was, on page 52, line 12, after the word "laboratory," to insert "and law library, at a cost not to exceed $100;" so as to make the clause read:

Punishment for violations of internal-revenue laws: For detecting and bringing to trial and punishment persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violations, $75,000; and the Commissioner of Internal Revenue shall make a detailed statement to Congress once in each year as to how he has expended this sum, and also a detailed statement of all miscellaneous expenditures in the Bureau of Internal Revenue for which appropriation is made in this act: *Provided*, That necessary books of reference and periodicals for the chemical laboratory and law library, at a cost not to exceed $100, may be purchased out of the appropriation made for the fiscal year 1899, for salaries and expenses of agents and surveyors, fees and expenses of gaugers, salaries of storekeepers, and for miscellaneous expenses.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of assistant custodians and janitors," on page 55, line 23, after the word "buildings," to insert "outside of the District of Columbia;" so as to make the clause read:

That all court-houses, custom-houses, post-offices, appraiser's stores, barge offices, subtreasuries, and other public buildings outside of the District of Columbia which have been heretofore purchased or erected, or are at present in course of construction, or which may hereafter be erected or purchased out of any appropriation under the control of the Treasury Department, together with the site or sites thereof, are hereby expressly declared to be under the exclusive jurisdiction and control and in the custody of the Secretary of the Treasury, who shall have full power to take possession of and assign and reassign rooms therein to such Federal officials, clerks, and employees as in his judgment and discretion should be furnished with offices or rooms therein.

Mr. HAWLEY. I call the attention of the chairman of the committee to this provision. I am thinking at the moment whether there are other illustrations besides the post-office at Fortress Monroe, which is upon Government land. It is proposed to give the entire jurisdiction of these buildings to the Treasury Department. Every square foot of land there has, for certain purposes at least, been placed under the control of the commanding officer, who has a right to order anything destroyed or removed in case of war or necessity. I do not know that there will ever be any practical trouble about it.

Mr. ALLISON. What is the public building to which the Senator refers?

Mr. HAWLEY. It is a post-office.

Mr. ALLISON. A post-office on the land devoted to military purposes?

Mr. HAWLEY. It is on the military reservation. This provision puts the entire control of it in the hands of the Treasury Department. The supreme control of it has to be in the commanding officer really—the final control.

Mr. ALLISON. The Senator will see that the provision as it came from the House placed all public buildings under the control of the Secretary of the Treasury. We have inserted the words "outside of the District of Columbia." How would it do to say "outside of the District of Columbia and military reservations?"

Mr. HAWLEY. I think there would be less likely to be any controversy in that case.

Mr. ALLISON. I have no objection to that amendment. After the words "outside of the District of Columbia" I move to insert "and military reservations."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading was resumed. The next amendment was, on page 56, line 13, after the word "lights," to insert "supplies;" in line 15, before the word "dollars," to strike out "two thousand five hundred" and insert "three thousand;" in the same line, after the word "dollars," to insert "one assistant for the same purposes, $2,500;" and in line 18, before the word "thousand," to strike out "four" and insert "seven;" so as to make the clause read:

Inspector of furniture and other furnishings for public buildings: To enable the Secretary of the Treasury to employ a suitable person to inspect all public buildings and examine into their requirements for furniture and other furnishings, including fuel, lights, supplies, personal services, and other current expenses, $3,000; for one assistant for the same purposes, $2,500; and for actual necessary expenses, not exceeding $2,000; in all, $7,500.

Mr. ALLISON. After the word "dollars," in line 15, I move to insert "to be appointed by the President, by and with the advice and consent of the Senate."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 58, line 6, before the word "thousand," to strike out "twenty-five" and insert "twenty;" and in the same line, after the word "dollars," to strike out "of which a sum not to exceed $5,000 may be used in payment of salaries of firemen and other employees required for the operation of said plants;" so as to make the clause read:

Operation of pneumatic tubes: For supplying necessary power, and repairs to power plants, for operating pneumatic tubes for the transmission of mail matter, court-house and post-office buildings, Philadelphia, Pa., New York City and Brooklyn, N. Y., and the post-office and subtreasury building, Boston, Mass., $20,000.

The reading of the bill was continued to line 11, page 61, the last paragraph read being as follows:

Enforcement of the Chinese-exclusion act: To prevent unlawful entry of Chinese into the United States, by the appointment of suitable officers to enforce the laws in relation thereto, and for expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expense of conveyance of Chinese persons to the frontier or seaboard for deportation, and for enforcing the provisions of the act approved May 5, 1892, entitled "An act to prohibit the coming of Chinese persons into the United States," $100,000.

Mr. WILSON. On page 61, line 11, I had intended, after the words "one hundred thousand dollars," if I could in any manner

secure the consent of the committee, to offer the following amendment:

Provided, That $1,000 of said amount shall be paid to the collector at Port Townsend.

The fact about the business is that that is the objective point for all Chinese seeking to enter the United States.

Mr. ALLISON. I hope the Senator will not press the amendment now.

Mr. WILSON. At the request of the chairman of the committee, I will not press the amendment now nor make the statement I intended, but will do so hereafter.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 61, after line 21, to insert:

Numbering and adding machines: For purchase of registering accountants, numbering machines, and other machines of a similar character, for use in the Treasury Department, $1,000.

The amendment was agreed to.

The next amendment was, at the top of page 62, to insert:

District of Columbia: For the purpose of opening Cathedral avenue in accordance with the highway extension plans, the Secretary of the Interior is hereby authorized and directed to convey all right and title of the United States in and to a parcel of land bounded on the north by block 2 of the subdivision called Meridian Hill, and on the east by the east line of said block 2 extended southward, and on the west by the east line of Sixteenth street west as said line is now extended and laid down through said block 2, and on the south by a line parallel to W street of the city of Washington and distant 90 feet north from the south line of said W street, to the parties owning a good and unencumbered title in fee simple to lots Nos. 22 to 29, both inclusive, in block No. 5 of the subdivision called Woodley Park, in the District of Columbia, containing about 100,500 square feet of land, and adjoining the land of the United States embraced in the Zoological Park, upon the conveyance by said parties of the said lots to the United States: *Provided*, That said lots in said Woodley Park, when so conveyed to the United States as aforesaid, shall become part of the said Zoological Park and shall be subject to the inclusion of so much of the same on said Cathedral avenue as may be necessary for the purpose of opening the said avenue.

The amendment was agreed to.

The next amendment was, on page 64, after line 9, to insert:

To provide flags for the east and west fronts of the center of the Capitol, to be hoisted daily under the direction of the Capitol police board, $100, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 64, after line 13, to insert:

For continuing the work of cleaning and repairing works of art in the Capitol, including the repairing of frames, under the direction of the Joint Committee on the Library, $1,500.

The amendment was agreed to.

The next amendment was, on page 64, after line 17, to insert:

For necessary repairs and improvements to the steam heating and ventilating apparatus of the Senate, including increased boiler-flue service, kitchen ventilation, and all machinery pertaining thereto in the Senate wing of the Capitol, including the Supreme Court, under the supervision of the Architect of the Capitol, $4,850.

The amendment was agreed to.

The next amendment was, on page 64, after line 24, to insert:

That the unexpended balance, amounting to $2,724.99, of the appropriation of $55,000 for the improvement of the ventilation of the Senate wing of the Capitol made by the sundry civil appropriation act for the fiscal year 1897 is hereby made available, and may be used for a ventilating exhaust fan for the attic story near the Supreme Court and the ventilation of the public closet in the basement story of the north wing, and for such other purposes in connection with the work as the Architect of the Capitol may deem necessary.

The amendment was agreed to.

The reading of the bill was continued to the end of the following clause on page 66, from line 6 to line 16:

EXPENSES OF THE COLLECTION OF REVENUE FROM SALES OF PUBLIC LANDS.

Salaries and commissions of registers and receivers: For salaries and commissions of registers of land offices and receivers of public moneys at district land offices, at not exceeding $3,000 each, $465,000: *Provided*, That the salary of the register and receiver at Sitka, Alaska, shall be $1,500 a year each until June 30, 1899, from and after the passage of this act.

Mr. HANSBROUGH. In line 13, on page 66, after the word "shall," I move to strike out the word "be" and insert the words "not be less than;" and in line 14, after the word "hundred," to insert "nor more than three thousand."

Mr. ALLISON. Let the amendment be stated from the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 66, line 13, after the word "shall," it is proposed to strike out the word "be" and insert "not be less than;" and in line 14, after the word "hundred," to insert "nor more than three thousand;" so as to read:

Provided, That the salary of the register and receiver at Sitka, Alaska, shall not be less than $1,500 nor more than $3,000 a year, etc.

Mr. ALLISON. I have no objection to that.

Mr. COCKRELL. Registers and receivers receive $500 a year, and then they receive fees up to the amount of $3,000. There are not many of them who are receiving the full amount of $3,000; and it is not right, in my opinion, that we should pay out of the Treasury $3,000 to registers and receivers in Alaska. That would be higher in proportion than the amount paid to any other officers, unless the provision is properly qualified. I think the chances are that their pay will scarcely amount to anything. I am willing to guarantee them $1,500 a year, but to say that the Secretary of the Interior may fix the salary at $3,000, whether or not these officers receive any fees, I do not think is right. I enter my protest against it and shall put my vote on record against it.

Mr. ALLISON. When the Senator from North Dakota [Mr. HANSBROUGH] showed me this amendment, I understood that it was proposed in order that the salaries of receivers might be made conformable to existing law. As the provision stands in the bill, a receiver or register in Alaska would only receive a salary of $1,500 a year, although the receipts of the office might be very large. As I understand it, the only object of this amendment is to bring these receivers and registers within the general law, with a minimum of $1,500 salary instead of $500.

Mr. COCKRELL. The amendment does not do that, however.

Mr. ALLISON. The amendment does not do that, however, but I trust we may be able to modify it so that it will; and I call the attention of the chairman of the Committee on Public Lands to the matter.

Mr. COCKRELL. I have no objection to that proposition, but I have decided objection to the other.

Mr. HANSBROUGH. The object of the amendment is that registers and receivers in Alaska shall receive not less than $1,500 per year and not more than $3,000. The purpose of making the minimum $1,500 is for the reason that it costs a great deal more to live in Alaska than in any part of the country. In fact, I have information which goes to show that the register who is now at Sitka is obliged to pay from twelve hundred to eighteen hundred dollars a year to maintain himself and wife in Alaska at the present time. So it is proposed to make the minimum $1,500 and the maximum $3,000, which is not any greater than the salaries received by registers and receivers in other parts of the country.

Mr. ALLISON. The Senator from Missouri [Mr. COCKRELL] says that this amendment will not accomplish the purpose desired. I call his attention to the fact that it will accomplish it if the words "not more than $3,000" be left out. Then it will make the minimum $1,500 instead of $500.

Mr. COCKRELL. If the Senator will add just a word or two more, it will then be right. I suggest that it be amended so as to read: "and with fees, not more than $3,000." Then you will have it.

Mr. ALLISON. I call the attention of the Senator to line 11 of this very paragraph, providing for the salaries of receivers of public moneys "at not exceeding $3,000 each." That means that that shall be the maximum salary. Why? Because the law fixes the minimum at $500 and the maximum at $3,000. The object of the Senator from North Dakota, of course, is to allow the receivers and registers in Alaska to have a minimun of $1,500 instead of $500. I see no objection to that and think the amendment ought to prevail.

Mr. HANSBROUGH. That is the only change proposed.

Mr. ALLISON. I think the maximum ought to stand just as it is in the present law. So it seems to me that the words "not more than $3,000" should be stricken out. Then these officers would come under the general statutes providing for not less than $1,500. I submit to the Senator from Missouri if that will not cover his point?

Mr. COCKRELL. I think it will, but to make the matter more specific I suggest that we say, "shall not be less than $1,500, and with fees not exceeding $3,000." Then there will be no trouble about it.

Mr. WILSON. Say "fees and commissions."

Mr. COCKRELL. Yes, "fees and commissions."

Mr. HANSBROUGH. I do not see any objection to that.

The VICE-PRESIDENT. If there is no objection to the amendment, it will be regarded as agreed to.

Mr. HANSBROUGH. I desire to offer an amendment to come in after line 16, on page 66, which I send to the desk and ask to have read.

The VICE-PRESIDENT. The amendment proposed by the Senator from North Dakota will be stated.

The SECRETARY. On page 66, after line 16, it is proposed to insert:

For salaries and commissions of registers and receivers of two additional land districts in the District of Alaska, $12,000: *Provided*, That the salary of each of said registers and receivers shall not be less than $1,500 nor more than $3,000 a year, until June 30, 1899, from and after the passage of this act.

Mr. HANSBROUGH. I would suggest the insertion in the amendment of the same language which has been adopted on the suggestion of the Senator from Missouri [Mr. COCKRELL].

Mr. COCKRELL. Let the amendment be read as it will then stand.

The Secretary read as follows:

Provided, That the salary of each of said registers and receivers shall not be less than $1,500, and with fees and commissions not more than $3,000 a year, until June 30, 1899, from and after the passage of this act.

The VICE-PRESIDENT. The question is on the adoption of the amendment.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 67, line 7, after the

words "shall be," to strike out "selected by the Secretary of the Interior, and;" so as to make the clause read:

Depredations on public timber, protecting public lands, and settlement of claims for swamp lands and swamp-land indemnity: To meet the expenses of protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; of protecting public lands from illegal and fraudulent entry or appropriation, and of adjusting claims for swamp lands, and indemnity for swamp lands, $110,000: *Provided*, That agents and others employed under this appropriation shall be allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each and actual necessary expenses for transportation.

The amendment was agreed to.

The next amendment was, on page 67, line 21, after the word "persons," to strike out "to be designated by the Secretary of the Interior for duty;" and on page 68, line 1, before the word "thousand," to strike out "seventy-five" and insert "fifty;" so as to read:

Protection and administration of forest reserves: To meet the expenses of executing the provisions of the sundry civil act approved June 4, 1897, for the care and administration of the forest reserves, to meet the expenses of forest inspectors and assistants, and for the employment of foresters and other emergency help in the prevention and extinguishment of forest fires, and for advertising dead and matured trees for sale within such reservations: *Provided*, That forestry agents and supervisors, and other persons under this appropriation, shall be allowed per diem, subject to such rules and regulations as he may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each, and actual necessary expenses for transportation, $50,000.

The amendment was agreed to.

The next amendment was, on page 68, line 2, after the word "dollars," to insert:

Provided further, That the Executive orders and proclamations dated February 22, 1897, setting apart and reserving certain lands in the States of Wyoming, Utah, Montana, Washington, Idaho, and South Dakota as forest reservations, be, and they are hereby, suspended, and the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued: *Provided further*, That the provisions of the "Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1898, and for other purposes," approved June 4, 1897, authorizing the settler or owner of land included within the limits of a public forest reservation to select other land in lieu thereof, are hereby extended and made applicable to any State or Territory to which public lands have been or shall be granted, reserved, or pledged for the use of schools, colleges, or other purposes therein, wherever such lands or any part thereof, either before or after being surveyed, are included within any forest reservation; and other public lands of equal area are hereby appropriated and granted and may be selected by such State or Territory in lieu of such lands so included within such forest reservation.

Mr. PERKINS. I ask the chairman of the Committee on Appropriations to accept the amendment which I now offer, on page 68, in line 22, after the word "reservation," to insert the following:

And to the Yosemite, Sequoia, and General Grant National Park, California.

Mr. COCKRELL. What will be the effect of that amendment?

Mr. PERKINS. Simply where land is located within these reservations that on lands granted for colleges or other purposes those reservations shall have the same privileges which have been provided in reservations in other States.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from California to the amendment of the committee.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The question recurs on the adoption of the amendment as amended.

Mr. CHANDLER. Mr. President, I notice that on the face of this amendment it destroys all the reservations which were created by the proclamation of February 22, 1897. I had supposed that important forest reservations had been made under that act which it was desirable should be preserved, but it seems that the committee have proposed an amendment which wipes them out entirely.

I am not very familiar with this subject. I have not kept track of the various controversies which have ensued since those proclamations and orders were issued. I knew that modifications of those proclamations and orders had been sought for, possibly had been obtained, but here we shall have apparently an act of Congress annexed as an amendment to an appropriation bill for the protection and administration of the forest reserves which wipes out all the forest reservations created by those proclamations and orders.

I think that if so important an amendment as this is to be adopted there should be a very clear and satisfactory explanation given as to the reasons why radical action of this kind is necessary upon the sundry civil appropriation bill. I therefore ask the chairman of the committee, or other Senators familiar with the subject, to tell us why we need to take this radical action upon an appropriation bill.

Mr. ALLISON. The proclamation setting apart the reservations mentioned in this bill was suspended by the sundry civil act of last year for one year, which expired on the 4th of March. There was then made an appropriation of $150,000 for a survey of these reservations under the direction of the Geological Survey, with the expectation and belief that there would be modifications of these reservations respecting their area if the survey should disclose that modifications were necessary. The surveys were made, and, as I understand, no modifications were made of the area of the reservations.

Mr. CLARK. If I may be allowed, I wish to suggest to the chairman of the committee that the difficulty about this is that the time specified had elapsed. I think the bill was passed on the 21st of June of last year, and the time was so short that there was no opportunity to go over any considerable portion of the area. Consequently we are in the same position, really, as when the bill was originally passed.

Mr. ALLISON. So I understand. In other words, there has been no change respecting the area of these reservations.

Mr. CLARK. No change.

Mr. ALLISON. There was great pressure upon the committee to recommend a suspension of the Executive orders and proclamations; and having dealt with that subject in the former sundry civil bill, I was myself quite willing to extend this suspension for another year; but a majority of the committee thought it was wise to suspend the proclamation absolutely, because at any time the President of the United States may reestablish reservations by proclamation under existing law, making such modifications as he may deem best; and a majority of the committee were of that opinion. Hence the recommendation of the pending amendment.

Mr. CHANDLER. May I ask the Senator from Iowa whether the Secretary of the Interior, who has charge of the care of the public domain and the forest reservations made in pursuance of law, is in favor of having these Executive orders and proclamations entirely wiped out?

Mr. ALLISON. I understand he is not.

Mr. CHANDLER. I will ask whether there is any written communication from the Secretary of the Interior either way on this subject?

Mr. ALLISON. I think there is no written communication other than that contained in his annual report, which makes recommendations respecting such reservations.

Mr. CHANDLER. Mr. President, I understand that the Secretary of the Interior has been engaged in preparing modifications of those Executive orders and proclamations, relieving those orders and proclamations from some of the injurious effects of which complaint has been made by Senators and Representatives from some of the States where the reservations exist, and that the Department will from time to time make changes and exceptions in those orders, under, I suppose, the legislation of last summer, which will entirely relieve those proclamations and orders from just criticism or objection. If the Secretary of the Interior is engaged in doing this work, and will do it satisfactorily to the country as a whole, whether his actions be entirely satisfactory to all the persons interested in this subject, it seems to me it is unwise for Congress to entirely destroy the forest reservations; but the declaration here is explicit, "the lands embraced therein"—that is, in the proclamations and orders—are "restored to the public domain the same as though said orders and proclamations had not been issued."

There we are, Mr. President. We are to utterly annihilate and destroy all that has been done in this direction, and the lands will be restored to the public domain. Before we know it, titles will be created here and there, and whenever the President undertakes to make orders and proclamations over again those titles are likely to be in the way of action; they will be pleaded as a reason for nonaction, and we shall have lost all that we have gained in connection with this great work of forest reserves in the various Western States.

Mr. President, I believe that it is quite as important to the future welfare of the States in which these reservations are made, so far as I can understand the subject, that the reservations should be kept intact as it is to the United States as a whole; and for one I very much deprecate this radical action, which is being pressed upon the Senate by the Senators from those States.

It seems to me that if those Executive orders and proclamations were too broad, if they reserved forests or reserved lands which ought not to have been reserved, the true way is to continue the authority to the Secretary of the Interior to make exceptions in those orders and proclamations, and that it is as unwise a thing as we can do to utterly blot out and destroy everything which has been accomplished so far in the direction of making the forest reserves.

Mr. President, I counsel moderation on the part of the Senators from the States where these reservations have been made, and I urge them to let those proclamations stand, to have proper exceptions made, and not to undertake to wipe them entirely out in this radical and overwhelming fashion.

Mr. STEWART. Mr. President, I think this amendment is very proper. The reservations were improvidently made. It was never intended that 30,000,000 acres of land should be taken out of settlement without some knowledge as to what land was being reserved and without some knowledge of the number of settlers included or the number of mining operators. To strike in the dark, to take 30,000,000 acres of land without any knowledge as to how it would affect the Western country, it seems to me, was the most improvident order ever applied to any country. If these reservations are to be made—they never were intended to be made

otherwise—they should follow an examination as to the propriety and necessity of making them, and a survey. It never was intended that the entire West should be withdrawn from settlement, whole States together.

If that was intended, it ought to have been done before you organized the Territories into States. After the people have gone there, to make reservations over settlers and miners indiscriminately, without preliminary investigation to know where you are going, it seems to me is entirely wrong. The only way to undo this work is to abolish that improvident order and let the Department go on with its survey and reservations, as intended in the original act. I do not suppose anyone wants to stop settlement in any one of these States or to make needless reservations over farms and mines and improvements. I do not suppose anybody desires that; and if not, get rid of these improvident orders. I think the committee have acted very wisely, and I feel under obligations to them for the wise action they have taken.

Mr. TELLER. Mr. President, the Executive orders made at the close of the last Administration are by this provision to be revoked. I wish to state what everybody who is familiar with the Western country knows, that they were made without any examination, without any care, and in absolute violation of the rules of the Department with reference to the making of forest reservations. None of the conditions and restrictions provided for were observed. It is not proposed that there shall be no forest reservations. All that is proposed here is that we shall begin anew, and that the President of the United States shall not be hampered or obstructed by these orders made at the close of the last Administration.

The President, as soon as this bill becomes a law, can have the proper officers designate to him what are the proper reservations to be made, and make them. You can not say much more about it than that, except to speak of the general worthlessness of the examination that was made and the outrage that was perpetrated in the making of these reservations. On that point I think I will leave it to some of the Senators who have special interest in it, for it does not touch anything in Colorado, to express their opinions and state the facts.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). Does the Senator from Colorado yield to the Senator from New Hampshire?

Mr. TELLER. I have not concluded.

Mr. CHANDLER. I thought the Senator had. Will the Senator allow me to make a motion to amend the paragraph? I should like to get it of record so as to show what I think ought to be done.

Mr. TELLER. I have no objection to suspending my remarks for a moment to enable the Senator to make his motion.

Mr. CHANDLER. Then, in lines 7, 8, and 9, I move to strike out the words—

> And the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued.

And insert:

> For six months from the date of this act.

Mr. CLARK. Six months will not do any good.

Mr. TELLER. That will do no good. If the Senator from New Hampshire, who I know does not desire to embarrass the people of the Western country, would listen a little to those who know something about the subject and would believe for a moment that the Senators representing those States are quite as much concerned in the protection of timber as are people in Massachusetts or anywhere else, I think he would find that there is no attempt here on the part of the Western Senators to do any injustice to their own States or anybody else.

We have had a good deal of trouble with these forest reservations, and we have had it because the Government has employed a lot of agents to go out through that country who came from sections of the country different from where they were going, who had absolutely no acquaintance with the subject, who were too indolent, as a general rule, to go over the country and examine its geography and topography and characteristics and the necessity for forest reserves, who would sit down in their offices and make these reservations, including large communities, doing the utmost injustice to the people of that section of the country. We have gone through that in Colorado. None of these last orders, however, touch anything in Colorado.

I do not mean to say that every Senator, including the Senator from New Hampshire, is not entitled to have his opinion on these questions, but it is nothing that any Senator need take offense at when I say that the Senators representing those States are quite as well qualified to determine what ought to be done as anybody else and quite as much interested in the preservation of the timber. The State of Colorado has several of these reservations. The State of Colorado has taken more pains to protect the timber on the public lands than the Government of the United States has taken. We have more efficient laws with reference to the punishment of those who shall set out fires or allow fires to get into forests than the Government of the United States has, and we know something of the danger of fire.

I have before me a report, which I have not entirely read, made under the auspices of the Geological Bureau, by Gifford Pinchot. It is entitled Report on the Survey and Examination of Forest Reserves. This gentleman seems to have had some knowledge of some portions of the country, and of portions not very thorough knowledge; but he states on page 52 of his report something of the destruction of forests by fire, a matter to which the National Government has practically paid no attention. The Government of the United States has directed its attention to preventing the cutting of timber on the public land, and these reservations are allowed to be invaded by fires without any provision, practically, although this gentleman recommends some legislation on that point. I myself have stated in the Senate a number of times that there were hundreds of acres of timber burned where one was cut by the ax. On page 51 he says:

> The larger part of the reserve south of Tongue River appears to have been burnt over about twenty-five years ago, as is indicated by the young growth which has sprung up since that time, and clear traces of other older fires may also be discerned. The open grassy parks, which are estimated to cover at least one-half of the reserve, are directly due to fire. Repeated burnings finally overcome the reproductive power of the lodge-pole pine, grass takes possession of the soil, and the subsequent return of the forest is very slow. Since the parks are due to fire, it is true that by far the largest part of the reserve has been burnt over. Probably the whole area, in the past, has been swept clear, over and over again.

I wish to call the attention of the Senate to this statement:

> During the past summer alone about 70,000 acres were devastated by fire. The stand of this area, if untouched by fire, can not reasonably be estimated at less than 2,000 feet per acre. It is interesting to note that the total product of all the mills drawing their timber from the reserve is less than 2,000,000 feet per annum, while the 70,000 acres burnt over last summer would have been capable of producing 140,000,000 feet, or seventy years' supply, if they had been permitted to grow uninjured by fire.

It would take the ax and the mill seventy years to do what the fire did in one single year, and yet during the last fifteen years the attention of the Government has been directed to destruction by the ax and the mill and practically no provision has been made for the preservation of timber from fire. The only exception I know was made in 1882 or 1883, when the Department took the position that the preservation of the timber was the primary object of the legislation and that the Department could use the fund that was in its hands for its preservation for the purpose of putting out fires as well as punishing those who had denuded the land by the ax.

The next Administration held that the authority did not exist to use money so appropriated for the purpose of putting out fires, and that it could only be used for the purpose of protecting the timber by preventing the cutting and punishing those who had cut. In one single year, 1879, in the State of Colorado there was more timber burned than has been cut since the settlement of the country in 1859. I speak advisedly about that, because I think there is not any considerable portion of Colorado which I have not seen during the last forty years from one to a dozen times. On page 70 of this report he again calls attention to the fires. He says:

> Fires have done more injury in this reserve—

Speaking of another reserve—

> than all other causes put together. It is believed that fire has occurred in every township within the reserve and in nearly every section, and it is evident that many hundred thousand feet of timber have been destroyed.

Then he goes on to show the difficulty of putting out fire. I desire to state that it is my recollection—and I speak from recollection—that while the Department did so use the money, the putting out of no fire cost the Government more than sixty or seventy dollars. If these fires are taken in proper time they can be put out, and that should really be the purpose for which we appropriate money, and not to prevent the cutting of a few trees by a few settlers.

I find on page 73 that he again refers to fires:

> Fire has done less damage on the western than on the eastern slope. Still, its ravages have been exceedingly severe.

He is speaking of a particular section.

If a little common sense could be applied to this question, which has not been applied, there would be very little difficulty about it. The Department a few years ago created a reservation on a very high table in Colorado, a piece of land lying between two great rivers coming to a point like a flatiron where they united. Upon the point of this mountain were a large number of lakes and small streams, and the people of that neighborhood had been in the habit of going up there and occasionally taking a lake and putting a dam across the mouth of it, letting it fill in the early spring and using it for irrigation below.

As soon as it was made a forest reserve the Government gave orders that nobody should impound water on that reservation. While ostensibly the whole reservation had been made for the purpose of securing to the farmers below the water for irrigating purposes, yet they were forbidden by the Department and threatened with prosecution if they should put any dam at the mouth of these streams. There was not any way to get rid of it. The result was that the farmers went up there and put dams over

without reference to the General Government. I do not know that they have ever been punished. But the idea that the Department should say to those people, "You can not impound water here; you can not put the dams there and keep the water until it is time to let it down for irrigating purposes," was so absurd that the good common sense of the people there rebelled and they went to work and treated it as they ought to have treated it, in my judgment.

The table composing this reservation or high mountain is so high that no agriculture can be carried on upon it at all. It was covered with more or less dead timber. At the instance of some of the settlers I applied to the Department for permission for the settlers to go up on the table and haul down the dry timber lying upon the ground. I was told by the Department, and the Department insisted upon it and would not make any change in the ruling, that if the settlers went there and hauled that timber off that they would have them prosecuted for violating the law by going on the reservation.

The danger to the pine timber that stands on these reservations—for it is practically all pine or spruce; it is all coniferous—arises very largely from the fallen timber in the woods. It is the fallen tree and the dead tree which stands that spread the fire. If the Department would allow the dead timber to be hauled out, it would save the forests from these invasions of fire which it is almost impossible to prevent, brought about by campers, by Indians, and sometimes by lightning striking trees. It is almost impossible perhaps to prevent fire in the mountains, but its spread would be very much retarded if the fallen timber could be taken away.

The people living at the foot of the mountain on the plain had no other place to go for timber except upon this high reservation. The result was that they went up, notwithstanding, and got the pine timber, greatly to the benefit of the Government and to their own benefit; and yet every one of them, according to the Department's theory, was a violator of the statutes concerning these reservations.

Mr. President, what we complain of is that these reservations are made without the slightest attention to the wants of the Government if the Government wants to save the timber. Whole communities are included within an order. The moment they are included within it the settlement laws are all suspended as to that land. Within one reservation in Colorado there are 135 farmers living, and they were there fifteen years ago, and of course no one else can go in. We did make some modification by law that applies to Colorado alone as to our reservations, but the general rule is that when a forest reservation is made, that is the end of settlement there.

The writer of this report says it ought not to be so; that agricultural land ought to be allowed to be taken. These orders of which we complain, made at the close of the last Administration upon reports by gentlemen who themselves admitted that they had never been within hailing distance of the land and never had seen it, some of whom had not been within forty or fifty or a hundred miles of some of the land, are what make the forest reserves unpopular, not that the people are opposed to the preservation of the timber.

I repeat, that nobody has so much interest in the preservation of the timber as the people who live in the neighborhood of the timber. All we have asked in this provision is that this order, so improperly and improvidently made, may be set aside. It does not in the slightest degree hamper or prevent the President from making proper reservations, if he shall do it under the regulations now existing, after consultation, as he should, with the Senators or Members who represent those sections of the country.

Mr. CHANDLER. Will the Senator allow me to ask him a question?

Mr. TELLER. Certainly.

Mr. CHANDLER. Suppose the orders were set aside and the President makes new orders and proclamations. Can any private title have been acquired to any portion of the land in the meantime?

Mr. TELLER. If it is agricultural land, a man can go on and make title. If it is mineral land, he can make title. He can make no title to timber land. I will not say that. There may be portions where he can, where it is more valuable for timber than anything else, under the laws; but he pays $2.50 an acre for the land. That is all the land is worth. If he buys it for the timber, he will take better care of the timber than the Government of the United States will.

Mr. CHANDLER. If the Senator will allow me further, I have been afraid that intervening titles would make a great deal of trouble, and I can not see why the friends of this measure who I concede know more about it than I do, as the Senator from Colorado tells me they do——

Mr. TELLER. Does not the Senator think we ought to know?

Mr. CHANDLER. Yes; I understand. The Senator kindly concedes that we have a right to an opinion and to a vote.

Mr. TELLER. Certainly.

Mr. CHANDLER. I thank him for that much. Why is it not just as well to let the proclamations stand and give to the President and the Secretary of the Interior the right to make the exceptions that are so much desired by the Senators living in those States? Why raise apprehension on the question as to whether new reservations will ever be made?

Mr. TELLER. If new reservations are not made, it will be the fault of the executive department of the Government.

I wish to call the attention of the Senator from New Hampshire to one of the evils of this system. There are hundreds of settlers who had made their first movement toward acquiring title under our land laws; and people can now only acquire title according to the land laws under the homestead laws. Consequently there is no speculation in lands under it anywhere in the United States today—I mean in getting public lands. The settlers who had made the first step, going on and building their cabins, making their applications, were precluded, and are precluded as it now stands, from making title, and they will be precluded if the Senator's amendment shall prevail, which ties this matter up again for six months.

It is utterly impossible for the Department to go to work and pick out each one of these people and segregate that piece of land from the great body; and when the orders are made, the President should reserve to the men who have already taken the initiatory step, who have an inchoate and uncompleted title, as he can if he chooses, the right to go on and complete their title.

No harm can come by any revocation of these orders, because no harm would come if there were no reservation made for ten years yet to come. That is the truth about it, Mr. President. These lands are not being despoiled. The timber is not being destroyed. On many of these reservations the timber is of no commercial value whatever, and the Government will never be able to make any money out of it.

The people, I repeat, are interested in preserving the timber. The Anaconda Mining Company are the greatest consumers of timber, I think, on the American continent, and yet this report shows that they are the only people in that section of the country who have made an attempt to save the timber. The special agent says they have offered rewards for the punishment of those who set fire to the timber. Why, Mr. President? Because they desire to preserve the timber so as to have it for use in the future. The Deadwood Mining Company in Dakota is another company which has made some effort to preserve the timber, and the mining people all through that country are anxious to preserve the timber. But we are anxious to have it done in accordance with justice and right. We shall be entirely satisfied, with the knowledge the Department now has and may get in another six months on this subject, to allow the present Administration to go to work and reorder, if I may use that term, into forest reservations much of that land; but we do hope that they will segregate the towns and the county seats and the populous places from the provisions of this order.

There is one other thing I wish to say. I do so because this goes to the gist of the whole question. When the Government of the United States made the State of Colorado a State it gave to the State of Colorado all the power that any sovereign State could have. That power included the right to tax every single acre of public land, unless we stipulated that we would not tax it. The United States has for many years whenever it has admitted a State required the State to put in its constitution a provision that it would not tax public lands. We agreed that we would not tax public lands in Colorado. Five or six years ago we had a proposition to take more than one-third of the entire area of Colorado and put it into forest reserves.

I can show a forest reservation in the State of Colorado that has six townships, or more than 100,000 acres of land—one hundred and twenty-odd thousand acres of land—upon which there is not timber enough to load a two-horse wagon; and that is the way, the improvident way, in which these things have been done. I can show mountains that are valuable for mining, absolutely worthless for timber, which have been covered with this prohibition against any miner going in and prospecting. That is why we complain of these orders. It is not that we want to despoil the timber. It is not that we want to get it in an improper manner.

But we want these reservations made in such a way that injustice shall not be done to the people of the State. The Government of the United States has no right to say to us in Colorado, "There is arable land; there is some timber on it, and we do not want to let it be settled now; we want that timber preserved for some succeeding generation; and although you have stipulated that you would not tax it upon the theory that we were going to sell it under the land laws, we do not now propose to do it."

I think Senators who are interested in this matter can see the injustice that is being done to the new States. You have taken away from us the power to settle and the power to tax the lands. Every acre of arable land should be open to settlement, for the value of a settlement, as stated here in this report, is infinitely greater than that of a forest reserve. There is not a quarter section anywhere in the United States which is not better if you can

get a farmer on it to cultivate and that is not doing more good than to reserve the timber, I do not care whether it is in the great forests of the Western slope or on the scattered hills and mountains of Colorado, where practically there is no timber at all.

I have given some little attention to this question, and I confess that I have had a great deal of irritation about it. I have had irritation because I have seen the outrage that has been perpetrated upon some of my constituents. I have seen a settlement started, and then I have seen it abandoned because they knew they could not get any more settlers in there, and they could not build a schoolhouse or a church, and land that might have been settled and occupied was left unoccupied because of the improvident manner in which the reservations were made. We have had as much of it in Colorado as anywhere; but, as I said, we went to work and we got a statute passed that would allow a miner to go in there and mine. Yet that does not apply to any of the other States that I know of, unless it has been extended to them. I think it has not been.

Mr. President, I have said all I care to say on this subject except to repeat that I will join anybody for the protection of the forests in any method that does not outrage the people of the States where the forests are located. I want to repeat what I have said before, and I have said it here on this floor again and again, that the place to direct your attention, if you want to preserve the forests, is to the fires and not to the ax. Every time a settler goes and cuts down a tree he puts it to valuable use. Fire puts it to none. Fire not only burns up the timber, but it burns up the soil. It will be a generation before the trees will start after a fire, while after the ax they will start at once. I can show you in Colorado where the ax has denuded the side of a mountain and there are now trees 40 or 50 feet high, but where the fire had denuded the mountain in the same neighborhood there is not anything growing at all except grass. Everything is burned up by the tremendous fires that occur; and the danger to the forests is fire, not the consumption of timber by the settler or the mill owner or anybody else.

Mr. WILSON. Mr. President, I shall not occupy the attention of the Senate more than a moment. This question was pretty thoroughly discussed in the last Congress. The conditions that prevail in the State that I in part represent are of such a character that I am constrained, however high my esteem may be for the Secretary of the Interior, if it comes to a vote to vote for the committee amendment.

One or two observations by the Senator from New Hampshire might be answered by the statement that in the forestry reserves now many of the settlers are abandoning their homes. Settlements are made in advance of surveys, and new settlers will not go into a new country and settle there unless they can have the hope that their friends and relatives can follow them and settle around them.

An examination of this map [exhibiting] will show that in the State of Washington they have erected around the State almost what might be called a Spanish trocha. In the Olympic Forestry Reservation we have 2,188,000 acres withdrawn from settlement. In the county of Clallam, a county organized and fully equipped, they have withdrawn over 900,000 acres of the 1,000,000 which constitute that county. In the county of Jefferson, on Puget Sound, they have withdrawn 84 per cent of all the land in the county.

Mr. MASON. I wish to ask the Senator from Washington a question for information. Under what process do they withdraw the land? Will the Senator explain it?

Mr. WILSON. It is done under an act of Congress authorizing the President of the United States to withdraw certain timber lands, Government lands, for the purpose designated in the act, to be known as forest reserves. It was an act passed, I think, in 1890. I am not certain as to the date.

Mr. PETTIGREW. March 7, 1891.

Mr. WILSON. The act was passed in 1891. We had before that act one reservation in our State. We now have three, known as the Washington, the Pacific, and the Olympic, and they comprise an area larger than the State of Massachusetts. In the Washington forestry reserve, when the debate was in Congress a year or so ago, I showed that we had over 5,000 mineral locations, upon which $2,000,000 worth of work had already been done. By proper examination they could take the Olympic forest reserve and make a reservation there of from 800,000 to 1,000,000 acres and probably not affect any settlers or anybody.

I am told that sometimes these reservations are made for the purpose of reserving the water supply. This could not possibly have been the reason for the reservations in western Washington, as we have an annual rainfall on the western side of the Cascade range that averages about 82 inches per annum and in some places in the Olympic forest reserve it is even greater than that, so that a reservation of the watershed was hardly necessary. In the Washington forestry reserve all of our streams are supplied from the glaziers, and it was not necessary in that respect. The Pacific forestry reserve would have been all right under the original withdrawal, as some of the water rights on the eastern side of the mountain are used for irrigation purposes.

Mr. STEWART. Could they not adopt a plan that would reserve the reservoir sites and use the water for irrigating purposes?

Mr. WILSON. Oh, no; you can not affect the irrigation in that section of the country at all, because in the season of the year when you desire water for irrigating purposes we have the largest supply of water. The water is not low on the eastern side of the mountains until September and October. All the streams are full in the months of May, June, and July, when water is used for irrigation purposes. Therefore the withdrawal of the forestry reserves does not in any manner affect the water supply so far as those reservations are concerned.

Mr. STEWART. The Senator from Colorado stated that they wanted to use water for irrigating purposes in the mountains connected with a reservation and they would not let them use it for that purpose, and would not allow them to go there. I have heard complaints of that kind in regard to several other places. The idea of reserving it to preserve the water and not use the water, it seems to me, shows how intelligently the matter is managed by people in this part of the country who know nothing about the situation out there.

Mr. WILSON. I had hoped to have a letter here and have it read from a citizen who is a resident within the forestry reserve in Clallam County; but I did not think the subject would come up to-day, and I shall take opportunity to present it to-morrow.

There is another matter in connection with this subject, and at the proper time I shall move to recede from the committee amendment. If these forestry reserves are to be preserved, there must be some authority under the Secretary of the Interior to designate the men who are to be employed. You must lodge that authority somewhere. If we are to have forestry reserves, and if we are to employ men to put out forestry fires and to guard the reservations, we certainly do not want to be restrained by having to hunt up a civil-service man to engage in that occupation.

I think that the committee amendment ought to be receded from in view of the fact that there is small employment for those men. It is only for three or four or five months during the year. They will not be employed during the winter. Their employment is not necessary then. There ought to be a place where they could be designated quickly and certainly. It seems to me that if the item for the protection and administration of forestry reserves is to go into the bill, the authority should be lodged with the Secretary of the Interior to designate the men who are to take charge of them. Therefore at the proper time and with the consent of the chairman of the committee, I shall move that the Senate recede from the amendment in line 21, on page 67.

I hope that the amendment brought in by the committee may be agreed to, and that at some time in the future in making these reservations they may be designated with a due regard for the settlers of the various States and the welfare of commerce.

Mr. SHOUP. Mr. President, the Executive order of February 22 of last year did the State of Idaho, which I have the honor in part to represent, a grievous injury. I am therefore in favor of the committee amendment. There are two reservations, the main portions of which are in the State of Idaho, namely, Bitterroot Reservation and Priest River Reservation. The Bitterroot Reservation has an area of 4,238,160 acres. The Priest River Reservation has an area of 1,065,000 acres. In the Bitterroot Reservation there are about 200,000 acres already covered by squatters either as timber lands or agricultural lands. Some of the farms are well improved, having good houses and good outbuildings, well fenced, and have bearing orchards on them. I wish to state in this connection that in my judgment there was not one member of the commission which set that forest reservation aside who had ever seen one single acre of that reservation.

A good portion of the Priest River Reservation is covered by the alternate sections of the Union Pacific Railway Company. In addition to that, something over 20,000 acres have already been settled upon. I allude to this in order that the Senate may understand that these reservations were located without any knowledge as to what they contain, or as to the quantity of timber lands or the quantity of agricultural land accessible on the reservations. I therefore shall vote to sustain the amendment of the committee.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from New Hampshire [Mr. CHANDLER] to the amendment of the committee.

Mr. CHANDLER. I desire to modify the amendment by substituting for "six months after the date of this act," the words "until March 4, 1899."

Mr. COCKRELL. Where does that amendment come in?

The SECRETARY. It is proposed after the word "suspended," in line 7, on page 68, to strike out the following words:

And the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued.

And to insert in lieu thereof the following:

Until March 4, 1899.

Mr. STEWART. That amendment would not answer the purpose any more than it did last year. The people are on the ground and they do not know whether they can make homes or not. The reservations include a vast number and they have this uncertainty hanging over them. They can not make any homes. Many of them have already left. Many mines have been discovered, large expenditures have been made, but the people do not know whether they can go on the land or not. To keep those people in suspense is almost as cruel as the original act withdrawing all that region of country without any knowledge on the part of the commission as to what they were doing. I do not think in all the annals of Administration there can be found a more unwarranted, useless, and flagrant order ever made.

It is perfectly ruinous, and it was not made according to law. There was not notice given, and no reference was made to the rights of the people out there or to the interests of the country. It was simply just a strike. It seemed to be an effort to injure the West and to injure those States. It was a hostile act entirely. Now, to suspend it and keep the settlers there waiting another year before they know whether they can build houses or not, and keep the miners waiting before they can know whether they can go on with their operations or not, is very bad. If the Government wants reservations, let it select the land and make reservations, and not have any more sweeping orders. The sooner we can get rid of that act and repeal it as the committee propose, the better.

Mr. ALLISON. This is a very important question and involves details. I hope that by to-morrow morning some adjustment can be made so that the reservations may be in some way at least partially suspended. With a view of seeing whether an adjustment can be made, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 5, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 4, 1898.

POSTMASTER.

S. H. Jumper, to be postmaster at Aberdeen, in the county of Brown and State of South Dakota, in the place of Anson W. Pratt, whose commission expired February 16, 1898.

PROMOTIONS IN THE ARMY—ARTILLERY ARM.

To be major.

Capt. William August Kobbé, Third Artillery, March 8, 1898, to fill an original vacancy.

To be captains.

First Lieut. Benjamin Harrison Randolph, Third Artillery, March 8, 1898, vice Kobbé, Third Artillery, promoted.

First Lieut. John Thomas Honeycutt, First Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Montgomery Meigs Macomb, Fourth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. James Lewis Wilson, Fourth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. John Philip Wisser, First Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Henry Rowan Lemly, Third Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. George Francis Edward Harrison, Second Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. George Edward Sage, Fifth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. William Bradford Homer, Fifth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Lotus Niles, Second Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. William Harrison Coffin, Fifth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Albert Todd, First Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Edward Thomas Brown, Fifth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Adam Slaker, First Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. James Clark Bush, Fifth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Henry Hunt Ludlow, Third Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. William Augustus Simpson, Second Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Charles Booth Satterlee, Third Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. William Reeve Hamilton, Fifth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Charles William Foster, Third Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Victor Horace Bridgman, Second Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. Clarence Deems, Fourth Artillery, March 8, 1898, to fill an original vacancy.

First Lieut. John Vasser White, First Artillery, March 8, 1898, to fill an original vacancy.

To be first lieutenants.

Second Lieut. Clint Calvin Hearn, Fourth Artillery, March 8, 1898, vice Adams, Fifth Artillery, promoted.

Second Lieut. William Church Davis, Fifth Artillery, March 8, 1898, vice Lundeen, Fourth Artillery, promoted.

Second Lieut. Frank Gratin Mauldin, Third Artillery, March 8, 1898, vice Crawford, Second Artillery, promoted.

Second Lieut. Daniel Warren Ketcham, Second Artillery, March 8, 1898, vice Whistler, Fifth Artillery, promoted.

Second Lieut. William Sharp McNair, Third Artillery, March 8, 1898, to fill an original vacancy.

Second Lieut. William Josiah Snow, First Artillery, March 8, 1898, to fill an original vacancy.

APPOINTMENTS IN THE NAVY.

Luther Elwood Gregory, a citizen of New York, to be a civil engineer in the Navy.

Edward Vanderpoel Armstrong, a citizen of New York, and William Henry Bucher, a citizen of Pennsylvania, to be assistant surgeons in the Navy, to fill vacancies existing in that grade.

WITHDRAWAL.

Nomination withdrawn April 4, 1898.

Arthur Elwood Gregory, a citizen of New York, to be a civil engineer in the Navy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 4, 1898.

CONSULS.

Walter H. Faulkner, of Texas, to be consul of the United States at Durango, Mexico.

Charles C. Greene, of Rhode Island, now vice-consul there, to be consul of the United States at Antofagasta, Chile.

UNITED STATES ATTORNEY.

Samuel L. Overstreet, of Oklahoma Territory, to be attorney of the United States for the Territory of Oklahoma.

SUPERVISING INSPECTOR OF STEAM VESSELS.

Samuel R. Crumbaugh, of Kentucky, to be supervising inspector of steam vessels for the Seventh district.

SURVEYOR OF CUSTOMS.

James H. Bolton, of Iowa, to be surveyor of customs for the port of Sioux City, in the State of Iowa.

COLLECTOR OF CUSTOMS.

Arthur B. Enas, of Massachusetts, to be collector of customs for the district of Nantucket, in the State of Massachusetts.

PROMOTION IN THE NAVY.

Civil Engineer Mordecai T. Endicott, United States Navy, to be Chief of the Bureau of Yards and Docks in the Department of the Navy, with the relative rank of commodore.

APPOINTMENT IN THE NAVY.

James Edward Palmer, a citizen of North Carolina, to be a passed assistant engineer.

PROMOTIONS IN THE ARMY—ARTILLERY ARM.

To be captains.

First Lieut. Sebree Smith, Second Artillery.
First Lieut. Henry Albert Reed, Second Artillery.
First Lieut. Albert Simpson Cummins, Fourth Artillery.
First Lieut. Alexander Brydie Dyer, Fourth Artillery.
First Lieut. Leverett Hull Walker, Fourth Artillery.
First Lieut. William Penn Duvall, Fifth Artillery.
First Lieut. Henry Merritt Andrews, First Artillery.
First Lieut. Charles Dyer Parkhurst, Fourth Artillery.

POSTMASTERS.

George L. Patterson, to be postmaster at Concord, in the county of Cabarrus and State of North Carolina.

John S. Hasty, to be postmaster at Monroe, in the county of Union and State of North Carolina.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 4, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of Friday last was read and approved.

REPRINT ADDITIONAL COPIES OF PRESIDENT'S MESSAGE.

Mr. PERKINS. Mr. Speaker, I desire to submit a privileged resolution from the Committee on Printing at this time.

The SPEAKER. The report will be read.

The Clerk read as follows:

Your Committee on Printing, having had under consideration House resolution No. 277, beg leave to report the following in lieu thereof, and ask that the same be agreed to:

"*Resolved by the House of Representatives (the Senate concurring)*, That there be printed 20,000 copies of the message of the President of the United States issued March 28, 1898, together with the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine*, in Havana Harbor, February 15, 1898, and the testimony taken before the court; 13,500 for the use of the House of Representatives and 6,500 for the use of the Senate."

The Public Printer estimates the cost of this work at $3,560.

Mr. LIVINGSTON. Let me ask the gentleman, why not let this matter lie over until we get the next message of the President and print them both together?

Mr. PERKINS. Well, Mr. Speaker, there is a very large demand for this report, and I think we had better order the printing of it now.

Mr. LIVINGSTON. But it would be a great deal better to have a complete report and understand exactly what we are doing.

Mr. PERKINS. The report is complete in itself, and the country is anxious that the information shall be given.

I ask for the previous question on the adoption of the resolution to its passage.

Mr. LITTLE. Perhaps we will not get the other report in any reasonable time.

The SPEAKER. The question is on the demand for the previous question.

The previous question was ordered, under the operation of which the resolution was considered and adopted.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, I demand the regular order.

Mr. CANNON. Mr. Speaker, I ask consent to consider now a resolution I send to the desk.

Mr. BABCOCK. I have asked for the regular order.

The SPEAKER. The gentleman from Illinois desires, as the Chair understands, to present a matter before the House of public importance.

Mr. CANNON. Mr. Speaker, I desire to report from the Committee on Appropriations, with favorable recommendation, and ask that it be considered at this time—which will take but a minute or two, I presume—a matter which I send to the desk. I refer to Senate joint resolution No. 129.

The SPEAKER. The joint resolution will be read.

The joint resolution was read, as follows:

Joint resolution (S. 129) relative to suspension of part of section 355 of Revised Statutes, relative to erection of forts, fortifications, etc.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of emergency, when, in the opinion of the President, the immediate erection of any temporary fort or fortification is deemed important and urgent, such temporary fort or fortification may be constructed upon the written consent of the owner of the land upon which such work is to be placed; and the requirements of section 355 of the Revised Statutes shall not be applicable in such cases—

Mr. BAILEY. Mr. Speaker, is this presented as a matter of privilege?

The SPEAKER. It is presented, as the Chair understands, for the unanimous consent of the House.

Mr. BAILEY. Well, Mr. Speaker, before any other preparations for war are made, I want to know whether we are going to have war. I object to the immediate consideration of the resolution.

The SPEAKER. Objection is made to the consideration of the resolution at this time.

Mr. CANNON. Then let the bill take its place on the Calendar. Or I move, if I may be recognized for that purpose, to suspend the rules and pass the bill.

Mr. BABCOCK. I believe, Mr. Speaker, that I have the floor.

Mr. CANNON. I would ask the gentleman, as this is an important matter urgently recommended by the Chief of Engineers and passed by the Senate, to allow it to proceed at this time.

Mr. BABCOCK. This is District day and we ought to be able at least to control a considerable part if not all of the time.

Mr. CANNON. This is very much more important than District day. There will be plenty of time for District days hereafter. This will take, I will say to the gentleman, but very little time.

I will ask recognition, Mr. Speaker, to suspend the rules and pass the resolution that the Clerk has read.

The SPEAKER. The gentleman from Illinois moves to suspend the rules and pass the resolution, which will be again reported.

The resolution was again reported.

Mr. BAILEY. I demand a second.

Mr. McMILLIN. Let us have the resolution read again. There was so much confusion that it was impossible to hear it, and I ask that there be order while it is being read.

The resolution, in the absence of objection, was again reported.

Mr. CANNON. Will the gentleman from Texas agree that a second may be considered as ordered?

Mr. BAILEY. I have no objection to that.

The SPEAKER. In the absence of objection, a second will be considered as ordered.

There was no objection.

Mr. CANNON. Now, Mr. Speaker, I do not desire to do anything in the way of the discussion of this matter except to have the following letter read from the Chief of Engineers, and will then call attention to the section of the statute which is proposed to be suspended.

The Clerk read as follows:

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., March 26, 1898.

MR. SECRETARY: Section 355, Revised Statutes, prohibits the expenditure of any public money for forts, fortifications, etc., upon any site or land purchased by the United States until the written opinion of the Attorney-General shall be had in favor of validity of title and consent of legislature of State in which land may be to such purchase has been given.

I have the honor to suggest, in view of the present emergency, that Congress be requested to temporarily suspend this act during time of war, as there are important points on our seacoast where it will be absolutely necessary to erect temporary works immediately in case war should be declared and funds are available.

Very respectfully, your obedient servant,

JOHN M. WILSON,
Brigadier-General, Chief of Engineers, U. S. A.

Hon. R. A. ALGER, *Secretary of War.*

Approved.

R. A. ALGER, *Secretary of War.*

MARCH 31, 1898.

Mr. CANNON. The Senate passed the resolution which was read a few minutes ago. I ask the Clerk to read that resolution again.

The resolution was again read.

Mr. CANNON. Mr. Speaker——

Mr. McMILLIN. Mr. Speaker, before the gentleman begins, I will call his attention to the fact that the resolution does not make any limitation upon the time within which it shall operate. It strikes me that if this is an emergency resolution, it ought not to be perpetual in its operation.

Mr. CANNON. It has the emergency clause in it—in cases of emergency.

Mr. McMILLIN. But you leave it entirely to the discretion of the Executive to determine when an emergency exists.

Mr. CANNON. In the discretion of the President; that a temporary fort or fortification may be built if in the judgment of the President an emergency exists. Now, this is an amendment of the law covering such cases, and the law ought to be that permanently. It ought always to have been that.

This matter was very fully considered and inquiry was made by the subcommittee of which the gentleman from Texas [Mr. SAYERS] is a member, and after consideration we believed it our duty to report this bill with a favorable recommendation.

Mr. MAGUIRE. When do you understand that operations could be commenced under this resolution, if it should pass?

Mr. CANNON. Oh, at once; wherever it is necessary.

Mr. MAGUIRE. Then, if operations may commence in time of perfect peace, when will they cease, under the language of the law?

Mr. CANNON. If this law is passed, it will go into effect as permanent law.

Mr. MAGUIRE. That is what I thought.

Mr. CANNON. Modifying section 355 of the Revised Statutes so that in cases of emergency the President shall have discretion to erect temporary forts and fortifications without awaiting the cession of jurisdiction by the legislature or the acquirement of title, only requiring that in such cases of emergency, for the erection of such temporary fortifications or forts, he shall have the written assent of the owner of the land.

Mr. MAGUIRE. But the President is permanently empowered, so long as this law stands, to be the judge of what constitutes an emergency requiring such action.

Mr. CANNON. Precisely, as the law, in the opinion of your committee, ought to be.

Mr. LENTZ. I desire to offer an amendment that will cover that ground.

Mr. CANNON. There is no amendment. The motion is to suspend the rules and pass the bill.

Mr. BINGHAM. You can not amend.

Mr. CANNON. Now, if the gentleman from Texas desires time, I will reserve the balance of my time.

Mr. LENTZ. Will the gentleman permit an amendment to that?

Mr. CANNON. No; I can not do that under the motion. [Cries of "Vote!" "Vote!"]

Mr. BAILEY. Mr. Speaker, I simply desire to call the attention of the House to the fact that on several occasions within the last thirty days this House has been called upon to vote appropriations and permissions to meet extraordinary cases, and yet this House is not in the possession of any fact which warrants it in supposing that the executive department believes that any extraordinary emergency is upon the country.

Only a short time ago we were compelled to vote to place $50,000,000 under the absolute discretion of the President of the United States. The situation at that time appeared so critical that no gentleman on this side was willing to resist that; and we all voted for it.

Mr. ARNOLD. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. ARNOLD. Is this motion debatable?

The SPEAKER. Quite so.

Mr. BAILEY. It is, for twenty minutes on a side. I voted for that measure because I believed then that we were on the perilous edge of war. Nothing less than that could have justified it. I will go further. I do not hesitate to declare that if a Democratic President had asked a Democratic House for the absolute control of $50,000,000 I would have denied it. I would have said to him, "Send in your estimates and let Congress judge whether that money of the people ought to be expended or not." Those in power did not see fit to require such a course, and believing that a war was imminent the minority did not hesitate to vote for a proposition which, if our position with the majority had been reversed, we would never have asked them to support.

It is many days since we appropriated that $50,000,000, and much of it has been spent, yet the House has no knowledge of the manner in which it has been spent.

Again, to-day, we are asked to meet an emergency. What are the circumstances? Last Wednesday, when this House was called upon to meet a vital question, and to take decisive action upon it, the majority refused to meet it, and refused to take that action.

They declared that the question was soon to be settled. Everywhere they asserted that to-day the President of the United States would be ready to inform Congress of the state of his negotiations with Spain. The House was adjourned from Friday until to-day to give the President time and opportunity to prepare his message. The hour that such messages usually reach this House has passed, and every well-informed man on both sides of the House knows no message will come from the President to-day. Now, Mr. Speaker, it seems to me important that the country shall understand what Congress is doing and intends to do.

It seems to me equally important that this House shall know what the executive department is doing and intends to do. We ought not to be asked day after day and week after week to provide for an emergency which gentlemen on that side believe has either passed or never existed. I am ready, and every gentleman on this side of the Chamber is ready, to sustain the Administration in every proper measure to prepare for war. We are ready and eager to vote for every measure which may be necessary to conduct that war to a glorious and successful termination. [Loud applause on the floor and in the galleries.]

The SPEAKER. One moment. The gentleman will suspend. The Chair desires to say that the gallery must preserve order. It is not suitable that there should be expressions of either approval or disapproval. People who are occupying the gallery are occupying it as spectators.

Mr. BAILEY. Mr. Speaker, these galleries are but the American people in miniature; and if this Congress could face the people they would hear a condemnation infinitely more overwhelming than that which comes from the galleries of this House. [Applause on the Democratic side and further manifestations of applause in the gallery.]

The SPEAKER. The Chair will be obliged, if there is applause in the gallery, to clear the gallery of the House.

Mr. STEELE. I think that is hardly fair, in view of the fact that the gentleman is talking to the galleries. [Laughter and applause on the Republican side.]

The SPEAKER. The Chair can not interfere with members.

Mr. BAILEY. I might as well speak to the galleries, for when I speak to that side of the House I appeal to deaf ears and hardened consciences. [Applause on the Democratic side.] I am not seeking to excite or exaggerate. I am refraining from it; but I am simply stating to the majority of this House that they have trifled with the minority and the country too long.

I say now, and after I have said that I reserve the remainder of my time, that if the President wants one day, or two days, or three days to prepare a message that will be approved by the American people we will be silent until he sends it here, but if the President of the United States wants two days, or if he wants two hours, to continue negotiations with the butchers of Spain, we are not ready to give him a minute longer for that purpose. [Loud applause.]

Mr. CANNON. I believe I have the right to close, and as I want not more than two or three minutes, I will ask the gentleman to consume some more of his time.

Mr. BAILEY. I yield three minutes to the gentleman from California [Mr. MAGUIRE].

Mr. MAGUIRE. Mr. Speaker, in reply to my question a few moments ago, the gentleman from Illinois [Mr. CANNON] stated that the pending measure is not intended to meet a present emergency and that its effect is not confined to times of actual war. It makes a permanent change in the law, giving unusual power to the President of the United States to put the country on a war footing at his discretion. It seems to me that we have gone far enough in that direction. We have gone far enough toward abdicating of the constitutional power of Congress to declare war, to provide for the common defense, and to regulate the land and naval forces of the United States.

I am willing to vote for a resolution putting such power in the hands of the Chief Executive temporarily in time of war; but I insist that such extraordinary power should be confined to times of actual war. My understanding of the existing law is that the President now has this very power in times of war, so that the purpose of the resolution is taking advantage of the present war scare to clothe him with this important power in times of peace. To this I am opposed. It is simply another step in the scheme of centralization which this emergency is being used to promote. A few days ago we appropriated $50,000,000 of public money to be expended by the President independently of Congress and without requiring any specific statement of even the emergency which it was intended to meet.

Mr. HOPKINS. Will the gentleman allow me to ask him a question?

Mr. MAGUIRE. Yes, sir.

Mr. HOPKINS? Does the gentleman say that no precaution should be taken in advance to prepare for war?

Mr. MAGUIRE. Yes; proper precautions should be taken, but in times of peace Congress should provide for the precautions by specific appropriations.

Mr. HOPKINS. Does the gentleman hold that this Government should not proceed with measures of defense before actual hostilities commence?

Mr. MAGUIRE. Congress should take steps by specific appropriations for specific purposes to be executed by the President, except when the emergencies of actual war render it impossible to follow that course. In times of war, but in times of war only, the President should have the discretionary power given by the pending measure.

Mr. HOPKINS. Will the gentleman allow me to ask him another question?

Mr. MAGUIRE. Yes, sir.

Mr. HOPKINS. The President is Commander in Chief of the land and naval forces?

Mr. MAGUIRE. Yes.

Mr. HOPKINS. Now, does the gentleman believe that the Chief Executive should point out in advance what he is going to do before any hostilities commence, or is it not better to make preparations for these fortifications without doing it with brass bands?

Mr. MAGUIRE. In times of war he should not be required to point out in advance what he is going to do, but in times of peace—and we are assured by our Chief Executive that these are times of peace—he should not be made a dictator and should not be given absolute power, independently of Congress, to do that which the Constitution of the United States expressly commits to Congress. All provisions for the national defense to be made in times of peace should be made upon recommendations of the Chief Executive by specific appropriations voted by Congress for definite purposes. That is what I contend for. If this legislation is necessary to meet the exigencies of presently imminent war, let it be so frankly stated, and let the legislation be limited to the occasion.

Mr. BAILEY. How much time have I remaining, Mr. Speaker?

The SPEAKER. Nine minutes.

Mr. BAILEY. I yield two minutes to the gentleman from Ohio [Mr. LENTZ].

Mr. LENTZ. Mr. Speaker, it seems to me that if we are sincere, the gentleman from Illinois will permit these words to be added to the resolution which he offers. I ask that they be taken to the Clerk's desk and there read.

The Clerk read as follows:

And the independence of Cuba is hereby immediately recognized by virtue of the passage hereof.

Mr. LENTZ. I want to say, Mr. Speaker, that last fall Corporal

Tanner said in my presence, in addressing the Union Veteran Legion, that Spain accorded belligerent rights to the Southern States within thirty days after they fired on Sumter. It seems to me, two years after the adoption of the St. Louis plank on the Cuban question by the Republican party, it is high time that we retaliate by adding this declaration to this resolution and show by our acts as well as our words that we are in sympathy with Cuba in her struggle for freedom. Every patriotic gentleman on that side of the House must be absolutely wanting in any reason or excuse for preventing that declaration in behalf of Cuban independence to be added to this legislation. I therefore request that we have the consent of the gentleman from Illinois that these words be added.

Mr. BAILEY. Mr. Speaker, I now yield two minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have just heard the amendment offered by the gentleman from Ohio [Mr. LENTZ]. I wished to take the floor merely for the purpose of saying that I think it is inopportune right now to urge that amendment. I believe that when we move as Democrats or as citizens we ought to move in phalanx, in line. As a party we have already offered a similar amendment. We have indicated the position of this side of the House clearly to the country, and I do not think it necessary that that position should be emphasized just at this moment and in this way any further; and I think, further, the emphasis of it to-day and in this way would do more harm in the way of division than good in the way of expression of opinion.

One word more, Mr. Speaker. I agree with what has been said by the gentleman from Texas [Mr. BAILEY]. When this motion comes up we will vote upon it not as Republicans, not as Democrats, but it is well enough for the country to understand that while we are in favor of all authority possible under the Constitution being given to the President as Commandant in Chief in times of war, we are not willing to invest him with the power of dictatorship in times of peace. But upon the understanding that this is an emergency war measure, we shall treat it, I hope, as such, and not as a mere peace measure, and consequently vote for it.

Mr. MADDOX. Mr. Speaker, I desire to say in behalf of myself——

Mr. JOHNSON of Indiana. I rise to a point of order. There is too much disorder in this Chamber, and we can not hear.

The SPEAKER. The Chair thinks the point of order well taken. Will gentlemen have the kindness to take their seats?

Mr. MADDOX. Mr. Speaker, I desire to say that I speak for myself alone. I regret to differ with my friend from Texas, but I favor this resolution. I believe the statute ought to be amended as set forth in the resolution.

The idea of our seacoast cities being exposed to destruction, and that we must go into a court of equity to get a title to property before we can erect forts and fortifications to protect that city or seaport, as the case may be, seems to me to be absolutely ridiculous and absurd, and I think it ought to receive the unanimous vote of this House.

Mr. Speaker, we are promised that we are to have a message from the President outlining his policy in regard to our relations with Spain or declaration of war, perhaps. Now, you gentlemen on that side of the House upon whom devolves the responsibility for this war, if we are to have war—I want you, for the satisfaction of my constituents and the country, to make out your indictment under the international law that controls civilized nations and support it by proof showing wherein there is cause for war with Spain. And I want you to go further and show that there is no other honorable method by which our differences can be adjusted without resort to arms.

Mr. JOHNSON of Indiana. Mr. Speaker, I heartily agree with the sentiments of the gentleman from Georgia, but I want to correct one statement. The responsibility rests on no side of this Chamber. It rests on every individual Representative on this floor.

Mr. MADDOX. Mr. Speaker, I thought that way until within the last two or three days. [Laughter.] I had supposed that when you proposed to enlist soldiers——

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. MADDOX. I wish I could have a few minutes more time.

Mr. BAILEY. Mr. Speaker, how much time have I remaining?

The SPEAKER. Three minutes.

Mr. McRAE. I ask the gentleman from Illinois [Mr. CANNON] whether he can not yield some time to the gentleman from Georgia [Mr. MADDOX]?

Mr. CANNON. I will yield the gentleman from Georgia a few minutes of my time.

Mr. MADDOX. Mr. Speaker, I have said that in rising here this morning I spoke for myself. I speak as an American citizen, as a representative of the United States, not as a representative of any party or any section, when it comes to war. [Applause.] We can disagree on questions in regard to domestic policy or economic issues, but when we are to have war with a foreign country, then we should lay aside party and act as representatives of the United States, not members of any party. When any man is asked to enlist and fight the battles of his country if we should have war, I do not suppose the question will be put to him whether he is a Democrat or Republican.

When the expenses of this war are to be paid, I do not suppose that the tax collector will ask the question whether the taxpayer is a Republican or a Democrat. War, if we have it, will be a war of the United States—a war in which we shall all be interested. But I say some remarks which have been made on the other side of the House within the last few days would lead us to believe that the war we may have is to be a Republican war. And for that reason I have asked that when you make out your indictment against Spain, you make it out specifically; stating exactly what the causes are that you are going to fight about, and support them with evidence showing that they really exist, so that the country may understand the case exactly.

Up to this time, so far as I am individually concerned, I know nothing in regard to this "emergency" except what everybody else in the United States knows; and that is what we get from the newspapers. I do not know that we have any cause for war. I do not know that there are any differences with Spain that can not be settled peaceably. If they can be, they certainly ought to be. [Applause.] We should not engage in any war unless it is a just war—a war in which the people will sustain Congress and the Administration in bringing it about. [Applause.] And every Representative on this floor has the responsibility resting upon him in the event that war is declared.

I do not forget, Mr. Speaker and gentlemen of the House, the late war. I have heard my comrades of that war, men of more mature age, when they were at rest, censure the Congress that brought on the last war and cite the fact that most of the men composing that body were in hiding places and in bombproof positions when the real conflict came on.

I want to call your attention to this fact, gentlemen, that when we come to decide this question every member on this floor ought to decide it intelligently and for himself. The question with each of us should be, Is this a cause that I am willing to fight for? This is the question which every man of us should decide before we give our consent to declare war. [Applause.]

And you should not forget in this matter that we act for the nation and not for the advantage of any party. There has been a great deal said on this floor and at the other end of the Capitol about the cruel manner in which the war is being prosecuted by the Spaniards against the insurgents in Cuba. It must not be forgotten that Cuba is a Spanish province and has belonged to Spain since the discovery of America; that they have a greater right to subdue rebellion in that island than the United States had to force the Confederate States back into the Union; and whilst I do not approve the methods adopted by General Weyler in attempting to suppress the insurgents in Cuba, and heartily join with many gentlemen on this floor in condemning the brutal practices resorted to by him, and I sincerely sympathize with the unfortunate Cubans who have been herded together in the fortified cities of that island like cattle and allowed to starve for the want of shelter and food, is that a cause for war? If it is, it no longer exists. The Spanish Government has repealed the Weyler order and the reconcentrados are allowed to return to their places of abode, and the Spanish Government has appropriated $600,000 to feed these people and enable them to build up their homes.

Sympathy for others will not justify us in hazarding the lives of thousands of American citizens and plunging this country into war. Gentlemen who are crying aloud for war on account of the cruelties practiced by the Spanish on the peaceable citizens of Cuba would do well to read the history of their own country, and especially that of the late civil war, and you will find out that other people as well as the Spaniards have resorted to methods to accomplish their purposes when their passions were aroused that were not at all creditable to a civilized nation.

Mr. Speaker, if we have a cause for war, according to my limited knowledge of the facts, it is in the destruction of the battle ship *Maine* and the killing of our marines; but has that matter progressed to that point that we would be justified in declaring war? Our own commission does not justify this conclusion. They find that our ship was destroyed by external agencies, but can not fix the responsibility on any person for the act.

The Spanish commission decides that explosion was internal; that the ship was not destroyed by them. They disavow all connection with it and ask that the matter be arbitrated. If this ship was destroyed by some person or persons not connected with the Government, and it is shown that the Government of Spain was not connected, either directly or indirectly, with its destruction nor had any knowledge of the affair, no gentleman can or will contend that that will justify war upon our part. Under these circumstances we can only contend for indemnity.

But, Mr. Speaker, if after we have fully investigated the matter and we find that the Spanish Government is responsible for this act, then nothing but the blood of Spaniards can atone for the insult to our flag and the murder of our marines. And I would favor a war that would not cease until the Spanish flag was driven from the face of the earth. Any government or nation that would be guilty of such an act should not be allowed to exist in the world; and I repeat again, if we have any cause for war, it is based upon the destruction of our battle ship and the murder of our marines, and that is not a mere incident to the real issue, as some contend. But we should be sure we are right and that our cause is just before we turn loose the dogs of war.

It will not be out of place to take into consideration our condition financially and otherwise while we are talking about war. This country is not in a prosperous condition, and no man with a due regard for the truth can say so. We owe over a billion dollars growing out of the late civil war. We are burdened with an enormous pension debt, the result of that war. Our national income is not equal to our expenses, and we are creating a large deficit. We have not a dollar in the Treasury except that derived from the sale of bonds.

The Supreme Court has decided that we can not tax the incomes of the rich. Down in my own section we have indeed a hard burden to bear. We not only have to pay our portion of the national indebtedness, help pay the pension debt, and get nothing in return, but we have to submit to the manufacturer's tax levied indirectly by the tariff laws, and products bring but little, if any, net results, owing to what we believe to be the contraction of the currency and the adoption of the single gold standard. We have not been able as yet to restore our own country to what it was before it was devastated during the late civil war.

We are burdened with State, county, and municipal taxes. Our coasts are unprotected. In addition to this, we are obliged to consider the horrors of war in all its forms. Are we ready to call out the flower of our youth and plunge them into war? We must know that we have a just cause for a war before we become involved in all of its terrible details. Let every man understand that the responsibility is on him, and I apply the rule I have suggested. Is it a cause that I am willing to fight for myself? If it is, you can afford to vote for war.

Mr. Speaker, I do not want to be misunderstood. I am opposed to war if we can avoid it honorably, but when we have been fully informed as to all matters relating to our trouble with Spain, and it is necessary to fight to maintain the honor and integrity of our common country, I will not fail to do my duty, and no section of the country can or will, according to numbers, furnish more troops to sustain the nation in its hour of peril and none will bear with more fortitude the hardships of war and none will give a better account of themselves on the field of battle, than mine.

Mr. BAILEY. I yield to the gentleman from Massachusetts [Mr. FITZGERALD].

Mr. FITZGERALD. I regret exceedingly to differ with the distinguished Democratic member from California regarding this resolution. I certainly have sufficient confidence in the present Administration to give them all the authority suggested in this bill. I do not think that any member of this House will deny that we should be prepared in every way for war before hostilities are actually declared, and as this act merely gives the President power to order the immediate erection of any temporary fort or fortification in case of an emergency, I think it should receive the vote of every member of this House.

I called at the War Department this morning regarding the question of search-lights for Boston Harbor, so that in defense of that port the officers in charge might be enabled to distinguish at sight any hostile torpedo boat or other craft that might wish to attack our city. The officer in charge said they were doing the best they could; that Congress had delayed until the last moment, and now everything had to be rushed, and that the responsibility, if any came, for our seacoast defense not being in proper shape, did not rest with the War Department, but rather with Congress for not appropriating the funds sooner.

Since I have been a member of this House I have steadily pursued a course that would call for wise and liberal appropriation for our Navy and coast defenses, and I advocate that policy still. I can not see how any member of this House can vote to let this matter drop until hostilities have actually begun, because we may be too late. Act now, gentlemen. Let there be no delay, so that when the time does come, we can face the American people with the record of duty well done and faithfully performed. [Loud applause.]

Mr. BAILEY. Mr. Speaker, I desire simply to say in closing that my purpose was to see whether gentlemen on the other side would venture any information to those on this side which would justify us in the belief that an emergency does exist. I desire to call the attention of the House and of the country, if the country will hear what I have to say, to the fact that on last Thursday the gentleman from Ohio [Mr. GROSVENOR] notified us that this question was going to be settled by the Republican party, and settled right.

Mr. GROSVENOR. The gentleman does not want to misinterpret my language. What I said was that we would settle this question with the help of the Democratic party. I meant that portion of the Democratic party that puts country above a temporary effort at party advantage or success.

Mr. BAILEY. There is no part of the Democratic party which does not do that, I will say to the gentleman from Ohio; and we will prove it to-day by the fact that notwithstanding you refuse to inform us as to the necessity for the adoption of this resolution, we are going to vote for it in the belief that there may be an emergency that you will be compelled to meet against your will. [Applause on the Democratic side.]

Mr. CANNON resumed the floor.

Mr. DOCKERY. Will the gentleman allow me to make simply one statement—that this joint resolution is, as I understand, reported unanimously by the Committee on Appropriations?

Mr. CANNON. It is reported from the committee. Now, I want to make just two observations, then I will yield to one or two gentlemen, and then ask a vote.

Mr. Speaker, there is a time for speech and a time for silence. There is a time for action. What is this resolution?

To permanently change the law as it ought to have always been, and give to the President in times of emergency, at his discretion, power, under the written consent of the owner of the land, without waiting for a cession of jurisdiction on the part of the legislature, or waiting for a perfect abstract of title, to build temporary forts or fortifications. What for? Take the harbor of New York, or a harbor of our Southern ports, anywhere on our 10,000 miles of seacoast, that the President may make a temporary fortification, and that moneys that may be available for the public defense may be so used. That is all there is in the resolution. It is proposed permanently, forever and a day, to make it a permanent law, unless this or some other Congress shall change the law or repeal it.

Mr. BAILEY. Will the gentleman say to the House just what is intended and whether this proposition is designed to meet a present emergency?

Mr. CANNON. The "gentleman from Illinois" will give the ground for the opinion he entertains.

A MEMBER. That is an excellent answer.

Mr. CANNON. And I will not have to get away, in giving that answer, from what is the fact.

Mr. UNDERWOOD. Will the gentleman from Illinois, before he leaves this question, state the substance of the proposition which he now submits to the House?

Mr. CANNON. I have done so twice, but I will do so again for the information of the House.

Unless, Mr. Speaker, the statute is changed there can be no fortification erected on points of land necessary for the public defense now owned by private persons until the Government obtains a perfect title, and until the legislature of the State having jurisdiction shall have been assembled and has taken action in the premises.

Now, we know that this will take from six months to twelve months, or even five years. There is no knowing how long it may take.

Mr. UNDERWOOD. Does the gentleman from Illinois mean to say that they can not, in time of war, take such steps as are contemplated in this resolution? This, as I understand, is a war measure.

Mr. CANNON. It can not be done in time to meet hostilities which may be forced upon us at any moment; and I think, with all due respect to the gentleman from Texas, who seems to be departing from his usual good judgment for the purpose of posturing, and taking a position on this question, it seems to me that he could well have agreed at this time to meet an occasion which might arise, before we are actually called on to take steps which may be necessary under the conditions which confront us.

I am talking business now, and the gentleman from Texas is simply posturing before the galleries and the country. I want action to properly defend the country in case of war.

Mr. UNDERWOOD. I would like to ask the gentleman from Illinois if the conference committee on the fortification appropriation bill is not resisting the increase made by the Senate on that bill for the construction of new fortifications even at this very time?

Mr. CANNON. Oh, Mr. Speaker, the gentleman is trying to fight a man of straw. The President of the United States has authorized to be spent seven and a half millions to perfect the fortifications, under the emergency appropriation heretofore made, and can expend $20,000,000 more if necessary. The gentleman, like a cuttlefish, is trying to muddy the water so as to obscure the real issue.

Mr. UNDERWOOD. Not at all. I am merely stating facts which are matters of record.

Mr. CANNON. Now, Mr. Speaker, I do not desire further to proceed with this matter. I yield to the gentleman from Texas [Mr. SAYERS] such time as he may want.

Mr. SAYERS. Mr. Speaker, the resolution reported from the Appropriations Committee has the approval of every member of that committee. A few days ago this House unanimously voted to place $50,000,000 in the hands of the President for the purpose of taking such steps as in his judgment might be necessary to provide for the defense of the country wherever necessary. A portion of this money is to be used along our seaboard for fortification purposes.

As has been said by the gentleman from Illinois, the War Department is prevented by law from erecting fortifications on any site unless the legislature of the State in which the site is located has previously granted jurisdiction to the General Government and the title to the site selected has been approved by the Department of Justice. To obtain the consent of the legislature as to jurisdiction and to examine and approve titles will require a much longer time than the exigency of the situation will permit.

Now, the President is the Commander in Chief of the armies of the United States. He is charged with the defense of the country, and in my judgment there ought not to be the slightest objection, under the present emergency, to the passage of this resolution. And I desire to say here and now, and once for all, that pending this crisis, in whatever may be necessary to put the country in a state of complete defense, and in whatever may be necessary to protect the honor and to enforce the duty of this Government, I stand ready to assist by my voice and by my vote. I believe that the resolution should receive the hearty and unanimous indorsement of every gentleman on this side of the Chamber. [Applause.]

Mr. BAILEY. Mr. Speaker, I want to say that I do not consider it fair for the gentleman from Illinois to have left me under the impression that he did not intend to use his time, and then, after we had used all ours, undertake to use the balance and make the vicious attack upon me which he did a minute ago, and which I intend to answer before this day is over.

Mr. CANNON. I will say to the gentleman that I gave him no understanding that I would not use a part or all my time.

Mr. BAILEY. When I concluded my statement you indicated that. I ask for the reporter's notes.

Mr. CANNON. The notes will not show that, and I have the right to use the time. Now, I am giving the time to the gentleman's side of the House. So far as making any personal attack upon the gentleman from Texas is concerned, I have had no desire to do so, and if under the condition existing I did so, I desire to withdraw any personal attack that I have made. I only aimed to criticise the gentleman's public utterances and his position on this bill, and this bill only. Now I will yield to the gentleman from Missouri [Mr. DOCKERY].

The SPEAKER. The gentleman from Missouri [Mr. DOCKERY] is recognized.

Mr. DOCKERY. Mr. Speaker, I desire only a moment. Whatever may be the outcome of the present emergency, I intend, so far as my vote is concerned, that Congress shall be acquitted of responsibility. If just and proper criticism shall be made by the people, our votes should be so cast as to fix responsibility elsewhere. I supported the joint resolution now pending in committee, and I support it now, because its provisions may be availed of in the present crisis, and because I believe with the gentleman from Illinois [Mr. CANNON] that it should find a place in our permanent statute.

During the last ten years Congress has appropriated, in the regular bills, nearly $40,000,000 for fortifications, their armament, submarine mines, and torpedoes. A large part of the $50,000,000 appropriated recently as a war measure for the national defense has been allotted for fortification purposes, and this bill very properly supplements that appropriation by enabling the President, in the language of the joint resolution, to secure sites for "temporary forts" upon obtaining the written consent of the owners of land. The President, Mr. Speaker, in my judgment, should have the power granted by the resolution for emergent purposes as the emergencies may arise, both now and for the future.

Mr. Speaker, I do not know what the action of the Executive may be in respect to the present situation, but, speaking for myself only, I may say that I do not look to Spain for relief from the horrors of starvation and pestilence which now afflict the Cubans. I do not expect the so-called "honor" of the Spanish Government to avenge the officers and seamen of the *Maine* who died in the harbor of Havana. As an American citizen, so far as my vote can influence results, it will be cast in support of all appropriate measures to put this country in proper condition for offensive and defensive operations, hoping, at the same time, that peace may come, but only upon terms honorable to the people of the United States.

Mr. CANNON. Mr. Speaker, is my time exhausted?

The SPEAKER. The gentleman has one minute left.

Mr. CANNON. I will say that, although I have agreed to yield to others, I will cancel that, and if the gentleman from Texas thinks I attacked him personally, I am sorry that I have not more time to yield to him; but I will yield him that minute, which is all I have got.

Mr. BAILEY. No; I do not choose to take that. It will take more than a minute to make the reply that I desire to make.

Mr. CANNON. All right; I will yield the minute to the gentleman from Iowa, if he is here. Otherwise, I will ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from Illinois [Mr. CANNON] that the House suspend its rules and pass the joint resolution which has been reported.

The question was taken; and two-thirds voting in the affirmative, the rules were suspended and the joint resolution was passed.

ARMY REORGANIZATION.

Mr. HULL. Mr. Speaker, I move to suspend the rules and adopt the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa moves to suspend the rules and adopt the resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That the rules be suspended and the bill (H. R. 9253) for the better organization of the Army be considered with forty minutes debate at the conclusion of the vote to be taken on amendments reported from the committee and then the bill to final passage.

Mr. DOCKERY. I ask for a second on that.

Mr. SAYERS. I trust the gentleman will not bring that before the House.

Mr. HULL. I will withdraw the resolution and move to suspend the rules. A second will give the forty minutes.

Mr. SAYERS. Oh, that ought not to pass.

The SPEAKER. As the Chair understands the gentleman from Iowa, he withdraws his motion and moves to suspend the rules and pass the bill.

Mr. HULL. I move to suspend the rules and pass the bill. If a second is demanded, it will give us forty minutes' debate upon the bill, with the amendments reported by the committee.

Mr. BAILEY. There was a motion which the gentleman from Iowa submitted, was there not, to suspend the rules?

The SPEAKER. The first motion was for the consideration of the bill, and he withdrew that.

Mr. BAILEY. That requires unanimous consent.

The SPEAKER. The Chair thinks not.

Mr. BAILEY. Does the Chair think this was a privileged report from the committee?

Mr. HULL. It does not require unanimous consent to suspend the rules.

Mr. BAILEY. I understand, but the first motion——

The SPEAKER. The first motion was a motion by the gentleman from Iowa individually.

Mr. BAILEY. But it was not a motion to suspend the rules——

The SPEAKER. It was a motion to suspend the rules, but that is withdrawn.

Mr. BAILEY. And now he makes another motion to suspend the rules.

The SPEAKER. He makes the motion which is before the House.

Mr. BAILEY. He made two motions to suspend the rules.

The SPEAKER. This is that the rules be suspended and the bill passed as amended.

Mr. BAILEY. On that I demand a second.

The SPEAKER. A second is demanded.

Mr. SAYERS. Mr. Speaker, this is a very important bill, and I think that more than twenty minutes should be allowed for debate on either side. I think we ought to have at least two hours of debate on each side.

Mr. HULL. Mr. Speaker, I am perfectly willing——

The SPEAKER. If the House would please be in order, it would be easier to come to an understanding.

Mr. HULL. Mr. Speaker, I am perfectly willing, if I can get unanimous consent, to have a more extended debate, and to open the bill for amendments. I am perfectly willing, but inasmuch as we can not get unanimous consent, I have no other way left than to move to suspend the rules.

The SPEAKER. One moment. Let the House please be in order first. The gentleman from Texas desires——

Mr. HAY. I would like to hear what is said.

The SPEAKER. If the gentleman from Texas will address the Chair, and speak so that the Chair can hear, perhaps members may hear.

Mr. SAYERS. Mr. Speaker, I ask if the gentleman from Iowa who has charge of the bill will agree that we may have debate of two hours a side upon it, for the reason that this is a most important measure, and, in my judgment, ought not to pass without proper consideration.

Mr. SULZER. I trust the gentleman from Iowa will agree to that. Is is a very fair proposition.

Mr. HULL. "The gentleman from Iowa" is perfectly willing to agree that the bill may have two hours' debate, one on each side.

Mr. SULZER. Two hours on each side.

Mr. HULL. If we could arrive at unanimous consent to take it up on a day and consider the bill, it would be perfectly satisfactory to me.

Mr. SAYERS. That would be satisfactory.

Mr. McMILLIN. I hope that will be agreed to. There ought to be an opportunity for consideration on a particular day.

Mr. HULL. I ask unanimous consent that the bill be taken up for consideration immediately after the reading of the Journal on Wednesday next.

Mr. BAILEY. I supposed we were going to have a message from the President on Wednesday.

Mr. HULL. I have not finished my statement.

Mr. BAILEY (continuing). Suppose you make it Thursday or Friday.

Mr. HULL. I was not through.

The SPEAKER. Will gentlemen please be in order?

Mr. HULL. I hope the gentleman from Texas will wait a minute until I get through. [Continuing.] And that in the event that a message shall be received from the President at that time, that it shall give way to that, and that we take it up immediately after the consideration of the message.

Mr. ADAMS. I would offer the further suggestion that it should not interfere with any report from the Committee on Foreign Affairs.

Mr. COLSON. I thought the Committee on Foreign Affairs were to report to-day.

Mr. COX. I would like to ask the chairman of the committee one question in regard to this matter. As I understand, your proposition is this: That the bill go over until Wednesday, with two hours' debate; but if a message comes from the President, then the bill goes over until it is disposed of, and then we have two hours on each side?

Mr. SAYERS. Two hours on each side.

Mr. COX. I do not care anything about the time.

Mr. HULL. My proposition does not limit it to two hours; but it is that it shall be taken up and considered in the House as in Committee of the Whole.

Mr. MARSH. I understand the proposition of the gentleman from Iowa includes the right to offer amendments.

Mr. WILLIAMS of Mississippi. If I can have the attention of the gentleman from Iowa——

Mr. JOHNSON of Indiana (to Mr. HULL). Nobody can hear what you say.

Mr. WILLIAMS of Mississippi. It is possible that the Foreign Affairs Committee of the House may have something to bring in upon Wednesday. Can you not add that?

Mr. SULZER. We ought to hear from them to-day.

Mr. HULL. If this matter is to be taken up at that time, it is not to interfere with any report from the Committee on Foreign Affairs or messages from the President.

Mr. SIMPSON. If the gentleman will allow me a question, it is this: Do you not think it is of enough importance that this bill be passed that the President can be induced to withhold his message for another day? [Laughter on the Democratic side.]

Mr. HULL. We will let the President decide that question.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill H. R. 9253 shall be in order after the reading of the Journal on Wednesday morning. Is there objection?

Mr. HANDY. I object.

Mr. HULL. Then I ask for a vote on my motion to suspend the rules and pass the bill.

Mr. JOHNSON of Indiana. I hope the gentleman will not insist upon that.

Mr. SULZER. I ask for order, Mr. Speaker.

The SPEAKER. If gentlemen will take their seats and cease conversation, there will be something like order.

Mr. HAY. Mr. Speaker, I desire to say that this bill comes from the Committee on Military Affairs by a unanimous report entirely; that there is no dispute nor any disposition in the committee on either side to oppose this bill. It is a very simple bill, one which can be very easily understood; and in my humble judgment a debate of twenty minutes on each side is amply sufficient for this House to be put in full possession of the entire purpose and arrangement of this bill. It deals only with the infantry arm of the Army. It does not touch the cavalry or artillery. Therefore I hope that unanimous consent may be granted that this bill may be debated at this time and disposed of. It is just as much an emergency bill as any other bill that has been presented; it is just as necessary that it should be passed, and passed soon, as any other bill, and therefore I trust that gentlemen——

Mr. MAGUIRE. Is not this a bill increasing the standing Army to 100,000 men?

Mr. HAY. Only in time of war. This bill does not increase the standing Army in time of peace at all; only in time of war.

Mr. McCLELLAN. And then only after Congress has officially declared war or that a state of war exists.

Mr. HAY. Yes. Under the bill the Army can not be increased in time of war until a declaration has been made by Congress of war or that a state of war exists.

Mr. COX. Mr. Speaker, I am perfectly satisfied in my mind that a misconception of this bill has been thrust into this House. There is but one section of this bill that touches the Army in time of peace. The war part of the bill——

Mr. SULZER. Mr. Speaker, I ask for order.

The SPEAKER. The Chair would be glad to grant the gentleman's request, but it can not be done without unanimous consent. [Laughter.] If gentlemen will have the kindness to cease conversation and regard public business as of more value than their conversation, we could manage to have quiet enough to know what is going on. Will gentleman have the kindness for just a few minutes to remain quiet?

Mr. HULL. A parliamentary inquiry, Mr. Speaker. Was a second considered as ordered?

The SPEAKER. The second was not considered as ordered. The discussion is going on by unanimous consent in order to arrive at some agreement, if the House desires so to do. If not, the gentleman from Iowa has a right to ask for a vote.

Mr. SHAFROTH. Mr. Speaker, I ask unanimous consent again that the time for the consideration of this bill be set for next Wednesday morning immediately after the reading of the Journal.

Mr. COX. Mr. Speaker, I was recognized by the Speaker and I do not propose that the gentleman from Colorado [Mr. SHAFROTH] shall introduce his point here at this particular time. [Laughter.] If I am recognized, I will proceed.

The SPEAKER. The gentleman is only recognized under consent of the House.

Mr. COX. Well, if anybody objects, all right.

Mr. SAYERS. If I can get two minutes, I am perfectly willing that the gentleman from Tennessee shall speak in behalf of this bill.

Mr. COX. I do not propose to buy my time of the gentleman from Texas; if he objects, let him object.

Mr. SAYERS. I will object, then, Mr. Speaker.

Mr. COX. Very well; the gentleman will regret it.

Mr. WALKER of Massachusetts. Mr. Speaker, I understood that to-day was set aside for members to move suspension of the rules in relation to private bills, and I think that takes precedence.

The SPEAKER. No; the gentleman from Iowa [Mr. HULL] has made a motion and a second has been demanded.

Mr. PAYNE. Mr. Speaker, has the bill been read?

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the peace organization of each regiment of infantry now in service shall embrace 1 colonel, 1 lieutenant-colonel, 2 majors, 10 captains, 12 first lieutenants, 10 second lieutenants, 1 sergeant-major, 1 quartermaster-sergeant, 1 chief musician, 2 principal musicians, 2 battalions of four companies each, and 2 skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops.

SEC. 2. That in time of war the President, in his discretion, may establish a third battalion for each infantry regiment, consisting of four companies, to be supplied by manning the two skeleton companies, and by organizing two additional companies. The vacancies of commissioned officers in the additional companies shall be filled by promotions by seniority in the infantry arm, and by appointments in accordance with existing law.

SEC. 3. That in time of war the enlisted strength of a company, troop, and battery, respectively, may, in the discretion of the President, be increased to comprise not exceeding:

For each company of infantry: One first sergeant, 1 commissary-sergeant, 10 sergeants, 10 corporals, 3 musicians, 3 artificers, 2 wagoners, 220 privates; total enlisted, 250.

For each troop of cavalry: One first sergeant, 1 quartermaster-sergeant, 6 sergeants, 8 corporals, 2 farriers and blacksmiths, 2 trumpeters, 1 saddler, 1 wagoner, 78 privates; total enlisted, 100.

For each battery of heavy artillery: One first sergeant, 1 commissary-sergeant, 22 sergeants, 10 corporals, 2 musicians, 2 artificers, 1 wagoner, 161 privates; total enlisted, 200.

For each battery of field artillery: One first sergeant, 1 quartermaster-sergeant, 1 veterinary sergeant, 6 sergeants, 15 corporals, 2 farriers, 2 artificers, 1 saddler, 2 musicians, 1 wagoner, 141 privates; total enlisted, 173.

For each company of engineers: One first sergeant, 10 sergeants, 10 corporals, 2 musicians, 84 first-class privates, 63 second-class privates; total enlisted, 150.

The quartermaster, commissary, and veterinary sergeants provided for in this section shall have the pay and allowances of sergeants of their respective arms.

SEC. 4. That when recruited to their war strength, the President may add one second lieutenant to each troop of cavalry and company of infantry, and one first lieutenant and one second lieutenant to each battery of artillery; such officers to be filled by promotions by seniority in their respective arms of the service and by appointments as prescribed by existing law.

SEC. 5. That to facilitate the recruitment to their war strength of troops, batteries, and companies, the President, in his discretion, may, in time of war, authorize each or any regiment of the Army to draw its recruits from such

State or States as may be designated by him; the recruits thus obtained to be credited as a part of the quota of troops called for by the United States from any State so designated.

SEC. 6. That in time of war the President shall cause the batteries of artillery authorized by law to be organized as heavy or field artillery, as in his judgment the exigencies of the service may require.

SEC. 7. That in time of war the pay proper of enlisted men actually serving in commands operating against an enemy shall be increased 20 per cent over and above the rates of pay as fixed by law: *Provided*, That in war time no additional increased compensation shall be allowed to soldiers performing what is known as extra or special duty: *Provided further*, That any soldier who deserts shall, besides incurring the penalties now attaching to the crime of desertion, forfeit all right to pension which he might otherwise have acquired: *And provided also*, That no bounty or money gratuity shall be paid by State or local authorities to a soldier as an inducement to enlist in the United States military service.

SEC. 8. That whenever the strength of a company of infantry, as established by the President, shall exceed 150 enlisted men, the captain or other officer commanding it shall be mounted, and be entitled to the pay and allowances of a mounted officer of his grade.

SEC. 9. That in time of war every officer serving with troops operating against an enemy, who shall exercise, under assignment in orders issued by competent authority, a command above that pertaining to his grade, shall be entitled to receive the pay and allowances of the grade appropriate to the command so exercised: *Provided*, That a rate of pay exceeding that of a brigadier-general shall not be paid in any case by reason of such assignment.

Mr. HULL. Now, Mr. Speaker, I ask that the bill be read as it will be when amended.

The SPEAKER. The gentleman from Iowa [Mr. HULL] moves that the rules be suspended and the bill be passed as it will be when amended as recommended by the committee. The Clerk will read the bill as it will be if the amendments of the committee are adopted.

The Clerk read as follows:

[Omit the part in brackets and insert the part printed in italics.]

A bill for the better organization of the line of the Army of the United States.

Be it enacted, etc., That hereafter the peace organization of each regiment of infantry now in service shall embrace 1 colonel, 1 lieutenant-colonel, 2 majors, 10 captains, 12 first lieutenants, 10 second lieutenants, 1 sergeant-major, 1 quartermaster-sergeant, 1 chief musician, 2 principal musicians, 2 battalions of 4 companies each, and 2 skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops: *And provided further, That the vacancies in the grade of major, created by this section, shall be filled by promotion according to seniority in the infantry arm.*

SEC. 2. That [in time of war] *upon a declaration of war by Congress, or a declaration by Congress that war exists*, the President, in his discretion, may establish a third battalion for each infantry regiment, consisting of four companies, to be supplied by manning the two skeleton companies and by organizing two additional companies. The vacancies of commissioned officers in the additional companies shall be filled by promotions by seniority in the infantry arm and by appointments in accordance with existing law.

SEC. 3. That [in time of war] *upon a declaration of war by Congress, or a declaration of Congress that war exists*, the enlisted strength of a company, troop, and battery, respectively, may, in the discretion of the President, be increased to comprise not exceeding:

For each company of infantry: One first sergeant, one commissary-sergeant, [ten] *twelve* sergeants, [ten] *twelve* corporals, three musicians, three artificers, two wagoners, two hundred and [twenty] *sixteen* privates; total enlisted, 250.

For each troop of cavalry: One first sergeant, 1 quartermaster-sergeant, 6 sergeants, 8 corporals, 2 farriers and blacksmiths, 2 trumpeters, 1 saddler, 1 wagoner, 78 privates; total enlisted, 100.

For each battery of heavy artillery: One first sergeant, 1 commissary-sergeant, 22 sergeants, 10 corporals, 2 musicians, 2 artificers, 1 wagoner, 161 privates; total enlisted, 200.

For each battery of field artillery: One first sergeant, 1 quartermaster-sergeant, 1 veterinary sergeant, 6 sergeants, 15 corporals, 2 farriers, 2 artificers, 1 saddler, 2 musicians, 1 wagoner, 141 privates; total enlisted, 173.

For each company of engineers: One first sergeant, 10 sergeants, 10 corporals, 2 musicians, 64 first-class privates, 63 second class privates; total enlisted, 150.

The quartermaster, commissary, and veterinary sergeants provided for in this section shall have the pay and allowances of sergeants of their respective arms.

SEC. 4. That when recruited to their war strength, the President may add one second lieutenant to each troop of cavalry and company of infantry, and one first lieutenant and one second lieutenant to each battery of artillery; such offices to be filled by promotions by seniority in the respective arms of the service and by appointments as prescribed by existing law.

SEC. 5. That to facilitate the recruitment to their war strength of troops, batteries, and companies, the President, in his discretion, may [in time of war] authorize each or any regiment of the Army to draw its recruits from such State or States as may be designated by him: *Provided, That each State or Territory, including the District of Columbia, shall first be allotted its proportional quota of such recruits;* the recruits thus obtained to be credited as a part of the quota of troops called for by the United States from any State so designated.

SEC. 6. That in time of war the President shall cause the batteries of artillery authorized by law to be organized as heavy or field artillery, as in his judgment the exigencies of the service may require.

SEC. 7. That in time of war the pay proper of enlisted men [actually serving in commands operating against an enemy] shall be increased 20 per cent over and above the rates of pay as fixed by law: *Provided*, That in war time no additional increased compensation shall be allowed to soldiers performing what is known as extra or special duty: *Provided further*, That any soldier who deserts shall, besides incurring the penalties now attaching to the crime of desertion, forfeit all right to pension which he might otherwise have acquired: *And provided also*, That no bounty or money gratuity shall be paid by State or local authorities to a soldier as an inducement to enlist in the United States military service *under the provisions of this act*.

SEC. 8. That whenever the strength of a company of infantry, as established by the President, shall exceed 150 enlisted men, the captain or other officer commanding it shall be mounted, and be entitled to the pay and allowances of a mounted officer of his grade.

SEC. 9. That in time of war every officer serving with troops operating against an enemy, who shall exercise, under assignment in orders issued by competent authority, a command above that pertaining to his grade, shall be entitled to receive the pay and allowances of the grade appropriate to the command so exercised: *Provided*, That a rate of pay exceeding that of a brigadier-general shall not be paid in any case by reason of such assignment: *Provided further, That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer or absorption, through promotion, of supernumerary officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing an increase of the enlisted force of the Regular Army beyond that now provided by law.*

Mr. BAILEY. Mr. Speaker, I will ask the gentleman from Iowa [Mr. HULL] to repeat his request to make this a special order for Wednesday next, not to interfere with any reports from the Committee on Foreign Affairs.

Mr. HULL. Very well, Mr. Speaker, I renew the request.

Mr. SULZER. I hope there will be no objection.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill be taken up as a special order after the reading of the Journal on Wednesday next.

Mr. BAILEY. Not to interfere with any reports of the Committee on Foreign Affairs.

The SPEAKER. It can not interfere with any report from the Committee on Foreign Affairs.

Mr. BAILEY. We desire to except that, and that was the request of the gentleman from Iowa.

The SPEAKER. The Chair will put it that way, although it is the same thing. The gentleman from Iowa asks unanimous consent that the bill be taken up as a special order on Wednesday next, immediately after the reading of the Journal, not to interfere with any report of the Committee on Foreign Affairs. Is there objection? [After a pause.] The Chair hears none.

CAB SERVICE IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I now ask for the regular order. I first ask consideration for House joint resolution 189.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Resolved, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to locate on the streets or parts of streets adjoining the stations of any railroad company in the District of Columbia a stand for cabs, carriages, and other vehicles for the conveyance of passengers to and from the said railroad stations, said service to be established by the said railroad companies. That the rates of charges for the service to be rendered by the said railroad companies shall not at any time be greater than the rates charged for similar service in the city of New York.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "shall," in line 10, and insert in place thereof the words "be fixed by the Commissioners of the District of Columbia, and that at no time shall the schedule exceed the rates now in force in the city of Washington."

Mr. MOODY. I wish to ask the gentleman from Wisconsin [Mr. BABCOCK] whether this bill has been extensively altered since it was last before the House?

Mr. BABCOCK. It is now an entirely different measure.

Mr. MOODY. Does it give the Pennsylvania Railroad Company any exclusive right?

Mr. BABCOCK. It gives no exclusive right. The measure applies to the depots of both companies. It has been so altered as to meet the objections which were made on the floor.

Mr. MOODY. As well as I could understand the reading, the bill seems to me now entirely unobjectionable.

Mr. BABCOCK. I ask for a vote.

The SPEAKER. The question is on agreeing to the amendment reported by the committee.

Mr. MCEWAN. I think this bill ought to be explained somewhat, so that we may understand its effect.

Mr. BABCOCK. I will ask for the reading of the report.

The report (by Mr. ODELL) was read, as follows:

The Committee on the District of Columbia, to whom was referred House resolution No. 189, authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes, after a careful consideration beg leave to report the same to the House with a recommendation that it do pass with the following amendment:

Strike out all of lines 11 and 12 and insert in lieu thereof the following: "be fixed by the Commissioners of the District of Columbia, and that at no time shall the schedule exceed the rates now in force in the city of Washington."

The resolution herewith recommended avoids the objectionable feature of a bill granting the sole right to the Baltimore and Potomac Railroad, which was laid upon the table. No exclusive rights are conveyed by the resolution herewith reported, and to the Commissioners of the District of Columbia is granted the full authority, both as to the location of such cab stands and the regulations for the services rendered. It will add to the transportation facilities of the city of Washington to a great degree. The service which is proposed to be established under this bill is similar to that now in use in all of the large cities of the country. It may be said, in conclusion, that the measure has the approbation of the District Commissioners.

The question being taken on agreeing to the amendment, it was agreed to.

Mr. MCEWAN addressed the Chair.

The SPEAKER. Does the gentleman from Wisconsin [Mr. BABCOCK] yield?

Mr. BABCOCK. How much time does the gentleman from New Jersey want?

Mr. MCEWAN. Only a few minutes.

Mr. BABCOCK. I yield five minutes.

Mr. McEWAN. Mr. Speaker, it is not with any hope of having this bill defeated that I rise to speak upon it. What I wished to do is to express my sorrow that any bill of this kind should be brought before the House. My objection to it is this: I think all legislation ought to be in such a line as to keep up the greatest number of men who own their own business. I believe, as history tells us—the history of England, the history of France, the history of all countries—that when we have a large number of men who are engaged in business for themselves it is much safer for the durability of the country than when we have a great number of men who are receiving salaries. Hence I deprecate the passage of this bill and of all legislation that looks to diminish the number of men holding and conducting their own business. [Applause on the Democratic side.]

Mr. RICHARDSON. Will the gentleman please state how this bill is obnoxious to any such objection?

Mr. McEWAN. Certainly. The purpose of the bill is to put this transportation service under the control of the railroad companies.

Mr. RICHARDSON. Oh no.

Mr. McEWAN. That is the effect of the measure, whether so declared in the bill or not, because the chairman of the committee has stated on this floor that the service which this bill proposes to establish will be entirely in line with similar service in New York and other large cities. Now, the gentleman knows and I know that in New York City the New York Central Railroad and the Pennsylvania Railroad own and conduct the cab service.

Mr. RICHARDSON. Will not the same number of persons be required, in any event, to drive these carriages?

Mr. McEWAN. Mr. Speaker, all I want to say——

Mr. RICHARDSON. How does this bill take away the occupation of any man?

Mr. McEWAN. I did not use the word "occupation." I am sorry the gentleman did not do me the honor of paying attention to my remarks. There is a principle involved here; the principle that there ought to be in any country a large number of men owning and conducting their own business rather than a large number of wage earners, on the same principle that there ought to be a large number of householders rather than a large number of rent payers.

The question being taken, the joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The SPEAKER was proceeding to put the question on the passage of the bill, when

Mr. FITZGERALD said: Mr. Speaker, I should like to know whether there has been any time limit fixed upon the debate on this bill?

The SPEAKER. The Chair was putting the question on the passage of the bill.

Mr. FITZGERALD. I wish to say something upon the measure, if it is not too late.

The SPEAKER. It is not too late. Does the gentleman from Wisconsin yield?

Mr. BABCOCK. How much time does the gentleman desire?

Mr. FITZGERALD. I do not know.

Mr. McEWAN. Upon what are we about to vote—on the passage of the bill?

The SPEAKER. The question is on the passage of the bill; but both sides of the question had not been taken when the gentleman from Massachusetts [Mr. FITZGERALD] intimated that he desired to address the House.

Mr. BABCOCK. The bill has been read the third time.

Mr. FITZGERALD. I should like to hear the bill read as it stands at present, with the amendment that has been adopted.

The SPEAKER. Without objection, the bill will be again read.

The bill as amended was read.

Mr. TAWNEY. Will the chairman of the committee answer one question?

Mr. FITZGERALD. I think I have the floor.

The SPEAKER. The gentleman from Wisconsin has yielded how much time to the gentleman from Massachusetts?

Mr. BABCOCK. How much time does the gentleman want?

Mr. FITZGERALD. I will yield to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. I want to ask the chairman of the committee one question. What is the necessity for giving to the railroad lines that come into the city of Washington exclusive control of the cab service at the depots or in that vicinity?

Mr. BABCOCK. The bill does nothing of that kind.

Mr. TAWNEY. It so states.

Mr. BABCOCK. It is not exclusive.

I have stated several times heretofore—not in the discussion to-day—but will state again, for the information of gentlemen, that this is a great convenience and saving of expense to passengers coming to and going from these railroad stations in the city of Washington to the several hotels or to other parts of the city. The lowest charge is 15 cents for each passenger. Under the bill these cabs will be required to carry at least two passengers for 15 squares at a cost of 25 cents each. This is a reasonable charge for strangers coming into the city, who will not be subjected to the unjust charges which are sometimes made against them for such cab service. Under this arrangement they can have their baggage taken from the depot to the hotel, and from the hotel to the depot, without any unjust and unreasonable charge being made upon them.

Mr. TAWNEY. But is it not possible, I would ask the gentleman, to accomplish that saving now by limiting the charge to those already engaged in the business, whether it be a service connected with the railroad stations or not?

Mr. BABCOCK. There is an ordinance already in force, I will state to the gentleman, in this city limiting the charges of cabs and fixing the distances on which charges shall be made.

Mr. FITZGERALD. Who made an arrangement of that character? Is that contemplated in the bill? I would like to ask by what authority or under what regulation a specific charge has been fixed for this cab service?

Mr. BABCOCK. There is such a provision already embodied into law, and in the schedule accompanying this bill we have simply adopted the existing law as a part of the bill, instead of putting it in specifically. Gentlemen will see that the bill provides that the Commissioners of the District of Columbia shall be authorized to make a schedule not to exceed that in force now. They are limited in that regard by the existing law.

Mr. WILLIAMS of Mississippi. Is there any limitation fixed by this bill on the space which the Commissioners may grant to the railroads as a cab stand?

Mr. BABCOCK. The control is entirely in the hands of the Commissioners of the District of Columbia.

Mr. WILLIAMS of Mississippi. Does not the gentleman think that it is well to put a limit on the powers of the Commissioners in that regard?

Mr. BABCOCK (continuing). Of course the gentleman understands that there would not be a sufficient number of cabs to occupy 100 feet of the roadway. That would take sixteen or eighteen cabs belonging to one company——

Mr. WILLIAMS of Mississippi. But I understand that this would authorize the Commissioners to exercise the right of fixing the stations. Now, they might fix it, as the former bill provided, to occupy a space of 100 feet on each side of the street. They recommended a bill containing that provision.

Mr. BABCOCK. We assume that the Commissioners will determine that question.

Mr. WILLIAMS of Mississippi (continuing). In passing a bill of this character, of course we can not in determining our own duty be controlled by the reflection that somebody else will or will not do theirs. It is our duty, in the enactment of legislation of this character, to take into consideration what is best for the interests of the people here.

Mr. BABCOCK. In the opinion of the committee the pending bill, which we ask the House now to adopt, will meet the difficulties which have heretofore been encountered with reference to measures of this character.

Mr. WILLIAMS of Mississippi. Does the gentleman think that this bill meets all of the objections?

Mr. BABCOCK. I am inclined to think that it does. Great care has been given to it, and it meets the approval of the Commissioners.

Mr. WILLIAMS of Mississippi. But there is an ordinance already in force now limiting these charges for cab service.

Mr. BABCOCK. The matter is in the hands of the Commissioners. This proposition, however, is regarded as absolutely essential in order to protect strangers coming into the city from unjust and injurious charges by cabmen and others. Of course the gentleman understands that there could not be a sufficient number of cabs to occupy, say, 100 feet on each side of a street. It would require sixteen or eighteen or more cabs.

Mr. FITZGERALD. Mr. Speaker, I have listened to the explanation of the gentleman from Wisconsin with reference to this bill, and am unwilling to give it my vote.

If the House should incorporate this resolution into the laws of the land it would give the exclusive rights and privileges that are now enjoyed, of taking persons to and from the depots, to the Pennsylvania and to the Baltimore and Ohio corporations, and they will not only enjoy the sole and absolute right to transport passengers to Washington in the steam cars, but after the passengers arrive in this city these corporations will be given the sole and exclusive privilege of transporting them to and from all parts of the city from the depots by reason of the rights granted them under this bill.

Mr. BABCOCK. There is nothing of that kind in the bill.

Mr. RICHARDSON. If that is so, we will withdraw the bill.

Mr. BABCOCK. We will withdraw the bill if there is anything of that kind in it.

Mr. FITZGERALD. I certainly can gain no other impression in reading the bill. I will yield to the gentleman from Michigan [Mr. CORLISS] for a moment.

Mr. TAWNEY. If the gentleman from Wisconsin will look at the wording of the resolution, he will see that the railroad companies have the exclusive right to establish this service. That is contained in the first paragraph of the resolution.

Mr. FITZGERALD. The resolution says:

Said service to be established by the said railroad companies.

Mr. TAWNEY. The places are to be fixed by the Commissioners, but the service can not be established by any other persons, under the authority of this resolution, than the railroad companies.

Mr. BABCOCK. Oh, no.

Mr. TAWNEY. It is so expressly provided in this resolution; and it is a question whether we want to give the railroad companies the exclusive right of transportation of passengers to and from the depots.

Mr. DALZELL. You do not do that.

Mr. FITZGERALD. In line 8 of the resolution, as I have it, and as I heard it read a few moments ago at the Clerk's desk, it says:

Said service to be established by the said railroad companies.

I should like to know what authority the District Commissioners have to invest the power of establishing this service in any other persons than these corporations under that resolution?

Mr. BABCOCK. Without this the railroad companies would have no right to go into the cab business or to transport passengers by cabs. They have no authority under their charters to do it.

Mr. FITZGERALD. They ought not to have it. That is what I contend. I think they have all the privileges they should have in transporting passengers to and from this city, and I contend that it is unfair and it is the creation of a monopoly to grant rights which this resolution gives with respect to the transfer of passengers to and from these depots to the Pennsylvania Railroad corporation and the Baltimore and Ohio Railroad corporation.

During the past four or five months I have been importuned time and again and called from this House by persons who were seeking employment in the city of Washington, and I do not think it is fair to increase the number of persons who are out of employment by giving to these corporations the sole and absolute power and privilege to carry people to and from the depots in this city, thereby throwing out of employment hundreds of men who have invested their hard-earned savings in a horse and carriage.

Mr. BABCOCK. This law will increase rather than diminish the opportunities for employment.

Mr. RICHARDSON. Do you understand that this resolution will prevent you from employing any cab driver or carriage driver in the city to carry you anywhere you want to go when you come in on the railroad? If it does that, it ought not to pass.

Mr. KELLEY. I understand it gives exclusive rights to the railroad corporations.

Mr. FITZGERALD. I have no doubt that if this resolution is enacted into law every available space in the neighborhood of the depots will be given to these corporations by the District Commissioners, and the poor man who owns a single horse and team will be placed at such a distance from the depots that he will be to all intents and purposes shut out. For this reason, Mr. Speaker, I am opposed to this bill, and I hope the members of the House can see the justice of my position. [Applause.]

Mr. KELLEY. That is true.

Mr. FITZGERALD. I do not think any privileges should be given to any corporation to take passengers to and from the depots of this city, and my voice and my vote will be raised against such a proposition. I do not think this resolution is properly understood by the members of this House, and if it is properly understood, I shall very much misjudge the temper and sentiment of this House if they vote to enact it into law. [Applause.]

Mr. GROSVENOR. I should like to get in a word here.

Mr. BABCOCK. I yield to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Speaker, the question here is a question of the action of Congress in the direction of the comfort and convenience of the people coming to and going from the city of Washington. It is rather, to me, an important matter; of very much more importance than the question of how many old, dilapidated, broken-down, filthy hacks can be permitted to annoy the people of the town.

Mr. FITZGERALD. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. No; the gentleman has had his say, and he has spoken for the mob, as he usually does.

Mr. FITZGERALD. I am speaking for the people of this country, if you term them a mob.

Mr. GROSVENOR. I am speaking for the people of this country.

Mr. FITZGERALD. The people of this country are not a mob.

Mr. GROSVENOR. You are speaking for the men who want to maintain this old cab system.

Mr. FITZGERALD. People are not compelled to use those hacks unless they desire to do so.

Mr. GROSVENOR. Now, Mr. Speaker, the people are compelled to make use of those cabs, and they can not help themselves. I want to state to gentlemen here who are not familiar with it what this system has accomplished in one year in New York. If you want to go to the city of New York by the Pennsylvania road or any other road, this is what you have to do: You get off at Jersey City terminus, cross on the ferryboat, and carry your baggage, if you have any, in your hand up to the elevated railroad, or carry yourself up to the part of the city wherever you want to go, or get into a cab and pay anywhere—according to the size of the man and his ability to knock the hackman down—anywhere from a dollar, the minimum, up to $1.50 or $3.

Mr. PEARCE of Missouri. Five dollars.

Mr. GROSVENOR. In proportion to the ability to resist and fight of the unfortunate man captured. Now, you go to the city of New York, as I did the other day with a friend of mine, a gentleman of the House, and I will tell you what we did. We walked out of the station at Jersey City into the ferryboat. We were landed with our luggage at the foot of Twenty-third street, and we took a cab with our valises, one of us having two of them, and were delivered at the hotel at Madison Square for 25 cents for the two of us. There was accommodation there for fifty men, if there had been that many passengers, and within three or four minutes from the time we were landed at the ferry slip we were all going our various ways and rapidly delivered to our destinations. And in coming the other way they brought us down to the foot of Twenty-third street, and that was an end of the expense.

I am in favor of a system of that kind at the capital of the country. There is no man here that has come from the East and has landed at the Baltimore and Potomac depot in the last two years a half a dozen times that has not been charged for similar service, starting at zero as one price and running up to four or five times that price, just in accordance with the anxiety the man has not to have a row with somebody and not to expose himself to a controversy with a cab driver.

Mr. McEWAN. Will the gentleman allow me to ask him a question?

Mr. RIDGELY. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. I yield to the gentleman from Kansas.

Mr. RIDGELY. My question is, If you believe the only way in which the city authorities can protect the public is to turn this business over to the railroad companies?

Mr. GROSVENOR. It is the only way it has ever been done in the United States. It has been done in London by this same system, and for a shilling you can ride from one of the great railroad stations to nearly all parts of the city within a mile, a mile and a half, or 2 miles, and that is all done under a system of this same character.

Mr. McEWAN. By the courtesy of the gentleman from Ohio, I would like him to answer, if it would be so advantageous to have the railroad companies conduct the cab service here, why would it not be equally advantageous to the traveling public that they should conduct the hotels?

Mr. GROSVENOR. A great many of them do conduct hotels; and conduct them mighty well.

Mr. McEWAN. Then, on the same principle, if it is advantageous for railroads to conduct a cab service and run hotels, why would it not be advantageous for them to run bake shops?

Mr. GROSVENOR. Why would it not, if it is advantageous for railroads to carry passengers from New York to Washington City, be advantageous to have railroad companies hoe corn?

Mr. McEWAN. I was coming to that.

Mr. GROSVENOR. Now, let me answer. I did not yield to the gentleman for a speech. Why, a railroad company is interested in transportation. The great idea of modern railroad travel is to take the passenger at the point where he wants to start from, if it is his own house, or at the hotel, and deliver him at the point he wants to reach, if it is New York, or Philadelphia, or wherever else it is. It is a part of the system of transportation, and therefore it is a legitimate action of the railroad corporation.

Mr. McEWAN. The gentleman mentioned hoeing corn——

Mr. GROSVENOR. Take the matter of baggage. My friend from Boston no doubt would say, "Why not let every fellow have the privilege of backing his little gocart up to the hotel and stand around, fifteen or twenty of them, and beg you to let him have your trunk?"—and probably you would not see it again. Under the system as managed by the railroads you can say to the porter of the hotel, "I want a check for my trunk to Boston;" and that is the last you see of it until you come upon it at the other end of the line. It is a part of a great system of accommodation to the public.

Mr. FITZGERALD. What is there in the bill that will compel

the adoption of the same rates at Washington as they have in New York?

Mr. GROSVENOR. I do not know. I have not read the bill.

Mr. CURTIS of Iowa. I want to ask the chairman of the committee a question which, I think, may throw some light on the real intent of this bill. The Commissioners are now authorized under the law to establish private hack stands at any point which, in their opinion, may be desirable in the city of Washington.

Mr. BABCOCK. Certainly.

Mr. CURTIS of Iowa. Private cab stands have been established and are maintained at all the depots in the city. It is not contemplated that these stands shall be interfered with in the least, except it may be to increase the efficiency of the service. It simply provides for the establishment of additional cab stands at railroad stations by the railroad companies. Now, I desire to ask my friend the chairman of the committee if, in his opinion, the bill seeks to establish a monopoly, as my friend from Massachusetts [Mr. FITZGERALD] has the impression?

Mr. BABCOCK. No. I understand that the railroad companies under their present charter have no right to establish a cab service without this legislation, and that is the reason why this legislation is brought before the House.

Mr. WALKER of Massachusetts. Mr. Speaker, there is one thing very sure, if this bill is not in favor of the masses of the people, it ought not to pass, and if it is, it ought to pass. It appears that the railroad company can not establish a cab service in competition with other cab drivers in the city of Washington without additional legislation. If the railroad company establishes a service and the service is effective, it will increase the number of individuals that get employment rather than decrease the number of plain people—the wage earners—that get employment. If the cab service is better established by the railroad company than that which they compete with, then poor people will get employment with the railway company.

In New York and Philadelphia there are private cabs at every station in competition with the railroad companies' cabs, and the result has been to give cab drivers more and better employment and pay, for the better service you give, the more people will use cabs. Again, every man that owns a horse and cab can still run it to the depot. There will be as many competitors for the work as ever. Every man will still run a cab that can get as high wages, after deducting his expenses, as at other employment. If the railroad companies give better service, they have to employ as many men, and they have to pay as good wages, or they can not get good men. So there will be more men employed at better wages under this service than before, the same as in New York, Chicago, London, and everywhere else where this railway cab service is conducted.

Furthermore, the competition between railroads in their cab service will be as efficient and cheap as it can possibly be made. Why? Because they want to induce people to buy tickets over railroads. Men, in taking the railroad train in cities where there is any competition, consider the service to be given at their destination when they want to reach it as they do on the railroad itself, and this is in the interest of the employment of more men, for cheaper service, and a larger service.

Mr. McEWAN. I would like to ask the gentleman whether he does not advocate the passage of this bill on the ground of the advantages of monopoly?

Mr. WALKER of Massachusetts. I recognize no monopoly as an injury to the mass of the people that furnishes things for the masses of people to consume at a lower price or serves the masses of the people cheaper than it can be done in any other way.

Mr. McEWAN. I think that is very frank. I would like to ask further if, by the term "monopoly," he does not include trusts? That is what I am getting after. This is creating a gigantic trust, and I am against trusts of any kind.

Mr. WALKER of Massachusetts. Everything in this world is being concentrated and differentiated so that each department of labor is managed by some one head, and it thereby increases the pay of all persons engaged in that particular business, from the head down. It does not lessen their incomes, either; you can not show where a great combination that serves the people for less money does not furnish larger incomes to the people that are employed in it, not one.

Mr. McEWAN. Will you give me time to answer?

Mr. WALKER of Massachusetts. As to this matter of railroads and consolidation of railroads, the people of this country can manage and control them, through Congress, whenever the railroads are all consolidated under one management, a thousandfold easier than they can a dozen or a hundred corporations. In Massachusetts, before we consolidated our railroads under practically two managements, we had a dozen boards of directors, and with all "their sisters and their cousins and their aunts," when they sought to control the legislature. Since we have consolidated them practically under two managements the legislature is practically free from lobbyists in that interest.

Mr. KELLEY. That is apparent to nobody but the gentleman from Massachusetts.

Mr. WALKER of Massachusetts. I beg your pardon; it is apparent to everybody, excepting some Populists.

Mr. BABCOCK. I yield to the gentleman from Michigan [Mr. TODD] five minutes.

Mr. TODD. Mr. Speaker, the resolution under discussion touches a question far more vital to the American people than simply the amount of money that the people of the District of Columbia shall pay for hack hire. The bill is an invasion of the constitutional rights of American citizens by corporations which seek to extend their privileges beyond those contemplated in their charters. It is an attempt of the railroads to reach out into the streets and highways of our villages and cities and to prevent men who have invested their little capital in hacks or other classes of business from gaining an independent and reputable living. I hold, Mr. Speaker, that compared with such a question the mere question of hack rates in this District is a matter of indifference.

The honorable gentleman from Ohio contended that the rights of the railroad companies should be enlarged. If he will refer to various Congressional reports, he will find that committees of both the Senate and House have repeatedly pointed out the danger of allowing railroad companies to continue even in the classes of private business upon which they have already launched. The coal "combine" is a notable instance. It is unquestioned that this combine, which is strangling the people of the country, could not exist if the railroad companies had not combined and gone into the coal-mining business.

Sir, I for one will ever oppose any attempt to allow the railroads to go one step farther in any branch of business which is not properly that of a common carrier. They have already absorbed all the private express business in our cities. They have absorbed all the interstate express companies.

In further reply to the gentleman from Ohio, who has said that the railroad companies have a right to extend their business, I will say that they have extended their business. They are not only running the coal combine of this country, but are dictating the legislation on our statute book; they are dictating the decisions of our courts. And it is time that a halt should be called in this onward march of monopoly against the private rights of citizens. I should much deplore any progress that may be made by railroads in further increasing their power.

It is evident, in reference to the bill under consideration, that those who furnish the best service will get the patronage of the public. Congress will surely approve any measure which the Commissioners of the District of Columbia may introduce, seeking to protect the people of the District from oppressive charges by private hackmen. If, as the honorable chairman of the District Committee has said, the hack charges in this city are exorbitant and unreliable, it is the duty of his committee to recommend to Congress the passage of a bill remedying those abuses. If he or his committee have not done so, they have been derelict in duty. I for one will gladly give my support to any measure which the committee may introduce which will regulate in a rightful way, with justice both to the hackmen and the public, the quality of the hack service and the prices to be charged therefor.

But I hope, Mr. Speaker, that Congress will not forget—certainly the country will not forget—that our first duty is to protect the free institutions of this country, to protect the democratic and republican principles ingrafted upon our Constitution, rather than, under some plausible subterfuge, to hand over to the railroad companies business that properly belongs to private individuals. [Applause.]

Mr. BABCOCK. I now yield to the gentleman from Massachusetts [Mr. MOODY].

Mr. WILLIAMS of Mississippi. I rise to a parliamentary inquiry. Are we proceeding under any sort of arrangement as to division of time?

The SPEAKER. The gentleman from Wisconsin [Mr. BABCOCK], as chairman of the Committee on the District of Columbia, has charge of this bill, and he is apportioning out the hour which belongs to him.

Mr. WILLIAMS of Mississippi. I would like to suggest that a half hour be assigned for debate, to be divided equally between the two sides, the time to be apportioned by a representative of each side.

Mr. BABCOCK. I have endeavored to be impartial in distributing time. Most of the speakers thus far have opposed the bill.

Mr. WILLIAMS of Mississippi. I should like to have about five minutes.

Mr. BABCOCK. I think if the gentleman will be patient a few minutes he will have his opportunity.

Mr. WILLIAMS of Mississippi. Very well; with that understanding I do not press my proposition.

Mr. MOODY. Mr. Speaker, I should not have spoken on this bill but for the fact that when this subject was before the House

on a previous day I opposed and voted against the bill then under consideration. But I believe, upon careful examination of the present bill, that there will be found no reasonable objection to its provisions, and for that reason I propose to support it. There is no "trust" about it; there is no "monopoly."

I think gentlemen are forgetting the real party for whom we should legislate in this matter, and that is the traveling public. The interests of the railroad companies or the interests of the hack drivers are of secondary importance. The real thing for us to consider is, What is the interest of the traveling public? I have had experience with this service in other cities. When the previous bill on this subject was before the House, I regretted the necessity of voting against it, because I knew how beneficial a properly regulated service of this kind is for the public. Gentlemen will see that by this bill no permanent or exclusive rights are given to the railroad companies. Whatever privileges the Commissioners of the District of Columbia see fit to allot with reference to the cab service controlled by the railroad companies are determinable at the pleasure of the Commissioners.

The difficulty with the other bill was that it gave an exclusive privilege to the railroad, and there was some danger that by its terms it gave rights to the railroads in the streets and upon the public lands. Now, both those dangers are guarded against in this bill. There is nothing to prevent the continuance of competition by private parties; and let me say that in New York that competition still continues. When I was last there it was a rainy day. It was impossible to get one of the Pennsylvania cabs, and I found a private cabman ready to my hand, and I took him, and for the first time in my life I found that a private hackman carried me in accordance with the rates established by law. That was an incidental effect of the establishment of this valuable kind of competition by the railroad companies. Now, does my colleague from Massachusetts desire to ask any question?

Mr. FITZGERALD. My colleague stated a few moments ago that this is not the creation of any monopoly.

Mr. MOODY. Yes.

Mr. FITZGERALD. I should like to ask him if, under this bill, the Commissioners are allowed to establish that kind of service by anybody else except in cooperation with the Baltimore and Ohio and Pennsylvania Railroad corporations?

Mr. MOODY. I understand the Commissioners have the right to establish cab stands now.

Mr. BABCOCK. Everybody else has the right except the railroad companies now.

Mr. FITZGERALD. Is there anything to prevent the Commissioners giving to the railroad companies the same privileges which are now enjoyed by everybody else?

Mr. BABCOCK. Certainly; they have no right under their charters to do a cab business.

Mr. WILLIAMS of Mississippi. Not as railroad companies, but as cab companies they can.

Mr. BABCOCK. As railroad companies they have no such right at all.

Mr. WILLIAMS of Mississippi. As cab companies they have, but not as railroad companies.

The SPEAKER. The time of the gentleman from Massachusetts [Mr. MOODY] has expired. The Chair hopes this may be a debate and not a dialogue.

Mr. MOODY. My time has expired in the midst of their private conversation, but I believe I have said all I care to.

Mr. BABCOCK. Now, Mr. Speaker, I desire to make a request for unanimous consent that debate upon this bill close in thirty minutes, and that the gentlemen opposed to it control half the time and that I control the other half.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the debate close in half an hour, the time to be equally divided. Is there objection?

Mr. FITZGERALD. Do I understand that I am to control half of that time, Mr. Speaker?

The SPEAKER. If that is the understanding of the House, the Chair will accord it to the gentleman. Is there objection?

There was no objection.

Mr. BABCOCK. Now, Mr. Speaker, I desire to make an explanatory statement before the debate goes any further. I find here an error in the amendment offered by the committee, in one word. As I drew and dictated the amendment and did not look at it until I read the printed resolution handed to me, I ask unanimous consent of the House that that word may be stricken out and this error corrected. It changes the word "Washington" to "New York." The committee intended to provide that in no case should the charges authorized to be made here exceed the rates now charged in New York City, which commence on a basis of 15 cents and run up, 15, 25, and 30.

The SPEAKER. If there be no objection, the change will be made in the engrossment, and the House will be understood as directing it. The Chair hears no objection.

Mr. FITZGERALD. I yield three minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. I should like five minutes.

Mr. FITZGERALD. I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

The SPEAKER. The gentleman from Mississippi [Mr. WILLIAMS] is recognized for five minutes.

Mr. WILLIAMS of Mississippi. I should like to have order, because I want to discuss this bill in a businesslike way.

The SPEAKER. The House will be in order. Conversation must cease in the vicinity of the gentleman who has the floor.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I think the Committee on the District of Columbia are taking rather an underhold upon the House of Representatives, something of an unfair advantage. This bill is substantially the bill which this House hurled to defeat two or three weeks ago. The only difference in the world is this, that the other bill, which met with the recommendation of the Commissioners of the District of Columbia, fixed the limits of space within which the stands should be located at 100 feet on each side of the street from the corner. This bill does not fix the limits of space at all, but leaves it to the District Commissioners to fix. Judging them by all fair rules of judging human conduct, they will, when they have the power, do what they recommended Congress to do when they had not the power.

Mr. MOODY. Will the gentleman permit a question or an interruption? It will not be long.

Mr. WILLIAMS of Mississippi. Yes.

Mr. MOODY. Does not the gentleman see a difference between an act of Congress granting to the railroad company an exclusive right and an act of Congress simply granting to the Commissioners the power to permit, during their pleasure, the location of cabs in a certain place?

Mr. WILLIAMS of Mississippi. Theoretically, yes; but practically, as far as the people who run the cabs are concerned, as long as the Commissioners choose to act in a certain direction which by previous recommendation they have indicated, no.

The gentleman from Massachusetts says that the bill gives a right to the Commissioners to make provision "as they see fit" in this matter. But the question is, What do they see fit to do? They have already recommended to Congress a proposition which Congress sat down upon some time ago. Now, it is supposed, and there is reason to suppose, that they will endeavor to make the same regulation.

Mr. BABCOCK. If the gentleman will allow an interruption, I will say that this bill was submitted to gentlemen on the other side who opposed the other bill on the floor. We have reason to believe that they are entirely satisfied on both sides of the House with the pending proposition.

Mr. WILLIAMS of Mississippi. Well, when the gentleman says it was submitted to "the gentlemen"—using the plural—"who were opposed to the former bill," he is in error to some extent at least. I am one of those who opposed the former bill, and I can say that it was not submitted to me.

Mr. BABCOCK. Well, what I meant to say was that it was submitted to a majority of the gentlemen on that side who had opposed the former bill. Perhaps the gentleman from Mississippi did not see it.

Mr. McEWAN. Will the gentleman allow me to ask him a question?

Mr. WILLIAMS of Mississippi. I can not yield now. I would be glad to yield to the gentleman, but I have a very few moments.

This bill confers upon the Commissioners of the District of Columbia certain authority with reference to the location of these cab stands adjoining the railroad stations. It applies not only to the Pennsylvania Railroad, but also to the Baltimore and Ohio Railroad, which is a change from the former bill, and not for the better. Now, the question is, What is the purpose of the bill? To establish a stand for cabs. What sort of a stand? It is a stand to be "established" by the railroad companies themselves.

If the railroad companies choose to establish the cab service, they can be given authority to locate their stands adjacent to their stations now by the order of the Commissioners, not as railroad companies, it is true, but as cab companies; and if they choose to do so, they ought to be forced to take their chances with everybody else. They ought not to be given any special privileges; and if the space allotted them shall not exceed say 10 or 15 feet on each side of the street from the crossings, this would deprive this legislation of its monopolistic features. But is that the case?

We assume—we have a right to assume—that the Commissioners will give what they please in the way of space. This will undoubtedly be the case as long as that is not fixed in the law. The Commissioners, therefore, will do just what they please, viz, what they formerly recommended, and it is not competition but exclusion of others and monopoly in the railroads which the bill enacts, and therefore the argument of the gentleman from Massachusetts

falls to the ground. We have no objection to allowing the railroad companies to compete if they desire to do so. We do object to the practical exclusion of all others. That is and will be the effect of the discretion vested in the Commissioners by this bill.

The SPEAKER. The time of the gentleman has expired.

Mr. FITZGERALD. I yield three minutes to the gentleman from Nebraska [Mr. GREENE].

Mr. GREENE. Mr. Speaker, it strikes me that the bill is so plain and simple that it does not need argument to explain it on this floor. As has already been said it is an attempt to do indirectly what the committee has failed to do directly. They sought to directly give to the railroad companies in this city the power to monopolize the sites for cabs in front of the railroad stations.

This the House a few days ago, by an overwhelming majority, voted down. Now they come back with this proposition to allow the Commissioners of the District of Columbia to establish a stand or stands on the street or streets adjacent to the depots for cab service.

It is plainly an effort, as I have said, to do indirectly what they have failed to do directly. That is to say, it is simply an effort to take from private cab drivers now operating the privilege of hauling passengers to and from the various depots to the hotels or residences throughout the city and to transfer that business absolutely to the railroad companies as a monopoly.

If the bill pass, the Commissioners of the District of Columbia will undoubtedly do, or allow the railroad companies to do, the thing that they recommended this House to do by law—that is, to give to the railroad companies the exclusive monopoly of standing cabs in front of their depots on the various streets in the city. Now, Mr. Speaker, the question is whether we are ready to adopt such a principle as that and take from private parties the poor privilege of allowing them to stand their cabs near these railroad stations and avail themselves of the opportunity offered of conveying passengers to the various hotels or residences in this city. That is all there is of it. The principle is wrong. It favors monopoly and gives it the sanction of national law. The people are opposed to trusts, and this bill seeks to establish one or increase the domain of one now in existence.

Is the House ready to vote for such a bill? If it is opposed to the principle involved; if, in other words, it is opposed to granting unjust privileges and extending new rights to the grasping monopolies which now exist, they will vote against it. It is argued that this is a small matter. It is; but great evils result from small beginnings. I can not vote for any proposition that in any way gives national sanction to a monopoly.

[Here the hammer fell.]

Mr. BABCOCK. I yield three minutes to the gentleman from Massachusetts [Mr. WALKER].

Mr. WALKER of Massachusetts. This bill is to fix on the statute books a provision of law which will give the Commissioners authority and power to deal with and modify the regulations as to the cab service in this city. It is not a proposition to give to the Commissioners authority to allow the railroad companies to exercise any special monopoly, but to enter into competition in the business regulations, which can be changed at any time by amendment or otherwise, to increase the number of cabs in the service of the public in this city, and to enable that service to be properly, promptly, and satisfactorily performed.

Mr. GREENE. Will the gentleman allow me to ask him a question?

Mr. WALKER of Massachusetts. Certainly.

Mr. GREENE. Do you not believe they will do what they recommended us to do in a former bill?

Mr. WALKER of Massachusetts. I do not, because I think it is exceedingly unwise; and I do not believe, if they attempted to do it, it would in practice be confirmed by their judgment. So they would very soon recall it. I want to say further that when we established railroads and allowed them to use the great power of eminent domain and run their railroads everywhere, we killed farmers' wagons that were drawing grain to market, and we killed the stage coaches that were using hundreds of horses in carrying people between cities.

Mr. KELLEY. Will the gentleman allow me to interrupt him?

Mr. WALKER of Massachusetts. I can not. If you had been the first I should have yielded to you, but I have already yielded once and I have only three minutes. You can not inaugurate any great improvement that does not strike down something that is desirable to save. No man has the right "needlessly to set his foot on a worm," but we can not walk without killing animal life. An improvement in the service of cabs by which poor men or poor women and children can be given cheaper service in being carried to the homes they are seeking or those of friends they are visiting at a less price, and serving the masses of the country by good service, can not be had that does not drive out some of these hackmen that are giving the present poor service. I regret it is so; but we can not do any good that will not act in the same way in some cases. This bill will give us better cab service and more men will be employed, but it will undoubtedly injure a few of these people who are running these miserable cabs.

Mr. FITZGERALD. I yield three minutes to the gentleman from Kansas [Mr. RIDGELY].

Mr. WALKER of Massachusetts. I want to modify a sentence. When I said all Populists, I meant a few.

Mr. RIDGELY. Mr. Speaker, I shall not take any notice of that. I am not tender upon charges against Populism at all. I wish to talk directly to this bill, as I have but three minutes. Whether we shall pass this bill or not, it is apparent that centralization of forces is the economic law of nature. What causes our trouble is that we fail to use the full measure of our knowledge. We are going on impelled by this economic law in concentrating forces and economizing the cost of performing each kind of service. But in doing this we are turning out of employment and shutting out from access to the means of livelihood a large per cent of our people.

The purpose and intent of this bill, by those who have influenced its appearance here, is undoubtedly to give the railroad companies the lawful privilege of going into the hack business. They confess that they have not the lawful privilege to do so now. They tell us, in turn, as a consideration for this power they will give us a better and cheaper service in transporting passengers to and from the depots and different parts of the city. Granted that they may. I shall vote against this bill, because we make no provision for the various people we are turning out of this business by this centralizing policy. The gentleman from Massachusetts said that as we go on centralizing all our forces and monopolizing all business we are advancing the scale of the wages in each of those various departments of industry. Yet by this performance in the solution of human problems we necessarily throw men out of employment entirely, and these men get no wages at all.

Mr. WALKER of Massachusetts. Temporarily.

Mr. RIDGELY. And it is a long time before they find employment again, and this army of unemployed steadily grows larger. In conducting this centralization of forces we should simultaneously open up better avenues to these idle people. This is the problem before us, and we must see that no human being shall be shut out of voluntary access to the means of producing and distributing for themselves those things necessary for their existence, comfort, and highest physical and mental development.

Mr. BABCOCK. I yield two minutes to the gentleman from New York [Mr. DRIGGS].

Mr. DRIGGS. Mr. Speaker, there is perhaps no one on this floor who will oppose monopolies or trusts more strongly than I. I want to say that our experience in New York in reference to the cab service given by the Pennsylvania and other railroads has been most admirable, and if this Congress has the power I think it ought to establish such a plan here. It seems to me that the people who are coming here from all over the country would be vastly benefited by such a system of cab service, for it would be more fair and more just to them than the present service.

If this bill is passed, it will not give a monopoly of the cab service in the city of Washington to railroad companies, but it simply gives them the privilege to have the cabs at their depots and prevents those who arrive at them from being overcharged in order to reach their destination. Gentlemen know whether they are overcharged or not. As the gentleman from Ohio [Mr. GROSVENOR] stated a few minutes ago, if a man who takes one of the present hacks or cabs is an athletic fellow, he is very apt to get the price of his cab service cut down, but if he is a weak fellow he has to pay what the cabman asks him, and I am in favor of dealing fairly and honestly by all. I am in favor of giving to all visitors to the capital of the nation the best and cheapest cab service in America.

Mr. BABCOCK. Mr. Speaker, I yield two minutes to the gentleman from New York [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I do not care to consider the controversy raised by the gentleman from Kansas [Mr. RIDGELY] in reference to centralization. It seems to me it must be apparent that the cab system of Washington is an outrage, and if there be any means, either by competition or otherwise, by which this system can be changed, I believe we would confer a benefit on all the residents and visitors of Washington by doing it. I can only speak of the system as established in the city of New York. It is a great success, and I trust the House will act favorably upon this joint resolution. [Applause.]

Mr. FITZGERALD. Mr. Speaker, I yield two minutes to the gentleman from South Dakota [Mr. KELLEY].

Mr. KELLEY. Mr. Speaker, the gentleman from Massachusetts [Mr. WALKER] made a statement that he was not poisoned by Populism. I have no doubt the gentleman from Massachusetts is very free from Populism of every kind. I am aware of the fact that no ray of pure Populism has ever yet entered the corporation-stained vision of the gentleman from Massachusetts, and I never

expect that such will be the case. I consider it the proudest tribute that can be paid to the People's Party that Populism is considered the rankest poison by every trust and corporation and monopoly that preys upon the honest industries of the American people.

But as regards this bill, I want to call the attention of the committee of the House to a few things. I want to ask the chairman of the committee in charge of this bill if it be not true that those who are already operating hacks in the city of Washington are licensed by law to do so; if they are not responsible parties; and being responsible parties, if you have not already the machinery to see that justice is done to the traveling public?

Now, Mr. Speaker, the provisions contained in this bill are simply these: They propose to give the corporations operating railroads into this city an absolute monopoly of certain grounds fronting the depots. None but railway corporations are permitted by its terms to place a hack for the accommodation of the general public within the grounds fronting the depots. Hence, I say, the purpose of the bill is to create a monopoly and shut out all individuals and to deny these men who have a regularly established business in the District of Columbia the right to earn an honest livelihood. It is in the interest of a gigantic trust and nothing else, and the gentleman from Massachusetts plainly stated the question when he said it would not throw more men out of employment, as the same number would still be employed, only they would be working for a corporation instead of themselves. And what would become of their horses and equipages? Such would be nearly a total loss.

But it throws them out of individual employment and places them under the dictation of a mighty corporation and makes them a part of the machinery of that corporation. The gentleman talks further about the great advantages to be derived by the people from the centralization and consolidation of the railway corporations throughout the United States. Of course the gentleman is looking forward to the time when all the railroad corporations will be under one head, and then they can control the State legislatures and the Congress of the United States to a greater extent than even now prevails, and God knows that is bad enough. But, sir, we look forward to the day when the people will own and control the railroads instead of the railway companies owning and controlling the people, as is the case under the present corporation régime.

The SPEAKER. The time of the gentleman from South Dakota has expired.

Mr. FITZGERALD. How much more time is left on this side, Mr. Speaker?

The SPEAKER. Two minutes.

Mr. FITZGERALD. Mr. Speaker, in concluding this debate I have only a few words to say. The arguments against this bill should influence every fair-minded member of this House that this is a very unfair piece of legislation. I am surprised to hear the gentleman from Massachusetts, from the Essex district [Mr. MOODY], say that the bill did not involve giving monopolistic privileges to these two corporations. It seems to me very clear that a monopoly is created by this bill.

Under the provisions of this bill, if enacted into law, the District Commissioners are authorized "to designate on the streets or parts of streets adjoining the stations of any railroad company in the District of Columbia a stand for cabs, carriages, and other vehicles for the conveyance of passengers to and from the railroad stations," and these stands can only be occupied by these two railroad corporations.

If that is not the creation of a monopoly, Mr. Speaker, then I am unable to determine what a monopoly means. I have heard a great many statements about exactions on the part of hack drivers and cab drivers in this city, and I would like to hear instances cited where overcharges have occurred in the cases of any members of this House. Arguments have been advanced here instancing the condition of affairs in New York City.

I think we are dealing with conditions in this city, and not in New York City. We are legislating for the city of Washington, and not for New York. If this act should go into effect, what is going to be the result? Every cab driver who owns a horse and cab worth $100 or $200 is deprived of the privilege of taking a stand near that depot and his opportunity for earning an honest livelihood greatly diminished.

Mr. BENNETT. Will the gentleman allow me a question?

Mr. FITZGERALD. I can not; I have only two minutes. Perhaps the chairman of the committee will give you time. If this bill is enacted into law, the District Commissioners, in accordance with the recommendation, will allow nobody except the railroad corporations, the Pennsylvania Railroad and the Baltimore and Ohio Railroad, to occupy these stands, thus adding other exclusive privileges to those already enjoyed by these great corporations.

Mr. Speaker, I have great sympathy with the men who traverse this city from one end of the day to the other, out at all hours of the night, in all kinds of weather, with their horses and carriage, trying to pick up a passenger to earn a dollar for the support of themselves and families.

I think their opportunities should be enlarged rather than restricted. I have heard a great deal about their dishonesty and trickery on the floor of this House to-day, but in all my experience I have never met with but one man who attempted extortionate charges. Should a large class of law-abiding and hard-working citizens be blamed for the sins of an occasional one of their number and their privileges and rights curtailed because a very small fraction of their number have committed a wrong?

I know how these large companies operating the cab service in my own city of Boston have ground down and crippled the opportunities of the cabmen of that city to earn an honest livelihood.

A few years ago a cabman in Boston owning his own horse and team earned a fair day's pay and could support his family in comfortable circumstances from the revenues he received from passengers coming into our railroad stations. Lately, however, these cab companies have been established, composed of men of large capital; the choice stands have been given them at the various railroad stations; their agents are allowed special points of advantage to solicit passengers; with the result that the man who has invested his all in his horse and cab can not eke out an existence for himself, let alone his family.

Against this condition of affairs I have lifted my voice in my own city and I raise it here.

It is the creation of a monopoly against the interests of a class of hard-working and deserving men, and I sincerely trust that the good sense of this House will prevail and this unjust and oppressive measure be defeated. [Loud applause.]

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I rise to a parliamentary inquiry. Would an amendment be in order now?

The SPEAKER. It would not be, as the bill has been engrossed and read the third time.

Mr. CLARDY. I should like to ask the gentleman from Wisconsin one question before he sits down. Does not the existing law give to these railroad companies all the privileges in reference to cab service at their depots that anybody else has?

Mr. BABCOCK. No, sir. The railroad companies are authorized only to fix charges for passenger service on their steam railroads.

Mr. FITZGERALD. Can they not authorize cab companies if they wish to do so?

Mr. CLARDY. Can not the railroad companies furnish cabs at their depots and carry passengers as other people do under the law?

Mr. BABCOCK. I do not understand that they have any such authority under their present charters. All that this bill asks is that they have the same right and authority that you and I have.

Mr. CLARDY. Does not this bill give a special privilege as to placing cabs at a certain particular place where nobody else will be permitted to place them?

Mr. BABCOCK. It simply authorizes the Commissioners to fix at the depots of these companies the location for their cabs. This is for the benefit of the public.

Mr. CLARDY. I presume these companies are already receiving from the Commissioners the same privileges that other people enjoy.

Mr. GREENE. This bill gives the railroad company the exclusive occupancy of the whole front adjacent to its depot.

Mr. FITZGERALD. I wish to ask the gentleman from Wisconsin a question. He stated a moment ago that he wished to give these corporations the same privileges only that are enjoyed by other persons in the District of Columbia.

Mr. BABCOCK. Will the gentleman state the question that he desires to ask?

Mr. FITZGERALD. The gentleman stated, as I understood, that this bill proposes only to give to these railroad companies the same privileges that are now enjoyed by private individuals. I now wish to ask whether he is willing to vacate the proceedings already had upon this bill, so as to allow the House to amend it and give these corporations only the privileges covered by the gentleman's statement—not the exclusive privileges now given by the bill?

Mr. KELLEY. I am in favor of that.

Mr. BABCOCK. I understood the gentleman from Massachusetts [Mr. FITZGERALD] wanted to ask me a question.

Mr. FITZGERALD. I have asked a question, but the gentleman has not answered it.

Mr. BABCOCK. I will endeavor to do so if I can have an opportunity.

Mr. Speaker, this is a very simple little bill—— [Laughter.]

Several MEMBERS. We know that.

Mr. BABCOCK. I have never seen anything on the floor of this House that was so misconstrued by gentlemen as this bill is. It is a wonder we have not had a Cuban speech on it. I thought we would have before we got through with it.

A MEMBER. Corporations are worse than Spain!

Mr. BABCOCK. The public has for years demanded of one particular line of road coming into this city that it establish this cab service. The company has never consented to do it until within the past year. It has been urged time and again that the capital of this great nation ought to afford visitors to this beautiful city such accommodations with respect to cab service as they have in any other city on this broad continent.

Mr. SIMPSON. Will the gentleman allow me——

Mr. BABCOCK. I can not yield now; I have only a moment or two more.

The result is that this bill has been brought before Congress. For what purpose? To authorize the railroad companies to supply this service, which without legislation they are unable to do. In framing the bill the committee had taken measures to insure that the rates charged shall be as low as those charged in any city of this country.

I believe this is all I wish to say. I now ask for the vote.

Mr. WILLIAMS of Mississippi. I rise to ask unanimous consent that the bill be amended by inserting after the word "stand," in line 6, these words: "not to exceed 15 feet on each street, measured from the corner."

Mr. BABCOCK. Well, Mr. Speaker, I object to that amendment at this stage.

The question being taken on the passage of the bill, there were—ayes 88, noes 41.

Mr. FITZGERALD. I call for the yeas and nays.

The yeas and nays were ordered, there being—ayes 32, noes 90; one-fifth voting in the affirmative.

The question was taken; and there were—yeas 150, nays 78, answered "present" 1, not voting 126; as follows:

YEAS—150.

Acheson,	Dalzell,	Ketcham,	Pugh,
Adams,	Danford,	Kirkpatrick,	Richardson,
Aldrich,	Davenport,	Knox,	Robbins,
Alexander,	Dayton,	Kulp,	Royse,
Arnold,	Dingley,	Lacey,	Russell,
Babcock,	Evans,	Landis,	Settle,
Bankhead,	Faris,	Latimer,	Shannon,
Barber,	Fenton,	Lawrence,	Shattuc,
Barrett,	Fischer,	Linney,	Sherman,
Bartlett,	Fletcher,	Littauer,	Showalter,
Beach,	Foote,	Lorimer,	Smith, S. W.
Belford,	Foss,	Loudenslager,	Smith, Wm. Alden
Belknap,	Gardner,	Lovering,	Southard,
Bennett,	Gibson,	Low,	Spalding,
Bingham,	Gillett, Mass.	Lybrand,	Sperry,
Boutell, Ill.	Griffin,	McCall,	Sprague,
Broderick,	Grosvenor,	McCleary,	Steele,
Bromwell,	Grow,	McDonald,	Stevens, Minn.
Brownlow,	Hager,	McMillin,	Stewart, N. J.
Brumm,	Handy,	Mahon,	Stewart, Wis.
Bull,	Harmer,	Mercer,	Stone, C. W.
Burleigh,	Hawley,	Meyer, La.	Stone, W. A.
Burton,	Henderson,	Miers, Ind.	Strode, Nebr.
Butler,	Henry, Conn.	Miller,	Sturtevant,
Campbell,	Henry, Ind.	Mills,	Swanson,
Cannon,	Hepburn,	Mitchell,	Tayler, Ohio
Capron,	Hicks,	Moody,	Thorp,
Carmack,	Hilborn,	Morris,	Tongue,
Chickering,	Hill,	Northway,	Van Voorhis,
Clarke, N. H.	Hooker,	Norton, S. C.	Wanger,
Codding,	Hopkins,	Odell,	Warner,
Connolly,	Howe,	Olmsted,	Weymouth,
Corliss,	Howell,	Osborne,	White, Ill.
Cousins,	Hull,	Overstreet,	Williams, Pa.
Crump,	Hurley,	Payne,	Young, Pa.
Crumpacker,	Jenkins,	Pearce, Mo.	Young, Va.
Cummings,	Johnson, N. Dak.	Pitney,	
Curtis, Iowa	Joy,	Powers,	

NAYS—78.

Adamson,	Davidson, Wis.	Kitchin,	Ridgely,
Allen,	De Graffenreid,	Kleberg,	Robinson, Ind.
Ball,	De Vries,	Lanham,	Skinner,
Bell,	Dinsmore,	Lewis, Ga.	Smith, Ky.
Bodine,	Dockery,	Little,	Sparkman,
Botkin,	Ermentrout,	Lloyd,	Stark,
Brantley,	Fitzgerald,	Love,	Stephens, Tex.
Brenner, Ohio	Fitzpatrick,	McCulloch,	Strait,
Brewer,	Fleming,	McDowell,	Strowd, N. C.
Brucker,	Fox,	McEwan,	Sutherland,
Brundidge,	Gaines,	McRae,	Tate,
Burke,	Greene,	Maddox,	Terry,
Castle,	Griffith,	Marsh,	Todd,
Clardy,	Griggs,	Marshall,	Vincent,
Clark, Mo.	Gunn,	Maxwell,	Wheeler, Ky.
Clayton,	Henry, Miss.	Meekison,	Williams, Miss.
Cochran, Mo.	Howard, Ga.	Moon,	Wilson,
Cooney,	Hunter,	Ogden,	Zenor.
Cooper, Wis.	Jett,	Otey,	
Davey,	Kelley,	Rhea,	

ANSWERED "PRESENT"—1.

Sims.

NOT VOTING—126.

Bailey,	Davis,	Lester,	Sayers,
Baird,	Davison, Ky.	Lewis, Wash.	Shafroth,
Baker, Ill.	De Armond,	Livingston,	Shelden,
Baker, Md.	Dolliver,	Loud,	Shuford,
Barham,	Dorr,	McAleer,	Simpson,
Barlow,	Dovener,	McClellan,	Slayden,
Barney,	Driggs,	McCormick,	Smith, Ill.
Barrows,	Eddy,	McIntire,	Snover,
Bartholdt,	Elliott,	Maguire,	Southwick,
Belden,	Ellis,	Mahany,	Stallings,
Benner, Pa.	Fowler, N. C.	Mann,	Stokes,
Benton,	Fowler, N. J.	Martin,	Sullivan,
Berry,	Gillet, N. Y.	Mesick,	Sulloway,
Bishop,	Graff,	Minor,	Sulzer,
Bland,	Grout,	Mudd,	Talbert,
Booze,	Hamilton,	Newlands,	Tawney,
Boutelle, Me.	Hartman,	Norton, Ohio	Taylor, Ala.
Bradley,	Hay,	Otjen,	Underwood,
Brewster,	Heatwole,	Packer, Pa.	Updegraff,
Brosius,	Hemenway,	Parker, N. J.	Vandiver,
Broussard,	Henry, Tex.	Pearson,	Vehslage,
Brown,	Hinrichsen,	Perkins,	Wadsworth,
Catchings,	Hitt,	Peters,	Walker, Mass.
Clark, Iowa	Howard, Ala.	Pierce, Tenn.	Walker, Va.
Cochrane, N. Y.	Johnson, Ind.	Prince,	Ward,
Colson,	Jones, Va.	Quigg,	Weaver,
Connell,	Jones, Wash.	Ray,	Wheeler, Ala.
Cooper, Tex.	Kerr,	Reeves,	White, N. C.
Cowherd,	King,	Rixey,	Wilber,
Cox,	Knowles,	Robb,	Yost.
Cranford,	Lamb,	Robertson, La.	
Curtis, Kans.	Lentz,	Sauerhering,	

So the joint resolution was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. YOUNG of Pennsylvania with Mr. MCALEER.

Mr. HITT with Mr. BERRY.

Mr. BENNETT with Mr. GAINES.

For this day:

Mr. DORR with Mr. DRIGGS.

Mr. BARTHOLDT with Mr. VANDIVER.

Mr. BARNEY with Mr. CRANFORD.

Mr. BELDEN with Mr. SULZER.

Mr. BISHOP with Mr. ROBERTSON of Louisiana.

Mr. BROSIUS with Mr. BENNER of Pennsylvania.

Mr. CURTIS of Kansas with Mr. ADAMSON.

Mr. DOVENER with Mr. BENTON.

Mr. FOWLER of New Jersey with Mr. BRADLEY.

Mr. JOHNSON of Indiana with Mr. BROUSSARD.

Mr. MCINTIRE with Mr. LAMB.

Mr. MUDD with Mr. LIVINGSTON.

Mr. PACKER of Pennsylvania with Mr. NORTON of Ohio.

Mr. SHELDEN with Mr. PIERCE of Tennessee.

Mr. SAUERHERING with Mr. RIXEY.

Mr. WALKER of Massachusetts with Mr. STALLINGS.

Mr. WILBER with Mr. TALBERT.

Mr. YOST with Mr. UNDERWOOD.

Mr. BARROWS with Mr. BLAND.

Mr. BENNETT. I desire to ask if the gentleman from Tennessee, Mr. GAINES, has voted?

The SPEAKER. The gentleman from Tennessee [Mr. GAINES] voted in the negative.

Mr. DOCKERY. I desire to state that my colleague, Mr. COWHERD, is absent on account of sickness, and I request for him indefinite leave of absence.

The result of the vote was announced as above recorded.

On motion of Mr. BABCOCK, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. HULL. Mr. Speaker, I ask unanimous consent——

The SPEAKER. The Chair thinks the gentleman should postpone his request for unanimous consent until the Committee on the District of Columbia gets through with its business.

WATER-MAIN TAXES IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 5883) to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed, in all cases not exempted by this act, where water-main taxes or assessments in the District of Columbia have been quashed, set aside, or declared void by the supreme court of said District, or have been otherwise canceled or set aside by reason of such tax or assessment not having been authenticated by the proper officer, to reassess all lots or parcels of ground in respect of such taxes or assessments, with power to assess and collect the same according to existing law relating to the assessment and collection of water-main assessments or taxes: *Provided*, That in cases where such assessments have heretofore been quashed or declared void by said supreme court, or have been otherwise canceled or set aside for the reason hereinbefore provided, the reassessment herein provided for shall be made within one year from the passage of this act: *And provided further*, That hereafter all water-main taxes or assessments in the District of Columbia shall be levied and authenticated by the Commissioners of the District of Columbia, who are hereby authorized to designate the official whose

duty it shall be to notify the owner or agent of any lot or land of any water-main tax or assessment levied against such lot or land: *Provided, however*, That where lots or parcels of land have been released from water-main taxes or assessments by reason of technical defects or errors in making such assessments, and where such lots or parcels of land have been sold by the former owner between the order of said release of said tax or assessment and the passage of this act, the Commissioners of the District of Columbia shall not reassess the same against such property in the hands of bona fide purchaser for value without notice of the failure to pay the water-main assessment on said property.

SEC. 2. That outside the city of Washington the said reassessment shall be levied or assessed only on those lots or parcels of land into which Potomac water has been or shall hereafter be introduced: *Provided*, That where Potomac water has heretofore been introduced the said reassessment shall be made within ninety days after the passage of this act, and that where Potomac water shall be hereafter introduced the said reassessment shall be made within thirty days after such introduction: *And provided further*, That any levy, assessment, or reassessment on land not subdivided into blocks and lots shall be made on a frontage not exceeding 100 feet for each lot or parcel of land or premises into which Potomac water has been or shall be introduced, and shall be considered in any subsequent subdivision of such property as having extended to a depth of not exceeding 100 feet from the front of said lot or parcel of land: *And provided further*, That said water-main tax or assessment or reassessment shall be due, payable, and collectible on each lot or parcel of land or premises on and after the date on which the connection is made from the water main to the said lot or parcel of land or premises.

SEC. 3. That in any assessment or reassessment made under the provisions of this act the owner of any lot or parcel of land shall be credited with any amount which may have been heretofore paid upon any water-main tax or assessment levied against such lot or parcel of land.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. DOCKERY. Is this the water main assessment bill?

Mr. BABCOCK. Yes.

Mr. DOCKERY. I do not know anything about the measure, and therefore am not in a position to criticise it. I have heard the suggestion that possibly there is a provision in the bill that would allow the owners of large bodies of land to escape assessment, while those owning less than a hundred feet front would be required to pay the taxes imposed by the bill. I simply desire to call the attention of the chairman of the committee to the matter, because I do not know whether the criticism is well founded or not.

Mr. JENKINS. Mr. Speaker, I do not think that that criticism can be made against the bill, but we certainly should like to consider it, if it can be shown to exist.

Mr. DOCKERY. The criticism was made by a gentleman this morning, but I did not have the opportunity to canvass the matter with him myself.

Mr. JENKINS. There is no intention on the part of the committee that the bill should have any such result.

Mr. DOCKERY. I only desire to call the attention of the committee to it, so that if the criticism is well founded the committee can amend the bill.

Mr. JENKINS. I certainly am glad that the gentleman has called our attention to it, but I do not think it is well founded. Certainly if it is we should be very glad to correct it.

Mr. DOCKERY. If the committee are satisfied I do not care to say anything further about it.

Mr. JENKINS. We have very carefully considered the bill, have had several hearings, and we think it is a just measure. If there is anything in it which is not right, we certainly can call the attention of the Senate to it, and will be in accord with the gentleman from Missouri.

Mr. STEELE. Does it meet with the approval of the District Commissioners?

Mr. BABCOCK. Yes; it has passed both Houses twice.

Mr. JENKINS. Oh, yes; it has twice passed both Houses. I ask for a vote.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

FLORENCE CRITTENTON MISSION.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (S. 771) to incorporate the National Florence Crittenton Mission.

The bill was read, as follows:

Be it enacted etc., That Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton, and their associates and successors, are hereby constituted a body politic and corporate in the District of Columbia for the period of twenty years from and after March 4, 1897, by the name of "The National Florence Crittenton Mission," for the following purposes, namely: To aid and encourage destitute, homeless, and depraved women and men to seek reformation of character and respectability and to reach positions of honorable self-support, and especially to provide for women and young girls who have led profligate lives, or having been betrayed from the path of virtue are sincerely willing to reform, temporary homes and employment until they can be restored to friends or established in honest industry; also to establish homes for working girls, and for those purposes to carry on such homes, industrial enterprises, and such other instrumentalities as may be adapted thereto. Said corporation, through its board of trustees, shall have power to have and use a common seal, to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make reasonable by-laws, rules, and regulations needful for the government of said corporation and giving effect to the objects of its creation not inconsistent with the Constitution and laws of the United States; to receive, have, and hold real and personal estate by purchase, gift, or devise, and the same to use, sell, and convey for the reasonable purposes and benefit of said corporation; to employ such officers, agents, and employees as they may reasonably deem necessary for such purposes; fix their compensation, duties, and obligations, and change or remove them as often as in their judgment the interests of the said corporation may require.

SEC. 2. That the number of trustees for the first year of said organization shall be five, namely, Charles N. Crittenton, Franklin B. Waterman, Wager Swayne, Kate Waller Barrett, and Charles S. Morton; and any and all vacancies which may occur in said board of trustees shall be filled by an affirmative vote of a majority of the trustees present entitled to vote at any meeting duly called or set for that purpose. The right to alter, amend, or repeal this act at any time is hereby expressly reserved.

The bill was ordered to a third reading, and it was accordingly read the third time, and passed.

MASONIC TEMPLE ASSOCIATION OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill S. 3472.

The bill was read, as follows:

Be it enacted, etc., That James A. Semple, of the Grand Lodge of the District of Columbia; R. B. Donaldson, of Federal Lodge, No. 1; Thomas F. Gibbs, of Columbia Lodge, No. 3; Isaac Birch, of Potomac Lodge, No. 5; Henry Orth, of Lebanon Lodge, No. 7; E. H. Chamberlin, of New Jerusalem Lodge, No. 9; Martin R. Thorp, of Hiram Lodge, No. 10; Jesse W. Lee, jr., of St. John's Lodge, No. 11; Richard C. Lewis, of National Lodge, No. 12; William H. Baum, of Washington Centennial Lodge, No. 14; Wallace H. Hills, of Benjamin B. French Lodge, No. 15; Samuel R. Bond, of Dawson Lodge, No. 16; A. W. Johnston, of Harmony Lodge, No. 17; Robert Cook, of Lafayette Lodge, No. 19; George W. Baird, of Hope Lodge, No. 20; B. W. Murch, of George C. Whiting Lodge, No. 22; Joseph C. Johnson, of Pentalpha Lodge, No. 23; George W. Balloch, of Stansbury Lodge, No. 24; Matthew Trimble, of the Grand Chapter of the District of Columbia; Allison Nailor, jr., of Columbia Chapter, No. 1; John R. Garrison, of Washington Chapter, No. 2; John H. Olcott, of Mount Vernon Chapter, No. 3; S. H. Walker, of Eureka Chapter, No. 4; George W. Evans, of Lafayette Chapter, No. 5; W. F. R. Phillips, of Mount Horeb Chapter, No. 7; S. C. Palmer, of Potomac Chapter, No. 8; Abram Frey, of Brightwood Chapter, No. 9; John C. Chaney, of Hiram Chapter, No. 10; E. G. Davis, of the Grand Commandery of the District of Columbia; Howard Perry, of Washington Commandery, No. 1; J. H. Small, jr., of Columbia Commandery, No. 2; Samuel M. Yeatman, of Potomac Commandery, No. 3; Thomas Somerville, of De Molay Mounted Commandery, No. 4; H. K. Simpson, of Mithras Lodge of Perfection; J. A. Lacey, of Orient Lodge of Perfection; William Oscar Roome, of Evangelist Chapter Rose Croix; Charles T. Caldwell, of Robert De Bruce Council of Kadosh, and Mark D. Brainard, sr., of Albert Pike Consistory, of the order of Free and Accepted Masons of the District of Columbia, representing the several bodies above named, and their associates and successors to be appointed as hereinafter declared, be, and they are hereby, constituted a body politic and corporate under the name of The Masonic Temple Association, and by the same name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in any court of law or equity of competent jurisdiction, and to make and have a common seal, and the same to alter and renew at pleasure; to enact such by-laws and regulations, and generally to do such acts as are or may be necessary to carry into effect this act and promote the objects and designs of this corporation.

SEC. 2. That the purposes and designs of this corporation shall be the purchase of a site in the city of Washington, in said District, and the erection and maintenance thereon of a Masonic temple, whereby the mutual improvement of its members and the tenets and the educational, benevolent, and charitable work and purposes of the order of Free and Accepted Masons and of bodies related thereto may be promoted and advanced; and for said purposes, the said corporation shall have power to take and hold, encumber and convey, such real (not exceeding one-quarter of a block) and personal estate as may be necessary therefor, to erect such buildings thereon, and to rent the same or any parts thereof as a source of revenue for the purposes aforesaid.

SEC. 3. That the affairs of said corporation shall be conducted by a board of managers, to be elected annually in December by the respective bodies owning capital stock of this corporation to the amount of not less than $500 each, and to continue in office until their successors shall be elected, not less than a majority of whom shall be a quorum to do business. The board may fill vacancies happening in their number from the members of the body losing representation until such time as an election may be had at the next meeting of that body to fill such vacancy; they shall elect one of their number as president, and a secretary and a treasurer, which latter officer shall give bond in such amount as may be fixed by the board of managers, and such other officers as may be necessary for conducting the affairs of said corporation. The managers shall have the right to elect to membership other bodies owning capital stock of this corporation at their discretion.

SEC. 4. That the persons named in section 1 of this act be, and they are hereby, constituted a board of managers, to serve as such until their successors shall be elected, as herein provided. A meeting of said managers shall be held within sixty days after the approval of this act, at which time they may proceed to organize, adopt by-laws, provide all necessary books, and exercise general superintendence of the affairs of the corporation.

SEC. 5. That whenever it shall be deemed necessary for the purposes of this corporation, the managers shall have the power, by a vote representing a majority of the capital stock, to issue bonds, secured upon the real estate held by this corporation; and no encumbrance or conveyance of the real estate of the corporation shall be made except by a vote representing such majority of the capital stock.

SEC. 6. That the first annual meeting of this corporation shall be held in the month of January, 1899, and thereafter at such time and place as shall be determined by the managers.

SEC. 7. That Congress reserves to itself the right to change, alter, repeal, or amend this act, or any part thereof, at its pleasure.

The following amendments, recommended by the Committee on the District of Columbia, were read:

Page 3, line 10, after the word "corporate," insert "within the District of Columbia;" and in line 11, after the word "Association," add "of the District of Columbia;" so that it will read "and they are hereby constituted a body politic and corporate within the District of Columbia, under the name of The Masonic Temple Association of the District of Columbia."

Page 5, after section 6, add the following as section 7:

"That the capital stock of this corporation shall not be less than $150,000 nor more than $300,000, divided into shares of $10 each."

Section 7 of the Senate bill to be numbered in the reported bill as section 8.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

BARBED-WIRE FENCES IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask present consideration for the bill (H. R. 9204) to regulate the construction of barbed-wire fences in the District of Columbia, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That no fence, barrier, or obstruction consisting or made, in whole or in part, of what is commonly called barbed wire shall be erected, constructed, or maintained along the line of or in or upon any street, avenue, alley, road, or other public walk, driveway, or public or private parking within the fire limits of the District of Columbia.

SEC. 2. That no fence, barrier, or obstruction made, in whole or in part, of what is commonly called barbed wire shall be erected, constructed, or maintained within the said District of Columbia, outside of the fire limits, along the line of or in or upon any street, avenue, alley, road, or other public walk, driveway, or public or private parking without a permit therefor from the Commissioners of said District.

SEC. 3. That whenever, under the provisions of the above sections, any barbed wire now in use, in whole or in part, for a fence, barrier, or obstruction along the line of or in or upon any street, avenue, alley, road, or other public walk, driveway, or public or private parking within the District of Columbia is required to be removed, said wire shall be removed by the owner of the building or other property upon which such fence, barrier, or obstruction exists, or his or her agent, within thirty days from the service by the inspector of buildings of said District of a notice, served in like manner as notices in regard to assessment and permit work are required by law to be served, directing the owner, agent, or other person or persons owning or controlling the land, structure, or other property upon which such fence or barrier exists to remove the same.

SEC. 4. That any person violating any of the provisions of this act shall, upon conviction thereof in the police court of said District, be fined not less than five nor more than ten dollars for each day such violation shall continue.

SEC. 5. That in case the owner, agent, or other person or persons in control of the property along which such fence, barrier, or obstruction unlawfully exists can not be found within five days after the issue of such notice, the Commissioners shall publish such notice twice a week for two successive weeks in one daily newspaper of general circulation published in the District of Columbia. If within five days after the last publication of said notice the fence, barrier, or obstruction therein described be not removed, the inspector of buildings of said District shall immediately cause such fence, barrier, or obstruction to be removed, and the expense of such removal shall be paid out of the assessment and permit fund; and the cost of such removal, together with the cost of said advertising, shall be assessed against said property and collected as general taxes in said District are assessed and collected; and the funds from which said payments are made shall be reimbursed from such collections.

The amendment recommended by the committee was read, as follows:

On page 2, section 4, line 3, strike out the words "less than five nor;" so that it will read, "be fined not more than $10 for each day such violation shall continue."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CURTIS of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

WASHINGTON AND UNIVERSITY RAILROAD COMPANY.

Mr. BABCOCK. Mr. Speaker, I ask present consideration of the bill (H. R. 9206) to incorporate the Washington and University Railroad of the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That J. D. Croissant, Frederick C. Kennedy, A. O. Humphrey, David D. Stone, John J. Flynn, V. E. Nash, and Charles S. Lord, and their associates, successors, and assigns, are hereby created a body corporate under the name of the Washington, University and Cabin John's Railroad Company of the District of Columbia.

ROUTE.

SEC. 2. That the company is authorized to construct and operate a street railway for carrying passengers, parcels, and milk along the following-named route: Beginning at the intersection of Connecticut avenue extended and Milwaukee street; thence westerly on Milwaukee street to the intersection of Tennallytown road (or Wisconsin avenue); thence northerly, over the tracks of the Georgetown and Tennally town road, to Quincy street; thence westerly on Quincy street to Forty-fourth street; thence northerly on Forty-fourth street to Vallejo street; thence westerly on Vallejo street to Forty-seventh street; thence northerly on Forty-seventh street to Flint street; thence west on Flint street to Boundary avenue; thence southerly on Boundary avenue to Forty-eighth street; thence southerly on Forty-eighth street to Brandywine street; thence easterly on Brandywine street to Forty-seventh street, as shown upon the plans of the third section of highway extensions: *Provided*, That where this route lies within the lines of a proposed highway the company shall acquire a right of way not less than 30 feet wide in the center thereof, and all rights of way acquired within the lines of proposed highways shall be dedicated to the use of the public before a permit is issued for the construction of a railroad therein.

MOTIVE POWER.

SEC. 3. That the motive power shall be electricity, and if the trolley system is used a return wire of equal capacity to the feed wire, and similarly insulated, must be provided, and each car shall be equipped with a double trolley. No portion of the electrical circuit shall, under any circumstances, be allowed to pass through the earth, and neither pole of any dynamo furnishing power to the line shall be grounded.

PLANS.

SEC. 4. That all plans of location and construction shall be subject to the approval of the Commissioners of the District of Columbia.

EXCAVATIONS.

SEC. 5. That excavations in the highways shall be made under permits from the Commissioners, and subject to regulations prescribed by them.

CONSTRUCTION.

SEC. 6. That the railway and its appurtenances shall be constructed in a substantial and durable manner. Such construction shall be subject to District inspection. All changes to existing structures in public space shall be made at the expense of the company.

DEPOSITS.

SEC. 7. That the company shall deposit such sums as the Commissioners may require to cover the cost of District inspection and the cost of changes to public works in the streets.

CARE OF ROADWAY.

SEC. 8. That the company shall keep the space between its rails and tracks and 2 feet exterior thereto in good condition, to the satisfaction of the Commissioners; and said spaces shall be kept in such condition that vehicles can readily and easily pass from one side of the tracks to the other. The pavement of these spaces shall be at least as good as that of the contiguous roadway. The proper authorities shall have the right to make changes of grade and other improvements which they may deem necessary; and when any highway occupied by the company is improved the company shall bear the entire expense of improving said spaces to correspond with the remainder of the roadway. The requirements of this section shall be enforceable under the provisions of section 5 of the act providing a permanent form of government for the District of Columbia, approved June 11, 1878.

COMPLETION.

SEC. 9. That the road shall be in operation for its entire length within the District of Columbia within two years from the approval of this act.

GUARANTY DEPOSIT.

SEC. 10. That within sixty days from the approval of this act the company shall deposit $1,000 with the collector of taxes of the District of Columbia to guarantee the construction of its railway within the prescribed time. If this sum is not so deposited, this charter shall be void. If the sum is so deposited and the road is not in operation as herein prescribed, said $1,000 shall be forfeited to the District of Columbia and this charter shall be void.

CARS.

SEC. 11. That the cars shall be first class, and shall be kept in good condition, to the satisfaction of the Commissioners.

TIME-TABLE.

SEC. 12. That the cars shall be run as often as the public convenience requires, on a time-table satisfactory to the Commissioners and approved by them.

SPEED.

SEC. 13. That the speed of cars shall be subject to the police regulations of the District of Columbia.

EJECTMENT FROM CARS.

SEC. 14. That persons drunk, disorderly, contagiously diseased, or refusing to pay the legal fare may be ejected from the cars by the officers in charge thereof.

ARTICLES LEFT IN CARS.

SEC. 15. That as far as possible articles left in cars shall be cared for by the company, to the end that they may be restored to the rightful owner.

FARE.

SEC. 16. That the rate of fare within the District of Columbia shall not exceed 5 cents per passenger, and six tickets shall be sold for 25 cents.

BUILDINGS.

SEC. 17. That the company is authorized to erect and maintain the buildings necessary to the operation of its road, subject to the building regulations of the District of Columbia. The company shall erect and maintain passenger rooms and transfer stations as required by the Commissioners, and proper conveniences for the public shall be provided at such rooms and stations.

LAND.

SEC. 18. That the company is authorized to acquire, by purchase or condemnation, the necessary land for its authorized right of way.

ORGANIZATION.

SEC. 19. That the corporators shall open books of subscription to the capital stock of the company within three months from the approval of this act, of which previous notice shall be given every day for one week by advertisement in a newspaper published in the city of Washington. The corporators herein named shall be individually liable for moneys received for subscriptions to the capital stock prior to the organization of the company by the stockholders. Within six months from the approval of this act the company shall be organized by the stockholders, for which purpose the corporators shall call a meeting of the stockholders, notifying them of the purpose, time, and place of such meeting by a letter mailed to each, and giving additional notice, by advertisement in a newspaper published in the city of Washington, every day for one week previous to such meeting; and thereafter the stockholders shall meet at least once a year, and such notice shall be given of each meeting. Each share of paid-up stock shall entitle the holder to one vote. The stockholders are empowered to elect a president, a treasurer, a secretary, a board of directors, and other officers, and to make by-laws and regulations for the government of the company.

CAPITAL STOCK.

SEC. 20. That the company is authorized to issue bonds and capital stock, said stock to be in shares of $10 each: *Provided, however*, That the total issue of said bonds and stock shall not in the aggregate exceed the amount necessary for the cost of construction and equipment of its railway and buildings; and before any bonds or stock shall be issued the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia; and for this purpose said Commissioners are hereby authorized to subpœna and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further*, That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia. And all bonds or stock issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this act, shall be null and void. Stock sold by the company shall be fully paid for before delivery to purchaser. Stockholders shall be individually liable to the extent of the value of the stock held by them.

TAXES.

SEC. 21. That the Washington and University Railroad Company shall annually pay to the District of Columbia a franchise tax of five-eighths of 1 per cent of the entire gross earnings of such company and a personal tax of 2 per cent per annum on the entire gross earnings of said company. There shall also be levied and collected upon all of the real estate of said company a tax in the same manner and to the same extent as upon all other real estate in the District of Columbia; said taxes shall be due and payable, subject to the same penalties on arrears, and collectible in the same manner as other taxes in the District of Columbia.

PENALTIES.

SEC. 22. That each and every violation of the requirements of this act shall be punishable by a fine of from twenty-five to one thousand dollars, in the discretion of the court; such fines to be collectible in any court of competent jurisdiction as other fines and penalties are collected in the District of Columbia.

AMENDMENT; REPEAL.

SEC. 23. That Congress reserves the right to alter, amend, or repeal this act.

The amendment recommended by the committee was read, as follows:

On page 1, section 1, line 7, strike out the comma where it appears after the word "Washington" and insert in lieu thereof the word "and;" also strike out in the same line, after the word "University," the following three words, "and Cabin John's;" so that it will read: "Washington and University Railroad Company of the District of Columbia."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. CURTIS of Iowa, a motion to reconsider the vote by which the bill was passed was laid on the table.

DISTRICT OF COLUMBIA SUBURBAN RAILWAY COMPANY.

Mr. CURTIS of Iowa. Mr. Speaker, I ask for the consideration of the bill (H. R. 9417) to amend the charter of the District of Columbia Suburban Railway Company.

The bill was read, as follows:

Be it enacted, etc., That an act entitled "An act to incorporate the District of Columbia Suburban Railway Company," approved July 5, 1892, be amended so as to read:

"SEC. 1. That Richard K. Cralle, Charles E. Creecy, John T. Mitchell, M. F. Morris, L. G. Hine, Gilbert Moyer, S. E. Mudd, Robert A. Howard, W. I. Hill, John W. Childress, J. F. Kenney, D. W. Glassie, Harry Barton, Philemon W. Chew, T. C. Daniel, G. P. Davis, Jere Johnson, and L. C. Loomis, and their associates, successors, and assigns, are hereby created a body corporate by the name, style, and title of 'The District of Columbia Suburban Railway Company,' and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal. And said corporation is hereby authorized to construct and lay down a single or double track railway, as may be approved by the Commissioners of the District of Columbia, with the necessary switches, turn-outs, and other mechanical devices, in the District of Columbia, through and along the following routes: Beginning on the north side of Lincoln Park at Twelfth street east; thence north on said Twelfth street to Boundary or Florida avenue; thence continuing northward on said Twelfth street extended to Fifteenth street extended; thence by said Fifteenth street extended to a point 500 feet north of New York avenue; thence by a line parallel to New York avenue to Lafayette avenue; thence by Lafayette avenue, Twentieth street extended, Cincinnati street, Twenty-fourth street, and Frankfort street to the Bladensburg road; thence northerly along the Bladensburg road to the District line, the line of the railroad on said Bladensburg road to be located under the direction of the District Commissioners.

"SEC. 2. That said company may run public carriages propelled by electric power: *Provided*, That the electric wires used within the limits of the city of Washington shall be placed under ground and the power used shall be subject to the approval of the said Commissioners; but outside of the city limits the overhead trolley system may be used, but in such case a return wire similar in capacity, location, and insulation to the feed wire shall be provided, and if trolleys are used each car shall be provided with a double trolley. No dynamo furnishing power to the road or any portion thereof shall have either of its poles connected to the earth: *Provided*, That for the purpose of making a continuous connection the said company shall have the right to cross all streets, avenues, and highways necessary for this purpose: *Provided*, That whenever the foregoing route or routes may coincide with the route or routes of any duly incorporated street railway company in the District of Columbia the tracks shall be used by both companies, which are hereby authorized and empowered to use such tracks in common, upon such fair and equitable terms as may be agreed upon by said companies; and in the event the said companies fail to agree upon equitable terms, either of said companies may apply by petition to the supreme court of the District of Columbia, which shall immediately provide for proper notice to and hearing of all parties interested, and shall have power to determine the terms and conditions upon which and the regulations under which the company hereby incorporated shall be entitled so to use and enjoy the track of such other street railway company, and the amount and manner of compensation to be paid therefor: *And provided further*, That neither of the companies using such tracks in common shall be permitted to make the track so used in common the depot or general stopping place to await passengers, but shall only be entitled to use the same for the ordinary passage of its cars, with the ordinary halts for taking up and dropping off passengers: *Provided*, That this shall not apply to or interfere with any station already established on any existing lines; that said corporation is authorized and empowered to propel its cars over the line of any other road or roads which may be in the alignment with and upon such streets as may be covered by the route or routes as prescribed in this act, in accordance with the conditions hereinbefore contained; and that this corporation shall construct and repair such portions of its road as may be upon the line or routes of any other road thus used; and in case of any disagreement with any company whose line of road is thus used, such disagreement may be determined summarily upon the application of either road to any court in said District having competent jurisdiction. Whenever more than one of the tracks of said railway shall be constructed on any of the public highways in the District, the width of space between the tracks shall not exceed 4 feet, unless otherwise ordered by the Commissioners of the District of Columbia.

"SEC. 3. That said company shall receive a rate of fare not exceeding 5 cents per passenger for any distance on its route within the District of Columbia; and the said company may make arrangements with all existing railway companies in the District of Columbia for the interchange of tickets in payment of fare on its road: *Provided*, That within the District limits six tickets shall be sold for 25 cents.

"SEC. 4. That said company shall, on or before the 1st of February of each year, make a report to Congress, through the Commissioners of the District of Columbia, of the names of all the stockholders therein and the amount of stock held by each, together with a detailed statement of the bonded and other indebtedness and the receipts and expenditures, from whatever source and on whatever account, for the preceding year ending December 31, and such other facts as may be required by any general law of the District of Columbia, which report shall be verified by affidavit of the president and secretary of said company; and if said report is not made at the time specified, or within ten days thereafter, such failure shall of itself operate as a forfeiture of this charter, and it shall be the duty of the Commissioners to cause to be instituted proper judicial proceedings therefor; and said company shall pay to the District of Columbia annually a franchise tax of five-eighths of 1 per cent of the entire gross earnings of such company. There shall be levied and collected, in addition to such franchise tax, upon all of the real estate of said company a tax in the same manner and to the same extent as upon all other real estate in the District of Columbia; and in addition to said taxes shall also pay an annual tax of 2 per cent on its entire gross earnings.

"SEC. 5. That the said railway shall be constructed of good materials and in a substantial and durable manner, with the rails of the most approved pattern, to be approved by the Commissioners of the said District, laid upon an even surface with the pavement of the street, and the gauge to correspond with that of other city railways. And all plans relating to the location and construction of said railway shall be subject to the approval of the Commissions of the District of Columbia, or their successors, and all work shall at all times be subject to their supervision. The said corporation shall from time to time deposit with the collector of taxes, District of Columbia, such amounts as may be deemed necessary by said Commissioners to cover cost of inspection, supervision, pavement, and repairs.

"SEC. 6. That the said corporation hereby created shall be bound to keep said tracks, and for the space of 2 feet beyond the outer rails thereof, and also the space between the tracks, at all times in as good order as the streets and highways through which it passes, subject to the approval of the said Commissioners, without expense to the United States or to the District of Columbia.

"SEC. 7. That nothing in this act shall prevent the District of Columbia at any time, at its option, from altering the grade or otherwise improving all avenues and streets and highways occupied by said road, or from so altering and improving such streets and avenues and highways, and the sewerage thereof, as may be under its authority and control; and in such event it shall be the duty of said company to change its said railroad so as to conform to such grade as may have been thus established.

"SEC. 8. That it shall be lawful for said corporation, its successors, or assigns, to make all needful and convenient trenches and excavations in any of said streets or places where said corporation may have the right to construct and operate its road, and place in such trenches and excavations all needful and convenient devices and machinery for operating said railroad in the manner and by the means aforesaid, subject to the approval of the said Commissioners; but whenever such trenches or excavations shall interfere with any sewer, gas, or water pipes, or any subways or conduits, or any public work of the kind which has been ordered by the Commissioners, then the expense necessary to change such underground construction shall be borne by the said railway company: *Provided*, That wherever the railroad shall be built along any road the space between the inner rail of said railroad and the roadway shall be graded and put in good order for public use at the expense of the company, and subject to the approval of the Commissioners of the District of Columbia.

"SEC. 9. That it shall also be lawful for said corporation, its successors or assigns, to erect and maintain, at such convenient and suitable points along its lines as may seem most desirable to the board of directors of the said corporation, and subject to the approval of the said Commissioners, an engine house or houses, boiler house, and all other buildings necessary for the successful operation of an electric, pneumatic, or other railroad, and may buy, lease, or construct such ticket offices, workshops, depots, and lands as may be necessary at such points on its line as may be approved by the said Commissioners.

"SEC. 10. That the Commissioners of the District of Columbia may make such regulations as to rate of speed, mode of use of tracks, and removal of ice and snow as in their judgment the interest and convenience of the public may require. A corporation whose servants or agents willfully or negligently violate such an ordinance or regulation as aforesaid shall be liable to said Commissioners for a penalty not exceeding $500.

"SEC. 11. That the line of said railway company shall be commenced within six months and completed within two years from the passage of this act. The company shall, within sixty days after the passage of this act, deposit with the collector of taxes of the District of Columbia the sum of $1,000 as a guaranty fund, and unless the said sum shall be deposited within said sixty days this charter shall become null and void; and if the work of construction upon said railway is not commenced within six months from the date of the passage of this act the money so deposited shall be forfeited and shall be deposited by the collector of taxes of the District of Columbia with the Treasurer of the United States.

"SEC. 12. That said company is hereby authorized to issue its capital stock to an amount not to exceed $250,000, in shares of $100 each. Said company shall require the subscribers to the capital stock to pay in cash to the treasurer appointed by the corporators the amounts severally subscribed by them, as follows, namely: Ten per cent at the time of subscribing, and the balance of such subscription to be paid at such times and in such amounts as the board of directors may require; and no subscription shall be deemed valid unless 10 per cent thereof shall be paid at the time of subscribing, as hereinbefore provided; and if any stockholder shall refuse or neglect to pay any installment as aforesaid, or as required by the resolution of the board of directors, after reasonable notice of the same, the said board of directors may sell at public auction, to the highest bidder, so many shares of his stock as shall pay said installments, and the person who offers to purchase the least number of shares for the assessment due shall be taken to be the highest bidder, and such sale shall be conducted under such general regulations as may be adopted in the by-laws of said company; but no stock shall be sold for less than the total assessments due and payable, or said corporation may sue and collect the same from any delinquent subscriber in any court of competent jurisdiction.

"SEC. 13. That within thirty days after the passage of this act the corporators named in the first section, their associates, successors, or assigns, or a majority of them, or, if any refuse or neglect to act, then a majority of the remainder, shall meet at some convenient and accessible place in the District of Columbia for the organization of said company and for receiving subscriptions to the capital stock of the company: *Provided*, That every subscriber shall pay at the time of subscribing 10 per cent of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be null and void: *Provided further*, That nothing shall be received in payment of the 10 per cent at the time of subscribing except lawful money or certified checks from any established national bank. And when the books of subscription to the capital stock of said company shall be closed the corporators named in the first section, their associates, successors, or assigns, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder, shall, within twenty days thereafter, call the first meeting of the stockholders of said company to meet within ten days thereafter for the choice of directors, of which public notice shall be given for five days in two daily newspapers published in the city of Washington, and by written personal notice to be mailed to the address of each stockholder by the clerk of the corporation; and in all meetings of the stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

"SEC. 14. That the said railway company is hereby also authorized to issue its bonds; but the capital stock and its bonds in the aggregate shall not exceed the cost of the construction and equipment of the railway line, and to secure said bonds by mortgage or deed of trust of any part or all of its property and franchises, and before any stock, bond, or trust deed shall be executed the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia, and for this purpose said Commissioners are hereby authorized to subpœna and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further*, That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia, and any stock or bonds issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this act, shall be null and void.

"SEC. 15. That the said company shall place first-class cars on said railways, with all the modern improvements for the convenience and comfort of passengers, and shall run cars thereon as often as the public convenience may require, the time-table or schedule of time to be approved by the said Commissioners of the District of Columbia. Every failure to comply with the conditions of this section shall render the said corporation liable to a fine of $50, to be recovered in any court of competent jurisdiction at the suit of the Commissioners of said District.

"SEC. 16. That the said company shall furnish and maintain passenger houses as required by the Commissioners of the District of Columbia, and all buildings intended for the use of the public shall be provided with such conveniences as the said Commissioners may direct. Every failure to comply with the conditions of this section shall render the said corporation liable to a fine of $50, to be recovered in any court of competent jurisdiction at the suit of the Commissioners of the District of Columbia.

"SEC. 17. That all articles of value that may be inadvertently left in any of the cars or other vehicles of said company shall be taken to its principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

"SEC. 18. That the government and direction of affairs of the company shall be vested in a board of directors, nine in number, the majority of whom shall be residents of the District of Columbia, who shall be stockholders of record, and who shall hold their office for one year, and until others are duly elected and qualified to take their places as directors; and the said directors (a majority of whom shall be a quorum) shall elect one of their number to be president of the board, who shall also be president of the company, and they shall also choose a vice-president, a secretary, and treasurer, who shall give bond with surety to said company in such sum as the said directors may require for the faithful discharge of his trust. In the case of a vacancy in the board of directors by the death, resignation, or otherwise of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

"SEC. 19. That the directors shall have the power to make and prescribe such by-laws, rules, and regulations as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter or to the laws of the United States and the ordinances of the District of Columbia.

"SEC. 20. That there shall be at least an annual meeting of the stockholders for choice of directors, to be holden at such time and place, under such conditions, and upon such notice as the said company in their by-laws may prescribe; and said directors shall annually make a report in writing of their doings to the stockholders.

"SEC. 21. That the said company shall have at all times the free and uninterrupted use of its roadway; and if any person or persons shall willfully, mischievously, and unnecessarily obstruct or impede the passage of cars of said railway company with a vehicle or vehicles, or otherwise, or in any manner molest or interfere with passengers or operatives while in transit, or destroy or injure the cars of said railway, or depots, stations, or other property belonging to said railway company, the person or persons so offending shall forfeit and pay for each such offense not less than twenty-five nor more than one hundred dollars to said company, to be recovered as other fines and penalties in said District, and shall remain liable, in addition to such penalty, for any loss or damage occasioned by his or her or their act as aforesaid; but no suit shall be brought unless commenced within sixty days after such offense shall have been committed.

"SEC. 22. That the said District of Columbia Suburban Railway Company shall have the right of way across such other railways as are now in operation within the limits of the lines granted by this act, and is hereby authorized to construct its said road across such other railways in a manner to be approved by the Commissioners of the District: *Provided*, That it shall not interrupt the travel of such other railways in such construction: *And provided further*, That no crossing of any steam railway line shall be at grade.

"SEC. 23. That no person shall be prohibited the right to travel on any part of said road or ejected from the cars by the company's employees for any other cause than that of being drunk, disorderly, unclean, or contagiously diseased, or refusing to pay the legal fare exacted, or to comply with the lawful general regulations of the company.

"SEC. 24. That this act may at any time be altered, amended, or repealed by the Congress of the United States.

"SEC. 25. That in the event that the company should not be able to come to an agreement with the owner or owners of any land through which the said road may be located to pass, proceedings for the condemnation for the use of the company of so much of said land as may be required, not exceeding 100 feet in width, may be instituted in the usual way in the supreme court of the District of Columbia, under such rules and regulations as said court may prescribe for such purposes."

Mr. OTEY. Mr. Speaker, I desire to offer an amendment.

Mr. DOCKERY. Is general debate closed?

The Clerk read as follows:

Strike out, in lines 9 and 10, page 2, all after the word "north" in the ninth line and all in the tenth line to the word "east," inclusive, and insert in lieu thereof "building line of Twelfth street and the public space around Lincoln Park;" so as to read: "Beginning with north building line of Twelfth street and the public space around Lincoln Park."

Mr. RICHARDSON. It just makes the beginning on the north side instead of the south side.

Mr. OTEY. Mr. Speaker——

Mr. RICHARDSON. The committee agrees to the amendment.

Mr. OTEY. I did not know that the committee agreed to the amendment.

Mr. HEPBURN. Mr. Speaker, before we vote on that I would like to ask the gentleman from Tennessee a question. I see it is his bill and that he introduced the bill. I would like to ask whether he has provided for the rights of all the gentlemen that were in that other bill, substantially like this, some eight, ten, or twelve years ago, when the bill was enacted. I suppose, of course, some of these corporators have died. Have you carefully preserved the rights of their heirs at law, so that they are taken in this bill as corporators?

Mr. RICHARDSON. I am not prepared to say how that is. The bill is as it was handed to me by the persons named as corporators. I suppose they are satisfied with it.

Mr. HEPBURN. I have no doubt that they are satisfied with it, because they have been holding up a franchise here for the last few years.

Mr. RICHARDSON. It has been forfeited.

Mr. HEPBURN. On the 5th of July, 1892, this bill was substantially enacted into law. Now the gentleman tells us in his report:

The people resident along the line have for years petitioned Congress for a road, and the committee can see no possible objection to granting the charter.

Now, if these gentlemen had that franchise, they had a right to build this road during the last six years; and if the people for whom the gentleman is now solicitous have for years been petitioning that it should be built, I would like to ask why it has not been built, and if there is any reasonable probability, if their franchise should be extended for another eight or ten years, that it would be built?

Mr. BABCOCK. I will say to the gentleman——

Mr. HEPBURN. I asked the gentleman from Tennessee. I know he is familiar with the matter, because he had something to do with the other charter.

Mr. RICHARDSON. I was on the District Committee when the other bill passed. It passed, if I remember correctly, as the gentleman stated——

Mr. HEPBURN. On the 5th day of July, 1892; nearly six years ago.

Mr. RICHARDSON. The gentleman will remember that in 1893 there was a change in financial affairs, and they claim that they were not able to raise the money to build that road. If I remember correctly, it may not run exactly the same, but they reach the same objective point—that is, they reach Bladensburg, or that was the intent of the original charter. They went to work and spent some $8,000 or $10,000—I am not certain about the amount—and claimed that they could not raise any more money; and, while the charter has been on the statute books, it was forfeited and they had no rights under it; but they have had a bill pending ever since, I believe, to have their rights renewed. Now, then, this bill gives them a different line, but it reaches, as I say, the same point. It goes through the country all the way except from Lincoln Park to the boundary.

Mr. HEPBURN. Evidently the committee are not very confident that they are going to be able to raise the money now.

Mr. RICHARDSON. I am not sure that they are.

Mr. HEPBURN. For while they have fixed a penalty and provided that they shall make a deposit of $1,000, which they shall forfeit if they do not begin their road within six months——

Mr. RICHARDSON. That is in all the charters.

Mr. HEPBURN. And completed within two years, yet the forfeit is only $1,000, one-ninth of the sum the gentleman says they were willing to forfeit on the other case. Now, have you any objection to inserting the words "one hundred" in place of "one"?

Mr. RICHARDSON. I think that would be altogether too much.

Mr. HEPBURN. It is the same as the request of other parties.

Mr. RICHARDSON. I can not say what was the amount of the deposit, but it is nothing like that. The rule of the Committee on the District of Columbia has been to require a deposit of $1,000.

Mr. HEPBURN. It has been very much larger than that, I remember, on different occasions.

Mr. RICHARDSON. Never since I have been a member of the committee.

Mr. HEPBURN. I know the House has inserted a much larger sum than that.

Mr. RICHARDSON. The gentleman from Wisconsin says that in one instance it was $5,000. My recollection is that it has always been $1,000. This railway is almost entirely in the country, as the gentleman knows.

Mr. HEPBURN. I think not.

Mr. RICHARDSON. I say from Lincoln Park to the boundary it is in the city, but beyond that four-fifths of it is in the country.

Mr. HEPBURN. Why does the gentleman stop at Lincoln Park? Why not cross the entire railway system of the city.

Mr. RICHARDSON. I shall not object if the gentleman wants to insert an amendment of that kind. They were modest and only proposed to go that far. I would not object to going across the street. It crosses the three lines that they propose to serve.

Mr. HEPBURN. It does not make connection with the most important one. You propose to stop it at the street line of East Capitol street, so there will be no connection with the Metropolitan road.

Mr. RICHARDSON. They came and asked to stop at the north-side line, within 20 or 30 feet of the other line. It is their request preferred to the committee. The gentleman from Virginia [Mr. OTEY] offers this amendment, but as a matter of fact the incorporators asked to stop there.

Mr. HEPBURN. I suppose that was to prevent the hostility of the other road.

Mr. RICHARDSON. I do not know about that. If the gentleman wants an amendment to carry it down Twelfth street and clear down to the navy-yard, I do not object, and this company would not object; but they are willing to stop after reaching the three tracks.

Mr. HEPBURN. You would have to make it Eleventh street or Thirteenth street.

Mr. RICHARDSON. Yes; it would have to run around the park, and then it would be on the underground line of the Metropolitan road, and that would be objectionable.

Mr. HEPBURN. Why not put it way through and connect with the Pennsylvania road?

Mr. RICHARDSON. This company would not object to it at all. All they want is to get down to the city.

Mr. HEPBURN. Will the gentleman prepare an amendment and put it on Eleventh street instead of Twelfth, which would be better?

Mr. RICHARDSON. The gentleman from Iowa understands that Eleventh street is the first street this side of Lincoln Park. Twelfth intersects Lincoln Park near the middle, and Thirteenth would be the first street east. So far as I am concerned, I would not object to changing the line just before you reach Lincoln Park on Twelfth, to run up Thirteenth and then down Thirteenth to Pennsylvania avenue, to the navy-yard, if the gentleman desires it.

Mr. HEPBURN. All right; will the gentleman from Tennessee prepare the amendment.

Mr. OTEY. Mr. Speaker, I withdraw my amendment.

Mr. RICHARDSON. Now, Mr. Speaker, I offer the following amendment which I send to the desk.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Strike out, in lines 9 and 10, page 2, after the word "beginning," the words "on the north side of Lincoln Park at," and insert in lieu thereof the following: "at Pennsylvania avenue east and Thirteenth street, thence north on Thirteenth street to B street NE., thence west on B street to."

The amendment was agreed to.

Mr. HEPBURN. I offer the following amendment:

On page 9, line 5, strike out the word "one" and insert the word "five;" so that it will read "$5,000 as a guaranty fund."

Mr. RICHARDSON. Mr. Speaker, I shall not object to this amendment because, if they intend to build the road, it is not an excessive sum. Yet this is a very poor road—that is to say, it runs through a poor country; it is not in the city, but is in a part of country not so much built up as it is on the Eckington road. I shall not object to it, however.

Mr. DOCKERY. This is a charter for a street railroad?

Mr. RICHARDSON. Yes.

Mr. DOCKERY. How many bills of this kind have been passed to-day?

Mr. RICHARDSON. Only one, and that is to reach the Methodist University, and it does not touch the town by 2 miles.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. RICHARDSON, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WASHINGTON AND GETTYSBURG RAILWAY COMPANY.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company of Maryland to extend its line of road into and within the District of Columbia.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Washington and Gettysburg Railway Company, a corporation duly incorporated under the laws of the State of Maryland, is hereby authorized to construct a city and suburban division of said railway in the District of Columbia, with single or double tracks, equip and operate the same for the carrying of passengers, parcels, milk, garden truck, and other small freight, with the necessary switches, turn-outs, buildings, and necessary mechanical devices, along the following-named route:

ROUTE.

Beginning at the boundary line of the District of Columbia at the intersection of said boundary line with Fourteenth street NE. extended, as shown on the proposed plans of street extensions; thence by double track south on said Fourteenth street for a distance of 850 feet; thence in a westerly direction to Thirteenth street NE. extended, as shown on the plans of street extensions; thence south on Thirteenth street to the north line of Bunker Hill road; thence along the north side of said road, and wholly outside the limits thereof, to Twelfth street, Brookland; thence south by single track on Twelfth and Duncan streets to Rhode Island avenue; thence in a southwesterly direction on Rhode Island avenue to Tenth street; thence north on Tenth and Wallace streets to and across Bunker Hill road to the north side thereof; thence along said road and wholly outside thereof to Twelfth street, connecting with the double tracks at that point.

COINCIDING ROUTE.

SEC. 2. That where this route coincides with an existing street railway one set of tracks shall be used in common, upon terms mutually agreed upon, or, in case of disagreement, upon terms determined by the supreme court of the District of Columbia, which is authorized and directed to give hearing to the interested parties and to fix the terms of joint trackage. Payments for the use of the tracks shall be made monthly, in advance; default in such payments shall suspend the right of the company to use the tracks until such payment is made; that the motive power shall be cable, electric, compressed air, or other mechanical power other than steam locomotive power; and wherever the trolley system is used, a return wire, similar in capacity, situation, and insulation to the feed wire, shall be provided for the current, and each car shall be provided with a double trolley; and no dynamo furnishing power to the road, or any portion thereof, shall have either of its poles connected to the earth.

PLANS.

SEC. 3. That all plans of location and construction shall be subject to the approval of the Commissioners of the District of Columbia.

EXCAVATIONS.

SEC. 4. That excavations in the highways shall be made only under permits from the Commissioners of the District of Columbia, and subject to regulations prescribed by them.

CONSTRUCTION.

SEC. 5. That the said railway and its appurtenances shall be constructed in a substantial and durable manner, subject to inspection by the Commissioners of the District of Columbia. All changes to existing structures in public space shall be made at the expense of the company.

DEPOSITS.

SEC. 6. That the said company shall deposit such sums as the Commissioners of the District of Columbia may require, to cover the cost of District inspection and the cost of changes to public works in the streets.

CARE OF ROADWAY.

SEC. 7. That the company shall keep the space between its rails and tracks and 2 feet exterior thereto in good condition, to the satisfaction of the Commissioners of the District of Columbia. The pavement of these spaces shall be at least as good as that of the contiguous roadway. The proper authorities shall have the right to make changes of grade and other improvements which they may deem necessary; and when any highway occupied by the company is improved, the company shall bear the entire expense of improving said spaces to correspond with the remainder of the roadway. The requirements of this section shall be enforceable under the provisions of section 5 of the act providing a permanent form of government for the District of Columbia, approved June 11, 1878.

GUARANTY DEPOSIT.

SEC. 8. That within sixty days from the approval of this act the company shall deposit $1,000 with the collector of taxes of the District of Columbia, to guarantee the construction of its railway within the prescribed time. If this sum is not so deposited, this charter shall be void. If the sum is so deposited and the road is not in operation as herein prescribed, said $1,000 shall be forfeited to the District of Columbia and this charter shall be void.

CARS.

SEC. 9. That the cars shall be first class and shall be kept in good condition, to the satisfaction of the Commissioners of the District of Columbia.

TIME-TABLE.

SEC. 10. That the cars shall be run as often as the public convenience requires, on a time-table satisfactory to the Commissioners of the District of Columbia and approved by them.

SPEED.

SEC. 11. That the speed of cars shall be subject to the police regulations of the District of Columbia.

EJECTMENT FROM CARS.

SEC. 12. That persons drunk, disorderly, contagiously diseased, or refusing to pay the legal fare may be ejected from the cars by the officers in charge thereof.

ARTICLES LEFT IN CARS.

SEC. 13. That as far as possible articles left in cars shall be cared for by the company, to the end that they may be returned to the rightful owner.

FARE.

SEC. 14. That the rate of fare which may be charged for the transportation of passengers over the lines of said company within the District of Columbia shall not exceed 5 cents per passenger, and six tickets shall be sold for 25 cents: *Provided, however*, That the said Washington and Gettysburg Railway Company shall issue transfer tickets, four for 25 cents, which shall be good for one continuous passage over their lines within the District of Columbia and over the lines of the Maryland and Washington Railway Company and the Eckington and Soldiers' Home Railway Company, or the Columbia Railway Company, good in either direction, settlement for the same being made with said connecting railway companies on the basis of 3½ cents to the Washington and Gettysburg Railway Company and 2½ cents to the said connecting railway companies, or either of them, within the District of Columbia, for each passenger.

BUILDINGS.

SEC. 15. That the company is authorized to erect and maintain the buildings necessary to the operation of its road, subject to the building regulations of the District of Columbia. The company shall erect and maintain passenger rooms and transfer stations as required by the Commissioners of the District of Columbia. All passenger rooms and transfer stations shall be provided with such conveniences for the public as said Commissioners may direct.

LAND.

SEC. 16. That the company is authorized to acquire, by purchase or condemnation, the necessary land for its authorized right of way and to issue its bonds or other evidences of debt, secured by mortgage or deed of trust on its properties and franchises: *Provided*, That the total issue of said bonds shall not in the aggregate exceed the amount necessary for the construction and equipment of said railroad, and before any bond or trust deed shall be executed the amount of bonds necessary to be issued shall be ascertained and fixed by the Commissioners of the District of Columbia; and for this purpose said Commissioners are hereby authorized to subpœna and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further*, That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia; and all bonds issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provision of this act, shall be null and void.

TAXES.

SEC. 17. That said road shall annually pay a franchise tax to the tax collector of the District of Columbia of five-eighths of 1 per cent of the entire gross earnings of such company; that there shall be levied and collected in addition to such franchise tax, upon all the real estate of said company, a tax

in the same manner and to the same extent as upon all other real estate of the District of Columbia; and in addition to said taxes shall pay an annual tax of 2 per cent on their entire gross earnings within the District of Columbia.

CHANGES IN GRADES.

SEC. 18. That nothing in this act shall prevent the District of Columbia at any time, at its option, from altering the grade of any avenue, street, or highway occupied by said railway or from altering and improving streets, avenues, highways, and the sewerage thereof; and said company shall change its railway construction and pavements so as to conform to such grades and improvements as may have been or may be established.

TELEGRAPH AND TELEPHONE LINES.

SEC. 19. That said company is also authorized to construct and operate telegraph and telephone lines along its railway, subject to the approval of the Commissioners of the District of Columbia, up to the point of its connection with any duly chartered and operated street railway of the District of Columbia with which it may connect: *Provided, however*, That nothing herein shall be construed as authorizing the erection of telegraph poles or the stringing of overhead telegraph or telephone wires south of Florida avenue.

COMMENCEMENT AND COMPLETION.

SEC. 20. That the construction of the said extension on the lines of the said railway company within the District of Columbia shall be commenced within one year of the passage of this act and be completed and cars running thereupon for passenger traffic within two years from the passage of this act, in default of which this act shall be void and of no effect in so far as the said line shall not be so completed.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

SEC. 21. That the construction, adoption of motive power, erection of buildings, regulation of schedule and speed of running, shall be at all times under the supervision and control of the Commissioners of the District of Columbia.

PENALTIES.

SEC. 22. That each and every violation of the requirements of this act shall be punishable by a fine of from twenty-five to one thousand dollars, in the discretion of the court, such fines to be collectible in any court of competent jurisdiction as other fines and penalties are collected in the District of Columbia.

AMENDMENT; REPEAL.

SEC. 23. That Congress reserves the right to alter, amend, or repeal this act.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the last vote was laid on the table.

MARY S. TOWNSEND.

Mr. BABCOCK I ask that House bill 9035, for the relief of Mary S. Townsend, be referred to the Committee on the District of Columbia for further consideration.

The SPEAKER. Without objection, that order will be made.

There was no objection.

LOTS 13 AND 14, SQUARE 959.

Mr. BABCOCK. I ask unanimous consent that the bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C., may be considered in the House as in Committee of the Whole.

Mr. UNDERWOOD. Let the bill be read.

The bill was read, as follows:

Be it enacted, etc., That all the right, title, and interest, whether legal or equitable, of the United States of America in and to all those lots or parcels of ground situate in the city of Washington, D. C., and known on the ground plan of city as lots Nos. 13 and 14, in square No. 959, be, and the same hereby is, released and quitclaimed to Thomas Yates, the present owner of the equitable title to said lots, and to his heirs and assigns forever.

This act shall have the effect only of a quitclaim of all the right, title, and interest of the United States therein, but shall not affect an adverse title to said land, if any, nor create any liability on the part of the United States.

The amendment reported by the committee was read, as follows:

After the word "forever," in line 10, insert:

"Upon condition, however, that the said Thomas Yates pay to the proper officer of the District of Columbia all taxes heretofore assessed against said property, both general and special, now unpaid and standing against said property."

There being no objection, the House proceeded to consider the bill.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The SPEAKER. The question is now on the passage of the bill.

Mr. RIDGELY. Before the final vote is taken on this bill, I should like to inquire what is the value of this property and what are the reasons for the passage of the bill?

Mr. BABCOCK. I yield to the gentleman from Wisconsin [Mr. JENKINS], who reported the bill.

Mr. JENKINS. Mr. Speaker, the property affected by this bill is not of any very great value. The reasons for the passage of the bill are fully stated in the report, which is a document of considerable length.

It is somewhat questionable whether the United States Government has any claim to this property. It is now claimed and held by a very poor, hard-working man, who put in all his earnings to buy it and make upon it his little home. He now understands that the Government of the United States has some claim to the property. But it is very clear that the United States never made any claim of title whatever except to the extent of a report made by General Casey in 1878, when it was listed as the property of the United States.

When this city was laid out, all the property was deeded to trustees with the understanding that one-half should go to the District for the benefit of the United States and the other half be returned to the individual owners. There is no question that the lots to which the bill refers were set apart as the property of the United States, but the title deeds and all the records of that time were destroyed when the British army invaded the city of Washington, and we have nothing to guide us in this matter excepting an inventory which was filed in 1802. in which this property was inventoried as the property of an individual. We do not think that at that time a person not claiming the property would have inventoried it as part of the estate of a dead man. There must have been some reasons for making the claim at that time. From that time until to-day the property has been assessed as the property of individuals, and the Government of the United States has never made any claim to it whatever.

Mr. RIDGELY. The committee are unanimous in favor of the bill?

Mr. JENKINS. The committee has unanimously reported in favor of the passage of the bill, as a simple matter of justice to a poor, hard-working man.

Mr. RIDGELY. The explanation is satisfactory.

The question being taken, the bill was passed.

IMPROVEMENT OF ANACOSTIA RIVER.

Mr. BABCOCK. I ask unanimous consent that Senate resolution 28, which is a duplicate of House bill 126, may be considered in the House as in Committee of the Whole.

There being no objection, the House proceeded to the consideration of joint resolution (S. R. 28) making an appropriation for the improvement of the Anacostia River and the reclamation of its flats.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to prepare and submit to Congress forthwith a project for the improvement of the Anacostia River and the reclamation of its flats from the line of the District of Columbia to the mouth of said river, with an estimate of the cost of the same, and a report on the area and ownership of the land to be reclaimed, and if any portion of said land is vested in private persons an estimate of the cost of acquiring the same; and the sum of $2,000, or so much thereof as may be necessary, is hereby appropriated to pay the cost of surveys and other expenses in the premises.

Mr. DOCKERY. Does this joint resolution make any appropriation?

Mr. BABCOCK. Yes; an appropriation of $2,000 for the improvement of the Anacostia River and the reclamation of its flats.

Mr. DOCKERY. Has the resolution been recommended by the Commissioners of the District of Columbia?

Mr. BABCOCK. It has been recommended by almost every official of the Government as well as by a number of medical societies.

Mr. DOCKERY. Does it involve any other expenditure than the $2,000?

Mr. BABCOCK. That is all. Here is an exhaustive report.

Mr. DOCKERY. Is it approved by the District Commissioners?

Mr. BABCOCK. Yes; and by the Secretary of the Interior.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed,

By unanimous consent, on motion of Mr. BABCOCK, the corresponding House bill (H. R. 126) was ordered to lie on the table.

Mr. BABCOCK. That is all the business which the Committee on the District of Columbia has to present to-day.

REPRINT OF THE ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HULL. I wish to ask unanimous consent that the bill for the better organization of the Army may be reprinted. I want to say that the entire supply is exhausted, and members are not able to get copies this afternoon. I ask that there be a reprint of the bill as reported by the committee, with the committee amendments in it, and also the report.

Mr. DOCKERY. Do the committee propose any amendments to the bill?

Mr. HULL. Oh, yes, a great many; and it will be reprinted with the amendments in it.

The SPEAKER. The gentleman from Iowa asks unanimous consent that there may be a reprint of the bill and report. Is there objection?

There was no objection.

MONUMENT TO THE LATE ALBERT PIKE.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent for the present consideration of House resolution 178, a joint resolution granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That permission be, and is hereby, granted the Supreme Council of the Inspectors-General of the Thirty-third Degree

of the Ancient and Accepted Scottish Rite of Freemasonry for the Southern Jurisdiction of the United States of America to erect a monument or statue to the memory and in honor of Albert Pike, in such place in the city of Washington, D. C., other than the Capitol or Library grounds, as shall be designated by the Superintendent of Public Buildings and Grounds, the Joint Committee on the Library, and the committee of the supreme council of said rite appointed by it for that purpose. The said monument or statue shall not cost less than $10,000, and to be presented to the people of the United States by said supreme council.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

Mr. RICHARDSON. I ask leave to print in the RECORD the report in the case, so that the other House may see the grounds upon which this resolution is passed.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON] asks unanimous consent to print the report in the RECORD. Is there objection?

There was no objection.

The report (by Mr. QUIGG) is as follows:

The Committee on the Library, to which was referred the House joint resolution (H. Res. 178) granting permission for the erection of a monument or statue in the city of Washington in honor of the late Albert Pike, report the same herewith, with the recommendation that it do pass.

The resolution is based upon an action of the Supreme Council of the Ancient and Accepted Scottish Rite of Free Masonry had at a recent meeting of that body. A resolution was passed by the supreme council to erect a monument or statue to the memory of Albert Pike. He had been grand commander of the Rite. He was a distinguished citizen of the United States, an able lawyer and statesman, an accomplished poet, and a brave soldier.

It is proposed that the monument shall cost not less than $10,000, and shall be presented by the supreme council to the United States. Five thousand dollars were contributed for this purpose by the supreme council, and steps have been taken to raise the remainder of the necessary fund.

The resolution herewith reported carries no appropriation, it being the purpose of the supreme council to defray all expenses connected with the construction and the erection of the statue.

REPRESENTATIVES OF JOHN C. HOWE, DECEASED.

Mr. WALKER of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (S. 435) for the relief of the legal representatives of John C. Howe, deceased.

The SPEAKER. The Chair asks the attention of the House. The gentleman from Massachusetts [Mr. WALKER] moves to suspend the rules and pass a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal representatives of John C. Howe, deceased, $66,907, out of any money in the Treasury not otherwise appropriated, the same being compensation in full for the use by the United States, to wit, in 66,907,313 cup-anvil cartridges, of the invention secured to John C. Howe and his assigns by letters patent of the United States issued to him August 16, 1864, and No. 43851, during the entire term of said letters patent, as appears in the findings of laws and of fact made by the United States circuit court for the district of Connecticut in the case of Forehand and others *vs.* Porter, reported in volume 15 of the Federal Reporter, at page 256, and as further appears in the findings of fact made by the Court of Claims, after full testimony and full hearing in Congressional case No. 1, entitled Forehand and others *vs.* The United States, heard on reference of the matter to said Court of Claims by the Committee on Claims of the Senate under and pursuant to the act of March 3, 1883, commonly known as the Bowman Act, said findings of fact having been certified to the Committee on Claims of the Senate by said court on the 26th day of April, 1889.

Mr. BAILEY. Mr. Speaker, I demand a second on that.

The SPEAKER. The gentleman from Texas demands a second. The gentleman from Massachusetts, Mr. WALKER, and the gentleman from Texas, Mr. BAILEY, will act as tellers.

Mr. WALKER of Massachusetts. I hope the gentleman will consent to allow a second to be considered as ordered. This is a very just claim. I ask unanimous consent that a second be considered as ordered. I can make this clear in a moment. I think I will not take over five minutes in stating the case.

Mr. BAILEY. I have no objection to having a second considered as ordered; but I want to say that that does not indicate any willingness to pass this bill.

The SPEAKER. The gentleman from Massachusetts [Mr. WALKER] asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. WALKER of Massachusetts. Now, if gentlemen will give their attention, I can make this clear in a very few moments. This claim was awarded fifteen years ago.

Mr. BAILEY. Let me ask the gentleman from Massachusetts in the very beginning, is this a judgment of a court?

Mr. WALKER of Massachusetts. This is a judgment of the United States circuit court, and the case was subsequently referred to the Court of Claims and favorable judgment rendered by the Court of Claims, and it has been unanimously reported by four committees of the Senate, and has unanimously passed the Senate——

Mr. BAILEY. Was it a judgment or a mere finding of facts?

Mr. WALKER of Massachusetts. It is a judgment of the United States circuit court.

Mr. LOUD. It is simply a finding of the Court of Claims.

Mr. WALKER of Massachusetts. And after the judgment the bill was reported to the Senate. It is not a judgment of the Supreme Court, but of the United States district court for Connecticut.

Mr. MOODY. The circuit court.

Mr. WALKER of Massachusetts. The circuit court. Now, let me say, Mr. Speaker, that this patent was secured in 1864. The United States began to manufacture these cartridges in 1868, long after the war closed, and the goods manufactured by the United States under this patent were valued by the Court of Claims at $1,600,000. The United States sold 5,721,000 of these cartridges for about $200,000, and the money that the Government made on the cartridges it sold is more than these parties were awarded. Mr. Howe worked for Forehand & Wadsworth, of my city. I knew Mr. Howe, and I knew Forehand & Wadsworth and the families of all these parties. Out of sympathy for Mr. Howe, Forehand & Wadsworth took up the case and prosecuted it. Howe was poor and died poor, and his family are poor to-day.

Mr. BAILEY. I call the attention of the gentleman from Massachusetts [Mr. WALKER] to the bill, which describes the claim:

As appears in the findings of law and of fact made by the United States circuit court for the district of Connecticut in the case of Forehand et al. *vs.* Porter.

It is not the judgment of any court.

Mr. WALKER of Massachusetts. It is not a judgment against the United States, for the United States circuit court can not render a judgment against the United States Government. You can not sue the United States Government in the courts, but it is the same judgment that is rendered by all courts in cases of this kind.

Mr. BAILEY. I do not know anything about this particular claim, but I know the bill describes it as simply based on findings of law and of fact afterwards certified to the Court of Claims, and it is merely a finding of the law and facts, and not a judgment.

Mr. WALKER of Massachusetts. Well, it is not a judgment in the sense that it can be enforced by officers of the law against the Government, but there is no question as to the equities of the case. This suit was begun in May, 1881. They got a favorable judgment in February, 1883. It was referred to the Court of Claims in 1884.

Now, this bill passed the Senate in the Fifty-third Congress, in the Fifty-fourth Congress, and in the Fifty-fifth Congress. It was reported to the House unanimously by the committees of the House in the Fifty-third and Fifty-fourth Congresses. Both the Committee on War Claims and the Committee on Claims reported it unanimously, one on the Senate bill and the other on the House bill, and it is reported unanimously by the present Committee on Claims. There is no question at all as to the equity of it. These people have been for fifteen years kept out of an approved claim, so that ordinary interest at 6 per cent compounded, computed for this period, would amount to more than this claim.

Mr. LOUD. Will the gentleman submit to a question?

Mr. WALKER of Massachusetts. Certainly.

Mr. LOUD. The gentleman says this is unanimously reported by the Committee on Claims. I see there a report from the Committee on Patents. I wondered how that committee ever got hold of it.

Mr. WALKER of Massachusetts. It was reported by the Committee on Patents in the Senate, and was reported by our Committee on Claims. In the Senate it has been referred to the Committee on Patents, and here to the Committee on Claims. The equities are all with the claimant. No more just claim has ever been presented to the Government. If these parties had had the exclusive right to continue to manufacture this cap anvil cartridge under the patent in their own factory, they would have made very much more, many times more, than the amount of this claim, but the Government took this property away from these parties and manufactured the cartridge for the Government. The justice of this claim has been awarded by all persons to whom it has been submitted, unanimously and without hesitation.

I should be very glad to answer any question concerning it. Very nearly half of the sum allowed has been expended in prosecuting this claim. The parties are out that much. Now let me read you an extract from a letter.

Mr. PARKER of New Jersey. How much is the sum awarded?

Mr. WALKER of Massachusetts. Sixty-six thousand nine hundred and some odd dollars. Here is a letter from the man who furnished much of the money to prosecute this case:

I have a letter this morning from Perry, who is the principal party in interest next to Howe's daughter, and who has spent over $10,000 on the case out of his own pocket. He says, "Sickness and misfortune have ruined me to the last dollar, and you can hardly imagine the anxious feeling I have about this claim, which is my last hope for the old age of myself and my wife." Howe's daughter, as I think you already know, has never been able to pay her father's funeral expenses.

This was sent to me in 1896. These parties are absolutely poor, and are being robbed by this Government.

This House knows how parties having claims against the Government expend their time and their fortunes in prosecuting a claim, while if they had given it up originally they might have

made themselves comfortable, and I do beseech the House to do justice to these parties at this late day.

Mr. BAILEY. I thought the gentleman was through.

Mr. WALKER of Massachusetts. I am through. I reserve the balance of my time.

Mr. BAILEY. I know absolutely nothing about the claim, which goes very strongly to illustrate the injustice, either to the House or to the claimant, of trying to pass such a claim under a suspension of the rules. It is possible that with the proper information before the House it would be willing to pass the claim; but it is scarcely possible to furnish the House with full information on a claim of this extent and character within the limits of debate allowed on a motion of this kind. It strikes me that this bill, or this claim, ought to take the course of all similar claims. It strikes me as not very good legislative practice to separate this claim from all others of its kind and pass it, while the others are left to die at the end of the session upon the Calendar of the House. I know that the gentleman from Massachusetts has usually been very fair about paying just claims against the Government, no matter to whom they may be due; and I myself feel great hesitation in saying anything against any just claim against the Government.

Mr. WALKER of Massachusetts. Will the gentleman yield to me for a question?

Mr. BAILEY. I will.

Mr. WALKER of Massachusetts. Are you willing to have this claim go over and take first place on the Calendar on the first Friday that claims are taken up?

Mr. BAILEY. Personally, I have no objection; but of course that would interfere with other claims. To take this claim out of its regular place must displace other claims, probably as meritorious as it.

Mr. WALKER of Massachusetts. Let me say to the gentleman, if he will allow me, I have been trying for three years to get this claim up. I introduced this the very first bill introduced this Congress, but by an accident, of which I have no knowledge, it gets its low place on the Calendar, when it should have had the first place.

Mr. BAILEY. What is its number on the Calendar?

Mr. WALKER of Massachusetts. Four hundred and five; and it never will be reached in the world. The gentleman knows how difficult it will be to reach it.

Mr. BAILEY. I know also that much of the time on Fridays has been wasted by the gentleman's friends on that side.

Mr. WALKER of Massachusetts. Suppose you suggest that the House give unanimous consent that it take its place as first on the Calendar on the first claim day?

Mr. BAILEY. I would not make that request myself; neither would I object if the gentleman from Massachusetts makes it; but I want to say——

Mr. WALKER of Massachusetts. I hope you will let us vote upon it.

Mr. BAILEY. I want to say I believe there ought to be some way for the House to pass on all these claims. It does look like an outrage upon the honest citizen who has an honest claim against the Government that he shall be denied the opportunity of a hearing in the House. It seems to me almost equally an outrage upon the Committee on Claims that honest claims are introduced every year, referred to them, considered by them, reports made to the House, and yet the House never gives its attention to those claims. With all that I have no patience. I believe that every man with a claim against the Government ought to have his day in court; if not in court, he ought to have it in this House; and I believe that the Congress ought to provide for the payment of every honest claim against the Government. But gentlemen upon both sides of the Chamber know that the difficulty in trying to do justice to the honest claimant is that a great many fictitious and dishonest claims would in this way be allowed.

Mr. MOODY. If I can have the attention of the gentleman from Texas for a few moments, I think I can show to him that this case stands upon very peculiar grounds. I have examined it somewhat myself, and I know the gentleman from Texas has not had the opportunity——

Mr. BAILEY. I have not had, I say frankly to the gentleman.

Mr. MOODY. But if he would examine the report and do me the honor of following me in the statement I make in this case I believe he would agree that this case ought to be taken out of the general rule.

Mr. BAILEY. I suggest to the gentleman from Massachusetts that I do not know how much time I would want.

Mr. MOODY. I supposed the gentleman from Texas had finished and reserved the balance of his time, and that I was speaking in the time of this side.

Mr. BAILEY. That would suit me. I reserve the balance of my time.

Mr. MOODY. If I can be recognized for five minutes.

Mr. WALKER of Massachusetts. I yield the gentleman five minutes.

Mr. MOODY. This claimant invented a peculiar cartridge which the United States Government took under what might be called the power of eminent domain, and manufactured a great number of the cartridges for its own use, and manufactured a great number of cartridges and sold them for a profit.

Mr. BAILEY. Is there any question about that?

Mr. MOODY. I will show that there is no question about that. Now, this bill does not seek to hold the United States responsible for the cartridges used; but the Government sold $199,000 worth of these cartridges, and the money that this bill seeks to recover is simply the profit that the Government made on the cartridges sold. The gentleman from Texas suggests, how is that proved? A suit was brought in the circuit court of the United States in the district of Connecticut, and the district attorney of the United States appeared and opposed that suit. The report shows that the trial was before Judge Shipman, a very eminent and upright judge indeed.

It was not a mere mock trial; there was resistance; there was the taking of testimony which was very voluminous, and the case was argued orally and subsequently argued before Judge Shipman on written briefs, and he found that the United States had infringed the patent, and in equity and good conscience they owed reparation to the claimant. Of course, as the gentleman from Texas knows, no judgment could be entered in that suit. Accordingly the matter was referred to the Court of Claims, and the whole matter was gone over again, and the finding of the circuit court was reaffirmed by that court, and they have found that the amount justly due to this claimant as profits on the number of cartridges that the United States sold was $66,000. Now, the gentleman from Texas will agree with me that this is not a case of an ordinary unliquidated claim against the Government.

Mr. BAILEY. Upon the assurance of the gentleman from Massachusetts [Mr. WALKER] that there is no dispute about these facts, I am willing to withdraw all objection.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts [Mr. WALKER] that the rules be suspended and the bill passed.

The question was taken; and two-thirds voting in favor thereof, accordingly the rules were suspended and the bill was passed.

Mr. MADDOX. Mr. Speaker, I desire unanimous consent that I may print in the RECORD an extension of my remarks upon amending the United States statutes this morning.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 2677. An act for the relief of the University of Kansas;

S. 4190. An act authorizing the Secretary of the Interior to issue a permit to the American Invalid Aid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

H. R. 5489. An act extending the right of commutation to certain homestead settlers on lands in Oklahoma Territory opened to settlement under the provisions of the act entitled "An act to ratify and confirm the agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect."

MELLERT FOUNDRY AND MACHINE COMPANY.

Mr. ERMENTROUT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4166) to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the sum of $2,622 be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of reimbursing the Mellert Foundry and Machine Company, Limited, of Reading, Pa., for money retained as a penalty by the United States by reason of a failure to complete a contract within a specified time.

Mr. ERMENTROUT. I desire, Mr. Speaker, to further amend the bill by adding the following, which I send to the desk.

The Clerk read as follows:

Amend the bill by adding at the end of section 1, line 10, the words "the actual injury to the United States having been compensated."

Mr. ERMENTROUT. I ask for the reading of the report.

Mr. DINGLEY. Mr. Speaker, I desire to reserve the right to object.

The Clerk read the report of the committee (by Mr. STURTEVANT), as follows:

The Committee on Claims, to whom was referred the bill (H. R. 4166) to reimburse the Mellert Foundry and Machine Company, having had the same under due consideration, beg leave to report as follows:

This is a bill to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract for delivery of iron pipes and special castings for the use of the city of Washington within the specified time.

From the contract price was deducted $2,622, representing 2,622 days, under the forfeiture clause requiring a reduction of $1 per day for each piece of casting. Of this the Government calculated 391 Sundays and 638 days on account of the transportation of material while in transitu.

It appears, also, by satisfactory evidence that the delay was not caused by willful negligence, but by strikes and illness, against which the said company could not possibly guard by any exercise of human foresight. The reason why the penalty or time clause was inserted in the contract is fully stated in the report on this subject by Lieut. Col. George H. Elliott, engineer in charge, to Brig. Gen. Thomas L. Casey, Chief of Engineers, and is as follows:

"The object of the penalty provided for in the contract was to insure the delivery of the pipe and special castings so that they could be laid before the stormy weather of the late fall and winter, the reason for this being that the work of laying the pipe in the earth in those seasons would be more expensive, and add to the cost of the work to the United States. The weather of the fall of 1890 and the winter of 1890 and 1891 proved, however, exceptionally favorable, and it can not be stated that the failure of the contractors to deliver the material on time caused any loss to the United States except as follows:

"First. The inspector whom I sent to the foundry of the contractors at Reading, Pa., to apply the tests provided for in the contract, and to inspect the daily output of the pipe and special castings, was detained at the foundry one month and seven days beyond the time he would have been employed and paid by the United States had the terms of the contract as to time of completion been complied with. The pay of the inspector was at the rate of $125 per month, and the loss to the United States on account of this detention was $154.16.

"Second. The master calker or foreman whom I had engaged to superintend the laying of the mains was idle and under pay eight days after the time of delivery stipulated, waiting for the special castings to arrive. His pay was at the rate of $150 per month, and the loss to the United States on this account was $40.

"The sum of these two items is $194.16."

There is no pretense that goods of the quality and kind contracted for were not received and used by the Government, and the only injury done the Government amounted to $194.16.

Your committee think that neither justice nor good policy requires the enforcement of the penalty, and recommend that the bill be amended by striking out, in line 2 thereof, the words "two thousand six hundred and twenty-two" and inserting in lieu thereof the words "two thousand four hundred and twenty-seven and eighty-four one-hundredths," being $194.16 less, and that the bill so amended be passed.

Mr. DINGLEY. This was a District matter, was it not?

Mr. ERMENTROUT. It was.

Mr. DINGLEY. Is there any communication from the District Commissioners?

Mr. ERMENTROUT. Brig. Gen. Thomas L. Casey, Chief of Engineers, had charge of the work, and the statements contained in the report of the committee are taken from his communication on the subject. I have the document here, if the gentleman from Maine would like to look at it. His statement is that the only loss to the Government was $194.16, which has been deducted from the amount claimed.

Mr. LOUD. Where did the money go that the District got?

Mr. ERMENTROUT. I do not know.

Mr. LOUD. The District of Columbia may have had one-half of the money. I do not know what the custom is in such cases.

Mr. ERMENTROUT. I do not know what the custom is; I only know that the contract was made with the Government and this is the only way that money can be paid. I presume any balance of the appropriation for this purpose was covered into the United States Treasury as usual.

Mr. LOUD. Is it not a question whether the District of Columbia should pay one-half of this?

Mr. ERMENTROUT. I am unable to answer the gentleman from California.

Mr. LOUD. I think that is a question that ought to be considered by the committee.

Mr. ERMENTROUT. The contract was made in 1890, and I do not understand that there is any other place for us to apply except to Congress for an appropriation out of the United States Treasury.

Mr. DOCKERY. What was the nature of the contract?

Mr. ERMENTROUT. There was a time penalty in the contract. The pipe was to be delivered at a certain date. The contract was so made because the pipe could be laid only in favorable weather. It appears, however, that the weather was entirely favorable, and the Government lost nothing on that account. They were put to no expense except to keep an inspector and some kind of superintendent a very short time.

Mr. DOCKERY. What was the nature of the work?

Mr. ERMENTROUT. It was furnishing water pipes for the District.

Mr. DOCKERY. That being the case, there should be an amendment providing that one-half of the sum shall be paid out of the District of Columbia funds.

Mr. ERMENTROUT. Well, I will accept the amendment.

Mr. STEELE. It is questionable whether or not the whole should not come out of the District of Columbia. I think that was what is called a penalty bond, to be forfeited if the pipe was not delivered at a certain time, and as a matter of fact the money forfeited went into the treasury of the District of Columbia.

Mr. RICHARDSON. There is no separate treasury for the District of Columbia.

Mr. DOCKERY. The gentleman misunderstands me. If this work was done for the District of Columbia, then it ought to be paid for; but the money should be paid jointly by the United States and the District.

Mr. RICHARDSON. If the money went into the Treasury, it seems to me it would not be credited one-half to the District and one-half to the Government of the United States, but all would go into the Treasury and be subject alone to the auditing officers of the United States, not the District officers.

Mr. DINGLEY. As I understand, the benefit of this work went one-half to the Government and the other half to the District, and therefore the language of the amendment is appropriate.

Mr. ERMENTROUT. In lieu of the amendment of the gentleman from Missouri I will offer an amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the House proceeded to the consideration of the bill.

The amendment reported by the committee was agreed to.

The SPEAKER. The question is now on the first amendment of the gentleman from Pennsylvania [Mr. ERMENTROUT].

The amendment was agreed to.

The SPEAKER. The Clerk will now report the second amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

At the end of the bill insert the following: "Said sum shall be debited by the Treasurer to the proper account."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. ERMENTROUT, a motion to reconsider the last vote was laid on the table.

LIEUT. ROBERT PLATT.

Mr. FISCHER moved to suspend the rules and pass the bill (S. 1126) authorizing the President to appoint Lieut. Robert Platt, United States Navy, to the rank of commander.

The bill was read.

The SPEAKER. Is a second demanded?

Mr. STEELE. I object.

Mr. FISCHER. This is not a request for unanimous consent, but a motion to suspend the rules.

Mr. DINGLEY. I move that the House adjourn.

Mr. CLARDY. I want to ask unanimous consent to insert in the RECORD a few remarks which I intended to make, but had not the opportunity. They will not occupy more space than a speech of five minutes.

Mr. DALZELL. On what subject?

Mr. CLARDY. On the Cuban question.

The SPEAKER. The gentleman from Maine [Mr. DINGLEY] moves to adjourn. Pending the motion to adjourn, the Chair can not entertain the request of the gentleman from Kentucky [Mr. CLARDY].

The motion to adjourn was agreed to.

Prior to the announcement of the vote the following business was transacted:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STROWD of North Carolina, for three days, on account of important business.

To Mr. SHUFORD, for three days, on account of important business.

To Mr. FOWLER of North Carolina, for three days, on account of important business.

WITHDRAWAL OF PAPERS.

On request of Mr. DOCKERY, by unanimous consent, it was ordered that the papers in the matter of the claim of B. F. Lutman, filed in the Forty-seventh Congress, be withdrawn from the files of the House of Representatives, there being no adverse report thereon, and the same be delivered to Senator COCKRELL for B. F. Lutman.

The result of the vote on the motion to adjourn was then announced; and accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of

James Quick against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Catherine L. Minor, executrix of Rebecca A. Minor, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mary A. Dame, administratrix of Harvey Dame, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of W. H. Robertson, administrator of Emma M. Robertson, deceased; H. P. Hobson, administrator of Lucy Mayo, deceased, and Sarah Agnes Bumpass against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ELLIS, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8162) to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve, reported the same with amendment, accompanied by a report (No. 942); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3457) to authorize the construction of a bridge over the Black River, at or near Pocahontas, Ark., reported the same without amendment, accompanied by a report (No. 949); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5527) to amend an act entitled "An act to authorize the Oregon and Washington Bridge Company to construct and maintain a bridge across the Columbia River, between the State of Oregon and the State of Washington, and to establish it as a post road," reported the same with amendment, accompanied by a report (No. 950); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HINRICHSEN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8569) providing for the construction of a bridge across the Yalobusha River, between Leflore and Carroll counties, in the State of Mississippi, reported the same with amendment, accompanied by a report (No. 951); which said bill and report were referred to the House Calendar.

Mr. GARDNER, from the Committee on Labor, to which was referred the bill of the House (H. R. 7389) limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory or the District of Columbia, reported the same with amendment, accompanied by a report (No. 957); which said bill and report were referred to the House Calendar.

Mr. CONNOLLY, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 4104) regulating the jurisdiction of United States courts, and for other purposes, reported the same with amendment, accompanied by a report (No. 958); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4099) to confer jurisdiction upon the circuit courts in certain cases, reported the same with amendment, accompanied by a report (No. 959); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6901) to prevent the abatement of certain actions, reported the same with amendment, accompanied by a report (No. 960); which said bill and report were referred to the House Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5167) to limit the class of persons who shall receive pensions, reported the same with amendment, accompanied by a report (No. 944); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2592) donating the old abandoned military reservation known as Fort Bliss, situated in El Paso County, to the county of El Paso for a poor farm and hospital, reported the same with amendment, accompanied by a report (No. 945); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON, from the Committee on Appropriations, to which was referred the joint resolution of the Senate (S. R. 129) relative to suspension of part of section 355 of Revised Statutes, relative to erections of forts, fortifications, etc., reported the same without amendment, accompanied by a report (No. 946); which said joint resolution and report were ordered to be printed.

Mr. LOUD, from the Committee on the Post-Office and Post-Roads, to which was referred the joint resolution of the House (H. Res. 190) to create a commission to examine into the postal service, reported the same with amendment, accompanied by a report (No. 961); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9642) granting an increase of pension to Michael Mahoney, reported the same with amendment, accompanied by a report (No. 943); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1476) granting an increase of pension to Louise M. Rice, widow of Bvt. Maj. Gen. Samuel A. Rice, reported the same with amendment, accompanied by a report (No. 947); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6879) granting a pension to Joseph C. Berry, alias Joseph White, reported the same with amendment, accompanied by a report (No. 952); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 509) granting an increase of pension to Lafayette Tibbetts, reported the same without amendment, accompanied by a report (No. 953); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 908) granting a pension to Zolman Tyrrell, imbecile and dependent son of Lewis R. Tyrrell, late Company A, First New York Engineers, reported the same with amendment, accompanied by a report (No. 954); which said bill and report were referred to the Private Calendar.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 685) for relief of James W. Hardin and to remove charge of desertion, reported the same with amendment, accompanied by a report (No. 955); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 619) granting an increase of pension to Frank Rockwith, reported the same with amendment, accompanied by a report (No. 956); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4973) granting a pension to Mary J. Brown, reported the same with amendment, accompanied by a report (No. 962); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8607) to correct the military record of Sylvester F. Hildebrand, reported the same with amendment, accompanied by a report (No. 963); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WHEELER of Alabama: A bill (H. R. 9692) to provide for the organization of Volunteer Reserves to the land and naval forces of the United States of America—to the Committee on Military Affairs.

By Mr. BABCOCK: A bill (H. R. 9693) to regulate steam engineering and the inspection of stationary steam engines and boilers in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HULL: A bill (H. R. 9694) creating a military reserve—to the Committee on Military Affairs.

By Mr. BURTON: A bill (H. R. 9695) to amend sections 1642, 1643, 1644, 1648, 1649, and 1650 of the Revised Statutes of the

United States, pertaining to the militia of the several States—to the Committee on the Militia.

By Mr. LOUD: A bill (H. R. 9696) to amend the thirtieth section of an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. CUMMINGS: A bill (H. R. 9697) to incorporate the Society of American Florists and Ornamental Horticulturists—to the Committee on Agriculture.

By Mr. BELL: A bill (H. R. 9698) to furnish the military tactics to the National Guards and other military organizations—to to Committee on the Militia.

By Mr. GROUT: A bill (H. R. 9699) providing for raising the battle ship *Maine*—to the Committee on Appropriations.

By Mr. PETERS: A bill (H. R. 9700) granting leave of absence to the employees of the Bureau of Animal Industry—to the Committee on Agriculture.

By Mr. ALEXANDER: A joint resolution (H. Res. 218) regarding the holding of a Pan-American Exposition in the year 1901 upon Cayuga Island, between the cities of Buffalo and Niagara Falls, in the State of New York, to illustrate the development of the Western Hemisphere during the nineteenth century—to the Committee on Ways and Means.

By Mr. GROUT: A joint resolution (H. Res. 219) recognizing the independence of the Republic of Cuba, and for other purposes—to the Committee on Foreign Affairs.

By Mr. SULZER: A joint resolution (H. Res. 220) for the independence of the Republic of Cuba—to the Committee on Foreign Affairs.

By Mr. LACEY: A memorial of the senate of the State of Iowa, in favor of naming a cruiser after the city of Des Moines—to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. COX: A bill (H. R. 9701) to remove the charge of desertion against W. A. Kilburn—to the Committee on Military Affairs.

Also, a bill (H. R. 9702) for relief of the estate of Henry C. Sinclair, late of Williamson County, Tenn.—to the Committee on War Claims.

By Mr. CRUMPACKER: A bill (H. R. 9703) granting an honorable discharge to Jacob Lamont—to the Committee on Military Affairs.

Also, a bill (H. R. 9704) to complete the military record of William T. Horine—to the Committee on Military Affairs.

Also, a bill (H. R. 9705) to correct the military record of James G. Luse—to the Committee on Military Affairs.

Also, a bill (H. R. 9706) to correct the naval record of John O'Conner—to the Committee on Naval Affairs.

By Mr. DANFORD: A bill (H. R. 9707) to restore Capt. William Welsh, of Cadiz, Ohio, to the active list of the Army—to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 9708) for the removal of charge of desertion standing against Frank Snypes, alias Frank Squares, late of Company C, Thirty-fourth United States Colored Troops—to the Committee on Military Affairs.

By Mr. FARIS: A bill (H. R. 9709) to pension Thompson F. Frisby—to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 9710) for the relief of George Barnes—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 9711) granting a pension to Jane A. Wilson—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 9712) to grant a pension to R. W. Canaday—to the Committee on Invalid Pensions.

By Mr. KULP: A bill (H. R. 9713) granting a pension to William Beckman, of Mount Carmel, Pa.—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 9714) for the relief of Mrs. Mary L. Bryan, of Grant County, Ark.—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 9715) to remove the charge of desertion from the military record of Joel R. Green—to the Committee on Military Affairs.

By Mr. RIXEY: A bill (H. R. 9716) for the relief of Miss L. E. Bowen—to the Committee on War Claims.

By Mr. ROBBINS: A bill (H. R. 9717) increasing the pension of Franklin Eckenroade, Company E, Sixty-first Regiment Pennsylvania Infantry—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 9718) for the relief of Frederick Seo—to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 9719) for the relief of John J. Driscoll—to the Committee on War Claims.

By Mr. SULZER: A bill (H. R. 9720) to reappoint S. A. Russel a captain in the Army, and to place him on the retired list, in addition to the number now authorized—to the Committee on Military Affairs.

By Mr. MERCER: A bill (H. R. 9721) granting a pension to Charles A. Perkins, United States Navy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9722) granting a pension to Marshall S. Elder—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Charleroi Lodge, No. 363, of Charleroi, Pa., and Justus H. Rathbone Lodge, No. 286, of Percy, Pa., Knights of Pythias, praying for the passage of House bill No. 6468, providing for the granting by the Government of a lease right, with hot-water privileges, to a piece of ground on the United States reservation at Hot Springs, Ark., for the purpose of establishing a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. ALDRICH: Five petitions of citizens of Nottingham, Lanier, Selma, and Choccolocco, Ala., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER: Petition of members of the house of representatives of New York, for legislation in behalf of a Pan-American Exposition in 1901—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: Petition of 42 citizens of Dodgeville, Wis., in favor of passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BARHAM: Petitions of the Sunday school and Young People's Union of Humboldt County, Cal., praying for the enactment of legislation to protect State anti-cigarette laws and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Presbyterian Church of Eureka, Cal., and Sunday school and Young People's Union of Humboldt County, Cal., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BARNEY: Petition of citizens of Milwaukee, Wis., opposing the appropriation of any money for sectarian purposes, as provided for in the Indian appropriation bill—to the Committee on Indian Affairs.

By Mr. BELKNAP: Petition of board of directors of the Board of Trade of the city of Chicago, Ill., in favor of a treaty of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

By Mr. BODINE: Petition of citizens of Marceline, Mo., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BOUTELLE of Maine: Petitions of the Woman's Christian Temperance unions of Eastport and Houlton, two Baptist churches, Congregational Church, and Civic League of Houlton, Baptist Church and Methodist Episcopal Church of Danforth, Me., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Eastport and Houlton, and certain churches of Danforth and Houlton, Me., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BRADLEY: Petitions of Thomas Finigan, Lincoln A. Stewart, Thomas Browne, John A. Burke, and others, of New York City; John A. Lonergan and others, of Yonkers, N. Y., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BRUNDIDGE: Petition favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. BULL: Petition of the Christian Endeavor Society of Block Island, R. I., Mrs. C. C. Ball, president, for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Christian Endeavor Society of Block Island, R. I., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Christian Endeavor Society of Block Island, R. I., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Territories.

By Mr. CANNON: Petition of the Woman's Christian Temperance Union of Bonfield, Ill., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Bonfield, Ill., against the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CAPRON: Petition of the Young People's Society of Christian Endeavor and Methodist Episcopal Church of Arnolds Mills, and Woman's Christian Temperance Union of Cumberland, R. I., praying for the enactment of legislation raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Territories.

Also, petition of the Young People's Society of Christian Endeavor and Methodist Episcopal Church of Arnolds Mills, and Woman's Christian Temperance Union of Cumberland, R. I., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Young People's Society of Christian Endeavor and the Methodist Episcopal Church of Arnolds Mills, and Woman's Christian Temperance Union of Cumberland, R. I., to forbid the transmission of lottery messages and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Young People's Society of Christian Endeavor and the Methodist Episcopal Church of Arnolds Mills, R. I., the Congregational Church and the Woman's Christian Temperance Union of Woonsocket, R. I., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNELL: Petition of the Baptist Pastors' Conference of Scranton, Pa., praying for the passage of the Lodge bill for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. DANFORD: Petition of William Cunningham and other citizens of the Sixteenth Congressional district of the State of Ohio, in favor of the passage of certain bills pending in the interest of labor—to the Committee on Labor.

Also, petition of J. M. Neel and others, of Jefferson County, Ohio, asking for relief for flood sufferers on the Ohio River—to the Committee on Appropriations.

By Mr. DINGLEY: Petition of the Quarterly Conference of the Methodist Episcopal Church of Union, Me., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

Also, petition of the Quarterly Conference of the Methodist Episcopal Church of Union, Me., asking for the passage of bills to prohibit the transmission of gambling matter by telegraph and to protect anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. ELLIOTT: Petition of Rachel Snype, for the removal of the charge of desertion standing against Frank Snype, late private in Company C, Thirty-fourth Regiment United States Colored Troops—to the Committee on Military Affairs.

By Mr. ELLIS: Petitions of the Congregational Church, United Brethren Church, and the Methodist Episcopal Church, of Hood River, Oreg., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FISCHER: Two petitions of citizens of New York City, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FITZPATRICK: Papers to accompany House bill relating to the enrollment and discharge of George Barnes—to the Committee on Military Affairs.

By Mr. FLETCHER: Resolutions of the Minneapolis Board of Trade, asking an amendment to the Interstate Commerce Commission law, as stated in Senate bill No. 3354—to the Committee on Interstate and Foreign Commerce.

By Mr. GIBSON: Petitions of citizens of Talbott, Harriman, Mascot, and Corrytown, Tenn., asking for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Independent Methodist Church, of Harriman, Tenn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Independent Methodist Church, of Harriman, Tenn., for the passage of bills to forbid interstate transmission of lottery and other gambling matter by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. GRIFFIN: Petitions of J. S. Medery and 20 citizens of La Crosse, Wis., and Division No. 13, Brotherhood of Locomotive Engineers, of La Crosse, Wis., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFITH: Petition of J. D. Lucas and 105 others, to accompany House bill granting a pension to James A. Wilson—to the Committee on Invalid Pensions.

By Mr. GROUT: Petition of C. H. Thompson and 46 citizens of Wells River, Vt., praying for the passage of laws for the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HEMENWAY: Resolutions of Iron Molders' Union No. 51, of Evansville, Ind., asking for the passage of House bill No. 6095, protecting free labor against convict labor—to the Committee on Labor.

Also, resolutions of Company M, First Regiment, National Guard of Indiana, in favor of the bill to promote the efficiency of the militia—to the Committee on the Militia.

Also, petition of the Evansville, Paducah and Cairo Line and Evansville, Ohio and Green River Transportation Company, of Evansville, Ind., in favor of Senate bill No. 3218, relating to greater efficiency in the Steamboat-Inspection Service—to the Committee on the Merchant Marine and Fisheries.

By Mr. HENRY of Indiana: Petitions of Grace Methodist Episcopal Church and Woman's Christian Temperance Union, of Hartford City, Ind., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Hartford City, Ind., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

Also, petitions of Grace Methodist Episcopal Church and Woman's Christian Temperance Union, of Hartford City, Ind., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HICKS: Resolution of Linton Lodge, No. 451, Knights of Pythias, of Johnstown, Pa., favoring House bill No. 6468, to erect a national Knights of Pythias hospital and sanitarium at Hot Springs, Ark.—to the Committee on the Public Lands.

Also, petition of members of the United Brethren Church of Tyrone, Pa., to accompany House bill No. 4459, to relieve the church from the cost of its destruction when occupied as a military barrack from 1862 to 1865—to the Committee on War Claims.

By Mr. HITT: Petitions of the Church of Christ, Young People's Society of Christian Endeavor of the Church of Christ, First Presbyterian Church, First Methodist Episcopal Church, First Baptist Church, Baptist Young People's Union, St. Paul's Lutheran Church, Christian Endeavor Society of the Presbyterian Church, Epworth League of the First Methodist Episcopal Church, public schools, and faculty and students of the Steinman Institute, all of Dixon, Ill.; Union Congregation of Sugar Grove, Christian Endeavor and Methodist Episcopal Church of Capron, Ill., and First Baptist Church of Rockton, Winnebago County, Ill., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of Dixon and Capron, Ill.; Methodist Episcopal Church of Rockton, Ill., for the passage of bills to forbid the transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Capron, and certain churches and societies of Dixon, Sugar Grove, and Rockton, Ill., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOWE: Petition of Gutman & Graham and other citizens of Brooklyn, N. Y., protesting against the consolidation of the Brooklyn post-office with that of New York City—to the Committee on the Post-Office and Post-Roads.

Also, petition of Max Pachland and others, of Brooklyn, N. Y., in favor of passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HUNTER: Paper to accompany House bill granting a pension to R. W. Canady—to the Committee on Invalid Pensions.

By Mr. HURLEY: Resolution of the Society of Colonial Wars, State of New York, in favor of the purchase of Fort Ticonderoga by the Government—to the Committee on Appropriations.

Also, resolutions of the Board of Trade of Binghamton, N. Y., asking for the passage of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, petition of John A. Snook and others, of Brooklyn, N. Y.,

favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. JETT: Petition of Jut. Stanley and 40 citizens of Lovington, Ill., asking for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of J. R. Schulte and 20 citizens of Vandalia, Ill., against Senate bill No. 2736, regulating insurance—to the Committee on Interstate and Foreign Commerce.

By Mr. JOY: Petitions of Hyde Park Congregational Church and Ladies' Aid Society, of St. Louis, Mo., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of numerous citizens of St. Louis, Mo., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KETCHAM: Petition of Charles De Witt Council, No. 91, Junior Order United American Mechanics, and citizens of Kingston, N. Y., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. KITCHIN: Petition of citizens of Stovall, N. C., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KULP: Resolutions of the board of trustees of Philadelphia museums, Philadelphia, Pa., favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Petition of W. E. Kemble, of Oskaloosa, Iowa, in favor of the passage of House bill No. 6894, regulating the importation of trees, plants, etc.—to the Committee on Agriculture.

By Mr. LANHAM: Petition of citizens of Glenrose, Tex., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. LENTZ: Petition of Green, Joy & Co. and others, of Columbus, Ohio, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LLOYD: Petition of the Woman's Christian Temperance Union and 300 citizens of Kahoka, Mo., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church South of Canton, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church South of Canton, Mo., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. LOUD: Petition of the Woman's Christian Temperance Union of Contra Costa County, Cal., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of the First Baptist, First Methodist, and Broadway Methodist Episcopal churches, of Salem, N. J., in favor of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petition of Broadway Methodist Episcopal, First Methodist, and First Baptist churches, of Salem, N. J., for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. McCALL: Petition of the Twentieth Century Club, of Boston, Mass., approving the "wise, manly, and just course of the President"—to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Three petitions of citizens of New York in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCULLOCH: Petition of R. P. Tindel and other citizens of Evening Shade, Ark., favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. McRAE: Petition of J. R. Metcalf and 23 citizens of Sharp County, Ark., asking for the passage of House bill No. 6705, to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. MANN: Paper to accompany House bill to correct the military record of Joel R. Green—to the Committee on Military Affairs.

Also, petition of Garfield Boulevard Methodist Episcopal Church, of Chicago, Ill., for the passage of bills to protect anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of Garfield Boulevard Methodist Episcopal Church, of Chicago, Ill., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MOON: Papers to accompany House bill No. 4285, for the relief of James F. Campbell—to the Committee on Invalid Pensions.

By Mr. NORTHWAY: Petition of the Woman's Christian Temperance Union of Ravenna, Ohio, in favor of the bill to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. OTEY: Petition of citizens of Randolph, Va., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. OTJEN: Resolutions of E. B. Walcott Post, No. 1, Grand Army of the Republic, of Milwaukee, Wis., in favor of the passage of a bill to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. POWERS: Petitions of the Woman's Christian Temperance unions of Manchester Center and Hinesburg and the Methodist Episcopal Church of Pittsford, Vt., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Hinesburg and Manchester Center and the Methodist Episcopal Church of Pittsford, Vt., for the passage of a bill to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. RIXEY: Petition of Jesse Burton, of Stafford County, Va., for relief—to the Committee on War Claims.

By Mr. ROBBINS: Petition of the Woman's Christian Temperance Union of Woodsville, N. H., and the Methodist Protestant Church of Kittanning, Pa., Rev. S. F. Crowther, pastor, praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, a petition of the Methodist Protestant Church of Kittanning and the Woman's Christian Temperance Union of Woodsville, N. H., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Indiana: Petition of Rev. S. P. Klotz and 4 other citizens of Waterloo, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. RUSSELL: Petitions of the Congregational Church and Christian Endeavor Society, the First Baptist Church and Young People's Society of Christian Endeavor, of West Woodstock, Conn.; 25 citizens of Noank, Conn., and Laurel Hill Christian Endeavor Society, of Norwich, Conn., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Congregational Church and Christian Endeavor Society, First Baptist Church and Young People's Society of Christian Endeavor, all of West Woodstock, Conn.; Laurel Hill Christian Endeavor Society, of Norwich, Conn., and 25 citizens of Noank, Conn., for the passage of bills forbidding the interstate transmission of lottery and other gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the First Baptist Church and Young People's Society of Christian Endeavor of said church, of West Woodstock, Conn., and Laurel Hill Christian Endeavor Society, of Norwich, Conn., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SAUERHERING: Petition of the First Baptist Church of Sun Prairie, Wis., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the First Baptist Church of Sun Prairie, Wis., remonstrating against the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH: Petitions of the Methodist Episcopal Church of Akron, Colo., and session of the North Presbyterian Church, of Denver, Colo.; Methodist Episcopal Church of Milton; North Side Woman's Christian Temperance Union, and Woman's

Club of Denver, Colo., for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the session of the North Presbyterian Church, of Denver, Colo., and Methodist Episcopal Church of Akron, Colo., and North Side Woman's Christian Temperance Union, of Denver, Colo., praying for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol and all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of citizens of La Junta, Colo., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petition of Boston (Mass.) Druggists' Association; Robert A. Hancock and 11 others, of Averstock, Ky.; M. W. Kennedy and 11 others, of Parrish, Ala.; D. P. Cannon, M. D., and 3 others, Coaling, Ala.; A. J. Frulapan and 7 others, Hamburg, Ala.; J. L. McLean, M. D., and 32 others, Winona, Miss.; J. M. Wilson and 15 others, Kilmichael, Miss.; S. M. Roan and 21 others, Westpoint, Miss.; J. S. Walker and 15 others, Greenville, Miss.; O. W. Carr and 22 others, Trinity, N. C.; T. T. Oliver and 17 others, Pine Level, N. C.; George T. Mathews and 29 others, Siloam, N. C.; C. G. Rayster and 6 others, Bullachs, N. C.; W. H. Bronson and 16 others, East Durham, N. C.; Owen Davis and 25 others, Henderson, N. C.; J. P. Taylor and 13 others, Henderson, N. C.; R. C. Pool and 17 others, Gold Hill, N. C.; J. D. Pitts and 5 others, Glen Alpine, N. C.; E. F. McNeer and 27 others, Elkin, N. C.; G. A. Howell and 32 others, Charlotte, N. C.; J. M. McKay and 22 others, Asheville, N. C.; A. C. McAllister and 29 others, Asheboro, N. C.; W. C. White and 12 others, Advance, N. C.; J. M. Odell and 39 others, Concord, N. C.; L. A. Bristol and 12 others, Morganton, N. C.; W. H. Rogan and 27 others, High Point, N. C.; A. H. Hayes and 19 others, Whittier, N. C.; T. A. Morphew and 10 others, Nantahala, N. C.; D. W. Oates and 34 others, Charlotte, N. C.; J. O. Pickard and 18 others, Randleman, N. C.; C. L. Smathers and 19 others, Clyde, N. C.; N. J. Smith and 20 others, Troutmans, N. C.; F. R. Gregory, M. D., and 14 others, Stovall, N. C.; Rev. R. A. Miller and 28 others, Lowell, N. C.; H. D. Rand and 13 others, Gamer, N. C.; G. T. Dodd and 31 others, State of North Carolina; I. H. Adams and 47 others, Lynchburg, Va.; John W. Peyton and 19 others, Rapidan, Va.; J. C. Meredith, M. D., and 28 others, Nokesville, Va.; James E. Yates and 31 others, Markham, Va.; W. C. Williams and 24 others, Orange, Va.; Timothy Murphy and 11 others, of Springfield, Va.; Maj. D. C. Hatcher and 2 others, Rechertown, Va.; W. T. Rudd and 18 others, Moseleys Junction, Va.; J. M. Yuille and 22 others, Lawyers, Va.; E. V. Carson and 9 others, Chula, Va.; M. Durrett and 27 others, North Garden, Va.; G. B. Robinson and 39 others, Chase City, Va.; Thomas Gothard and 30 others, Sheffield, Ala.; W. M. Martin and 33 others, Stevenson, Ala.; T. H. Machen and 22 others, Hollywood, Ala.; J. McCluden and 4 others, Limrock, Ala.; G. D. Williams and 13 others, Decatur, Ala.; J. F. M. Davis, M. D., and 10 others, Choccolocco, Ala.; W. F. Stoner and 34 others, Attalla, Ala.; J. M. Atkins and 41 others, Heflin, Ala.; B. M. Long and 24 others, Cordova, Ala.; J. W. Woods and 13 others, Bankston, Ala.; J. H. Wilson and 9 others, Jenifer, Ala.; J. B. Weekley and 55 others, Florence, Ala.; A. H. Lewis and 5 others, Madison, Ala.; G. B. Johnston and 5 others, Winoutown, Ala.; W. R. Larkin and 11 others, State of Alabama; W. B. Tambro and 13 others, Rockmart, Ga.; W. H. Price and 16 others, Waco, Ga.; Otis Bullock and 11 others, Bullochville and Warm Spa, Ga.; T. D. Walker and 32 others, Cochran, Ga.; Langston & Woodson and 19 others, Atlanta, Ga.; J. P. Farr and 13 others, Mount Airy, Ga.; S. Crowley and 12 others, Roswell, Ga.; F. J. Minnhunnett and 12 others, Roswell, Ga.; E. P. Paden and 5 others, Roswell, Ga.; J. T. Tuggle and 40 others, Tallapoosa, Ga.; C. J. Shelnerton and 39 others, Aystell, Ga.; J. R. Moon and 25 others, Dallas, Ga.; R. F. Flinn and 15 others, Aystell, Ga.; J. P. Watson and 34 others, Hawkinsville, Ga.; D. Boyd and 47 others, Griffin, Ga.; I. N. Huffaker and 3 others, Plainville, Ga.; F. P. Nixon and 10 others, Plainville, Ga.; Judge C. F. Dupre and 27 others, Zebulon, Ga.; M. K. Phillips, M. D., and 12 others, Bremen, Ga.; W. T. Roberts and 46 others, Douglasville, Ga.; P. M. Hawes and 32 others, Elberton, Ga.; Senator C. G. Gray and 39 others, Fort Valley, Ga.; I. F. Blalock and 25 others, Fayetteville, Ga.; J. R. Nisbet and 34 others, Riverdale, Ga.; Dr. J. C. Beauchamp and 41 others, Williamson, Ga.; John Kytle and 5 others, State of Georgia; R. Y. Turner and 26 other, Winnsboro, S. C.; J. P. Smith and 29 others, Calhoun, S. C.; R. H. Hempheil and 35 others, Abbeville, S. C.; T. W. Halloway and 9 others, Pamona, S. C.; Piedmont Manufacturing and 29 others, Greenville, S. C.; D. C. Correll and 11 others, Spartansburg, S. C.; H. A. Meetze and 9 others, Lexington, S. C.; S. A. Needles and 37 others, Landrum, S. C.; R. D. Sloan and 38 others, Piedmont, S. C.; R. I. W. Irving and 22 others, Campobella, S. C.; M. F. Ansdell and 10 others, Greenville, S. C.; I. J. McFadden and 29 others, Smiths, S. C.; N. F. Walker and 40 others, Glindon, S. C.; G. A. Surygert and 13 others, Alston, S. C.; Attorney-General Dana Harmon and 32 others, Greeneville, Tenn.; J. B. Werley and 54 others, Johnson City, Tenn.; S. J. Kirkpatrick and 29 others, Jonesboro, Tenn.; R. L. Patton and 25 others, Telford, Tenn.; B. P. Simpson and 29 others, Rogersville, Tenn.; N. A. Huff and 29 others, Del Rio, Tenn.; M. J. Turner and 21 others, Germantown, Tenn.; J. Feist and 44 others, Moscow, Tenn.; B. B. Leavir, M. D., and 38 others, Leavir City, Tenn.; J. J. NcNew and 35 others, Littrell, Tenn.; Dr. J. H. Brown and 30 others, Talbot, Tenn.; R. S. Hill and 18 others, Luneston, Tenn.; A. J. Kite, J. P., and 4 others, Presie, Tenn.; J. C. Anderson and 28 others, Bristol, Tenn., in favor of the passage of House bill 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SLAYDEN: Paper to accompany House bill No. 9686, relating to the claim of Luther Sargent, of Eagle Pass, Tex.—to the Committee on Claims.

By Mr. STRODE of Nebraska: Petition of the Methodist Episcopal Church of Alvo, Cass County, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls, and to forbid the transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church of Alvo, Nebr.; Young People's Society of the First Baptist Church, and Anti-Saloon League of Tecumseh, Nebr., favoring the passage of a bill to prohibit the sale of liquors in the Capitol and all Government buildings, and for other purposes—to the Committee on Public Buildings and Grounds.

Also, petition of the Young People's Society of the First Baptist Church of Tecumseh, Nebr., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. SULLOWAY: Petitions of the Woman's Christian Temperance unions of Manchester, Tilton, Center Sandwich, Meredith, Plaistow, Webster, and Rochester, N. H.; Young People's Society and the Free Will Baptist Church and Congregational Church of Epsom; Pleasant Street Baptist Church, of Concord, and Epworth League of the Methodist Episcopal Church of Grantham, N. H., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Rochester, Meredith, Plaistow, Webster, Peterboro, Center Sandwich, Manchester, and certain churches of Concord, Epsom, and Grantham, N. H., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SUTHERLAND: Papers to accompany House bill for the relief of Stephen Rice—to the Committee on Military Affairs.

By Mr. TAYLER of Ohio: Petitions of the Woman's Christian Temperance unions of Salem and Garfield; Young Men's Christian Association and Young People's Christian Union of First United Presbyterian Church of East Liverpool, Ohio, and Westminster Presbyterian Church of Rogers, Ohio, and Young People's Society of Christian Endeavor of Damascus, Ohio, favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, favoring a bill to establish a Sabbath law for the national capital—to the Committee on the Judiciary.

Also, petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, praying for the enactment of legislation prohibiting the interstate transmission of newspaper descriptions of prize fights, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Young People's Society of Christian Endeavor of Damascus, Ohio, for the passage of a bill to substitute voluntary industrial arbitration for railway strikes—to the Committee on Labor.

Also, petitions of the Woman's Christian Temperance unions of Salem and Garfield, and certain societies and churches of East Liverpool, Rogers, and Damascus, Ohio, urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. TONGUE: Petition of the Methodist Episcopal Church of Edenbower, Oreg., for the enactment of legislation to protect

State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of Simpson Chapel Methodist Episcopal Church, Benton; Methodist Episcopal Church of Monroe; Presbyterian Church of Clatsop Plains, and citizens of Middleton, Oreg., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. UPDEGRAFF: Petition of L. S. Ainsworth, Frank Hobson, and 83 citizens of West Union, Iowa; J. S. Trigg, B. F. Durkee, and 30 citizens of Rockford, Iowa; E. B. Gibbs, M. B. Hendrick, and 39 citizens of Waukon, Iowa, praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. VINCENT: Petition of J. S. Richards and other citizens of Minneapolis, Kans., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: Petition of the Woman's Christian Temperance Union of Solebury, Pa., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of Pennsylvania: Petition of Steel and Copper Plate Printers' Union No. 1, in relation to the printing of Government securities at the Bureau of Engraving and Printing—to the Committee on Appropriations.

SENATE.

TUESDAY, *April 5, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. WALTHALL, and by unanimous consent, the further reading was dispensed with.

CREDENTIALS.

Mr. WALTHALL presented the credentials of HERNANDO D. MONEY, chosen by the legislature of Mississippi a Senator from that State for the term beginning March 4, 1899; which were read and ordered to be filed.

ALASKA SALMON FISHERIES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, inclosing a draft of a bill for the amendment of the laws now in force for the protection of the salmon fisheries of Alaska; which, with the accompanying paper, was referred to the Committee on Fisheries, and ordered to be printed.

RECEIVING CLERK AT LEAGUE ISLAND.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy, submitting an estimate of appropriation for one receiving clerk in general storehouses at the navy-yard, League Island, Pa., for inclusion in the naval appropriation bill; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying for the passage of House bill No. 6705, to define mixed flour and to regulate the sale and importation of the same, and to require persons, firms, and corporations to mark packages of mixed flour so as to indicate their true contents, weight, and place of manufacture or packing; which was referred to the Committee on Manufactures.

He also presented a memorial of the Meadville (Pa.) Branch, Western Pennsylvania Auxiliary of the Woman's National Indian Association, remonstrating against the adoption of a proposed amendment to the Indian appropriation bill providing that hereafter the President may detail officers of the United States Army to act as Indian agents at such agencies only as, in the opinion of the President, may require the presence of an Army officer; which was referred to the Committee on Indian Affairs.

He also presented a petition of Council No. 149, American Protective Association, of Shamokin, Pa., praying Congress to recognize the independence of Cuba; which was referred to the Committee on Foreign Relations.

He also presented petitions of the congregations of the United Presbyterian Church of Freeport, the United Presbyterian Church of Beaver Falls, the Woman's Christian Temperance Union, the Presbyterian and the Methodist Episcopal churches of West Alexander, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Presbyterian and the Methodist Episcopal churches and of the Woman's Christian Temperance Union, all of West Alexander, in the State of Pennsylvania, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the congregations of the United Presbyterian Church of Freeport, the United Presbyterian, the Presbyterian, and the Methodist Episcopal churches of West Alexander, and the United Presbyterian Church of Beaver Falls; of the Woman's Christian Temperance Union of West Alexander; and of the Good Citizenship Conference of twenty-nine Young People's Societies of Christian Endeavor of the Fourth district of Philadelphia, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of members of the faculty of the Seminary, the Union School, the Woman's Christian Temperance Union, the Young People's Society of Christian Endeavor, and the Epworth League, all of Sugar Grove; of sundry schoolteachers of Freeport borough; of the congregation of the United Presbyterian Church of Beaver Falls; the Hermon Christian Endeavor Society of Frankford, Philadelphia; of the Woman's Christian Temperance Union, the Presbyterian Church, the United Presbyterian congregation, the Methodist Episcopal congregation, and sundry citizens of West Alexander, and of the Woman's Christian Temperance Union of Solebury, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Local Union No. 719, United Mine Workers of America, of Pringle Hill, Pa., praying for the passage of the so-called eight-hour bill, the anti-injunction bill, the prison-labor bill, the bill for the relief of American seamen, and for the enactment of legislation to exclude illiterate immigrants; which was referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented a petition of Tecumseh Lodge, No. 402, Brotherhood of Railroad Trainmen, of Lafayette, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a memorial of Local Union No. 17, International Broom Makers' Union, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bedford, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. CHANDLER presented petitions of the Woman's Christian Temperance unions of Tilton, Colebrook, East Columbia, and Wilton; of the congregations of the Methodist Episcopal Church of East Colebrook, of the Methodist Episcopal Church of East Columbia, and of the Congregational Church of Epsom, all in the State of New Hampshire, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of East Colebrook, East Columbia, Peterboro, and Whiteside; of the congregations of the Congregational Church of Epsom, the Methodist Episcopal Church of East Colebrook, and the Methodist Episcopal Church of East Columbia, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of East Colebrook, East Columbia, Peterboro, and Wilton, and of the congregations of the Methodist Episcopal Church of East Colebrook, the Methodist Episcopal Church of East Columbia, and the Congregational Church of Epsom, all in the State of New Hampshire, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Whitefield, N. H., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

Mr. TELLER presented a memorial of the Trades Assembly of Denver, Colo., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Akron, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Durango, Colo., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the congregation of the Methodist Episcopal Church of Akron, Colo., and a petition of the Woman's Christian Temperance Union of Durango, Colo., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Colorado Commandery of the Military Order of the Loyal Legion of the United States of America, praying for the enactment of legislation to establish a national military park to commemorate the campaign, siege, and defense of Vicksburg; which was referred to the Committee on Military Affairs.

He also presented petitions of the Woman's Christian Temperance unions of Fort Lupton and Grand Junction; of the congregation of the Methodist Episcopal Church of Akron, and of sundry citizens, all in the State of Colorado, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of Royal Gorge Lodge, No. 59, Brotherhood of Locomotive Firemen, of Pueblo; of Ouray Union, No. 15, of Ouray; of Lodge No. 47, International Association of Machinists, of Denver; of Clerks' Union No. 24, of Pueblo; of Union No. 7, Retail Clerks' National Protective Association, of Denver, and of the Trades Assembly of Cripple Creek, all in the State of Colorado, praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which were referred to the Committee on Education and Labor.

He also presented a petition of Grand Junction Division, No. 325, Order of Railway Conductors, of Grand Junction, Colo., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, the bill for the relief of American seamen, and the anti-ticket scalping bill; which was referred to the Committee on Education and Labor.

Mr. BATE presented a petition of the Nashville Central Woman's Christian Temperance Union, of Nashville, Tenn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. PLATT of Connecticut presented a petition of 60 citizens of Noank, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of 60 citizens of Noank, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented petitions of 83 citizens of Noank, Conn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. SEWELL presented a resolution adopted by the New England Society of Orange, N. J., indorsing the President's course, and praying that no action be taken until the President declares that it becomes necessary for Congress to act; which was referred to the Committee on Foreign Relations.

Mr. PROCTOR presented petitions of the congregations of the Congregational Church and the Methodist Episcopal Church, of Cabot; of the Congregational Church of Pittsford; of the Woman's Christian Temperance Union of Cabot, and of the Methodist Episcopal Church; the Congregational Church; Waterville Lodge, Independent Order of Good Templars, and the Woman's Christian Temperance Union, of Waterville, all in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Congregational Church and the Methodist Episcopal Church, of Cabot; of the Congregational Church of Pittsford; of the Woman's Christian Temperance Union of Cabot, and of the Methodist Episcopal Church; the Congregational Church; Waterville Lodge, Independent Order of Good Templars, and the Woman's Christian Temperance Union of Waterville, all in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the Congregational Church and the Methodist Episcopal Church, of Cabot; of the Congregational Church of Pittsford; of the Woman's Christian Temperance Union of Cabot, and of the Methodist Episcopal Church; the Congregational Church; Waterville Lodge, Independent Order of Good Templars, and the Woman's Christian Temperance Union of Waterville, all in the State of Vermont, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. HOAR presented a petition of Independent Lodge, No. 300, Independent Order of Good Templars, of Worcester, Mass., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. SPOONER presented the petition of J. S. Medary and 20 other citizens of La Crosse, Wis., and a petition of Division No. 13, Brotherhood of Locomotive Engineers, of La Crosse, Wis., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of Amherst Temple of Honor and Temperance, No. 97, of Amherst, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Amherst, Wis., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Amherst, Wis., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Dartford, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregations of the First Baptist Church, the Free Methodist Church, the Congregational Church, the Methodist Episcopal Church, the Baptist Church, and the Baptist Union, all of Evansville, in the State of Wisconsin, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings, to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Whitewater and Dartford; of sundry citizens of Evansville, and of Amherst Temple of Honor and Temperance, No. 97, of Amherst, all in the State of Wisconsin, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. HANSBROUGH presented a memorial of sundry citizens of Oakes, N. Dak., and a memorial of sundry citizens of Hillsboro, N. Dak., remonstrating against the enactment of legislation to establish a division in the Treasury Department for the regulation of insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented a petition of Division No. 178, Order of Railway Conductors, of Good Fork, N. Dak., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Larimore, N. Dak., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Larimore, N. Dak., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Larimore, N. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. CAFFERY. I present a telegram from representatives of the commercial bodies of the city of New Orleans indorsing the wise and patriotic course pursued by the Administration in its efforts to maintain peace with honor. I ask that the telegram be read, so that it may appear in the RECORD.

The VICE-PRESIDENT. The telegram will be read.

Mr. COCKRELL. Is that one of the stereotyped telegrams that are being sent in here from all over the country by order and command of some one in New York or some other place?

Mr. CAFFERY. It is a telegram from the commercial bodies of New Orleans. If it were stereotyped all over the United States, I should be very glad.

Mr. COCKRELL. I presume that it is in exactly the same language of those that are coming in. I have one here from Wallace Love, chairman of the Republican city committee of Kansas City.

Mr. CAFFERY. Let it be read first and see whether it is stereotyped.

Mr. COCKRELL. And I have some others. I suppose they are all of about the same kind.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the telegram.

There being no objection, the telegram was read, and referred to the Committee on Foreign Relations, as follows:

[Telegram.]

NEW ORLEANS, LA., *April 4, 1898.*

To Hon. DON. CAFFERY,
Washington, D. C.:

At a meeting of the representatives of the commercial bodies of this city this day held the following was unanimously adopted:

"Whereas it is the part of true patriotism to exhaust all honorable means to avert the horror of war, and only to yield when something more dreadful than war is the alternative; and

"Whereas in the crisis now confronting the American people all party differences should be obligated and the nation stand united as one man.

"*Be it resolved*, That we cordially indorse the wise and patriotic course pursued by the Administration at Washington in the effort to maintain 'peace with honor' in the present controversy with the Spanish Government over the situation in Cuba."

D. M. KILPATRICK, *Chairman.*
D. D. COLCOCK, *Secretary.*

Mr. PLATT of Connecticut. With reference to the reading of the telegram which has just been presented, I will state that I made no objection, but the rules of the Senate provide that petitions are not to be inserted in the RECORD. It has become a custom when a telegram is sent to a Senator to regard it as quite proper that the Senator should present it and have it inserted in the RECORD. I do not see why a telegram should be treated any differently from a petition, and I think the rule ought to be enforced. Without reference to the contents of telegrams, for I sympathize with the sentiment expressed in the telegram which has been read, I think the rule ought to be enforced. If we are not going to put petitions in the RECORD, we ought to stop putting telegrams in the RECORD.

Mr. WALTHALL presented a petition of sundry citizens of Iuka, Miss., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Claiborne County, Miss., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. JONES of Arkansas presented sundry petitions of citizens of Sallisaw, Westville, Baron, Stillwell, Bunch, Redland, Gann, Cottonwood, Long, Pawpaw, Muldrow, Hanson, Akins, Remy, Campbell, Vian, McKey, and Cookson, all in the Indian Territory, praying for the location of the United States district court for the northern district of that Territory at the town of Sallisaw, Ind. T.; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Evening Shade, Ark., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

Mr. COCKRELL presented the petition of Mary A. Smith and 29 other citizens of Warsaw, Mo., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY presented a petition of the congregations of the Methodist Episcopal Church and the Presbyterian Church of Elderton, Pa., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Russellville and Wrightstown; of the congregations of the Presbyterian Church of Clarion, the Methodist Episcopal Church of Williamsburg, the Presbyterian Church of Williamsburg, the United Presbyterian Church of Elderton, the Patterson Memorial Presbyterian Church, of Philadelphia, the Mount Carmel Tabernacle, of Mount Carmel, the First Presbyterian Church of Canton, the First Baptist Church of Bangor, the Methodist Protestant Church of Kittanning; of the Young Friends' Association of Penns Grove; of the New London Woman's Christian Temperance Union, of Chester County, and of the Christian Endeavor Society of Collamer, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Williamsburg, Wrightstown, New London, and Russellville; of the Christian Endeavor Society of Collamer; of the Young Friends' Association of Penns Grove; of the congregations of the United Presbyterian Church of Clarion, the Methodist Episcopal Church of Williamsburg, the Methodist Episcopal Church and the Presbyterian Church of Elderton, the Patterson Memorial Presbyterian Church, of Philadelphia, the First Presbyterian Church of Canton, the Methodist Episcopal Church of Kittanning, the Welsh Methodist Episcopal Church, the Welsh Presbyterian Church, the Welsh Congregational Church, of Salem, the congregation of the Evangelical Association and members of the Salvation Army of Bangor, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Williamsburg, Wrightstown, New London, and Russellville; of the Christian Endeavor Society of Collamer; of the Young Friends' Association of Penns Grove; of the congregations of the Methodist Protestant Church of Kittanning, the United Presbyterian Church of Elderton, the Presbyterian Church of Williamsburg, and the Methodist Episcopal Church of Williamsburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. VEST presented a petition of the congregation of the Methodist Episcopal Church South of Canton, Mo., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented sundry petitions of citizens of St. Louis, Mo., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. DANIEL presented the memorial of N. C. Bradley and sundry other citizens of Virginia and the District of Columbia, remonstrating against the contemplated prohibition of gill nets as a means of taking shad from the Potomac River; which was referred to the Committee on the District of Columbia.

He also presented a memorial of Local Union No. 133, Cigar Makers' International Union, of Richmond, Va., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented the petition of Richard H. Marshall, praying for the enactment of legislation referring his claim to the Court of Claims under the provisions of the act of March 3, 1887, known as the Tucker Act; which was referred to the Committee on Claims.

Mr. SMITH presented a petition of the congregation of the Trinity Methodist Episcopal Church and the Woman's Christian Temperance Union No. 3, of Newark, N. J., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of the congregations of the First Methodist Protestant Church of East Newark, the First Baptist Church of Harrison, the Knox Presbyterian Church of Kearny, and the Davis Memorial Methodist Episcopal Church of Harrison, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the De Groot Methodist Episcopal Church of Newark, the First Methodist Protestant Church of East Newark, the First Baptist Church of Harrison, the Knox Presbyterian Church of Kearny, and the Davis Memorial Methodist Episcopal Church of Harrison, all in the State of New Jersey, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the First Presbyterian Church of Newark, the First Methodist Protestant Church of East Newark, the First Baptist Church of Harrison,

the Davis Memorial Methodist Episcopal Church of Harrison, and the Knox Presbyterian Church of Kearny, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. McBRIDE presented petitions of the congregations of the First United Evangelical Church of Portland, the Methodist Episcopal Church of Eden Bower, the Presbyterian Church of Creswell, and the Methodist Episcopal Church of Creswell; of the Woman's Christian Temperance Union, the Epworth League, the Sunday-school board and the school board of Creswell, all in the State of Oregon, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Presbyterian Church and the Methodist Episcopal Church, the Woman's Christian Temperance Union, the school board, the Epworth League, and the Sunday-school board, all of Creswell, in the State of Oregon, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Methodist Episcopal Church and the Presbyterian Church of Creswell, the Presbyterian Church of Clatsop Plains, the Methodist Episcopal Church of Eden Bower, the First Baptist Church, the Methodist Episcopal Church of Monroe, of the Simpson Chapel of the Methodist Episcopal Church, of the Friends' Church of Newberg, and of the Forbes Presbyterian Church, of the Sunday-school board, the Epworth League, the school board, and the Woman's Christian Temperance Union, all of Creswell, and of sundry citizens, all in the State of Oregon, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Interstate Commerce.

Mr. STEWART presented petitions of the Woman's Christian Temperance Union of Virginia City, Nev., and of the Woman's Christian Temperance Union and the Independent Order of Good Templars, of Mesa, Ariz., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of Virginia City, Nev., and of the Woman's Christian Temperance Union and the Independent Order of Good Templars, of Mesa, Ariz., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance Union of Virginia City, Nev., and of the Methodist Episcopal Quarterly Conference of Mesa, Ariz., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (S. 2879) to vest in the Commissioners of the District of Columbia control of street parking in said District, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2926) to vest in the Commissioners of the District of Columbia control of street parking in said District, reported adversely thereon; and the bill was postponed indefinitely.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 4112) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Missouri River at or within 1 mile of the section line dividing sections 29 and 30, township 10 south, of range 25 east, in Wyandotte County, Kans., by the Kansas City, Northeastern and Gulf Railway, and to authorize said railway company to construct a railroad bridge, a wagon bridge, or foot-passenger bridge, or either of them, as it may choose, reported it with amendments.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 7599) granting an increase of pension to Mrs. Martha M. McCall, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 4335) to correct the military record of Gideon Howell, alias Judson Howell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4336) to correct the military record of James A. Kelley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4337) for the relief of Hugh Harkins, late captain Company G, Third Regiment Pennsylvania Reserve Corps; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4338) granting a pension to Aglae Bache; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 4339) to constitute a military reserve; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CARTER introduced a bill (S. 4340) for the relief of Charles T. Rader; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McENERY introduced a bill (S. 4341) for the relief of Hypolite Filhiol, Heloise A. Breard, and Ann E. Ferrand, of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER introduced a bill (S. 4342) granting an increase of pension to Eben E. Pushor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4343) for the relief of the Baptist Church in Williamsburg, Va.; and

A bill (S. 4344) for the relief of the board of trustees of the Methodist Episcopal Church, at Arlington Heights, known as Hunter's Chapel.

Mr. DANIEL (by request) introduced a bill (S. 4345) for the relief of Richard H. Marshall, heir of Louisa Summers, deceased, late of Fairfax County, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4346) for the relief of estate of John Catlett, deceased, late of Warren County, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 4347) for the relief of William Bushby; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also (by request) introduced a bill (S. 4348) for the relief of Louis Weber; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. FORAKER introduced a bill (S. 4349) granting a pension to Wilson W. Brown and others; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a joint resolution (S. R. 140) authorizing the President to use the United States marine hospitals and the hospitals and barracks at the United States quarantine stations in time of war for the care of the sick and wounded soldiers and sailors of the Army and Navy; which was read twice by its title, and referred to the Committee on Public Health and National Quarantine.

Mr. PLATT of New York introduced a joint resolution (S. R. 141) regarding the holding of a Pan-American Exposition, in the year 1901, upon Cayuga Island, between the cities of Buffalo and Niagara Falls, in the State of New York, to illustrate the development of the Western Hemisphere during the nineteenth century; which was read twice by its title, and referred to the Select Committee on International Expositions.

AMENDMENTS TO BILLS.

Mr. HALE submitted an amendment intended to be proposed by him to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes; which was referred to the Committee on Claims, and ordered to be printed.

Mr. TURPIE (by request) submitted an amendment intended to be proposed by him to the bill (H. R. 1253) for the better organization of the line of the Army of the United States; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. PLATT of New York submitted an amendment relative to the settlement of the claims of Gattleib Schlecht and Maurice D. Higgins, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. FRYE submitted an amendment intended to be proposed by him to the bill (H. R. 4936) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes; which was referred to the Committee on Claims.

Mr. CHILTON submitted an amendment relative to the appointment by the Secretary of the Navy of a board of naval officers to determine the desirability of locating and constructing a dry dock in the harbor of Galveston or Sabine Pass, Tex., intended to be

proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. SPOONER submitted an amendment relative to the execution of the work of the commissioners appointed by the President to revise and codify the criminal and penal laws of the United States, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. GALLINGER, it was

Ordered, That the papers on file in the office of the Secretary of the Senate in the pension claim of Daniel M. Humer, Senate bill 3823, be, and the same are hereby, withdrawn from the files of the Senate, copies of said papers having been left in the office of the Secretary according to Rule XXX of the standing rules of the Senate. Also, that said papers be transmitted to the custody of Senator HANNA.

BASIS OF TREASURY STATEMENT.

Mr. STEWART submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to inform the Senate how he ascertains the amount of gold in actual circulation after deducting the reserves in the Treasury and in the banks, and if he has any actual statistics upon which to base his statement, and also to inform the Senate whether he makes any allowance for the wear and loss of the paper circulation of the Government in his Treasury statement or does he assume that there is no diminution of the amount of paper money in circulation by reason of wear and loss.

POLICY CONCERNING CUBA.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution coming over from yesterday, No. 331, offered by the Senator from Washington [Mr. TURNER]. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. TURNER, as follows:

Resolved, That the Committee on Foreign Relations of this body be directed to report at the earliest practicable moment, and without waiting for the concurrence or advice of any department of the Government, what action, if any, in view of the loss of the battle ship *Maine* and the destruction of the lives of 266 American sailors, and in view of the well-known deplorable condition of affairs in the island of Cuba, is required from the Congress of the United States to sustain and vindicate the honor and dignity of this nation, and to meet and answer the obligations of humanity imposed on this Government as the result of the condition of affairs in said island, and that said committee report by bill, resolution, or otherwise, as it may deem most expedient.

Mr. TURNER. Mr. President, the fateful question of peace or war in its last analysis belongs to the Congress of the United States under our constitutional system. Believing that a solution of the difficulties of this country with the Government of Spain will involve necessarily the question of peace or war, I have no apology to make for the tenor of the resolution which I have had the honor to introduce in this body.

I have the very highest respect for the office of President of our Republic, and I have always endeavored to cultivate a proper respect for the occupant of that high office, whoever he might be; but I have never been one to—

> Crook the pregnant hinges of the knee
> Where thrift may follow fawning.

I shall now, as I have always been disposed to do, measure the President as I would measure any other man, and hold him to the same degree of accountability. I am prepared to follow him and sustain him within the lines of his constitutional duty, whether I believe him to be weak or whether I believe him to be strong, because my oath of office and my loyalty as a citizen compel me to do so.

But the President has no right to stand up and withstand the conscience of this nation and the representatives of the people of this nation in Congress assembled, and he has no right to lead where it is his duty to follow, nor is it his province to endeavor to place trammels upon any department of the Government which is charged with responsibility in this grave crisis in the affairs of our nation.

It seems to me—and that is the reason why I offered the resolution—that the time has come when there ought to be some expression of the sense of Congress upon this subject, because this nation and this people have been made a spectacle for gods and men, not only in the eyes of the American people, but in the eyes of the entire world. With a diplomatic representative at Madrid complicating the position of this country and defeating even his own efforts by the most frantic asservation of a purpose to secure peace at any price; with a private secretary, the alter ego of the President, circulating appeals throughout the country for petitions and memorials to control an unruly and unpatriotic Congress; with the Executive himself departing from the regular and orderly method of communicating with Congress in favor of private and personal appeals to Senators and Members to forego action until some indefinite time when the Executive may be expected to take some indefinite action; with such glimpses of Executive action as are afforded to us by the stray and fugitive telegrams from Madrid and other capitals in Europe; with the example that we have seen of the manner in which the destruction of our battle ship and the murder of our sailors has been treated by the Executive; with still other frantic appeals for delay; with the Congress of the United States still uninformed and uncertain as to what is to be the result of delay, if these appeals be listened to, it is not surprising to my mind that the American people have become impatient of this intolerable situation and demand of their representatives in Congress action which they alone are capable of taking, and which will grandly vindicate the outraged honor and dignity of this nation.

Mr. President, the battle ship *Maine* has sunk beneath the mud of Havana Harbor, entombing therein in her shattered form the last of our slaughtered sailors, and we are still waiting for that friendly action which we have been led to believe a sense of justice would dictate to the Spanish nation. The starved and pinched faces of women and children still look to us appealingly across the neighboring waters, melting the stoutest hearts and moving the weakest hearts to vengeance; and every day will cost the lives of a thousand innocent persons as the result of Spanish cruelty. And still the Congress of the United States is asked to withhold action as a matter of deference and courtesy to the Executive of the country. Mr. President, I say that the position has become intolerable to the American people, and that the American people expect Congress to take speedy action upon this subject, without reference to the wishes of any department of the Government.

Mr. President, I do not think that I have placed this matter too strongly. I wish to go for a few moments into a discussion of the situation in order to see whether I have or not. It is impossible for any man of common sense who is not prejudiced in the matter to examine the evidence taken before the naval court of inquiry at Havana without coming to the conclusion that the battle ship *Maine* was destroyed and the lives of our sailors sacrificed as the result of the perfidy and treachery of the trusted officials of the Spanish nation, whose action that nation can not disavow. Those officials planted a powerful submarine mine in the harbor of Havana, and when our battle ship appeared in that harbor they anchored her over that mine, and then, in due course of events, the mine was exploded, tearing and rending our ill-fated vessel until it was nothing but a splintered mass of iron and steel and hurling into eternity in one awful moment the souls of 266 brave American sailors.

It seems probable, and I believe it is possible to show from the testimony in this case, that the same officials who planted the mine and anchored the ship also exploded the mine. But whether that be so or not, the act of the officials of Spain which preceded the last final act was cowardly and treacherous and perfidious in the extreme, and constituted warfare against the United States. When those officials anchored the *Maine* over a submarine mine, intending thereby to encompass her destruction should occasion seem to require, then on the principle of respondent superior, which has a larger application even in international law than it has in municipal law, that nation became responsible for all the consequences which might flow from that lawless act. She could not escape responsibility if she would for that act, nor does she try. She takes refuge in a bald and palpably false denial of the incriminating act.

But I presume that every Senator has read the testimony laid before the Senate and taken before the court of inquiry, and I say that it is impossible to reach any other conclusion than that the mine was planted by the authorities of Spain, that the battle ship was anchored over it by the authorities of Spain, and then that the mine was opportunely exploded.

Mr. President, what more is necessary? Is it necessary that we should pursue the footsteps of the cowardly and stealthy murderer and expose his skulking form to the light of day in order to fix responsibility? When, I may ask, in the history of crime has the murderer ever blazoned his footsteps and came to the bar of justice with other than a lie on his lips?

Mr. President, I care not whether the hand that exploded the mine was that of a duly accredited and authorized agent of the Government of Spain or whether it was that of a maddened and lawless fanatic. The hand that planted the mine was the hand of Spain. The hand that anchored the battle ship was the hand of Spain. The hand that intended to explode that mine in some well-understood contingency was the hand of Spain, and it is immaterial whose was the hand that sent the electric spark on its fateful mission of death and destruction.

Mr. President, I say that the act which preceded the last crowning act in this barbarous tragedy was warfare against the United States, concealed, treacherous, perfidious, but none the less and all the more for that reason gross, cruel, wanton warfare against the United States. A course of conduct by one nation toward another which is incompatible with the idea of peace is war. If you visit your neighbor's house on a friendly errand and he presents a loaded revolver at your person and maintains it in that

position during all the time you are there, that is not peace, but it is war. If when the *Maine* entered the harbor of Havana and anchored beside the *Alphonso XII* the latter vessel had double shotted her guns and pointed them at the *Maine* with the declaration that she would blow the latter out of the water at the first sign of defensive preparation, that undoubtedly would not have been peace, but it would have been war. If one or more of those guns had exploded from some inexplicable cause, sinking the *Maine* and destroying the lives of our sailors, that none the less and all the more would have been an act of warfare.

Mr. President, Spain has done all this and more. She pointed the pistol at us. It was loaded and cocked and her finger was on the trigger. But she pointed it at our back. She brought her double shotted guns to bear upon our devoted war vessel, but with characteristic cruelty and treachery she masked her guns in order that our sailors might proceed in fancied security and at the last awful moment find themselves naked and helpless against her treacherous ferocity.

Mr. President, this is the most lenient and charitable view which the facts of this case permit the American people to take of the conduct of Spain in this lamentable tragedy. But I say again that it was war, and that a proper sense of respect in the people of the United States and a proper sense of obligation to succor, preserve, and protect the people of the United States, has required for a long time prompt and effective offensive operations to resent and repel this act of war upon the part of Spain.

But it is impossible for us without shutting our eyes to palpable facts to take even this charitable and lenient view of the conduct of Spain. It would be pleasing to do so, because to suppose that any Christian people false to honor and dead to humanity could deliberately perpetrate so foul a deed as the destruction of our battle ship would be to impeach the Christian civilization of the world. But if it be conceded, as it now must be conceded, that the *Maine* was destroyed by a mine planted at the hands of Spain, then no other conclusion is rationally possible.

Under any system of jurisprudence known to the world false, self-serving declarations are accepted as evidence of guilt, and, when found in connection with other cogent evidences, are accepted as sufficient evidence to justify a conviction of guilt. Spain has made such declarations in this case. She has not only attempted to shift responsibility from her shoulders by a false and insulting claim that our battle ship was destroyed as the result of the negligence and want of discipline prevailing in the American Navy, but she has falsely denied the material facts now known to all the world, that she herself had planted submarine mines in the harbor of Havana.

Mr. President, is that denial consistent with innocence? Is that affirmation consistent with any conclusion, in view of the other known and cogent evidences in this case, other than that Spain, through her trusted officials, whose act she is now unable and unwilling to disavow, was deliberately guilty of destroying our battle ship when that ship was in the harbor of Havana on a friendly mission?

Here we have the preparation for the crime, the ability to commit the crime, the improbability that the crime could be committed by another, the motive for the crime in the fear and hatred of the Spaniards, and lastly we have the suppression and denial of material facts, evidencing the consciousness of guilt. No other conclusion than that of guilt on the part of Spain can be drawn from these facts.

Mr. President, this incident illustrates the value of good character, which is so highly regarded in the criminal jurisprudence of this country and Great Britain. It would be impossible to make such a charge against any other Christian or civilized nation except Spain with any probability of its truthfulness, because their character would forbid such a charge. On the other hand, the character of Spain and the Spaniards invites it. From the time of Alva—yes, Mr. President, from a time long anterior to that of Alva—down to the time of the infamous Weyler the record of Spain has been one of treachery and perfidy, of cruelty and barbarity, of rapine and murder and assassination.

One has but to read the narrative of Las Casas, describing the cruelties practiced by the soldiers of that infamous nation upon the peaceful aboriginal natives of the Island of Cuba, to see what the Spaniard was four hundred years ago. One has but to read the narrative coming from that island in the present day of similar and worse atrocities and cruelties practiced upon the poor, helpless people of that island, now vouched for in such a manner as to command the absolute and implicit confidence of the Congress of the United States, to see that the Spaniard of 1500 and the Spaniard of 1900 are one and the same individual, identical in every respect. And it remained for this day, in the closing year of the nineteenth century, for that infamous and cowardly people to demonstrate to the world that the humanizing influences of Christian civilization have passed them by and left them now what they have always been—false, deceitful, perfidious, and treacherous; cruel, brutal, ferocious, and inhuman.

Mr. President, the character of this people convicts them, and that character, no less than the other known facts in this case, shows them to be guilty of that which we charge them with in this controversy. Such, in my judgment, will be the verdict of the civilized world when all the facts become known to the civilized world.

Now, Mr. President, in this emergency it has taken us thirty days to fix the responsibility for the blood of our slaughtered citizens, when it ought to have been fixed in ten, and for the last twenty days the Administration of the affairs of this country have been sedulously inculcating in the minds of the world the proposition that the way to cultivate friendly relations with this country is to tear and rend and murder and destroy the lives of American citizens.

My God, Mr. President, if the Congress of the United States and the President of the United States want a reason which will result in giving surcease to struggling Cuba from her misery, if they want a reason to drive the last minion and myrmidon of Spain off that devoted island, if they want a reason to help that beautiful island now, after four hundred years of living hell, struggling for the right to govern herself and to secure to herself a fair measure of happiness and prosperity through self-government to such government, what better cause could be shown to the world than the fact that our citizens have been brutally and treacherously murdered by that nation in her own harbor under circumstances of atrocity and cruelty and perfidy and treachery that are unparalleled in the history of the world?

For that reason, Mr. President, I say that the Congress of the United States ought to act, and it ought to act at once. I shall cheerfully vote if given the opportunity for a declaration of war against the Government of Spain because of this act of war committed upon her part. But I shall vote for anything which will give us an opportunity to drive that infamous nation from this hemisphere and to cleanse and purify the pure air of this continent from the lustful smell of Spanish blood—this continent devoted to liberty and humanity. And I pray that the moment may come soon when, without waiting for the action of anybody, I may have that opportunity as a Senator of the United States. [Applause in the galleries.]

Mr. HARRIS. Mr. President, I have but a few words to say. It is not a time for many words. Those things which were a few months ago deemed the wild imaginings of sensational journalists have been brought home to this Chamber by some of its ablest members straight from the field of enactment—brought in such a fashion that the hideous reality has chilled our blood and made all previous stories seem flat and tame. The evidence has been so overwhelming of cold-blooded cruelty and murder so foul and vast that all denial has been hushed, and even the false and inhuman Government that is responsible is now talking of relief and restoration to the miserable remnant of humanity that is about to die; not hundreds, not thousands, but hundreds of thousands of men, women, and children, tortured, butchered, and starved to death at our very threshold, and still we have sniveling, canting hypocrites, who send advice to this Senate to hold back and let the foul work go on; still we have cold-blooded monsters who argue that it is none of our affair and that intervention will be trespassing upon the rights (God save the mark) of a friendly power.

Mr. President, when Cain, with bloody hands, insolently answered his God, "Am I my brother's keeper?" he formulated the doctrine of nonintervention; nor have his followers advanced or improved it. These horrors are not new or sudden spasms of ferocity; for four hundred years the flag of Spain has covered no other policy. From the time her steel-clad soldiers appeared among the naked nations of this New World they have been butchers and robbers. Half the world was theirs; but humanity could not endure the galling yoke, and heedless of death, seeking it gladly as a welcome release, her tortured subjects have risen and overthrown the oppressors.

In the beautiful Island of Cuba for a generation there has been no peace. Revolt after revolt has occurred, stamped out with unspeakable cruelty at times, and at times, force failing, cajoled and lulled by false promises. Now, after years of struggle, lacking courage and skill to conquer, the Spaniard has planned and carried on the destruction by starvation of a whole race. If blood and tears and death are the price of liberty, the Cubans have earned it, and more dearly than any nation of earth.

But, Mr. President, it might seem possible to some men that this hell might be ignored, might be passed by on the other side, though in our very path, and we might, like Bismarck, declare that the lives of the whole Balkan race were not worth the bones of a single American sailor; but there came to us "la noche triste," of February 15, 1898, not saddened because of the loss of a few mailed robbers set upon by naked savages, and, tired out by butchery, falling victims to an outraged people, but because a gallant ship and a gallant crew went down to death by treachery—official treachery, at which the whole world revolts. Our "noche triste" came upon us, forever to be the night most sorrowful and black, most crammed with horror in all our years, in all the years which

time shall give us. Sir, since that night, when the foul water of Havana closed over the *Maine* and her crew, the heart of the nation has been beating a funeral march, muffled and low, while waiting the verdict, and it seemed an age.

No race on earth ever exhibited such stern, sad self-control; but, oh, men in high places here, and beyond the seas, do not delude and shame yourselves with the thought that this, the blackest crime of all the ages, will be a mere "incident;" that this, the foulest insult that the world has blushed for, will be arbitrated; that this hideous specter will ever be laid by the diplomatic wiles of a nation that forever lets "the false face hide what the false heart doth know;" and to-day, Mr. President, all over this land there is the cry "Why do you wait?" and the flag snarls and flouts the wind, impatient.

Oh, God, it can not be that we forget! that we forget!

Sir, I have seen war. If to die were to reach the summit of human calamity, if to weep and mourn for the loved and lost were to make up the sum of human woe, then nothing would be worse than war. But, sir, there is a crucifixion of the soul when honor dies; there is a death of a nation "when the jingle of the guinea heals the hurt that honor feels;" there is an existence, when patriotic pride is dead, "that doth murder sleep" and life becomes a horrid nightmare, and men shun their fellows, and the laugh of little children becomes a taunt and a mockery. True, there have been men who could exist and thrive and fatten without national honor or pride or patriotism, like worms in a muck heap, but that nation has been the scorned of all time and has quickly died. God forbid that any such should ever be called Americans.

Sir, I shall never consent that our dead shall lie in Spanish soil and under the Spanish flag. Brave American sailors can know no rest there. When it becomes consecrated by freedom, when that flag has trailed in the dust, when the Cuban Republic is raised as a monument to the men who went down in the *Maine*, then, and then only, will they sleep.

Do you say this is revenge, and that revenge is unworthy of a great nation? No, Mr. President, a righteous wrath and just resentment, the swift punishment of the assassin and the wrongdoer, are wholly different from revenge, and are the safeguards and protection of a nation among nations, and enable us to look the whole world in the face. What sight more glorious than a nation roused in such a cause as this!

God hates a coward, and a nation timid, halting, and hesitating in its foreign policy is a sight despised of God and man. A just war promotes and preserves all that is highest and best in national life.

Christ bought the keys of Paradise
By cruel bleeding.

[Applause in the galleries.]

The VICE-PRESIDENT. The Chair gives notice to the occupants of the galleries that expressions of approbation and disapprobation of what is said on the floor of the Senate are in violation of the rules and precedents of the Senate; and, if repeated, the Chair will feel compelled to have the galleries cleared.

Mr. KENNEY. Mr. President, I feel that little can be said that will be new or original on the Cuban situation. The field of argument and oratory has indeed been well covered by the distinguishedSenators who have already spoken on this most important question; and were it not from a sense of duty that I feel I owe to those who I have the honor in part to represent on this floor, I should not trespass upon the time of the Senate.

Mr. President, there is not in all this land a constituency more united in favor of Cuba's independency than mine. The people of no State have more earnestly espoused the cause of suffering Cuba than those of Delaware, and were I to fail to voice their sentiments in this regard and for them to speak to all the world, I would fail in my clear duty to those I represent.

Many times during the last half century have the people of Cuba risen in rebellion and by force of arms endeavored to free themselves from the bondage of Spanish misrule, and, although often defeated, have never lost heart. Revolt has followed revolt, and repeated failures have been the results thereof, but the spirit of freedom was planted deep in the hearts of the people, and, watered by the patriot blood of thousands slain, grew until to-day it attracts the attention of all the world.

The struggles of the people of Cuba for freedom are known to all students of history, and need no recital from me. Seldom, if ever, in the history of the world, has there been such an example of unselfish suffering for liberty's sake as by the people of that unhappy island; and if ever there was a people who deserved the aid and sympathy of the civilized world, they are the people of Cuba.

On May 20, 1897, Mr. President, the Senate passed by a vote of 41 to 14 the following joint resolution:

A joint resolution declaring that a condition of public war exists in Cuba, and that strict neutrality shall be maintained.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a condition of public war exists between the Government of Spain and the Government proclaimed and for some time maintained by force of arms by the people of Cuba, and that the United States of America shall maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

The joint resolution went to the House of Representatives and was, for reasons satisfactory to that body and the Administration, suffered to sleep the sleep that knows no waking. Had that resolution been considered by the other House of Congress and concurred in, and the Administration, acting in obedience thereto, recognized the belligerence of the Cuban insurgents, to-day Cuba would be free and independent, and so without the help of any nation of the earth—thousands of the now dead would be living, untold suffering and misery would have been averted, and millions of treasure saved. Yes, Mr. President, had belligerent rights been granted to the Cubans, they would have worked out their own salvation, and the United States would not have been compelled to adopt measures contrary to its traditions and to have spent millions of the people's money. The responsibility for this will be, is fixed by the unerring judgment of the American people.

Mr. President, who is it that refuses to the people of Cuba freedom? The Spanish Crown. That nation, through whose instrumentality (by Christopher Columbus in 1492) the islands of the West Indies were discovered, and who, taking advantage of the credulity of the innocent and peaceful aborigines they found there, first enslaved, then debauched, and then persecuted and murdered until for more than two centuries they have been extinct; that nation that for more than four centuries has written its history in blood; that nation that conceived and brought forth the Inquisition, the doings of which put to shame the tortures of the Prince of Hell himself.

Even in this age of enlightenment and Christian civilization the Spanish Government lives in the past; goes back to the Dark Ages, to ignorance, bigotry, and intolerance. It is this Spain that refuses liberty to the people of Cuba; this nation that in this civilized age conducts war not against armed men in the field, but on women and the helpless; that uses starvation as its chief weapon and torture as its ammunition. It is Spain that holds in bondage the people of Cuba; that nation that produced and honored an Alva and created a Weyler, the butcher; that nation so senseless to honor and the instincts of humanity that starving thousands awaken no chord of sympathy in its breast; that nation, which by reason of its brutal misrule and cruelties, though once the possessor of this continent, to-day owns Cuba alone; that nation which on the 15th day of February, A. D. 1898, committed the crime of the nineteenth century—the destruction of the *Maine* and the murder of 266 American seamen in the harbor of Havana.

Mr. President, was there ever before in the history of the world a more diabolical crime? Was there ever such a foul murder so long unavenged? I see, as I speak, the red flash from that hell-fired mine, and the crash of iron and steel together, with the mangled forms of the brave sailors and seamen, and hear their shrieks and cries of pain and terror, as crushed and shapeless they are hurled into eternity.

Mr. President, it has been the policy of this Government to be at peace with all the nations of the earth, and that policy has been most faithfully carried out, and war has been entered into only as a last resort—only when every other means has failed. The people of the United States do not to-day desire war for war's sake. They, many of them, have seen war and know its meaning, the lesson having been learned as participants in great and bloody battles. They know that "war is hell." Yet, Mr. President, there are times and conditions when a war-made hell is to be preferred to hells created and existing by other means, and a time and a condition now exists that warrants war—war that the Spanish-created hell in Cuba may be destroyed and that that Spanish-created hell of February 15, 1898, may be avenged.

No longer, Mr. President, will American freemen witness starvation, outrage, and crime in Cuba and remain idle. No longer will they permit to go unavenged the blood shed in Havana Harbor. No longer can plea of "wait a little longer" hold them back from a duty so clear and plain. No longer can the whim of the administrative branch of the Government and diplomatic claptrap deter them from meting out justice to the perpetrators of these crimes and outrages.

The honor of the nation is at stake. Humanity demands action, action that is plain—grim war. The cold clay, the speechless lips and pulseless hearts of the *Maine's* dead heroes cry out to us for vengeance; the starving, diseased Cubans pray to us for help. Can we refuse to hear these appeals? No, Mr. President; American manhood and American chivalry give back the answer that innocent blood shall be avenged, starvation and crime shall cease, Cuba shall be free. For such reasons, for such causes, America can and will fight. For such causes and for such reasons we should have war.

Mr. CHANDLER. Mr. President, the United States ought immediately to declare war against Spain and to maintain that war until the people of Cuba are made free from Spanish starvation

and cruelty and the government of the island firmly established as an independent republic.

The reasons for declaring war are apparent to the world.

Spain has justly forfeited all title to any possessions in the Western Hemisphere by her prolonged misgovernment thereof. Unjust taxation caused the French Revolution, the American Revolution, and the Cuban revolution. As France helped the Americans, so the United States should help the Cubans.

Spain has lost all right to suppress the Cuban rebellion by resorting to inhuman methods of warfare—continuous military murders of persons in open arms or suspected of disloyalty and by the deliberate and wholesale starvation of noncombatant men, women, and children. Spain has surrendered all claim to the forbearance of the United States by disregarding all friendly remonstrances, by practicing deceit through false promises of local government for Cuba, by insulting the President of the United States, and by destroying, through the explosion of a mine, the battle ship *Maine* and the lives of 260 American sailors while the ship was under the protection of Spain on a peaceful visit to the harbor of Havana.

Spain having thus begun the war, the United States ought to accept the issue without waiting for the enemy to concentrate all her fleet in American waters. We have an Army and Navy equal to the emergency. For no juster cause, with no better motives, did any nation ever take up arms. We may vote for the coming declaration with clear consciences and hopeful anticipations of success, having performed a high duty to humanity, civilization, and liberty—to the United States and to the Cuban Republic.

Mr. TURPIE. Mr. President, I have great regard for the continuity and consistency of public action and of my own conduct in participating therein. I voted more than two years ago for the acknowledgment of belligerency to the Cuban insurgents. More than a year ago I voted for and addressed the Senate in favor of the recognition of the independence of the Cuban Republic. This morning I am of the opinion in respect to our relations with the Kingdom of Spain and its former dependency, the Island of Cuba, that the consecutive steps of belligerency, recognition, and intervention, heretofore forborne by the United States, ought now be massed at once and taken together as the only reparation for the wrongs inflicted upon this Government and upon mankind by the offenses of the Spanish monarchy.

We are now witnessing the fourteenth year of the war for Cuban independence, for it must be recollected that this war was begun in 1868 and lasted ten years. The truce which then took place did not occur by reason of the defeat of the revolution, or, in other words, by the suppression of the rebellion, or by the surrender of the Cuban armies, or the cessation of armed resistance against the Spanish Government.

The pacification of the treaty of Zanjon occurred by reason of a mutual agreement between the authorities of the Cuban Republic of that time and those of the Spanish Government upon the Island of Cuba, by which, under the terms of the treaty then made, it was solemnly agreed by Spain that within ten years—a long time, a very long time—that within ten years, such period being given wherein to carry out the promised reforms, there should be substantial self-government and local autonomy for the Cuban people established in that island, and that African slavery in the island should be abolished. Those were the principal provisions of the treaty of pacification made at Zanjon in the winter of 1878 at the conclusion of the first period of the war for Cuban independence.

During the whole ten years afterwards no step was taken in execution of this mutual convention, except one—the abolition of slavery; and that was only taken in 1884, after an intimation from the Government of the United States and certain European powers that that part of the convention of Zanjon must be complied with and executed.

It was under that mediation that slavery was abolished in the Island of Cuba. That is the only provision of the compact which was undertaken and carried out by the Spanish Government. Every other was delayed and postponed. It was said by the royal authorities, "We have not had time. We have had a variety of interests to confer about. We have had great questions in the island to consider. Give us yet more time beyond the limit of ten years." Seven years were not granted; but seven years were taken by the royal authority, by the Spanish Government, by the cabinet at Madrid, to carry out the remaining stipulations of the treaty of pacification at Zanjon, and seven years were taken in vain.

No other action was taken by the Spanish Government. The same absolute oppression, the same exclusion of Cubans from all offices of trust and profit, the same exclusive Spanish control of courts, the same denial to the Cubans of justice in those courts, the same oppressive system of taxation more severe than under any civilized Christian government in the world, was continued up to the last moment of the seven years, when the second period of the war for Cuban independence became flagrant, the second period of the same war waged for the same reasons, largely between the same persons, making now the fourteenth year of that struggle.

Mr. President, the lapse of time, and the lapse of time alone, emphasizes the duty of the American Congress to intervene, and to intervene in such a manner as to make the pacification of Zanjon a fact accomplished, and to declare and maintain the independence of the Republic of Cuba. For Spain was to forfeit her sovereignty if she made default in this treaty. There is now a republican government in that island. It has maintained itself for fourteen years in arms. It has an active corps of 35,000 men, well armed, drilled, and equipped. It has another corps of the same number, 35,000 men, equipped and drilled, liable at a moment's call under the command of their president, but not armed by reason of the want of guns and ammunition, the result of that blockade which we have hitherto maintained in the interest of Spain, creating an embargo against the revolutionists.

For the maintenance of the authority of the republic—a government with a president and cabinet like our own, a government with a well-established revenue, a government with courts having civil and criminal jurisdiction, a government having a system of taxation, a postal system, and every other element of civil national life—that government, sir, ought to be immediately recognized.

Mr. President, we have not only had this long-continued war and this maintenance of the Republic of Cuba, but we have had upon our side the same prolonged continuance of efforts in aid of what are called our own neutrality laws. It has cost us millions of money to take and maintain the position of neutrality; it has cost us millions to shut away from the armies of the Republic of Cuba the supplies of ammunition which might perhaps have ended this struggle before now if we had not observed this neutrality.

Again, sir, we have during this long period, during the whole fourteen years, been subjected to indignities, insults, and outrages upon American property and upon American persons which, had they not been committed in the name of a friendly Government, had they not been committed under the auspices nominally of a Government with which we were in amity, would have been in themselves cause for armed intervention at our hands.

Above all, sir, during these last twelve months wherein events have quickened, the scenes in the drama of the Cuban revolution have changed and shifted rapidly. The cruel policy of concentration—determined, avowed, deliberately planned and executed by the home Government of Spain—has been pursued against the people of Cuba.

We have seen 400,000 of those people driven from their homes, placed between the double dead line of the bayonet on one side and famine on the other. Heretofore we have read of revolutions, of the French Revolution, the guillotine, and the Reign of Terror, but in the Cuban revolution we have had the reign of death for twelve months—death by famine, involving the slowest, the most lingering, the most excruciating tortures known to human suffering and mortality.

Two hundred thousand have perished for the want of the necessaries to the maintenance of life. They have perished by reason of hunger. "Give us this day our daily bread." Such is the prayer of humanity to the All Father of the world, and He has never wearied in granting food to His children. It is only the evil genius of the Spanish monarchy which would dare to deny men, women, and children—which would dare to deny to childhood, to motherhood—the bare necessaries of life. It is only the Moloch of the Spanish monarchy which dared to say, "Suffer the little children to come unto me, that I may slay and devour them."

This policy of concentration, sir, contrary to Christianity, contrary to the law of nations, contrary to the rules of civilized warfare, a crime against the human race, has characterized this period of twelve months. I feel very certain in saying beyond all contradiction that if Spain were now to attempt to enter upon any island or any portion of this hemisphere and found a new colony, with the view of governing it under her sovereignty and dominion, the whole people of the United States would rise as they did in the case of Venezuela to support the President against that attempt; and I do not see that there is any difference in principle between allowing the Spanish monarchy to repeople the desert wild which it has made in the Island of Cuba with a new population and the founding of a new colony elsewhere upon this continent. It is dangerous to our peace and safety; it is a gross and unjustifiable violation of the Monroe doctrine; it is much more without excuse, much more without justification, than the action of Great Britain with respect to the Venezuelan frontier.

Besides this general course of events, marked with so much horror and barbarity, there are particular incidents which accentuate the demand that we shall heed the voice of our neighboring republic and the voice of humanity, asking us to come over and help them, to rescue them from this impending ruin.

There is what is called the De Lôme affair, the affair of the Spanish minister—De Lôme, a typical representative of that polished address and duplicity which have marked Spanish diplomacy in every era of the world, a typical representative of that accomplished hypocrisy which can meet its victim smiling in the face and behind his back with jeer, sneer, and hisses.

With what a serious and earnest air the late Spanish minister approached the President of the United States and the Secretary of State to lay before him the papers and to explain to them in detail the system of Spanish autonomy for the future government of the Island of Cuba! Yet at the same time that accomplished emissary was turning his head over his shoulder saying to his friends in old Spain: "This autonomy; it is a game, it is a ruse, it is chaff, thin, worthless chaff; good enough to give to the people and to the President of the United States."

But the mask was torn from his face. The features of this hypocrite were revealed in all their native deception and deformity. Then he made his exit. Then he took his departure. But, sir, his resignation was accepted by the Spanish Government. He was subject to no reprimand or reproof. He is yet persona grata in the court of the Queen Regent at Madrid, with a deliberate insult to the Government and people of the United States, an insult avowed and countenanced by the Government which sent him here as its representative, witnessed by his presence.

Then, again, we have what is called the incident of the *Maine*, the instant and stealthy destruction of a public war vessel of the United States upon a peaceable and not unusual visit to the harbor of Havana, the harbor of Havana and the whole island being at the time under the most rigid martial law which has ever been proclaimed in any part of Christendom. Sir, that destruction, that deplorable loss, occurred without the slightest precaution having been taken by the Spanish authorities to prevent it, and without any effort to detect or to discover the actors in the crime after its accomplishment.

If I recollect aright, sir, the destruction of the *Maine* occurred during the régime of autonomy. The system of Spanish autonomy in Cuba had been inducted, inaugurated, and was in full operation at the time of the destruction of the *Maine* and the loss of the gallant men who perished with her. We are told that the colonial and royal officials attended the burial of the victim martyrs of the *Maine*. Were they real mourners?

Yes, Mr. President, as real as De Lôme, as sincere as the Spanish minister. The crape they wore hid a secret, as the waters of Havana Bay hid the mine and wire that wrecked the *Maine* and her murdered crew. Here are insults, here are incidents and injuries which can not be repaired except upon such conditions as that they never can occur again, such conditions as shall forever place the harbor of Havana and Cuba, with all its land and waters, beyond the control and dominion of the Spanish Crown.

Sir, there may be the acknowledgment of the independence of the Cuban Republic; there may be armed intervention and still be no war, and yet be preservation of peace. It rests with Spain. We say to her, whether we declare it in one way or another, "Surrender Cuba; withdraw your naval and military forces; depart in peace." Spain has not earned that; is scarcely worthy of it. She asks us, "What are you willing to sacrifice for peace; what are you willing to sacrifice for Cuban independence?" "We have given up the *Maine;* we have given up the slaughtered heroes who once trod her decks—all these are martyrs, glorious martyrs, in that cause—if you will depart in peace;" for I believe that the loss of Havana and Cuba would be a stroke of such serious detriment to the purse, pride, and power of the Spanish monarchy that we might be willing to consider it as a reparation for the wrongs and losses which it has inflicted upon the Government and people of the United States. But I would have no other reparation.

So, then, there is that day of repentance, there is that alternative of peace, and it may be that Spain's last thoughts about Cuba shall be her best, for it is to her a very grave alternative. The Spanish monarchy has in that island and the subjects who have acknowledged and supported it, millions of credits depending upon this determination.

The Spanish monarchy has millions of movable property the value of which depends upon this determination. The Spanish monarchy has archives, records of courts, of deeds, of conveyances, worth an immeasurable sum, the custody of which depends upon the decision of that alternative. It does bring the cabinet at Madrid to consider, and to consider upon great grounds, the difference between a peaceable departure and surrender of her ancient possessions in this hemisphere and a military capitulation at the end of the war. It does present a great alternative.

Sir, in the old times, from 1861 to 1865, there used to be a great deal of discussion—I have heard it in this Chamber—as to what was the cause of the war. I think there was a unanimous conclusion upon our side that slavery, if not the cause of the war, was so nearly related to and so closely connected with it that peace could never be established without its final extinction and abolishment. What is the cause of the war now pending in the Island of Cuba? What shall be the cause of the war anticipated between the United States and Spain?

There is only one cause. That is the assertion and maintenance of the right of the Spanish Crown to its sovereignty and dominion in the Island of Cuba. That is the cause, and until that dominion and sovereignty of Spain in the Island of Cuba are extinguished, obliterated, there will be no peace; there can be no peace; there should be no peace. It is upon that alternative, and only that, that peace may come, in my judgment; may lawfully, righteously come to us as well as to them. The abandonment by Spain of her government in the island, with all its appended military and naval forces, is the only thing which can give us indemnity for the past and security for the future.

REPORT OF NAVAL COURT OF INQUIRY.

Mr. LODGE. Yesterday I reported and the Senate passed a resolution ordering 5,000 additional copies of the *Maine* report. Since then the House of Representatives has passed a concurrent resolution providing for the printing of 20,000 copies, of which 6,500 shall be for the use of the Senate and 13,500 for the House. I move that the vote by which the resolution was agreed to may be reconsidered.

The motion was agreed to.

Mr. LODGE. I move that the resolution be indefinitely postponed.

The motion was agreed to.

Mr. LODGE. From the Committee on Printing I report a concurrent resolution of the House of Representatives, for which I ask present consideration.

The concurrent resolution was read, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring). That there be printed 20,000 copies of the message of the President of the United States, dated March 28, 1898, together with the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine*, in Havana Harbor, February 15, 1898, and the testimony taken before the court, 13,500 copies for the use of the House of Representatives and 6,500 for the use of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 435) for the relief of the legal representatives of John C. Howe, deceased;

A bill (S. 3056) authorizing the Shreveport and Red River Valley Railway Company to construct and maintain a bridge across the Loggy Bayou, Louisiana;

A joint resolution (S. R. 28) making an appropriation for the improvement of the Anacostia River and the reclamation of its flats; and

A joint resolution (S. R. 103) relative to the appropriation for the Rouge River, Michigan.

The message also announced that the House agrees to the amendments of the Senate to the following bills:

A bill (H. R. 722) granting a pension to Mrs. Sarah A. Denny, an army nurse;

A bill (H. R. 907) granting a pension to Emily J. Miller, blind and helpless child of Robert B. Miller, deceased, late of Company C, One hundred and ninth New York Volunteer Infantry;

A bill (H. R. 1971) to grant a pension to James J. Gibbs, of Knox County, Tenn;

A bill (H. R. 2198) granting an increase of pension to Joseph P. Harmon, late private in Company K, Fifth Maine Volunteers, and Company B, Seventh Maine Volunteers;

A bill (H. R. 2246) to increase the pension of Elwin A. Scutt;

A bill (H. R. 3299) granting a pension to Ellen Day, stepmother of Albert L. Day;

A bill (H. R. 4183) granting an increase of pension to Nicholas Gardner;

A bill (H. R. 4194) granting an increase of pension to Samuel F. Fowler, formerly private, Company A, First United States Infantry;

A bill (H. R. 4320) granting a pension to Nancy Hollenbank, an army nurse during the war of the rebellion;

A bill (H. R. 5030) to authorize the construction of a bridge across St. Francis River, in the State of Arkansas;

A bill (H. R. 5156) granting an increase of pension to Daniel J. Smith;

A bill (H. R. 5384) for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States;

A bill (H. R. 5964) granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry;

A bill (H. R. 5965) granting a pension to Laura A. Barry, as widow of Charles W. Barry, late private, Company B, One hundred and eighth New York Volunteer Infantry;

A bill (H. R. 6007) for the relief of Cora L. Robinson, of Centralia, Kans.; and

A bill (H. R. 6211) granting an increase of pension to Isabella G. Daniels, widow of Milton T. Daniels.

The message further announced that the House had passed the bill (S. 3472) to incorporate the Masonic Temple Association of the District of Columbia with amendments in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendments to the bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RAY of New York, Mr. GIBSON, and Mr. DRIGGS managers at the conference on the part of the House.

The message further announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C.;

A bill (H. R. 4166) to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time;

A bill (H. R. 5883) to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes;

A bill (H. R. 9204) to regulate the construction of barbed-wire fences in the District of Columbia, and for other purposes;

A bill (H. R. 9206) to incorporate the Washington and University Railroad Company of the District of Columbia;

A bill (H. R. 9417) to amend the charter of the District of Columbia Suburban Railway Company;

A bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia;

A joint resolution (H. Res. 178) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike; and

A joint resolution (H. Res. 189) authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes.

The message also announced that the House had passed a concurrent resolution requesting the Secretary of War to furnish such information as he may have regarding the possibility of providing deeper draft at the entrance into Charleston Harbor, etc.; in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 5489) extending the right of commutation to certain homestead settlers on lands in Oklahoma Territory opened to settlement under the provisions of the act entitled "An act to ratify and confirm the agreement with the Kickapoo Indians, in Oklahoma Territory, and to make appropriations for carrying the same into effect;" and it was thereupon signed by the Vice-President.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the sundry civil appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes, the pending question being on the amendment of Mr. CHANDLER to the amendment of the committee on page 68 of the bill.

Mr. ALLISON. Yesterday the Senate had under consideration the amendment of the committee relating to forest reservations. In the course of observations made by Senators it was suggested that in case the proclamations named were suspended by the operation of this amendment the President would not have the power to restore the reservations in whole or in part. I offer the amendment which I send to the desk, to be inserted on page 68, after line 9, striking out the colon at the end of the line and inserting a semicolon. I think it will cure the defect suggested.

The SECRETARY. It is proposed, at the end of line 9, page 68, to insert:

> But nothing herein contained shall be construed as abridging in any way the right of the President to set apart and reserve forest reservations as provided by the act approved March 3, 1891.

The VICE-PRESIDENT. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The VICE-PRESIDENT. The Chair understands that an amendment is pending, offered by the Senator from New Hampshire [Mr. CHANDLER].

Mr. ALLISON. The amendment may be withdrawn or considered later.

The VICE-PRESIDENT. The Senator from New Hampshire is not now in his seat.

Mr. ALLISON. I ask that it may be passed over for the present.

The VICE-PRESIDENT. It will be passed over temporarily.

Mr. SHOUP. I wish to offer an amendment to follow the committee amendment just adopted.

The SECRETARY. After line 25, page 68, it is proposed to insert:

> That section 8 of an act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891, be, and the same is hereby amended as follows:
>
> "That it shall be lawful for the Secretary of the Interior to grant permits under the provisions of the eighth section of the act of March 3, 1891, to citizens of Idaho and Wyoming to cut timber in the State of Wyoming west of the continental divide on the Snake River and its tributaries to the boundary line of Idaho for agricultural, mining, or other domestic purposes, and to remove the timber so cut to the State of Idaho."

Mr. ALLISON. I hope the Senator from Idaho will explain the amendment.

Mr. SHOUP. In the extreme eastern part of Idaho there is no timber to speak of, while in the extreme western part of Wyoming and on the western slopes the country is well timbered. There are citizens in there, from 75 to 80 miles from the railroad, who now have to haul their lumber and other timber from the railroad. All the citizens of Wyoming living on the west side of the main chain of the Rocky Mountains or the continental divide have petitioned, along with citizens of Idaho, for the granting of this permit. The Senators from Wyoming do not object, for the reason that the timber on the slope can not be transported eastward over the main chain of the continental divide.

Mr. ALLISON. I ask that the amendment may again be read.

The Secretary again read the amendment.

Mr. ALLISON. I do not object to it.

The PRESIDING OFFICER (Mr. PASCO in the chair). The question is on agreeing to the amendment proposed by the Senator from Idaho.

The amendment was agreed to.

The reading of the bill was continued to line 11, on page 69.

Mr. SHOUP. At this point I wish to offer an amendment. I move to insert after line 11, on page 69:

> Maps of public-land States——

Mr. ALLISON. I ask the Senator from Idaho to withhold that amendment until the amendments of the committee are disposed of. By agreement, the committee amendments are to be disposed of first.

Mr. SHOUP. Very well.

Mr. ALLISON. The Senator from New Hampshire [Mr. CHANDLER] is now here, and I ask that we may recur to the amendment which was under consideration a few moments ago.

The PRESIDING OFFICER. The amendment of the Senator from New Hampshire [Mr. CHANDLER] to the amendment of the Committee on Appropriations will be stated.

The SECRETARY. The Senator from New Hampshire moves to strike out all after the word "suspended," in line 7, page 68, down to and including the word "issued," in the following words:

> And the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued.

And to insert in lieu the words:

> Until March 4, 1899.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire to the amendment of the Committee on Appropriations.

Mr. PETTIGREW. Mr. President, it does not seem to me that the amendment of the Senator from New Hampshire ought to prevail. The provision as it stands vacates the orders of the President and opens up the reservations to settlement. To provide that the order shall be suspended for one year delays the controversy for one year and settles nothing.

One year ago we proposed to vacate the orders and to open the reservations to settlement. The Senate adopted an amendment to the sundry civil bill for that purpose. In conference an amendment was agreed to similar to the one now being considered, and the conference report was adopted by the Senate. I said then that we simply delayed the controversy one year, that nothing would be done, that the reservations at the end of the year would still exist, and Congress would again be called upon to vacate the improvident and unwise orders.

The same proposition is made again, and if adopted, one year from now, with nothing done, with no forest reservations established in those regions, this same question will be up for discussion. If the improvident and unwise orders are vacated, the whole question is open for action on the part of the President. He can establish in a locality, after a careful examination, forest reservations that will embrace the regions that are suited for the purpose. But if we leave it so that the action taken last year will stand, the reservations will again be created, one year from now, with their present boundaries, and there will be an intolerable condition of affairs, which will be resisted by the Western people.

Let the orders be vacated and let the reservations be opened to settlement. Let the President, as soon as he can examine those areas, establish other reservations which will embrace the timber and preserve the timber of that part of the country. We are in

favor of preserving the forests. The people of the Western country desire that the fires shall be kept down and the timber preserved for their use, and we are as earnestly and honestly in favor of it as are any other people in the country.

But how were the reservations established? In 1891 Congress passed a law authorizing the President, by proclamation, to reserve areas in the West containing timber, and to preserve them for the production of timber. In 1896 some members of the American Academy of Sciences came to the Secretary of the Interior and suggested the setting apart of reservations under that law. The Secretary thereupon called upon those gentlemen to make suggestions, and they made suggestions. The most pertinent and important suggestion to them was their suggestion that Congress should appropriate $25,000 for them to go forward into the West and make examinations as to where reservations should be created. Congress complied with their request. Five of the scientific gentlemen were selected and sent out in a palace car on a junketing trip. There were sent out to spend the $25,000.

It is said that scientific investigation promotes truth, and that no real honest investigator of science can be false. Mr. President, this saying is refuted by the conduct of the gentlemen who composed the commission sent out by the American Academy of Sciences. Those men went forth apparently upon a mission prompted by honest and philanthropic motives, and yet they passed by the State of South Dakota; they never entered the area which they afterwards recommended to be set apart as a forest reservation, but took a map and marked out a region of country containing 10,000 people, 50 miles of railroad, cities, towns, mines, and mills, and without any knowledge of the area, without even entering it, they recommended to the President that that country should be set apart as a forest reservation.

They did the same everywhere. They went into Wyoming. The State commissioner of irrigation met them at Sheridan. He asked them to stop and examine the forests in the Bighorn Mountain, and they refused. They refused to stay over even for a day and visit the region 15 or 20 miles away which they afterwards embraced within a forest reservation.

They went on to the Yellowstone Park and visited the geysers and the springs and spent the money that we had appropriated. But they created no forest reservation in the Yellowstone Park. They were not there for that purpose. They entered no region which they recommended to be a forest reservation.

They embraced in Wyoming millions of acres of land upon which there is not a single tree. The pretext was that in the interest of science the forests should be preserved so that the water supply could be preserved; and yet they created an enormous forest reservation in the State of Washington, where the annual rainfall is 108 inches a year. Untrue to science, false in their recommendations, they took the money that we appropriated for a scientific purpose and spent it in a junketing trip. Such conduct on the part of the American Academy of Sciences, in the interest of science, in the interest of truth, ought to be rebuked, and the orders ought to be vacated.

What more? In the State of South Dakota they made a partial examination of the area by the Geological Survey, and there are thousands of acres embraced within the reservation upon which there is no timber at all. They report 50 miles of railroad and 460 farmers, having under cultivation from 30 to 60 acres of land each. There are seventeen post-offices within the area; there are thousands of mining claims, and there is one city where 400 votes were polled at the last election. All of that was embraced within a forest reservation.

Now, in that part of the country there are many acres of forest that ought to be embraced within a reservation. When the country is surveyed and examined the reservations ought to be established. I presume there are a million acres that ought to be in forest reservations in the Black Hills of South Dakota. There are about a million acres within the reservation now created, but one-half of the reservation now existing ought to be absolutely opened up to settlement, and an area equally as great, containing forests, ought to be embraced within the boundaries of the reservation.

The opposition to that which we wish to do has not come from the Western people or the Western Senators. Not a single representative in either House of Congress was ever notified or consulted by the President of the United States or the Secretary of the Interior with regard to the establishment of one of these reservations. Congress was in session, the representatives of those States were here, and yet, ignoring absolutely the people of that country, in violation of every dictate of good judgment and good sense, the man who disgraced the executive chair of this country for eight years established the reservations. Every member of both Houses to-day desires the amendment reported from the committee. They do not desire the amendment offered by the Senator from New Hampshire.

What interest, what sentiment, prompts New Hampshire to know more about what the people of the West want than the representatives of the people of the West on this floor and in the other House? Mr. President, if we should appoint a commission in Dakota to go to New Hampshire and then report to Congress what ought to be done in New Hampshire, there would be objection, I apprehend, from that quarter of the world. New England would rebel against the trespass of the people of the West. We would be regarded as presumptuous if we should try to represent that locality.

For my part, I believe the people of New Hampshire are capable of selecting Representatives to represent them upon this floor, and I believe they have selected Representatives capable of representing them upon this floor. But, Mr. President, owing to their lack of knowledge of the West, owing to the provincial character of the people whom they represent, owing to the fact that their Representatives refuse to travel and become acquainted with this country, I deny that they have selected men capable of representing the States of the West.

On public questions of course they possess a great capacity and great wit, but on questions of a local nature affecting the people of the West they have less knowledge than almost anybody else in the world. Why they should try to spread themselves out so thin as to take within the scope of their vast intellects all the vast region of the Rocky Mountains, which they never saw, is more than I can understand. If they will withdraw their patronizing and kindly interest in these questions they will certainly be entitled to some degree of kindly consideration by the people of the country affected.

Mr. STEWART. Mr. President, it is a fact that the people living in the Western States that are affected are denied anything, that they are absolutely ignored, and the whole thing proceeds from an outside source undertaking to govern that entire country.

The matter of reservations is a local question. The plea for it is that the timber can be preserved in certain localities, which would tend to preserve the water for irrigation purposes and the like. There is no other pretext for it. It is not pretended in those States, except perhaps the State of Washington, that there is any commercial timber that can go to any other State at all. The use of the timber is all local, and its preservation is a local question. The people who live there have a direct interest in preserving it, and nobody else.

There has been more injury by fire than from all other causes. More has been destroyed by burning than by cutting, taking the whole region there, and nobody has done any effective service toward preventing fires except the people who live there. They turn out and put out the fires.

If you deny them the right to go upon the land, if you deny them the right to build reservoirs, to divert the water for agricultural purposes, you have reservations under the control of small men whom you send there, impudent in their manners, lordly in their demands, and of course the fires will run over the reservations and the timber will be destroyed, and the very thing you are attempting to accomplish will be defeated by establishing the reservations.

The very fact that the reservations were made from maps here in Washington without any regard to the territory to which they were applied, the very fact that they included settlements of miners and agriculturalists, the very fact that they will retard those States, and that they have gone in and done all this without consulting anybody, stamps the whole proceeding as worse than folly. If they are going to administer in that way, the quicker it is repealed the better.

You do not want to make war on those States and drive out those who have homes at your invitation in those mountain regions. A piece of vandalism such as this was never before perpetrated in any section of the country. My friends of the South used to complain about carpetbag rule, but this is worse than all of the carpetbag rule put together. Carpetbaggers did not go into the South and drive you off and take possession of whole neighborhoods and take from you the land which you had occupied under the invitation of Congress.

It is true that the titles of the settlers were inchoate; that they could be removed; the land could be made into reservations, and the settlers could be deprived of their property, because they had not yet gone far enough to get the deeds; but nobody ever thought of depriving a whole community of the right of settlement as has been done by these orders. Such an order in this country was never thought of before. The idea that you want to keep that order hanging over the citizens for a year and prevent the people from opening their mines, from building their homes and cultivating the land, holding that menace of confiscation over honest people another year, is a matter preposterous, outrageous in its conception.

Of course my friend from New Hampshire has no idea of the consequences of his amendment. He is a kind man; he does not want to injure the West; he has always been our friend; but I am sorry that he has become an instrument to carry out and to accentuate the follies of the Cleveland Administration. He used to oppose it. I did not think that he would be an instrument of adding to the cruelties of the Cleveland Administration. I did not think that he had any such design in his nature. He opposed

the Cleveland Administration, and that Administration issued that most preposterous order. Whether Cleveland knew anything about it or not, it was the most savage, the most destructive, the most unreasonable order ever issued in the world.

Now, when the Committee on Appropriations propose to relieve the people from that menace, one of our friends, who has always been a friend of the West, turns against us. What have we done? What new grievance has the West given him? We have stood with you pretty well. We do not want to drive your people from your homes. We do not want to obstruct the prosperity of the East. We do not prevent you from building houses on land you have settled upon. We do not want to prevent you from opening mines you have entered under the laws of Congress. We do not want to keep your part of the country from settlement. We take pride in the development of every part of the country. But this is the most monstrous, silly, and destructive proceeding I ever heard of.

That law was intended to empower the Administration to make investigations, and, if they found a proper place for a reservation, to make the reservation; but Congress did not suppose that the Administration was going to make a sweeping order that would banish the people from the country and place 30,000,000 acres of land in one order, selected from the mass without regard to who was living there. Who ever heard of anything that could possibly be done that was worse? I never heard that it was possible for any Administration to do so silly a thing, and why should anybody want to perpetuate it? Everyone who ever had anything to do with it ought to be on his feet apologizing and pleading ignorance, and then he could not be charged with willful malice. Ignorance is the only excuse that anybody can have for such folly.

Mr. CHANDLER. Mr. President, I feel complimented by the kind and friendly suggestions of the Senator from Nevada. I have no disposition to do any injustice by any of the mountain States or Western States. I ask the attention of the Senator from Nevada a moment to what it is proposed to do by the clause of the sundry civil appropriation bill under consideration. It is to completely wipe out all the orders and proclamations of President Cleveland making forestry reservations under the act of 1891.

Mr. STEWART. Only the one order.

Mr. CHANDLER. One moment. I want the Senator to answer.

Mr. President, that is the proposition which is made to us and insisted upon by our Western friends; it is what the Senator from Wyoming [Mr. CLARK] has been advocating for a year and a half with great eloquence and vehemence—no compromise, no partial withdrawal of the orders and proclamations, but their complete destruction.

Now, I ask the Senator from Nevada if there is not some way in which the people of this country outside of those States can see something done in the way of forestry reservations under the act of 1891, or when we give a President power and he makes comprehensive orders and does what the people of the country expect of him, must we see what he does entirely wiped out because he is a member of the Democratic party, whom the Senator from South Dakota does not like, or a single gold standard statesman, whom the Senator from Nevada does not like? Are those the reasons why we should lose these forest reservations?

Mr. STEWART. Not at all. Let me answer.

Mr. CHANDLER. I submit not. Why, I ask the Senator, wipe out at one blow all these reservations with no direction whatever to the President to go on and make reservations in other places?

Mr. STEWART. I will answer the Senator that there are some things so totally bad from top to bottom, so wicked, idiotic, and absurd, that they ought to be wiped out. The order reserved 30,000,000 acres of land without regard to its situation or the propriety of making the reservation, without regard to those living upon the reservations, or any other consideration. It reserved that amount of land. We do not wipe out the power to make a proper selection of reservations. That power has existed and there has been no difficulty in its being exercised all the time.

The Administration since that time could have been having the surveys made. Congress was ready to make the appropriation to find out what lands ought to be set aside. But the Administration did not undertake to execute the law properly and designate what ought to be set aside, but insisted upon including in reservations 30,000,000 acres of land, more than is contained in one of the large States, a tremendous area, and including population and business, without any reference to the rights of man. If the Administration can not follow the law and ascertain what reservations ought to be made, we had better wipe it all out, for I tell you the good that will come from reservations anyhow is too small to be appreciated. The people will take care of those lands if let alone better than any foreigner.

I believe in home rule. I think it is a most insolent rule to send men out there to control those reservations when the persons who live there have preserved the timber and are the only persons interested in doing it. Neither the Government nor the people of the East can take care of those forests; they would burn down. Nobody will take any interest in them but the people who live there. They want the shade and the timber. They pass State laws and they have societies for the protection of the timber. They want to build up their country. This proceeding has disgusted and discouraged them more than anything else that has happened. It makes them feel that they are treated as alien enemies, that their rights are not regarded. It is a violation of every principle of home rule that is sacred to the American people.

Why keep them in this suspense? The Senator proposes to keep this whole shadow over all that land—30,000,000 acres—and have it simply suspended for a year, those people not to know whether they can build houses or open their mines; not to know whether their property is to be confiscated. Why should the matter be held in suspense for another year? The order has done enough harm, and it is time those people were relieved from suspense. It is time that the executive department did its duty and made proper selections. It is time that one selection of 30,000,000 acres of land without regard to its location was stopped.

Such proceedings ought to be stopped, and they ought to be frowned upon. Every person having any idea of fair play ought to set his face against it. I am opposed to keeping any portion of that transaction upon the records of the country. The very order is a disgrace to the United States. It stamps the people who made it as ignorant or disregardful for the rights of the country. It is an order that is disgraceful, and it ought not to stand another minute. I want again to tender my thanks to the Committee on Appropriations for having done this service in the way of relieving the people of the West from such an outrage.

Mr. CHANDLER. That was quite a long answer to the question I asked. I will not ask another of the Senator from Nevada. The Senator, however, can hardly believe that there was absolutely nothing good in President Cleveland's order setting apart the forest reservations.

Mr. STEWART. That is just my opinion exactly; there was nothing good in it.

Mr. CHANDLER. The Senator has applied the harsh terms that he uses occasionally when speaking of other subjects in the Senate to the action of President Cleveland in making these reservations, but the Senator can hardly make the Senate and the country believe that there was nothing whatever good in all the forest reservations set apart by President Cleveland.

As I have said before, I am not familiar with the details. I do not know but that the commission which traveled over the West went on a junketing expedition, as the Senator from South Dakota says they did. But I do find a solemn act of President Cleveland in pursuance of a specific statute of Congress that accomplished what it was the general desire of the people of the United States should be accomplished, to wit, the setting apart of vast forest tracts in the interior of the country at the head waters of our streams for reservations. It was done by President Cleveland, but I myself do not believe, I do not think the country believes, that everything that was done was wholly bad, wholly wrong, wholly wicked, and deserving of all the other adjectives which Senators heap upon the act of the President. It must be that there is some qualification which it is fit and proper and becoming to adopt in this drastic legislation which proposes to wipe out all that has been done under the act of 1891, and give no directions whatever to the present President of the United States to take any action under that act for the setting apart of forest reservations.

Mr. PETTIGREW. Will the Senator from New Hampshire allow me a moment?

Mr. CHANDLER. Certainly.

Mr. PETTIGREW. We have agreed to an amendment which continues the power of the President to set apart forest reservations. I think the Senator was absent when that amendment was agreed to.

Mr. CHANDLER. I knew the Senator intended to propose it. If anything is done of this kind, the President of the United States ought not only to be authorized, but he ought to be commanded, to exercise the powers under the act of 1891 to set apart forest reservations.

That was section 24 of the act of March 3, 1891, and, as it is very brief, I will read it:

SEC. 24. That the President of the United States may, from time to time, set apart and reserve, in any State or Territory having public land bearing forests, in any part of the public lands wholly or in part covered with timber or undergrowth, whether of commercial value or not, as public reservations, and the President shall, by public proclamation, declare the establishment of such reservations and the limits thereof.

Under the sundry civil appropriation act of June 4, 1897, more than 2 pages of additional statutes were enacted to govern the President in the execution of his duties under that act. President Cleveland acted on February 22, 1897, and the law was suspended until the 4th of March last. The present Secretary of the Interior and the Commissioner of the General Land Office have been amending the rules and regulations, which were properly

established and proclaimed to govern these forest reservations, and I am informed and believe they are acting judiciously, in accordance with the exact spirit and purpose of the original act, and in accordance, I also believe, with the wishes of the vast majority of the people of the United States.

That being the case, Mr. President, in come the majority of the Committee on Appropriations, and they make a provision that all the Executive orders of February 22, 1897, are suspended—naming no time, making an indefinite suspension, practically a revocation and cancellation of those orders. Then follows the provision:

And the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued.

So here is a statutory rebuke of President Cleveland for having acted under this forestry statute; here is a complete and overwhelming annihilation of every attempt which has been hitherto made in this country to establish forest reservations by Executive proclamation.

Mr. PETTIGREW. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Dakota?

Mr. CHANDLER. Certainly.

Mr. PETTIGREW. Previous to the issuance of these orders there had been set apart forest reservations embracing over 20,000,000 acres of land, or about 20,000,000 acres of land, which was satisfactory because they were intelligently established, and the country in which they were located was honestly investigated. Those reservations we do not complain of; those reservations remain; and the wise regulations adopted by the Secretary of the Interior apply to those reservations, and will apply to such intelligently selected reservations as will be created in the future.

Mr. CHANDLER. I understand the Senator, and I am glad that there are reservations which are not to be affected by this bill; but as this proposition was brought into the Senate by the majority of the Committee on Appropriations it annihilated everything that was done by President Cleveland on February 22, 1897, and the bill contained no intimation whatever that the President either had the power to make new orders and proclamations or that it was desirable that he should make new orders and proclamations. I understand now that the Senator from South Dakota has offered an amendment which recognizes the right of the present President to make orders and proclamations which shall take the place of those that are suspended—that is to say, canceled—in accordance with the provisions of the pending sundry civil appropriation bill; but as the pending provision came in it was absolutely destructive; it was such a rebuke to previous Presidential action that it is hardly to be believed that without express direction of Congress any President will again attempt to execute the provisions of the law of 1891.

Mr. TELLER. Will the Senator allow me to interrupt him?

Mr. CHANDLER. Certainly.

Mr. TELLER. I should like to say to the Senator from New Hampshire that perhaps the committee did not know what the law was; but that question was discussed in the committee, and the committee were of the opinion that the President has the authority to make reservations without any reference to this revocation. It is not a fair statement for the Senator to make that this provision came in here in a way that it could not be reenacted or the order could not have been made in duplicate if the President thought a mistake had been made. We knew he never would do it. We thought no reasonable man would, but we knew he had the power, and there is not any legal question in my mind but what the President had the power as the bill came to us, and if it had been enacted into law in the form in which the committee proposed it, he would have the power to rectify the lines or reinstate them if he saw fit.

Mr. CHANDLER. The law of 1891 says that the President may make these reservations from time to time; and I am inclined to think the Senator from Colorado is right as to the authority of the law.

What I said was that by one blow this provision annihilated everything that was done on the 22d of February, 1897, by President Cleveland, and contained no intimation either that the present President had the power or that it was desirable for him to issue new proclamations and orders setting apart other forest reservations.

Mr. STEWART. We adopted one this morning.

Mr. CHANDLER. Yes; I am so informed.

The Senator from Colorado is sensitive about criticism upon the majority of the Committee on Appropriations.

Mr. TELLER. Oh, Mr. President, I am not at all sensitive. I would be quite willing to leave that question to a jury of lawyers or to this Senate; but I did not want the country to understand that we had proceeded without some consideration. That very point was made and discussed in committee, and there was no dissent from it. It was conceded that the President would have the power to set aside portions of the land embraced in these reservations if he found they ought to be so embraced; and we thought there was no question but what he would ultimately set aside some portions of land within the forest reservations.

Mr. CHANDLER. I am not contradicting the Senator, and the Senator can not contradict anything I have said. I say, originally the clause as it came from the committee contained no suggestion that the present President had the power to act, nor that it was desirable that he should act; but I say that the proposition should have contained, or that the law should contain, a direction to the President of the United States, when all that has been done during the past year is to be wiped out at one blow, or a suggestion that it is expected that the present President shall go on under the act of 1891 and make forest reservations in the place of those that are destroyed by this legislation.

Mr. President, I really wish that our friends who are interested in this legislation would be content to let the original orders and proclamations stand, and to provide by law for making exceptions and alterations and modifications in connection with those orders and proclamations, and not disappoint the people in this country who are interested in the preservation of the forests by taking this retrograde step, which will leave upon President McKinley and the Secretary of the Interior, at a time of great public excitement and when they have many other duties to perform the new duty of again going over all this subject and making forest reservations which the people of this country supposed they had already secured by the lawful act of President Cleveland.

Mr. President, I was complimented by the Senator from Nevada [Mr. STEWART], and I was scolded a little by the Senator from South Dakota [Mr. PETTIGREW]. I am a little tired of hearing his lectures of New England. The Senator was born in New England and went West for New England's good [laughter], and it may be for the good of the State to which he migrated. He has criticised the Eastern Senators, New England Senators, because they have assumed to know something on this subject. I have assumed to know but little; I have desired to learn, and I have been courteously treated in the debate on this subject by all Senators except the Senator from South Dakota.

Mr. President, New England does not need to know everything that is to be known save at home in New England. We send West the men, including the Senator from South Dakota, who know all about the West after they have been there a little while, and who succeed, by thrift and energy and integrity, I presume, in gathering in about all there is in sight in those Western States. [Laughter.] I understand the Senator from South Dakota has been successful in private and in public life, and I wish him good fortune hereafter, but I do hope that as a son of the Green Mountain State, who has achieved success in the West, he will cease making us tired by his tirades against New England.

Mr. WILSON. Mr. President, on yesterday when this matter was under discussion I had called attention to the condition of affairs prevailing in the Olympic forestry reservation and to the fact that 82 per cent of the land in Clallam County had been withdrawn from settlement. I stated that I had received a letter from a gentleman residing within the Olympic forestry reservation which I desired to present to the Senate to-day. I read the same for the information of our New England friends. It seems to throw about as much light on the conditions prevailing in those forestry reservations as anything I can present. This letter is written March 23, 1898, from Quillayute, Wash., a portion of the lands which have been surveyed in the Olympic forestry reservation, lying contiguous and adjacent to the Pacific Ocean. This gentleman writes to me that the people there are very much interested in whatever legislation may take place in regard to this matter. He says:

We already understand that the settler does not lose his claim unless he abandons it; but although the land already filed upon is not wrested from the homesteader, it is nevertheless rendered more or less valueless by the isolation that the reserve entails. As the reserve now stands our people are practically imprisoned, their property in a sense confiscated by being rendered almost valueless.

Reservation barriers have arrested development, and our communities are as completely isolated as if quarantined on account of some malignant disease. Thus thousands of families are deprived of making homes upon the rich areas of agricultural land that should, as it seems to us, be open to settlement, and especially that this land was once opened—twenty-four townships in Clallam County alone having been surveyed and quite extensively settled upon. Therefore many of our people have left and are still leaving their homes and investments in despair and because they see the hope of progress killed.

It gives me pain when I meet people who have in good faith settled here and there, and in not a few instances somewhat remote from the older communities, in order that they might have the more room for friend and kindred, and in some cases the dear old parents, who were soon to follow from the Western, Middle, or New England States, or even from over the sea—it gives me pain to find that the purposes of their hearts and hands have been broken off and that they with sad hearts are abandoning their little all, which has been gathered by years of hard and unremitting toil. These poor citizens of our country, when asked to stay by the homestead and await future and fuller developments, answer with a forlorn look.

To do so is only to be left behind prison walls in a country from which our kindred and friends who would live among us and help to develop the country are barred from entering. Had the commission done its duty, and nothing but its duty, it might have been quite different. The members of that commission are no doubt good men and competent, but in the case of the Olympic reserve I have abundant and good reason for believing they did not

do the work assigned them thoroughly. I am satisfied they learned little and saw less of our agricultural area; without doubt there were over 2,000,000 acres of this reserve upon which they never set foot at all.

We all sincerely hope and trust that some action may be taken by the Congress of the United States so that a grateful people will be able to rejoice.

Sincerely, yours,

R. W. FLETCHER,
Parsonage, Quillayute, Washington.

I think this gentleman is the Methodist pastor at Quillayute, a little hamlet that is now located within the Olympic forest reserve. No words that I could utter would add anything to what has been said in this communication addressed to me. I should like to have had it yesterday, in order that the Senate might have had the full benefit of the situation which not only prevails in that reserve, but throughout the section I have the honor in part to represent.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from New Hampshire [Mr. CHANDLER] to the amendment reported by the Committee on Appropriations.

Mr. STEWART. I call for the yeas and nays.

Mr. GORMAN. Let the amendment be read.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Hampshire to the amendment of the committee will be stated.

The SECRETARY. On page 68, line 7, after the word "suspended," it is proposed to strike out "and the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued" and insert "until March 4, 1899."

The PRESIDING OFFICER. On this amendment the Senator from Nevada [Mr. STEWART] asks for the yeas and nays.

Mr. STEWART. I withdraw the call; and let the vote first be taken viva voce.

The PRESIDING OFFICER. The call for the yeas and nays is withdrawn.

Mr. TELLER. On what motion are we now voting?

The PRESIDING OFFICER. The pending amendment is that of the Senator from New Hampshire [Mr. CHANDLER] to the amendment of the committee.

Mr. TELLER. I hope that we shall vote that down.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the adoption of the amendment of the Committee on Appropriations as it has been heretofore amended.

The amendment as amended was agreed to.

Mr. WILSON. Yesterday I gave notice that I wanted to enter a motion to recede from the amendments of the Committee on Appropriations on page 67.

Mr. ALLISON. As the Senator from Washington was not in the Chamber yesterday, and there was a very thin Senate when the amendments on line 7 and lines 21 and 22, on page 67, were agreed to, I am perfectly willing, without the formality of a vote, that we may consider those amendments as still pending.

Mr. GORMAN. What is the suggestion about the amendments?

Mr. WILSON. I happened to be absent temporarily from the Senate Chamber yesterday when those amendments were passed upon, and came in a moment afterwards. I now enter a motion that we reconsider the vote by which the committee amendments on page 67 were adopted.

The PRESIDING OFFICER. The Chair understands that the amendments referred to have been agreed to. If it is desired that they may be again considered, the proper motion will be to reconsider the vote by which the amendments were adopted.

Mr. GORMAN. Does the Senator from Iowa desire to have the vote by which the amendments were agreed to reconsidered now? The question will arise after the bill shall have been reported to the Senate; but still, if the Senator from Iowa desires a reconsideration now, I shall not object.

Mr. ALLISON. I am entirely willing that the vote may be reconsidered now if Senators so desire.

Mr. TELLER. I think the amendments had better be passed over now, as there are some Senators who want to be heard upon them who are not now here.

Mr. ALLISON. Very well. Then I ask that the amendments may go over.

Mr. WILSON. What I desire is that I shall not lose an opportunity to move that the Senate recede from those amendments.

The PRESIDING OFFICER. The vote by which the amendments were agreed to will, by unanimous consent, be regarded as having been reconsidered, and for the present will be passed over. Is that the desire of the Senator from Iowa?

Mr. ALLISON. I do not object to that course.

The PRESIDING OFFICER. That order will be made, if there be no objection.

Mr. COCKRELL. What is the point, Mr. President?

The PRESIDING OFFICER. The vote by which the amendments were agreed to has been reconsidered, and they will be passed by for the present.

Mr. COCKRELL. I do not know whether there is unanimous consent given for that. If the Chair please, I should like to hear what the pending question is.

The PRESIDING OFFICER. Unanimous consent has been asked for the reconsideration of the votes by which the two amendments on page 67 have been agreed to.

Mr. COCKRELL. Let us hear what the amendments are.

The PRESIDING OFFICER. The proposition is to reconsider the amendments of the committee on page 67, which were adopted, so that they may lie over for further consideration.

Mr. COCKRELL. I had hoped that the Senator in charge of the bill would let those amendment be agreed to.

The PRESIDING OFFICER. They have been agreed to.

Mr. COCKRELL. I understood that when they were agreed to it would be a settlement of the question; but if the Senator wants to open the question, as a matter of course we are only too glad to get the opportunity of having it done.

Mr. ALLISON. I am wholly indifferent as to the matter. When these amendments were agreed to yesterday they were agreed to without debate.

Mr. COCKRELL. That is true, for I was watching them.

Mr. ALLISON. I am glad to know the Senator was watching them.

Mr. COCKRELL. I was.

Mr. ALLISON. The Senator from Washington [Mr. WILSON] has stated that he desired to be heard upon those amendments, and other Senators have said to me personally that they were not aware that the amendments were to be considered yesterday and that they would also like an opportunity to be heard upon them.

Mr. COCKRELL. Then let the amendments be passed over, and they can be called up when we get through with the consideration of the bill as in Committee of the Whole.

Mr. ALLISON. Very well.

Mr. WILSON. That course is entirely agreeable to me, but I merely want to say this: I was temporarily absent in the Marble Room when the amendments were adopted, and when I came in I called attention to the fact that I desired to have some explanation of them. I want to know some of the reasons for the committee amendments; I want to hear what those who are in favor of the amendments have to say. The amendments were passed upon at a time when there was more or less excitement here about sundry matters and things. I gave notice yesterday that I should ask to take them up at some other time if I could have the opportunity.

Mr. TELLER. I should like to suggest to the Senator when the bill is reported to the Senate will be the time for him to take up the question. It will be perfectly in order for him then to do so, and he will lose nothing by waiving the question for the present.

The PRESIDING OFFICER. Objection is made to the reconsideration of the votes by which the amendments were agreed to, as the Chair understands.

Mr. ALLISON. There is no difficulty in reaching this question if Senators desire to reach it, either by unanimous consent or when the bill shall be reported to the Senate, as suggested by the Senator from Missouri [Mr. COCKRELL].

Mr. COCKRELL. I think the latter is the better way.

Mr. TELLER. The question will come up regularly when the bill is reported to the Senate, and we can consider it at that time.

The PRESIDING OFFICER. The Chair understands the request to be withdrawn.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 70, line 1, after the word "publication," to insert "in a newspaper published nearest the land examined, and also a newspaper of general circulation of the State where the land is located, to be designated by the register of the land district in which the land is situated;" so as to make the clause read:

For publication in a newspaper published nearest the land examined, and also in a newspaper of general circulation of the State where the land is located, to be designated by the register of the land district in which the land is situated, of the monthly reports filed by said commissioners in the office of the register and receiver of the Bozeman, Helena, and Missoula land districts, in the State of Montana, and the Cœur d'Alene land district, in the State of Idaho; and for the expenses pertaining to hearings ordered by, and conducted before, said registers and receivers, $10,000.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of the clause, on page 72, making appropriations for "surveying the public lands."

Mr. STEWART. I move, after the word "Montana," in line 1 on page 72, to insert "Nevada;" so as to include Nevada in the list of the States where the surveys are to be made.

The amendment was agreed to.

The next amendment was, on page 72, line 9, after the word

"amount," to insert "not exceeding $30,000," and in line 15, after the word "surveys," to insert "returned by deputy surveyors;" so as to read:

And provided further, And of the sum hereby appropriated there may be expended such an amount not exceeding $30,000 as the Commissioner of the General Land Office may deem necessary for examination of public surveys in the several surveying districts, by such competent surveyors as the Secretary of the Interior may select, in order to test the accuracy of the work in the field, and to prevent payment for fraudulent and imperfect surveys returned by deputy surveyors.

The amendment was agreed to.

The next amendment was, on page 73, after line 12, to insert:

That where, prior to the approval of this act, the whole or any part of an odd-numbered section, in either the granted or indemnity limits of the land grant to the Northern Pacific Railroad Company, to which the right of such grantee or its lawful successor has attached by definite location or lawful selection, has been purchased directly from the United States or settled upon and claimed in good faith by any qualified settler under color of title or claim of right under any law of the United States or any ruling of the Land Department, the railroad grantee or its successor in interest, upon a proper relinquishment thereof, shall be entitled to select, in lieu of the land relinquished, an equal quantity of public lands, surveyed or unsurveyed, not mineral or reserved, and free from valid adverse claim at the time of such selection, situated within any State or Territory into which such railroad grant extends, and patent shall issue for the land so selected as though it had been originally granted; but all selections of unsurveyed lands shall be of odd-numbered sections to be identified by the survey when made, and patent therefor shall not issue until after the survey: *Provided, however*, That the Secretary of the Interior shall ascertain and, as soon as conveniently may be done, cause to be prepared and delivered to the said railroad grantee or its successor in interest a list of the several tracts which have been purchased or settled upon or occupied as aforesaid, and are now claimed by said purchasers or occupants, their heirs or assigns, according to the smallest Government subdivisions, and within a reasonable time after the receipt by the said railroad grantee or its successor in interest of the said list it shall execute under its corporate seal and deliver to the Secretary of the Interior its deed of conveyance releasing to the United States all its claims upon the lands described in said list, whereupon all the right, title, and interest of the said railroad grantee or its successor in interest to each of said tracts shall revert to the United States, and such tracts shall be treated, under the laws thereof, in the same manner as if no rights thereto had ever vested in the said railroad grantee, and all qualified persons who have occupied and may be on said lands as herein provided, or who have purchased said lands in good faith as aforesaid, their heirs or assigns, shall be permitted to perfect their titles to said lands according to law as if said grant had never been made; and upon such relinquishment the said Northern Pacific Railroad Company or its lawful successor in interest may proceed to select, and patents shall issue therefor, lands in lieu of those relinquished in the manner hereinbefore provided: *And provided further*, That whenever any qualified settler shall in good faith make settlement in pursuance of existing law upon any odd-numbered sections of unsurveyed public lands within the said railroad grant to which the right of such road or its successor has attached, then upon proof thereof satisfactory to the Secretary of the Interior, and the due relinquishment of the prior railroad right, other lands may be selected in lieu thereof as hereinbefore provided.

Mr. STEWART. Mr. President, I think this is rather a dangerous provision. It is provided in the amendment that in all cases where there are settlers on the lands of the railroad, whether surveyed or not surveyed, the settler may perfect his title with the Government direct, and the railroad shall have floating scrip, I do not know to what amount, but probably there would be a great deal of it. There might be several million acres of land which would be relinquished to the settlers, and the railroad or the grantees of the railroad would receive floating scrip.

I am very much opposed to floating scrip. We have seen the Valentine and other kinds of floating scrip, to be located on surveyed or unsurveyed land, used for very unworthy purposes. I recollect that but a short time ago a large portion of the city of Chicago was claimed under some of this floating scrip. You can locate it anywhere, and it becomes very valuable. It can be used on surveyed or unsurveyed land. They pick out a little piece here and a little piece there which happens to be valuable by reason of its being settled on or from other circumstances. That has been the bane of the public-land laws. It was the great evil which grew up under a system that prevailed in the early times, where lands after they had been surveyed any length of time were offered for sale. The surveys were pushed ahead of settlement and the lands were offered for sale, and after having been offered for sale, then they would become subject to private entry. That was one plan.

There was another one to get out floating scrip. There was a lot of Sioux scrip floated all over the country. There were various kinds of scrip. That is a pretty large scheme of floating scrip. It is true it is only to be located in the States through which this railroad goes, but I believe the railroad operates in Minnesota, North Dakota (I do not know whether it strikes South Dakota), Montana, Idaho, Washington, and Oregon, so that it makes a large area over which this floating scrip will be a great evil. I have no doubt that that scrip, the right to relocate, will in the course of a year or so be worth quite a sum. I have known it to sell as high as $50 an acre. Certainly it would be worth four or five times as much as the land is now worth. I do not think the Senators representing the States through which this road runs ought to allow it to be selected in that way. I have no objection to letting the settlers take this land and settle in this way, but I do object to this floating scrip, to be used in a general way.

Mr. CARTER. Mr. President, this amendment might properly be denominated a bill of repose or a bill for the relief of settlers who have through inadvertence located upon certain parts of portions of the land grant subsequently determined to be the property of the railroad company.

In the State of Washington occurs the most conspicuous instance of the hardship flowing from the conditions we here seek to remedy. In that State, in what is known as the Palouse country, one of the most fertile and productive wheat regions in America, settlers, without previous notice of the railroad title, or believing in good faith they could complete their titles under the law, settled upon and improved a vast area of land on the odd-numbered sections. The Land Department subsequently held that the land grant had actually attached as a matter of law to the lands thus taken up and improved by those people in good faith. The consequence of this holding under the law involved each and every settler situated upon these odd-numbered sections in that country in a contest with a powerful corporation either in the Land Department of the Government or before the local courts.

A similar situation arose some years ago, about 1891, with reference to certain lands in the Red River Valley of the North. It was believed by the Land Department, and that Department so held for well nigh a quarter of a century, that the land grant did not extend to the west of the Red River; and so holding, the Government of the United States, acting through its properly constituted bureaus, caused patents to issue to settlers for a very large amount of land to which the railroad company claimed title under its grant. The Government patent had actually attached in that case.

Mr. STEWART. Will the Senator allow me?

Mr. CARTER. Certainly.

Mr. STEWART. I appreciate the importance of settling these titles. My objection is to this floating scrip. I think the Senator from Colorado [Mr. TELLER] has an amendment to guard against that evil and make it satisfactory.

Mr. CARTER. To conclude the sentence, the Senator will recall the fact that in 1892 a special bill was passed allowing the grantee of this land-grant company on the Red River to select lands in lieu of those the Government had inadvertently patented to the settlers upon a relinquishment by the railroad company of their superior title to those lands. The act operated to the advantage of all and to the injury of none.

I agree with the Senator from Nevada that the issuance of floating scrip is not desirable, but it will be observed, I think, that through this amendment floating scrip will not be issued. When a piece of land is relinquished, the railroad company must take another piece of land in lieu by selection.

Mr. WILSON. Mr. President, I desire to say merely a word on this matter, which probably in some respects to the State which I in part represent is one of the most important pieces of legislation ever proposed. I wish to state that for almost ten years, at least during my entire public career, I have endeavored to arrive at some solution of what is known as the lieu-land question in the State of Washington. As was very aptly stated by the Senator from Montana [Mr. CARTER], sixteen or eighteen years ago, when I first visited the Territory of Washington, the settlers came from the West to the East and not from the East to the West, and when they got outside the 40-mile strip, many of the settlers supposed they were out of the grant of the Northern Pacific Railroad Company, and they settled upon those lands. They are probably the most valuable of any portion of the grant to that company. They are lands which have been cultivated, occupied, inhabited for over twenty years; lands which are producing now and have produced upon an average 30 and 40 bushels of wheat to the acre, and which to-day are valued in our State at from thirty to fifty dollars per acre.

These men have gone there and taken these lands. They have converted a sea of grasses into a magnificent grain field. They have obtained no titles to their homes. They have been unable to obtain any title either from the Government of the United States or from the railroad company, as the matter has been in litigation for a period of over seventeen years and is now in litigation. Various attempts have been made from time to time to adjust this matter upon some compromise whereby the settler would receive title to his home and the railroad company would receive an equal quantity of land for relinquishing those lands to the United States.

Mr. President, I have given the matter some considerable labor and time, but never until recently have we been able to reach a conclusion in regard to it whereby the railroad company would consent to relinquish their land to the United States and take land in some other locality unoccupied, uninhabited, and unappropriated to indemnify them therefor. No longer ago than the 29th day of March, 1898, the Commissioner of the General Land Office decided one of these lieu land cases. At the city of North Yakima a man settled upon lieu lands, a quarter section, after the selection had been made by the company, and the Commissioner of the General Land Office now holds, as in every case it has been held, that if the settlement was made after the date of

selection by the Northern Pacific Railroad Company the land would not inure to the settler.

Now, all the way across our State is this 10-mile strip, the most valuable agricultural lands, I think, west of the Mississippi River—lands which are cultivated, inhabited, and upon which the settler has his home. Now, this corporation comes forward and says, "We want a peace measure," as the Senator from Montana says; "we are tired of this litigation; we are willing to accept something of this character, and if it is passed, we will commence immediately to relinquish these valuable lands to settlers, giving them an opportunity to homestead the lands, and we in turn taking wherever we can find it an equal quantity of unoccupied and unappropriated nonmineral land." That is this proposition. That is all I am seeking to accomplish. It is to give title to these men, who for twenty years, have had their title, their homes, suspended in mid-air like Mohammed's coffin, unable to go in any direction or to secure any title whatever to their valuable holdings.

Mr. President, of course there are many things concerning this case which might be told—hardships to the settlers, their desire for an adjustment and adjudication of this matter. Some concessions must always be made in these matters. I have endeavored, so far as my labors are concerned, to do that which I thought would deal justly, fairly, and equitably with both sides of this question, and I am satisfied beyond doubt that if the amendment is adopted it will take forever out of the politics of our State this question and will give these people their homes and stop the harassment they have been under for these years. I take it for granted there are about 5,000 of these bona fide settlers in my State upon these lands. They are already holding meetings, already gathering together, trying to protect their homes, and I know nothing that the Congress of the United States could do which would do more good than in some manner to have this vexed question settled now and for all time. We have had it for twenty years. Of course the railroad company are not willing to give up their claim to these valuable lands which they have selected without being compensated in some manner or in some way.

There is another question. It is not possible—and I think any man who knows anything about the situation knows this is true—for the railway company to secure in any way or in any manner as valuable lands as they are relinquishing; but, as has been said, they want a peace measure; they are tired of this litigation; they want to get rid of it and give these people their homes, if they can possibly do so with justice to their own interests. This is a much vexed question, and I hope that we may take it up in some manner and dispose of it and let the lands be relinquished to the Government of the United States. The railroad company can not get a single acre for which it does not relinquish an equal quantity, and the land which they relinquish must be shown to be occupied, cultivated, and claimed by a bona fide settler. It is a peace measure, as has been stated very earnestly by the Senator from Montana.

Mr. CANNON. I desire to submit an amendment to the pending bill, which I ask may be referred to the Committee on Indian Affairs.

The PRESIDING OFFICER. The amendment will be received and referred as indicated.

Mr. SEWELL. Mr. President, there is another side to this question which has not been touched on. If the amendment of the committee is to prevail, I wish to offer an amendment to it, to protect other parties who have vested rights.

It seems that the Northern Pacific Company sold to settlers and gave them warranty deeds for property they did not own. That property has since become very valuable, and in many cases has been mortgaged and third and fourth parties have now acquired rights to it. I wish to protect those parties as against the change in name and the reorganization of the Northern Pacific Railroad, a national corporation, now changed to the Northern Pacific Railway Company, under a general charter of the State of Wisconsin. I will offer the amendment and have it read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of line 17, page 75, it is proposed to insert:

Provided further, That in every case of failure of the title to any lands heretofore conveyed or contracted to be sold by said Northern Pacific Railroad Company any and all rights of such purchaser or his assigns in respect of such land, or in respect of the failure of such title, or in respect to the liability of said Northern Pacific Railroad Company on said contracts for the sale of lands, and all judgments heretofore rendered against said Northern Pacific Railroad Company or against any of the receivers thereof, in any court of the United States or in any State court, on account of any such failure of title or on any covenants of warranty, shall survive and may be enforced against such successor company and the Northern Pacific Railway Company with the same force and effect and in the same manner as against the Northern Pacific Railroad Company.

Mr. TELLER. Will the Senator allow us to perfect the amendment first, and then his amendment to it may be taken up?

Mr. SEWELL. Very well.

Mr. TELLER. I desire to propose an amendment to obviate the objection made by the Senator from Nevada. On page 74, in the fourth line, after the word "issue," I move to insert:

To the railroad company surrendering the land hereinbefore mentioned.

It will not be floating scrip.

Mr. STEWART. The floating scrip gets into the hands of a whole lot of speculators and they run all over the country. This is to be issued now directly to the railroad company, and that avoids the objection.

Mr. TELLER. If that is accepted, there will be no objection on the ground stated by the Senator from Nevada.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. After the word "issue," in line 4, page 74, it is proposed to insert:

To the railroad company surrendering the land hereinbefore mentioned.

So as to read:

And patent shall issue to the railroad company surrendering the land hereinbefore mentioned.

Mr. TELLER. I will say that may not be the party to whom the grant was made; it may be the successor; but the company which surrenders the land ought to be allowed to take the patent. I hope the amendment to the amendment will be adopted. Then the Senator from New Jersey can offer his amendment.

Mr. ALLISON. I see no objection to the amendment, if it will accomplish what the Senator purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Colorado to the amendment.

The amendment to the amendment was agreed to.

Mr. ALLISON. This provision affects lands in several States. I have been informed that as the phraseology now stands it may interfere with conflicting grants. I think that should not be. We should not have two or three railroads claiming the same land. Therefore I propose, after line 3, on page 74, to insert:

But not within either the granted or indemnity limits of any land grant to any other railroad company.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. TURNER. Mr. President, I am very doubtful about the propriety of this legislation at all, first because of the objection urged by the Senator from Nevada [Mr. STEWART], that it constitutes a floating grant to the Northern Pacific Railroad Company of several million acres of land which may be located anywhere within any of the States and Territories through which the railroad runs. It is, of course, desirable to quiet the title of settlers in the several States through which the road runs to lands which are now in conflict between them and the railroad company. To that extent the amendment is meritorious in my judgment, but it seems to me to be going a very long way indeed and to be paying a very high price indeed for quieting the rights of settlers on the land to give a new, independent grant to the Northern Pacific Railroad Company of several million acres of land located anywhere within any of the States or Territories through which the road runs.

I understand there are some 4,000 contests between the railroad company and settlers in the State of Washington. I do not know how many thousand contests there are in the other States through which the road runs, but the amount of land involved in the State of Washington would be in the neighborhood of three-quarters of a million acres, each one of the settlers having a claim for 160 acres. If there are as much more involved in each of the States and Territories, it would amount, as I said, to a floating grant of several million acres locatable anywhere within the discretion of the railroad company in any of the States and Territories through which the road runs. I am not prepared to urge this objection, however, against this proposed legislation if it can be properly amended in a way that I shall suggest.

There is another objection to the legislation. There is a very general contention throughout the West, in the States interested in this land grant, that the new company—the Northern Pacific Railway Company—which purchased the rights of the old Northern Railroad Company under the recent foreclosure proceedings in the United States courts, does not become the lawful successor of the old company in the original land grant. This has become something of a public question in those States. In my own State the legislature has appointed a special committee to investigate and take advice as to whether the new Northern Pacific Railway Company is the lawful successor of the old Northern Railroad Company in this land grant. They are now proceeding with that work. They have taken legal advice and are to report to the legislature next winter, with a view of having them memorialize

Congress on the subject for some action to have that legal controversy determined.

If this legislation passes in the language in which it is framed, it will be a Congressional recognition of the fact that the new company is the lawful successor of the old company to this railroad land grant. I feel compelled, in deference to the action taken in my State and to the very general public sentiment there, to say that this legislation ought not to pass unless it can be amended in that respect. I have drawn an amendment which appreciably diminishes any evil effects, if there be any, of this legislation, and that amendment I propose to offer. If the Senate is disposed to accept it, I shall interpose no further objection to the proposed legislation; but I understand that this is new legislation, not germane to anything in the appropriation bill as it came to us from the House, and that it is subject to a point of order under the third subdivision of Rule XVI. Unless the proposed legislation can be amended in such way as to obviate the objections which I have in mind, I shall feel compelled to reserve to myself the right to insist on the point of order against the amendment. The first amendment which I offer I will send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. On page 75, at the end of line 17, insert the following additional proviso:

And provided further, That nothing herein contained shall be construed as intended or having the effect to recognize the Northern Pacific Railway Company as the lawful successor of the Northern Pacific Railroad Company in the ownership of the lands granted by the United States to the said Northern Pacific Railroad Company under and by virtue of foreclosure proceedings against said Northern Pacific Railroad Company in the courts of the United States, but the legal question whether the said Northern Pacific Railway Company is such lawful successor of said Northern Pacific Railroad Company, should such question be raised, shall be determined by any court in which the same shall be pending wholly without reference to the provisions of this act.

Mr. SEWELL. I ask that my amendment be taken up previous to that amendment. I have no doubt the chairman of the committee will accept it.

Mr. TURNER. I hope the Senator from New Jersey will waive that.

Mr. ALLISON. I have no power to accept any amendment. The committee amendments proposed must be submitted to the Senate, but these amendments are as much in order as the amendment proposed by the committee. I will say in behalf of the committee that the amendment was put on the bill because there was a general request for it from the States affected by the contention between these settlers and the railroad company.

Mr. HANSBROUGH. And further, I will state, in addition to what the Senator from Iowa has said, the proposed legislation received the favorable consideration of the Committee on Public Lands, which went very thoroughly into the question.

Mr. SEWELL. The gentlemen from the Northwest forget that this whole subject can be stricken out on a point of order. I do not wish to interfere at all with the many good things they desire to accomplish, but I take it there is no objection either to the amendment of the Senator from Washington or my own.

Mr. CARTER. I understand the purpose of the amendment presented by the Senator from Washington to be to preserve the legal status of the successor of the Northern Pacific Railroad Company without interference by legislation of any kind or character. I am advised by the Senator from New Jersey that the purpose of his amendment is to avoid any possible prejudice in the courts of justice either for or against the successor of the Northern Pacific Railroad Company in determining the liability of that successor for the judgments rendered or that may hereafter be rendered against its predecessor in interest.

The Committee on Public Lands in the consideration of this matter very carefully avoided employing any phraseology in the amendment proposed by the Committee on Appropriations that could directly or inferentially add to or subtract from the legal liability of the Northern Pacific Railway Company, the successor in interest of the Northern Pacific Railroad Company. It was far from the purpose of the committee to undertake by or through this amendment to interfere with the rights of parties now in court or who may hereafter appeal to the courts for the adjudication of their rights as between these two corporations.

The amendment of the Senator from Washington is offered by him not, I believe, because of anything appearing on the face of the amendment as reported by the Committee on Appropriations, but through a superabundance of caution, for the purpose of avoiding the possibility of any such inference being drawn. In view of the fact that that is in harmony with the purpose of the Committee on Public Lands and likewise the Committee on Appropriations, I may well say we have no objection to the matter going before the committee of conference of the two Houses; nor have I objection to the amendment suggested by the Senator from New Jersey, for the purpose, I understand, as asserted by him, is merely to provide that the statu quo shall be preserved as between all parties claiming or asserting rights against the new company on account of any liability arising out of the existence and the operations of the old company through the purchase by the new company of its property at a judicial sale.

Mr. WILSON. What disposition has been made of the amendments to the amendment of the committee?

Mr. HANSBROUGH. They are still pending.

The PRESIDING OFFICER. The amendments to the amendment are pending. No point of order has been raised, the Chair will state to the Senator from Washington.

Mr. WILSON. If I may take a moment, I should like to have, with the consent of the Senate, a brief synopsis of the decision that has been made by the Commissioner of the General Land Office inserted as a part of my remarks. I do not desire to take up the time of the Senate to have the decision read unless the Senate desires to hear it. It is a very important decision, I will say, and affects hundreds of families in their homes. It virtually decides that the lieu-land selections of the Northern Pacific Railroad Company made prior to 1885 are valid.

The PRESIDING OFFICER. If there be no objection, the matter referred to will be printed in the RECORD.

The matter referred to is as follows:

LIEU LAND DECISION—NORTHERN PACIFIC SELECTION OF THIRTEEN YEARS AGO IS HELD VALID—SO COMMISSIONER HOLDS—HUNDREDS OF SETTLERS WILL LOSE THEIR HOMES AND IMPROVEMENTS—WAS IN HAGAN CASE—VICTORY FOR THE RAILROAD.

March 5 the Commissioner of the General Land Office rendered a decision on Northern Pacific lieu lands that in effect takes the homes from hundreds of settlers along the line of that road.

Through the local land office alone it is said over 100 applications have been made by persons seeking title from the Government to lands on which they had settled and made improvements. Under this decision the land goes to the railroad company.

The decision was made in the case of Nels H. Hagan against the railway company, involving 160 acres in section 5, township 26, range 33. The local office refused the entry on the ground that the land was covered by the railroad lieu land selection of 1885. An appeal was taken to the Commissioner, whose decision affirming the ruling of the local office was received yesterday.

Among the reasons urged by the claimant why his entry should be allowed was that the original lieu land selection of the company did not state the particular lands the lands in the list were in lieu of. Another reason was that lieu lands had been selected in one State for losses in another, and another was that lieu lands were claimed for losses in the Yakima Indian Reservation.

The Commissioner holds that the selection did not need to show the list of losses, in that it was made in exact accordance with instructions from the Secretary of the Interior. He also holds that lieu lands can be taken in one State for losses in another, and that lieu lands can be taken for losses in Indian reservations. The chief feature of the decision is, however, that the company's lieu land selections of 1885 are valid.

Under this ruling a settler must show settlement on the land prior to that year. The scores of settlers who entered on the land later, and who, like Mr. Hagan, sought to enter the land, were refused, and appealed, may confidently expect a decision similar to Mr. Hagan's when their cases are reached. The effects of the decision are far-reaching, as it is said many such settlers have made valuable improvements, which of course they will lose.

Mr. WILSON. I also desire to publish with my remarks a brief statement by the Secretary of the Interior recommending this proposed legislation.

Mr. TURNER. Mr. President, I wish to say a few words concerning my amendment.

The PRESIDING OFFICER. The Senator from Washington does not object to the publication of the paper referred to by his colleague?

Mr. TURNER. No, sir.

The PRESIDING OFFICER. It will be so ordered, in the absence of objection.

The matter referred to is as follows:

DEPARTMENT OF THE INTERIOR, *Washington, March 12, 1898.*

SIR: Pursuant to your reference of the 11th instant, I have considered the "amendment intended to be proposed by Mr. WILSON to the bill (H. R. ——) making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1899," and I beg to say that the records of the Land Department show that the enactment of the provisions of this amendment will enable a great number of deserving settlers within the limits of the several railroad grants to obtain title to the lands settled upon, occupied, or improved by them. Apparently in good faith, but without right, these settlers entered upon these lands after the right of the railroad company under its grant had attached. In order to free the land from the existing claim thereto under the railroad grant, this proposed amendment provides that the railroad company upon relinquishing its claim shall be permitted to select in lieu of the land so relinquished an equal quantity of other public land not mineral and free from other claims.

I recommend that the amendment be amended by adding in line 6, after the word "section," the words "or part thereof." Since homestead and some of the other claims initiated under the public-land laws are limited to a quarter section, the proposed amendment will hardly accomplish its purpose unless it authorizes the railroad company to relinquish a part of a section as well as an entire section.

I further recommend that the proposed amendment be amended in line 7 by inserting, after the word "limits," the words "to which the right of the grantee shall have attached either by definite location or by selection and." The purpose of this amendment is to confine the relinquishing privileges of the railroad company to those lands only to which it has a claim and respecting which a relinquishment is necessary in order that the Government may deal with the settler or occupant.

I further recommend that the proposed amendment be further amended, in line 12, by inserting after the word "domain" the words "or which may at the time be included within any public reservation surveyed or unsurveyed."

Some of the lands to which some of the railroads have an established right under granting acts have been included within public reservations, and in order that the United States may have full control over such reservations and may thereby be enabled to accomplish the purpose for which the same

are established, it will be necessary for it to obtain complete title to all the lands embraced therein. The provision in the sundry civil act of June 4, 1897, authorized settlers having claims to lands within such reservations to release the same and take other lands in lieu of those relinquished, and I respectfully suggest that the same provision should be made with reference to railroad lands in such reservations. I recommend the enactment of the Wilson amendment with the changes suggested.

Very respectfully,

C. N. BLISS, *Secretary.*

Hon. HENRY C. HANSBROUGH,
Chairman Committee on Public Lands, United States Senate.

DEPARTMENT OF THE INTERIOR, *Washington, March 17, 1898.*

SIR: Under your reference of the 16th instant, I have considered the amendment offered by Senator WILSON to the sundry civil appropriation bill (H. R. 8428), and intended to amend the act of June 22, 1874, for the relief of settlers upon railroad lands. The provisions of the proposed amendment meet with my full approval, and I recommend that they be enacted into law.

Very respectfully,

C. N. BLISS, *Secretary.*

Hon. HENRY C. HANSBROUGH,
Chairman Committee on Public Lands, United States Senate.

Mr. TURNER. I wish to say in response to the remarks of the Senator from Montana [Mr. CARTER] that my amendment is not at all superabundant or drawn out of excess of caution. If I know anything about the language of statutes and the way courts construe them, the legislation, if it passes as it is drawn, will amount to a legislative recognition of the Northern Pacific Railway Company as the successor in interest of the Northern Pacific Railroad Company in the land grant to the latter road. Its right as the lawful successor is being bitterly contested in my State. The legislature of that State has taken action on the subject. In order to preserve the status quo and prevent any implication of that kind from being used in aid of the contention of the reorganized company, the proviso which I have offered is, in my judgment, absolutely essential.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Washington [Mr. TURNER] to the amendment of the committee.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey [Mr. SEWELL] to the amendment of the committee is now in order. It will be again read.

Mr. CARTER. It has been read.

Mr. SEWELL. It has been read and there is no objection to it.

Mr. ALLEN. What is that amendment?

The PRESIDING OFFICER. The amendment to the amendment will be again read.

The SECRETARY. Add, at the end of the committee amendment as amended, the following additional proviso:

Provided further, That in every case of failure of the title to any lands heretofore conveyed or contracted to be sold by said Northern Pacific Railroad Company, any and all rights of such purchaser or his assigns in respect of such land, or in respect of the failure of such title, or in respect to——

Mr. ALLEN. It is not necessary to read any further. I simply wanted to know the general nature of the amendment.

The amendment to the amendment was agreed to.

Mr. TURNER. I move to insert after the word "reserved," in line 1, page 74:

And not more valuable for timber than for other purposes.

Mr. ALLISON. Should it not read for agricultural or other purposes?

Mr. TURNER. I have phrased it "for other purposes." I will use the word "agricultural," so as to read "for agricultural purposes." I think that is better.

The PRESIDING OFFICER. The amendment to the amendment will be read.

The SECRETARY. After the word "reserved," in line 1, page 74, insert:

And not more valuable for timber than for agricultural purposes.

The amendment to the amendment was agreed to.

Mr. TURNER. I will offer another amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 74, line 3, after the word "Territory," strike out the words:

Into which such railroad grant extends, and patent shall issue to the railroad company surrendering the land hereinbefore mentioned for the land so selected as though it had been originally granted.

And insert in lieu thereof:

Where the lands surrendered are situated and the right of said railroad grantee or its successor in interest shall attach to said land to the same extent as to the lands surrendered.

Mr. TURNER. That amendment is absolutely necessary to conform to the proviso which has just been adopted and also for the purpose, if it should be the sense of the Senate that that purpose ought to be accomplished, of to some extent limiting the extent of this floating grant. The original legislation provides that the lieu lands may be taken anywhere in the State or Territory through which the road runs. The amendment which I have offered limits the right to take lands to the particular State where the lands are surrendered. For instance, I do not think the State of Washington, which desires that its public lands shall be kept for actual settlers, ought to have those public lands subject to be depleted by selections by the railroad company for lands surrendered in Montana or Idaho or Dakota.

That is one object of the amendment. The other is to prevent the implication that immediately upon the selection the lands may be patented to the railroad company. In the proviso it is provided that they shall hold the lieu lands subject to all the objections to which they took the original lands, but this legislation provides that patents shall issue for the lands. I simply want to avoid the implication that their right to select lieu lands is any better than their right to the original lands.

Mr. ALLISON. I ask that the amendment to the amendment may be read in connection with the original amendment, beginning with line 1 on page 74.

The PRESIDING OFFICER. The Secretary will read as indicated.

The SECRETARY. If amended, the amendment of the committee would read:

And free from valid adverse claim at the time of such selection, situated within any State or Territory where the lands surrendered are situated, and the right of said railroad grantee or its successor in interest shall attach to said land to the same extent as to the lands surrendered; but all sections of unsurveyed lands, etc.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

Mr. ALLISON. I will say to the Senator from Washington that his amendment strikes out what I think is a valuable amendment, inserted on the motion of the Senator from Colorado [Mr. TELLER].

Mr. TURNER. I did not desire to strike out the Senator's amendment. I had drawn my amendment before that amendment was offered. I should like to preserve that in some way, but I think the Senate will agree that the proviso is a desirable amendment, provided that patents shall issue.

Mr. ALLISON. As far as I am concerned, I will not object to the amendment suggested by the Senator from Washington, and if it is not found to correspond with the other portions of the bill after the whole is printed, we can correct it in conference.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Washington to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. TURNER. There is one other amendment that I desire to offer, to make the phraseology of the bill correspond with my proviso.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. Strike out all after the word "select," in line 7, page 75, down to the word "lands," in line 8, on the same page, and insert in lieu thereof the words:

And its right thereto shall attach to the same extent as to the lands surrendered.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment as amended.

The amendment as amended was agreed to.

Mr. ALLISON. I ask that the amendment relating to the Northern Pacific Railroad as it now stands, with the amendments which have been adopted, may be printed in the RECORD to-morrow morning.

The PRESIDING OFFICER. That order will be made, in the absence of objection.

The amendment referred to as amended is as follows:

That where prior to the approval of this act the whole or any part of an odd-numbered section, in either the granted or indemnity limits of the land grant to the Northern Pacific Railroad Company, to which the right of such grantee or its lawful successor has attached by definite location or lawful selection, has been purchased directly from the United States or settled upon and claimed in good faith by any qualified settler under color of title or claim of right under any law of the United States or any ruling of the Land Department, the railroad grantee or its successor in interest, upon a proper relinquishment thereof, shall be entitled to select in lieu of the land relinquished an equal quantity of public lands, surveyed or unsurveyed, not mineral or reserved, and not more valuable for timber than for agricultural purposes, and free from valid adverse claim at the time of such selection, situated within any State or Territory where the lands surrendered are situated, and the right of said railroad grantee or its successor in interest shall attach to said land to the same extent as to the lands surrendered; but all selections of unsurveyed lands shall be of odd-numbered sections to be identified by the survey when made, and patent therefor shall not issue until after the survey: *Provided, however*, That the Secretary of the Interior shall ascertain, and, as soon as conveniently may be done, cause to be prepared and delivered to the said railroad grantee or its successor in interest a list of the several tracts which have been purchased or settled upon or occupied as aforesaid, and are now claimed by said purchasers or occupants, their heirs or assigns, according to the smallest Government subdivisions, and within a reasonable time after the receipt by the said railroad grantee or its successor in interest of the said list it shall execute under its corporate seal and deliver to the Secretary of the Interior its deed of conveyance releasing to the United States all its claims upon the lands described in said list, whereupon all the right, title, and interest of the said railroad grantee or its successor in interest to each of said tracts shall revert to the United States, and such tracts shall be treated, under the laws thereof, in the same manner as if no rights thereto had ever vested in the said railroad grantee,

and all qualified persons who have occupied and may be on said lands as herein provided, or who have purchased said lands in good faith as aforesaid, their heirs or assigns, shall be permitted to perfect their titles to said lands according to law as if said grant had never been made; and upon such relinquishment the said Northern Pacific Railroad Company or its lawful successor in interest may proceed to select, and its right thereto shall attach to the same extent as to the lands surrendered, lands in lieu of those relinquished in the manner hereinbefore provided: *And provided further*, That whenever any qualified settler shall in good faith make settlement in pursuance of existing law upon any odd-numbered sections of unsurveyed public lands within the said railroad grant to which the right of such road or its successor has attached, then upon proof thereof satisfactory to the Secretary of the Interior, and the due relinquishment of the prior railroad right, other lands may be selected in lieu thereof as hereinbefore provided.

And provided further, That nothing herein contained shall be construed as intended or having the effect to recognize the Northern Pacific Railway Company as the lawful successor of the Northern Pacific Railroad Company in the ownership of the lands granted by the United States to the said Northern Pacific Railroad Company, under and by virtue of foreclosure proceedings against said Northern Pacific Railroad Company in the courts of the United States, but the legal question whether the said Northern Pacific Railway Company is such lawful successor of said Northern Railroad Company, should such question be raised, shall be determined by any court in which the same shall be pending, wholly without reference to the provisions of this act.

And provided further, That in every case of failure of the title to any lands heretofore conveyed or contracted to be sold by said Northern Pacific Railroad Company, any and all rights of such purchaser or his assigns in respect of such land, or in respect of the failure of such title, or in respect to the liability of said Northern Pacific Railroad Company on said contracts for the sale of lands, and all judgments heretofore rendered against said Northern Pacific Railroad Company, or against any of the receivers thereof, in any court of the United States or in any State court, on account of any such failure of title, or on any covenants of warranty, shall survive and may be enforced against such successor company and the Northern Pacific Railway Company with the same force and effect and in the same manner as against the Northern Pacific Railroad Company.

Mr. PETTIGREW. I desire to offer an amendment to the bill to follow the amendment which has just been adopted.

Mr. ALLISON. As a part of that amendment?

Mr. PETTIGREW. No.

Mr. ALLISON. Then I hope the Senator will withhold it until the committee amendments have been acted upon.

The PRESIDING OFFICER. The committee amendments are first in order.

Mr. PETTIGREW. Very well; I will withdraw the amendment for the present, and offer it after the committee amendments shall have been disposed of.

The PRESIDING OFFICER. The Senator from South Dakota withdraws the amendment for the present.

The reading of the bill was resumed and continued to the end of the following clause on page 76:

For general expenses of the Geological Survey: For the Geological Survey and the classification of the public lands and examination of the geological structure, mineral resources, and the products of the national domain, and to continue the preparation of a geological map of the United States, including the pay of temporary employees in the field and office, and all other necessary expenses, including telegrams, to be expended under the direction of the Secretary of the Interior, namely.

Mr. WILSON. For information, Mr. President—it is not in order, perhaps, at this point, but for information—I should like to understand how it is that the Geological Bureau is able to make and print a few maps, very sacred maps, and then, if you want one for a constituent, you are unable to get it?

That Bureau has recently published a map under some appropriation, I do not know what, relative to Alaska and the gold-bearing fields of Alaska. The minute they published the map and history of the gold-bearing fields of Alaska they in some manner or in some way unknown to me announced it to the entire nation, and I immediately commenced to receive, as doubtless other Senators have from citizens of their States, letters from people in my State. They want these maps, and they tell me in their letters that the Geological Survey has announced that they have printed a certain map, or a certain history of the gold-bearing fields of Alaska, that it is very valuable, and they want it. You send down to the Geological Bureau—which, in my judgment, is more busily engaged in ascertaining whether the birds in prehistoric times existed with or without teeth than in anything else—and you are told you can not have one. I want to understand why they give out such information.

I want to understand why they announce all over the country that they have in preparation or that they have made maps or have edited maps. I understand we have a map man down in the Geological Bureau whose whole duty is to edit maps, and he gets $3,500 a year just for looking at them.

It seems to me that this evil ought to stop. It seems to me that if there is any place—I know I am not going to accomplish anything by what I am saying—if there is any place in this Government where reasonable economy might be practiced, it is in the Geological Bureau. They are chasing all around this country, from Dan to Beersheba and from Puget Sound clear East, looking after this, that, and the other, talking about geological strata and all that sort of thing, and getting out reports and maps; and if you want one, you can not get it.

Where do they get the money to print these reports and maps? Why do they announce to the public that they have such reports and maps, and thus annoy, harass, and bedevil everybody in public life in trying to secure one? I venture to say that I have had a hundred letters asking for the history of the gold fields of Alaska. I can not answer them. I can not get one of those maps or one of those histories. It seems that these gentlemen, these paleontologists, or whatever they may be called, and this Geological Bureau have grown and grown and grown, until they have got beyond our reach, and I for one am simply tired of voting these salaries. When you send to that Bureau to get anything which they publish, you are told you can not have it.

Mr. CHANDLER. I think if the Senator will apply for a few maps, he can get them to-morrow morning. [Laughter.]

Mr. WILSON. Well, now, Mr. President, there it is again. No Western man can rise in this Senate and complain of anything but what some gentleman from New England who has all the information in the United States [laughter]—New England knows it all; it has, apparently, some telephonic communication with the Geological Bureau—when I rise here and complain of an abuse, immediately the honorable Senator from New Hampshire rises and gives me the information that I can obtain those maps.

Mr. CHANDLER. Undoubtedly you can.

Mr. WILSON. Well, I will state to the Senator for his information, I was able to secure just one copy. What I want to know is where they get the money, who appropriates the money, and what it is appropriated for? If they can not give us these maps or this history of the gold-bearing fields of Alaska, why do they announce to the public that they have them? That is what I would like to know.

Mr. ALLISON. I am not able to answer the Senator's question.

Mr. WILSON. The Senator from New Hampshire [Mr. CHANDLER] has volunteered very kindly to give me information, and I am always glad to hear him, because he has much more information in regard to the Departments here than I have, as he has been so long in the public service. My honorable friend from North Dakota [Mr. HANSBROUGH] has also suggested to me that I can have all the maps I want. I am not talking about the seventy-five maps assigned to Senators. I am talking about a particular map which is said to have been made relative to the gold-bearing fields of Alaska, not the seventy-five maps assigned to each Senator.

When they made that map, let me say, they sat down in the editing department of the Geological Bureau, and they said there was gold here, mountains there, and rivers there, and made a map; and I will venture the assertion that they did not have one particle of information in regard to Alaska, and that nobody can tell anything about the map now that it has been made.

Mr. ALLISON. I think there ought to be some information in the Geological Survey respecting Alaska, for we have had for two or three years surveying parties in that Territory. The Geological Survey can only make such publications as Congress authorizes by appropriations made from time to time.

Respecting the distribution of the maps and publications of the Geological Survey, I will state that they are under the same regulations as the distribution of other documents, so far as I know. The printing act, which was passed in 1895, regulates chiefly the distribution of such documents. I have that law here. Section 52 provides:

The Public Printer shall sell, under such regulations as the Joint Committee on Printing may prescribe, to any person or persons who may apply, additional or duplicate stereotype or electrotype plates from which any Government publication is printed.

He may also sell any of such Government publications at cost, with 10 per cent added. So the only way to secure an extra supply of these maps, in addition to the 75, or whatever the number may be, which is allotted to each Senator and Representative, is to purchase them as other public documents are purchased.

Mr. ALLEN. Why should there not be some provision for the free distribution of a portion of these maps?

Mr. ALLISON. I think these maps are valuable, and it rests with the Committee on Printing or with the Senator to offer a resolution to print 100,000 additional copies, or whatever number may be desired. Otherwise, I know of no way whereby it can be done. Certainly the Director of the Geological Survey has no power to furnish maps gratuitously, nor has the Public Printer any authority to do so, nor has the Secretary of the Interior.

Mr. ALLEN. There is a great deal of truth in what the Senator from Washington [Mr. WILSON] has said.

Mr. ALLISON. There seems to be.

Mr. ALLEN. I observe in the country papers of my State statements that upon sending to Washington to certain places you can get such and such maps; that is, these particular geological maps; and it is known there before it is known to me and before it is known to my associates.

Mr. ALLISON. The difficulty, I take it, is that the maps that are advertised for distribution are soon exhausted. I think the Senator from Nebraska has had his proper supply. I know I have had a number of those maps and have circulated them. They came to me as other public documents.

Mr. ALLEN. I am not talking about the ordinary maps which are distributed freely and without price.

Mr. ALLISON. I am not speaking of them, either. I am speaking of the Alaskan maps.

Mr. ALLEN. I am not referring to the technical maps especially, but to the maps relating to Alaska.

Mr. PERKINS. If the Senator from Iowa will permit me, I will state that I think there were 5,000 of those maps allotted to the Senate. At all events, our quota is 51 copies each. Each Senator has had 51 of those Alaskan maps allotted him, or they are to the credit of each Senator in the folding room. I have exhausted my quota, and several Senators—I think among them the junior Senator from Washington, perhaps—have requested other Senators to turn over to them some of their quota.

Mr. ALLEN. I am not speaking even about that; but why should this Government go into the occupation of selling maps and public documents as a vendor of peanuts would start his business on the street corners? If the documents are published for public information, why should not the taxpayers have them free of charge?

Mr. ALLISON. One difficulty about that is that we have by law restricted the number of these publications. The only way to have a full and perfectly free distribution of everything that is printed, and everything that ought to be printed, is simply to print without limitation of law.

Mr. ALLEN. There is only one way for a Senator to do when some of these documents which are written for are sold, as they frequently are, and that is to go and purchase them and send them to the applicants, or to inform them that the documents are not for free distribution. We can not do that.

Mr. ALLISON. The Senator sees the difficulty. The other day we printed 2,000 copies of the report respecting the destruction of the battle ship *Maine*. It turned out that in a day or two those copies were exhausted. Yesterday we authorized the printing of 6,000 copies more, and the House of Representatives authorized the printing of 13,500. This required the concurrence of the two Houses, and we agreed to the resolution for that purpose this morning. So that now we have 13,500 additional copies of the report on the *Maine*. The Senator must know that these additional copies will be exhausted in three or four days, and also that in three or four weeks from now Senators will be requested for copies of that document.

Mr. ALLEN. I do know that, and I know the same will be true of any other valuable public document; but why have it go out to the country that these things can be obtained by writing to Washington for them, and then be under the necessity of informing the applicant that they are here for sale and not for free distribution, when he knows that many public documents are for public distribution?

Mr. ALLISON. That is one of the difficulties of misinformation or partial information. Those documents are here for distribution for a day or two, or a week or two, or a year or two, depending upon their value. When one edition is exhausted, we can, of course, authorize the publication of another. That seems to me to be the only way to do it.

Mr. ALLEN. It would be a great deal better to permit the Geological and Geodetic Survey to issue so many of these maps for free distribution under proper regulations; or, if there be a great public demand, to republish them for free distribution again——

Mr. ALLISON. That might be better.

Mr. ALLEN. Than to go into the delightful occupation of peddling them out for 4 or 5 cents apiece.

Mr. WILSON. I merely want to make myself fully understood. What I complain of is, to illustrate: The Geological Bureau have published a map or a report made, I think, by a gentleman by the name of Spurr, who is supposed to have visited Alaska and to have given some valuable information in regard to that section of our country. Immediately upon that report being published it went all over the western part of the country from the Geological Bureau that they had issued such a report. Then within a brief time I commenced receiving letters asking for copies of that report. I have been unable to obtain more than one copy; and to get that copy I had to state that I wanted it for myself. Chambers of commerce and citizens interested in Alaska in my State have been calling upon me for copies of the report, and I am unable to get any of them.

Now, what seems to me to be wrong is that, if the Geological Bureau have not these reports and maps for distribution, they ought not to announce to the general public that they have them. There is no reason in the world why the Geological Bureau should advertise itself in that direction. If they are unable to give us these reports when we call upon them for them, or to assign them to us, and have no appropriation for the purpose, they ought not to say anything about it; but they ought not to give it out to the country that they have such reports and then put us to the embarrassment of declining to send them to our constituents. I complain of that because I think it is wrong.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The reading of the bill was resumed at line 14, on page 76. The next amendment of the Committee on Appropriations was, under the subhead "United States Geological Survey," on page 76, line 17, to increase the appropriation "for topographic surveys in various portions of the United States" from $175,000 to $185,000.

The amendment was agreed to.

The next amendment was, on page 77, line 1, to increase the appropriation "for geological surveys in the various portions of the United States" from $100,000 to $120,000.

The amendment was agreed to.

The next amendment was, on page 77, line 17, to increase the appropriation "for the preparation of the illustrations of the Geological Survey" from $13,000 to $15,000.

The amendment was agreed to.

The next amendment was, on page 78, line 12, to increase the total appropriation for "the United States Geological Survey" from $641,100 to $673,100.

The amendment was agreed to.

Mr. GORMAN. Unless the Senator in charge of the bill desires to proceed with it further this evening, I shall move an executive session.

Mr. ALLISON. I will yield to the Senator for that purpose.

MONUMENT TO ALBERT PIKE.

The PRESIDING OFFICER laid before the Senate the joint resolution (H. Res. 178) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike; which was read the first time by its title.

Mr. TELLER. I ask that the joint resolution may be read at length.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That permission be, and is hereby, granted the Supreme Council of the Inspectors-General of the Thirty-third Degree of the Ancient and Accepted Scottish Rite of Freemasonry for the Southern Jurisdiction of the United States of America to erect a monument or statue to the memory and in honor of Albert Pike in such place in the city of Washington, D. C., other than the Capitol or Library grounds, as shall be designated by the Superintendent of Public Buildings and Grounds, the Joint Committee on the Library, and the committee of the supreme council of said rite appointed by it for that purpose. The said monument or statue shall not cost less than $10,000, and to be presented to the people of the United States by said supreme council.

Mr. TELLER. I ask that the joint resolution may be put upon its passage at this time. It carries no obligation on the part of the Government, no appropriation of money, or anything of that kind.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADMINISTRATORS OF ISAAC P. TICE AND OTHERS.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (H. R. 2219) for the relief of the administrators of Isaac P. Tice, deceased, and others. It is a bill which has passed the Senate several times, and I am sure that it will not be objected to.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. GORMAN. Let it be read for information.

The PRESIDING OFFICER. The bill will be read at length.

The bill was read, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to retry and determine according to law and in equity the case of the administrators of Isaac P. Tice, deceased, against the United States, decided by the Supreme Court at the October term, 1878, and also to try and determine according to law and in equity the claims of said Tice and others for money collected on account of the Tice meters, but not paid over to him or them under the regulations of the Treasury, or based on contract with the United States; and that in said retrial and trials the statute of limitations shall not be available to the United States against the rights and claims of the estate of said Tice and others: *Provided, however*, That on the retrials or trials of said cases the United States or the claimant or claimants may offer in evidence any evidence given and filed in the prior trial, and also the depositions of witnesses now on file in the Court of Claims or on the files of any of the committees of Congress in relation to the aforesaid matter, which may be introduced as evidence in case of the death or disability of the deponents, together with such other material evidence as the United States or the claimant or claimants may wish to introduce: *Provided, however*, That all such evidence and depositions, alluded to as aforesaid, shall be subject to all other legal objections, and the court shall render its judgment in favor of the administrators of said Tice, or in favor of the other persons or their estates, for such sums as may be found to be due and unpaid to said Tice or others on any of said accounts: *Provided further*, That either party may appeal to the Supreme Court of the United States from the judgment of the said court.

Mr. ALLISON. I dislike to object to the consideration of the bill asked for by the Senator, but as I heard the bill read it occurred to me that it is too important to be passed without some debate.

Mr. GALLINGER. I will say to the Senator from Iowa that a similar bill has passed the Senate four or five different times, and it has passed the House of Representatives once or twice before, but not in the same session that it passed the Senate. The House has passed it at this present session, and I hope the Senator will not object to it. It has been discussed heretofore very fully.

Mr. ALLISON. I feel that I must object for the present.

The PRESIDING OFFICER. Being objected to, the bill goes over.

EXECUTIVE SESSION.

Mr. GORMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and five minutes spent in executive session the doors were reopened, and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 6, 1898, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 5, 1898.

APPOINTMENTS IN THE NAVY.

Luther Elwood Gregory, a citizen of New York, to be a civil engineer.

Edward Vanderpoel Armstrong, a citizen of New York, and William Henry Bucher, a citizen of Pennsylvania, to be assistant surgeons.

POSTMASTERS.

S. H. Jumper, to be postmaster at Aberdeen, in the county of Brown and State of South Dakota.

William L. Buford, to be postmaster at Nicholasville, in the county of Jessamine and State of Kentucky.

George G. Clifford, to be postmaster at San Antonio, in the county of Bexar and State of Texas.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 5, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

Mr. BRUMM. Mr. Speaker, I demand the regular order.

BRIDGE ACROSS THE ST. FRANCIS RIVER, ARKANSAS.

Mr. McCULLOCH. Mr. Speaker, I desire to ask unanimous consent to take up and consider at this time the Senate amendment to the bill (H. R. 5030) to authorize the construction of a bridge across the St. Francis River, in the State of Arkansas.

Mr. BRUMM. Mr. Speaker, I have asked for the regular order.

The SPEAKER. The Chair desires to say to the House that there are a number of bills for which unanimous consent is requested, and to which there is no opposition, like bridge bills, in a certain sense merely formal matters, formal action only being demanded of them, and the Chair would like to have an opportunity to dispose of some of these. Of course this is subject to the objection of any member.

Mr. BRUMM. I shall not object to any bridge bills which may be presented for consideration at this time, but will make objection to others.

Mr. McCULLOCH. I desire to ask unanimous consent to adopt the Senate amendment to the bill to which I have just referred.

The SPEAKER. The Senate amendment will be read, if there be no objection.

There was no objection.

The Senate amendment was read at length.

Mr. McEWAN. Does this, Mr. Speaker, cut off the right of objection?

The SPEAKER. The gentleman can not reserve the right of objection while the bill is passing. This bill is now on its passage, as there was practically no objection to its consideration. Does the gentleman desire an explanation?

Mr. McEWAN. I do.

The SPEAKER. The gentleman from New Jersey desires an explanation of the bill.

Mr. McEWAN. I reserve all the rights to which I am entitled until I have had an explanation as to the bill.

Mr. McCULLOCH. This bill, I will state to the gentleman, passed the House some weeks ago and authorized the construction of a bridge across the St. Francis River, in Arkansas—a wagon bridge. It went to the Senate and was there amended by changing the name of the parties incorporating the same. I simply ask the House now to concur in the Senate amendment.

Mr. McEWAN. On the statement of the gentleman from Arkansas I withdraw the objection.

The Senate amendment was concurred in.

On motion of Mr. McEWAN, a motion to reconsider the last vote was laid on the table.

BRIDGE OVER THE MISSOURI RIVER—COUNCIL BLUFFS.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for.

The bill was read, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act authorizing the construction of a railway, street-railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," be amended to read as follows:

"SEC. 3. That this act shall be null and void if construction of said bridge shall not be commenced on or before the 1st day of January, 1902, and be completed on or before the 1st day of July, 1903: *Provided*, That the navigation of the Missouri River shall not be obstructed by false works during the construction of the bridge."

The Committee on Interstate and Foreign Commerce recommend the adoption of the following amendments:

Add in line 6, after the word "Nebraska," the words "as amended by an act approved January 23, 1896."

Insert after the word "bridge," in line 5, on page 2, the words:

"*And provided further*, That such guide piers or dikes as may be required by the Secretary of War for the maintenance of a safe channel through the draw spaces as they are arranged, pending the construction of the permanent bridge, shall be at once built and maintained until they shall be no longer necessary."

Mr. McEWAN. I reserve the right of objection, Mr. Speaker. Probably the gentleman can give an explanation that will satisfy me. I would be very glad to know how long this extension of time is given. There ought to be some limit upon the time when this bridge is to be built.

Mr. BENNETT. I will yield to the gentleman from Nebraska [Mr. MERCER], who is able to inform the gentleman as to the facts.

Mr. MERCER. I desire to say to the gentleman from New Jersey that this bridge has been constructed for some time, but three of the approaches to the bridge are temporary. It has been found impossible to complete the bridge as originally planned because of the changes in the channel of the Missouri River. The bill now before the House, as amended by the suggestions of the War Department, will give these people an opportunity to construct the bridge permanently as originally planned, and this extension of time should be given.

Mr. McEWAN. What is the extension of time?

Mr. MERCER. This provides that the bridge shall be completed on or before the 1st day of July, 1903.

Mr. McEWAN. That is to say, there is an extension of five years given.

Mr. MERCER. There are, I will repeat to the gentleman, three temporary spans in this bridge, which were constructed to meet conditions then existing, and to give the company time to complete the carrying out of their original plan. The navigation of the river is, in reality, no more obstructed by these three temporary spans than it would have been had the whole bridge been completed according to the original plans.

Mr. McEWAN. I do not think the bill provides in effect what the gentleman suggests.

Mr. MERCER. Oh, yes; it does.

Mr. McEWAN. If so, I will withdraw the objection.

Mr. MERCER. This bill provides that the company may go on and make the permanent structure as originally intended.

Mr. McEWAN. Then I will withdraw, if there is a time limit.

Mr. MERCER. There is a time limit.

The SPEAKER. Objection is withdrawn. Is there further objection to the bill?

There was no objection.

The amendments recommended by the Committee on Interstate and Foreign Commerce were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BENNETT, a motion to reconsider the last vote was laid on the table.

The SPEAKER. The Chair desires that all requests for recognition at this time be confined to bridge bills.

BRIDGE ACROSS THE LOGGY BAYOU, IN LOUISIANA.

Mr. OGDEN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3056) authorizing the Shreveport and Red River Valley Railway Company to construct and maintain a bridge across the Loggy Bayou, in Louisiana.

The bill was read. It provides that the Shreveport and Red River Valley Railway Company, a corporation created and existing under and by virtue of the laws of the State of Louisiana, be, and is hereby, authorized to construct and maintain a bridge across Loggy Bayou, in the State of Louisiana, at such point suitable to the interests of navigation as may hereafter be selected by said railway company for crossing said bayou with its railroad line.

The SPEAKER. The Chair understands that the engrossed copy of the Senate bill is not here.

Mr. OGDEN. Then I move to substitute the House bill, which is identical.

The SPEAKER. That will not help the gentleman in a parliamentary point of view at all. The Senate bill has been sent for, and probably will be here in a very short time.

Subsequently,

The SPEAKER said: The bill which was presented by the gentleman from Louisiana has been received. The bill having been read, is there objection to its present consideration?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. OGDEN, a motion to reconsider the last vote was laid on the table.

ROUGE RIVER, MICHIGAN.

Mr. SPALDING. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (S. R. 105) relative to the appropriation for the Rouge River, Michigan.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause the Rouge River, Michigan, to be dredged between the Wabash Bridge to Maples Road, with the view of obtaining a 13-foot channel (in accordance with the letter of G. J. Lydecker, lieutenant-colonel, Corps of Engineers, dated November 20, 1897), at an expense not to exceed $5,000, to be paid out of the appropriation already available for the improvement of that stream.

Mr. BRUMM. I reserve the right to object to that.

The SPEAKER. The right to object is reserved in all these cases. The Chair will see that the House has an opportunity to make objection if it desires. Is there objection to the present consideration of the resolution?

There was no objection.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. SPALDING, a motion to reconsider the last vote was laid on the table.

SURVEY OF CHARLESTON HARBOR.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution which I send to the Clerk's desk.

The concurrent resolution was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and is hereby, requested to furnish the House of Representatives, at the earliest time practicable, such information as he may have regarding the possibility of providing deeper draft at the entrance into Charleston Harbor than is contemplated by the approved project for the improvement by jetties of the entrance to that harbor; and that he be requested further to submit a plan and estimate of the cost of securing a depth of not less than 26 feet at low water from the ocean to deep water inside the harbor.

Mr. ELLIOTT. Mr. Speaker, I propose to offer an amendment to that resolution.

The SPEAKER. The gentleman proposes an amendment, which will be reported by the Clerk.

The amendment was read, as follows:

Insert in line 11, after the word "harbor," the words "and to report his opinion as to the advisability thereof."

The SPEAKER. Is there objection to the present consideration of the resolution as amended?

There was no objection.

The amendment of Mr. ELLIOTT was agreed to.

The concurrent resolution as amended was agreed to.

On motion of Mr. ELLIOTT, a motion to reconsider the last vote was laid on the table.

HUMBOLDT HARBOR, CALIFORNIA.

Mr. BARHAM. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 119, for the improvement of Humboldt Harbor, California.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, requested to submit detailed estimates from information now on file of the costs for the proposed dredging and improvement of Humboldt Harbor, California, as contemplated by the river and harbor act of June 3, 1896, and by the report of Cassius E. Gillette, captain of engineers, submitted to Congress in the report of the Chief of Engineers.

Mr. BRUMM. Mr. Speaker, I shall have to object to the consideration of that resolution.

The SPEAKER. Objection is made.

Mr. BARHAM. I hope the gentleman will not do that.

Mr. BRUMM. I can not help it. I am asked all around to allow consideration of the same kind of thing. I ask for the regular order.

ISABELLA G. DANIELS.

The SPEAKER laid before the House the bill (H. R. 6211) granting an increase of pension to Isabella G. Daniels, widow of Milton T. Daniels, with Senate amendments thereto.

The Senate amendments were read.

Mr. RAY of New York. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

HANNAH LETCHER STEVENSON.

The next business reported from the Speaker's table was the bill (S. 439) granting a pension to Mrs. Hannah Letcher Stevenson, widow of the late Brig. Gen. John D. Stevenson, with House amendments disagreed to by the Senate, the Senate requesting a conference.

Mr. RAY of New York. Mr. Speaker, the House amended that bill and it was sent to the Senate as amended, and they do not agree to the amendments and have requested, as I understand, a conference. I move that the House agree to the conference requested by the Senate.

The motion was agreed to.

The SPEAKER appointed as conferees Mr. RAY of New York, Mr. GIBSON, and Mr. DRIGGS.

JOHN P. THOMAS.

The next business reported from the Speaker's table was the bill (H. R. 164) granting an increase of pension to John P. Thomas, with Senate amendments.

Mr. RAY of New York. Mr. Speaker, I have tried to find the gentleman from Oregon [Mr. ELLIS] who introduced that bill and who is interested in it, in order to know what his desires are, but I can not find him. At the present time he is engaged in committee, and if it is proper, I ask that the bill be passed by for the present.

The SPEAKER. It would require unanimous consent for the bill to be passed by.

Mr. RAY of New York. I ask unanimous consent that it be passed by.

The SPEAKER. Is there objection to the request of the gentleman from New York, that the bill remain on the Speaker's table? [After a pause.] The Chair hears none.

ELWIN A. SCUTT.

The next business reported from the Speaker's table was the bill (H. R. 2246) to increase the pension of Elwin A. Scutt, with an amendment to strike out, in line 8, the words "twenty-four" and insert "sixteen."

Mr. RAY of New York. I move to concur in the Senate amendment.

The question was taken; and the Senate amendment was concurred in.

CORA L. ROBINSON.

The next business reported from the Speaker's table was the bill (H. R. 6007) for the relief of Cora L. Robinson, of Centralia, Kans., with a Senate amendment to the title, so as to read: "An act for the relief of Cora L. Robinson."

Mr. BRODERICK. I move to concur in the Senate amendment.

The motion was agreed to; and the Senate amendment was concurred in.

LAURA A. BARRY.

The next business reported from the Speaker's table was the bill (H. R. 5965) granting a pension to Laura A. Barry, as widow of Charles W. Barry, late private, Company B, One hundred and eighth New York Volunteer Infantry, with a Senate amendment to the title, so as to read: "An act granting a pension to Laura A. Barry."

Mr. RAY of New York. I move to concur in the Senate amendment.

The motion was agreed to; and the Senate amendment was concurred in.

JEROME A. STANTON.

The next business reported from the Speaker's table was the bill (H. R. 5384) for the relief of Jerome A. Stanton, a scout and master of transportation in the Seventh Corps of the armies of the United States, with an amendment by the Senate to the title, so as to read: "An act for the relief of Jerome A. Stanton."

Mr. RAY of New York. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to; and the Senate amendment was concurred in.

NANCY HOLLENBANK.

The next business reported from the Speaker's table was the bill (H. R. 4320) granting a pension to Nancy Hollenbank, an army nurse during the war of the rebellion, with Senate amendments as follows:

In line 5, after "Nancy Hollenbank," insert "an army nurse."

Amend the title so as to read: "An act granting a pension to Nancy Hollenbank."

Mr. RAY of New York. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

SAMUEL F. FOWLER.

The next business reported from the Speaker's table was the bill (H. R. 4194) granting an increase of pension to Samuel F. Fowler, formerly private, Company A, First United States Infantry, with Senate amendment to the title, so as to read: "An act granting an increase of pension to Samuel F. Fowler."

Mr. RAY of New York. I move to concur in the Senate amendment.

The motion was agreed to.

ELLEN DAY.

The next business reported from the Speaker's table was the bill (H. R. 3299) granting a pension to Ellen Day, stepmother of Albert L. Day, with an amendment to the title, so as to read: "An act granting a pension to Ellen Day."

Mr. RAY of New York. I move that the House concur in the Senate amendment, Mr. Speaker.

The motion was agreed to.

JOSEPH P. HARMON.

The next business reported from the Speaker's table was the bill (H. R. 2198) entitled "An act granting an increase of pension to Joseph P. Harmon, late private in Company K, Fifth Maine Volunteers, and Company B, Seventh Maine Volunteers," with an amendment to the title, so as to read: "An act granting an increase of pension to Joseph P. Harmon."

Mr. RAY of New York. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

JAMES J. GIBBS.

The next business reported from the Speaker's table was the bill (H. R. 1971) entitled "An act to grant a pension to James J. Gibbs, of Knox County, Tenn.," with a Senate amendment to the title, so as to read: "An act to grant a pension to James J. Gibbs."

Mr. GIBSON. I move to concur in the Senate amendment, Mr. Speaker.

The motion was agreed to.

EMILY J. MILLER.

The next business reported from the Speaker's table was the bill (H. R. 907) granting a pension to Emily J. Miller, blind and helpless child of Robert B. Miller, deceased, late of Company C, One hundred and ninth New York Volunteer Infantry, with a Senate amendment to the title, so as to read: "An act granting a pension to Emily J. Miller."

Mr. RAY of New York. I move to concur in the Senate amendment, Mr. Speaker.

The motion was agreed to.

SARAH A. DENNY.

The next business reported from the Speaker's table was the bill (H. R. 722) granting an increase of pension to Mrs. Sarah A. Denny, an army nurse, with a Senate amendment to the title, so as to read: "An act granting a pension to Mrs. Sarah A. Denny."

Mr. RAY of New York. I move that the House concur in the Senate amendment, Mr. Speaker.

The motion was agreed to.

WALTER D. WEAVER.

The next business reported from the Speaker's table was the bill (H. R. 5964) granting a pension to Walter D. Weaver, imbecile and dependent son of George M. Weaver, late Company K, One hundred and eighty-fifth New York Volunteer Infantry, with amendments as follows: In line 5, after the word "imbecile," insert "and dependent;" and amend the title so as to read: "An act granting a pension to Walter D. Weaver."

Mr. RAY of New York. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

DANIEL J. SMITH.

The next business reported from the Speaker's table was the bill (H. R. 5156) granting an increase of pension to Daniel J. Smith, with an amendment, in line 4, to strike out the letter "D." and insert the word "Daniel."

Mr. McRAE. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

NICHOLAS GARDNER.

The next business reported from the Speaker's table was the bill (H. R. 4183) granting an increase of pension to Nicholas Gardner, with the following amendments: In lines 3 and 4 strike out "instructed and authorized" and insert "authorized and directed;" and in line 7, after the word "month," insert ", in lieu of that he is now receiving."

Mr. RAY of New York. Mr. Speaker, I move to concur in the Senate amendments.

The motion was agreed to.

The SPEAKER. Does the gentleman from New York desire the bill which the gentleman from Oregon is interested in to still lie on the table?

Mr. RAY of New York. I do; I do not see the gentleman, and I desire to confer with him before a motion is made.

Mr. BRUMM. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the purpose of taking up the Private Calendar, and pending that motion, I want to ask unanimous consent to limit debate on the unfinished business. The Committee on Claims this morning agreed that we would give an hour on each side for discussion of the unfinished business.

Mr. DOCKERY. What is the unfinished business?

Mr. BRUMM. The Roach bill.

Mr. DOCKERY. Did the minority consent to it?

Mr. BRUMM. Yes; that is the agreement we made.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that debate on the unfinished business, on the bill and amendments, be closed in two hours, one hour on each side. Is there objection? [After a pause.] The Chair hears none.

The motion of Mr. BRUMM was agreed to.

Accordingly the House resolved itself into Committee of the Whole House for the consideration of reports by the Committee on Claims, with Mr. PAYNE in the chair.

HEIRS OF JOHN ROACH.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills upon the Private Calendar. The unfinished business is Senate bill 1116, to pay the heirs of the late John Roach, deceased, $330,151.42, for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*.

By order of the House debate on the bill and amendments is limited to two hours.

Mr. DOCKERY. I thought limitation was only to the general debate, one hour on each side.

The CHAIRMAN. The Chair understood the proposition as put by the Speaker to be on the bill and amendments.

Mr. BRUMM. I yield to the gentleman from Missouri [Mr. ROBB].

The CHAIRMAN. Does the gentleman from Missouri control the time on the other side?

Mr. ROBB. I control a part of it, I suppose; we shall arrange it among ourselves.

The CHAIRMAN. If there is no objection, the gentleman from Missouri will control the time on the part of the opposition, and the gentleman from Pennsylvania [Mr. BRUMM] in favor of the bill.

There was no objection.

[Mr. ROBB addressed the committee. See Appendix.]

Mr. BRUMM. I yield five minutes to the gentleman from Wisconsin [Mr. MINOR], in favor of the bill.

Mr. MINOR. Mr. Chairman, the gentleman from Missouri has evidently mistaken some of the remarks I made when I had the floor on this bill before; and I desire to call attention to this, because our charges for damages to Mr. Roach are based upon this idea, as appears in the report. I will show you what the charge was:

The compensation paid as wages to this corps of men at the said Morgan Iron Works amounted to the sum of $3,721.64 for each month, and for the whole time of the unnecessary delay, to wit, January 23, 1886, to June 23, 1886, $18,608.20.

Mr. ROBB. Will the gentleman allow me a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Missouri?

Mr. MINOR. No; I have but five minutes.
The CHAIRMAN. The gentleman declines to be interrupted.
Mr. MINOR (continuing)—

The compensation paid as wages to the corps of men at Chester amounted to the sum of $4,061.64 for each month, and for the whole time of the unnecessary delay, to wit, May 20, 1886, to June 21, 1887, $62,801.32.

Now, Mr. Chairman, there were only two points made against this bill. One was made, or attempted to be made, by the gentleman from Texas [Mr. SAYERS].

Mr. ROBB. I would like to ask the gentleman a question.
Mr. MINOR. I want my five minutes.

He stated that because the penalties in the contract were not enforced, we ought not to bring in a bill for damages. I want to say to the House now that there were no penalties included in the contract at all.

The only right the Government reserved was to enter upon and take charge of the works and complete the ships if Roach failed to do it. That is all there is stated in the contract; and it is stated by Government officials that they could not include a penalty, because they expected to run beyond the time fixed in the contract, namely, eighteen months, and that they certainly would need this extension of time—that there would be innumerable changes to be made from time to time as the work progressed, and that was the case.

Another point is attempted to be made that we are making this claim on the affidavit of two interested parties. We have absolutely excluded the statements and affidavits made by those interested parties, and have based this claim absolutely and solely upon the records found in the Navy Department.

Now, another thing. I want to say to the gentleman and to the House that the Government expected that they would be liable to damages, and the damages did occur in this case, to which Mr. Roach was justly entitled. Now, I will cite the statement made by the president of the advisory board, Admiral Simpson.

Mr. BUTLER. What is the date of that?
Mr. MINOR. January 14, 1885.
Mr. BUTLER. Before the death of Mr. Roach?
Mr. MINOR. Certainly.

NAVAL ADVISORY BOARD, NAVY DEPARTMENT,
Washington City, January 14, 1885.

SIR: The breaking of one length of shafting in the *Dolphin*, the subsequent developments in the broken shaft, and the condemnation of the new shaft made to replace the broken one cause uncertainty as to the reliability of the other lengths of steel shafting on hand.

The only way of assuring the soundness of these shafts, or of determining their reliability to stand such strains as may be put upon them, is to subject them to a torsional test. This will be a novel experiment on such a large scale, and it will require much time and will involve a large expense.

The delay in the completion of the *Boston*, *Atlanta*, and *Chicago* has already extended to an unexpected and serious extent, and the present embarrassment in the status of the shafting is increasing it. There is every reason why this should be stopped. The board is unwilling to risk these shafts without satisfactory tests, and to wait for these tests, in the only way in which they can be made, is only to continue the delay, which, as the test is a new one, can not be limited in anticipation. In the meantime the country is waiting for the ships, the success of which is to mark an epoch in the rehabilitation of the Navy, and the contractor is subjected to unusual delays in completing other portions of the ships, endangering his credit on account of the large amount of money that he has locked up in the ships, and for which he will have a right to exact damages to a large amount, thus increasing the cost of the ships—

And that is what the Government had anticipated. It had anticipated that these delays that would occur from time to time by the changing of machinery, of the hull, etc., would carry it beyond the time provided in the contract, and that Roach would be entitled to damages. That is the statement of Admiral Simpson, the president of the advisory board that had charge of the construction of this ship. What say you to it?

The gentleman from Missouri says, "No." I assume that this House will take the judgment of Admiral Simpson, an experienced naval officer, rather than that of the gentleman from Missouri, in whose district I assume there is not water enough to float a polly wog—

The only way of relieving the present embarrassment in an expeditious manner is to equip the vessels for immediate use by providing them with iron shafting—

Precisely what Roach wanted all the time, when these naval constructors insisted on steel; and the steel shaft is what gave rise to the whole trouble—

About the manufacture of which there is no difficulty, and with which they will be provided with shafting second only to good cast steel.

This act of the board will relieve the deadlock, will equip the ships, and relieve the contractor, and will save expense that must be incurred in the way of damages for unusual delay.

The steel shafts will, however, still be on hand. These must be tested. Those that fail should be returned to the contractor, crediting the cost of the steel shaft against the price of the iron ones. Those that stand the test must be paid for as duplicate shafting.

If this system of tests shall succeed, it will establish a standard of test for the future for steel shafting, which the Government will require in the future.

The board therefore requests that preliminary to any definite recommendations from the board that Mr. John Roach be asked to submit a certified statement of the actual cost of the proposed iron shafts for the *Chicago*, *Boston*, and *Atlanta*, and of the present steel shafts to date.

Very respectfully,

E. SIMPSON,
Rear-Admiral, United States Navy, President of the Board.

Hon. W. E. CHANDLER,
Secretary of the Navy.

The CHAIRMAN. The time of the gentleman has expired.
Mr. BRUMM. I now yield five minutes to the gentleman from New York [Mr. LOW.]

Mr. LOW. Mr. Chairman, I do not know who introduced this bill to the House, but I did know John Roach, and I do know that the Government wantonly and cruelly wronged this great shipbuilder by condemning the *Dolphin* (a new vessel for the Government that had just been launched and completed) and making null and void all the contracts he had made with the previous Administration, thus forcing him into bankruptcy.

Now, gentlemen, I do not know what the specific character of those contracts were, but it has been stated, and ably so, by other gentlemen on the floor. But I would like to call members' attention to the *Dolphin* incident. They condemned the *Dolphin* for being structurally weak. Condemnation means throwing one side as entirely useless, and yet very singularly the Government sent her down the coast somewhere below Hatteras on a trial trip.

She returned, and the officers on board who went down on that trial trip reported that it would take $25,000 to put her in a suitable condition to go to sea. That $25,000 was taken off the amount that Roach received from the Government for the building of the vessel. John Roach at that time was absolutely helpless. The strong hand of the Government was on his shoulders ready to crush him, and he settled on the Government's basis.

Now, follow it a little further. The Government started the *Dolphin* on a trip around the world, and, mind you, the Government never spent one dollar of the $25,000 to strengthen her which this board claimed she needed. She made a voyage around the world and was gone eighteen months, and during that time she ran over 58,000 miles, and stood the best test in the world for vessels. She encountered gales of wind and all kinds of tempestuous seas. She returned back to port, and upon examination not a scintilla of evidence was discovered justifying the decision that she was structurally weak.

Every beam, every stanchion was examined fore and aft of that vessel, and she did not show one particle of gauge. She was pronounced structurally strong and capable of any service, and John Roach's reputation and honor were vindicated. But it came too late. The cruel wound given him by his own Government was beyond human aid, and a broken heart made him an easy prey for death's messenger.

The claimants, "the legitimate ones," are before Congress to-day, not asking for a gift, but appealing for a just claim; and had the Government been as true, honest, and faithful to John Roach and his contracts as John Roach was to the Government in completing and making his covenants all right, this claim would not have been in Congress to-day. I cite this special incident of the *Dolphin* to show you how absolutely wrong were they in making the report that they did. It is a well-known fact throughout life in all professions and in every calling it is the strong that always crushes the weak. Such was this case. If there is a just claim that this Government owes, it is the one that is now before this House for discussion.

Mr. LOVE. Will the gentleman answer a question?
The CHAIRMAN. The time of the gentleman from New York has expired.
Mr. BRUMM. I will surrender another minute for the gentleman from New York to answer a question.
Mr. LOVE. I want to ask why this claim was not sent to the Court of Claims?
Mr. BUTLER. Why did not the Methodist Church claim go before the Court of Claims? Because you never get them out of there.
Mr. LOVE. The gentleman need not show so much temper about it. I merely asked the gentleman from New York [Mr. LOW] a question for information, which I am sure that he would have courteously answered if you had permitted him.
Mr. LOW. Every effort has been made in this case. I have been in Congress three years, and there is one thing among others that I have learned, and that is, that whether a claim is just or unjust, whether a bill is a private bill or a public bill, whether it carries an appropriation or not, the same long fight has to be made in order to pass it through Congress.
Mr. ROBB. I now yield to the gentleman from Virginia [Mr. RIXEY].

Mr. RIXEY. Mr. Chairman, having unbounded confidence in the absolute good intentions of my friend from Wisconsin [Mr. MINOR] who reported this bill, and having a very sincere regard for his judgment when this bill was before the House on a former occasion, I paid very particular attention to what he had to say

in advocacy of the bill, and since that time I have read his speech in the RECORD, because I wanted to find out for myself from the gentleman, who above all others is informed upon this question, what were the facts which warrant the committee in reporting this bill appropriating $330,000.

As has been stated by the gentleman from Wisconsin, he has taken a deep interest in the bill. He has reported it twice, and I think if there is anyone here who knows the facts in regard to the bill, it is the gentleman from Wisconsin who reported it. But I am sorry to say that I did not gain from the speech of my friend the evidence or the facts justifying me in supporting the bill, for almost the entire speech was taken up in pronouncing a most eloquent eulogy upon John Roach.

I want to say, Mr. Chairman, that I would not take one laurel from the wreath in which he entwined the memory of John Roach. From what I have known of John Roach and what I can learn of him, although an adopted citizen, he was an American of whom we might be justly proud. But does the fact that John Roach lived an honored man, does the fact that he is entitled to our esteem and confidence and that we may honor his memory—does that fact alone show that this Congress should appropriate $330,000 upon the claim of his executors?

My friend from Wisconsin, in the course of what he had to say—I read from the RECORD—stated that he only claimed compensation from the Government from the time that the work commenced, November 9, 1885, to the respective dates of the completion of these vessels. Now, if my friend from Wisconsin will give me his attention for a moment—I will not weary him by going over the whole statement which has been furnished by my friend from Missouri [Mr. ROBB]—I wish to give simply an illustration of the fact that the bill as reported is really a fraud upon the Government; that it provides for the payment of a larger sum even than the report states ought to be paid. I know that this fact has escaped the attention of the gentleman from Wisconsin.

Take the case of the *Atlanta*. Referring to page 3 of the report, we find that the *Atlanta* was completed and removed from the Morgan Iron Works at New York June 28, 1886. The gentleman says in this report that the charge as made by the executors of John Roach for compensation on account of the *Atlanta* is for five months. The executors of John Roach have charged this Government for use and occupation of the yards for the *Atlanta* in New York for five months. Now let us see whether that is right. The *Atlanta* was completed June 28, 1886. The Government took possession of the yards, according to the gentleman from Wisconsin, November 9, 1885. This would leave the Government in the possession of those yards seven months and eighteen days.

Quintard and Weed, whose affidavits are filed here and whose statements constitute the only evidence of the time that it ought to have taken to complete the *Atlanta*, state that it ought to have taken four months; and for those four months neither the gentleman from Wisconsin nor anyone else claims that the Government ought to pay, because it has paid in the contract price. Deducting those four months from the seven months and eighteen days, we have as the time occupied by the Government longer than ought to have been occupied, as claimed by Quintard and Weed, three months and eighteen days; but this Government is charged in the bill with five months, the sum of $53,036.10. The Government is, therefore, improperly charged the sum of $14,850, or more than one-fourth of the amount the gentleman from Wisconsin in his report gives as the sum due to the executors of John Roach.

Mr. KELLEY. Will the gentleman inform us whether this claim has ever been before the Court of Claims or any other judicial tribunal?

Mr. RIXEY. It has not. I will refer again to that point before I get through.

Mr. KELLEY. Can the gentleman tell us anything about the amount that is to be paid as attorneys' fees, provided this claim is gotten through Congress?

Mr. RIXEY. I know nothing about that—nothing in the world.

Mr. BRUMM. You certainly know whether there is any provision for attorneys' fees.

Mr. RIXEY. I supposed the gentleman meant what proportion of the claim would go to the attorneys.

Mr. KELLEY. Exactly.

Mr. RIXEY. I know nothing about that.

Now, Mr. Chairman, if this statement in regard to the *Atlanta*, showing that the amount which this bill proposes to pay on account of that vessel is one-fourth more than it ought to be, is not correct, I will yield to the gentleman from Wisconsin, or any other gentleman who may wish to interrupt me, to show that I am in error. [A pause.] If, then, I am right in this statement, there is a mistake in regard to this one vessel of more than 25 per cent.

What is the mistake in regard to the whole claim of $330,000? My friend from Missouri—I will not go over his figures—says that he has demonstrated to the House—and I have no doubt it is true—that according to the statement of the gentleman from Wisconsin there is an error of $109,000 against the Government. In addition to this, there can be no answer to the statement I have just made, and I challenge any gentleman to show wherein there is any error in that statement.

When this matter was before the House several weeks ago, and the question was being considered as to this alleged unusual delay, this interruption occurred:

> Mr. LOW. Allow me to make this suggestion: The very moment the Government took charge of that shipyard it ceased to be a private yard and became a Government yard, the employees working only eight hours a day, while in a private yard they worked ten hours a day.

In other words, John Roach could work his hands ten hours a day, but the Government under the law could not work its employees more than eight hours a day. The gentleman from New York [Mr. LOW], who has spoken here to-day in advocacy of this bill, undertakes to explain a part of the delay by telling the committee that the Government works its employees only eight hours a day, while employees of John Roach could work ten.

This necessarily accounts for one-fifth of the time. What is one-fifth of the amount claimed in this bill? The whole amount is $330,000. The Government under the law had the right to use those yards for only eight hours a day, that being a legal day. Is there any man on this floor who now wants to fine the Government or make it pay an extra amount because it did not use those yards ten hours a day, when it had no right to do so?

This, as I said, makes a difference of one-fifth of $330,000. Thus we have another error against the Government, an error of $60,000, upon the basis furnished on behalf of the claimants themselves. I ask again whether there is any man here who will contend that the Government is liable to John Roach because it did not work its hands ten hours or twelve hours or fourteen hours a day?

Now, Mr. Chairman, if I should say nothing more, it does seem to me sufficient reasons have been shown why this claim ought to go to the Court of Claims. The gentleman from Pennsylvania says it would do no good to send it there. I can not look in that way upon the court. I think the claim ought to go there for investigation.

Mr. MINOR. If you think so, why did you not make that proposition in the committee when we were considering the bill?

Mr. RIXEY. As my friend has asked me that question, I will state to him very frankly the facts. I will tell him that this matter was never before the committee at all. The report never was read before the committee——

Mr. BRUMM (interrupting). Oh, that is certainly a mistake.

Mr. RIXEY (continuing). All that occurred when I was present——

Mr. MINOR (interrupting). Why, Mr. Chairman, I read the report until it was unanimously agreed that no further reading was necessary, and the gentleman from Virginia was present.

Mr. RIXEY. I will state the facts, Mr. Chairman, in full; and I would not have stated them except for the statement of the gentleman from Pennsylvania and the interrogatory addressed to me. Soon after the organization of the Committee on Claims, the gentleman from Missouri and myself being new members, the chairman stated that it was customary, when bills had been formerly reported affirmatively by a unanimous consent of the committee, to let them be reported as soon as possible and take the lead of other measures before the committee, so as to go to the Department for consideration at the earliest possible moment.

Mr. BRUMM. That is right.

Mr. RIXEY. Now, I do not remember that the report in this case was ever read at all. I do remember that I asked the chairman of the committee—I knew the history of the matter in a general way—I asked the chairman of the committee if it was not proper to send claims of this kind to the Court of Claims. The chairman of the committee stated that he thought not, and the committee was afterwards notified in regular session that objection would be made and an effort made to send this bill to the Court of Claims.

Mr. LOVE. Was not this bill considered and acted upon by the Congress preceding this one?

Mr. RIXEY. I do not know.

Mr. BRUMM. Let me state to the gentleman that this bill has been passed twice by the Senate already in its present form.

Mr. RIXEY. I think the claim is old enough to have been sent to the Court of Claims to have a judgment rendered either for or against it if anything is really due to these parties. Now, if there was an error such as we have pointed out, that is the proper correction for it.

Mr. LOVE. In your opinion, if you will permit an interruption, how much is due to these parties?

Mr. RIXEY. In my opinion nothing is due to Roach at all. The point I am seeking to impress upon the committee is that if there is any just ground for any claim whatever against the Government, these parties should be permitted to go to the Court of

Claims and determine that question. There is no other way, in my judgment, in which it can be determined satisfactorily to them or to the Government.

The facts are simply these: In 1883 Congress authorized the Secretary of the Navy to contract for the building of four ships of war—that is to say, for three battle ships and one dispatch boat, the *Dolphin*. This contract was let to John Roach, at that time engaged in shipbuilding; and all of these four ships were, under the provisions of the contract, to be completed in eighteen months from date of contract. There were a number of additions or changes made, which extended the time for the completion of the vessels. The first of the vessels completed was the *Dolphin*, which was delivered in June, 1885, five months after it should have been completed, under the terms of the contract.

When it was offered to the Government the naval board reported that there were certain defects in reference to it, and the matter was submitted to the Attorney-General, who delivered an opinion upon the subject in which it was held that the Government could not be compelled to take the *Dolphin* and that Roach could be compelled to return the money, or a portion of the money, paid for the construction of this boat.

In July, 1885, Roach made an assignment, having failed in business. It was agreed then that the Secretary of the Navy should, at his option, receive the *Dolphin* and make a settlement for that vessel. It was also determined that Roach should be permitted to sue, in the Court of Claims, for the remainder of the money, if any was found to be due him. The Secretary of the Navy received the *Dolphin*, and after some time it was agreed that Roach would deduct $23,000 from the contract price and give a receipt in full for this vessel.

That was done, and the matter of the *Dolphin* was closed. The full contract price was not paid for the construction of that vessel. And right here let me say that, from the best information I can get, I believe the *Dolphin* to be even at this day a good ship. But there is a bill pending here to give the executors of Roach the money he agreed to surrender to the Department on account of this vessel, and therefore the money for the *Dolphin* does not enter into the pending bill at all.

The gentleman from New York [Mr. LOW] consumed his time to-day in discussing the *Dolphin*, whereas there is no claim in this bill for it. The whole amount of the controversy relates to the construction of the vessels *Atlanta*, *Chicago*, and *Boston*. The *Dolphin* is not included in the category at all.

When John Roach made his assignment, he was unable to go on and complete these ships. The Secretary of the Navy, therefore, under his contract, had the right to declare the contracts forfeited and to require John Roach and his sureties to return the money, or he had the right to go on and take an inventory and complete the ships, and pay John Roach for the ships after completing them at John Roach's ship yard. The Secretary of the Navy notified him that he would do that, and this inventory was taken. It occupies, I believe, seventy pages of the printed record. It was satisfactory to John Roach, and the Government, on the 2d or 9th of November, notified John Roach that it would take the yard and complete the ships. It did so.

Now, these gentlemen say that all this delay was caused by the Government. I find here in this printed record, under date of April 20, 1886, when the *Atlanta* should have been completed, according to their statement, this letter from the Navy Department:

NAVY DEPARTMENT, BUREAU OF STEAM ENGINEERING,
Washington, April 20, 1886.

SIR: Chief Engineer Morley reports that the work upon the machinery of the *Atlanta* has been delayed by the removal of the workmen to outside repair work.

Will you please correct this at once, and see that as many men are hereafter kept employed, so that the same may be completed at as early a day as practicable?

CHAS. H. LORING, *Chief of Bureau.*

The ASSIGNEES OF JOHN ROACH, *New York.*

And on the same page is the reply of these assignees. This is after the time for which they are charging the Government. These letters show who was to blame for this delay if such occurred:

MORGAN IRON WORKS, *New York, April 20, 1886.*

SIR: We are in receipt of your letter of the 20th instant, regarding delays on machinery of the *Atlanta*. We have endeavored to have nothing interfere with this work, and it has been only in cases of emergency, when a few men have been taken off for a few days, and only then when engaged on work that will be completed in advance of the air-tight fire room, which is taking more time than was anticipated, on account of the nature of the work admitting of but few men being employed on it. All other work, we are advised, except completing the painting, will be finished this week, although there are changes even now being made, all of which occupy time.

Yours, respectfully,

GEO. W. QUINTARD,
GEO. E. WEED,
Assignees.

ENGINEER IN CHIEF CHARLES H. LORING, U. S. N.,
Chief of Bureau of Steam Engineering, Washington, D. C.

Mr. SHAFROTH. What time did the Government take possession?

Mr. RIXEY. The Government took possession in November, 1885. That is the time from which the Government became responsible. If such is the fact, and it is conceded by the gentleman who made the report, the Government is overcharged many thousands of dollars, according to the statement made by the gentleman from Missouri and myself. After the time had expired for the completion of the *Atlanta*, according to the affidavits of Quintard and Weed, we have a complaint from the Chief of the Bureau of Steam Engineering that these assignees were delaying the work by taking away the workmen and putting them on outside work, and the assignees replied, admitting that to be true, but saying that they were awaiting the completing of the work on the air-tight fire room. There is a subsequent letter to the same effect from the Department and a reply from the assignees.

Mr. BRUCKER. Did Mr. Roach make an assignment before the Government took possession?

Mr. RIXEY. Oh, yes; the Government had no right to take possession of the works until Roach assigned, and the reason the Government took possession was because Roach could not go on and complete the ships.

Mr. BRUCKER. You do not mean absolutely that the Government did not have the right to take possession of the works until Roach made an assignment?

Mr. RIXEY. Under the contract the Government had no right to take possession of the works unless it became convinced that Roach could not complete the vessels, and when he assigned of course it became evident that he could not complete them. It was to Roach's interest for the Government to take possession and complete these vessels, because if it did not his works would not only be idle, but he would not get any pay for the ships.

Mr. SHAFROTH. How long after he assigned did the Government take possession?

Mr. RIXEY. He assigned in July, 1885. In August the Government notified him that under the eleventh clause of the contract, as he could not go on and complete the ships, the Government would have an inventory made, and when that inventory was completed, it would go on and complete these ships. To show the liberal manner in which the Government acted with John Roach, though this inventory ran up to more than a million of dollars, and was made by the naval officials, John Roach and his assignees accepted it as just and right. It must have been a liberal settlement with John Roach. The Government then went on and completed these vessels.

Mr. SHAFROTH. That is, the assignees went on and completed them?

Mr. RIXEY. No; the Government did it; but the assignees seem to have been there a good deal.

Mr. BUTLER. What settlement does the gentleman refer to when he speaks of a settlement to which John Roach gave his assent?

Mr. RIXEY. The record shows that this inventory was made and returned about the 1st of November, and it does not show that John Roach or his assignees ever complained against that inventory, and after the vessels were completed by the Government they had a full and final settlement, and the record nowhere shows that any exception was taken by John Roach or his assignees.

Mr. BUTLER. Was John Roach living at the time that settlement you speak of was made?

Mr. RIXEY. What settlement? The final settlement?

Mr. BUTLER. Yes.

Mr. RIXEY. I do not think he was living then. I do not know.

Mr. BUTLER. Well, but you made the statement that he did not take any exceptions to it.

Mr. RIXEY. I say that the record shows that neither John Roach nor his assignees nor his executors ever took any exceptions to it.

Mr. BUTLER. John Roach could not take any exceptions if he was dead.

Mr. BRUCKER. I should like to call the attention of the gentleman to page 160, of the record, to be found in Executive Document No. 153, where there is a letter of W. C. Whitney, Secretary of the Navy, to John Roach, in which the Secretary of the Navy uses the following language, this letter being under date of August 6, 1885:

More than six months have now elapsed since the expiration of the limit thus fixed, and the work upon the vessel has been stopped, while much remains to be done before she can be finally completed. At the same time it is evident that the public interests require the vessel in question, known as the *Chicago*, to be completed with all practicable speed, and it has therefore become necessary for the Department to take immediate and definite action looking to that end.

That is, in other words, Mr. Whitney, on the 6th of August, 1885, notified Mr. Roach that more than six months had elapsed since any work had been done on this boat, the *Chicago*, and then the Government took possession.

Mr. RIXEY. The Government did not take possession until November. The Government had no right to take possession

until November, because the twelfth clause in the contract between the Government and John Roach provided—

Upon receipt of the findings of the said board, and upon his approval thereof—

That is, the findings of the board of inquiry—

the Secretary of the Navy may proceed to complete the vessels, etc.

Upon the completion of the inventory and its acceptance by the Government, possession of the shipyard was turned over to the Department on the 9th of November, as stated by the gentleman from Wisconsin. It may have taken more time to complete those vessels than John Roach could have done the work in, one reason being that the Government could not work ten hours; another is that any change in large business matters of this kind necessarily takes more time.

The contract with John Roach having provided if he was unable to complete the vessels then the Government had the right to take possession of the yards and complete the vessels, it had to be done under the eight-hour law and with such speed as they could make in the prosecution of the work.

Now, one word more. My friend from Wisconsin, I do not know whether it was to escape the weakness of his position or not, said:

We have made up this estimate outside of the testimony of Quintard and Weed.

He says that he has done so outside of that evidence and solely upon the records of the Navy Department. I challenge the gentleman to show by anything from the Navy Department that this Government ever held those works one hour or one day longer than it ought to have done.

Why, Mr. Chairman, the only evidence in support of this claim are the affidavits of Quintard and Weed, two men who swore identically in the same language that in their opinion the *Chicago*, upon which $600,000 had been paid out and upon which $200,000 was to be spent, could be completed in a certain number of months. They say in regard to the *Boston* and *Atlanta* practically the very same thing. Thousands of dollars had been spent upon these vessels and many thousands had yet to be spent, and yet these two gentlemen say simply they were familiar with the works, familiar with the ships, and in their judgment the Government ought to finish them in a certain number of months. That is all they say.

Mr. KELLEY. Did the Government take possession and complete these vessels under the terms of the contract made with Roach?

Mr. RIXEY. It did.

Mr. KELLEY. And they ask the Government $330,000 because the Government did that?

Mr. RIXEY. They ask $330,000 because the Government took a little longer than they say it ought to have done, and this is a question of damages, and damages alone. I say wherever a claim of this kind is founded in damages it ought to go to a court for the damages to be ascertained.

I have but one word more to say. Since the bill was reported to the House I have been shown the following copy of a letter by the chairman of the committee, which purports to be signed by Philip Hichborn, Chief Constructor of the Navy, and I will read the fourth clause of it:

There is little doubt that the contractors could, if the contracts had not been declared forfeited, have completed these vessels in less time.

I agree with him. Perhaps John Roach could have completed these vessels in less time; but I do not concede, therefore, that the Government is responsible for this, and if it is, then there ought to be some evidence in some way to decide the amount for which they would be responsible.

Again, he says:

The reorganization in itself consumed much time and the methods of procedure necessitated by the Government doing business with a plant of a private firm, and even the very caution exercised to keep the expenses at a minimum under these somewhat novel circumstances, involved delay in the construction of the vessels.

I have no doubt it did involve delay. Who was responsible? John Roach was unable to complete the vessels, and the Government, in the interest of John Roach, undertook to go on and complete these vessels, and has paid to him every dollar it agreed to pay.

Mr. LOVE. If the Government, then, had not completed the vessels, it would have been an entire loss to Roach.

Mr. RIXEY. It would have had a right to call upon John Roach's securities for every dollar which it had paid, because the vessels were not completed. What the Government did was in the interest of Roach. The record shows that in regard to these three vessels the Government has treated him in as fair a manner as any creditor could demand. I do not consider it deprived him of a dollar, and there is nothing in the record to show that there was any confiscation, penalty, or seizure enforced by the Government against John Roach, as claimed on a former occasion.

Roach made the contract to complete these vessels, and he was unable to complete them. The Government took his yards and completed them and paid him every dollar, and I do insist that instead of claiming damages from Congress he ought to go to court and establish his claim. [Applause.]

Mr. BRUMM. How much time, Mr. Chairman, is there left on the other side?

The CHAIRMAN. Three minutes.

Mr. ROBB. I reserve the balance of our time.

Mr. BRUMM. I surrender two minutes to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, if the gentleman from Virginia [Mr. RIXEY] will give me his attention for one minute, I would like to call his attention to a statement made in his argument. I can readily understand how an acquiescence in the settlement of a disputed matter may act as an estoppel or commit the parties to it, and thereafter the point in controversy is at an end; and the point which the gentleman endeavors to make against this claim might be a legitimate one were it not for the fact that the gentleman is wrong in his statement of the fact. John Roach had died before the last boat was delivered. He died four months after the second boat was delivered, and therefore John Roach could not have been present acquiescing in a settlement made between the assignees and the Government.

That there was an intention upon the part of his assignees of claiming damages at the time is proven by the fact that in the release given by the assignees to the Government will be found this provision:

Nothing in this release contained shall be construed to prejudice the rights of said assignees, or of the estate of the party of the first part, to apply for and receive such sum or sums of money as Congress or the Court of Claims or other proper tribunal may award or authorize to be paid on account of such claim.

Therefore it is wrong to say that John Roach made no claim or to argue that this claim should be defeated because he made no claim. Mr. Roach lived four months after the second boat was delivered. He was dead six months before the last vessel was delivered, and therefore when the settlement came Mr. Roach could not speak because he was not living.

Mr. RIXEY. I did not refer to it as an estoppel at all.

Mr. BUTLER. I did not say that you did. You referred to it as showing that this claim was a fraudulent one because John Roach himself never made it; and I say that John Roach was dead at the time and could not make it.

Mr. KELLEY. His heirs did not make the claim at that time.

Mr. BUTLER. I have just read the provision in the release which shows that they had made it.

Mr. BRUMM. Mr. Chairman, I yield ten minutes to the gentlemon from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, we are approaching the end of a chapter in the history of the American Navy and of the American Government, which is the most disgraceful of all the chapters that have ever been written. I do not propose to follow the argument that has been made to show that under the terms of this contract, by the fair and just interpretation of it, the Government of the United States had the right to take possession of the shipyards of John Roach and proceed to complete the vessels that had been covered by his contract.

Nor do I as a lawyer undertake to argue that John Roach did not make his contract with his eyes wide open to the fact that the Government had the right to change the plans of the construction of the vessels under the contract, but I do stand upon the broad and unassailable ground that the Government, having seized his property under the terms of that contract, and for the purpose of my argument admitting that they had the right to have themselves delayed his work and thus brought about the apparent breach of his contract, yet I maintain and I defy successful contradiction of the fact that the Government was bound by the rules of law that it must be diligent in the discharge of its duty under its contract.

Roach had been put to a forfeiture because of his failure in the rapid execution of his work. The Government takes his property, and, if I have understood the arguments on the other side, they say that the Government thereupon had the right to change the specifications, making delay in the execution of the work, and then comes with this unheard of and, to my mind, utterly untenable argument that the Government could not work their men but eight hours a day, while Roach could work his ten hours a day. Let us see how these parties stood at the moment of seizure of the shipyards by the Government.

What were their mutual rights under the contract? Roach had stipulated to conform to any changes made by the Navy Department, but Roach had not stipulated that thereafter the Government could make changes which would deprive him of his property. Bear in mind now, gentlemen, this is a question of the value of the use of John Roach's property taken out of his hands under the provisions of his contract. I might stop here and say that no more infamous persecution of any American citizen was ever made than the torture of John Roach to bring about the seizure of his property.

I think I know precisely why it was done. I think I know precisely the ultimate and infamous purpose that lay behind it. I think I know that the good of this Government and the perfection of the construction of this naval vessel had nothing to do with it. It is not pretended that the changes made by the Government bettered or improved the structure, and we find, gentlemen, when we come to examine this great question at this point, that the opinions that then prevailed were utterly erroneous and unjust. A naval board examined and tested the *Dolphin*. I have their report before me. It was in every respect a complete indorsement. And yet the Navy Department saw fit to overrule the action of that board.

Mr. KELLEY. I should like to ask the gentleman a question.

Mr. GROSVENOR. I think I had better go on.

Mr. LOVE. My information is that Mr. Roach had made an assignment before the Government ever took control of the yards to complete the ships. Is that true or not?

Mr. GROSVENOR. Does the gentleman's question refer to the *Dolphin*?

Mr. LOVE. The *Dolphin*, I understand, is not included in this bill. I want to know if the Government was not forced to take charge of these shipyards after Roach's assignment in order to save what had already been expended?

Mr. GROSVENOR. I am talking about the *Dolphin*. Why break up my speech in this way to take up another subject?

Mr. LOVE. I am trying to get information, and hoped the gentleman would give it.

Mr. GROSVENOR. The gentleman will have to get it as I have tried to get it.

I was trying to illustrate the course of the Navy Department in making changes in the ships included in this bill by referring to the erroneous decision of the Secretary of the Navy in the matter of the *Dolphin*. I think my remarks on this point are absolutely pertinent.

Mr. ROBB. Does not the gentleman know that the opinion to which the gentleman has referred involves only about $62,000, whereas Roach's contract amounted to nearly $3,000,000?

Mr. GROSVENOR. I can not wait for the gentleman to finish his speech. He has occupied nearly all the time of two days; and I have learned nothing from his speech up to this time—nothing whatever.

My point is this, and I will not be driven away from it: I was pointing out that the opinion of the Secretary of the Navy of that day is not only worthless in the estimation of the American people, but, so far at least as one of his opinions was concerned, it is a blot and disgrace to humanity. He said the *Dolphin* was "structurally weak." That is like the complaint of a soldier who complains of "a lame back." I lived to see—and so did the gentleman from Missouri if he was there—I lived to see the *Dolphin* after she had traversed this globe, had made a voyage of 58,000 miles. I saw her the pride and glory of every American who witnessed the great naval parade in New York Harbor—the most beautiful, the most perfect of all the ships of the world of the class to which she belonged. And to-day she is the pride of her class in the American Navy, and has no peer in the navies of the world.

Mr. ROBB. Will the gentleman yield for a question? Does he not know——

Mr. GROSVENOR. I do not want the gentleman to repeat his long-drawn-out speech. I trust he will be kind enough to let me go on.

Mr. ROBB. I want to ask this question——

The CHAIRMAN. The gentleman from Ohio declines to yield.

Mr. GROSVENOR. If I do not know the fact to which the gentleman desires to bring my attention, I can not learn it now. I am pointing out the fact that the opinion of the Secretary of the Navy was a bald persecution and outrage or was born of stupendous ignorance. Therefore I give no weight to the decision of the Secretary of the Navy that there ought to have been changes in Mr. Roach's contract, or that the seizure made afterwards in accordance with the judgment of the Secretary of the Navy was justified. I believe, Mr. Chairman, that the verdict of the American people is that John Roach, for some purpose which I do not understand, was hounded and persecuted and destroyed, and that the means by which this was brought about was this decision of the Attorney-General and the action of the Navy Department.

Now, what was the duty of the United States Government when it had seized that property? Every lawyer will say, and every man who is not a lawyer, that the Government ought to have gone forward with rapidity. And now comes what to my mind is the real gist of this contest.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSVENOR. I hope I may have five minutes more.

Mr. BRUMM. I yield the gentleman five minutes more.

Mr. KELLEY. Now will the gentleman allow me to ask——

Mr. GROSVENOR. No; I can not yield. The gentleman will please excuse me. I would be very glad to accommodate him, but I can not finish my line of argument if I yield to these interruptions. The argument, whatever it is worth, will take about five minutes to reach its conclusion. Therefore I can not consent to be turned aside.

Now, when the Government had taken possession of that vast property, what was its duty? Was it to go into a reorganization of those ships? Was it to make new plans without the privity of John Roach? Was it to disarrange the plans that the Navy Department had itself furnished, and in that way hold possession of this vast property and ruin the greatest enterprise in shipbuilding that up to that time the American nation had ever known? That is this case precisely.

If gentlemen say that the delay of the work after the Government took charge was by reason of the eight-hour law, I deny that that is an answer to this just claim. If the Government of the United States saw fit to put in force the limitation upon the hours of labor, the Government could not stand and hold this splendid property and apply its ideas of the hours of labor to it, and then charge it up against John Roach. If the Government had the right to change the plans of these ships under the bungling operations of the condition that we had at that date—if it had the right to do that, it did it at its own peril to compensate John Roach for what he lost by the enterprise. There is the whole of this question.

I am not going to discuss the amount of the claim. The amount put down here is in accordance with the findings of those who are better competent than this House is to ascertain the true value of the delay and the occupation. Here was a yard fully equipped to build three great ships for the Government of the United States. That yard was taken practically out of the possession of Mr. Roach. He could not make a further contract and the assignees could not finish the business on hand. He was absolutely destroyed, as far as his business was concerned, because the Government had a contract with him that by their interference he was unable to complete.

And when he comes to Congress, or his representatives come to Congress, for compensation in the amount of reasonable damages, the Government says, in the first place, that without your knowledge or consent we compelled your compliance with the eight-hour rule. We enforced conditions to which you were not a party, and therefore you shall have no right to say that we are compelled to make compensation for that, nor shall you have the right to say, when we change the plans for the vessels, that it was done at our own expense and at our own cost. In other words, you shall have no voice in the premises whatever.

I yield back the remainder of the time allotted to me.

Mr. BRUMM. May I ask, Mr. Chairman, how much time is remaining of that yielded to the gentleman from Ohio?

The CHAIRMAN. One minute remains.

Mr. BRUMM. I yield ten minutes to the gentleman from New York [Mr. CUMMINGS].

Mr. CUMMINGS. Mr. Chairman, seventeen years of my life were spent in continuous newspaper work. In that seventeen years of newspaper experience the Roach contract and the decisions of the Executive Department of the Government with reference to the contract were familiar subjects in the press throughout the United States.

It was charged that Mr. Roach had been favored by the Government at the expense of other shipbuilding yards. The *Dolphin* had not been accepted by the Navy Department, John Roach had been forced to make an assignment, and had been ruined, and died broken-hearted after the seizure of his property by the Government. At that time, as a newspaper reporter, I interviewed Mr. Roach, Secretary Whitney, and others whose names were mentioned in connection with the matter. The press reeked with abuse of John Roach. I stated then, and I may state now without fear of contradiction, that the grossest injustice was done to Mr. Roach, who was at that time the best shipbuilder the country had ever produced.

John Roach was a poor Irish boy. He came to this country without a cent. He had no schooling whatever. He could read and write, and that was all. He gleaned an education in everyday life. He never went to school. He was employed in a shipyard as a laborer. He became a calker, and from that humble beginning gradually became the foremost shipbuilder in the United States.

I read from a printed interview that I had with John Roach. The following words fell from his lips:

> To sum up this personal matter, I have for some fifty years been in business in New York. I have constructed over a hundred ships. These have all been built for merchants of this country, and most of whom are living. I challenge any man to go to these customers of mine and find one of them who will say that he is dissatisfied with the work I have done for him, or that he had just cause to complain. I have never yet, in all my fifty years of business, had a lawsuit with any man. If the work I had done for the Government had been done for private persons, there would have been no more cause to complain. Why do not these slanderers go to my customers and make out a case against me?
>
> Yet I have been held up in a part of the press as a man having questionable transactions with the Government through favoritism and fat contracts and so on. I put the business reputation built up during half a century

against these malicious libelers, and I call upon them to bring the first proof of their reckless assertions. Everything that I have done for the Government has been as fair and just as with the citizens.

Now, he took these contracts at a lower rate than was bid by any other contractor. In this interview with me he said that the Government had acknowledged that all of the ships he had ever built for them were much cheaper and better than any ships that had been previously constructed or than the ships ordered under the Whitney administration.

To my mind the greatest evidence that this claim is just is the action and opinion of the Secretary of the Navy who made the contract with John Roach. That gentleman is WILLIAM E. CHANDLER, once Secretary of the Navy, now a United States Senator. He not only voted for this bill in the Senate, but has written letters appealing in behalf of the justice of the claims of the heirs of this honest old Irishman. And another evidence, to my mind, that the claim is just is that it has been adjudicated by another Secretary of the Navy, Benjamin F. Tracy, who has reported in its favor.

Mr. Tracy settled the claim as far as it was possible for him to settle it under the law, and then referred what he did not have the legal power to settle to the Congress of the United States, with the recommendation that it be allowed. So that you have, Mr. Chairman, not only the opinion of the Secretary of the Navy who made the contract in justification of the claim, but you have the facts on which the claim itself is based. You not only have the opinion of the Secretary who drew up the contract with Mr. Roach, but you have also the opinion of the Secretary who closed the account concurring in the report that the claim is just, and all agreeing that the grossest injustice has been done to Mr. Roach.

I know that through the failure of payments that should have been made to him for these ships his vast establishment was practically swept into bankruptcy. I know that the Government seized not only the shipyard at Chester, but the Morgan Iron Works in New York. Those iron works, Mr. Chairman, were in the district which I once had the honor to represent on this floor. They employed from 1,500 to 1,700 men.

If the Navy Department had not seized them, Mr. Roach might have borrowed money upon contracts with private parties, already made, and could have continued his work and have extricated himself from bankruptcy.

Mr. BARTLETT. Will the gentleman allow me to ask him a question?

Mr. CUMMINGS. I have only ten minutes, but if the gentleman will hurry up, I will yield to him.

Mr. BARTLETT. Is it not a fact that the Government did not seize these works until six months after Roach had stopped work on these ships?

Mr. CUMMINGS. He stopped work because he was forced into bankruptcy by the action of the Government.

Mr. BARTLETT. I ask if it was not six months after he stopped work?

Mr. CUMMINGS. He stopped work because the Navy Department did not pay him the money due on one of the ships after it had been passed by a board of naval officers.

Mr. BUTLER. That is true.

Mr. ROBB. Will the gentleman allow me to ask him a question?

Mr. CUMMINGS. I dislike very much to decline to yield, but I have only a few minutes in which to say what I want to say. I know that as a newspaper correspondent I got closer to the bottom of this matter, I believe, than the naval board itself.

Mr. BARTLETT. Here is the record of the whole matter.

Mr. ROBB. I should like to ask the gentleman if he does not know that before the failure of Roach, before the assignment, upon his application the 10 per cent reservation was paid to him by the Government, in order that it might assist him?

Mr. CUMMINGS. I know nothing about that.

Mr. BRUMM. It was due him, and he should have had it.

Mr. CUMMINGS. I know nothing about it, except that the *Dolphin* was accepted by one board and tabooed by another. The first board I believed to be a legal board, and the second board I believed to be an illegal board. I will tell further what I know. I know that politics was at the bottom of Mr. Roach's misfortunes, and that my own party at the time was engaged in the denunciations. That is what I know. [Applause.] I dislike to say so, but it is true. There never was a man in the world treated more unjustly than this honest old Irishman. He fell into the hands of political sharks and had his business ruined thereby. He was hounded to his death for partisan purposes.

Mr. McMILLIN. Mr. Chairman, I was an humble participant in some matters here connected with these appropriations at that time, and I should like my distinguished friend from New York, if any injustice has been done Mr. Roach on this floor, or any cunning and connivance against him, to make it known.

Mr. CUMMINGS. I do believe that injustice was done him.

Mr. McMILLIN. I am ready to face my part of it.

Mr. BARTLETT. Point it out.

Mr. McMILLIN. I should like to have it pointed out rather than have it hinted at.

Mr. DOCKERY. Let us have it. Let us have the facts.

Mr. ROBB. I should like to ask the gentleman from New York——

Mr. CUMMINGS. I did not say the injustice was done on the floor of the House.

Mr. McMILLIN. I do not know where it was, but inasmuch as the appropriations are made here and here only, I thought it was just that I should make this humble protest.

Mr. CUMMINGS. Oh, no; it all grew out of the newspaper reports on the Robeson business. Honest John Roach was the sufferer, because he happened at one time to build a few ships when Mr. Robeson was Secretary of the Navy. He fell under the odium attached to Robeson, and owing to that cause, and that cause alone, in my opinion, he failed, and was unable to carry on his work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBB. Was there any politics in it when the contract was made?

Mr. BRUMM. Does the gentleman wish any more time in which to answer that question?

Mr. CUMMINGS. I should like a little more time.

Mr. BRUMM. I give the gentleman two minutes more.

Mr. CUMMINGS. I will answer the gentleman's question.

Mr. ROBB. I should like to know if there was any politics in it when the contract was made.

Mr. CUMMINGS. When what contract was made?

Mr. ROBB. Between Secretary Chandler and John Roach for the building of these ships.

Mr. CUMMINGS. There was no politics in it.

Mr. ROBB. Now, I should like to ask the gentleman——

Mr. CUMMINGS. Let me answer the gentleman's question. That the contract was square and fair and that the contractor did his work squarely and fairly is shown by the fact that the very Secretary of the Navy who made the contract has advocated the passage of this bill and voted for it in the United States Senate.

Mr. ROBB. I want to ask the gentleman another question. I want to ask if Secretary Whitney did not allow John Roach six months more time than was allowed under the contract in which to build these ships, and if Secretary Whitney did not decline to take possession of the yards until he was notified by Roach's attorney, by Roach's assignees, and by the naval board that Roach had assigned and that work had been discontinued?

Mr. CUMMINGS. I say that was the mark of an honest man. He did assign, and was forced to assign by the action of the Navy Department toward him on the conclusion of one of the contracts.

Mr. ROBB. I should like the gentleman to answer the question which I asked.

Mr. CUMMINGS. I did answer it.

Mr. ROBB. Did the Government take charge until six months after the expiration of the time within which the ships were to be completed?

Mr. CUMMINGS. The Government took charge upon the assignment of Mr. Roach. Now, furthermore, the evidence here, which I can point out in the report if you want it, shows that the Government held these works months longer than it was necessary to hold them.

Mr. BRUMM. The assignment was made seven days after the Attorney-General had given his opinion.

Mr. CUMMINGS. And the assignment was made seven days after.

The CHAIRMAN. The time of the gentleman has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STEELE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 4332. An act to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 3, 1896.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That there be printed 20,000 copies of the message of the President of the United States, dated March 28, 1898, together with the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine* in Havana Harbor, February 15, 1898, and the testimony taken before the court, 13,500 copies for the use of the House of Representatives and 6,500 for the use of the Senate.

HEIRS OF JOHN ROACH.

The committee resumed its session.

Mr. BRUMM. Mr. Chairman, the gentleman from Missouri has three minutes more, and as I intend to close the debate, I ask him to consume his time now.

Mr. ROBB. I yield three minutes to the gentleman from Georgia [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, I know nothing about any persons connected with this claim or interested in it; but I do know that it is an unusual thing, and it ought to be an unusual thing, to ask this House to appropriate over $330,000 to pay a claim when the report from the committee bringing this bill before the House states (as the report on this bill does) "That no action has been had upon this claim, or any part thereof, by the courts or by any of the Departments of the United States Government."

The United States Government has never been asked to appear in court and defend this claim; it never has been permitted to appear in a committee room and ask to present its side of why it has not paid this amount, nor has any inquiry been made of the Departments as to the justice of this demand; and the record of this case as made by the officers of the Government, which I hold in my hand, in a Senate document published in the first session of the Forty-ninth Congress (Executive Document No. 153), will show that the Government does not owe a dollar of this money; that the Government dealt fairly and honestly with Mr. Roach, and not until six months after he had abandoned the work on the ships did the Government take advantage of the eleventh section of the various contracts, as they had the right to do and as Roach agreed it should do. These clauses permitted the Government to take charge of the yards and ships and carry on the work to completion.

The Government, Mr. Chairman and gentlemen, carried on the work and completed it in less time than Mr. Roach had taken to complete one-half of these ships. Moreover, there are in the records receipts in full for all the money that the Government owed on these contracts. An effort is made here to make the Government pay the enormous sum of $331,151 because, as insisted by the gentleman who opened this case [Mr. MINOR], the Attorney-General had given his opinion as to the validity of the contract with reference to the building of the *Dolphin*, a proposition unheard of and unparalleled in any decent court of law.

I think, sir, before we vote this money away from the coffers of the people we ought to put this claim before a court and allow it to determine these contentions involved. They present intricate questions of law, disputed questions of facts, and the court should determine whether the Government of the United States is liable before we lay the heavy hand and burden of taxation of over $300,000 upon the people of this country to pay this claim, a claim which a committee of this House has reported against the Government, and have only heard the testimony and evidence of those interested, the ex parte statements of the claimants themselves. I say, Mr. Chairman, this claim, as made by the record and by the very report of this committee, is not entitled to be paid at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUMM. Mr. Chairman, I am very sorry that our friends are not better posted in reference to this claim. My friend who has just taken his seat has said that it has not had a hearing in court. I want to say that as chairman of the committee I have been in communication with the Department and have a letter from the architect of the Navy, in which he gives his opinion upon this very matter, and says that the charges that are made are very reasonable. The letter reads as follows, to wit:

DEPARTMENT OF THE NAVY,
BUREAU OF CONSTRUCTION AND REPAIR,
Washington, D. C., March 19, 1888.

SIR: 1. Replying to your verbal inquiry as to the claims of the heirs of John Roach, deceased, for certain sums for withholding and detention of the plant at Morgan Iron Works, New York, during unnecessary delay in completing the cruiser *Atlanta* and for the withholding and detention of the shipyard plant at the Delaware River Iron Ship Building and Engine Works, Chester, Pa., during similar delay on the *Boston* and *Chicago*, which sums were considered in Senate Report No. 86, Fifty-fifth Congress, first session, and favorably reported on, I have to state that I have given careful consideration to the subject and have to state as follows:

2. The claimants assert that "in the ten years from 1873 to 1882, both inclusive, the total tonnage built by John Roach & Son aggregated about 148,000 tons, the average being 14,800 per year; the largest product in any one year, 22,190 tons."

3. The amount of this business and the capacity of the plant can more readily be understood, perhaps, if it is explained that this would represent work amounting in value to $243,337 per month on a basis of the contracts for the *Chicago*, *Boston*, *Atlanta*, and *Dolphin*, the contract prices for which vessels were at the time considered low, the aggregate tonnage of the vessels named being 12,363. The loss of the use of a plant doing an annual business of about $3,000,000 is necessarily a matter of serious damage to the owner, and every day's delay in the completion of the *Chicago*, *Atlanta*, and *Boston* would deprive the shipbuilder of the right to use the plant for his own personal profit, and thereby cause him considerable loss.

4. There is little doubt that the contractors could, if the contracts had not been declared forfeited, have completed these vessels in less time. The reorganization in itself consumed much time and the methods of procedure necessitated by the Government doing business with the plant of a private firm and even the very caution exercised to keep the expenses at a minimum, under these somewhat novel circumstances, involved delay in the construction of the vessel.

5. In view of these facts, and in consideration of the large sums invested in the plants at the Morgan Iron Works and Chester, Pa., and their money-earning value to the contractor, I am of opinion that the sums allowed for damages for the withholding and detention of these ship-yard plants are no more than fair compensation for their use by the Government for the prolonged time the *Chicago*, *Boston*, and *Atlanta* were under construction at said yards.

Very respectfully,
PHILIP HICHBORN,
Chief Constructor, United States Navy, Chief of Bureau.

Hon. C. N. BRUMM,
House of Representatives, Washington, D. C.

The question was asked my colleague [Mr. MINOR] as to when the forfeiture of the contract became operative. I ought first to say that the assignment was made by John Roach seven days after the Attorney-General had rendered his opinion on the *Dolphin*, wherein he stated that the *Dolphin* was structurally weak, that she failed in speed, and that John Roach would have to refund the money that was paid to him on the contract for building the *Dolphin;* that upon the opinion rendered by the Attorney-General the credit of John Roach was destroyed, and he then made an assignment.

Executive Document 153, page 144, shows that on the 6th of August, 1885, the Secretary of the Navy declared each one of the contracts forfeited under clauses 11, 12, and 13 of the contract, and the rights of the United States were then operative, and yet in the face of that fact the United States did not make it operative until the following November, and for all of that time John Roach has not charged one cent for the occupancy of these yards, nor is it included in this bill.

Mr. ROBB. I would like to ask the gentleman a question.

Mr. BRUMM. Certainly.

Mr. ROBB. I want to know, if between August 6 and November 9 the Government was not in charge, and if the laborers were not employed there, why the heirs of Roach charged for the labor during that time?

Mr. BRUMM. They have not charged during that time. That shows that the gentleman does not know what he is talking about. It took that time for the Government to take an inventory, and my colleague [Mr. MINOR] showed that it was not necessary to delay these works for four or five months while the Government was taking an inventory. The fact is, it was a part of the original conspiracy to hold John Roach by the throat during that time.

Another error the opponents make is in stating that the Department had relegated John Roach in the settlement of this dispute to the Court of Claims. I read here the exact words from the release:

Nothing in this release contained shall be construed to prejudice the rights of said assignees or of the estate of the party of the first part to apply for and receive such sums of money as Congress, the Court of Claims, or other proper tribunal may award or authorize to be paid on account of such claim.

I only cite this as another example of the errors my friends make in discussing this question.

Now, my colleague, Mr. ROBB, says that there is no evidence that the Government caused delay except that of the assignees. Why, let me read you the official record, which is mathematical testimony and not the testimony or opinions of men. The official record of the board of appraisers appointed by the Secretary of the Navy (Executive Document 153, pages 204 and 205) shows that but 7 per cent still remained to be finished on the *Atlanta*.

That was when the Government took charge of the yard; only 7 per cent of the work remained to be finished on the *Atlanta*. On the *Boston* only 8 per cent of the work remained to be finished when you robbed the yard from honest John Roach; on the *Chicago* only 22 per cent remained to be finished, and yet gentlemen tell us that the Government did not occupy any more time than John Roach would have occupied in completing this 7, 8, and 22 per cent, notwithstanding the fact that the Government held the yards longer to finish this small percentage of the uncompleted work than the time in which Roach had agreed to build the three ships.

But, again, they say there is no evidence as to the amount of damages except that of Quintard and Weed. I am sorry that my colleague from Virginia [Mr. RIXEY], for whom I have the utmost respect, left me under the impression that the only objection he had to the bill was because there was no evidence here from the Department. I immediately placed myself in correspondence with the Department and received the letter which is already before the House.

Mr. RIXEY. I desire to interrupt the gentleman a moment.

Mr. BRUMM. Certainly.

Mr. RIXEY. What I said was that there was no evidence to sustain the claim, and I say now that there is no evidence to sustain the claim, in my opinion. I referred to the letter you showed me since the bill was reported to the House, and I say that in my judgment that letter does not sustain the claim.

Mr. BRUMM. I object to the gentleman making a speech in my time. The letter speaks for itself. Another proposition they make, and this goes to the whole matter, is that the Government was not responsible for John Roach's delay. I say if that is true I will agree to withdraw this bill. The merits of this bill rest upon the fact that the Government, and the Government alone,

was responsible for the delay in building these ships. Let us see. John Roach had a contract to finish the *Dolphin* for a certain sum of money; the Secretary of the Navy—I believe under bad advice, probably from some inferior; I do not care to reflect upon a gentleman in so high a position—the Secretary of the Navy referred the question to the Attorney-General as to whether the contract was void under the report of the extra committee appointed by him without warrant of law, without warrant of contract, and if, in direct opposition to the very letter of the law and the contract, he appointed that board then it had no power and no jurisdiction. I mean the second board.

Mr. Chairman, the law and the contract said that there should be a naval advisory board that should decide what should be done and have supervision over the building of the *Dolphin*, by and with the advice and under the direction of the Secretary of the Navy. But the trial trip was to be made under the sole supervision of the Naval Advisory Board, and upon their favorable report was to be accepted by the Government. Yet, in violation of this plain provision, he created another board, and then even refused to be bound by the report of either board. This advisory board reported the *Dolphin* a perfect ship. This advisory board had control of the construction. And yet, for some reason that I have my own idea about, but which it is not necessary to introduce into the argument in this case, a second board, known as the Belknap board, was appointed, and this board——

Mr. ROBB. May I ask the gentleman a question?

Mr. BRUMM. I have not time now. This Belknap board reported first that the ship was "structurally weak," that she had failed to make her 15 knots an hour. The proof was overwhelming that both these findings were errors, to call them by the mildest term. The manner of the test——

Mr. ROBB. Will the gentleman——

Mr. BRUMM. I have not time now. The manner of the test was shown in the Daily Graphic, which came out in New York City, showing under what circumstances the *Dolphin* was tested. We have the account here, wherein it is shown that they tested the *Dolphin* in the wildest kind of a storm. Secretary Whitney had said—and I quote from the report—that all he asked in a stiff sea was 12 knots an hour; and the report of his pet Belknap board itself showed that she had made over 13 knots an hour. Then the Secretary, not satisfied with that report, threw it aside, saying, "That report amounts to nothing, because you made the test without my orders or knowledge, as they were given in my absence, under a mistake."

That is the record, gentlemen, of the conduct of the Secretary of the Navy. What was the manner of testing the *Vesuvius*? The test was made in the placid waters of some inland lake or bay. That is the difference of the tests of these two vessels.

The Navy Department found the testimony was so overwhelmingly against them that they had to do something to patch it up. They accepted the *Dolphin* by putting a penalty upon John Roach. Then the *Dolphin* made its trip around the world; and it has a record that stands unequaled by any ship that was ever built—a record showing that this vessel exceeded every expectation, that she made her voyage of thousands of miles with but two hours' delay, and those for small repairs.

Mr. ROBB. Does not the gentleman know——

Mr. BRUMM (continuing). After that the Government took the *Dolphin*, and yet refused to pay John Roach the balance due on that ship, for which, however, we have another bill.

Now, then, wherein is the equity of our claim? The position the committee takes on this matter is this: First, this bill has passed the Senate, not Republican, twice, and, so far as I know, without a single dissenting voice. This bill passed this House committee at the last session without a dissenting voice. This bill is in the House now without a minority report. There was no objection at the time. It was an afterthought. There is the trouble. Some power hidden, that I know not of and care not to investigate——

Mr. ROBB. Mr. Chairman——

Mr. BRUMM (continuing). Now, then, Mr. Chairman, this bill rests upon the fact——

Mr. ROBB. Mr. Chairman——

Mr. BRUMM. I refuse to be interrupted now. I have not the time, or I would yield.

Mr. ROBB. I rise to a question of personal privilege.

The CHAIRMAN (Mr. PAYNE). The gentleman from Missouri [Mr. ROBB] can not interrupt the gentleman from Pennsylvania with a question of personal privilege.

Mr. BRUMM. Now, Mr. Chairman——

Mr. BRUCKER. I rise to a parliamentary inquiry. How much time remains?

Mr. BRUMM. I do not want this to come out of my time. I refuse to be interrupted.

The CHAIRMAN. The committee will please be in order. The gentleman from Pennsylvania [Mr. BRUMM] is entitled to the floor to conclude his remarks. He has seven minutes remaining.

Mr. RIXEY. I would like to ask——

Mr. BRUMM. I put this claim upon the fact, first, that under the course of the Administration you violated the law, you violated the contract which you entered into with John Roach.

Mr. RIXEY. Will the gentleman permit me——

Mr. BRUMM. Within a month after the President's inauguration the Belknap board was appointed by Mr. Whitney——

The CHAIRMAN. The gentleman from Pennsylvania declines to yield.

Mr. BRUMM. Having done that, you injured his credit and you drove him into bankruptcy. In seven days after that infamous letter of Attorney-General Garland was printed John Roach was a bankrupt. Lying helpless, he said, "Come take my yards." Even then he hoped the Government would take them and do its whole duty. In other words, you knocked John Roach down, and now you want to kick him for falling.

First, you threw him into bankruptcy, and now you want to hold him responsible for not finishing a contract that you violated. When I say "you," I mean the Government, of course. You first throw him into bankruptcy and make it impossible for him to go on any further with the work. And when he has made an assignment, you take possession of the yard, justifying yourself by saying, "John Roach stopped the work himself, and, therefore, we are not liable for any damages." Ah, sir, he destroys my house who takes away the props that support it. And when you took away the props that supported John Roach, and then robbed him, you committed a crime, and you ought to be willing now to pay the penalty.

As to the amount embodied in the bill, no one has successfully challenged its accuracy. We have the official report to show that it is a just and proper amount for the work done.

Mr. Chairman, as to the affairs of John Roach, no one has dared to challenge the statement which has been rendered by his heirs, and they simply ask that fair play be accorded to them under the pending bill. I contend that it would be a double crime on the part of this Government first to put a man in a position where he is absolutely helpless to control his own affairs, and then attempt to hold him responsible for the damage growing out of the failure to comply with the contract, which he was utterly unable to comply with because of the acts of the Government. That is the entire case.

Mr. ROBB. Mr. Chairman, I desire to rise to a question of personal privilege.

Mr. BRUMM. I hope the gentleman will wait until I get through.

Mr. ROBB. I thought the gentleman had concluded.

Mr. GAINES. I would like to ask the gentleman a question.

Mr. BRUMM. I have not yet yielded the floor.

Mr. SHAFROTH. Let me ask the gentleman a question for information.

Mr. BRUMM. Certainly.

Mr. SHAFROTH. Can the gentleman give us the information as to what the assets and liabilities of John Roach were at the time of his assignment?

Mr. BRUMM. I can not do so exactly in figures; but I will say to the gentleman and to the committee that the plant of Mr. Roach was well worth at least $2,000,000. That fact will not be disputed. I will say further that when the Government took him by the throat, as it were, they not only compelled him, with his fixed expenditures, to keep that plant going for an indefinite length of time—over a year—and to furnish coal, pay insurance, to occupy and keep going the two yards of the plant for the construction of these three ships—they took absolute and entire control of both yards, which were capable of docking ten ships at a time; for, as I have said, the Government took absolute control of all he had—but also forced him to comply with the conditions of a contract which the Government itself had changed, and would not allow him to take a job from anyone else.

Now, the Navy Department, through its officials, after a thorough investigation of this matter, has stated that the amount is reasonable, and I hope the committee will agree in that conclusion. This, I will state, also has the approval of Chief Constructor Hichborn of the Navy.

Mr. GAINES. Will the gentleman now permit me to interrupt?

Mr. BRUMM. Certainly.

Mr. GAINES. I would like to ask the gentleman this question with reference to the amount of the claim: Has it been disputed by anybody that under the contract the Government had the right to take charge of these works?

Mr. WILLIAMS of Mississippi. They had the right under the contract to take charge.

Mr. BRUMM. Certainly; under the contract they had the right. But the point I make is that they had no right to take

advantage of contracts when they themselves had not complied with the provisions.

Mr. ROBB. I would like to ask the gentleman if he does not know that the Government made every concession to Mr. Roach that he claimed? Does he not know it to be a fact that this contract provided for ten installments of payment, with 10 per cent interest on each, and if, on the application of Mr. Roach, the Government did not concede to him 10 per cent for the purpose of saving him from failing?

Mr. BRUMM. I am satisfied the Government carried out the contract up to the time of the letter of the Attorney-General, at least to an extent not to be complained of, except as to the changes made by the Government in these vessels. Gentlemen will remember that this was an experimental age in the way of iron and metal construction of vessels, and the Government made changes from time to time for which due allowance should have been made.

It is true that they paid Mr. Roach what he could have claimed, possibly, for the changes, but that is not the question here. The trouble came in the matter of the Attorney-General demanding that he should not be paid for the *Dolphin*, but on the contrary should restore to the Government almost the entire amount theretofore paid for it. That was the straw that broke the camel's back.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBB. I rise, Mr. Chairman, to a question of privilege.

The CHAIRMAN. As to a matter occurring in committee?

Mr. ROBB. Yes. I refer to a statement growing out of the argument of the chairman of the Committee on Claims, the gentleman from Pennsylvania [Mr. BRUMM].

Mr. Chairman, I have always understood that it was not proper for a member of a committee to refer on the floor of the House to what took place in committee. The gentleman from Pennsylvania has referred in detail to what took place in reference to this bill in the committee. Now, in view of that fact——

The CHAIRMAN. This, the Chair thinks, does not present a question of privilege.

Mr. BRUMM. I want time to answer that; and shall proceed to do so at a later period.

Mr. ROBB. I simply want to explain the condition of affairs, in view of the statement of the chairman of the committee.

The CHAIRMAN. The Chair does not think it presents a matter of privilege.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. BRUMM], which will be read.

The amendment was again read.

Mr. RIXEY. Mr. Chairman, I rise to a question of personal privilege.

The CHAIRMAN. The gentleman will state it.

Mr. RIXEY. In the remarks by the gentleman from Pennsylvania [Mr. BRUMM], he said:

> It was an afterthought; there is the trouble—some power hidden, that I know not of and care not to investigate.

So far as the remarks of the gentleman refer to me, I want to state that that is false.

Mr. DALZELL. That is not a question of personal privilege.

Mr. BRUMM. I know the gentleman does not mean that. He ought not to make that statement.

Mr. RIXEY. I do make the statement.

Mr. BRUMM. I say it is not false, then.

Mr. RIXEY. I say that it is.

The CHAIRMAN. Gentlemen will suspend and be in order. Gentlemen will be seated. The point of order is made that the gentleman presents no question of personal privilege. The Chair sustains the point of order. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. BRUMM], which has just been reported by the Clerk.

The amendment was agreed to.

Mr. ROBB. I desire to move, in reference to the bill, the adoption of the resolution which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the resolution.

Mr. GROSVENOR. I reserve a point of order against it.

The CHAIRMAN. It will be time enough to reserve the point of order after it is reported to the committee.

The Clerk read as follows:

> *Resolved*, That the pending bill for the relief of the heirs of John Roach be transmitted (in accordance with the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, and the act of March 2, 1887) to the Court of Claims of the United States, together with the vouchers, papers, proofs, and documents appertaining thereto.

Mr. ROBB. I move the adoption of that resolution.

The CHAIRMAN. The question is on the resolution.

Mr. DALZELL. Mr. Chairman, what act of Congress is referred to in that resolution?

Mr. BRUMM. The Bowman Act.

Mr. DALZELL. The Court of Claims has no jurisdiction of claims of this kind, has it?

Mr. BRUMM. That is a question. We certainly have jurisdiction here.

Mr. ROBB. Mr. Chairman, that resolution——

The CHAIRMAN. The resolution is not debatable.

Mr. STEELE. I do not think that resolution is in order, and I make the point of order that it is not in order.

The CHAIRMAN. The resolution proposes that the committee shall send the bill to the Court of Claims. The committee has no power, of course, to do that. The Chair sustains the point of order.

Mr. BARTLETT. I move that the committee report the bill back to the House with the recommendation that that resolution pass.

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] moves that the bill be reported to the House with the recommendation which the Clerk will report.

The Clerk read as follows:

> *Resolved*, That the pending bill for the relief of the heirs of John Roach be transmitted (in accordance with the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, and the act of March 2, 1887) to the Court of Claims of the United States, together with the vouchers, papers, proofs, and documents appertaining thereto.

The CHAIRMAN. The question is on that resolution.

Mr. DALZELL. Is not that the same resolution that the Chair has already ruled out of order?

The CHAIRMAN. The gentleman from Georgia moves that the committee report the bill to the House with the recommendation contained in that resolution, as the Chair understands it.

The question was taken; and on a division (demanded by Mr. BARTLETT) there were—ayes 66, noes 128.

Accordingly the motion was rejected.

Mr. BRUMM. I move that the committee rise and report the bill to the House with the recommendation that as amended it do pass.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. McMILLIN. A parliamentary inquiry. Does the gentleman's motion contemplate that the committee rise now?

Mr. BRUMM. For the purpose of disposing of this bill.

Mr. McMILLIN. I suggest to him that he can move to lay it aside, to be reported to the House later.

Mr. BRUMM. No; we want to dispose of it now.

Mr. McMILLIN. Then on that motion let us have a division.

The committee divided; and there were—ayes 142, noes 48.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole House, reported that that committee had had under consideration the bill (S. 1116) to pay the heirs of the late John Roach, deceased, $330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*, and had directed him to report the same back to the House with an amendment, and with the recommendation that as amended the bill do pass.

Mr. BRUMM. I demand the previous question on the bill and amendment to its passage.

The question was taken; and the previous question was ordered.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

> Amend by inserting in line 6, after the words "seventy-seven," the words "the Secretary of the Treasury be, and he is hereby, authorized and directed."

The SPEAKER. The question is on agreeing to the amendment.

Mr. GROSVENOR. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GROSVENOR. I am going to ask a division on that amendment. I do not see any need of this amendment, and I do not think it ought to go in.

Mr. BARTLETT. Regular order!

Mr. BRUMM. It is in order——

The SPEAKER. Objection is made. There can be no discussion.

The question was taken; and the amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time.

The SPEAKER. The question is on the passage.

The question was put.

Mr. ROBB. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ROBB. I rise for the purpose of offering a resolution to recommit.

The SPEAKER. The gentleman desires to offer a motion to recommit.

Mr. BRUMM. I raise the point that it is too late.

The SPEAKER. The gentleman was standing.

Mr. BRUMM. But we were in the middle of a vote.

The SPEAKER. The vote had not been announced. The gentleman was standing in his place asking for that. The Clerk will read the motion.

The Clerk read as follows:

Resolved, That the pending bill for the relief of the heirs of John Roach be transmitted (in accordance with the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883, and the act of March 2, 1887) to the Court of Claims of the United States, together with the vouchers, papers, proofs, and documents appertaining thereto.

Mr. BRUMM. I reserve the point of order that it is not in order.

Mr. ROBB. My motion is to recommit with the instructions embodied in that resolution.

Mr. BRUMM. I make the point of order against the motion.

The SPEAKER. That is not a motion to recommit, the Chair will have to hold.

Mr. ROBB. Then I move to recommit the bill.

The question was taken on the motion to recommit; and the Speaker announced that the noes seemed to have it.

Mr. ROBB. Division.

The House divided; and there were—ayes 57, noes 140.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. ROBB. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 183, nays 83, answered "present" 3, not voting 86; as follows:

YEAS—183.

Acheson,	Davenport,	Kirkpatrick,	Ray,
Adams,	Davey,	Knox,	Reeves,
Aldrich,	Davidson, Wis.	Kulp,	Richardson,
Alexander,	De Vries,	Lacey,	Robbins,
Arnold,	Dolliver,	Lamb,	Royse,
Baker, Md.	Dovener,	Landis,	Russell,
Barham,	Eddy,	Latimer,	Sauerhering,
Barney,	Ellis,	Lawrence,	Settle,
Barrett,	Evans,	Littauer,	Shannon,
Beach,	Fischer,	Lorimer,	Shattuc,
Belden,	Fitzgerald,	Loudenslager,	Sheldon,
Belford,	Fletcher,	Low,	Sherman,
Belknap,	Foote,	Lybrand,	Showalter,
Benner, Pa.	Fowler, N. J.	McAleer,	Skinner,
Bennett,	Gardner,	McCall,	Smith, Ill.
Bingham,	Gibson,	McCleary,	Smith, S. W.
Bishop,	Gillet, N. Y.	McClellan,	Snover,
Boutell, Ill.	Graff,	McDonald,	Southard,
Brenner, Ohio	Griffin,	Mahany,	Southwick,
Brewster,	Grosvenor,	Mahon,	Spalding,
Broderick,	Grout,	Mann,	Sperry,
Bromwell,	Grow,	Marsh,	Steele,
Brown,	Gunn,	Martin,	Stevens, Minn.
Brownlow,	Hager,	Mercer,	Stewart, N. J.
Brumm,	Hamilton,	Meyer, La.	Stewart, Wis.
Bull,	Harmer,	Miller,	Stone, C. W.
Burleigh,	Hartman,	Mills,	Stone, W. A.
Burton,	Hawley,	Minor,	Strode, Nebr.
Butler,	Hay,	Mitchell,	Sturtevant,
Cannon,	Hemenway,	Moody,	Sulloway,
Capron,	Henderson,	Morris,	Thorp,
Chickering,	Henry, Conn.	Mudd,	Tongue,
Clardy,	Henry, Ind.	Northway,	Updegraff,
Cochrane, N. Y.	Hepburn,	Odell,	Van Voorhis,
Connell,	Hilborn,	Olmsted,	Wadsworth,
Connolly,	Hill,	Otey,	Walker, Mass.
Cooper, Wis.	Hooker,	Otjen,	Wanger,
Corliss,	Hopkins,	Overstreet,	Ward,
Cousins,	Howe,	Packer, Pa.	Warner,
Cox,	Hull,	Payne,	Weaver,
Crump,	Hurley,	Pearce, Mo.	Weymouth,
Crumpacker,	Jenkins,	Perkins,	Williams, Pa.
Cummings,	Johnson, N. Dak.	Pitney,	Yost,
Curtis, Iowa	Joy,	Powers,	Young, Pa.
Dalzell,	Kerr,	Prince,	Young, Va.
Danford,	Ketcham,	Pugh,	

NAYS—83.

Adamson,	Elliott,	Little,	Sayers,
Allen,	Fitzpatrick,	Lloyd,	Shafroth,
Bailey,	Fleming,	Love,	Sims,
Ball,	Fox,	McCormick,	Slayden,
Bankhead,	Gaines,	McCulloch,	Smith, Ky.
Bartlett,	Greene,	McDowell,	Sparkman,
Bell,	Griffith,	McMillin,	Stark,
Benton,	Griggs,	Maddox,	Stephens, Tex.
Bodine,	Henry, Miss.	Maguire,	Strait,
Brantley,	Hinrichsen,	Maxwell,	Sullivan,
Brucker,	Howard, Ga.	Meekison,	Sulzer,
Brundidge,	Hunter,	Moon,	Sutherland,
Burke,	Jett,	Norton, Ohio	Talbert,
Campbell,	Jones, Va.	Norton, S. C.	Tate,
Clark, Mo.	Jones, Wash.	Osborne,	Terry,
Clayton,	Kelley,	Pierce, Tenn.	Vincent,
Cochran, Mo.	Kitchin,	Rhea,	Wheeler, Ala.
De Armond,	Kleberg,	Ridgely,	Wheeler, Ky.
De Graffenreid,	Lanham,	Rixey,	Williams, Miss.
Dinsmore,	Lentz,	Robb,	Wilson.
Dockery,	Lewis, Ga.	Robinson, Ind.	

ANSWERED "PRESENT"—3.

Ermentrout,	Miers, Ind.	Zenor.

NOT VOTING—86.

Babcock,	Colson,	Howard, Ala.	Robertson, La.
Baird,	Cooney,	Howell,	Shuford,
Baker, Ill.	Cooper, Tex.	Johnson, Ind.	Simpson,
Barber,	Cowherd,	King,	Smith, Wm. Alden
Barlow,	Cranford,	Knowles,	Sprague,
Barrows,	Curtis, Kans.	Lester,	Stallings,
Bartholdt,	Davis,	Lewis, Wash.	Stokes,
Berry,	Davison, Ky.	Linney,	Strowd, N. C.
Bland,	Dayton,	Livingston,	Swanson,
Booze,	Dingley,	Loud,	Tawney,
Botkin,	Dorr,	Lovering,	Tayler, Ohio
Boutelle, Me.	Driggs,	McEwan,	Taylor, Ala.
Bradley,	Faris,	McIntire,	Todd,
Brewer,	Fenton,	McRae,	Underwood,
Brosius,	Foss,	Marshall,	Vandiver,
Broussard,	Fowler, N. C.	Mesick,	Vehslage,
Carmack,	Gillett, Mass.	Newlands,	Walker, Va.
Castle,	Handy,	Ogden,	White, Ill.
Catchings,	Heatwole,	Parker, N. J.	White, N. C.
Clark, Iowa	Henry, Tex.	Pearson,	Wilber.
Clarke, N. H.	Hicks,	Peters,	
Codding,	Hitt,	Quigg,	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. WHITE of Illinois with Mr. COWHERD.

Mr. HITT with Mr. BERRY.

For this day:

Mr. GILLETT of Massachusetts with Mr. DAVIS.

Mr. JOHNSON of Indiana with Mr. STALLINGS.

Mr. MCEWAN with Mr. VEHSLAGE.

Mr. LOVERING with Mr. STRAIT.

Mr. WM. ALDEN SMITH with Mr. BAIRD.

Mr. CURTIS of Kansas with Mr. CATCHINGS.

Mr. HICKS with Mr. BROUSSARD.

Mr. BARBER with Mr. ROBERTSON of Louisiana.

Mr. FENTON with Mr. CASTLE.

Mr. ACHESON with Mr. LESTER.

Mr. CLARK of Iowa with Mr. ZENOR.

Mr. YOUNG of Pennsylvania with Mr. HENRY of Texas.

Mr. FOSS with Mr. MCRAE.

Mr. COLSON with Mr. UNDERWOOD.

Mr. CODDING with Mr. STOKES.

Mr. CLARKE of New Hampshire with Mr. TAYLOR of Alabama.

Mr. BOOZE with Mr. LIVINGSTON.

Mr. PARKER of New Jersey with Mr. HANDY.

Mr. WALKER of Virginia with Mr. CARMACK.

Mr. LOUD with Mr. OGDEN.

Mr. BARROWS with Mr. BLAND.

Mr. BROSIUS with Mr. ERMENTROUT.

Mr. BARTHOLDT with Mr. VANDIVER.

Mr. DORR with Mr. DRIGGS.

On this question:

Mr. BABCOCK with Mr. KING.

Mr. SWANSON with Mr. MIERS of Indiana.

Mr. CLARK of Missouri. Mr. Speaker, Mr. HANDY requested me to state, if the roll was called, that he was summoned away on important business and is unavoidably absent.

Mr. DINGLEY. Mr. Speaker, I desire to ask if I am recorded?

The SPEAKER. The Clerk states that the gentleman's name is not recorded.

Mr. DINGLEY. I wish to vote "aye."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. DINGLEY. I can hardly say that I come within the rule, Mr. Speaker. I was present, engaged in conversation at the time, and did not hear my name called.

The result of the vote was then announced as above recorded.

On motion of Mr. BRUMM, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. BRUMM. Mr. Speaker, I now move that the House resolve itself into Committee of the Whole House for the purpose of considering bills reported by the Committee on Claims.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House, with Mr. PAYNE in the chair, for the consideration of bills reported by the Committee on Claims.

The CHAIRMAN. The House is now in Committee of the Whole House for consideration of bills reported by the Committee on Claims; and the Clerk will report the first bill.

ERIE RAILROAD COMPANY.

The Clerk read as follows:

A bill (H. R. 706) for the relief of the Erie Railroad Company.

Be it enacted, etc., That the Court of Claims shall, notwithstanding the lapse of time, be authorized to take jurisdiction of and adjust the claim of

the Erie Railroad Company, successor of the New York, Lake Erie and Western Railroad Company and of the Erie Railway Company, for the transportation of the mails of the United States from January 1, 1874, to June 30, 1877, upon routes (old numbers) Nos. 1201, 1207, and 1208, said claim being based upon alleged contracts between the United States of America (acting in that behalf by their Postmaster-General) and the president of said Erie Railway Company, signed and acknowledged by John A. J. Creswell, Postmaster-General, on the 10th day of January, 1874, and by P. H. Watson, president of said Erie Railway Company, on the 20th day of April, 1874.

Mr. BRUMM. Mr. Chairman, this is simply a bill to refer to the Court of Claims a claim of the Erie Railroad Company, and I will ask that the Clerk read a letter from the Department, which will show that the bill ought to pass.

The Clerk read as follows:

POST-OFFICE DEPARTMENT,
OFFICE OF THE ASSISTANT ATTORNEY-GENERAL,
Washington, D. C., March 3, 1883.

SIR: I have examined the papers submitted to me in connection with Senate bill No. 779, for the relief of the New York, Lake Erie and Western Railroad Company.

The claim is made on the part of the company, as I understand, that a contract was entered into January 10, 1874, between the United States and the railroad company by which a fixed compensation was agreed upon for a specific period.

The Department has hitherto claimed that there was no contract executed; and, as I am informed, none can be found upon the files of the Department.

I am not prepared to say that no contract was ever in fact made because none was filed in the Department, nor that the railroad company should be denied the benefit of a contract which the Postmaster-General in behalf of the Government has executed, and which has also been executed by the proper officers of the railroad company, because, having executed it, the Postmaster-General has failed to file it or enter it in the Department.

I should have supposed that under Revised Statutes, section 3950, no payment could have been made under such a contract until it had been executed and filed in the Department, as required by Revised Statutes, section 402, so that a copy could be furnished the Auditor (R. S., section 404); but the case of Garfielde *vs.* The United States (93 U. S., 242) appears to hold differently, at least so far as concerns the right to indemnity upon discontinuance of the service.

In Powers *vs.* The United States, 10 Court of Claims, 263, a contract was held valid though it had not been filed in the Interior Department, as required by statute.

The contract alleged to have been made has been shown me, and it appears to be genuine, executed in due form, under the seal of the Department, signed by the Postmaster-General, and by the officers of the company.

This contract provides a fixed compensation of $705 per mile, or $321,595 per year, for the period commencing January 1, 1874, and ending June 30, 1877.

The opinion of Assistant Attorney-General Spence, given upon this claim, assumes as a fact that no contract was executed. With the evidence submitted to me of the genuine, original documents, I am not prepared to say that no such contract was made.

Nor is it plain that the contract is invalid for want of power to make it. The Postmaster-General could not contract to pay a compensation in excess of the maximum rate fixed by the act of March 3, 1873 (17 Stat., p. 558), but nothing is shown to me which indicates that the rates fixed in the contract were in excess of the legal rates; that is, that the compensation was greater than the weight of mails at the time would have shown the company entitled to.

The bill submitted to me I do not think ought to pass.

1. Because it is a doubtful question whether this contract can be regarded as ever having been executed so as to bind the Government.

2. It is doubtful whether it is valid, even if executed.

3. It is not clear that the service was performed under the contract. It certainly was never so regarded by the Department, but was considered as "recognized service" and paid for under the statute, as I am informed.

But as there are questions of law involved which appear to me doubtful, it would seem to me that a bill permitting the company to test such question in the Court of Claims would be a more proper measure of relief, should Congress deem it in the interest of justice to waive the bar of the statute of limitations.

Very respectfully,
EDWIN E. BRYANT,
Assistant Attorney-General, Post-Office Department.

Hon. A. LEO KNOTT,
Second Assistant Postmaster-General.

Mr. BRUMM. Now I move, Mr. Chairman, that the bill be laid aside with a favorable recommendation.

Mr. DINGLEY. If I can have the attention of the chairman of the committee just one moment. All this bill does is to send this case to the Court of Claims, as I understand, to determine whether or not the contract was binding.

Mr. BRUMM. To determine whether the contract was binding, or whether or not it was properly filed. It is a legal proposition entirely.

Mr. DINGLEY. It was not paid because Congress intervened during that period and made a fixed rate?

Mr. BRUMM. Oh, no; it was because there was some irregularity in the Department in regard to the contract.

Mr. DINGLEY. A statute had been passed in the intermediate period fixing the compensation for carrying the mails.

Mr. BRUMM. If they have a claim at all, it rests upon a specific contract and not upon a statute.

Mr. LOUD. Mr. Chairman, I have not seen the report in this case, but I know what the policy of the Post-Office Department is. The Post-Office Department does not, to begin with, enter into a contract with the railroad companies. The railroad companies, it is true, make verbal agreements, and sometimes written agreements, with the Post-Office Department to carry mails within the limits of the law. I know it is a matter of very small importance to this House now——

Mr. WALKER of Massachusetts. Mr. Chairman, I assume that what the gentleman is stating is intensely interesting, and we in the back rows would really like to hear it.

The CHAIRMAN. Will gentlemen in the rear of the seats cease conversation and gentlemen in the aisles be seated?

Mr. LOUD. Now, Mr. Chairman, the letter of the Assistant Attorney-General, it seems to me, is sufficient to determine this claim. I think he says in as plain language as can be expressed that this railroad company has no claim against the Government. In view of the fact that the policy of the Department is not to enter into contracts with railroad companies, I can not anticipate how or why they should enter into a contract in this instance; and if they did, permit to say that at that time they could not have entered into a contract legally to give this railroad company any more than it was entitled to under the law.

There are several of these bills before Congress. They seem to be scattered all through the committees of this House; some before the Committee on Post-Offices, some before the Committee on Claims, and some maybe in other places. Here is a claim that is twenty-four years old, and which the Attorney-General says in as emphatic language as can be expressed that the railroad company has no claim against the Government; and yet Congress, without a word of debate, proposes to send this case to the Court of Claims. To do what? That is the question—what the Court of Claims are to do about it. There is some doubt about that. I have not had an opportunity to investigate the bill, and I am free to say I think this claim should have gone where similar claims do go. From the report submitted by the committee it would seem that they had not had much opportunity, or if they have they have not availed themselves of the means at their command to investigate this case.

Now, there is an allegation that there is a contract here. I should like to ask why inquiry has never been made at the proper place to ascertain whether a contract ever was executed or not? I know from some experience in connection with the Post-Office Department that as to contracts coming under the Second Assistant Postmaster-General the greatest care has always been exercised in the filing away of contracts. And I say without fear of successful contradiction, weighing my words, that if a contract ever was entered into, that matter can not be covered up in the records of the Post-Office Department, even if there were a desire to cover it up. Not alone does the law require the filing of the contract, and, if the contract is accepted, the keeping of that contract forever, but there are other records of contracts accepted besides the contracts themselves.

Now, the facts in this case evidently are as set forth by the Assistant Postmaster-General—that this railroad company has received every dollar to which it was entitled under the law. Of course the Committee on Claims treats this as a very trivial matter, saying that the bill proposes only to refer the case to the Court of Claims. We have heard so often, as if it were a perfectly harmless proposition, "The bill only refers the case to the Court of Claims." Why, sir, let me say, if you were to be here a hundred years from to-day, and if this case should not be determined before then, this claim will be pushed before Congress with greater vigor then than it is now. Probably the parties directly interested in this claim are dead; but their heirs will multiply as the years go by, and thus greater vigor will be given to the claim.

Now, when the Post-Office Department says emphatically that this railroad company must have received all that it is entitled to under the law, why endeavor to keep in existence and perpetuate the claim? My God! is it impossible to suppress a claim before Congress? You can not suppress it even when you pay it! Only a few Congresses subsequently, a claim comes up for something additional. I have had some experience on the Committee on Claims myself. I gave four years of hard work to the business of that committee.

Mr. RICHARDSON. Did the gentleman have any claims himself?

Mr. LOUD. Did I have any claims? Well, I never have passed a claim of my own through Congress. I do not think I ever shall have any myself. And if I ever have introduced a claim, I never had any personal interest in it beyond what the justice and equity of the case might demand. The gentleman from Tennessee who asked me that question knows well the history of claims. He knows that, like Banquo's ghost, they will not "down." You pay a claim to-day, and in a few years it is back here smiling. Something is claimed that was not paid before.

In this case, after a lapse of twenty-four years, we have a railroad company coming here and asking for mail pay. And we have not a word of explanation. The chairman of the committee and other members of the House cry "Vote!" "Vote!" upon a claim of $320,000. I think such a claim worthy of examination. Of course the amount is a mere bagatelle to you and me. We can pay a claim of half a million dollars and smile—yea, a claim of a million more, and smile again.

A MEMBER. What kind of a smile?

Mr. LOUD. The gentleman asks, what kind of a "smile?" I sometimes think the people themselves are smiling a sickly smile when they contemplate Congress. No system of revenue taxation yet devised—I measure my words—that can sustain this Government in times of peace. It was very easy to talk about sustaining this Government before we had a pension roll of $150,000,000 a year; but when we are staggering under that, I tell you a system of taxation, whether it be free-trade taxation or protective taxation, is a question that must come to plague the members of this Congress hereafter. But it seems this case is a mere matter of "Vote! Vote!" Only $320,000!

Now, I want the House to understand what the Department says, and, I think, in as plain language as can be employed. It says that this railroad company must, in the ordinary course of human events, have been paid all the money that it was entitled to under the law. I do not think Congress should refer this case to the Court of Claims in order to perpetuate its life after you and I have gone out of Congress and another set of men may be here to take it up and infuse fresh life into it.

Mr. BRUMM. My friend from California is in error when he suggests that the Postmaster-General has expressed himself in opposition to the passage of this bill. He simply stated that this claim ought not to be paid, as presented to the Department, but that it ought to go to the Court of Claims—just where we propose to send it.

Mr. LOUD. He raised no objection to that, I believe.

Mr. BRUMM. In addition to that, we have the letter of Don M. Dickinson, another Postmaster-General, saying that this matter ought to be sent to the Court of Claims.

My friend is also in error in saying that we made no effort to ascertain from the Department its view in regard to this claim. We have here what is alleged to be a contract. This whole matter involves a simple legal proposition—whether under the advice of two Postmasters-General, and now under the advice of the Committee on Claims, we ought to send this case to the Court of Claims to be decided. That court can examine the case better than we can, although they may not be able to do it as well as my friend from California.

Mr. LOUD. That would probably be impossible.

Mr. CANNON. I would like to ask my friend from Pennsylvania a question in connection with this bill. The Erie Railway Company, as I understand it, carried the mail under the provisions of the law?

Mr. BRUMM. Yes.

Mr. CANNON. Now, the present law for the compensation of the railroad companies was passed, I believe, before 1874.

Mr. BINGHAM. My recollection is that it was passed in 1876. I am not able to state exactly, but that is my recollection.

Mr. LOUD. No; it was passed in 1873.

Mr. BINGHAM. In 1871 and 1872 I, as postmaster at Philadelphia, approved the contracts made with the roads there. It may have been 1873, and my memory is probably at fault. I would not pretend to be entirely accurate.

Mr. CANNON. In the Forty-second Congress, as I remember it. I came in in the Forty-third, and went immediately to the Committee on Post-Offices and Post-Roads. The law was then in force both as to compensation and for the cars used—the same law that is now in force, except that there has been a horizontal reduction of 5 per cent at one time and 10 per cent at another.

Mr. BINGHAM. That was done in 1876 and 1878.

Mr. CANNON. Now, if at any time since 1873 the Erie Railway, or any other railway company, carried the mails, it was done under the statute, or there might have been a contract under the statute, but it gave no greater or less rate of compensation to the railroad company than the statute fixes.

Mr. BINGHAM. Unless special facilities were added.

Mr. CANNON. But there were no special facilities at that time. This was before the period of any special-facility legislation.

Now, I repeat that if the Erie Railway Company performed any service for the Government at any time after 1873 they did it under the law, and when a bill proposes, under an alleged contract, which must have been made without authority of law, to send a claim of this character to the Court of Claims—if that is the purpose of it—it is, in my judgment, exceedingly unwise to take such action for various reasons, but mainly because the court might construe such action as conferring upon them some sort of jurisdiction that does not exist now under the law and would not exist at all except for this recommendation on the part of Congress.

For that reason I think it would be a very unwise thing to adopt the course provided here. If this recommendation is made, why it seems to me it would be setting a dangerous precedent; and in any event the bill ought not to pass. If my position is wrong, I am entirely willing to be instructed with reference to the matter.

Mr. BRUMM. It simply resolves itself into this: If this company has no case, the court will certainly not grant it any rights and will not confer the relief asked for here. If the company has a good case, it certainly is entitled to a hearing. At all events, I think these claimants should have the opportunity to present the question to the Court of Claims.

A MEMBER. Beyond question.

Mr. BRUMM (continuing). They have a right to a hearing as to whether there was a contract or not, and whether they have any just foundation for their claim against the Government. It is a right that this company should have to be permitted to establish, if it can establish it, that binding contracts were made and that they performed the service for which they did not receive compensation.

Now, here is what the Postmaster-General says:

> At all events, I think this claimant should have an opportunity to present the question to the Court of Claims, to establish, if it can, that binding contracts were made, that it performed the service, and that it did not receive compensation. On none of these questions do I assume to express an opinion.

Under the circumstances, it seems to me that it is rather a high-handed act for any gentleman on this floor to get up and say that he does not think this House ought to allow these people the right to litigate a question in which they are vitally interested, and secure, if they can, compensation for a service that they have already rendered. That right they can not exercise unless we grant it to them here, and here we have the recommendation of two Postmasters-General in favor of the action proposed, and also this is reported to the House without the dissenting voice of any member of the committee. It seems to me, therefore, that, being a purely legal question, the courts are better able to dispose of it than my learned friend from Illinois, or, indeed, any other member on this floor.

Mr. OTJEN. How long has this claim been pending?

Mr. BRUMM. It appeared here in the Forty-eighth, Forty-ninth, Fiftieth, Fifty-first, and subsequent Congresses, and has been reported in every case favorably. The recommendation has been that these parties should be permitted to go to the Court of Claims and establish their rights.

Mr. CANNON. Is there not a claim that this railroad company has already received the statutory pay for carrying the mails?

A MEMBER. The report admits that.

Mr. BRUMM. That is not correct. One of the questions involved here, if the gentleman will permit me, is set out fully in the report and seems to have escaped the attention of gentlemen. This report states that the question involves controverted questions of law and facts which may, in justice to the Department and this railroad company, be submitted to judicial investigation and determination.

Mr. CANNON. But have they not already received their statutory pay for the service?

Mr. BRUMM. Not at all.

Mr. CANNON. Well, about that, or they could have gone to the Court of Claims and recovered the statutory pay.

I ask my friend whether he has any information as to whether or not they have received any pay for carrying the mails?

Mr. LOUD. The letter of the Attorney-General says they must have received it.

Mr. GREENE. This is just the kind of thing to keep this alive.

Mr. DOCKERY. What is the amount involved in this claim?

Mr. CANNON. It is alleged to be three or four hundred thousand dollars. I do not know how much.

Mr. LOUD. They say $320,000, I think. I caught that in the reading.

Mr. BRUMM. The bill does not specify the amount.

Mr. CANNON. Well, I want to suggest to my friend that he either let the bill be permanently left upon the table or let it be passed over until another sitting of the Committee of the Whole, when the matter can be looked into; because I certainly have not, and I do not think my friend has, that complete knowledge touching this matter that we ought to have before we pass the bill. I have no prejudice against the Erie Railroad. If it has a claim that is founded in good conscience, it ought to be sent to the court.

Mr. BRUMM. I want to say that, so far as I am concerned, I do not object to the suggestion made by the gentleman. Of course I can not speak for the whole committee.

Mr. DINGLEY. Let it be passed over.

Mr. DOCKERY. What is the gentleman's suggestion—that it be laid on the table permanently?

Mr. YOST. No, not permanently, but that it be passed over.

Mr. BRUMM. What is the proposition of the gentleman from Illinois?

Mr. CANNON. I suggest to the gentleman that it be allowed to remain on the Calendar, subject to be called up at some future day. And in the meantime the gentleman himself can find out the facts.

Mr. BRUMM. There is no objection to that. I ask the Clerk to call the next bill.

The CHAIRMAN. Unanimous consent is asked that the bill be passed over, to retain its position on the Calendar. Is there objection?

There was no objection.

OLIVER C. BOSBYSHELL.

The next business on the Private Calendar was the bill (H. R. 581) for the relief of Oliver C. Bosbyshell, late superintendent United States mint at Philadelphia, Pa.

The bill was read, as follows:

Be it enacted, etc., That Oliver C. Bosbyshell, late superintendent of the United States mint at Philadelphia, is hereby relieved and discharged from all liability for the acts of Henry S. Cochran, late weigh clerk of said United States mint at Philadelphia, in the embezzlement or larceny of certain gold-bullion bars, the property of the United States aforesaid, and from all liability to account for any and all embezzled or stolen gold-bullion bars by the said Henry S. Cochran, as aforesaid, the same having been without the default or negligence of the said Oliver C. Bosbyshell.

Mr. BRUMM. Mr. Chairman, this bill carries no appropriation. It is simply to relieve the bondsmen of reliability.

Mr. BINGHAM. Let the report be read.

Mr. BRUMM. I ask for the reading of the report.

The CHAIRMAN. The Clerk will read the report.

The report (by Mr. BRUMM) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 581) for the relief of O. C. Bosbyshell, late superintendent United States mint at Philadelphia, Pa., having given the same careful consideration, beg leave to report it back to the House with recommendation that it be passed.

The facts are as follows:

In 1882, by regular transfer, there was brought from the United States assay office in New York to the mint of the United States at Philadelphia a large quantity of gold bullion in bars, which bars, for lack of proper storage facilities, were piled up in one corner of the vault attached to the weigh clerk's room. They remained thus loosely piled until the annual settlement of June, 1887, when the examiner of the Mint Bureau, now Director of the Mint, Hon. Robert E. Preston, who was making the settlement, directed that they be weighed, counted, and placed in a wire cage built across the end of the vault named. This was done to prevent the handling of the bars any oftener than need be. The door of the cage was locked, straps were run through the meshes of the wires across the openings, and seals were placed thereon to prevent the opening of the same without destroying the seals.

A certificate was attached certifying to the correctness of the count and to the contents, which certificate was signed by Robert E. Preston. Not anything was said or intimated at the time that the gold bullion thus locked up was for the purpose of coinage, or that it was other than a Treasury deposit. It remained in the mint unused until September, 1893, a period of over eleven years.

At the annual settlements of the mint in 1888, 1889, 1890, 1891, 1892, and 1893 the officials from the Mint Bureau, finding the locks and seals of the cage mentioned intact, gave the superintendent credit for the full amount inclosed, as stated by the certificate attached.

Oliver C. Bosbyshell assumed the position of superintendent of the mint of the United States at Philadelphia on the 1st of November, 1889, relieving the Hon. Daniel M. Fox. The transfer was made under the direction of the Bureau of the Mint, represented by Mr. Preston. The locks and seals upon the cage containing the gold bullion were carefully examined, and being found intact, it was considered safe by those officially present for Colonel Bosbyshell to receive and receipt for the bullion according to the certificate signed by Mr. Preston, without counting, following the custom of the Washington officials in the annual settlements.

No keys to the cage were ever delivered to Colonel Bosbyshell. He had access to every other vault in the mint, but no access whatever to this cage.

At the time the bullion was placed in the cage, i. e., in 1887, a space of about an inch was left between the bottom of the door and the asphaltum floor, sufficient to slide a gold bar, of the size inclosed therein, through. A number of large silver bars were piled against the cage, covering this opening. When these were subsequently removed a small gold bar was found protruding from beneath the door of the cage. The authorities then placed a heavy plank against this opening, securely fastening it to iron stakes driven in the asphaltum floor, as well as to adjoining cages. This was done two months before Colonel Bosbyshell became superintendent.

In September, 1893, the cage was opened by orders from the Mint Bureau, and in the presence of Government officials from Washington.

There is strong presumption from the facts that the theft of bullion occurred before the incumbency of Colonel Bosbyshell, thereby explaining his receipt. Bars could be removed before the plank was placed at the bottom of the cage, but not afterwards, unless the plank was disturbed.

The gold bullion was received by Colonel Bosbyshell, according to the precedent established by the Government officials in the accounting at every annual settlement of the mint accounts, subsequent to the sealing up of this bullion.

The superintendent of the mint is under the control of the Bureau of the Mint at Washington, so far as the appointment of subordinates and the manner and regulation of the mint countings and settlements are concerned.

Henry S. Cochran, weigh clerk of the Philadelphia mint, was convicted of the theft of the gold bullion in question. The United States recovered on his bond $10,000, and in execution against his property. He is now serving a term of imprisonment in the Eastern Penitentiary.

There is no evidence to show that Colonel Bosbyshell was other than a faithful, efficient, and careful officer, and that he did not faithfully and diligently execute and discharge the duties of his office, or that the theft in question occurred through any act of negligence on his part.

The amount of the judgment of the United States against Colonel Bosbyshell is $14,448.20.

TREASURY DEPARTMENT, BUREAU OF THE MINT,
Washington, D. C., January 16, 1897.

From the records of the Department it appears that Col. O. C. Bosbyshell was appointed register of deposits in the mint at Philadelphia in 1869. A few years later he was appointed assistant coiner, which position he continued to occupy until 1885, when he resigned to accept a position in the comptroller's office of the city of Philadelphia. In 1889 he was appointed superintendent of the mint. In entering upon his duty as superintendent he found there many persons who had been employed and associated with him during his previous connection with the mint, all of whose integrity had been unquestioned, and he receipted for the large amount of silver dollars and of gold bullion on the statement of those who had charge that the amount called for by the books was on hand.

Reposing faith in the statements made him, he did not have the large amount of gold and silver bullion and silver dollars weighed and counted.

Personally I have no doubt that all the bullion and coin which Colonel Bosbyshell receipted for was actually in the mint at that time, and the embezzlement of gold bullion was afterwards committed by Henry S. Cochran, weigh clerk, and who had been connected with the mint for over forty years.

The superintendent of the mint is of necessity compelled to trust a great deal to subordinates. Of Colonel Bosbyshell's personal honesty there is no doubt whatever, and I think it would be a matter of justice if Congress would pass a bill for his relief, which has been done on several occasions when embezzlements or losses have occurred in the office of the Treasurer of the United States.

R. E. PRESTON.

Mr. LACEY. I should like to ask the gentleman a question.

Mr. BRUMM. Yes.

Mr. LACEY. Does that $10,000 which has been collected apply on the $14,000, or is there $14,000 in addition to that $10,000?

Mr. BRUMM. The amount covered by the bill is the amount which they ask the bondsmen to be exonerated from. I do not remember the figures. The $10,000 was collected from the property of Cochran, and some of the bullion was restored.

Mr. BINGHAM. Collected from Cochran and his bondsmen.

Mr. BRUMM. Yes, and his bondsmen.

Mr. LACEY. Did the evidence on the trial of Cochran show when this embezzlement occurred, whether it was during Mr. Bosbyshell's time or that of the preceding man?

Mr. BINGHAM. There was no evidence of that on the trial, beyond the fact that they found some of these very same gold bars hidden by Cochran which were regained by the Government. The obligation of his bond only covered $10,000, but when Mr. Bosbyshell comes to the settlement of the accounts which they claim he must settle for, he must settle for the deficiency which was found to exist in this cage, the seals of which were unbroken. That is what his bondsmen would be held for.

Mr. BRUCKER. What was the total amount of embezzlement?

Mr. BINGHAM. Fourteen thousand dollars is yet in loss. He never had control of this gold in any wise. It was in a cage sealed by the Department. He had access to every other division of the mint excepting this cage. He had never the keys to the cage, they being in the possession of the Treasury Department, and the gold was never deposited there for coinage, for which he is responsible, but it was deposited there for storage, and remained there eleven years before this investigation was made. It must be remembered, as is stated here, that when these silver bars that had been piled against the side of the cage were taken out it was discovered that there was just an inch open whereby these gold bars could be pulled out, and Cochran did that. The testimony on the trial showed conclusively that Cochran was the guilty party, and he is now in the penitentiary.

Mr. LACEY. One other question. Is the amount to be released $4,000 or $14,000.

Mr. BINGHAM. It is whatever this bill sets forth.

Mr. BRUCKER. The bill does not give the amount.

Mr. BINGHAM. His bondsmen are responsible for the deficiency.

Mr. LACEY. The report does not seem to show how much the amount is which is to be released.

Mr. BINGHAM. Oh, yes; it specifies.

Mr. BRUMM. The amount of the judgment against Colonel Bosbyshell is $14,448.20.

Mr. LACEY. Did they collect $10,000 on that judgment?

Mr. BRUMM. They collected $10,000 from Cochran's bondsmen.

Mr. LACEY. Then there is only $4,000 remaining?

Mr. BINGHAM. No; the whole amount. The $14,000 is the remaining amount.

Mr. BRUMM. After deducting the $10,000.

Mr. STEELE. Let us see about this. They had silver in the same cage with gold and they sent to Washington for the key.

Mr. BINGHAM. Oh, no; the authorities in Washington did that themselves. "At the annual settlement of the mint," the seal being unbroken, if the gentleman will read the report.

Mr. STEELE. He was charged with the custody of this property.

Mr. BINGHAM (reading)—

At the annual settlement of the mint in 1888, 1889, 1890, 1891, 1892, and 1893 the officials from the Mint Bureau, finding the locks and seals of the cage mentioned intact, give the superintendent credit for the full amount inclosed, as stated by the certificate attached.

Mr. STEELE. When they took the silver away they put a plank in.

Mr. BINGHAM. As soon as they took the silver out they took this plank and riveted it down, so that it was impossible for the

gold to get out. It was done before Bosbyshell went into possession; so that it was impossible for any extraction to be made.

Mr. STEELE. But it was made.

Mr. YOUNG of Pennsylvania. It was made by a man who had been weigher for a number of years.

Mr. BINGHAM. There is no question, there never has been a question on the part of the Department, and it was disclosed at the trial, that Bosbyshell exercised every possible care and diligence for the protection of the Government. All of this came out in evidence in the trial, and it has never been disturbed during his administration.

The bill was ordered to be laid aside with a favorable recommendation.

C. B. BRYAN & CO.

The next business on the Private Calendar was the bill (H. R. 1246) for the relief of C. B. Bryan & Co.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to C. B. Bryan & Co., of Memphis, Tenn., out of any money in the Treasury not otherwise appropriated, the sum of $3,643.60, being for the value of a coal barge and 16,968 bushels of Pittsburg coal, as found by the Court of Claims.

Mr. BRUMM. I yield to the gentleman from Tennessee [Mr. CARMACK] who reported the bill.

Mr. CARMACK. Mr. Chairman, I ask for the reading of the findings of the Court of Claims, not the entire report.

The CHAIRMAN. Is that connected with the report?

Mr. CARMACK. It is a part of the report. On page 2—the bottom of the page.

The Clerk read as follows:

I. C. B. Bryan, W. W. O'Neil, J. N. Large, and S. P. Large, trading under the firm name of C. B. Bryan & Co., are the successors and liquidators of the firm so named, which at the time this claim accrued consisted of said claimants and of the St. Bernard Coal Company, a corporation created under the laws of the State of Kentucky.

II. On or about the 17th day of November, 1879, the said firm, now in liquidation as aforesaid, were the owners and possessors of a coal barge, costing $700 and worth at that date the sum of $250, and of 16,968 bushels of Pittsburg coal laden upon said barge, and worth, at current wholesale rates, the sum of $3,393.60, said barge so laden being moored at the private landing of said firm, upon an island in the Mississippi River, about 2 miles above the city of Memphis, remote from the channel of navigation and the public landing, and then and long previously used exclusively as a mooring place for the coal barges of said firm.

III. On or about the day hereinbefore named the snag boat *De Russy*, owned by and in the service of the United States Engineer Department, came into the vicinity of the private landing aforesaid for the purpose of removing a snag from the channel of the river; but the master of said boat, deeming it inadvisable to begin the work before the next morning, headed his vessel toward said private landing for the purpose of tying up over night, and came into the still water about said landing with such speed as to crush, sink, and destroy the barge and landing aforesaid.

IV. At the time of the collision, fifteen minutes after 5 in the afternoon, it was twilight. Neither the snag boat nor any other boat in the vicinity was carrying lights, nor was there any necessity for lights.

V. The claimants endeavored to recover some of the submerged coal, but their efforts and expenditures were unavailing.

VI. It does not appear that any payment or satisfaction has been made on account of the losses stated.

BY THE COURT.

Filed May 28, 1888.
A true copy.
Test this 7th day of June, 1888.
[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

Mr. CARMACK. I wish to say in regard to this bill that there is a unanimous report of the committee in favor of the bill. There have been several reports from the Committee on Claims in previous Congresses. The bill was introduced in the Forty-ninth Congress, referred to the Court of Claims, and the findings have been read by the Clerk. There was a unanimous report in the Fiftieth, Fifty-first, Fifty-second, and Fifty-fourth Congresses. I ask that the bill be laid aside with a favorable recommendation.

Mr. LOUD. I would like to ask the gentleman, while the findings of the court seem to be perfectly clear, why did not those parties go into court and sue before?

Mr. EVANS. Because they had no authority to do so.

Mr. LOUD. Why not?

Mr. EVANS. Because the court had no jurisdiction?

Mr. CARMACK. They could not go into court except by an act of Congress. This is an action sounding in tort.

Mr. STEELE. What excuse did they have for putting so much coal in an old dilapidated barge?

Mr. CARMACK. At that time the Court of Claims had no jurisdiction of this claim.

Mr. LOUD. The findings seem clear. [Cries of "Vote!" "Vote!"]

The bill was ordered to be laid aside with a favorable recommendation.

RICHMOND LOCOMOTIVE AND MACHINE WORKS.

The next business on the Private Calendar was the bill (S. 1133) to pay to the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Richmond Locomotive and Machine Works the sum of $69,550.39, out of any money in the Treasury not otherwise appropriated, in full of its claim for damages and losses incurred in the construction of the armored battle ship *Texas*.

Mr. YOST. Mr. Speaker, I think I can present, in a very few words, the facts upon which this claim is based. The Richmond Locomotive and Machine Works were the contractors for the machinery of the battle ship *Texas*. The Government was to furnish the hull. By reason of delay on the part of the Government in getting the hull ready to receive the machinery these contractors were put to heavy expense. They presented their claim to the Navy Department, and the Navy Department audited and adjusted that claim, and its statement is that the Government was indebted to the Richmond Locomotive and Machine Works to the amount of $80,049.35.

The amount thus allowed by the Navy Department was favorably passed upon by five committees. The sixth committee, however, the Committee on Appropriations of the Senate, cut out three items—that is, for interest, surety, and for insurance—and reduced it to $69,550.39. This committee reports in favor of the last-mentioned sum, not because they do not believe that the claimant is entitled to the full amount found by the Navy Department, but because the claimant has agreed to accept this, so that the matter may be settled at once. I ask that the bill be laid aside with a favorable recommendation.

Mr. CANNON. I seems to me "no." I think we had better have this report read. I have a recollection about this bill, having looked into it at one time, and I came to the conclusion that it was a very debatable bill. It seems to me that——

Mr. YOST. If the gentleman will look at page 11 of the report, at the top, he will find the recommendation of the Department, from the Secretary of the Navy.

Mr. DALZELL. Why not have the report read?

Mr. WALKER of Massachusetts. It is a long report.

Mr. CANNON. I shall have to ask, in my time, for the reading of the report, so I can get time to revive my recollection.

The CHAIRMAN. The Clerk will read the report in the time of the gentleman.

Mr. YOST. The gentleman does not want the exhibits read. It is a long report.

Mr. CANNON. I looked into this case as rapidly as I could at one time, and made inquiry, and from the examination my recollection is that my judgment was against the justice of this bill; and now, as it comes up, I must confess that the evidence in the case has faded from my mind, and before I assent to the practical passage of the bill I want to revive my recollection about it, and a bill of this kind ought not to be passed without consideration.

Mr. YOST. If the gentleman from Illinois will state his objections, I think we can meet them.

Mr. WALKER of Massachusetts. Is the report long?

Mr. YOST. The report is short, but the exhibits are long.

The CHAIRMAN. Does the gentleman from Illinois desire to have the report read?

Mr. CANNON. Yes.

Mr. EVANS. Mr. Chairman, I want to make a suggestion. It is manifest from the length of this report that it can not be read before 5 o'clock, when we shall take a recess. I want to suggest to the gentleman that for that reason this bill can go over without prejudice.

Mr. LOUD. Mr. Chairman, I want to state that I was unable to get a report. I tried to get one, and I was told that they were exhausted.

Mr. YOST. That is not our fault.

Mr. EVANS. I want to suggest that we agree to pass the bill over without prejudice and have the report reprinted.

Mr. DOCKERY. What is the next bill on the Calendar?

Mr. EVANS. The next bill is one that I want to make an appeal to the House for. [Laughter.]

Mr. BRUMM. I want to say that I had agreed to ask that the committee rise at a quarter of 5 o'clock, so that we now have only thirteen minutes.

Mr. EVANS. That is the reason I asked to have the bill go over.

Mr. BRUMM. Well, Mr. Chairman, let the Clerk proceed with the reading of the report.

The Clerk began the reading of the report (by Mr. YOST), as follows:

The Committee on Claims, to whom was referred the bill (S. 1133), entitled "A bill to pay to the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*," respectfully report the same, with the recommendation that it do pass.

This bill passed the Senate during the Fifty-fourth Congress, but failed to pass the House of Representatives, though it was favorably reported to that

body from its Committee on Claims. A copy of said report to the House of Representatives (Report No. 2286) is submitted herewith as a part of this report, giving the full history and merits of the claim.

[House Report No. 2286, Fifty-fourth Congress, first session.]

Mr. GRAFF, from the Committee on Claims, submitted the following report:

The Committee on Claims, to whom was referred Senate bill 3269, beg leave to report:

After full investigation your committee find that the Richmond Locomotive and Machine Works, of Richmond, Va., by contract with the Government of the United States, of date May 30, 1889, became contractors for the construction and delivery of the machinery for the United States armored battle ship *Texas*, which was to be built by the Government at the Norfolk Navy-Yard, Va. The Government, upon its part, was to construct the hull of said vessel.

Under the terms of the contract, the contractors were placed under heavy bonds, in which forfeitures and penalties were amply provided, requiring them to have completed said machinery and to commence the erection of the same on board the *Texas* on November 30, 1891. On account of a very disastrous fire at the works of the contractors pending the construction of said machinery, and by which a large amount thereof was destroyed, the time within which the machinery was to be constructed and erected was extended until July 30, 1893. The contractors claim that they performed their contract in all respects, but that they were subjected to considerable and unreasonable delay and to additional expenses and damage in the completion of the machinery under their contract by reason of the failure on the part of the Government to complete the hull of the *Texas* in time to allow the machinery to be finished and tested as required.

Mr. CANNON. Now, Mr. Chairman, as I have the floor I want to stop right there and ask a question. It seems that the Government extended the time within which the machinery was to be constructed because of the misfortune of the contractor. Is that correct?

Mr. YOST. Yes.

Mr. CANNON. And now they come and claim that after that extension the Government did not furnish the hull exactly on time.

Mr. YOST. If the gentleman will read further on in the report he will find that the Government itself got the full benefit of that extension, and nothing is claimed for it at all. That time was not allowed in the computation. On page 8 the gentleman will find in a letter from the Secretary of the Navy a paragraph relative to this point.

Mr. CANNON. Who wrote the letter?

Mr. YOST. The Acting Secretary of the Navy, Mr. McAdoo.

Mr. CANNON. Well, that occurred to me as we were passing along, and we will get at it later on.

Mr. YOST. The gentleman's objection is fully covered on page 8.

The Clerk proceeded with the reading of the report, as follows:

A statement in writing setting forth the claim of the contractors, made by Mr. W. R. Trigg, president of said company, accompanies this report, marked Exhibit A. This fully presents the view of the contractor. The amended bill accompanying this report was submitted to the honorable Secretary of the Navy by the Committee on Naval Affairs with the request that he would furnish such information and advice in the premises as might be deemed proper. His letter in response is herewith filed as part of this report, marked Exhibit B. By this it will be seen that it is admitted that the contractors were subjected to delays and additional expense in the construction of the machinery by reason of the failure of the Government to complete the hull in time to allow the machinery to be placed and tested.

The Navy Department has audited and adjusted the claim of said locomotive works in conformity with House bill No. 8606, and its letter and audited statement, together with other papers returned therewith, are herewith filed as a part of this report, marked Exhibit C. From this document it appears that the chiefs of the Bureaus of Construction and Repair and Steam Engineering report upon and allow the claim of the Richmond Locomotive and Machine Works as follows:

Summary of claims as allowed.

Direct damage	$56,179.73
Interest	8,740.24
Insurance	1,150.72
Dock trial	12,778.66
Damage to schooner	600.00
Security	600.00
Total	80,049.35

This amount was thus allowed by the Navy Department and favorably passed upon by five committees. The sixth committee, however—the Appropriations Committee of the Senate—but recently struck out the items of interest, insurance, and surety, thereby reducing the amount allowed to the sum of $69,550.39, in which this committee concur. Not that the entire $80,049.35 is not justly due, but the owners of the Richmond Locomotive and Machine Company having agreed to accept the smaller amount in order to secure an immediate settlement, your committee recommend that said Senate bill 3269 do pass.

EXHIBIT A.

The claim of the Richmond Locomotive and Machine Works against the United States for delay by the Government in completing the hull of the U. S. armored battle ship Texas.

The Richmond Locomotive and Machine Works asks that an act be passed authorizing the Secretary of the Navy to audit the claim of the Richmond Locomotive and Machine Works, and allow such an amount as he may think just to be paid to said works for damages to it by reason of the failure of the United States Government to complete, according to its agreement, the hull of the U. S. armored battle ship *Texas*, the machinery of which has been built by the Richmond Locomotive and Machine Works. In this behalf the said company respectfully submits the following statement of facts:

In response to Government offers for bids to construct, according to the specifications, the machinery of the U. S. armored battle ship *Texas*, the Richmond Locomotive and Machine Works was the lowest bidder out of six bids that were presented, and obtained the contract at the price of $634,000 under date of May 30, 1889. The work was to be completed and put into the ship in three and a half years. The Government undertook to build the hull in which this machinery was to be placed.

About the time of the execution of the contract the attention of the then Secretary of the Navy, Hon. B. F. Tracy, was called to the fact that there was no provision for damages to the builders of the machinery in the event that the Government failed to have the hull completed to receive the machinery in due time. The Secretary refused to consider any amendment to cover this suggestion, and ridiculed it as an unreasonable and preposterous proposition, and refused to allow it to be put into the contract.

The facts now are that the hull is not yet completed, and the final trial of the machinery on a free route, which the contractors are entitled to, can not in all probability be had for a year or more.

Owing to a disastrous fire destroying much of the buildings and machinery of the works and at the same time much of the work done for the *Texas*, the Department granted an extension of eight months to the Richmond Locomotive and Machine Works on its contract.

In order that the machinery might be tested before the payment of the last installment, not including the reserve of 10 per cent which remained with the Government, the Government permitted a dock trial of the *Texas* to be had at the Norfolk Navy-Yard on the 12th and 15th of May, 1894.

At this trial the machinery indicated greater power than was required for the dock trial. During this trial, and while the ship was not under the control of the Richmond Locomotive and Machine Works, the current created by the propeller drew in the schooner *H. W. Slicer* from the stream and sunk her, on account of which this company has had to pay damages amounting to $600.

By an agreement entered into on the 26th day of December, 1894, between the Richmond Locomotive and Machine Works of the first part and the United States, represented by the Secretary of the Navy, of the second part, the contract of May 30, 1889, for the construction of the machinery of the U. S. armored battle ship *Texas* was modified. Among the recitals the following occurs:

Whereas in view of the fact that the completion of said machinery has been further delayed by reason of the failure of the party of the second part to complete the hull of the *Texas*, and in view, also, of the fact that the fulfillment of said contract on the part of the party of the first part would still further be hindered by the completion of the vessel, the party of the second part has, upon the request of the party of the first part, consented to accept the machinery at this time instead of waiting for the completion of the same. * * *

This settlement was made, but the party of the first part was required to give bond and security that whenever the ship should be completed a trial of the machinery on a free route should be had, as first contemplated by the contract and subject to the conditions and provisions described therein; and that any deficiency in horsepower or any expense incurred by the Government by the breaking down or deterioration of the machinery in part or parts thereof shall be made good by the Richmond Locomotive and Machine Works.

Mr. BRUMM (interrupting the reading of the report). Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. CANNON. In a moment. I notice on page 4 of this bill, and I have got to revive my recollection of it by reading the report, that it seems that after this delay that upon the statement of the Richmond Works, the contractors, a settlement was made.

Mr. BRUMM. I do not care to discuss the merits of the bill at this time. I promised to ask the committee to rise at fifteen minutes to 5. Complaints are made that the reports are exhausted, and before asking the committee to rise I wish to ask that the report be printed in full in the RECORD, so that members may have the report.

Mr. CANNON. My friend, Mr. WALKER, suggests that that will cost more money, but if he will take the report and read it he will find that the matters were settled; and if that is so, he will not begrudge the reprint of the report.

Mr. WALKER of Massachusetts. I do not begrudge the reprint of the report at all. I know the report is just, and I would like to see the bill pass.

Mr. CANNON. My opinion is that, while my friend from Massachusetts may think it is a just claim, so far as his technical knowledge of the claim is concerned, what he does not know about it would make a book. [Laughter.]

Mr. WALKER of Massachusetts. What each of us does not know about anything would make quite a book. [Laughter.]

Mr. BRUMM. I ask unanimous consent that the full report be printed in the RECORD.

Mr. CANNON. No; not in the RECORD. Let it be reprinted as a document.

Mr. BRUMM. Well, I ask unanimous consent that it be reprinted as a document.

The CHAIRMAN. The committee has no authority to order the reprint of a document; that will have to be done in the House.

Mr. BRUMM. Then, Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE, Chairman of the Committee of the Whole, reported that the Committee of the Whole House had had under consideration House bill 581 and House bill 1246, and reported the same back without amendment with the recommendation that they pass; that the committee had also had under consideration Senate bill 1133, an act to pay to the Richmond Locomotive and Machine Works the claim for damages and losses

incurred in the construction of the armored battle ship *Texas*, and had come to no resolution thereon.

OLIVER C. BOSBYSHELL.

The first bill reported by the Committee of the Whole was House bill 581, a bill for the relief of Oliver C. Bosbyshell, late superintendent United States mint, Philadelphia, Pa., which was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

C. B. BRYAN & CO.

The next business reported from the Committee of the Whole on the state of the Union was the bill (H. R. 1246) for the relief of C. B. Bryan & Co.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BRUMM, a motion to reconsider the votes by which the two bills reported from the Committee of the Whole on the state of the Union were passed was laid on the table.

RICHMOND LOCOMOTIVE WORKS.

Mr. BRUMM. I ask that the report on Senate bill 1133, in regard to the Richmond Locomotive Works, be reprinted. The edition already issued seems to be exhausted.

There being no objection, it was ordered accordingly.

LEAVE TO PRINT.

Mr. BRUMM. I ask that I may be permitted to extend my remarks in the RECORD on Senate bill No. 628, to pay the claim of the executors of John Roach.

There being no objection, leave was granted.

IMPROVEMENT OF HUMBOLDT HARBOR, CALIFORNIA.

Mr. BARHAM. I ask unanimous consent for the present consideration of the joint resolution (H. Res. 119) for the improvement of Humboldt Harbor, California.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of War be, and he is hereby, requested to submit detailed estimates from information now on file of the costs for the proposed dredging and improvement of Humboldt Harbor, California, as contemplated by the river and harbor act of June 3, 1896, and by the report of Cassius E. Gillette, captain of engineers, submitted to Congress in the report of the Chief of Engineers.

The SPEAKER. Is there objection to the present consideration of this joint resolution?

Mr. DINGLEY. Is this an improvement which has been authorized by any river and harbor act, or is it a new improvement?

Mr. BARHAM. It is a new improvement.

Mr. DINGLEY. Is this merely a proposition for a survey?

Mr. BARHAM. Simply for an estimate. The survey is waived.

Mr. DINGLEY. If this is a proposition for an estimate for an improvement not yet authorized, I suggest that the usual provision be added for a report from the War Department upon the question whether such an improvement should, in the judgment of the Department, be undertaken by the Government.

Mr. BARHAM. The War Department has already recommended the improvement.

Mr. DINGLEY. If the improvement has been recommended already by the War Department, of course there is no occasion for the amendment I have suggested.

Mr. CANNON. Will not an estimate come here in the ordinary course of things?

Mr. BARHAM. Not at all. There is no necessity for a survey, and that is waived, thus saving the Government about $500. This resolution calls simply for an estimate.

Mr. CATCHINGS. This is a case where the War Department does not need a survey in order to make an estimate; but an estimate can not be submitted without the authority of Congress.

Mr. DOCKERY. I should like to know whether the Chief of Engineers has expressed any opinion as to the desirability of this work?

Mr. CATCHINGS. According to my understanding, he has; and he can make an estimate without going to the expense of a formal survey.

Mr. DOCKERY. He has approved the work?

Mr. CATCHINGS and Mr. BARHAM. Yes, sir.

Mr. DOCKERY. If he approves the work, of course it is not necessary to add the usual proviso.

There being no objection, the House proceeded to the consideration of the joint resolution, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BARHAM, a motion to reconsider the last vote was laid on the table.

FRANK LOYD.

Mr. TATE. I ask unanimous consent for the present consideration of the bill (H. R. 7318) for the relief of Frank Loyd, of Georgia.

The bill was read, as follows:

Be it enacted, etc., That the title acquired by the United States to the land hereinafter described, at the sale made by the marshal of the northern district of Georgia under and by virtue of a fieri facias issued from district court of the United States for the northern district of Georgia on the 31st day of January, 1890, and purchased by the United States on the 3d day of March, 1891, the day of sale, at Atlanta, Ga., sold as the property of Alexander M. Mauldin to satisfy said execution, namely, 200 acres of land, lots numbered 310 and 311 in the eighteenth district and first section of Towns County, Ga., is hereby released and acquitted in favor of Frank Loyd, his heirs and assigns, upon the payment to the Solicitor of the Treasury of all costs incurred by the United States in obtaining judgment against said Alexander M. Mauldin, and in bringing said land to sale and in advertising and selling the same.

The amendments reported by the Committee on the Public Lands were read, as follows:

Insert in line 17, page 2, after the word "cost," the following: "and expense."

Also amend by adding, after the word "same," in line 19, page 2, the following: "And also all costs in case of United States against Benjamin Church for retailing."

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. TATE, a motion to reconsider the vote by which the bill was passed was laid on the table.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4332. An act to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 3, 1896—to the Committee on Rivers and Harbors.

S. 2677. An act for the relief of the University of Kansas—to the Committee on Claims.

S. 4190. An act authorizing the Secretary of the Interior to issue a permit to the American Invalid Aid Society, of Boston, Mass., to occupy and use 160 acres of land, being part of the abandoned Fort Stanton Military Reservation, in New Mexico, for the purpose of a national sanitarium for the treatment of pulmonary diseases—to the Committee on the Public Lands.

S. 1183. An act for the relief of John Green—to the Committee on Pensions.

S. 3515. An act granting an increase of pension to Mary L. Page—to the Committee on Invalid Pensions.

S. 2036. An act to increase the pension of Mary C. Cook—to the Committee on Invalid Pensions.

S. 3474. An act granting a pension to John C. Brown—to the Committee on Invalid Pensions.

S. 1071. An act granting a pension to Abigail R. Ellet—to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bill and joint resolution of the following titles:

S. R. 129. Joint resolution relative to suspension of part of section 355 of Revised Statutes, relative to erection of forts, fortifications, etc.

S. 771. An act to incorporate the National Florence Crittenton Mission.

TEXAS STATE FAIR AND EXPOSITION.

Mr. BURKE. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. Res. 14) authorizing articles imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Exposition, to be held at Dallas, Tex., in 1897, to be imported free of duty, under regulations prescribed by the Secretary of the Treasury.

The SPEAKER. The joint resolution will be read, subject to the right of objection.

The joint resolution was read, as follows:

Resolved, etc., That all articles which shall be imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Exposition, to be held at Dallas, Tex., in October, 1897, upon which there shall be a tariff or customs duty shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury may prescribe; but it shall be lawful at any time during the exhibition to sell, for delivery at the close of said fair and exposition, any goods or property imported for and actually on exhibition in the fair and exposition buildings or on their grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such article by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the persons who may be guilty of any illegal sale or withdrawal.

SEC. 2. That for the purposes of the execution of this act Dallas, Tex., may, in the discretion of the Secretary of the Treasury, be a port of delivery in the customs collection district in which it is situated.

The Committee on Ways and Means recommend the adoption of the following amendments:

Amend the title to read:

"Joint resolution authorizing articles imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Dallas Exposition, to be held at Dallas, Tex., to be imported free of duty, under regulations prescribed by the Secretary of the Treasury."

In line 5, before the word "Exposition," insert the word "Dallas." In the same line, after the word "Texas," strike out "in October, 1897."

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. DINGLEY. Before consent is given, Mr. Speaker, there is another amendment to this resolution which the committee reported, and which has not been read.

Mr. PAYNE. The amendments which have been read are not the only amendments which were agreed to in committee.

Mr. BURKE. I was going to ask to have the committee's report read, which sets out in full all the amendments agreed upon.

Mr. PAYNE. One of the amendments of the committee fixed a different date from that read. Let us have the committee amendments reported.

Mr. BAILEY. Let me interrupt the gentleman for an inquiry.

Mr. PAYNE. Certainly.

Mr. BAILEY. Does this report come from the Committee on Ways and Means?

Mr. PAYNE. Yes.

Mr. BAILEY. I am not going to object to the unanimous consent asked for by my colleague. I did not attend the meeting of the committee, but I wish to state that I am just as much opposed to an exposition in Texas at governmental expense as in Omaha.

Mr. PAYNE. If the gentleman had been present, he would have had an opportunity to vote with me on that question. I also voted against it.

Mr. DALZELL. I wish to say that I was opposed to this proposition myself.

Mr. PAYNE. But the point that I was making is that what has been read by the Clerk are not the committee amendments.

Mr. DINGLEY. Let us have the bill read as reported by the committee.

Mr. PAYNE. In the first place, the date was changed from 1897 to 1898. But the bill as read and proposed to be amended leaves it open for all time to come.

Mr. BURKE. I ask the Clerk to read the report from the Committee on Ways and Means.

Mr. PAYNE. And the committee amendments required the State Fair Association to reimburse the United States for every dollar of expense, including the salary of special officers. That does not appear in the bill which has been read.

Mr. BURKE. But the report of the Committee on Ways and Means, which I hold in my hand, shows in full what the action was.

Mr. DINGLEY. I ask to have the bill and amendments reported.

Mr. STEELE. I regret to call attention to the fact, but it is 5 o'clock.

The SPEAKER. The gentleman from Indiana calls attention to the fact that the hour of 5 o'clock has arrived, and under the rules the House will stand in recess until 8 o'clock this evening.

The Chair will appoint the gentleman from Illinois [Mr. CONNOLLY] to act as Speaker pro tempore at the evening session.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. CONNOLLY, as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule under which this session is held.

The Clerk read as follows:

The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

Mr. TALBERT. Mr. Speaker, I ask that all bills for the removal of desertion be passed over to-night.

The SPEAKER pro tempore. Is there objection to that request?

Mr. BROWNLOW. I ask the gentleman from South Carolina that after the conclusion of the pension bills, then we take up the charges of desertion.

Mr. TALBERT. My object is that the bills for original pensions be reached first.

Mr. BROWNLOW. I am willing that we go ahead until we conclude the consideration of pension bills, and then take up the bills for the removal of desertion immediately following them.

The SPEAKER pro tempore. Is there objection to the request as modified?

There was no objection.

And then, on motion of Mr. RAY of New York, the House resolved itself into the Committee of the Whole for the purpose of considering bills on the Private Calendar, under subdivision 2 of Rule XXVI, with Mr. MOODY in the chair.

MYNTIE L. HAMILTON.

The first business on the Private Calendar was the bill (H. R. 2866) granting a pension to Myntie L. Hamilton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $12 per month, the name of Myntie L. Hamilton, widow of Jesse B. Hamilton, late of Company A, First Regiment of the Wisconsin Cavalry.

The following amendments recommended by the Committee on Invalid Pensions were read:

From lines 4 and 5 strike out the words "at the rate of $12 per month."

Add at the end of line 7 the following: "and pay her a pension at the rate of $12 per month."

Amend the title so it will read: "A bill granting an increase of pension to Myntie L. Hamilton."

Mr. TALBERT. Mr. Chairman, I think that the reports ought to be read in these cases, so that the House may know what it is voting upon. I think it is in order that the report should always be read.

The CHAIRMAN. The report will be read in the time of the gentleman from South Carolina [Mr. TALBERT].

The report (by Mr. CASTLE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2866) granting an increase of pension to Myntie L. Hamilton, have examined the same and the evidence relating thereto and respectfully report:

This bill proposes to increase from $8 per month to $12 the pension of Myntie L. Hamilton, of Michigan, the widow of Jesse V. Hamilton, late of Company A, First Wisconsin Cavalry, who served from September 11, 1861, to December 2, 1862, and was honorably discharged on surgeon's certificate of disability, on account of "chronic enteritis, emaciation, anæmia, softening of the structures of the heart, occasioning great embarrassment in the circulation of the blood."

The soldier filed and established a claim for pension on account of disease and partial deafness of both ears, and was pensioned therefor at $4 from date of discharge; $6 from December 14, 1881; $12 from June 8, 1886; $14 from November 15, 1887; $18 from August 27, 1888; reduced to $17 from March 4, 1892.

He filed a claim under the general law for chronic diarrhœa, disease of stomach, liver, bowels, and urinary organs, and malaria, but that claim was rejected November 10, 1893, on the ground that the evidence was not satisfactory to establish origin or continuance.

Soldier committed suicide by drowning September 9, 1892, and on September 27, 1892, the widow filed a claim under the general law, alleging that the soldier drowned himself while insane and that the insanity was due to the diseases and disabilities contracted in the service. On the same date a claim was filed under the act of June 27, 1890, which was established, and claimant was granted and is now drawing $8 per month, with the usual allowance for minors.

The claim under the general law appears to have been overlooked or ignored, as it has never been adjudicated, and the claimant has failed to furnish satisfactory evidence to connect death with service; in fact, it would probably be impossible to furnish evidence that would be accepted at the Pension Office to prove that soldier's death from suicide was due to his service, although such is probably the fact. This case is on all fours with that of Barbara Miller, which has already passed both the House and the Senate.

Claimant was married to the soldier in May, 1857, is about 60 years of age, has no income or means of support except her pension of $8 per month, and has three children under 16 years of age and one 17.

Your committee therefore report the bill back with the recommendation that it pass when amended as follows:

From lines 4 and 5 strike out the words "at the rate of $12 per month."

Add at the end of line 7 the following: "and pay her a pension at the rate of $12 per month."

Amend the title so it will read: "A bill granting an increase of pension to Myntie L. Hamilton."

Mr. TALBERT. Mr. Chairman, the report here states that the soldier's death from suicide was not due to service origin, or anything of that sort.

Mr. RAY of New York. No, I beg the gentleman's pardon. It states that such was probably the fact, but that legal evidence satisfactory to the Pension Bureau can not probably be adduced at this late day. On the examination of this evidence the committee were satisfied that because of these diseases from which he suffered, which did affect the brain, he became insane.

Mr. TALBERT. It says here:

Failed to furnish satisfactory evidence to connect the death with service.

Mr. RAY of New York. That is true. He committed suicide by drowning. The question is whether or not that insanity which caused him to commit suicide was produced by these diseases, all conceded to be of service origin. At this late day it is almost impossible to get before the Pension Bureau the necessary legal evidence to establish the facts, but on a careful review of the evidence the committee were satisfied, morally certain, that he did become insane because of the diseases which he contracted in the service. That is the main ground upon which we reported the bill.

The amendments reported by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM TAYLOR.

The next business on the Private Calendar was the bill (H. R. 752) granting an increase of pension to William Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William Taylor, late of Company D, Fourteenth Regiment of Wisconsin Volunteers, on the pension roll, and cause to be paid to him a pension of $30 per month, in lieu of the pension now received by him.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6 strike out the words "cause to be paid to" and insert in lieu thereof the word "pay."

In line 7 strike out the words "of thirty" and insert in lieu thereof "at the rate of twenty-four."

The CHAIRMAN. The question is on the adoption of the amendments proposed by the committee.

Mr. TALBERT. Mr. Chairman, I should like to have the first part of the report read. It is a long one. I do not want all the accompanying documents read.

The CHAIRMAN. The Clerk will read the report in the time of the gentleman from South Carolina.

The report (by Mr. WARNER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 772) granting an increase of pension to William Taylor, submits the following report thereon:

This bill as amended proposes to increase from $17 to $24 per month the pension of William Taylor, of La Crosse, Wis.

The War Department record shows that William Taylor was enrolled October 21, 1861, and was mustered into the United States service on January 30, 1862, as a private in Company D, Fourteenth Wisconsin Volunteer Infantry, to serve three years, and was mustered out February 7, 1865.

The soldier is now a pensioner at $17 per month for double inguinal hernia incurred at Pittsburg Landing in May, 1862, and for piles and rheumatism.

The proof filed with your committee shows that the soldier was born on the 20th day of May, 1807, and is now in his ninetieth year; that he is unable to perform manual labor, owing to his extreme age and the disabilities mentioned; that he has no means of support except his pension and what he receives as doorkeeper at the court-house in the city of La Crosse, Wis., during the terms of court, and which amounted to from $75 to $100 per year for the past three years; that he has no property except a small house and lot occupied by himself and family, which is of small value; that he married late in life, and now has a family consisting of himself and wife and four children, three girls and one boy, and that his youngest daughter is about 20 years of age.

The proof filed with your committee further shows that the soldier is an industrious, temperate, and upright man; that he is addicted to no vices, is an excellent citizen of exemplary habits, of the highest integrity and standing, and is in every way worthy of favorable consideration on the part of the Government.

Your committee, in view of the extreme age of the beneficiary and his consequent inability to perform manual labor, the admitted disabilities with which he is afflicted and for which he is receiving a pension, his total dependence on his pension and his own exertions for the support of himself and family, believe that the case belongs to the class which should receive favorable consideration by Congress, and therefore recommend the passage of the bill when amended as follows:

In line 6 strike out the words "cause to be paid to" and insert in lieu thereof the word "pay."

In line 7 strike out the words "of thirty" and insert in lieu thereof "at the rate of twenty-four."

The amendments proposed by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

RANSOM S. ANGELL.

The next business on the Private Calendar was the bill (S. 1466) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Ransom S. Angell, late private in Company G, First Regiment Wisconsin Cavalry, and pay him a pension of $17 per month, in lieu of the pension he is now receiving.

The following amendments recommended by the Committee on Invalid Pensions were read:

After the word "pension," in line 6, insert the words "at the rate."

Amend the title so as to read: "An act granting an increase of pension to Ransom S. Angell."

Mr. CLARDY. Mr. Chairman, I desire to use a few minutes of the time of the committee this evening. I had a few remarks which I intended to make several days ago, but had no opportunity to do so. I concluded yesterday that I would quietly and without ostentation have them buried in the CONGRESSIONAL RECORD, and asked unanimous consent for the purpose of doing so, but the gentleman from Maine, in the kindness of his heart, objected, and of course that settled that. Hence the necessity for passing through the House now with these few remarks in order to reach the Congressional Cemetery.

Mr. Speaker, it is said "that no country in Europe, save Turkey, is in so bad a plight as Spain, morally, socially, financially, intellectually. In the domain of literature she has excelled only in the drama and the novel. Not a single great statesman, philosopher, moralist, historian, or scientist has Spain produced." Still she must even now have some able diplomats who have been able to keep our President and his advisers in uncertainty and doubt until the long delay weakens our faith and makes the heart sick. When we remember how great Spain once was, it is difficult to realize how low she has fallen.

A century ago she owned one-third of the world. Two hundred years ago she "might have stood against the world." Now "none so poor as to do her reverence." With the loss of her great estates she has degenerated into a most cruel and relentless foe to personal and national liberty. The war for Cuban independence has been going on for more than three years, relentlessly waged by Spain by methods of cruelty, assassination, and starvation unknown to civilized warfare. This plan of authorized and systematic starvation is still going on at our very doors. In addition to this, the spirit echoes of 266 of our noble officers and seamen, American citizens, murdered, if not by Spanish authority, by Spanish treachery, comes to us from the ground or from the muddy waters of Havana Harbor, pleading, if not for vengeance, at least for settlement and speedy punishment.

What shall we, a great and powerful liberty and justice loving people, do about it? If the independence of Cuba can not be secured without war, then let war come—the sooner the better. A hostile fleet now approaches American waters, and further delay may mean a much longer and more disastrous war. Looking at the matter from the standpoint of patriotism, honor, justice, and even mercy, "Why halt we between two opinions? If the Lord be God, serve Him; if Baal, then serve him." May the God of nations guide us to that decision which is wisest and best, so we may act without unnecessary delay. [Applause.]

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCES E. PEASE.

The next business on the Private Calendar was the bill (S. 668) granting a pension to Frances E. Pease.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Frances E. Pease, widow of William R. Pease, late colonel One hundred and seventeenth New York Volunteers, and to pay her a pension at the rate of $15 a month.

Mr. TALBERT. Mr. Chairman, let us have the report read.

The report (by Mr. HENRY of Connecticut) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 668) to pension Frances E. Pease, have examined the same and all the evidence and respectfully report:

This bill proposes to pension at $15 per month, total of rank of her husband, Frances E. Pease, of Wallingford, Conn. She is the widow of William R. Pease.

The following from the Senate report (No. 496) gives the facts and fully warrants the action of the Senate:

"The soldier graduated at West Point in 1855, and was appointed a second lieutenant; was promoted to first lieutenant March 23, 1861, and to captain June 8, 1861, and colonel August 15, 1862.

"The records of the War Department show that he contracted heart disease, or nervous affection of the heart, in 1859, while on duty in the West. The records show that Lieutenant Pease suffered from May 17, 1859, from a nervous affection of the heart, causing violent palpitation of the heart and complete prostration of the system. It is shown that he continued to suffer on account of this disability until 1863, when he was retired as a captain, United States Army, on August 25, 1863.

"He served at Camp Hasken, Virginia, when, upon recommendation of the surgeon, he was sent before a retiring board. The board was of opinion that Captain Pease was incapacitated for active service and that his incapacity resulted from sickness and exposure in the service. After his retirement he was on duty until 1870, being stationed at Washington, D. C., Hartford, Conn., and as professor of military science at State University of Wisconsin. He died June 7, 1895, at Wallingford, Conn.; cause of death, as reported by W. T. Russell, M. D., angina pectoris (primary), asthenia (secondary).

"The widow filed a claim for pension February 18, 1896, under the general law. This was rejected on the following grounds:

"'No title. Soldier died of disease contracted in military service prior to March 4, 1861. Widow not entitled to pension on account of such death unless its cause originated in some war. Adjutant-General reports that during period from September, 1858, to September, 1859, the regiment was not engaged in any action with Indians or Mormons.'

"This woman is the widow of an officer who contracted his fatal disability while in the service and line of duty, and should be pensioned at the total of rank which he held when he contracted such disability (second lieutenant, $15 per month).

"On this 1st day of December, A. D. 1897, before me, a notary public in and for the county of New Haven and State of Connecticut, personally appeared Frances E. Pease, a resident of Wallingford, county of New Haven, and State of Connecticut, who, being duly sworn according to law, declares that she is the widow of William R. Pease, who died at Wallingford aforesaid on the 7th day of June, 1895. That she was married under the name of Frances E. Strickland to the said William R. Pease on the 2d day of October, 1883, there being no legal barrier to said marriage. That she has not remarried since the death of the said William R. Pease. That there is now living, the issue of said marriage, Robert W. Pease, aged 13 years.

"That the said Robert W. Pease is not able to earn anything toward his own or the support of his mother, the said Frances E. Pease. That the said William R. Pease served during the war of the rebellion in the service of the United States, and for a number of years prior to his death was on the retired list and received from the Government of the United States $157.50 per month, and was receiving said sum to the time of his death; and that he was without means of support other than the amount so received from the Government of the United States. That she, the said Frances E. Pease, is not now receiving and has not received a pension since the death of her said husband, the said William R. Pease. That she is without adequate means of support other than her daily labor. That her only means of support is by keeping boarders, and that she is physically able to keep boarders a part of the time only.

"That she has suffered for a number of years past and is now a great sufferer from eczema, which renders her unable to perform manual labor, and but for the assistance of her mother and relatives would have suffered for the necessaries of life.

"FRANCES E. PEASE.

"STATE OF CONNECTICUT, *New Haven County, ss:*

"Sworn to and subscribed before me at Wallingford, in said county and State, this 1st day of December, A. D. 1897. I hereby certify that the foregoing affidavit was fully made known and explained to the affiant before swearing, and that I have no interest in said claim, either direct or indirect.

[SEAL.] "CHAS. A. HARRISON, *Notary Public.*"

This widow is now poor and in failing health.

The bill is therefore reported back with the recommendation that it pass.

The bill was ordered to be laid aside with a favorable recommendation.

MOSES M. CRANTS.

The next business on the Private Calendar was the bill (S. 1751) granting an increase of pension to Moses M. Crants.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Moses M. Crants, late a private in Company G, One hundred and seventh Regiment New York Volunteer Infantry, at the rate of $30 per month, in lieu of the pension of $24 he is now receiving, to take effect from and after the passage of this act.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Infantry," insert the words "and pay him a pension."

Mr. TALBERT. Mr. Chairman, let us have the report read.

The CHAIRMAN. The report will be read in the time of the gentleman from South Carolina.

Mr. RAY of New York. Mr. Chairman, I hope the gentleman will not make the Clerk read the long report, giving the service of this soldier, but will let me make a statement.

Mr. TALBERT. Certainly.

Mr. RAY of New York. Now, the evidence in this case shows this——

Mr. TALBERT. I did not have the report before me.

Mr. RAY of New York. This is a Senate bill, which comes over to us with their approval, and we have investigated the matter. The evidence shows that he did long and faithful service as a soldier; and there is nothing against his record. He contracted in the service hernia, varicocele, and asthma, and received an injury to the back. He is now suffering from these disabilities, and is allowed a pension at $24 for his service disabilities. In addition to that, he has now locomotor ataxia. You know what that is. He can not do anything; he can hardly stand; and we have given him an increase. The Bureau allowed his pension at $24, and the Senate has increased it to $30 a month, simply on account of his helplessness not of service origin. We approve the Senate bill.

Mr. TALBERT. Let him have it.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY I. VALENTINE.

The next business on the Private Calendar was the bill (H. R. 584) granting a pension to Mary I. Valentine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Mary I. Valentine, daughter of the late Joseph E. Valentine, of Company A, Ninety-seventh Regiment Pennsylvania Volunteers, at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Volunteers," insert "and pay her a pension."
In same line strike out "thirty" and insert "fifteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RHODA A. VAN NIMAN.

The next business on the Private Calendar was the bill (S. 3517) granting a pension to Rhoda A. Van Niman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rhoda A. Van Niman, widow of Enoch I. Van Niman, late of Company F, Forty-second Ohio Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS S. TEFFT.

The next business on the Private Calendar was the bill (H. R. 8299) granting an increase of pension to Thomas S. Tefft.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Thomas S. Tefft, late of Company —, First New York Dragoons, and to pay him a pension at the rate of $50 per month, in lieu of the pension he now receives.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "fifty" and insert the word "thirty."

The amendment was agreed to.

The CHAIRMAN. The Chair will call the attention of the gentleman from New York to the fact that the bill is somewhat incomplete in the fifth line. The company is not given. The Chair is not sure that has been called to the attention of the gentleman.

Mr. RAY of New York. I remember that; and I do not know whether my colleague, Mr. HOOKER, who is here, can furnish the information.

Mr. HOOKER. I do not know whether I can. I will, however, see that the bill is amended before it is passed.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LAURITZ OLSEN.

The next business on the Private Calendar was the bill (H. R. 7321) granting a pension to Lauritz Olsen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll the name of Lauritz Olsen, late a member of the Second Minnesota Battery Light Artillery, and pay him a pension of $50 a month from and after the passage of this act, in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "of fifty" and insert in lieu thereof the words "at the rate of forty."

Mr. TALBERT. Mr. Chairman, I would like to have that report read.

Mr. GIBSON. Mr. Chairman, I will state the facts in this case. This soldier served over three years in the Army, and he is suffering from disabilities that now entitle him to a small pension; but by an accident he lost both of his hands and both forearms by a premature discharge of a cannon.

Mr. TALBERT. That accident occurred in 1888.

Mr. GIBSON. That is true. If it had been of service origin, he would have been entitled to $72 a month.

Mr. NORTHWAY. One hundred dollars a month.

Mr. GIBSON. We give him $40 a month. It is a very meritorious case, and is unanimously agreed to by the committee.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM TOMPKINS.

The next business on the Private Calendar was the bill (H. R. 8680) granting an increase of pension to William Tompkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Tompkins, late private, Company F, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $50 per month, in lieu of the pension he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

NEWTON W. COOPER.

The next business on the Private Calendar was the bill (H. R. 4189) granting a pension to Newton Cooper.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place the name of Newton W. Cooper on the pension roll, at the rate of $72 per month, for the services rendered during the war of the rebellion by the said Newton W. Cooper, subject to the provisions and limitations of the pension laws and in lieu of the pension he now receives.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Newton W. Cooper, late private, Company H, Third Pennsylvania Heavy Artillery, and pay him a pension at the rate of $50 per month, in lieu of the pension he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER CASTLE.

The next business on the Private Calendar was the bill (H. R. 4488) to increase the pension of Peter Castle, late of Company D, Fourth Provisional New York Cavalry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Peter Castle, late a private in Company D, Fourth New York Provisional Cavalry, and pay him, on account of disease of the heart and deafness, a pension at the rate of —— dollars per month, the same to be in lieu of the pension heretofore granted him.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out the words "on account of disease of the heart and deafness."
In line 7, after "of," insert "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY K. OPP.

The next business on the Private Calendar was the bill (H. R. 6411) granting an increase of pension to Henry K. Opp.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Henry K. Opp, who was an acting assistant paymaster in the United States Navy, and to pay him a pension at the rate of $25 per month in lieu of the pension he now receives.

The amendment recommended by the committee was read, as follows:

In line 7, strike out the words "twenty-five" and insert the word "twelve."

Mr. RAY of New York. Mr. Chairman, in behalf of the committee, I desire to offer or propose an amendment that the bill read "$17" instead of "$12." Of course the object can be obtained by voting down the committee amendment now, and then I will offer the amendment I suggest.

Since your committee passed on the evidence and papers before it and fixed the rate adopted by the subcommittee, my colleague [Mr. HOOKER], who introduced this bill, and some gentlemen who live in that district have presented some additional facts and evidence which make it clear to us that this man ought to have at least $17 a month; and the subcommittee who have the bill in charge have recommended that rate, and one of that subcommittee is now here. I therefore ask that the first amendment be voted down, and I will then offer the amendment I suggest, of $17 in place of $24.

The CHAIRMAN. The question is on the adoption of the first amendment proposed by the committee, striking out the words "twenty-five."

The amendment was agreed to.

The CHAIRMAN. The question is on the adoption of the amendment proposed by the committee, inserting the word "twelve."

The amendment was rejected.

Mr. RAY of New York. Mr. Speaker, I now move to insert, in place of the words "twenty-five," which have been stricken out, the word "seventeen."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHNSON HAYS.

The next business on the Private Calendar was the bill (S. 310) granting a pension to Johnson Hays.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to add to the disabilities for which Johnson Hays, late private of Company G, of the Seventh Regiment Missouri State Militia Cavalry Volunteers, now pensioned under certificate No. 134035, "hernia-hydrocele and three broken ribs on left side," and grant him a rate of pension proportioned to the degree of disability to perform manual labor.

The amendment proposed by the committee is as follows:

Amend the title so as to read: "An act for the relief of Johnson Hays."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHN A. BINGHAM.

The next business on the Private Calendar was the bill (H. R. 8181) for the relief of John A. Bingham, major and judge-advocate of volunteers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John A. Bingham, major and judge-advocate of volunteers, on the pension roll, subject to the provisions and limitations of the pension laws, and pay him a pension at the rate of $50 per month from and after the passage of this act.

Mr. TALBERT. Mr. Chairman, I should like to have the report read in my time.

The Clerk read the report (by Mr. KERR), as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8181) granting a pension to John A. Bingham, have considered the same and most respectfully report:

This bill proposes to pension, at $50 per month, John A. Bingham, of Ohio, who was commissioned major and judge-advocate of volunteers, to rank from January 12, 1864, and was honorably discharged August 3, 1864, on tender of resignation.

No record of medical treatment while in service.

He has never applied for pension at the Pension Office under any law. It is not alleged that he has any disability due to service, but he is undoubtedly entitled to $12 under act of June 27, 1890. It is shown by evidence before this committee that soldier is 83 years of age, is very feeble, and nearly helpless physically and mentally, and is in very straitened circumstances financially, owing to causes beyond his control.

The accompanying statement, marked Exhibit A, as to his public services, has been filed with this committee.

The distinguished and meritorious services of this soldier during his military career were of incalculable value to the country in its most perilous days. We had a Grant, a Sherman, a Sheridan, a Thomas, a Hancock, and other great generals at the front, but all their ability and valor would have been of no avail without the aid of equally great and brave men at the capital of the nation to meet and nullify the fire in the rear, which was just as dangerous to the cause of the Union as were the armies of the Confederacy. One of the ablest, most patriotic, and fearless of these was Maj. John A. Bingham.

In his old age and necessitous circumstances a grateful country will gladly give this reasonable and merited pension to one of its most distinguished soldiers. In fixing the amount at this reasonable sum your committee is mindful of the society in which the beneficiary has been accustomed to move, and is disposed to give relief that shall not only "keep the wolf from the door," but make the old soldier feel that one republic is not ungrateful. His necessities are great, and he requires almost constant aid and attendance.

The bill is reported back with the recommendation that the title be amended so as to read: "A bill for the relief of John A. Bingham."

Mr. TALBERT. Now, Mr. Chairman, I would like to ask the gentleman in charge of the bill to say to the House what great service this gentleman ever did. Was he ever a soldier?

Mr. RAY of New York. Yes.

Mr. TALBERT. Did he ever do anything except to sit at the Capitol? You propose to pay him $50 a month. I would like to know the reason the committee have brought forward any such bill.

Mr. RAY of New York. I will state as briefly as I may, although I put into this report, which, by the way, I drew myself, the reasons which actuated the committee to report the bill. I want the gentleman from South Carolina to understand that when I refer in these remarks to the Confederacy, or to the Confederate army, that I do not hold them in contempt. I have not a word to say against them. My friend from South Carolina [Mr. TALBERT] knows that I believe the time has come, as I have said more than once on the floor of this House, when the boys who wore the blue and those who wore the gray can meet at all times and on all occasions and join hands, touch elbows, and all move forward for the advancement and prosperity and glory of an undivided country.

Still, when we go back thirty years, we must refer to these things. I want to say to the gentleman that when I was young, when I went into the Army, a mere boy, I had the idea from some of the influences that had been thrown around me, and some of the teachings, that the soldiers in the Confederate army did not have any faith in their cause; that they really believed they were fighting for a wrong and to maintain a wrong principle, and that they were battling simply to punish the North. Soon I learned they were as sincere as we were.

The gentleman knows that in those days terms were bandied back and forth among those who stayed at home and fought valiantly with their mouths, and the gentleman remembers another thing—down at the front, while we lined up in line of battle one day in opposition, yet when the battle was over and a truce was declared, we went together as brothers and mournfully buried our dead.

Then you remember how we frequently met on the picket line, and instead of trying to take each other's lives, while we saw to it that no wrong was done, we used to swap tobacco for coffee and coffee for tobacco from the South and other things that you had. So that we really learned to respect one another, and as the days have gone on we respect one another more and more.

Now, in those terrible, troublous times, here at the North we had some men scattered through the country who were all the time firing into the rear of the Union Army. They were doing what they could to undermine the cause of the Union, and that is why I refer to the firing from the rear.

Now, another thing that was of great importance in those days. Gentlemen can remember that when the war was over, and when the Confederate army had laid down its arms, and when General Grant, loved by the entire American people, North as well as South, had said to the surviving Confederates, "You may take your horses and your side arms and go home, and you shall be protected so long as you obey the laws of the country," that still there were those who jeered and entertained great bitterness; you remember the assassination of President Lincoln, and you remember the danger that all ran—those who had been battling for the Union.

In these times John A. Bingham came to the front. He did noble work for the Union, and did much later on to bring the North and South together. He never expressed bitterness toward the South or the Southern people. He was a gentleman, and loved the whole country and wanted it undivided.

He was mustered into the service, and he bravely, valiantly, and nobly did his duty as a soldier, where he was in as much danger from the fanatical hand of the assassin as were the boys who faced the musket and fought for the Union or for the Confederacy. He never has asked any pension from this Government. He is now 83 years of age. He is poor. This pension will go to him for only a very few years—perhaps only a year or two. But he was a defender of the nation; he defended its laws; he defended its honor. And he did it at a time when to stand up and do his duty here in Washington, as I have said, was just as dangerous to him as for a soldier in the ranks to face the muskets of the enemy.

It is for this reason—believing that we should encourage brave men; believing that we should remember patriotic brave men; believing that we should encourage the spirit of patriotism in the young men of this nation now, both North and South, for we do not know how soon we shall need them—that your committee has recommended the granting of this pension to Maj. John A. Bingham, one of the brightest men the country ever saw.

This committee, mind you, have stood with their faces like flint

against the proposition to pension sutlers, to pension photographers, to pension that class of men who clamor before the committee for pensions. But here is a man who did duty, and faithful duty, even though he did not face the cannon on the field in actual battle.

Mr. TALBERT. Mr. Chairman, I have no objection to anything the distinguished gentleman from New York [Mr. RAY] has said; but it does seem to me that he has not touched the subject in the course of his very eloquent little speech. Here is a claim of a pension of $50 a month for a man who never did any military service whatever, who was never under the fire of a gun, never smelt any gunpowder, never endured any hardships whatever, and who served, as stated in the report, only the short term of seven months, from January, I believe, till August, 1864.

Yet this House is called upon to vote him a pension of $50 a month, without law, without precedent, without right, without justice, without anything to back it. I for one am opposed to granting this pension, and shall vote against it. Mr. Chairman, I move that the bill be laid aside to be reported to the House unfavorably.

Mr. DANFORD. Mr. Chairman, I introduced this bill for the relief of John A. Bingham. I believe he is as much entitled to the gratitude of his country in this direction as many, many others who are receiving larger pensions than the one proposed in this bill. It is true that Mr. Bingham did not do service in the field; but he did very great service during the time he was in the army as a judge-advocate, and, as has already been said, he would be entitled under the law of 1890 to a pension of $12 a month.

He is old and helpless. He has not a child on this earth that can help him to one penny. He has no living relatives that he can lean upon. He stands alone—an old man. During his sixteen years of service in this body many, many were those, then weak and needing strength, who leaned upon him—our soldiers in the field, our people at home. He was a strength to them in that day and that hour. He comes now to this great Government in the day of his weakness and asks that he may be permitted to lean upon it for the few short months that he has yet to live.

Mr. Bingham served, as I have said, sixteen years in this House. The culmination of his great career here was during the reconstruction period. He stood in this body the advocate of the fourteenth amendment to the Constitution. He was the author of that amendment. He stood in this body contesting with Thaddeus Stevens, of Pennsylvania, the supremacy upon that question. He was in favor of the rehabilitation of the Southern States, while Mr. Stevens was opposed to that at that time, and, as I have heard him express it, wrote his language upon the Constitution of his country.

Now, there are a great many already upon the pension rolls who could not be placed there because of any disability they incurred in the actual service of their country. There are men and women who are pensioners of this country to-day who never saw any actual service in time of war. And it does seem to me that this old man appeals as strongly to those who voted pensions upon that line as anyone who has come to Congress for relief since we began that line of legislation.

As I have said, Mr. Bingham is old. He stands alone, with no wife, no child, no one under God's heavens to aid him. The question is, Shall his country do it or shall his neighbors do it?

Mr. TALBERT. If he was entitled to a pension under the act of 1890, why did he not apply for it?

Mr. DANFORD. Well, I will say to my friend I think it was the pride of this old man that prevented him from doing it.

Mr. TALBERT. As the committee say in their report, he does not allege that he has any disabilities due to service.

Mr. DANFORD. I do not allege that, either.

Mr. RAY of New York. Under the act of June 27, 1890, providing for those who are poor and unable to perform manual labor, it is entirely immaterial whether they contracted the disease or disability in the service. If they are incapacitated, for any cause, from earning a living by manual labor, that is sufficient. Now, it is conceded that this old man is so incapacitated. Therefore, under the act of June 27, 1890, as he was actually in the service, he could apply for and receive a pension of $8 a month, not $12.

Mr. TALBERT. I should like to ask the gentleman if serving as judge-advocate-general gives him a pensionable status?

Mr. RAY of New York. It does. He was actually mustered into the service.

Mr. TALBERT. Does the law say so?

Mr. RAY of New York. Certainly.

Mr. TALBERT. What law?

Mr. RAY of New York. The law, the act of 1890; he has a pensionable status. It is simply a question of amount. He was regularly mustered in. I wish gentlemen all to understand this. We have here the statement of Colonel Ainsworth, which is printed in connection with the report, in which he states that Major Bingham was regularly mustered into the service and was a soldier. He might have been sent to the front in battle at any time that the Government saw fit. It is true he did not face the cannon, but he performed a notable service for his country, and he was in the service with the rank of major.

Mr. TALBERT. I should like to say to the gentleman that the report says that he has incurred no disability from even that remarkable service.

Mr. RAY of New York. That is true.

Mr. TALBERT. Then I should like to know where his pensionable status comes in?

Mr. RAY of New York. Under the act of June 27, 1890, which gives a pension to an old soldier when he becomes poor and unable to earn a living by his manual labor. That is where he has a pensionable status. There is no question about that. The only question is how much should be given him now in his old age.

Mr. SIMPSON. Was he not on detached service at the time he was acting as judge-advocate?

Mr. CONNOLLY. He was appointed as judge-advocate.

Mr. RAY of New York. He was appointed to that rank and assigned to duty here, but he might have been assigned to duty with the Army anywhere.

The CHAIRMAN. The question is on the amendment proposed by the committee.

Mr. TALBERT. I moved that the bill be laid aside to be reported to the House with an unfavorable recommendation. Does not that take precedence? I ask for information.

The CHAIRMAN. The Chair will suggest to the gentleman from South Carolina that the amendment is only an amendment to the title, and it would be well to dispose of that before disposing of any other motion. The question is upon the amendment proposed by the committee.

The amendment was agreed to.

The CHAIRMAN. The question now is upon the motion of the gentleman from South Carolina [Mr. TALBERT], that the bill be laid aside to be reported to the House with an unfavorable recommendation.

The question was taken; and on a division (demanded by Mr. TALBERT) there were—ayes 8, noes 39.

Accordingly the motion of Mr. TALBERT was rejected.

Mr. TALBERT. Now, Mr. Chairman, I move to amend by striking out "fifty" and inserting "twenty-five."

The CHAIRMAN. The gentleman from South Carolina [Mr. TALBERT] moves to amend by striking out "fifty," in the seventh line, and inserting "twenty-five."

Mr. CONNOLLY. Mr. Chairman, I hope that amendment will be agreed to. I remember the name of John A. Bingham since my boyhood. I remember him as one of the leading, active, eloquent members of Congress through all of the years of the war. I believe that he was a member of Congress at the very time that he was serving as major and judge-advocate. He occupied the dual position. If he had been a major and at the front fighting and had received wounds, he would, under the law, treating him as all other officers with that rank are treated, have received $25 a month.

We have been giving these special pensions here to brigadier-generals who served three or four years at the front, with all the chances of battle every day of their lives. We have been putting them off in their old age with $50 a month. Colonels of regiments who served for four years and were covered with wounds, and who are now dragging out the remnants of their broken lives, are turned out with $50 a month, and some with less.

Now, this major and judge-advocate, who never saw the field of battle, never endured the hardships of a soldier's life, should not, by comparison, receive as much as they. It seems to me simply unjust to those who endured those hardships and faced those dangers to say we shall now give him $50 a month and put them off with $25 a month under the general law.

I am willing to stretch a point and vote to give him the pension of $25 a month the same as other men of the same rank are entitled to who actually served in the field and were wounded; but I am unwilling to go further, and simply because he was an eloquent, active member of Congress for sixteen years to say that he shall thereby have double the pension of men who served their country in the field. [Applause.]

Mr. NORTHWAY. Mr. Chairman, I do not take much part in discussing these pension matters, and ordinarily I have voted against these eccentric pensions which seem to be a little out of the ordinary line. But I wish the gentleman from Illinois [Mr. CONNOLLY] would reconsider what he has said and what he is doing, and I wish the gentleman from South Carolina [Mr. TALBERT] would do the same. They are both kindly disposed, and neither one wishes to do any harm. Yet, if they will stop to think a little, I doubt not they will change their opinions.

Now, Mr. Bingham is not being pensioned because he was a member of Congress, but because he was a judge-advocate in the Army. He could not have presided as judge-advocate, if I understand it correctly, at any of the great courts-martial, such as the trial of Mrs. Surratt and others, without being mustered into the

Army. That gave him a standing in the Army. The gentleman from Illinois [Mr. CONNOLLY] says $25 ought to be enough. Now, I hardly know just where the limit ought to be fixed.

Mr. CONNOLLY. I say that to the gentleman because the general law puts the limit there for men of that rank.

Mr. NORTHWAY. We are not pensioning him because of any disability which would fix a limit to the pension in his case under the law. We are simply placing him upon the pension roll and measuring our gratitude here as members of Congress, and so attempting to measure the gratitude of our country to him.

I remember John A. Bingham from childhood. Those who know him know the kind of man he was and is. He was a brilliant man, but when the war was over he had not one word of bitterness for any human being on earth, and as old age has come upon him he has grown entirely out of any bitterness that would fasten itself upon the heart of any individual.

He is one of the most lovable old men, a man who loves the South just as much as the North, and who looks back upon all the stirring scenes of the past with the kindliest heart and with the loveliest nature that you ever saw. He is now 85 or more years old, I think. If you pension him, the country will not be called upon to pay him a pension for long—only a year or two, perhaps, at most. Here he is to-day, with no human being to care for him, with no one but his country.

Shall he appeal to his country in vain? He is one of the loveliest men that God ever made, the freest from all the guile and malice that sometimes gather around an old man. It would seem to me that it would be a loving duty for us not to be technical and say that he has not earned it on account of not being wounded or not fighting for his country in the Army. It measures our gratitude for perhaps the only link to-day living, going back to those stirring scenes.

I believe he is the only man alive of all those who took an active part in the prosecution of those cases. Because of his ability he was appointed as one of the prosecutors in the impeachment trial of Andrew Johnson. I believe he is the only living link going back to that time. Now, I know the gentleman from South Carolina [Mr. TALBERT] wants to deal kindly with such a man. For if there ever was a man on earth who spoke words of kindness after all the bitterness of the war, John A. Bingham was the man.

If there ever was a man in Congress who stood up here against such men as Thaddeus Stevens in their bitterness, and pronounced words of sweetness to be ever remembered, John A. Bingham was that man. It would seem to me that all of a loving country would take the poor old man in their arms and pay his way while he lives, and ease him down to a loved and honored grave. Now, I wish the gentleman would recall that motion. [Applause.]

Mr. TALBERT. Mr. Chairman, I should like to send to the Clerk's desk and have read a newspaper clipping showing that Commissioner Evans thinks that the limit of the pension roll has not been reached. It shows what he says and what Secretary Bliss says. It is a short piece in regard to pensions. I should like to have it read in my time.

The Clerk read as follows:

MORE MONEY NEEDED FOR PENSIONS—COMMISSIONER EVANS THINKS THE LIMIT OF ROLL HAS NOT BEEN REACHED.

In sending to Congress a deficiency estimate of $8,070,872 for pensions for this year, Secretary Bliss makes an interesting statement on the general subject of pensions up to date. Secretary Bliss says:

"On the 1st of July, 1897, there was available $140,000,000 for the payment of army and navy pensions; $4,000,000 of this amount was set apart for navy pensions, leaving $136,000,000 for payment of army pensions. The total number of pensioners on the roll June 30, 1897, was 976,014, while on the 28th of February, 1898, there were 989,613 on the roll, a net increase of 13,599.

"Between the latter dates there was disbursed for the payment of army pensions $95,370,827.46, leaving the sum of $40,629,127.54 for the payment of pensions to the end of the present fiscal year. The Commissioner of Pensions estimates that $48,700,000 will be required for the payment of pensions during the remaining four months of the fiscal year, more than $8,000,000 in excess of the unexpended appropriation.

"The Commissioner has recently expressed to me an opinion as to the future course of pension payments at variance with his views thereon as stated in the annual report, which was to the effect that after the close of the current fiscal year payments would rapidly decline. It is now his opinion that in view of the increasing applications for original pensions and for increase of pensions there will be an increase in the sum required for the payment of the army and navy pensions for some time to come.

"In this connection the table showing the number of pensioners on the roll and the value of the roll annually since 1887 is significant. From this it appears that the pension roll has substantially doubled since a quarter of a century after the close of the war. In 1890, twenty-five years after the war closed, the number of pensioners on the roll was 537,944. At the close of the current fiscal year the number on the roll will approximate 996,000, an increase of nearly 90 per cent since 1890.

"In that time the value of the roll has increased from $72,052,143.49 in 1890 to approximately $132,000,000 in the present fiscal year.

"The roll is now larger than at any former time, notwithstanding that thirty-three years have elapsed since the cessation of hostilities. It contained about 5,500 more pensioners in 1897 than it did in 1896, and approximately 20,000 more in 1898 than in 1897, and the value of the roll has also increased in the same period."

Mr. TALBERT. Now, Mr. Chairman, sentiment, partisanship, and prejudice ought all to be put aside in the discussion of these cases, and we ought to look at them from a sensible, business standpoint. Now, you hear the report from the Secretary of the Interior and Commissioner of Pensions, and see the enormous increase that must follow the present plan of granting pensions. Thousands and thousands are being considered every day there, either for increase or for original pension, and we have the same here. To-night we have on the Calendar 66 bills for pensions.

Out of this 66, 25 of them are for the removal of the charge of desertion. Just think of that! Ten are for increase, and only 31 for original pension. Now, let us look at it from a business standpoint. I am the last man, being a Southern man, to stand up here and oppose the granting of pension to any honest, true, brave old veteran. I have never done it, and gentlemen who have served with me in the Fifty-third, the Fifty-fourth, and the Fifty-fifth Congresses up to date can testify to that fact; but I believe it to be my duty to stand up here and enter my protest against what I consider unjust and extravagant appropriations for pensions for anybody, and I do it without any feeling of prejudice or partisanship, but merely from a business standpoint as being my duty.

Now, here is a claim granting a pension of $50 a month for General Bingham. I never met General Bingham, and do not say anything against him. I would not take from him one laurel that has been weaved around him by his friends to-night. He was a grand man, an eloquent man; and hence, putting sentiment aside and dealing with it from business sense, let us see whether or not we should grant him $25 a month. I am willing to vote for that if this House seems disposed to do so.

Then, again, you see the empty seats. They are unable to consider legislation, and the Constitution of the United States requires that every bill and every piece of legislation that is passed through this House shall be done by a quorum. The rules of the House require it. Having no feeling in the matter, I am willing to vote for $25 a month, and make a compromise, and let this thing go along. I hope the gentleman in charge of the bill will accept it and let the amendment be carried at $25, and we can go on and pass more bills.

Mr. RAY of New York. Mr. Chairman, I desire to say that at the suggestion of the gentleman from Ohio, I accept the amendment, and let it go through at that. I wish, however, to make a correction in regard to the statement of my friend from Illinois [Mr. CONNOLLY]. He stated that at the time Major Bingham was a major and judge-advocate in the Army he was also a member of Congress.

I stated to him at the time, quietly, that that could not have been so. I have therefore sent for the record, and have before me the journals and records of the House, and now state positively that Major Bingham was not a member of Congress, and did not hold any civil place, either under the State of Ohio or the United States, at the time he was in the Army. He was serving as a soldier at that time. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from South Carolina.

Mr. NORTON of Ohio. Mr. Chairman, I do not wish to interfere with the proceedings, but as a member of the delegation from Ohio were I to remain silent upon this question it would look, at least to my constituents and to the people of my State, as if I had no interest in this matter. I am proud of General Bingham's record. I am proud that he was a citizen of my great State. I believe, Mr. Chairman, that no man ever rendered greater service to his party than did General Bingham.

I believe no man has ever rendered, within the limits and scope of his opportunity, greater services to the Government at large than did General Bingham. You may remember, my fellow-members, that it was through his influence largely, and perhaps wholly, that the treaty between China and our Government was accomplished in such a satisfactory way as to render perhaps a greater service to this Government than all you will ever be required to pay him will compensate him for if he should remain on the pension roll a hundred years.

Mr. Chairman, it is true that his service in the Army was extremely limited, that his services in the field were not distinguished; but as a judge-advocate-general I grant no man can present a more brilliant, a more fair, and more just record than he. And it will give me great pleasure to know that in his declining years this country can, perhaps with generosity, recognize the service he has rendered his country.

But I ask you to remember this—that there are many men now without a dollar of pension on God's earth that rendered not only eight months' service to the Government in the Army, but three long years, and in the front at that, and are debarred now by a ruling of the Pension Office; and whenever the opportunity shall be given to me, at every hour and at every time on this floor, I desire to again and repeatedly call your attention to the fact that there is a rule of law which bars men that are more justified in asking for a pension who are just as poor and rendered as much service to the Government, not so distinguished by brains, but by courage and services in the field; and when the time comes that they are placed on the rolls here and we are asked to vote for them, I beg of that side of the House as well as this that you will

not bring up this rule, but you will be as generous in voting for them as we are in voting for this, for under the rules of the Pension Department this man could not get over $12 a month. Then let us bend the rule as well for the men who served in the field as for those who were diplomats and jurists. I will vote for $25 or $50. It is a matter of indifference; I will not antagonize it; but I want to use this as a lever once more to pry open the consciences and the generosity of the members to vote in favor of the privates as well as in favor of the diplomat and the jurist and the men who bear the name of general. [Applause.]

Mr. BRUCKER. Mr. Chairman, I would not interrupt the proceedings to impose any remarks on the committee at this time, were it not for the fact that the gentleman from South Carolina [Mr. TALBERT] sent to the Clerk's desk a clipping purporting to be an interview with the Commissioner of Pensions and the Secretary of the Interior concerning the amount of money that we are paying out annually to pensioners. I notice that, following the reading of the article and some few remarks supplemental thereto made by the gentleman from South Carolina, the Committee on Invalid Pensions accepted the amendment suggested by the gentleman from South Carolina——

Mr. RAY of New York. Let me say to the gentleman from Michigan that the chairman accepted that suggestion at the suggestion of the gentleman from Ohio who introduced the bill.

Mr. BRUCKER. I do not care where the suggestion came from. The amendment was certainly acceded to very readily by the Committee on Invalid Pensions. I do not know what object the Commissioner of Pensions or the Secretary of the Interior have at this time or at any other time in authorizing these published interviews in the public prints with reference to the amount of money that is being paid to pensioners.

That, Mr. Chairman and gentlemen of the committee, would not influence my vote on this proposition or any other proposition to pension an honest Union soldier. [Applause.] As far as I am concerned, I do not care whether your pension roll is $150,000,000 or $200,000,000 so long as there is an honest and needy Union soldier unpensioned. [Applause.] I am getting sick and tired of this rant in the public prints and in this Chamber about the amount of our pension roll. My action or my vote shall not be affected by any such statement. [Applause.]

The question is whether this great Government has dealt honestly, fairly, and justly by every honest Union soldier. You and I know to-day that there are thousands and thousands of decrepit, broken-down, old Union soldiers all over this country eking out a miserable existence upon $12 a month. It is a crying shame. And yet every day or two we notice that some public official, either the Commissioner of Pensions or the Secretary of the Interior, or some one else connected with the Government, are being interviewed as to how much the pension roll amounts to, attempting to influence our acts in this way. I am not talking politics; it was true under a Democratic Administration, and it is now emphasized under a Republican Administration. [Applause.]

Mr. TALBERT. I would like to ask the gentleman where anyone would get the information about the condition of the Department unless from the Commissioner of Pensions or the Secretary of the Interior?

Mr. BRUCKER. No one has asked the Department at this time about the condition of the pension roll or the amount of money we are paying out for pensions. I stand here to say that I am willing to go before the country, and I am willing to go before my constituents, Democrats as well as Republicans, and stand upon this broad declaration, that I never shall be satisfied until the act of 1890 is amended so that the Commissioner of Pensions shall have some discretion in a case where he finds an old soldier that can not trace his disability to army service, and is poor and in destitute circumstances, that the Commissioner shall be given the opportunity of using his discretion to increase this soldier's pension to $20 a month [applause] without obliging the soldier to ask us to come here night after night to work on these little popgun, private pension bills.

If you want to deal fairly and honestly with the privates, the Union soldiers, you will amend the pension law of 1890 and give this discretionary power which I have just mentioned to the Secretary of the Interior, or to the Commissioner of Pensions; then you will not have to come up here night after night threatened with the point of no quorum. [Applause.]

You should give this relief to the old boys by adopting the amendment to the law of 1890 which I have offered, rather than to dole it out "piecemeal" by these popgun private pension bills. [Applause.]

Mr. DANFORD. I did make a suggestion to the chairman of the Committee on Invalid Pensions that the amendment of the gentleman from South Carolina [Mr. TALBERT] be accepted. I did it for the reason that we are here without a quorum and without the possibility of doing anything against the objection of any single member on this floor. [Cries of "Vote!" "Vote!"]

The question being taken on the amendment of Mr. TALBERT, it was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ANN M. SMITH.

The next business on the Private Calendar was the bill (H. R. 9043) granting a pension to Mrs. Ann M. Smith, widow of the late Maj. Gen. Andrew J. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Ann M. Smith, widow of the late Maj. Gen. Andrew J. Smith, at the rate of $100 per month.

The amendments reported by the Committee on Invalid Pensions were read, as follows:

In line 6 strike out "Mrs."
In line 7, after the word "Smith," insert "and pay her a pension."
In line 7 strike out "one hundred" and insert in lieu thereof "thirty."
At the end of line 8 add "in lieu of the pension she now receives."
Amend the title so as to read: "A bill granting an increase of pension to Ann M. Smith."

Mr. TALBERT. I should like to have the report read.

Mr. PEARCE of Missouri. I wish to offer an amendment to the amendment—to strike out "thirty" and insert in lieu thereof "fifty;" so as to make the amount of this pension $50 a month.

Mr. Chairman, I introduced this bill——

The CHAIRMAN. Does the gentleman from South Carolina [Mr. TALBERT] desire to have the report read?

Mr. TALBERT. I suggest to the gentleman from Missouri [Mr. PEARCE] that he allow the report to be read, and afterwards speak to his amendment. I do not want to take him off the floor.

Mr. PEARCE of Missouri. Very well.

The report (by Mr. STURTEVANT) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9043) granting a pension to Ann M. Smith, have examined the same and the evidence relating thereto, and respectfully report:

This bill as amended proposes to increase from $8 to $30 per month the pension of Ann M. Smith, of St. Louis, Mo., as widow of the late Maj. Gen. Andrew Jackson Smith.

General Smith entered the United States Military Academy at West Point July 1, 1834, and was graduated July 1, 1838. He was commissioned as second lieutenant of First United States Dragoons, and received various promotions until he reached the rank of colonel in the Regular Army, January 5, 1869. He was placed on the retired list January 22, 1869, and died January 30, 1897.

His pay as colonel was $3,500 per year and $320.83 additional after five years' service, and when on the retired list $2,843.75 per year. As major-general it was $7,500 per year, and as brigadier $5,500 per year.

He was in the volunteer service from October 2, 1861, to January 15, 1866. Was mustered colonel Second California Cavalry Volunteers and resigned November 13, 1861; was commissioned brigadier-general of volunteers March 20, 1862, and major-general of volunteers May 14, 1864. At the close of his volunteer service he rejoined the Regular Army, and served as before stated until placed on the retired list. His services were long, distinguished, and meritorious, but not especially brilliant.

He died at the advanced age of 82 years, and there is no claim that his death was caused or hastened by disease or disabilities incurred in the service.

He was kind and generous to his old comrades and died poor, leaving a widow now about 80 years of age. She draws the pension, given by our general laws, of $8 per month, which is the maximum allowed to the widows of general officers whose death is not due to service. The bill as amended increases this $22 per month solely on account of the rank of her deceased husband.

Our laws granting pensions to widows on account of the service of the husband has made no distinction between the widow of the private and the widow of the officer. It is a departure from the policy of these laws to grant an increase to the widows of general officers solely on the ground of rank. Special and meritorious cases are occasionally brought to the attention of your committee where such departure is justified, and this is one. The long, meritorious, and faithful service of the soldier and the age and necessities of the widow make this an exceptional case, where Congressional action is warranted.

It will be said that general officers, like General Smith, ought, from their pay when in service and when on the retired list, to save enough to make their widows comfortable. Whatever may be said on this line, your committee answer that it is not the fault of the widow that he did not, and a grateful and generous Government will see to it that she has a reasonable sum to sustain her in her old age. In giving this increase we keep in mind the necessities of the hundreds of thousands of soldiers and soldiers' widows now on the pension rolls, of those constantly being added, and also the increasing disabilities and necessities of all who have so bravely defended the nation in its hours of peril.

Conservative and consistent action in special legislation will meet the approval of all, and your committee is of the opinion that no charge of extravagance or favoritism will be made when reasonable increases are given the aged and necessitous widows of brave and distinguished general officers. Bills reported from your committee, giving this increase to $30 per month to the widows of General Pile and General Stevenson, have already met the approval of the House.

Where the death of the general officer is shown to be the result of disease or disabilities contracted in the service, your committee has fixed the limit of increase at $50 per month, as in the cases of the widows of General Leggett and Commander Cushing. The distinction that always has obtained in our general legislation and in special legislation must be maintained here.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In line 6 strike out "Mrs."
In line 7, after the word "Smith," insert "and pay her a pension."
In line 7 strike out "one hundred" and insert in lieu thereof "fifty."
At the end of line 8 add: "in lieu of the pension she now receives."
Amend the title so it will read: "A bill granting an increase of pension to Ann M. Smith.

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 10, 1898.

DEAR SIR: Referring to H. R. 5080 and my remarks in connection therewith, I beg to say that I intimately knew Maj. Gen. A. J. Smith for thirty years prior to his death on January 30, 1897, at the advanced age of 82 years.

I have also been familiar with his financial circumstances. His charity gifts to poor old soldiers kept his little life income constantly exhausted, so that he died without means. His widow has no means of support except a Mexican war pension of $8 per month, and the old general's friends have had to care for her. She is close on to 80 years of age, is very feeble, and in all probability will not survive more than a couple of years, if indeed she lives that long.

I earnestly hope that the committee will speedily report the bill, so that the old lady can have a little comfort in her last days. She lives in my district.

Very respectfully, yours, CHAS. E. PEARCE,
Member of Congress, Twelfth District Missouri.

Hon. GEO. W. RAY,
Chairman Committee on Invalid Pensions.

Mr. PEARCE of Missouri. Mr. Chairman, on the 17th day of January, 1897, Congress passed a law granting a pension of $100 a month to the widow of Gen. John F. Gibbon. The year before, in the month of April, Congress passed a law giving to the widow of Gen. Abner Doubleday a pension of $100 a month. On the 8th day of January, 1895, Congress passed a law giving to the widow of Gen. N. P. Banks $100 a month. And in 1894 Congress passed a law giving a pension of $100 a month to the widow of Gen. John M. Corse. It was because of this legislation that I introduced this bill and asked of Congress to give to the widow of this gallant old major-general of the United States Army a sum corresponding to that which had been granted by Congress to the widows of generals of similar rank.

There is not an instance in twenty-two years of the legislation of Congress when the widow of a major-general of the United States Army has received a pension of less than $50 a month. I want to read one of a series of affidavits which I received yesterday—too late to be submitted to the Committee on Invalid Pensions—from some of the old citizens of St. Louis. I read but one affidavit, as a sample of the whole number:

Edgar Miller, of lawful age, being duly sworn, on his oath says that he has been a resident of St. Louis for more than forty years; that he has known Ann Mason Smith, widow of the late Andrew Jackson Smith, late of the United States Army, for twenty-seven years; that she is in very feeble health and has been ill for some months, and was believed to be dying recently; that she is 74 years or more of age; that she is in straitened circumstances and in need of money for her support.

The other affidavits are exactly similar in point of information.

General Smith was in the armies of the country for over half a century. His career began away back in 1838. In the following year he was ordered out upon the Western frontier, to what afterwards became the Territory of Kansas. For more than twenty-two successive years his service was in that portion of the country, fighting Indians, pioneering new roads of civilization—down through the Mexican war, up through New Mexico, and on through California, away up to Oregon, and back again over the mountains, over the plains, until he reached Jefferson Barracks again in 1860. Then he was ordered out to San Francisco, where he was located at the time of the outbreak of the war for the Union.

He was very early commissioned a brigadier-general of the United States Army, and served during the entire war. I regret to find it stated in this report of the Committee on Invalid Pensions that the record of Major-General Smith was not a brilliant one. Gentlemen of the House, I tell you that there was no more brilliant record of any general of the United States Army from the beginning to the end of the war. He was the right hand of Sherman—one of the great division and corps commanders. He saved the command of General Banks, to whose widow you gave $100 a month only two years ago. Let me read to you a little of the history of this great soldier—a careful compilation made as a memorial by the Loyal Legion of the State of Missouri:

Advanced to the rank of brigadier-general of volunteers, he served at Corinth, under General Halleck, but first began to become more widely known after General Grant again assumed command. In the operations against Chickasaw Bluffs, under Sherman, and again at Arkansas Post, his services were marked by great enterprise and courage. At the latter place, and in the capture of the fort, the prompt and daring assault of his troops contributed largely to the fortunate and brilliant result.

He was in command of a division of the Thirteenth Army Corps in the campaign against Pemberton and the siege of Vicksburg, and displayed such merit that when, soon after, it became necessary to send a division to the support of General Banks on his Red River expedition, and it was contemplated that even General Sherman should take command of it, the troops were finally, by Grant and Sherman, placed under command of Gen. A. J. Smith. He proved most worthy of their trust.

His division captured Fort De Russy and he was in April, 1864, brevetted colonel in the Regular Army for gallant and meritorious service at Pleasant Hill. When it was intended to have General Smith and his men retired from this expedition near its close, Commodore Porter declared that such a step would be disastrous to his vessels and to the Army. In May of the same year he was given the double promotion to a full lieutenant-colonelcy in the Regular Army and to be major-general of volunteers.

When returning from the Red River expedition he was sent against General Forrest, then of great fame as a cavalry leader and who had recently defeated Sturgis at Guntown, Miss. Forrest was defeated at the battle of Tupelo and again at Oldtown Creek, in June, 1864. When General Price made his last Missouri campaign, pretending that he even thought of capturing St. Louis, General Smith was stopped on his way to Tennessee, and then, by General Rosecrans, who commanded the department, was directed against the old invader. The result of that campaign was the final defeat of the enemy, so that Missouri was free from any further battles on her soil.

This service performed, General Smith took up his march again for Tennessee, and reached General Thomas's command in time to participate in the battle of Nashville, where his success was so marked as to elicit the highest commendation from the commanding general. He was again promoted March 13, 1865, in the Regular Army to brevet brigadier-general and major-general for gallant service at the battles of Tupelo, Miss., and Nashville, Tenn.

In 1865 he commanded in the campaign against Mobile with signal success. In this campaign, as in that against Forrest, General Smith exhibited capacity of the highest order in the independent command of troops, and demonstrated that his success was not the result solely of the planning of others. It was when his superior officer was at times incapable that this soldier assumed the burden and exhibited the enterprise that led to success or saved from disaster.

This is the record of this grand old hero of the war, who lies closer to the hearts of the Western soldiers than any man in the United States Army. [Applause.] Go out there into that Mississippi Valley and speak of Gen. A. J. Smith and see the tears well up into the eyes of those boys who followed him upon those bloody battlefields.

Now, gentlemen, through all this service of twenty-two years out upon the frontier, piloting the march of civilization, battling with the Indians, and building up this great empire of the West, the widow of this old hero was with him. She camped with him, bivouacked with him, suffered all the hardships of his life with him. Her health is now broken and she is standing upon the verge of the grave. She has, in the providence of the Almighty, but a year or two more to live.

Mr. SIMPSON. How old is she?

Mr. PEARCE of Missouri. She is very nearly 80 years of age. General Smith died a year or two ago, at the age of 82, and can we not ease the pillow of this good old woman a little, and do by her what this Congress has done by the widow of every major-general since the close of the war?

Mr. MINOR. General Blunt's widow got a hundred dollars.

Mr. PEARCE of Missouri. General Blunt's widow got a hundred dollars. Now, it is only a week or two ago since you voted a pension of $50 a month to the widow of Commander Cushing, that splendid hero of the Navy, whose record stands for gallantry and for heroism beside that of Nelson and Farragut and Porter. No braver man ever trod a ship than Cushing.

But, gentlemen, his widow, to whom you voted $50 a month a week ago, did not marry him until 1870, and he died in 1874. She did not partake of his trials and sufferings or his sacrifices during the war, and, as the report says, "she is not in what would ordinarily be termed necessitous circumstances, but is at that age and in that financial condition where her moderate means will be rapidly exhausted unless a grateful Government extends further aid."

I make no complaint or criticism upon the action of this House in relation to Mrs. Cushing. It was right. I only cite it to show that the widow of this old hero, who has shared his sacrifices, shared his trials, and broken her health to stand by his side and uphold his hand during all the half century of his army service and army devotion to the interest of his flag and his country, should be treated at least as well. [Applause.]

Mr. RAY of New York. Mr. Chairman, I do not see exactly why the gentleman should come here to-night and renew a battle which has been fought out upon the floor of the House, on a question of principle.

Mr. PEARCE of Missouri. Will the gentleman answer a question?

Mr. RAY of New York. Propound it.

Mr. PEARCE of Missouri. I want to know if you will answer it?

Mr. RAY of New York. Propound it; I will wait.

Mr. PEARCE of Missouri. Has this case ever been before this House?

Mr. RAY of New York. Mr. Chairman, I say that I can not——

Mr. PEARCE of Missouri. Will the gentleman answer the question or will he not?

Mr. RAY of New York. I will not answer such a question as that.

Mr. PEARCE of Missouri. That is all right.

Mr. RAY of New York. The gentleman knows that this bill has never been before this House before, and he knows that I know it, and therefore there is no reason in asking such a question.

Now, I say again I do not know why he should come here to renew this battle on a question of principle which has been settled by the House itself, unless it be for the purpose of delaying the granting of pensions to needy and worthy old soldiers and to their widows. The record of General Smith has not been belittled and will not be belittled. It can not be belittled. But we are not pensioning General Smith. He is not here.

Now, what is the question involved? We have here a question of granting an increase of pension to the widow of a general who is dead and gone. That general was educated at the expense of the United States. He went into the Army and was promoted

years ago to the position of colonel, when he drew $3,500 per year salary, and after he had served for five years he drew $3,820.33 a year. That was gradually increased.

He was commissioned during the civil war, first a brigadier and then a major general, and he drew $7,500 a year as major-general. In the year 1889 he was placed on the retired list by this Government, after which time he did no duty whatever, and from that time down to the date of his death, eight years, he drew in round number $3,000 every year. He was postmaster at St. Louis. He had a salary and an income that should have enabled him to save something.

I do not blame him because he did not. I am not here to say a word about that; but he drew from this Government, for more than a quarter of a century, over $5,000 a year, and was drawing a large salary as postmaster in the last days of his life and at the same time drawing $3,000 a year from this Government for doing nothing. This Republic was kind and generous to him. He left this widow.

There is no pretense that General Smith died because of any disease contracted or any wound received in the service. The truth is the record shows he never was touched by a bullet, or if he ever was, it was so lightly that no record has been made of it. He was high up in rank, but those who went through the dust and the mud and the smoke and flame of battle know that when the battle was on, the privates were at the front; they took the lead and iron death, while the generals, as a rule, were back in the woods, or on some high hill, out of reach of the guns.

When I say this I do not belittle the records of the generals at all, because brains are worth something, and you must have a head, and these men who wore the shoulder straps won their stars and deserved all they got.

Now, the case of the widow of General Stevenson was up here a week ago, I think. He did not die of any disease or disability contracted in the service, and so the Committee on Invalid Pensions fixed the rate for his widow at $30 per month, as we have done in the case of General Pile, just as worthy a soldier as any of these other generals. Mrs. Pile's bill went through this House without a word being said. We have fixed that rate in several cases that have gone through this House without a word being said.

When the case of the widow of General Stevenson came up, the gentleman from Missouri made a fight, and by massing his forces here in Committee of the Whole he carried it, and on a vote of 79 he had 40 votes to raise the pension to $50, and there were 39 votes against it. The question was carried into the House, and on Friday last, by a vote of more than 90 to something like 40, the House itself decided that the Committee on Invalid Pensions was doing right and had done right and should be sustained in its action. The House approved $30 in such a case as this. Now, what was that action?

The general law gives to this widow $8 a month and no more, and when we increase it to $30 per month, we are giving the widow of this general officer $22 per month more than is given to the widow of a private soldier, $22 a month more than is given to the widow of the captain or the major or the colonel under precisely the same conditions, and we give it to her solely on account of her husband's rank. She has not been deprived of anything by reason of his military service. She has shared these large salaries.

That old soldier lived to reach the age of 83 years. He lived out the full measure of his life, and when we give to her more than is given to the widows of other brave soldiers of the Republic in the same condition, an increase of $22 a month, we go a great way when we give it to her simply because of the rank of her husband and her necessity. That has been done in four or five cases where the death of the soldier was not due to disease or disability contracted in the service.

In the case where a woman is left a widow, and the death of her husband was caused by wounds received or disabilities incurred in the service, and the wife loses her husband because of his service and before he has lived out his full measure of life, the general law gives to her a pension of $30 per month because she has lost her husband by reason of his army service.

Now, in those cases the Committee on Invalid Pensions have not given an increase in the same ratio that we have in this other class of cases, because there we have refused to grant an increase in any case above $50, which is in any event only $20 a month in excess of the legal rate, and in many of these cases we have only gone to $40, and in one case to $35, depending on the surroundings of the widow.

So that we have been perfectly consistent. We have been reasonable; we have maintained the same distinction that is maintained by the general law, which gives, you see, only $8 per month to the widow where the death of her husband was not due to his service, and $30 to the widow who loses her husband because of his army service. When we give the increase we give it in the same proportion, excepting that we make a larger increase in the case of a widow like this than we do in the other cases. Now, that is reasonable, sensible, consistent, and commends itself to the whole country, and will commend itself to the privates and to the widows of privates, and to the widows of officers of the lower rank who served in the Army.

I ask you again, gentlemen, as I have before, to remember we have before our committee over 3,500 private pension bills. A great majority of those we have examined have presented deserving and meritorious cases of war widows, of broken-down and battle-scarred old veterans, men shot to pieces and helpless, drawing $8, $12, and $15 a month; war widows of old soldiers, who served their country for four years, only drawing $8 a month and trying to eke a scanty sustenance upon that sum of money, poor and poverty stricken.

Now, all these should be cared for, and we had better allow $30 per month to the widow of a brigadier-general, and take up six or eight of the widows of private soldiers who are needy and in danger of the poorhouse, and take the extra $20 some would give the general's widow on account of the rank of her husband, and distribute it among these privates' widows, and then we can reach the homes of hundreds, yea, of thousands, of the widows of brave old soldiers, and we can reach hundreds of battle-scarred veterans of the late war. Extravagant special legislation must be guarded against.

I am in favor of pensioning the disabled soldier; I am in favor of reasonably pensioning the war widows, giving them what will relieve their necessities; but I am not in favor of opening our Treasury and pouring out the money like water to widows or officers simply because of rank. I trust, Mr. Chairman, that the action of the committee will be again sustained as it has been three times before, and that this committee amendment will be adopted and the suggested amendment of the gentleman from Missouri [Mr. PEARCE] be voted down.

Mr. PEARCE of Missouri. Mr. Chairman, the gentleman seems to indulge in a little personal criticism on this occasion, when he says that I am here to fight over again an old fight. Let me say to the distinguished gentleman from New York that I do not ask his privilege to be on this floor or to make any fight that suits my pleasure. I am not responsible to him, but to my constituents in the city of St. Louis, and will fight here just as often and just as long as I choose, without any apology to him.

Mr. RAY of New York. Do not bite me. I would not fight. I would run away——

Mr. PEARCE of Missouri. I know you will.

Mr. RAY of New York. Before I would have you bite me.

Mr. PEARCE of Missouri. And he says I am here delaying pension legislation. Let us see what the RECORD shows. The gentleman has occupied 50 per cent more time in this discussion than I have. And it was the same on the floor of the House when he undertook to mislead the House, as he did. He occupied an hour and fifteen minutes, and refused to give us, who represented the other side, more than ten minutes.

Mr. RAY of New York. But you know better than that.

Mr. PEARCE of Missouri. That is your fairness. I know that I am stating the truth, and by the watch.

Mr. RAY of New York. I occupied thirty-two minutes, and that is all; and that the RECORD shows. The Speaker so stated at the time.

Mr. PEARCE of Missouri. But the gentleman from New York and the people to whom he gave time to represent his side of the case occupied an hour and fifteen minutes by my watch. My colleague from Missouri [Mr. JOY] asked him a little consideration, and yet he would only give him ten minutes, and my colleague had to give five of that to me. [Laughter.] That is the fairness of the chairman of the committee!

Now, I want to say to this House, in all fairness and consideration, with respect to the Committee on Invalid Pensions, I know their work is hard and ardnous, and I sympathize with them in that work; but I want to say to this House that it is not the Committee on Invalid Pensions that made the general rules for this House to follow. This House has established a rule of twenty-two years' duration, unvaried in the case of major-generals of the Army. And now, when all these old widows of these grand old heroes of the war are standing upon the verge of the grave, bowed down with infirmity, you want to institute a new rule and make their remaining years just as miserable as you can.

Mr. RAY of New York. I beg your pardon. I want to pass this bill so she will have a pension.

Mr. PEARCE of Missouri. I am on the floor now and wish to have my say. I want to say to the distinguished gentleman from New York that I will stand here as often and as long and speak as energetically as he will for the benefit of the widows of the private soldiers. I have sympathized with them as much as he has and know them as well as he does and will stand by them as long.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Missouri.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PEARCE of Missouri. Division!

The committee divided; and there were—ayes 17, noes 27.

So the amendment was rejected.

The CHAIRMAN. The question is upon the amendment proposed by the committee.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMILY A. HAUSNER.

The next business on the Private Calendar was the bill (H. R. 7803) granting a pension to Emily A. Hausner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of Emily A. Hausner, of Ithaca, N. Y., widow of Charles W. Hausner, late Company E, Sixty-fourth New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

Mr. TALBERT. Mr. Chairman, I ask for the reading of the report.

The CHAIRMAN. The Clerk will read the report in the time of the gentleman from South Carolina.

Mr. RAY of New York. Will the gentleman permit an explanation?

Mr. TALBERT. Certainly.

Mr. RAY of New York. This soldier, in actual battle at Fair Oaks, Va., I think, was shot through the hip and through the breast—that is, his side—not through the lungs. He was also shot through the neck, right through under the ear, coming out just under the lobe of the other ear. The ball struck the spinal column. From that time on he began to grow blind. He had different diseases, and finally he became substantially blind, and died of what the doctor said (it was not his family physician) was "cerebral apoplexy."

That statement came on to Washington. The regular family physician testified that it was not cerebral apoplexy, but disease of the brain, caused by the injury to the backbone, or spinal column. Still the Pension Bureau adhered to that statement, and so held that the widow is not entitled to $12 a month, simply because the physician who was there when he died said that he died of cerebral apoplexy. It involves simply a question of $4 a month. The report is voluminous and shows beyond question that he died because of injuries received in the service.

The bill was laid aside to be reported to the House with a favorable recommendation.

SIDNEY J. HARE.

The next business on the Private Calendar was the bill (H. R. 5776) for the relief of Sidney J. Hare, late private in Company C, Ninety-sixth Regiment of New York Volunteers.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, instructed and directed to place on the pension roll the name of Sidney J. Hare, late private in Company C, Ninety-sixth Regiment of New York Volunteers, at the rate of —— dollars per month in lieu of any pension he may now be receiving from the United States Government, to begin from the date of the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6, after the words "rate of," insert the word "twenty-four."

Strike out all after the word "receiving" in line 8.

Amend the title so as to read: "A bill granting an increase of pension to Sidney J. Hare."

The committee amendments were adopted.

The bill was laid aside to be reported to the House with a favorable recommendation.

ADOLPHINE KREZ.

The next business on the Private Calendar was the bill (S. 1467) granting a pension to Adolphine Krez, widow of Conrad Krez, late colonel Twenty-seventh Wisconsin Infantry and brevet brigadier-general of volunteers.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adolphine Krez, widow of Conrad Krez, late colonel of the Twenty-seventh Wisconsin Infantry and brevet brigadier-general of volunteers, and pay her a pension of $30 per month.

Mr. TALBERT. Mr. Chairman, I would like to have the report read.

The Clerk read the report (by Mr. NORTON of Ohio), as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1467) proposing to pension Adolphine Krez, have examined the same and the evidence relating thereto and respectfully report:

The Senate bill proposes to pension, at $30 per month, Adolphine Krez, of Milwaukee, Wis. This claimant is the widow of Conrad Krez, who enlisted August 21, 1862, as private, Twenty-seventh Wisconsin Volunteer Infantry.

He was commissioned colonel September 2, 1862, and later was assigned to the command of the Third Brigade, Third Division, Thirteenth Army Corps, and remained in command of this brigade until June 14, 1865, when he resumed command of his regiment, and was mustered out August 29, 1865. He was brevetted brigadier-general United States Volunteers for faithful and meritorious services in the Army. He took part in the siege of Vicksburg and many other battles and engagements. It is apparent that he was a brave, faithful, and efficient officer.

At his death, which can not satisfactorily be shown to be due to service, he left his widow, Adolphine Krez, now over 60 years of age. She is sickly and under the doctor's care. She has the use of the house in which she lives, and the use of other property which brings her about $12 per month. Aside from this she is entirely dependent upon two unmarried daughters.

In view of the necessitous circumstances of this widow, her sickly and dependent condition, the rank and long and meritorious service of her husband, your committee concur in the Senate bill and report the same back favorably. Could it be shown that her husband died of disease contracted or wounds received in the service she would be entitled to $30 per month from the Government, and as the soldier was brevetted brigadier-general your committee treat his widow, who was his wife during the war, the same as we treat the widows of other general officers under the same circumstances.

The Senate bill is reported back with the recommendation that it pass when amended as follows:

In line 8, after the word "pension," insert "at the rate."

Amend the title so it will read: "An act granting a pension to Adolphine Krez."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEORGE W. OSBORN.

The next business on the Private Calendar was the bill (H. R. 4961) to pension George W. Osborn.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of George W. Osborn, of Mattoon, Ill., of Company C, Fifty-fourth Regiment Ohio Volunteer Infantry, on the pension roll, subject to the provisions and limitations of the pension laws, and pay him a pension of $50 per month.

The amendments recommended by the committee are as follows:

In line 8 strike out the words "of fifty" and insert in lieu thereof the words "at the rate of twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to George W. Osborn."

The amendments recommended by the committee were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

GEN. JAMES W. M'MILLAN.

The next business on the Private Calendar was the bill (S. 157) to increase the pension of Gen. James W. McMillan.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Gen. James W. McMillan, colonel of the Twenty-first Indiana Volunteer Infantry and brevet major-general United States Volunteers, upon the pension roll, and allow and pay him a pension of $50 a month, in lieu of the pension he is now receiving.

Mr. TALBERT. I would like to have the report read, Mr. Chairman.

Mr. RAY of New York. I think I can state the case to the gentleman from South Carolina.

Mr. TALBERT. I would ask the chairman what General McMillan now gets.

Mr. RAY of New York. I think in the neighborhood of $1,200 or $1,500, but he can not hold his place long. He is all broken down; he will have to give it up soon.

Mr. GIBSON. He is 71 years old.

Mr. RAY of New York. When I was in the Army he commanded my brigade for a time, and I knew him. He was as brave as a lion. He was born in Kentucky and was one of God's noblemen. He was a grand man. He was a disciplinarian, but he was kind to every soldier in the ranks. I want to tell you one incident that happened in the Shenandoah Valley. When he was riding up at the head of his brigade in the advance some of the regiments in front had been broken and were scattering, and General McMillan met a captain going to the rear and he halted him. He said, "Where are you going, Captain?" The captain said, "I am going to the rear." "What for?" said the general. "Well," said the captain, "if I stay up there I will get shot." The old General pulled his pistol and said, "You will get shot if you don't stay up there," and the captain went back. And the old General rode up to the front of the line and re-formed it, and the victory was soon won. He has been a grand man, and now in his old age he ought to have this assistance.

I have seen him in my committee room with this bullet in his body. You go down to the Pension Office and look at the scars on his head which he received at the battle of Winchester when a piece of shell struck him. Go look at him, and if you do not say that he is entitled to $50 while he stays here on earth, I will ask the Senate and the House to retract their action.

Mr. TALBERT. I only wanted to know about his present position and what he was receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

DELIA GILMAN.

The next business on the Private Calendar was the bill (S. 487) granting a pension to Delia Gilman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Delia Gilman, widow of Alvin Gilman, late of Company H, Fifth New Hampshire Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was laid aside to be reported favorably to the House.

SARAH BRUMM.

The next business on the Private Calendar was the bill (S. 1345) granting an increase of pension to Sarah Brumm.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Brumm, widow of George W. Brumm, late major Fiftieth Pennsylvania Infantry Volunteers, at the rate of $20 per month, in lieu of the pension she is now receiving.

The amendment reported by the committee was read, as follows:

In line 7, after the word "Volunteers," insert "and pay her a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JAMES E. EATON.

The next business on the Private Calendar was the bill (H. R. 2497) to increase the pension of James E. Eaton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James E. Eaton upon the pension roll of the United States at the rate of $35 per month, instead and in lieu of the amount heretofore received by him: *Provided, however*, That this increase shall take effect from and after July 1, 1897.

The amendments reported by the committee were read, as follows:

After the words "United States," in line 5, insert "and pay him a pension."

In line 6, strike out "thirty-five" and insert "twenty-four;" so as to read "$24 per month."

Strike out all after the word "month," in line 7, and insert "in lieu of the pension he is now receiving."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

CLARISSA E. HOBBS.

The next business on the Private Calendar was the bill (S. 603) granting a pension to Clarissa E. Hobbs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Clarissa E. Hobbs, of Louisville, Nebr., and pay her at the rate of $12 per month for services as nurse in the Twelfth Regiment Iowa Infantry.

The amendment reported by the committee was read, as follows:

After the word "her," in line 5, insert "a pension."

The amendment was agreed to.

Mr. TALBERT. I ask for the reading of the report in this case.

The Clerk proceeded to read the following report (by Mr. MIERS of Indiana):

The Committee on Invalid Pensions, to whom was referred Senate bill 603 and House bill 1009, granting a pension to Clarissa E. Hobbs, have examined the same and the evidence relating thereto and report the Senate bill.

This bill proposes to pension, at $12 per month, Clarissa E. Hobbs, of Louisville, Nebr.

The Senate report states the facts, and is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 603) granting a pension to Clarissa E. Hobbs, have examined the same, and report:

"A similar bill was introduced in the Senate during the Fifty-fourth Congress, passed the Senate, and was reported favorably by the House.

"The Senate report was as follows, which your committee adopt, and recommend the passage of the bill:

"The petitioner referred to herein made application to the Pension Office under the general law granting pensions to nurses, but was rejected on the ground that there was no record in the War Department of any authority by which the petitioner was employed as hospital nurse. The fact of her services is beyond question, as the following affidavit will show, and other evidence in the papers fully corroborate.

"It appears that she was regimental nurse of the Twelfth Iowa Infantry from its organization at Camp Union, Iowa, on the 18th day of October, 1861, to the 2d day of January, 1862, and she was honorably released at St. Louis, Mo. She also served at Smithland, Ky., Savannah, Tenn., and Pittsburg Landing, and in said service she incurred these disabilities, from which she has been suffering ever since; and while she has no medical record on file in the War Department, it appears, over the signature of Col. F. C. Ainsworth, Chief of the Record and Pension Office, War Department, 'that she has a record as nurse, and that she faithfully performed the duties of nurse and rendered more efficient service to the sick than any other nurse in the hospital.' The following affidavit is submitted:

"STATE OF IOWA, *Wright County:*

"I, F. C. Cromwell, being first duly sworn, do depose and say: That I was a member of Company A, of Twelfth Regiment Iowa Volunteer Infantry; that I enlisted on or about September 15, 1861, at Aldora, Iowa; I went into camp of instruction at Dubuque, Iowa, on or about October 1, 1861; that on or about said date J. C. H. Hobbs volunteered in said company and regiment; that said J. C. H. Hobbs was accompanied by his wife, Mrs. Clarissa E. Hobbs; that on or near the above date J. C. H. Hobbs was detailed as hospital steward, and that Clarissa E. Hobbs acted as nurse to said company and regiment during our stay at Dubuque, Iowa, and that she accompanied said regiment to St. Louis, Mo., and that she accompanied said regiment to Smithland, Ky., also to Fort Donelson, Tenn., and from there to Savannah, Tenn.

"I further state that it was my custom to visit the sick in the hospitals where our regiment was encamped, and that I personally visited at Dubuque, Iowa, St. Louis, Mo., Smithland, Ky., Fort Donelson, Tenn., and Savannah, Tenn., the hospitals of our regiment during the time of the encampment of said regiment at said places in the fall of 1861 and spring of 1862, and that I was well acquainted with the said Clarissa E. Hobbs, and saw her acting as nurse in all of said places, and that the last time I recollect of seeing her acting in that capacity was on or about April 1, 1862, at Savannah, Tenn.

"And I further state that said regiment (Twelfth Iowa Volunteers), including myself, was captured at Shiloh, Tenn., April 6, 1862, and that during our imprisonment of about six months and a half no regimental records of said organization were kept. I further state that on or about January, 1863, after said regiment had been exchanged, a reorganization was effected at St. Louis, Mo.; that the records at that time were made up from memory of its surviving members; that I myself assisted in furnishing the data of said records; that the assistant surgeon and J. H. C. Hobbs, hospital steward, both having been promoted to other commands, were not present; neither was Mrs. Clarissa E. Hobbs; and my recollection is that the record of Mrs. Clarissa E. Hobbs was not thought of at that time.

"F. C. CROMWELL.

"Subscribed and sworn to before me by the said F. C. Cromwell this 14th day of April, 1896.

"F. C. FENNINGER,
"*Notary Public in and for Wright County, Iowa.*

"It also appears that Charles C. Parker, late surgeon of the Twelfth Iowa Infantry, makes an affidavit to the fact that he was surgeon of said regiment and that she was a nurse in the regimental hospital and performed faithful and efficient service. A. G. Simpson, second lieutenant of said regiment, also corroborates. It further appears that her husband, James C. H. Hobbs, was hospital steward in said regiment, and he also certified to the service."

This case is within the spirit of the law, and is entitled to this pension.

The Senate bill is therefore reported back, with the recommendation that it pass when amended as follows:

After the word "her," line 5, insert the words "a pension."

Mr. TALBERT (before the reading of the report was concluded). I ask that the further reading of the report be dispensed with.

There was no objection.

The amendment reported by the committee was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

IRA INGRAHAM.

The next business on the Private Calendar was the bill (H. R. 99) granting a pension to Ira Ingraham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Ira Ingraham, volunteer surgeon from Rhode Island during the war of the rebellion, at the rate of $12 per month.

The amendment reported by the committee was read, as follows:

After the word "rebellion," in line 6, insert "and pay him a pension."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JOHN T. BREWSTER.

The next business on the Private Calendar was the bill (H. R. 2318) for the relief of John T. Brewster.

The bill was read, as follows:

Be it enacted, etc., That the name of John T. Brewster, late a sergeant in Company K, One hundred and forty-first Regiment of Pennsylvania Volunteer Infantry, be placed on the roll of United States pensioners at the increase rate of $50 per month, in lieu of the pension which he is now in receipt of, subject to the provisions and limitations of the pension laws.

The bill was laid aside to be reported favorably to the House.

CATHARINE LEARY.

The next business on the Private Calendar was the bill (S. 1450) granting a pension to Catharine Leary.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Catharine Leary, a nurse in the war of the rebellion, and to pay her a pension at the rate of $12 per month on and after the passage of this act.

The bill was laid aside to be reported favorably to the House.

SARAH R. FRARY.

The next business on the Private Calendar was the bill (S. 490) granting a pension to Sarah R. Frary.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah R. Frary, widow of Jedediah C. W. Frary, late of Company H, Eighteenth New Hampshire Volunteer Infantry, and pay her a pension at the rate of $8 per month.

WILLIAM IOTT.

The next business on the Private Calendar was the bill (H. R. 7554) granting a pension to William Iott, of Gowen, Mich.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of William Iott, father of Thomas M. Iott, late of Company G, Fifteenth Michigan Infantry; Harrison Iott, late of Company I, First Michigan Cavalry, and John Iott, late of Company K., Eighth Michigan Infantry, and pay him a pension at the rate of $12 per month.

The amendment reported by the committee was read, as follows:

Amend the title so as to read: "A bill granting a pension to William Iott."

The amendment was adopted.

The bill as amended was laid aside to be reported favorably to the House.

Mr. RAY of New York. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. CONNOLLY having

resumed the chair as Speaker pro tempore, Mr. MOODY reported that the Committee of the Whole House having had under consideration bills on the Private Calendar, had directed him to report back sundry bills with favorable recommendation, some with and some without amendment.

ORDER OF BUSINESS.

Mr. RAY of New York. Mr. Speaker, I ask unanimous consent that as to each of these bills which have been reported to the House with a favorable recommendation the previous question be considered as ordered on the bill and amendments to final passage.

The SPEAKER pro tempore. Is there objection to granting the request of the gentleman from New York? The Chair hears none and it is so ordered.

And then (the hour of 10 o'clock and 30 minutes p. m. having arrived) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting a draft of a bill for the protection of the salmon fisheries of Alaska, was taken from the Speaker's table, referred to the Committee on the Territories, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 6160) to amend section 4746 of the Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 967); which said bill and report were referred to the House Calendar.

Mr. GRIFFIN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5) to provide for the transfer of Fort Omaha Military Reservation to the State of Nebraska, reported the same with amendment, accompanied by a report (No. 969); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HOOKER, from the Committee on Rivers and Harbors, to which was referred the bill of the Senate (S. 4127) to provide for dredging the channel in the harbor of New Bedford, Mass., reported the same without amendment, accompanied by a report (No. 985); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 493) granting a pension to Mary A. Wise, reported the same without amendment, accompanied by a report (No. 964); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8906) to pension J. S. Waggener, of Hillsboro, Oreg., reported the same with amendment, accompanied by a report (No. 965); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7007) to increase the pension of Samuel B. Davis, reported the same with amendment, accompanied by a report (No. 966); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3230) to remove the charge of desertion from the military record of Thomas Connolly, reported the same with amendment, accompanied by a report (No. 968); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2695) granting a pension to Olivia Betton, reported the same with amendment, accompanied by a report (No. 970); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1529) granting an increase of pension to William H. H. Nevitt, reported the same with amendment, accompanied by a report (No. 971); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 732) granting an increase of pension to William H. H. Wright, of McPherson, Kans., reported the same with amendment, accompanied by a report (No. 972); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6649) to remove the charge of desertion against James J. Fluke, reported the same with amendment, accompanied by a report (No. 973); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 872) for the relief of George W. Spencer, reported the same without amendment, accompanied by a report (No. 974); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1008) to remove the charge of desertion standing against Michael F. Newell, reported the same with amendment, accompanied by a report (No. 975); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2231) granting a pension to C. S. Alvord, reported the same with amendment, accompanied by a report (No. 976); which said bill and report were referred to the Private Calendar.

Mr. WEYMOUTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6799) granting an increase of pension to Warren W. Morgan, reported the same with amendment, accompanied by a report (No. 977); which said bill and report were referred to the Private Calendar.

Mr. BROMWELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7672) to increase the pension of George W. D. Wade, reported the same without amendment, accompanied by a report (No. 978); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8904) to pension Mrs. Mary E. Taylor, reported the same with amendment, accompanied by a report (No. 979); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3345) granting an increase of pension to Martha Ann Hynes, reported the same without amendment, accompanied by a report (No. 980); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 496) granting a pension to Simpson Everett Stilwell, reported the same with amendment, accompanied by a report (No. 981); which said bill and report were referred to the Private Calendar.

Mr. SHELDEN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 135) for the relief of Michael Bassett, reported the same with amendment, accompanied by a report (No. 982); which said bill and report were referred to the Private Calendar.

Mr. HOWE, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7596) granting an increase of pension to Henry Schnettberg, of Indiana, Pa., reported the same with amendment, accompanied by a report (No. 983); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the House (H. R. 3164) granting a pension to Alden B. Thompson, of Farmvale, Hamilton County, Nebr., reported the same without amendment, accompanied by a report (No. 984); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9305) to correct the military record of John L. King—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 9454) for the relief of Jeronemus S. Underhill—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WILLIAM A. STONE: A bill (H. R. 9723) to test materials for road making and to encourage road building in the United States—to the Committee on Appropriations.

By Mr. DE VRIES: A bill (H. R. 9724) to enable the United

States to expend for river improvement of certain California rivers moneys appropriated by the State of California for that purpose—to the Committee on Rivers and Harbors.

By Mr. McCLEARY: A bill (H. R. 9725) to provide for strengthening the public credit, for the relief of the United States Treasury, and for the amendment of the laws relating to national banking associations—to the Committee on Banking and Currency.

By Mr. YOUNG of Pennsylvania: A bill (H. R. 9726) to amend section 4445 of Title LII of the Revised Statutes of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. LITTLE: A bill (H. R. 9746) to establish a United States court at Sallisaw, Cherokee Nation, Indian Territory—to the Committee on the Judiciary.

By Mr. DE VRIES: A joint resolution (H. Res. 221) for improvement of San Joaquin River and Stockton and Mormon channels, California—to the Committee on Rivers and Harbors.

By Mr. CUMMINGS: A joint resolution (H. Res. 222) authorizing the Librarian of Congress to accept the collection of engravings proposed to be donated to the Library of Congress by Mrs. Gertrude M. Hubbard—to the Committee on the Library.

By Mr. WILLIAM A. STONE: A joint resolution (H. Res. 223) requesting the Secretary of State to demand and urge the payment of an indemnity for the murder of Frank G. Lenz—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 9727) granting a pension to Ruetha Moran—to the Committee on Pensions.

By Mr. BINGHAM: A bill (H. R. 9728) for the relief of Hugh Harkins, captain Company G, Third Regiment Pennsylvania Reserve Volunteers—to the Committee on Claims.

By Mr. BROWNLOW: A bill (H. R. 9729) to increase the pension of William S. Smithson, late Company D, Fifth Tennessee Volunteers, Mexican War—to the Committee on Pensions.

By Mr. CASTLE: A bill (H. R. 9730) to increase the pension of John F. Faust—to the Committee on Invalid Pensions.

By Mr. CATCHINGS: A bill (H. R. 9731) for the relief of estate of Harry H. Beard, deceased, late of Coahoma County, Miss.—to the Committee on War Claims.

By Mr. CHICKERING: A bill (H. R. 9732) to enforce act of July 14, 1892—to the Committee on Invalid Pensions.

By Mr. DAVISON of Kentucky: A bill (H. R. 9733) for the relief of James W. Norris—to the Committee on Invalid Pensions.

By Mr. DE VRIES: A bill (H. R. 9734) to grant a pension to James Dean—to the Committee on Invalid Pensions.

By Mr. DORR: A bill (H. R. 9735) granting a pension to W. W. Hutchison, late of Company K, First West Virginia Infantry—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 9736) granting a pension to John Brown, late of Company A, Fifty-eighth Regiment Pennsylvania Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 9737) removing the charge of desertion against Theodore Werner, of North Vernon, Ind.—to the Committee on Military Affairs.

By Mr. HAY: A bill (H. R. 9738) for the relief of the legal representative of John Avery, deceased, late of Prince George County, Va.—to the Committee on War Claims.

By Mr. LOVERING: A bill (H. R. 9739) granting an increase of pension to Horace N. Brackett—to the Committee on Invalid Pensions.

By Mr. LYBRAND: A bill (H. R. 9740) granting a pension to Benjamin Meredith—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 9741) for the relief of John Z. Clark, of Ottawa, Kans.—to the Committee on Claims.

By Mr. SIMS (by request): A bill (H. R. 9742) for the benefit of H. C. Ruth—to the Committee on War Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 9743) for the relief of Joseph Metcalfe—to the Committee on Military Affairs.

Also, a bill (H. R. 9744) for the relief of Daniel J. Basham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9745) for the relief of Benjamin O. Purvis—to the Committee on Military Affairs.

By Mr. LOVE: A bill (H. R. 9747) for the relief of Frank J. Ladner—to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Resolutions of the Trades League of Philadelphia, Pa., favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Appropriations.

By Mr. BARTLETT: Petition of J. M. Means and other citizens of Meansville, Ga., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM: Resolutions of the Trades League of Philadelphia, Pa., asking for the passage of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, petition of the German Woman's Christian Temperance Union of Pennsylvania, favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the German Woman's Christian Temperance Union, of Philadelphia, Pa., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BOUTELLE of Maine: Petitions of the Baptist Church and Society of Amity, Me., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Baptist Church and Society of Amity, Me., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. BRODERICK: Resolution of Division No. 11, of Newton, Kans., Order of Railway Conductors, in favor of House bills Nos. 6092 and 7389 and Senate bills No. 35 and 95, in the interests of labor—to the Committee on the Judiciary.

By Mr. BROWNLOW: Petitions of W. B. Robinson, C. W. Perry, and others, and W. H. Penland, J. H. La Rue, and others, citizens of Newport, Tenn., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BURTON: Petitions of the Woman's Christian Temperance Union of Berea; Methodist Episcopal Church and Epworth League of Troy, and First Congregational Church and Christian Endeavor Society of Troy, Ohio, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Berea Woman's Christian Temperance Union, First Congregational Church and Christian Endeavor Society, Methodist Episcopal Church and Epworth League, S. Grant Miller, and other citizens, of Troy, Ohio, favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. CANNON: Petitions of First Baptist Church and Methodist Episcopal Church of Momence, Ill., and the Kankakee County Sunday school convention, asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Kankakee County Sunday school convention and Methodist Episcopal Church of Momence, Ill., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CARMACK: Four petitions of citizens of Williston and Germantown, Tenn., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CASTLE: Petitions of the Methodist Episcopal Church of Fairview and citizens of Easton, Cal., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Methodist Episcopal Church and citizens of Easton, Cal., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. CATCHINGS: Petition of A. H. Stone and 17 other citizens of Swain, Miss., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRAN of Missouri: Petition of the Methodist Episcopal Church Temperance Society, of North Germantown, N. Y., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Iowa: Petition of the Medical Society of

Scott County, Iowa, in favor of Senate bill No. 3433, in relation to establishing a commission of public health and defining its duties—to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORD: Petitions of the Woman's Christian Temperance Union of Tiltonville, Ohio, praying for the enactment of legislation to protect State anti-cigarette laws, to forbid gambling messages by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Tiltonville, Ohio, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DAVIDSON of Wisconsin: Paper to accompany House bill for the relief of James W. Morris—to the Committee on Invalid Pensions.

By Mr. DE VRIES: Paper to accompany House bill No. 6774, relating to the record of William Looper—to the Committee on Military Affairs.

By Mr. DOCKERY: Petition of citizens of Richmond, Mo., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DORR: Petition of Hiram Johnson, of Fayette County, W. Va., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of John A. Dempsey, of Fayette County, W. Va., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

Also, paper to accompany House bill for the relief of Minor Keeling—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of James W. Truxler—to the Committee on Invalid Pensions.

By Mr. DOVENER: Petitions of the Baptist Church and St. Francis Catholic Church, of Moundsville, W. Va., favoring the passage of bills providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church and St. Francis Catholic Church, of Moundsville, W. Va., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. FENTON: Petition of the Woman's Christian Temperance Union of Peebles, Ohio, favoring the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Peebles, Ohio, for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Alcoholic Liquor Traffic.

By Mr. FITZGERALD: Petition of F. W. Plaisted and 18 citizens of Augusta, Me., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of the Patent Law Association of Chicago, Ill., asking for the appointment of an additional circuit judge for the Seventh judicial district of Illinois—to the Committee on the Judiciary.

Also, petition of the First Methodist Episcopal Church of Harvey, Ill., praying for the enactment of legislation to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, and to forbid lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the First Methodist Episcopal Church of Harvey, Ill., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GAINES: Petition of the Central Woman's Christian Temperance Union, of Nashville, Tenn., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. GREENE: Petitions of the Young People's Society of Christian Endeavor and Epworth League, of Lexington, Nebr., and teachers of Dawson County, Nebr., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of Overton Lodge, No. 185, Ancient Order of United Workmen, of Overton, Nebr., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of Overton Lodge, No. 185, of Overton, Nebr., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of Kilpatrick Post, No. 82, of Oakdale, Department of Nebraska, in favor of recognizing the independence of the Cuban Republic—to the Committee on Foreign Affairs.

By Mr. GROUT: Petition of Hattie E. Hibbard, president of the Woman's Christian Temperance Union of Newbury, Vt., for the passage of bills to protect State anti-cigarette laws and to prohibit interstate gambling by telegraph, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of Hattie E. Hibbard, president of the Woman's Christian Temperance Union of Newbury, Vt., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Hattie E. Hibbard, president of the Woman's Christian Temperance Union of Newbury, Vt., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and to further protect the first day of the week as a day of rest—to the Committee on the District of Columbia.

By Mr. HAY: Petitions of citizens of the counties of Madison and Rappahannock, Va.; Josiah Stickley and 21 others, of Strasburg; W. C. Cline and 10 others, of Woodstock; R. W. Williamson and 10 others, of North Garden; R. A. Mitchell and 10 others, of Waterlick, State of Virginia, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HEMENWAY: Petitions of the Cumberland Presbyterian Church and Methodist Episcopal Church of Newburg, Ind., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Newburg, Ind., favoring the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. HENDERSON: Petition of the Brotherhood of Railroad Trainmen of Waterloo, Iowa, praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

By Mr. HICKS: Petition of the Central Pennsylvania Conference of the Methodist Episcopal Church, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HILBORN: Petition of Lodge No. 143, Brotherhood of Locomotive Firemen, of Oakland, Cal., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Board of Trade of San Francisco, Cal., favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

Also, resolution of the Chamber of Commerce of San Francisco, Cal., relating to bonding privileges granted the Canadian Pacific Railway to the detriment of American railways—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Lakeport, Lake County, Cal., asking for the passage of bills to forbid the interstate transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of the Lake County Woman's Christian Temperance Union, of California, in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HITT: Resolution of the Patent Law Association of Chicago, Ill., favoring the appointment of an additional circuit judge for the Seventh judicial circuit—to the Committee on the Judiciary.

Also, resolution of Racine Division, No. 27, Brotherhood of Locomotive Engineers, of Freeport, Ill.; 17 citizens of Forreston, Ill., and 82 citizens of Warren, Ill., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Lighthouse, Ill., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Lighthouse, Ill., to raise the age of protection for girls to 18 years and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Lighthouse, Ill., in favor of a bill prohibiting the sale of intoxicating liquors

in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOOKER: Petition of the First Baptist Church of Wellsville, N. Y., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the First Baptist Church of Wellsville, N. Y., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

By Mr. HURLEY: Petition of the West End Woman's Republican Association, New York City, N. Y., in favor of the passage of a bill pending regulating the hours of labor—to the Committee on Labor.

By Mr. JOHNSON of North Dakota: Petition of the Epworth League of Bowesmont, N. Dak., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Epworth League of Bowesmont and Methodist Episcopal Church of Churchs Ferry, N. Dak., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Kelso, Methodist Episcopal Church of Churchs Ferry, and Epworth League of Bowesmont, N. Dak., for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. KIRKPATRICK: Resolutions of Tatamy Lodge, No. 370, of Portland, Pa., Knights of Pythias, praying for the passage of House bill No. 6468, providing for the granting by the Government of a lease right, with hot-water privileges, to a piece of ground on the United States reservation at Hot Springs, Ark., for the purpose of establishing a national Pythian sanitarium—to the Committee on the Public Lands.

Also, resolution of the National Lumber Dealers' Association, indorsing the principles of currency reform set forth in the report of the Indianapolis monetary convention and maintaining the gold standard—to the Committee on Banking and Currency.

Also, petitions of the First Baptist Church and the Salvation Army of Bangor, Pa., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Welsh Congregrational Church, Welsh Presbyterian Church, and Welsh Methodist Episcopal Church of Salem and the congregation of the Evangelical Association, of Bangor, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KLEBERG: Petition of citizens of Guadalupe County, Tex., in favor of the passage of House bill No. 7130, known as the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LATIMER: Petition of citizens of Piedmont and Pickens, S. C., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: Petition of the Trinity Episcopal Church of Vineland, N. J., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Trinity Episcopal Church, of Vineland, N. J., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. LYBRAND: Petition of Methodist and Disciple churches of West Mansfield, Ohio, for the bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. McALEER: Resolution of the Trades League of Philadelphia, Pa., asking for the passage of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Petition of the board of aldermen of Boston, Mass., urging increase of work in the Charlestown Navy-Yard—to the Committee on Naval Affairs.

Also, petition of the Merchants' Association of Boston, Mass., expressing a desire for a peaceful settlement of the Cuban question—to the Committee on Foreign Affairs.

Also, petition of members of the bar, of Boston, urging settlement of the difficulties with Spain by diplomacy—to the Committee on Foreign Affairs.

Also, petition of the Municipal League of Boston thanking the President for his efforts to preserve peace—to the Committee on Foreign Affairs.

Also, petitions of citizens of Winchester, Mass., in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Charles F. Parker and 19 others, Weber Bros. and 19 others, J. E. Maclachlan and 16 others, Charles E. Coon and 19 others, and John Suttle and 19 others, citizens of Massachusetts and other States, protesting against the passage of the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

Also, petition of the New England Shoe and Leather Association, of Boston, Mass., expressing satisfaction with Hon. THOMAS B. REED and Hon. John D. Long—to the Committee on Foreign Affairs.

By Mr. McCLEARY: Petition of the Board of Trade of Minneapolis, Minn., praying for the passage of Senate bill No. 3354, to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof—to the Committee on Interstate and Foreign Commerce.

By Mr. McEWAN: Petitions of Knox Presbyterian Church, of Kearney; First Baptist Church and Methodist Episcopal Church, of Harrison, and Methodist Protestant Church of East Newark, State of New Jersey, favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the First Baptist Church and Davis Memorial Methodist Episcopal Church, of Harrison; Knox Presbyterian Church, of Kearney, and Methodist Protestant Church of East Newark, N. J., for the passage of bills to forbid the transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. McDOWELL: Papers to accompany House bill to remove the charge of desertion against David Edwards—to the Committee on Military Affairs.

Also, petitions of the Church of God and the First Presbyterian Church of Wooster, Ohio, praying for the enactment of legislation raising the age of protection for girls, to forbid the transmission of lottery messages by telegraph, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the First Presbyterian Church and Church of God of Wooster, Ohio, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MADDOX: Petition of Brown & Owen, of Paulding County, Ga., praying that their war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. MAHON: Resolutions of Caledonia Lodge, No. 235, Knights of Pythias, of Fayetteville, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petition of the Ministerial Association of Chambersburg, Pa., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MILLS: Petition of the Woman's Christian Temperance Union of North Harvey, Cook County, Ill., for the passage of a bill to prohibit the sale of intoxicating liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union, Methodist Episcopal Church, and Epworth League of North Harvey, Ill., favoring bills to protect State anti-cigarette laws, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. MOODY: Petitions of the Young People's Christian unions of Rockport and Beverly and Young People's Society of Christian Endeavor of the Baptist Church of Rockport, Me., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. NORTON of Ohio: Resolutions of Star Council, No. 106, Junior Order United American Mechanics, of Galion, Ohio, asking for Cuban independence and demanding vengeance for the destruction of the *Maine*—to the Committee on Foreign Affairs.

Also, memorial of the Trades and Labor Council of Tiffin, Ohio, for the passage of House bill No. 7389, fixing eight hours as a legal day's work—to the Committee on Labor.

Also, petition of John Tilton and 37 citizens of Upper Sandusky, Ohio, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Petition of Fernando Tupper and other citizens of Auburn and vicinity, State of New York, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of

Venice Center; First Methodist Episcopal Church and Homer Avenue Methodist Episcopal Church, of Cortland; Baptist Church and the Methodist Episcopal Church of Virgil, N. Y., for the passage of a bill to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Fleming and Venice Center, N. Y.; First Baptist Church of Cortland; Methodist Episcopal Church and Baptist Church of Virgil, N. Y., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. PERKINS: Petition of 21 citizens of Lemars, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Petitions of the First Presbyterian Church of Galesburg, Ill., for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the First Presbyterian Church of Galesburg, Ill., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. RAY of New York: Petitions of the Woman's Christian Temperance Union of Lestershire, First Congregational Church of Binghamton, and Christian Endeavor Society of Oakdale, N. Y., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the First Congregational Church of Binghamton, Christian Endeavor Society of Oakdale, and Woman's Christian Temperance Union of Lestershire, N. Y., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RICHARDSON: Petition of Lizzie Hamilton, administratrix of C. H. Hamilton, deceased, late of the State of Tennessee, praying that her war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. RIXEY (by request): Petition of the heirs of Thomas Ellicott, deceased, late of Prince William County, Va., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

Also (by request), petition of the heirs of Fenton Triplett, deceased, late of Fauquier County, Va., asking reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBBINS: Petition of the Christian Endeavor Society of the Reformed Church of Apollo, Pa., urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH: Sundry petitions of citizens of Denver, Colo., in favor of legislation abolishing ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petitions of J. A. Fowler and 25 other citizens of Clinton, Tenn.; W. H. Julian and 26 other citizens of Harriman, Tenn.; Jonathan Exell and 9 other citizens of New Tazewell, Tenn.; John S. Webb and 12 other citizens of Hollywood, Tenn.; Sidney Fletcher and 29 other citizens of New Glasgow, Mich.; Order of Railway Conductors, divisions at Lorraine, Ohio, Roodhouse, Ill., Bigspring, Tex., Danville, Ill., Grand Rapids, Mich., Charlottesville, Va., and Colorado City, Colo.; Brotherhood of Locomotive Firemen, lodges at Peoria, Ill., Fort Worth, Tex., Jeffersonville, Ind., St. Louis, Mo., Freeport, Ill.; Brotherhood of Railway Trainmen, lodges at Huntington, Ind., Terre Haute, Ind., Dennison, Ohio, Cleveland, Ohio, Cincinnati, Ohio, Miami, Ohio, favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMPSON: Petitions of the Woman's Christian Temperance Union of Hutchinson and of 100 citizens of Caldwell, Kans., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Rome and 100 citizens of Caldwell, Kans., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SKINNER: Petition of the heirs of James Newbold, deceased, late of Perquimans County, N. C., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. SMITH of Kentucky: Papers to accompany House bill No. 3681, for the relief of James H. Morris, and correction of his record—to the Committee on Military Affairs.

Also, petition of citizens of Vinegrove, Ky., asking for the passage of House bill No. 6705, to prevent the adulteration of flour—to the Committee on Ways and Means.

Also, petition of Monon Division, No. 89, Order of Railway Conductors, of Louisville, Ky., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany House bill for relief and correction of the record of Joseph Metcalf—to the Committee on Military Affairs.

Also, papers to accompany House bill for the relief of B. O. Purvis—to the Committee on Military Affairs.

By Mr. SPRAGUE: Resolutions of the Municipal League of Boston, Mass., expressing approval of the efforts of President McKinley to preserve peace and avoid international war—to the Committee on Foreign Affairs.

Also, resolutions of the Boston Merchants' Association, of Boston, Mass., deprecating war, expressing approval of the policy of President McKinley, and hoping for the settlement of the Cuban question by peaceful means—to the Committee on Foreign Affairs.

Also, resolutions of the Boston Board of Fire Underwriters, of Boston, Mass., upholding the policy of President McKinley in endeavoring to conclude the settlement of the Cuban troubles without war—to the Committee on Foreign Affairs.

Also, resolution of the Real Estate Exchange of Boston, Mass., in favor of reciprocity with Canada and Newfoundland—to the Committee on Foreign Affairs.

Also, resolution of a meeting of citizens of Brookline, Mass., supporting the policy of President McKinley in his efforts to settle the Cuban question by diplomacy—to the Committee on Foreign Affairs.

Also, resolution of the board of aldermen of Boston, Mass., regarding the benefits to be derived from working the Charlestown Navy-Yard to its full capacity—to the Committee on Naval Affairs.

Also, petition of the Boston Druggists' Association, praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Grace Church Epworth League, of Taunton, Mass., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Grace Church Epworth League, of Taunton, Mass., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STARK: Petitions of the Woman's Christian Temperance Union, First Baptist Church, Church of Christ, and Methodist Episcopal Church, all of Dorchester, Nebr., for the passage of bills to protect State anti-cigarette laws and to forbid interstate gambling by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of certain churches and citizens of Dorchester, Nebr., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens and certain churches and societies of Dorchester, Nebr., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STRODE of Nebraska: Petition of the Epworth League of the Methodist Episcopal Church and the Anti-Saloon League, of Tecumseh, Nebr., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Epworth League of the Methodist Episcopal Church of Tecumseh, Nebr., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. VINCENT: Petition of citizens of Miltonvale, Kans., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. TERRY: Petitions and resolutions of citizens of the towns of Sallisaw, Westville, Baron, Stillwell, Bunch, Redland, Gann, Cottonwood, Long, Pawpaw, Muldrow, Hanson, Akin, Remy, Campbell, Vian, Mackey, and Cookson, Ind. T., in regard to locating a United States district court for the northern district of the Indian Territory at the town of Sallisaw, Ind. T.—to the Committee on the Judiciary.

By Mr. WADSWORTH: Petitions from various places in the Thirtieth Congressional district of New York, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance unions of North Tonawanda, Niagara County, and Avon, Livingston County, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Young Woman's Christian Temperance Union of North Tonawanda, N. Y., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. WARD: Petition of the West End Woman's Republican Association, of New York, for an amendment to a joint resolution pending in Congress to regulate the hours of labor for women and children in manufacturing establishments—to the Committee on Labor.

By Mr. WEAVER: Petition of the Woman's Christian Temperance Union of Darbyville, Ohio, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. WHITE of North Carolina: Petitions of the Methodist Protestant Church of Lagrange, N. C., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. WILSON: Petition of 124 citizens of Laurens, S. C., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, resolution of Swansea Sunday school, Swansea, S. C., for the recognition of Cuba's independence and for intervention—to the Committee on Foreign Affairs.

SENATE.

WEDNESDAY, *April 6, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

MASONIC TEMPLE ASSOCIATION.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3472) to incorporate the Masonic Temple Association of the District of Columbia.

The amendments were, on page 3, line 10, after the word "corporate," to insert the words "within the District of Columbia."

On page 3, line 11, after the word "Association," to insert "of the District of Columbia."

On page 5, after line 17, to insert as an additional section:

SEC. 7. That the capital stock of the corporation shall not be less than $150,000 nor more than $300,000, divided into shares of $10 each.

Change section 7 to section 8.

Mr. BURROWS. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

CHARLESTON HARBOR IMPROVEMENT.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and is hereby, requested to furnish the House of Representatives, at the earliest time practicable, such information as he may have regarding the possibility of providing deeper draft at the entrance into Charleston Harbor than is contemplated by the approved project for the improvement by jetties of the entrance to that harbor; and that he be requested further to submit a plan and estimate of the cost of securing a depth of not less than 26 feet at low water from the ocean to deep water inside the harbor, and to report his opinion as to the advisability thereof.

Mr. TILLMAN. I ask the Senate to agree to the resolution.

The concurrent resolution was considered by unanimous consent, and agreed to.

HOUSE BILLS REFERRED.

The following bills and joint resolution were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 631) to confirm title to lots 13 and 14, in square 959, in Washington, D. C.;

A bill (H. R. 5883) to authorize the reassessment of water-main taxes in the District of Columbia, and for other purposes;

A bill (H. R. 9204) to regulate the construction of barbed-wire fences in the District of Columbia, and for other purposes;

A bill (H. R. 9206) to incorporate the Washington and University Railroad Company of the District of Columbia;

A bill (H. R. 9417) to amend the charter of the District of Columbia Suburban Railway Company;

A bill (H. R. 9428) to authorize the Washington and Gettysburg Railway Company, of Maryland, to extend its line of road into and within the District of Columbia; and

A joint resolution (H. Res. 189) authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes.

The bill (H. R. 4166) to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time was read twice by its title, and referred to the Committee on Claims.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Board of Trade of Baltimore, Md., indorsing the action of President McKinley and praying that he continue his efforts to secure a peaceable settlement of the difficulties between the United States and Spain; which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the New York Retail Grocers' Union, of New York City, commending the action of Congress in supporting the President in his efforts to prevent hostilities, pending an adjustment by peaceful methods of the difficulties between the United States and Spain; which were referred to the Committee on Foreign Relations.

Mr. ALLEN presented a petition of the Woman's Christian Temperance Union of Lexington, Nebr., and a petition of Overton Lodge, No. 185, Ancient Order of United Workmen, of Overton, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. JONES of Arkansas presented the memorial of John Johnson and 19 other citizens of Arkansas, remonstrating against the passage of the so-called anti-scalping ticket bill, or any similar measure; which was ordered to lie on the table.

Mr. DAVIS presented a petition of 83 citizens of Waseca, Minn., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a memorial of the boards of Home and Foreign Missions of the Presbyterian Church in the United States, remonstrating against the appropriation of public money in aid of sectarian schools; which was referred to the Committee on Appropriations.

He also presented a petition of the Board of Trade of Minneapolis, Minn., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of officers and members of Company E, First Regiment, National Guard, State of Minnesota; of Company G, First Regiment, National Guard, State of Minnesota, and of Company B, First Regiment, National Guard, State of Minnesota, praying that House bill No. 2876, to promote the efficiency of the militia, be amended so that the annual appropriation for the National Guard shall be not less than $1,000,000; which were referred to the Committee on Military Affairs.

He also presented a memorial of the Fire Department Relief Association of Minneapolis, Minn., and a memorial of the Fire Department Relief Association of St. Paul, Minn., remonstrating against the enactment of legislation to establish a division in the Treasury Department to regulate insurance companies; which were referred to the Committee on Interstate Commerce.

Mr. BAKER presented a memorial of Local Union No. 18, Coopers' International Union, of Kansas City, Kans., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of Manhattan Grange, No. 743, Patrons of Husbandry, of Kansas, praying for the enactment of legislation to secure to the people of the rural sections of the country the advantages of postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Northwest Kansas Annual Conference of the Methodist Episcopal Church of Minneapolis, Kans., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented petitions of the Woman's Christian Temperance unions of Sharon and Idana; of the congregations of the Church of God, of Sharon, the United Brethren of Lecompton, the First Presbyterian Church of Peabody, the Presbyterian Church of Rossville, and of the Presbyterian Church of Osage; of the Northwest Kansas Annual Conference of the Methodist Episcopal Church of Minneapolis; of the Central Missouri Conference of the Methodist Episcopal Church of North Topeka; of the Gospel Temperance Meeting; of members of the United Presbyterian Sunday

school of Jamestown; of the Sunday school of the Christian Church and the Sunday school of the Methodist Episcopal Church of Sharon, all in the State of Kansas, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Idana, Kans., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Idana and Sharon; of the congregations of the Christian Church, the Church of God, and the Methodist Episcopal Church of Sharon; the Presbyterian Church of Rossville; the Presbyterian Church of Osage; the First Baptist Church of Peabody; the Northwest Kansas Annual Conference of the Methodist Episcopal Church, of Minneapolis; the United Brethren of Lecompton; the Central Missouri Conference of the Methodist Episcopal Church, of North Topeka; of members of the United Presbyterian Sabbath school of Jamestown; of the Sunday school of the Christian Church of Sharon; the Sunday school of the Church of God, of Sharon, and the Sunday school of the Methodist Episcopal Church of Sharon, all in the State of Kansas, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Idana and Sharon; of the congregation of the Christian Church, the Church of God, and the Methodist Episcopal Church of Sharon; the First Presbyterian Church of Peabody; the United Presbyterian Sabbath school of Jamestown; the Winfield Union, of Winfield; the Missouri Annual Conference of the Methodist Episcopal Church, of North Topeka; the Northwest Kansas Annual Conference of the Methodist Episcopal Church, of Minneapolis; the congregation of the Presbyterian Church of Osage; the congregation of the Presbyterian Church of Rossville; the congregation of the Mound Valley Methodist Episcopal Church and of the United Brethren Congregation, of Lecompton, all in the State of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. QUAY presented resolutions adopted by the Trades League of Philadelphia, Pa., indorsing the action of Congress in supporting the President in his endeavor to prevent war; which were referred to the Committee on Foreign Relations.

Mr. GALLINGER. I present a communication from the Society of Colonial Wars of New Hampshire, in favor of a bill now pending in the House of Representatives for the purchase of the grounds, fortifications, redoubts, and breastworks of Fort Ticonderoga, N. Y. The society calls attention to the fact that that is "a spot connected with the colonial history of the nation and of our State, and the General Society of Colonial Wars is earnestly in favor of the purchase, recommending to the State societies to take such action as may advance the same, and representing that such purchase will, in our judgment, be wise and patriotic, as preserving so distinctive an object lesson of our fathers' patriotism and such an incentive, through national ownership, to stimulate the new generations to love of country and right action." The society urgently desires that Congress may deem it wise and proper to pass the needed legislation to secure this moldering fortification and historic ground. The communication is signed by Henry Oakes Kent, governor, and Charles Lathrop Parsons, secretary. I move that the communication be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. PENROSE presented a petition of the Freeburg Evangelical Lutheran Church, of Kane, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings, to prohibit interstate gambling by telegraph, telephone, or otherwise, to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, for the enactment of a Sunday-rest law for the District of Columbia, to substitute voluntary arbitration for railway strikes, and to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Clearing House Association of Philadelphia, Pa., praying that the President be sustained in his conduct of negotiations with the Kingdom of Spain; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented a petition of the Woman's Christian Temperance Union of Rome, Kans., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Hutchinson, Kans., and a petition of 150 citizens of Caldwell, Kans., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Rome, Kans., and a petition of 100 citizens of Caldwell, Kans., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. HAWLEY presented a petition of the congregation of the Baptist Church of Norwich, Conn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Congregational Church of Bethel, the Disciples Church of Danbury, the Second Advent Christian Church of Danbury, the Baptist Church of Norwich, the Hanover Committee of the Congregational Church, and the Laurel Hill Christian Endeavor Society, of Norwich, all in the State of Connecticut, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the Congregational Church of Bethel, the Hanover Committee of the Congregational Church, the Second Advent Christian Church of Danbury, and the Disciples Church of Danbury, all in the State of Connecticut, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the congregations of the Disciples Church of Danbury, the Second Advent Christian Church of Danbury, the Congregational Church of Bethel, the Hanover Committee of the Congregational Church, the Baptist Church of Norwich, and of the Laurel Hill Christian Endeavor Society, of Norwich, all in the State of Connecticut, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. PASCO presented a petition of the San Antonio Strawberry Growers' Union, of San Antonio, Fla., praying for the passage of a bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

Mr. PROCTOR presented a petition of the congregations of the Methodist Episcopal Church of Walden and South Walden, in the State of Vermont, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Methodist Episcopal Church of Walden and South Walden, in the State of Vermont, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregations of the Methodist Episcopal Church of Walden and South Walden, in the State of Vermont, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. HANNA presented petitions of the Woman's Christian Temperance unions of Berkshire, Leesburg, South New Lyme, Norwalk, and New London; of the congregations of the Friends' Church of New Burlington, the Congregational Church of New London, and the Methodist Episcopal Church of Hillsboro; the Young People's Society of Christian Endeavor of the Christian Church of Hillsboro, and the Epworth League of Hillsboro, all in the State of Ohio, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance unions of Forestville, New London, Berkshire, Greenville, Chester Crossroads, Salem, Jeffersonville, Delaware, and Colerain; of the congregations of the Church of God of Wooster, the Baptist Church of Hillsboro, the First Presbyterian Church of Wooster, the Presbyterian and Baptist churches of South New

Lyme, Center, and Dodgeville, the Church of Christ of Hillsboro, the Methodist Episcopal Church of Hillsboro, the Methodist Episcopal Church of New Burlington, the Congregational Church of New London, the Central Congregational Church of Toledo, the Methodist Episcopal Church of Toledo, the First Presbyterian Church of Toledo, the First Universalist Church of Jeffersonville, the Christian Church of Rogers, the Presbyterian Church of Wooster, the United Brethren in Christ of Arcanum, and the Presbyterian Church of Peru; the Christian Endeavor Society and the Epworth League, of Jeffersonville; the Central Woman's Christian Temperance Union of Cincinnati, the Epworth League of Hillsboro; the Young People's Christian Union of the Second United Presbyterian Church of Cambridge; the Young People's Society of Christian Endeavor of the Presbyterian Church of Hillsboro, and of the congregation of the Frances Willard Memorial Service, of Wakeman, all in the State of Ohio, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Forestville, New London, Greenville, Chester Crossroads, Salem, Jeffersonville, Berea, South New Lyme, Delaware, and Colerain; of the congregations of the Church of God of Wooster; the First Presbyterian Church of Wooster; the Friends' Church of Leesburg; the Methodist Episcopal Church of Hillsboro; the Friends' Church of New Burlington; the Congregational Church of New London; the Central Congregational Church of Toledo; the First Presbyterian Church of Toledo; the Methodist Episcopal Church of Toledo; the First Universalist Church of Jeffersonville; the Westminster Presbyterian Church, of Rogers; the Presbyterian Church of Wooster; the Presbyterian Church of Peru; the United Brethren in Christ of Arcanum; the Christian Endeavor Society and the Epworth League, of Jeffersonville; the Epworth League of Hillsboro; the Young People's Society of Christian Endeavor of the Christian Church of Hillsboro, and the Young People's Society of Christian Endeavor of the Presbyterian Church of Hillsboro, all in the State of Ohio, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Walnut Hills, Berea, Delaware, Colerain, Ravenna, Glouster, South New Lyme, Berkshire, Champion, Greenville, Norwalk, Chester Crossroads, Salem, Jeffersonville, and New London; of the congregations of the Presbyterian Church of Peru, the Church of God of Wooster, the Baptist Church of Hillsboro, the First Presbyterian Church of Wooster, the Methodist Episcopal Church of Hillsboro, the Congregational Church of South Newberry, the Congregational Church of New London, the First Presbyterian Church of Toledo, the Central Congregational Church of Toledo, the Methodist Episcopal Church of Toledo, the First Universalist Church of Jeffersonville, the Christian Church of Rogers, the Presbyterian Church of Wooster, the Christian Endeavor Society and the Epworth League of Jeffersonville, of sundry teachers of the public schools of Norwalk; of sundry teachers of the public schools of New London, the Epworth League of Hillsboro, the Young People's Society of Christian Endeavor of the Christian Church of Hillsboro, the Central Woman's Christian Temperance Union of Cincinnati, and the congregation of the Frances Willard Memorial Service of Wakeman, all in the State of Ohio, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. TELLER presented a petition of the Central Woman's Christian Temperance Union of Pueblo, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Central Woman's Christian Temperance Union of Pueblo, Colo., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Central Woman's Christian Temperance Union of Pueblo, Colo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. THURSTON presented a petition of sundry citizens of Lincoln, Nebr., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the congregations of the First Baptist Church, the Christian Church, the Methodist Episcopal Church, and the Woman's Christian Temperance Union of Dorchester, in the State of Nebraska, praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of York; of the congregations of the First Baptist Church, the Church of Christ, and the Methodist Episcopal Church; of the Woman's Christian Temperance Union, and of Coats Relief Corps, No. 125, all of Dorchester, in the State of Nebraska, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of York; the Epworth League of the La Selle Street Methodist Episcopal Church, of Beatrice; the Epworth League of the Methodist Episcopal Church of Tecumseh; the Woman's Christian Temperance Union, the congregations of the First Baptist Church, the Christian Church, and the Methodist Episcopal Church of Dorchester; of the Young People's Society of the Baptist Church of Tecumseh, and of the Anti-Saloon League of Tecumseh, all in the State of Nebraska, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of York; the Sunday school of the La Selle Street Methodist Episcopal Church of Beatrice; the Young People's Society of the First Baptist Church of Tecumseh; the Epworth League of the Methodist Episcopal Church of Tecumseh; the Anti-Saloon League of Tecumseh; of the Woman's Christian Temperance Union, the congregations of the First Baptist Church, the Church of Christ, and the Methodist Episcopal Church of Dorchester, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. FORAKER presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying for the complete and unqualified independence of Cuba; which was referred to the Committee on Foreign Relations.

Mr. MASON presented the memorial of F. L. Gebhard and 18 other citizens of Illinois, remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

He also presented petitions of the congregations of the First Baptist Church of Momence, the Methodist Episcopal Church of Momence, the First Presbyterian Church of Galesburg, and the First Methodist Episcopal Church of Harvey, all in the State of Illinois, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the First Baptist Church of Momence, the Methodist Episcopal Church of Momence, the First Presbyterian Church of Galesburg, and the First Methodist Episcopal Church of Harvey, all in the State of Illinois, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregations of the First Baptist Church of Momence, the Methodist Episcopal Church of Momence, the First Presbyterian Church of Galesburg, and the First Methodist Episcopal Church of Harvey, all in the State of Illinois, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of the Woman's Christian Temperance Union of Lena, Ill., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Lena, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Lena, Ill., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of 80 citizens of Bloomington, Ill., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented resolutions adopted by Dunham Post, No. 141, Department of Illinois, Grand Army of the Republic, of Decatur, Ill., favoring armed intervention in the struggle in Cuba; which were referred to the Committee on Foreign Relations.

He also presented a petition of Spring Grange, No. 540, of Belvidere, Ill., and a petition of Freedom Grange, No. 455, of Freedom, Ill., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which were referred to the Committee on Interstate Commerce.

Mr. MILLS presented the memorial of J. T. Raymond and 71 other citizens of Texas, remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

Mr. ALLEN presented sundry papers in support of the bill (S. 2946) granting a pension to Erastus A. Buck, of Bellwood, in the State of Nebraska; which were referred to the Committee on Pensions.

REPORTS OF A COMMITTEE.

Mr. WOLCOTT, from the Committee on Post-Offices and Post-Roads, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1271) for the relief of M. D. Crow; and

A bill (S. 1100) for the relief of Thomas Chambers.

Mr. CHANDLER, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment relative to the acceptance of a parcel of land and the erection thereon of a building for the accommodation of the post-office at Wymore, Nebr., submitted by Mr. ALLEN on the 31st ultimo, intended to be proposed to the Post-Office appropriation bill, reported it with amendments and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

BILLS INTRODUCED.

Mr. GEAR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4350) granting a pension to David M. Blanchard; and

A bill (S. 4351) granting a pension to Wesley J. Banks.

Mr. PROCTOR introduced a bill (S. 4352) to remove the charge of desertion against the military record of George W. Kidder, alias Lewis Shiney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 4353) to provide for the naturalization of certain Indians residing upon the Annete Islands, Alaska; which was read twice by its title, and referred to the Committee on Territories.

Mr. MONEY introduced a bill (S. 4354) for the relief of the estate of Harry H. Beard, deceased, late of Coahoma County, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 4355) for the relief of Richard H. Marshall, only heir and legatee of Louisa Summers, deceased, late of Fairfax County, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. BAKER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4356) granting a pension to Teressa Jane Hoyt (with accompanying papers);

A bill (S. 4357) granting an increase of pension to Charles Taylor, of Clay Center, Kans.; and

A bill (S. 4358) granting an increase of pension to Mary Y. Stewart, of Leavenworth, Kans. (with accompanying papers).

Mr. PETTIGREW introduced a bill (S. 4359) for the relief of S. A. Brown, late passed assistant surgeon, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PASCO introduced a bill (S. 4360) granting an increase of pension to Charles Fletcher, of Key West, Fla.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 4361) granting an increase of pension to Martha Maddocks; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 4362) granting an increase of pension to Charles H. Barber; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4363) for the relief of Capt. Charles G. Penney, United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

AMENDMENTS TO BILLS.

Mr. McBRIDE submitted an amendment relative to the location and construction of a dry dock on the Columbia River, Oregon, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment relative to the immigrants' disinfection bath house and laundry, kitchen and restaurant building, etc., at the Ellis Island immigrant station, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to lie on the table and to be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

DOCKING OF VESSELS OF THE NAVY.

Mr. HALE. A paper containing statements before the Committee on Naval Affairs relative to the docking of vessels of the Navy was printed for the use of the committee. There is a large demand for it, and I move that it be printed as a document for the use of the Senate.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

A bill (H. R. 581) for the relief of Oliver C. Bosbyshell, late superintendent United States mint, at Philadelphia, Pa.;

A bill (H. R. 1246) for the relief of C. B. Bryan & Co.;

A bill (H. R. 7318) for the relief of Frank Loyd, of Georgia;

A bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for; and

A joint resolution (H. Res. 119) for the improvement of Humboldt Harbor, California.

The message also announced that the House had passed, with an amendment, the bill (S. 1116) to pay the heirs of the late John Roach, deceased, $330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta;* in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice-President:

A bill (S. 771) to incorporate the National Florence Crittenton Mission; and

A joint resolution (S. R. 129) relative to suspension of part of section 355 of the Revised Statutes, relative to erection of forts, fortifications, etc.

ESTATE OF JOHN ROACH.

Mr. QUAY. I ask that the bill just received from the House in relation to the payment of John Roach's estate be laid before the Senate. I merely desire to move that the Senate concur in the House amendment.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1116) to pay the heirs of the late John Roach, deceased, $330,151.42, for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*.

The amendment of the House of Representatives was, in line 6, after the words "four hundred and seventy-seven" to insert, "the Secretary of the Treasury be, and he is hereby, authorized and directed."

Mr. QUAY. I move that the Senate concur in the amendment.

Mr. COCKRELL. Let it be read the way it will be if the amendment is concurred in.

The VICE-PRESIDENT. The Secretary will read the clause of the bill as it will stand when amended.

The Secretary read as follows:

That to carry out the provisions of the act making appropriations for the naval service for the fiscal year ending June 30, 1884 (Twenty-second Statutes, page 477), the Secretary of the Treasury be, and he is hereby, authorized and directed, to pay to the legal representatives of John Roach, deceased, etc.

The amendment was concurred in.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 581) for the relief of Oliver C. Bosbyshell, late superintendent United States mint at Philadelphia, Pa.;

A bill (H. R. 1246) for the relief of C. B. Bryan & Co.; and

A bill (H. R. 7318) for the relief of Frank Loyd, of Georgia.

The following bill and joint resolution were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian

bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for; and

A joint resolution (H. Res. 119) for the improvement of Humboldt Harbor, California.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask unanimous consent that the Senate now proceed to the consideration of the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

The reading of the bill was resumed at line 13, on page 78.

The next amendment of the Committee on Appropriations was, under the head of "Miscellaneous objects," on page 79, after line 11, to strike out:

The Secretary of the Interior is hereby authorized and directed to prescribe rules and regulations governing the custody and disposition of such funds or property as may now be in the hands of, or may hereafter be intrusted to the care of, the superintendent of the Government Hospital for the Insane, for the use of a patient or patients in the hospital. He is also authorized, if in his judgment it appear advisable, to deposit said trust funds in the United States Treasury, and to draw therefrom under such regulations as may be prescribed hereunder.

And in lieu thereof to insert:

The superintendent of the Government Hospital for the Insane shall deposit in the Treasury of the United States, in his name as agent, all funds now in his hands or which may hereafter be intrusted to him by or for the use of patients, which shall be kept as a separate account; and he is hereby authorized to draw therefrom on his order, from time to time, under such regulations as the Secretary of the Interior may prescribe, for the use of such patients, but not to exceed for any one patient the amount intrusted to the superintendent on account of such patient; and he shall give a separate bond, satisfactory to the said Secretary, for the faithful performance of his duties in respect to these funds as herein provided.

The amendment was agreed to.

The next amendment was, on page 81, line 11, after the word "dollars," to insert the following proviso:

Provided, That directors appointed under the provisions of section 4363 of the Revised Statutes of the United States shall remain in office until the appointment and acceptance of office of their successors; and the directors of the institution shall have control of the disbursement of all moneys appropriated by Congress for the benefit of said institution, accounts for which shall be settled and adjusted at the Treasury Department, as required by the provisions of section 236 of the Revised Statutes.

The amendment was agreed to.

The next amendment was, on page 82, line 5, before the word "dollars," to strike out "twenty-seven thousand five hundred" and insert "twenty-nine thousand;" and in the same line, after the word "dollars," to insert "of which sum not less than $1,000 shall be used for normal instruction;" so as to make the clause read:

Howard University: For maintenance of the Howard University, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance of which will be paid from donations and other sources, $29,000, of which sum not less than $1,000 shall be used for normal instruction.

The amendment was agreed to.

The next amendment was, on page 82, line 14, to increase the appropriation for improvement of grounds and repairs of buildings at the Howard University from $1,000 to $2,000.

The amendment was agreed to.

The next amendment was, on page 82, line 17, to increase the total appropriation for maintenance of the Howard University from $32,600 to $35,100.

The amendment was agreed to.

The reading of the bill was continued to line 11, on page 83.

Mr. HAWLEY. I have waited until all the paragraphs relating to Howard University were read. My attention is specially attracted to lines 17 to 21, on page 82:

Provided, That no part of this appropriation shall be used, directly or indirectly, for the support of the theological department of said university, nor for the support of any sectarian, denominational, or religious instruction therein.

Mr. HOAR. On what page is that found?

Mr. HAWLEY. On page 82. Everywhere the United States recognizes in some form or other that there is a God, and that He is to be addressed in humble supplication for strength to perform our duties and for the maintenance of our health and the safety and honor of our country. That is done every day here and every day in the other House. It is done every day at the headquarters of the regiments. It was done during the war. There is a chaplain on most of the ships of the Navy.

Now, why should this institution be forbidden to have any religious instruction? I am sure that a prayer delivered by a man who is capable of praying in a proper sense and in a proper spirit is religious instruction. I want to know if this provision forbids Howard University from having a chaplain for morning prayer?

Mr. ALLISON. Certainly not, Mr. President. No provision here interferes with religious instruction at the university. It only provides that the appropriation shall be used for the purposes of education in the university and nothing else. It is a provision that has been in this bill for at least nine years, year by year. It meets with the approval of those who are in charge of the university.

Mr. HAWLEY. Then I understand the chairman to say that the Government appropriation is to be used for secular instruction only, and that the university may have as large a private fund as it pleases for carrying on the theological school.

Mr. ALLISON. There is no doubt about it. The theological school has been conducted for many years out of donations and contributions made by people who are interested in theological instruction there.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 83, after line 18, to insert:

Improvement of the Yosemite National Park: For construction of bridges, fencing, and trails, and improvement of roads, other than toll roads, to be expended under the supervision of the Secretary of the Interior, $4,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 23, to insert:

Improvement of the Sequoia National Park: For construction of bridges, fencing, and trails, and improvement of roads, other than toll roads, to be expended under the supervision of the Secretary of the Interior, $4,000.

The amendment was agreed to.

The next amendment was, on page 84, after line 3, to insert:

Improvement of the General Grant National Park: For construction of a trail around the perimeter of the park, and for material and labor and the construction of a barbed-wire fence around the park, to be expended under the supervision of the Secretary of the Interior, $2,000.

The amendment was agreed to.

The next amendment was, on page 84, after line 9, to insert:

Indian affairs: To enable the Secretary of the Interior, in pursuance of Article XVIII of the Seminole treaty, proclaimed August 28, 1856, to cause an examination and investigation to be made of outrages and injuries alleged to have been perpetrated on individual Indians belonging to the Seminole tribe by an armed mob or band of lawless persons who invaded the Seminole country during the months of December, 1897, and January, 1898, and if, upon such examination and investigation, it shall appear that outrages and injuries have been so perpetrated, to adjudicate and pay the Indian or Indians, or their legal heirs or representatives, as guaranteed by said treaty, such sum or sums as he may deem just and reasonable, $20,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 84, after line 24, to insert:

Des Moines River land settlers: To enable the Secretary of the Interior to expend any balance of money appropriated under the act of August 18, 1894, remaining unexpended, which sum is hereby reappropriated, to pay such sums as may be found due to duly qualified settlers who have in good faith filed preemption or homestead claims, made settlement, resided upon for a period of not less than five years, cultivated and made valuable improvements on the land claimed, and in cases where such persons made actual settlement in good faith, under the preemption and homestead laws, at a time when others were permitted to file on like lands and in good faith resided upon same for a period of not less than five years, cultivated and made valuable improvements upon the land so occupied, and duly offered to file for the land settled upon within the time prescribed by law, but were not permitted to do so by the officers of the Land Department, and the further sum of $25,000 is hereby appropriated to enable the Secretary to make such payments: *Provided*, That no part of the aforesaid sums shall be paid until the Secretary of the Interior shall find and determine, upon the evidence heretofore taken by the special commissioner appointed under said act of August 18, 1894, and upon such other and further evidence as he may in his discretion take, all of which shall be preserved in his office, what sum, if anything, is justly due to such persons, their heirs and assigns, and the measure of damages shall be in all respects as was provided for claims under said act of August 18, 1894, and of the foregoing sums $2,000, or so much thereof as may be necessary, may be expended in making such further examination: *Provided further*, That no claim of any preemptor or homesteader shall be considered or allowed except upon proofs of settlement, residence, and improvements, as herein required: *Provided further*, That nothing herein shall be construed as authorizing the reopening or further consideration of any claim reported in lists A and B of the special commissioner's report as the same appears in Senate Document No. 258, Fifty fourth Congress, first session.

The amendment was agreed to.

The next amendment was, under the subhead "Armories and arsenals," on page 86, after line 22, to insert:

For new hospital building, $12,500.

The amendment was agreed to.

The next amendment was, on page 86, after line 24, to insert:

For machines suitable for manufacture of siege carriages and limbers, and for installing same in shop "G," $28,000.

The amendment was agreed to.

The next amendment was, on page 87, after line 2, in the items for the Rock Island Arsenal, Rock Island, Ill., to insert:

For extending the electric-lighting plant, $6,450, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 87, after line 11, to insert:

For improving the water power at Rock Island Arsenal, by extending the present wing dam or by deepening the channel, as the Secretary of War may direct, $45,000.

The amendment was agreed to.

The next amendment was, under the subhead "Frankford Arsenal, Philadelphia, Pa.," on page 87, after line 19, to insert:

For electric lighting of the workshops, $2,400, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Springfield Arsenal, Springfield, Mass.," on page 88, after line 16, to insert:

For introducing electric light into the water shops, including purchase of dynamo, wires, lamps, etc., and installing, all complete, $3,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 88, after line 20, to insert:

For an extension to the case-hardening and tempering room at the armory $3,000, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Watertown Arsenal, Watertown, Mass.," on page 89, after line 10, to insert:

For office building, $12,500.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds in and around Washington," on page 91, after line 13, to insert:

For the continuation of the concrete or asphalt pavement of E street NW. through said park, from Fourth street to Fifth street NW., $2,000.

The amendment was agreed to.

The next amendment was, under the subhead "Executive Mansion," on page 92, after line 6, to insert:

For portrait, and frame for same, of Hon. Grover Cleveland, ex-President of the United States, $2,500.

The amendment was agreed to.

The next amendment was, under the subhead of "Lighting the Executive Mansion and public grounds," on page 93, line 23, after the word "at," to insert "not exceeding;" and on page 94, line 1, after the word "dollars," to strike out "And any electric lighting company now authorized to do business in the District of Columbia, to whom a contract may be awarded for said lights in said grounds and park is hereby authorized, with the approval of the Secretary of War, to make such extension of underground conduits as may be necessary to furnish and maintan said lights" and insert "And any electric lighting company now authorized to do business in the District of Columbia to whom a contract may be awarded for public lights in any of the public parks, reservations, or grounds hereinbefore mentioned is hereby authorized, with the approval of the Secretary of War, to make such extension of its underground conduits now existing in any street or avenue adjacent and contiguous to such public parks, reservations, or grounds as may be necessary to furnish and maintain said lights;" so as to make the clause read:

For lighting twenty arc electric lights in Executive Mansion grounds and Monument Park, three hundred and sixty-five nights, at not exceeding 25 cents per light per night, which shall cover the entire cost to the United States of lighting and maintaining in good order each electric light in said grounds and park, $1,725. And any electric lighting company now authorized to do business in the District of Columbia to whom a contract may be awarded for public lights in any of the public parks, reservations, or grounds hereinbefore mentioned is authorized, with the approval of the Secretary of War, to make such extension of its underground conduits now existing in any street or avenue adjacent and contiguous to such public parks, reservations, or grounds as may be necessary to furnish and maintain said lights.

The amendment was agreed to.

The next amendment was, on page 95, after line 19, to insert:

MILITARY ESTABLISHMENT.

Pay of the Army: To provide for payments made necessary by the "Act to authorize two additional regiments of artillery," approved March 8, 1898, namely: Pay of officers of the line; pay of officers for length of service, to be paid with current monthly pay; pay of enlisted men, and additional pay for length of service, $491,163.20.

The amendment was agreed to.

The next amendment was, under the subhead "Military posts," on page 96, line 9, before the word "hundred," to strike out "four" and insert "nine;" and in line 10, after the word "dollars," to insert ", and of this sum $50,000, or so much thereof as may be necessary, may be used for the purchase of suitable building sites;" so as to read:

For the construction of buildings at, and the enlargement of, such military posts as in the judgment of the Secretary of War may be necessary, and for the erection of barracks and quarters for the artillery in connection with the adopted project for seacoast defense, $920,000, and of this sum $50,000, or so much thereof as may be necessary, may be used for the purchase of suitable building sites.

The amendment was agreed to.

The next amendment was, on page 96, after line 19, to insert:

For continuing construction and improvements at the military post at Spokane, Wash., $40,000.

The amendment was agreed to.

The next amendment was, on page 96, after line 22, to insert:

Toward the reconstruction of the military post of Fort Meade, in South Dakota, $30,000.

The amendment was agreed to.

The next amendment was, on page 96, after line 24, to insert:

For construction of regimental guardhouse, mess house, and quarters at Fort D. A. Russell, Wyo., $30,000.

The amendment was agreed to.

The next amendment was, on page 97, after line 2, to insert:

That the appropriation of $40,000 for beginning the construction of permanent buildings, providing for sewerage, water supply, roads, and other means of communication and other necessary improvements at the military post at Bismarck, N. Dak., made by the sundry civil appropriation act approved June 11, 1896, is hereby reappropriated and made available for the same purposes for the fiscal year 1899.

The amendment was agreed to.

The next amendment was, on page 98, after line 16, to strike out:

Improvement of the Yosemite National Park: For construction of bridges and trails and improvement of roads, other than toll roads, to be expended under the direction of the Secretary of the Interior, $6,300.

Mr. STEWART. I should like to inquire of the chairman of the committee having charge of the bill why that provision is proposed to be stricken out? Is it not necessary for the improvement of the Yosemite National Park?

Mr. ALLISON. That provision is inserted in another place in the bill, on page 83, as the Senator will observe, in the appropriations under the Interior Department.

The VICE-PRESIDENT. The question is on the amendment of the committee to strike out the clause which has been read.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 99, line 1, after the word "available," to strike out "thirty-five" and insert "forty-five;" so as to make the clause read:

Improvement of the Yellowstone National Park: For the repair and maintenance of existing roads and bridges and improvement and protection of the Yellowstone National Park, to be expended by and under the direction of the Secretary of War, including not exceeding $5,000 to be immediately available, $45,000.

Mr. CARTER. I offer the amendment which I send to the desk to the paragraph which has just been read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Montana will be stated.

The SECRETARY. On page 99, line 1, it is proposed to amend the committee amendment by striking out "forty-five" and inserting "fifty," and at the end of line 2, on the same page, by inserting "of which $15,000, or so much thereof as may be necessary, shall be expended to survey and construct a wagon road of uniform grade, as near as may be practicable, from Gardiner to Golden Gate by way of Mammoth Hot Springs."

Mr. ALLISON. I hope the Senator will explain that amendment briefly.

Mr. CARTER. Mr. President, we have now constructed about 160 miles of road in the Yellowstone National Park. It is the concurrent testimony of all persons who have visited that park that the poorest piece of road in the park is at the very entrance of it, over which all travel proceeds. The road was built from the Mammoth Hot Springs to the Golden Gate, a distance of about 4 miles, on the old trail, and instead of preserving a uniform grade the undulations of the hills over which the road passes constitute the present grade of the road. So that it seems very desirable that this road should be placed upon a uniform grade.

Every person who has visited the park in recent years has passed very severe criticisms upon this part of the road. I think upon reflection it will be found wise and just that the amendment should be made. The Department has recommended that this portion of the road be completely rebuilt. The entire stretch of road referred to in the amendment will aggregate about 10 miles, and I think that the sum set apart for the purpose of furnishing a good grade on that portion of the road will be sufficient.

I have had personal knowledge of this road through the park for many years, and I can assure the Senator in charge of the bill that any committee, or any person or any number of persons appointed to inspect the road, would at once concede the wisdom of this proposed amendment.

Mr. BATE. I should like to ask the Senator, of what material is this road made? What kind of a road is it for which we here appropriate $45,000?

Mr. CARTER. The sum of $45,000 proposed to be appropriated is to be applicable throughout the entire park for the maintenance of roads now in existence and for the construction of such other roads as the superintendent of the park may deem necessary. The amount is much below the estimate presented by the Department. The amendment I offered provides for the use of some part of the appropriation, to wit, the sum of $15,000, upon a particular part of the road.

Mr. BATE. What committee has recommended the amendment which the Senator has proposed?

Mr. CARTER. It has not been recommended by any committee. I recommend it on my own responsibility, knowing that it is proper, and upon the basis of the recommendation of the Department of the Interior and the superintendent of the park.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Montana to the amendment proposed by the Committee on Appropriations.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of

the Committee on Appropriations was, under the subhead "Military parks," on page 99, after line 12, to insert:

To enable the Secretary of War to complete the battlefield of Lookout Mountain, in the Chickamauga and Chattanooga National Park, by the purchase of the Point Park, at the north point of Lookout Mountain, heretofore authorized by act of Congress, $40,000, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, on page 100, line 16, to increase the appropriation "For continuing the work of establishing a national park at Gettysburg, Pa.," from $50,000 to $75,000.

The reading of the bill was continued to the end of the following clause, on page 100:

ENGINEER DEPARTMENT.

Toward the construction of works on harbors and rivers under contracts or otherwise, and within the limits authorized by law, namely, etc.

Mr. STEWART. I see that is an appropriation for "harbors and rivers under contracts or otherwise." I suppose the "otherwise" belongs to the Committee on Commerce. I did not suppose that the Committee on Appropriations would take jurisdiction of river and harbor bills except to carry out contracts when there were provisions allowing contracts to be made in advance. I inquire if contracts were made in all the cases where these appropriations are made, or does that word "otherwise" cover most of the appropriations? If so, it seems to me we ought to have some recommendation from the Committee on Commerce regarding them.

Mr. ALLISON. The words "or otherwise" were inserted here for the purpose of covering improvements that are made directly under the supervision of the Secretary of War or under the supervision of the Mississippi and the Missouri River commissions, where the work is done without a contract. The Mississippi River appropriation found in the river and harbor bill of 1897 provides for a specific amount of work to be done each year for a period of three years, and that the work may be done in the discretion of the commission by the hiring of labor, appliances, etc., without the intervention of contracts. If the Senator will again look at the provision in the bill, he will see that it contains the words "and within the limits authorized by law;" so that it is not intended by the words here inserted to cover any appropriations which are not specifically provided for, as I understand, in the river and harbor bill of 1896. If there are any such, they can be struck out on motion.

Mr. STEWART. I suppose they would not come under the jurisdiction of the Committee on Appropriations unless contracts have been let?

Mr. BERRY. Oh, yes. The Senator from Nevada will observe that the provision in the bill as it came from the House covers cases where continuing contracts were authorized. It is not confined to those which have been let, because under the present existing law the Secretary of War has the right to make these contracts, having been authorized to do so. These appropriations are made to cover cases where contracts were let and also those that were authorized.

Mr. STEWART. Then I understand the appropriations follow immediately the statutes without any action of the Department in making contracts. That is very much different from what was the understanding at the time the law was passed. It was supposed that these contracts would be made, and that then the Committee on Appropriations would appropriate the money to carry them out. If it follows that as soon as a law is passed authorizing contracts the appropriation follows, the appropriation might just as well precede any action. I did not know that the Committee on Appropriations had taken jurisdiction except for the purpose of providing for the payment of work under contracts made.

Mr. ALLISON. The Secretary of War a year or two ago, under the advice of the then Chief of Engineers, refused to make contracts until appropriations were made under the provisions of the river and harbor act. In several instances appropriations were made two years before the contracts were made. There are a few cases in this bill where contracts have not been made, but only a few, perhaps six or eight. There is, however, a large amount of this work which is not done by contract at all, as I have stated with reference to the Mississippi and the Missouri rivers. No contracts have been made, as I understand, for those rivers, or, at least, if there are such contracts they are limited.

Mr. WHITE. If the Senator from Iowa will permit me, I will call his attention to another matter, that in one or two instances—in one instance, anyway; I do not know of any other—the Secretary of War has proposed that it shall be contingent upon the making of an appropriation by Congress at this session; and that covers that proposition likewise.

Mr. ALLISON. The provision is inserted in all the contracts that the work is to be paid for as the appropriations are made from year to year. So if no appropriations are made, the contractor receives no pay.

Mr. WHITE. The Senator from Iowa misunderstands me. In this particular case I think the contract is void unless Congress makes an appropriation.

Mr. ALLISON. At this session?

Mr. WHITE. Yes, sir.

Mr. ALLISON. Is that for the beginning of some work?

Mr. WHITE. Yes, sir.

Mr. ALLISON. There may be a case or two of that character.

Mr. WHITE. Then the words ought to stand manifestly.

Mr. ALLISON. I infer from the remarks of the Senator from California that he alludes to the provision for San Pedro.

Mr. WHITE. Yes, sir.

Mr. ALLISON. I do not know what is the nature of that contract. It has only been made within a few days, I understand.

Mr. WILSON. If I can have the attention of the chairman of the committee for a few moments, I desire to get some information about some of these contracts. I find on examination that most of the works for which appropriations are provided in this bill have very large unexpended balances. I suppose there is hardly one that is being appropriated for now that had not in the neighborhood of from three to four hundred thousand dollars unexpended balance on December 1, 1897; and, Mr. President, it seems to me hardly fair to come into the Senate with a large appropriation when we have already a large balance standing to the credit of these various improvements.

In my State we have one continuing contract, and the Chief of Engineers, I think very properly and very justly, said that he had just let a contract and had $350,000 unexpended, therefore he would not need any money for the fiscal year ending June 30, 1899. If that be true as to the continuing contract upon Grays Harbor, it seems to me it is also true as to a great many contracts provided for in this bill. Take, for instance, the Illinois and Mississippi Canal. We are making a large appropriation for that project—over a million dollars—and we have the statement here of the Chief of Engineers that he has not yet even obtained the right of way.

Mr. CULLOM. Will the Senator allow me to make a suggestion there?

Mr. WILSON. Certainly.

Mr. CULLOM. The right of way was not sought to be obtained all the way through at one time, but the right of way is being obtained as the canal is being constructed mile by mile.

Mr. WILSON. I only take the statement I find in the testimony taken before the Committee on Appropriations in the other branch of Congress.

Take, for instance, also the improvement at Rockland, Me. There they are only estimating that if they let the contract, or cancel the one that they have already let, they will be in need of this money. I submit it is only fair, running all through the appropriations for works as to which there is a large unexpended balance, that we should apply the same rule to Illinois and to Maine that is applied to the State of Washington. We have a large number of projects in that State that can not come under the contract system. We shall not be able to secure any appropriation this year because it is understood there will be no river and harbor bill at this session. We only have one improvement under the contract system. We had an appropriation of $350,000 for that purpose, and the Chief of Engineers says it is not necessary to appropriate any further money. We were inclined to think he was correct, but I think he should have gone further, and to a great many of these projects for proposed improvements the same rule should have been applied that is applied to us.

Take, for instance, the improvement at Humboldt, Cal. They have there $366,000 unexpended December 1, 1897. In New York, at Gowanus Bay, they have a balance of $395,882 of money unexpended December 1, 1897; for improving the harbor at Savannah, Ga., they have $350,000 unexpended; for improving the harbor at Boston, Mass., there was $516,251 unexpended December 1, 1897; for improving the harbor of Buffalo, N. Y., there was $503,109 unexpended December 1, 1897.

With those large unexpended balances, it seems to me, in these days when we are so much in need of practicing economy, that to carry on these projects the same rule the Chief of Engineers has applied to the State of Washington might have been applied to the State of Illinois, the State of Georgia, the State of New York, and the State of Massachusetts.

I submit that a careful and close inspection of the estimates and of the testimony taken before the Committee on Appropriations of the House of Representatives will bear out my conclusions in this matter.

Mr. ALLISON. In making up the items for these improvements it is necessary for us, of course, to consult the engineer officers of the Army who have them in charge. I think the House of Representatives provided substantially for every appropriation recommended by the engineer officers of the Government.

The work at Grays Harbor, to which the Senator from Washington alluded, is an improvement which is to cost, I think, $800,000. There was appropriated last year for this work $350,000.

That, together with a small prior appropriation, left a residuum of $368,000 on the 1st of December. The engineer officer stated that that would be sufficient to carry on the work during the next fiscal year. Therefore there was no appropriation inserted for Grays Harbor.

Respecting the Illinois and Mississippi Canal, the engineer officer of the Government recommended an appropriation of $1,900,000, stating that that sum could be economically expended in the prosecution of the work, and yet in the House of Representatives there was only appropriated $1,427,740, or over $500,000 less than the estimates. The committee of the Senate believed on examination that that was a sufficient sum for this improvement, although under the original appropriation in the river and harbor bill for this improvement it was required that one-fourth of the sum should be appropriated each year.

So I think if the Senator will look carefully into the various items and the reports of the engineers which he holds in his hands, he will see that reasonable provision has been made for most of these improvements. Indeed, I am inclined to agree with the Senator that we could get along in many of these cases with a less sum than has been provided for by the House of Representatives, although in every instance it has been stated that the sums appropriated can be economically expended. It is certainly no fault of the Committee on Appropriations if they follow the requirements of the statute upon this subject.

The Committee on Appropriations would be very glad, of course, to get rid of this entire scheme of providing money for rivers and harbors upon the sundry civil appropriation bill, and would be glad to remand that question, as I think it ought to be remanded, to the Committee on Commerce of this body.

I think the Senator will find, after all, that the improvement at Grays Harbor will go on with alacrity under the appropriations already made.

Mr. WILSON. Mr. President, I have no doubt that in due season the improvements at Grays Harbor will go on, as the chairman of the committee states. I am not complaining at all of the fact that no appropriation has been made for that purpose. I understand fully and completely that we have an unexpended balance of $350,000, and that that is sufficient to run us for this year; and the Chief of Engineers very properly stated that it was not necessary to appropriate any further amount. I am inclined to agree with him in that. What I complain of is that of all the projects under the contract system, by some singular arrangement, that is the only one not provided for here. While we have $350,000 of the amount appropriated for that work unexpended, I find all over the United States there are other projects, with an equal amount of money unexpended, which are not treated in the same manner and in the same way.

The Senator from Illinois [Mr. CULLOM], who has information which I have not on the question of the Illinois and Mississippi Canal, states that they are securing the right of way as they move along. The Chief of Engineers states that he hopes the difficulties in securing this right of way will be removed, and that if removed he will expend $1,986,000. It seems to me that the rule applied to our project in the State of Washington should be applied to the State of Illinois—first, get the right of way, and having secured that, under the contract system make the appropriation. In a great improvement that we have been wanting to make at Seattle, connecting the waters of Puget Sound with Lake Washington, we are told we can do nothing; that we can have nothing; that no appropriation will be made until we first secure the right of way. It seems to me, if we are first to secure the right of way for the canal from Puget Sound to Lake Washington, they should also for the Illinois and Mississippi Canal; not bring in an enormous appropriation here until they have properly secured the right of way for that purpose.

The contract for the improvement at Rockland, Me., I understand is to be canceled and to be re-let. Therefore it seems to me that the amount of money already appropriated for that purpose, to wit, $351,000, is sufficient. So I have criticised these large appropriations when they are for works which already have an enormous unexpended balance to their credit. I think it very singular that the only work under the contract system in the West should have been eliminated from any appropriation in this bill, although it may probably have been proper to have done so.

Mr. ALLISON. The Senator must remember that the canal in the State of Washington, of which he speaks, has not been authorized by law; neither is there any authorization for an appropriation for it. Therefore it must, under our rule, come under the river and harbor appropriation bill.

Mr. WILSON. Certainly.

Mr. ALLISON. The Illinois and Mississippi Canal has been specifically authorized, the maximum cost provided for, and a direction has been given that an appropriation for one-fourth of that amount shall be annually made. The one-fourth was not made last year, and the Chief of Engineers recommended that this year not only the one-fourth should be appropriated, but the additional sum. The Committee on Appropriations thought we were only required to make the appropriation for this year, in accordance with the statute, and therefore appropriated only $1,400,000 instead of $1,900,000.

The VICE-PRESIDENT. The reading of the bill will be proceeded with.

The reading of the bill was resumed and continued to the end of line 23, on page 100.

Mr. STEWART. I should like to ask the committee one other question in regard to this matter. In all the laws authorizing contracts to be made I believe there is a limit of the amount, is there not?

Mr. ALLISON. It is within the authorized limit.

Mr. STEWART. Within the authorized limit. How do you know that the work will be constructed within the authorized limit when there is no contract? How can you proceed when no contract is made? There is an authorized limit, and you may contract up to that limit, but how can you know any contract will be made within the limit before a contract is made? You make the appropriation before the contract is made. It seems to me that the limit in the law will amount to nothing if you go on and make appropriations before you know whether the work can be constructed within the limit. I do not know how you arrive at that.

Mr. ALLISON. Take the item just read by the Secretary, which provides for the completion of the improvement of Hudson River in New York. That means that the work must be done within the limit or otherwise it can not be constructed. In all these appropriations the understanding is that the work shall be completed within the limit prescribed not by the proposed statute, but by a former statute.

Mr. STEWART. That the work provided for in a former statute shall be completed within the amount fixed in that statute?

Mr. ALLISON. Yes.

Mr. STEWART. Have you language in all of the statutes that will confine it to that limit or is there a loophole?

Mr. ALLISON. I think in every instance the statute provides that the cost shall not exceed a certain limit, where it is necessary to make such a provision. In a good many of these improvements the limit, of course, is not fixed. Take all these great river improvements——

Mr. WHITE. If the Senator from Iowa will permit me, I know what causes the disturbance to my friend the Senator from Nevada. It is the San Pedro appropriation, in which he has always taken rather a fatherly interest, and on page 104 the Senator from Iowa will observe that the limit prescribed by the river and harbor act is retained and reexpressed. So the Senator from Iowa is entirely correct in the assertion he has made.

The VICE-PRESIDENT. The reading will be proceeded with.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the subhead "Engineer Department," on page 101, after line 16, to insert:

Improving Providence River and Narragansett Bay, Rhode Island: For continuing improvement, $125,000.

The amendment was agreed to.

The next amendment was, on page 102, line 9, after the word "improvement," to insert "under existing project;" so as to make the clause read:

Improving harbor at Oakland, Cal.: For continuing improvement, under existing project, $133,000.

The amendment was agreed to.

The next amendment was, on page 102, after line 10, to insert:

For the purpose of carrying out the following provision of the river and harbor act of 1896: "For the construction of restraining barriers for the protection of the Sacramento and Feather rivers in California, $250,000, such restraining barriers to be constructed under the direction of the Secretary of War in accordance with the recommendations of the California Débris Commission, pursuant to the provisions of, and for the purposes set forth in, section 25 of the act of the Congress of the United States entitled 'An act to create the California Débris Commission and regulate hydraulic mining in the State of California,' approved March 1, 1893: *Provided*, That the Treasurer of the United States be, and he is hereby, authorized to receive from the State of California, through the débris commission of said State, or other officer thereunto duly authorized, any and all sums of money that have been, or may hereafter be, appropriated by said State for the purposes herein set forth. And said sums when so received and hereby appropriated for the purposes above named, to be expended in the manner above provided," and for the further purpose of making available to the United States the appropriation, or any part thereof, made by the provisions of an act of the legislature of the State of California, approved March 17, 1897, entitled "An act to amend an act entitled 'An act to provide for the appointment, duties, and compensation of a débris commissioner, and to make appropriation to be expended under his directions in the discharge of his duties as such commissioner, approved March 24, 1893,'" and of said amended act, the Secretary of War is hereby authorized, in the preparation for and construction of the proposed works authorized and appropriated for by the aforesaid provisions, to enter into an agreement that the contractor shall look solely to the State of California for one-half of such expense, to be paid out of said State appropriation, and the United States shall in no manner be liable for said one-half.

The amendment was agreed to.

The next amendment was, on page 104, after line 8, to insert:

Improving Yaquina Bay, Oregon: For continuing improvement, $100,000.

Mr. STEWART. I have no objection to the amendment, but I may have something to say about the text later on.

The VICE-PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 105, line 23, after the word "cents," to insert, "of which sum $40,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended to complete the construction of the levee from Flint Creek to the Iowa River, according to the existing project of improvement," so as to make the clause read:

Improving Mississippi River from the mouth of the Ohio River to St. Paul, Minn.: For continuing improvement from the mouth of the Ohio River to the mouth of the Missouri River, $673,333.33, of which sum $40,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended to complete the construction of the levee from Flint Creek to the Iowa River, according to the existing project of improvement.

The amendment was agreed to.

The next amendment was, on page 106, line 17, after the word "Missouri," to insert:

The sum of $100,000, or so much thereof as may be necessary, shall be used, in the discretion of the Secretary of War, in the rectification of the banks at Greenville, Miss.; the sum of $30,000, or so much thereof as may be necessary, shall be used, in the discretion of the Secretary of War, for the completion of the revetment work at or near the town of Helena, Ark.; the sum of $35,000, or so much thereof as may be necessary, shall be used, in the discretion of the Secretary of War, for the completion of the revetment work along the bluff at the harbor of Memphis, Tenn.; the sum of $10,000, or so much thereof as may be necessary, shall be used, in the discretion of the Secretary of War, for repairing the damage which was done by the flood of 1897 to the revetment work which was built by the United States Government in 1895 along the bluff at said harbor of Memphis, Tenn.; and the sum of $50,000, or so much thereof as may be necessary, shall be used, in the discretion of the Secretary of War, for continuing improvement of the Mississippi River at New Madrid, Mo., revetment of the banks, and preventing destruction of the same.

The amendment was agreed to.

EXECUTIVE SESSION.

Mr. DAVIS. I move that the Senate proceed to the consideration of executive business.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Minnesota that the Senate proceed to the consideration of executive business. [Putting the question.] The Chair is in doubt.

The question being put, there were on a division—ayes 24, noes 11; no quorum voting.

Mr. COCKRELL. I ask for the yeas and nays.

Mr. PLATT of Connecticut and Mr. WHITE. No quorum has voted.

Mr. ALLISON. The yeas and nays will disclose the presence of a quorum.

The VICE-PRESIDENT. There being no objection, the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BATE. Is this a call of the Senate or a vote by yeas and nays?

The VICE-PRESIDENT. The question is being taken by yeas and nays.

Mr. BATE. It has been demonstrated that we have not a quorum, and I think the rules of the Senate require that then there shall be a call of the Senate.

The VICE-PRESIDENT. The Senator from Tennessee suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Faulkner,	Mantle,	Sewell,
Allison,	Foraker,	Mason,	Shoup,
Bacon,	Frye,	Mills,	Smith,
Bate,	Gear,	Mitchell,	Spooner,
Berry,	Gorman,	Money,	Stewart,
Burrows,	Gray,	Morgan,	Teller,
Butler,	Hale,	Morrill,	Thurston,
Caffery,	Hanna,	Murphy,	Tillman,
Carter,	Harris,	Pasco,	Turley,
Chilton,	Hawley,	Penrose,	Turner,
Clark,	Heitfeld,	Perkins,	Turpie,
Clay,	Hoar,	Pettigrew,	Vest,
Cockrell,	Jones, Nev.	Pettus,	Walthall,
Cullom,	Lindsay,	Platt, Conn.	Warren,
Daniel,	Lodge,	Platt, N. Y.	Wetmore,
Davis,	McBride,	Pritchard,	White,
Deboe,	McLaurin,	Proctor,	Wilson.
Elkins,	McMillan,	Quay,	
Fairbanks,	Mallory,	Roach,	

The VICE-PRESIDENT. Seventy-four Senators have answerd to their names. A quorum is present. The yeas and nays will now be called upon the motion of the Senator from Minnesota [Mr. DAVIS] that the Senate proceed to the consideration of executive business.

Mr. MILLS. I hope the call for the yeas and nays will be withdrawn, and that we will go into executive session.

The VICE-PRESIDENT. Unless the yeas and nays are now demanded, the Chair will again put the question to a viva voce vote. [A pause.] The question is on agreeing to the motion of the Senator from Minnesota that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Senate to resume the consideration of the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

The reading of the bill was resumed at line 15, page 107. The next amendment of the Committee on Appropriations was, on page 107, line 20, after the word "of," to insert:

Fifty thousand dollars, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in protecting the bank in Pelican Bend, Missouri River, and improvement of river in that vicinity, to be immediately available; the sum of $10,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in improving the river and protecting the north bank thereof from erosion at and near Huntsdale, in Boone County, Mo.; the sum of $15,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in protecting the channel and the shore line above Glasgow from the foot of Bowling Green Bend to the head of Harrisons Island; the sum of.

So as to make the clause read:

Improving Missouri River from mouth to Sioux City, Iowa: For continuing improvement of Missouri River from its mouth to Sioux City, Iowa, including salaries, clerical, office, traveling, and miscellaneous expenses of the Missouri River Commission, surveys, permanent bench marks, and gauges, $300,000, of which the sum of $50,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in protecting the bank in Pelican Bend, Missouri River, and improvement of river in that vicinity, to be immediately available; the sum of $10,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in improving the river and protecting the north bank thereof from erosion at and near Huntsdale, in Boone County, Mo.; the sum of $15,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in protecting the channel and the shore line above Glasgow from the foot of Bowling Green Bend to the head of Harrisons Island; the sum of $30,000, or so much thereof as may be necessary in the discretion of the Secretary of War, shall be expended in protecting the banks and existing Government works at and near the city of St. Joseph, Mo., and the sum of $10,000, or so much thereof as may be necessary, shall, in the discretion of the Secretary of War, be expended in protecting the right bank of said river at and near the mouth of the Little Blue, in Jackson County, Mo., and in the discretion of the Secretary of War the further sum of $20,000, or so much thereof as may be necessary, shall be expended in widening and cleaning out the mouth of the Kaw River where it empties into the Missouri River at Kansas City.

The amendment was agreed to.

The next amendment was, on page 108, after line 21, to strike out:

Surveys and examinations of waterways between the Great Lakes and Atlantic Ocean: For surveys, examinations, and investigations (including estimate of cost) of deep waterways, and the routes thereof, between the Great Lakes and the Atlantic tide waters, as recommended by the report of the Deep Waterways Commission transmitted by the President to Congress January 18, 1897; such surveys, examinations, and investigations to be made by the board of three engineers designated and appointed by the President for this purpose July 28, 1897, in compliance with the provisions of the act of June 4, 1897, $225,000.

The amendment was agreed to.

The next amendment was, under the subhead "Repairing roadways to national cemeteries," on page 110, line 15, after the word "the," to strike out "sundry civil appropriation act for the fiscal year 1898" and insert "deficiency appropriation act approved July 19, 1897;" so as to make the clause read:

For completing repair of damages caused by the recent floods to the roadway leading from the Mound City National Cemetery to Mound City and Mounds, Ill., and to widen the road and elevate the grade, $2,500, together with the unexpended balance of the appropriation of $3,500 made for this object in the deficiency appropriation act approved July 19, 1897.

The amendment was agreed to.

The next amendment was, on page 111, after line 17, to insert:

Improving Oak Hill Cemetery, at Evansville, Ind.: For inclosing that part of Oak Hill Cemetery in which Union soldiers are buried, improving the ground and walks thereof, and for the purchase and erection of a suitable flagstaff on said lot, $1,000; said sum to be expended on the condition that the city of Evansville will hereafter properly care for and preserve the same.

The amendment was agreed to.

The next amendment was, on page 113, after line 3, to insert:

For construction and completion by the Commissioners of the District of Columbia of an isolating building for minor contagious diseases on the grounds of the Providence Hospital, including sewer, water, and gas connections, $25,000; for furnishing and equipping said building for use, $5,000; and for the maintenance of said isolating building, $2,000; in all, $32,000, one-half of which sum shall be paid from the revenues of the District of Columbia: *Provided*, That said hospital shall receive at any time such patients suffering with minor contagious diseases as may be sent to it by the said Commissioners at the request of the health officer of said District.

The amendment was agreed to.

The next amendment was, on page 113, after line 19, to insert:

For construction and completion of an isolating building for minor contagious diseases on the grounds of the Garfield Memorial Hospital, including sewer, water, and gas connections, $25,000; for furnishing and equipping said building for use, $5,000; for inclosing, grading, and improving the grounds immediately connected with said building, $1,000; and for the maintenance of said isolating building, $2,000; in all, $33,000, one-half of which sum shall be paid from the revenues of the District of Columbia: *Provided*, That said

hospital shall receive at any time such patients suffering with minor contagious diseases as may be sent to it by the Commissioners of the District of Columbia at the request of the health officer of said District.

The amendment was agreed to.

The next amendment was, on page 114, line 10, after the word "Rebellion," to strike out "eighteen hundred and ninety-nine;" and on page 115, line 6, before the word "hundred," to strike out "six" and insert "one thousand eight;" so as to make the clause read:

Publication of Official Records of War of the Rebellion: For continuing the publication of the Official Records of the Union and Confederate Armies, in accordance with the plan approved by the Secretary of War, August 3, 1880, and for the compensation of the civilian members of the Board of Publication, appointed in accordance with the act of March 2, 1889, and for the compensation of such temporary expert services in connection with the preparation, publication, and distribution of said records as may be deemed necessary by the Secretary of War, not to exceed 1 agent at $2,000, 5 clerks at $1,800 each, 2 clerks at $1,600 each, 2 clerks at $1,400 each, 4 clerks at $1,200 each, 2 copyists at $900 each, 4 assistant messengers, or watchmen, at $720 each, 1 laborer at $900, in all not to exceed $28,880 for such temporary expert services per annum, and for the purchase of stationery, for contingent expenses, and additional rent, not exceeding $1,800, $94,080: *Provided*, That no part of this appropriation shall be expended for the compensation of any person not actually and necessarily employed in the said work of preparation, publication, and distribution.

The amendment was agreed to.

The next amendment was, on page 115, after line 24, to insert:

Deep Waterways Commission: For surveys, examinations, and investigations (including estimate of cost) of deep waterways, and the routes thereof, between the Great Lakes and the Atlantic tide waters, as recommended by the report of the Deep Waterways Commission transmitted by the President to Congress January 18, 1897; such surveys, examinations, and investigations to be made by the board of three engineers designated and appointed by the President for this purpose July 28, 1897, in compliance with the provisions of the act of June 4, 1897, $225,000; and said board shall make a full and detailed report of their proceedings to the Secretary of War, for transmission by him to Congress at the commencement of its next session.

The amendment was agreed to.

Mr. ALLISON. The Committee on Commerce submitted to the Committee on Appropriations an amendment to go in at the end of this paragraph, in line 15, page 116. I think it is a wise provision. I ask that it may be read and inserted, if there is no objection to it.

The PRESIDING OFFICER (Mr. GORMAN in the chair). The Senator from Iowa offers an amendment, which will be read.

The SECRETARY. Add at the end of the amendment just agreed to the following:

And submit in said final report the probable and relative cost of the various depths for said waterway respectively, as follows: Twelve, 18, 21, 25, and 30 feet, with a statement of the relative advantages thereof.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was, on page 119, line 15, in the items for the Central Branch Soldiers' Home, at Dayton, Ohio, after the word "park," to insert "for rent of leased land;" so as to make the clause read:

For farm, namely: Pay of farmer, chief gardener, harness makers, farm hands, gardeners, horseshoers, stablemen, teamsters, dairymen, herders, and laborers, and for all tools, appliances, and materials required for farm, garden, and dairy work; for grain, hay, straw, dressing, seed, carriages, wagons, carts, and other conveyances; for all animals purchased for stock or for work (including animals in the park); for all materials, tools, and labor for flower garden, lawn, and park; for rent of leased land, and for repairs not done by the Home, $15,000.

The amendment was agreed to.

The next amendment was, on page 120, line 8, to increase the appropriation for transportation of members of the Home for Disabled Volunteer Soldiers at the Northwestern Branch at Milwaukee, Wis., from $1,000 to $1,500.

The amendment was agreed to.

The next amendment was, on page 120, line 10, to increase the appropriation for repairs at the Northwestern Branch at Milwaukee, Wis., etc., from $20,000 to $22,500.

The amendment was agreed to.

The next amendment was, on page 120, line 17, to increase the total appropriation for the Northwestern Branch of the Disabled Volunteer Soldiers' Home at Milwaukee, Wis., from $84,000 to $87,000.

The amendment was agreed to.

The next amendment was, on page 121, line 4, to increase the appropriation for hospital at the Eastern Branch of Disabled Volunteer Soldiers' Home, at Togus, Me., from $26,000 to $27,000.

The amendment was agreed to.

The next amendment was, on page 121, line 14, to increase the total appropriation for the Eastern Branch, at Togus, Me., from $63,000 to $64,000.

The amendment was agreed to.

The next amendment was, on page 122, line 7, to increase the appropriation for repairs at the Southern Branch, at Hampton, Va., from $22,000 to $25,000.

The amendment was agreed to.

The next amendment was, on page 122, line 13, to increase the total appropriation for the Southern Branch, at Hampton, Va., from $83,000 to $86,000.

The amendment was agreed to.

The next amendment was, on page 123, line 18, to increase the appropriation for current expenses at the Western Branch, at Leavenworth, Kans., from $26,000 to $27,500.

The amendment was agreed to.

The next amendment was, on page 122, line 24, before the word "thousand," to strike out "five" and insert "seven;" and on page 123, line 2, after the word "expended," to strike out "during the fiscal year 1899;" so as to make the clause said:

For household, including the same objects specified under this head for the Central Branch, $52,500; and not exceeding $7,000 of the unexpended balance of the appropriation for household expenses for the fiscal year 1898 may be expended for extending the electric-light plant.

The amendment was agreed to.

The next amendment was, on page 123, after line 10, to insert:

For one barrack and furniture, $22,500.

The amendment was agreed to.

The next amendment was, on page 123, after line 12, to insert:

For cottage for women nurses, $4,000.

The amendment was agreed to.

The next amendment was, on page 123, after line 13, to insert:

For quartermaster and commissary building, $7,500.

The amendment was agreed to.

The next amendment was, on page 123, line 19, to increase the total appropriation for the Western Branch, at Leavenworth, Kans., from $274,500 to $310,000.

The amendment was agreed to.

The next amendment was, under the subhead "At the Pacific Branch, at Santa Monica, Cal.," on page 124, after line 13, to insert:

The appropriation of $3,500 for quarters for women nurses at the Pacific Branch, made by the sundry civil appropriation act for the fiscal year 1898, may be extended for such alterations in the hospital buildings as may be necessary to furnish the accommodations required for that purpose.

The amendment was agreed to.

The next amendment was, on page 126, line 12, after the word "dollars," to insert "of which sum $25,000, or so much thereof as may be necessary, shall be immediately available;" so as to make the clause read:

At the Danville Branch, Danville, Ill.: For current expenses, subsistence, household, hospital, transportation, repairs, and farm, including the same objects specified under these heads for the Central Branch, $101,250, of which sum $25,000, or so much thereof as may be necessary, shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 126, after line 23, to insert:

Hot Springs Branch, Hot Springs, S. Dak.: The Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized to locate, establish, and construct a branch of the National Home, to be used as a sanitarium for disabled volunteer soldiers, within the limits of the town of Hot Springs, in the county of Fall River, in the State of South Dakota, to cost in all, for each and every purpose connected with such erection, establishment, and construction, $100,000, and toward this object there is hereby appropriated the sum of $50,000.

Mr. HOAR. I should like to ask the Senator who has the bill in charge if there is any good reason why the special sanitarium provided for should be limited to volunteer soldiers. Why should it not also include the soldiers of the Regular Army, if they need it?

Mr. ALLISON. I believe there is a hospital now for the Regular Army at Hot Springs, Ark. This is a part of the Volunteer Soldiers' Home establishment and is recommended first by the Board of Managers and next by the Committee on Military Affairs.

Mr. HOAR. It would seem, if there were a special hospital of this sort, or even if there were two, that there would be no particular reason for keeping apart to that extent the disabled soldiers who had served in the Regular Army and the disabled volunteers. I do not know much about the subject and merely ask the question for information.

Mr. ALLISON. The Senator will bear in mind that all the volunteer Homes are kept separate from the Home for the Regular Army.

Mr. HOAR. I know that, of course.

Mr. ALLISON. It was intended that this hospital should be a part of the system of the Home for volunteer soldiers.

Mr. HOAR. It seems to me that it should be open for the regular soldiers to go there if they wanted to do so. Still I know nothing about the subject. The Senator from Iowa is familiar with it.

Mr. ALLISON. I do not think an amendment to the amendment is necessary.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 128, line 21, after the word "million," to strike out "eight hundred and twenty-one thousand" and insert "nine hundred and thirteen thousand five hundred;" and in line 23, after the word "dollars," to insert "Hereafter all supplies for the National Home for Disabled Volunteer Soldiers shall be purchased, shipped, and distributed as may be directed by the Board of Managers;" so as to make the clause read:

In all, $2,913,521. Hereafter all supplies for the National Home for Disabled

Volunteer Soldiers shall be purchased, shipped, and distributed as may be directed by the Board of Managers.

The amendment was agreed to.

The next amendment was, on page 130, after line 13, to insert:

UNDER THE NAVY DEPARTMENT.

Payments on account of the explosion at the United States torpedo station, Newport, R. I.: For payment to the heirs and legal representatives of those who were killed while in the employ of the United States in the discharge of their duties on the 3d day of July, 1893, at the United States Torpedo Station on Goat Island, in the harbor of Newport, R. I., by the explosion of the gun-cotton factory, $15,000; of which sum there shall be paid to the legal or personal representatives of each of the following persons the sum of $5,000: Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan: *Provided*, That where the deceased left a widow and children the widow shall receive one-half and the children shall share alike.

Mr. PASCO. Mr. President, before this amendment is acted upon, I wish to call the attention of the chairman of the committee who has the bill in charge to it, and to ask him whether it is proposed by the committee in recommending this payment of $15,000 to change the policy of the Government which has existed up to the present time in reference to individual injuries? It is important that this matter should be determined, and that the will of the Senate should be known with reference to it, particularly for this reason: The Committee on Claims is flooded with claims of this character. They have not been heretofore paid, save in some exceptional cases, where the attention of the whole country has been called to the magnitude of the injury, particularly in the case that occurred here in this city a few years ago. The committee have a number of claims now pending. Some of them are awaiting a full meeting of the committee so that they may be more fully considered, and it may be very well at the present time to definitely understand what the policy of the Senate is to be with reference to claims of this character.

Where persons are injured in the public service outside of the Army and the Navy, are we to pay them for the injuries inflicted—pay them something in the way of compensation, or some money payment in some other way? It is an important and serious question. Some of the claims that we have now before the committee go back some twenty-five or thirty years, and if the door is to be opened to the payment of claims of this character generally it would bring a very large number of them before the Senate for some recognition.

It may be that in this case there are some reasons why it should be an exception to the general rule, and we ought to determine whether the general rule is to be changed or whether this is to be treated as an exceptional case.

Mr. ALLISON. Mr. President, it is not the intention of the Committee on Appropriations to establish any new rule respecting payments for losses incurred in the service of the country either by disability or death; but this matter came to us last year from the Committee on Naval Affairs, and it presented a case of unusual hardship, making it, as we supposed, fairly an exception to the general rule.

Mr. WHITE. Can the Senator from Iowa state briefly the facts and the general nature of the case?

Mr. ALLISON. This was an explosion of the gun factory at the United States torpedo station at Newport, R. I.

Mr. WHITE. Were the men referred to in the amendment employed as laborers there?

Mr. ALLISON. They were laborers in the gun factory, and were blown to pieces; and it seemed to us to be an exceptional case. I know of very many cases where the rule, as suggested by the Senator from Florida [Mr. PASCO], would require us to make payment, such as losses of postal clerks, losses sustained by internal-revenue officers, etc. I know there are a number of cases of that character which have been presented to us from time to time.

Mr. COCKRELL. And they have always been rejected.

Mr. ALLISON. And they have always been rejected, as the Senator from Missouri very well says.

Mr. LINDSAY. I will ask the Senator whether these men were mere employees or whether they were officers of any kind?

Mr. ALLISON. I think they were not officers. They were employees of the gun factory. We felt this to be such a case of peculiar hardship that we have proposed payment this year as we did last year. It is a question for the Senate to decide.

Mr. COCKRELL. These men were engaged in peculiarly hazardous work.

Mr. WHITE. Will the Senator from Iowa permit me?

Mr. ALLISON. Certainly.

Mr. WHITE. Let us take the Ford's Theater case, where Congress intervened and paid for personal injuries inflicted. There the injuries were inflicted upon various employees of the Government who were working at an apparently safe employment. They were mere clerks carrying on certain labor on behalf of the Government, and while they were thus employed there was carelessness in making an excavation, which resulted in the falling of the building and the consequent injury of the employees.

It was not a case where men engaged in exceptional employment or work of a hazardous character; but in this particular instance these employees, as I understand the Senator from Iowa, were engaged in the vocation of attending an explosive factory and doing certain work there where, from the very nature of the employment, an explosion was liable to occur. No doubt there is great hardship resulting from injuries inflicted in that way, but it appears to me if the Government of the United States assumes responsibility in this case there is no reason why it should not pay in every case where an employee, however extra hazardous his employment may be and however cognizant he may be of the character of that employment, is killed or injured in the pursuit of it. If we are to establish that rule it ought to be general, and there should be no exception, it appears to me, about it.

There is another thing in regard to this matter. There are a number of claims pending here that are justly due, admitted to be justly due, cases where people have grown gray in waiting for their settlement, who are fast approaching the term of their lives, and they can not get the money. This discrimination in favor of a claim of an unusual character—and to my mind the propriety of the payment of which is doubtful—seems to me to be at least a questionable policy.

Mr. RAWLINS. Mr. President——

Mr. ALLISON. Before the Senator from Utah proceeds, I should be glad to state briefly the circumstances under which this accident occurred.

Mr. WHITE. I shall be glad to hear the Senator.

Mr. ALLISON. There was a fire in this gun factory. One of the men named in the amendment was an enlisted man, who was employed as a laborer in that factory. These three men knew precisely where the explosives were stored. I will read briefly what is stated respecting what they did at that time:

1. Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan lost their lives while endeavoring to extinguish the fire which resulted in the total destruction of the gun-cotton factory at this station July 3, 1893.

2. Loughlin and Harrington were regularly employed in the building, knew the character of its contents and the danger to which they were exposed; while O'Reagan, a most faithful employee of the station for about eleven years, as enlisted man and per diem laborer, was one of the first to respond to the fire alarm and joined the other two men.

3. Loughlin, who had been acting as foreman of the gun-cotton factory, knew that the only dangerous material in the building (about 7 pounds of long-staple gun cotton) was stowed in a powder tank, which, on the first alarm of fire, should have been thrown into the sea; and doubtless being cognizant of the fact that such disposition of that material had not been made, took the nozzle of the fire hose, and, with Harrington and O'Reagan, attempted to combat the fire in its immediate vicinity, fully aware of the dangerous nature of the undertaking. While thus engaged in the performance of what they believed to be their duty the explosion occurred, resulting in the death of the three men.

Mr. PASCO. In what year did the explosion occur?

Mr. ALLISON. In 1893. These men entered upon the hazardous duty of endeavoring to prevent the explosion by risking their own lives. Of course, they need not have done so. It would seem that this case is absolutely an exceptional one.

Mr. COCKRELL. Purely exceptional.

Mr. WHITE. I agree with the Senator from Iowa that it is an exceptional case, under that statement of facts.

Mr. ALLISON. I have all the testimony here.

Mr. RAWLINS. Mr. President, after the statement made by the Senator from Iowa, it does appear to me that this is an exceptional case. I do not know that I have any objection to the appropriation, although in the Committee on Claims there are very numerous cases, seemingly quite meritorious, which have been presented to that committee for consideration. I shall not interpose any objection to the adoption of the amendment.

Mr. STEWART. Let me state that these cases have been very embarrassing to the Committee on Claims. We have there a very large number of cases where accidents have happened by carelessness on the part of some Government employee whereby others have been hurt. Such cases are constantly coming up; and this principle would involve a very large amount if we are to treat them in the way here proposed. The committee have postponed the consideration of such cases from time to time or decided against them, but have made an exception in some cases where the claimants have been employed about the Capitol and Government buildings here in Washington. We have set our faces against the payment of other claims.

The question has been up time and time again; and inasmuch as this case is now under consideration, I wish to have its nature properly understood, so that it will not result in the presentation of a number of new cases here. I see this case is clearly an exception and that these men were engaged in an extra hazardous business.

Mr. ALLISON. And they were working for the Government.

Mr. STEWART. Yes. I do not think this case involves other cases pending before the Committee on Claims.

Mr. PASCO. Mr. President, it is always an ungracious task to report against any claims of this character, and they are always claims which excite the compassion of Senators whose duty it is to examine them on these different committees; and I thought it

important that this matter should be definitely settled before this particular case was acted upon.

I will say that the cases which are embraced in this appropriation have already been cited to me, as a member of the Committee on Claims, as a reason why we should adopt a favorable report in some ten or a dozen cases which are now in the committee room, and which have been actually there considered. They are all of them claims of persons who were in the employ of the Government, who incurred some risk, who suffered the loss of life or of limb, and who have been seeking compensation. If the whole report has not been read—I think it has not been—it may be very well for the Senator from Iowa, who has charge of the bill, to have it spread at length upon the RECORD.

Of course the wishes of the Committee on Claims are always in favor of making favorable reports in such cases. Our sympathies are excited and we are always willing to do what we can for those who have been unfortunate and who have suffered; but the rule which has been adopted up to this time has been a very strict one. Even when the Ford's Theater case was acted upon, it was treated as an exceptional case, and for that very reason it was referred to a special committee and not to the Committee on Claims, and it was treated by that special committee. I hope that the facts which make this explosion, in which these three persons lost their lives, an exceptional case will be stated in the RECORD, so that it may be made clear, when we consider in the committee the other cases to which I have referred, that this is not intended to be a precedent for the Committee on Claims to follow in ordinary cases.

Mr. ALLISON. The report is somewhat lengthy, but I would be glad to have it inserted in the RECORD. It is a report made by the Senator from New Hampshire [Mr. CHANDLER] from the Committee on Naval Affairs, in which they recommend this payment. The report has, I think, been twice made, and a bill has already passed the Senate providing for this appropriation.

I agree with the Senator from Florida that such payments should be made only in exceptional cases, and I think the testimony which is embodied in this report clearly discloses the character of the case and makes it exceptional.

Mr. HALE. Is that the Newport case?

Mr. ALLISON. It is the Newport case. If the Senator from Florida desires it, I shall be glad to have the report inserted in the RECORD, though it is already in our archives. For that reason it is hardly necessary to again print it, but if the Senator desires it, I will agree that it shall be inserted in the RECORD.

Mr. PASCO. I think it is best to insert it in the RECORD, that Senators may examine it and that it may be better known to the public, so that those who have claims for individual injuries may see that the Committee on Appropriations in reporting this case favorably and in urging its passage have treated it as an exception and not with the intention of making it a precedent for future cases.

Mr. COCKRELL. I want to say that if this case had not been purely and essentially an exceptional case, I certainly should have opposed it, and opposed it bitterly. I do not think the Government is responsible or should be held responsible for accidents which may happen to its employees; but here was a case where, instead of taking care of themselves where a fire occurred, they were trying to save Government property, and in doing so they risked their lives and lost them.

Mr. ALLISON. I ask unanimous consent that the report may be inserted in the RECORD.

The PRESIDING OFFICER. If there be no objection, the report referred to will be inserted in the RECORD. The Chair hears no objection.

The report referred to is as follows:

Mr. CHANDLER, from the Committee on Naval Affairs, submitted the following report:

The Committee on Naval Affairs, to whom was referred the bill (S. 106) entitled "A bill for the relief of the heirs and legal representatives of those who were killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I.," having had the same under consideration, report it back favorably and recommend its passage.

A similar bill in the House of Representatives was favorably reported in the first session of the Fifty-fourth Congress. The report submitted at that time is attached hereto.

[House Report No. 1819, Fifty-fourth Congress, first session.]

The Committee on Claims, to whom was referred the bill (H. R. 7109) for the relief of the heirs and legal representatives of those persons who were killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I., have considered the same, and beg leave to submit the following report:

The Chief of the Bureau of Ordnance, Navy Department, in his report for 1893, on page 14, says:

"On July 3, 1893, the gun-cotton factory (at the naval torpedo station) was destroyed by fire, a full statement of which will be found in the report of the board appointed to investigate the subject (see appendix). Three employees, Jeremiah Harrington, first-class laborer; Frank Loughlin, second-class pipe fitter, and Michael O'Reagan, first-class laborer, lost their lives while fighting this fire, and it is earnestly requested that Congress be asked to grant assistance to their families. The employees of this station receive no extra compensation for the undoubted risk to which they are subjected. The fact that so few lives have been lost since the establishment of this station is due to the care which has been constantly exercised."

On page 37 of same report the inspector of ordnance at the torpedo station says:

"The destruction of the gun-cotton factory by fire, attended by loss of life, on July 3, 1893, has been made the subject of special reports to the Department and the Bureau. While the direct testimony in regard to the cause is conflicting and unsatisfactory, the opinion of the board that it was due to a spark caused by a foreign substance in the picker is concurred in by me as being the most probable.

"The immediate cause of loss of life was the explosion of some 6 or 7 pounds of dry long-staple gun cotton, used for priming detonators, etc., which was loosely stowed in a powder tank, the lid of which was tightly screwed down to exclude moisture."

The special reports of the board appointed to investigate the circumstances attending the fire and explosion are attached to this report as an appendix.

To accompany the fourth indorsement, Commander George A. Converse, inspector of ordnance of the United States torpedo station, submits the following memorandum:

TORPEDO STATION, *Newport, R. I., February 7, 1896.*

1. Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan lost their lives while endeavoring to extinguish the fire which resulted in the total destruction of the gun-cotton factory at this station July 3, 1893.

2. Loughlin and Harrington were regularly employed in the building, knew the character of its contents and the danger to which they were exposed; while O'Reagan, a most faithful employee of the station for about eleven years, as enlisted man and per diem laborer, was one of the first to respond to the fire alarm and joined the other two men.

3. Loughlin, who had been acting as foreman of the gun-cotton factory, knew that the only dangerous material in the building (about 7 pounds of long-staple gun cotton) was stowed in a powder tank, which, on the first alarm of fire, should have been thrown into the sea; and doubtless being cognizant of the fact that such disposition of that material had not been made, took the nozzle of the fire hose, and, with Harrington and O'Reagan, attempted to combat the fire in its immediate vicinity, fully aware of the dangerous nature of the undertaking. While thus engaged in the performance of what they believed to be their duty the explosion occurred, resulting in the death of the three men.

4. From my personal observation of the conduct of these men at the time of the explosion, I can state that they acted with great bravery, and sacrificed their lives in an attempt to prevent the destruction of Government property.

5. I renew my recommendation that provision should be made for the widows, children, or legal representatives of these men, believing that all civilians actually employed in the manufacture of explosives or war material in Government factories should be entitled to the same consideration as persons who are required to use such material in the naval or military service.

6. I believe that it is customary for private companies engaged in the manufacture of explosive material to insure the lives of the employees for the benefit of the surviving relatives; and it seems but just that an equal provision should be made by the Government.

7. A copy of the letter referred to by Mr. BULL is transmitted herewith, and attention is invited to the report of the Chief of the Bureau of Ordnance for the year 1893, which contains the recommendation that Congress be asked to render assistance to the families of these men.

GEORGE A. CONVERSE,
Commander, U. S. N., Inspector of Ordnance, Torpedo Station.

The letter mentioned in the last paragraph of the foregoing memorandum is as follows:

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
Washington City, July 5, 1893.

SIR: Please convey to the families of those men who were killed at the fire at the gun-cotton factory the deep sympathy of the honorable Secretary of the Navy, and his profound sorrow at their loss.

The Bureau will make every effort to secure for them some compensation for the dependent condition in which they have been placed.

Respectfully,

W. T. SAMPSON,
Chief of Bureau of Ordnance.

Commander G. A. CONVERSE, U. S. N.,
Inspector of Ordnance, in charge of Naval Torpedo Station,
Newport, R. I.

In a letter from Hon. Hilary A. Herbert, Secretary of the Navy, dated March 13, 1896, and addressed to the Hon. MELVILLE BULL, House of Representatives, the Secretary says:

"It appears that upon the occasion of the fire at the torpedo station on July 3, 1893, Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan lost their lives while engaged in the performance of duties which were of an extremely hazardous nature. The families of the deceased persons have the deep sympathy of the Department."

From the evidence on file before your committee, consisting chiefly of the official reports hereto appended, and the testimony taken before a coroner's jury of inquest held on July 6, 1893, a great deal of which is conflicting, due, perhaps, to the excitement attending the fire, which spread with such great rapidity as to soon get beyond the control of the men who were fighting it, enough is gleaned to establish the following facts:

(1) That the gun-cotton factory at the United States torpedo station at Newport, R. I., was destroyed by fire on July 3, 1893, the origin of which is in doubt.

(2) That during the progress of the fire a tank containing about 7 pounds of dry, long-staple gun cotton exploded.

(3) That Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan, mechanics in the employ of the Government at said station, were almost instantly killed by said explosion while in the discharge of their duty.

(4) That the facilities for combating a fire on ordinary occasions were adequate, but on the day of the fire in question the indoor facilities, as shown in the testimony of Commander Belknap before the coroner's jury, were not utilized because "the factory was not working, as the next day was the Fourth of July. The pump was not going."

(5) That the rules for the conduct of fires at the torpedo station and at the gun-cotton factory were regarded by some and disregarded by others; the fact of the suspension of work in the factory on that day and the pumps being idle no doubt causing confusion and misunderstanding, some being under the impression that the water was turned on to flood the building, while others said that it was not. In the excitement every man seems to have done what he thought was best.

(6) That the fire and the explosion were not due to carelessness on the part of anyone, but was an unfortunate occurrence, likely to happen at any time among combustible material and explosives.

(7) That in obedience to clause 7 of the rules for conduct of fire at the gun-cotton factory, that "personal safety or consideration will be disregarded until the authority present consents," Frank Loughlin, Jeremiah Harrington, and Michael O'Reagan met death in their heroic and unselfish efforts to protect Government property.

Your committee, in view of the foregoing facts and also in view of the

recommendations of the officers of the Navy Department, especially of Commander Converse, who was an eyewitness of the sacrifice that these men made, and who commends in strong words their unflinching loyalty to duty and their bravery, report the accompanying bill for the relief of the widows and fatherless children of these brave men back to the House with the recommendation that it be amended as hereinafter indicated and, as amended, it do pass.

The bill provides for an appropriation of $24,000, to be divided equally among the heirs and legal representatives of the deceased, which would give $8,000 to each. Following the precedent set in the case of the Ford Theater disaster, which was of more recent occurrence, and because it happened almost before the eyes of Congress, justice was promptly granted, and not long delayed, as in this case, your committee recommend that the words "twenty-four thousand," in line 11, be stricken out and the words "fifteen thousand" be inserted; and in line 13 strike out the word "eight" and insert "five." With these amendments the bill will conform to the provision in the sundry civil appropriation bill, approved March 2, 1895, granting relief to the relatives of the Ford Theater victims.

APPENDIX.

NAVAL TORPEDO STATION, *Newport, R. I., July 14, 1893.*

SIR: (1) In obedience to your order of the 10th instant, the original of which is appended (marked A), we have investigated the circumstances attending the destruction of the gun-cotton factory at this station on the 3d of July, instant, and have the honor to report as follows:

ORIGIN OF FIRE.

(2) The fire appears to have originated in or near the "picked-cotton room" S (on plan of factory appended, marked B), at about 1.35 p. m. July 3. The picking machine 36 was in operation, and was attended by Dennis Mahan, first-class laborer. His station was in the "picking room" T. At the time mentioned he heard a noise or concussion, as of a door flying open and striking something soft, in the direction of the corridor between S and P. He supposed the door between S and the corridor had been blown open by the draft from the picker. It was held by a button, which sometimes worked loose. He looked into the corridor; the door was closed, but a fire had broken out in a quantity of English bleached cotton stowed against the partition separating the corridor from the room P. The upper half of the door between S and the corridor consisted of a frame covered with wire netting. Mahan could not account for the noise he heard, and had no idea of the cause of the fire.

He did not know whether there was any fire in the room S; he thought not, but could not tell. He would have known if anything metallic had passed through the picker. He thought nothing had. There has been an occasion when an iron cotton hook was found in room S, and its presence there could not be accounted for unless it had passed through the picker. Such passage, however, had not been noticed. He shouted fire, alarmed the other workmen, ran for fire buckets in room U, but found them empty; then got out of the building. He returned later and helped pass out wet gun cotton from room J. He knew of a tank containing about 7 pounds of dry, long-staple gun cotton, which was in room O, but knew of no order to throw it out in case of fire. He knew of the fire hose and pump having been tested on the 1st instant. He did not know whether the sprinklers had been turned on. There were seven or eight powder tanks, closed air-tight, and containing dry, picked cotton ready for dipping in room O.

(3) Lauritz Julienssen, first-class laborer, was picking raw cotton by hand in room V. He heard Mahan call "Fire!" and rushed through the central corridor to tell Harrington, who was attending the poacher S. He did not see the flames at this time; did not know of the tank of dry gun cotton in room O, or of any order to throw it out. After first leaving the building, he returned and helped throw out wet gun cotton from room J.

(4) Jeremiah Harrington, first-class laborer, foreman of the factory, and Frank Loughlin, second-class pipe fitter, assistant foreman, and engineer, went to the north end at the alarm, and after seeing the flames appear to have left the building immediately. They both reached the machine-shop building to report to Lieutenant-Commander Belknap about the time the alarm was sounded. Harrington reported that the fire was caused by spontaneous combustion of the English cotton. Mr. Belknap asked them if water had been turned on, to which they replied no. Later, Harrington made the same report as to the origin of the fire to the inspector of ordnance in charge.

(5) There is no other direct evidence as to the cause and origin of the fire. The board, after careful consideration, accept the opinion of Lieutenant-Commander Belknap, superintendent of the gun-cotton factory, expressed in his report of the 10th instant to the inspector of ordnance in charge, a copy of which is appended, marked C. It is extremely improbable that thoroughly clean, dry cotton could develop spontaneous combustion. The board is therefore of the opinion that the fire originated in a spark from the picker, caused by the teeth striking a foreign substance accidentally fed in with the cotton. It has been the custom to take every reasonable precaution against such an occurrence. All the cotton fed to the picker was first hand picked in room V to free it from foreign substances. A fire in room S would undoubtedly communicate itself to the cotton in the corridor through the wire netting of the door in a very short time. Mahan's idea that the fire originated where he first saw it was natural, but does not impair the other view. He could not have told at the time whether there was fire in room S or not.

FIRE STATIONS.

(6) Appended to this report are D, the general fire bill; E, rules for the gun-cotton factory; and F, rules for conduct of crew at gun-cotton factory in case of fire; copies of all of which are posted in the factory, and the crew instructed in their provisions. The last exercise at fire stations was held on the 1st instant. The foreman and his assistant were specially instructed in all the requirements; but ordinarily the laborers, who were subject to change from time to time, were given simple duties only, to avoid confusion. They were directed to give the alarm, and then lead out the nearest hose. The foreman and his assistant had been repeatedly instructed in the case of fire to throw out a labeled tank of long-staple dry gun cotton, kept near the northern window of room O, and used for igniters and vent sealing primers.

(7) All the statements point to the fact that the crew were demoralized by the suddenness of the fire and its rapid spreading, and left the building at once. No alarm was turned in from the factory, though there were push buttons at three different points; the salt-water pump was not started; the hose was not led out, and the sprinklers connected with the stand pipe were not turned on. These facts are demonstrated by an inspection of the valves and fittings since the fire. Mahan states that he went for fire buckets in room U, but found them empty. The weight of evidence indicates that he got out of the building without stopping for anything.

No filled buckets were kept in the north end of the building. In the south end there were buckets for use in the cooling room. A fire hose was bighted down near the cock 42 in the north end of the main hall, and another near 43 in the central part of the building, both of which would have reached the seat of the fire. No. 44 was another cock with hose attached in the south end, and 45 was the valve for admitting steam to the salt-water pump in the room below. The sprinklers were in the final drying room R.

THE EXPLOSION.

(8) This occurred in room O, blowing the side of the building out to the east and northeast. From an inspection of the ruins and the statements of witnesses, it seems evident that the source of the explosion was the tank containing 6 or 7 pounds of long-staple dry gun cotton. This was closed air-tight, which, with the heat from the flames, furnished the necessary conditions to produce a second-order explosion of dry gun cotton. All the results bear this out. The explosion was accompanied by a dull, heavy report, differing distinctly from the sharp ringing crack of a detonation, or explosion of the first order. The effects were widespread, rather than local, a considerable portion of the wall of the building being blown out, and the roof over the seat of the explosion being lifted bodily.

Although débris was thrown out laterally with violence, there was none of the vertical effect attendant on the detonation of gun cotton under timbers. An examination of the ruins showed boarding, joists, and floor timbers wrenched and splintered, but none were found with the clean cuts across grain, which a detonation would have produced. The pieces of copper tanks found, though badly torn, did not exhibit the peculiar erosion usually attending detonation. The tanks which contained dry raw cotton for dipping show evidence of fusion or perforation from the outside. This is conclusive that their contents had no part in the explosion. The location of the explosion, the point also where the tank of dry gun cotton was known to stand, is clearly indicated by the clean, bare appearance of the earth for a distance of several feet. Elsewhere the surface is covered with cinders and débris.

CONDUCT OF THE FIRE.

(9) The first alarm was given by Printer Dunphy, who saw the smoke and flames from the printing room in the machine-shop building. Harrington and Loughlin arrived in the building almost immediately after to report to Lieutenant-Commander Belknap. The general alarm was sounded at once, and the reel and ladders were promptly on the scene. The first two hoses were attached to the fire plug marked 1 on the plan G. appended. One was carried to the north end of the building, the other to the central door. The flames had now got too much headway to be controlled. The inspector of ordnance in charge ordered that the north end be abandoned and all streams concentrated on the wet gun cotton in the middle and south end of the building. Another hose was coupled to the plug marked 2 and led to the central door.

The order to abandon the north end was repeated by Lieutenant-Commander Belknap, but before it could be obeyed the explosion occurred. This must have been about 1.50 p. m. The men killed and injured were on the hose near room O, and were close to, or had just broken in, the window to thrust in the nozzle. After the explosion all streams were directed on the central part of the building to keep the finished gun cotton wet, the nozzle men lying below the bank. Some of the wet gun cotton, about 800 pounds, had been passed out from the building. The remainder, about 2,700 pounds, with the exception of portions of several boxes, was consumed without explosion. The unconsumed blocks remained in the ruins, burned to different stages, many of them intact. The packing boxes were burned and charred to various degrees. The duration of the fire from its discovery to the destruction of the building was approximately one hour.

The appliances for fire, both in the factory and at the station, were ample for all ordinary contingencies. Had the directions as to extinguishing apparatus and the throwing out of dry gun cotton been observed by the crew at the factory at the first alarm, the fire, though probably too extensive to be at once extinguished, might have been confined to the northern end of the building, and there would have been no explosion and no loss of life.

(10) The usual personnel of the station were present at the time of the fire, with the exception of the crew of the *Stiletto* and Lieutenant-Commander Kennedy, Lieutenant Holman, and Lieutenant Smith, who were all absent on duty. Commander Converse directed the work of combating the fire from the bank opposite the center of the building, in about the position marked W in the plan G. Lieutenant-Commander Belknap was on the bank near fire plug 1, and Ensign Capehart, at the time of the explosion, was on the edge of the bank near room O, at the position X. The men killed or injured were all on or near the hose whose stream was being directed toward room O. Harrington, Loughlin, Reagan, and Burns were at the nozzles, close to the east side of room O. According to Burns's statement, Loughlin seemed specially anxious to get the stream into room O. Harrington had been away to get a ladder, and had just joined the others.

(11) The complete list of killed and wounded is as follows:

Killed.—Jeremiah Harrington, first-class laborer; Frank Loughlin, second-class pipe fitter; Michael Reagan, first-class laborer.

Injured.—E. E. Capehart, ensign; Daniel Burns, quartermaster, third class; L. J. G. Kuhlwein, seaman; P. Nilsson, landsman; Ky. Kennel, third-class laborer; L. Julienssen, first-class laborer; J. A. Dunphy, first-class printer; M. F. O'Sullivan, first-class blacksmith; George A. Brown, first-class joiner; James Marren, first-class laborer.

(12) After the alarm was given every possible effort was made by the whole personnel to subdue the flames. The conduct of most of the men erred on the side of daring. The greatest difficulty was experienced in keeping them back out of danger.

(13) Appended to this report are twelve photographs of the ruins as they appeared on the 6th instant:

1. General view from northeast.
2. General view from north.
3. General view from southeast.
4. General view from south.
5. View of northeast corner of room O, showing ground bared by force of explosion, and remains of powder tanks in which dry raw cotton was kept.
6. Center and north end from east.
7. Doorway in center of building, showing remains of wet gun cotton.
8. Center of building from north end, showing remains of wet gun cotton.
9. South end from southeast.
10. Basement door at south end.
11. Smokeless powder mixing house, distant 40 feet from point of explosion and in face of room M.
12. Remains of wet gun cotton gathered from ruins.

Respectfully submitted.

DUNCAN KENNEDY,
Lieutenant, United States Navy.
GEORGE F. W. HOLMAN,
Lieutenant, United States Navy.
R. C. SMITH,
Lieutenant, United States Navy.

Commander G. A. CONVERSE, U. S. N.,
Inspector of Ordnance, in Charge.

[Indorsement.]

TORPEDO STATION, *Newport, R. I., July 20, 1893.*

The foregoing report is approved. The opinion of the board that a spark from the picker produced by the presence of a foreign substance in the cotton with which it was being fed is accepted by me as the most probable cause of the fire.

G. A. CONVERSE,
Commander, U. S. N., Inspector of Ordnance, in Charge.

A.

NAVAL TORPEDO STATION, *Newport, R. I., July 10, 1893.*

GENTLEMEN: (1) You are hereby appointed a board of investigation to inquire into circumstances attending the destruction of the gun-cotton factory at this station on the afternoon of the 3d of July, instant.

(2) You will make your report in accordance with the requirements of article 1720 of the United States Navy Regulations, 1893.

(3) It is desired that in your investigation particular attention be given to ascertaining, if possible, the immediate cause of the fire, concerning which great doubt exists.

Respectfully,

G. A. CONVERSE,
Commander, U. S. N., Inspector of Ordnance, in Charge.

Lieut. DUNCAN KENNEDY, U. S. N.
Lieut. G. F. W. HOLMAN, U. S. N.
Lieut. ROY C. SMITH, U. S. N.

C.

NAVAL TORPEDO STATION, *Newport, R. I., July 10, 1893.*

SIR: (1) I beg leave to make the following report concerning the recent fire in the gun-cotton factory, covering points upon which information is desired by the board of investigation:

AS TO THE CAUSE OF THE FIRE.

(2) The fire was discovered by an employee named D. Mahan, who was at the time running the picker. He states that he heard a noise like the slamming of a door of the room into which the picker fed, and, stepping aside to see if the door was open, saw flames issuing from a pile of cotton just outside the door, which was shut.

(3) When the picker was in use it made a strong draft of air, which carried the light, fluffy particles of the picked cotton to the extreme end of the room and through the large meshes of the wire screen which was let into the upper part of the door. After running the picker it was customary to collect these fluffy particles to use around the factory, as they were not suitable for dipping. Sometimes when the picker was running the button which held the door would work loose, and the door, forced by the draft, would fly back with a bang against the side of the building, and Mahan thought that this caused the noise he heard.

(4) I believe, however, that a spark caused by the picker striking in its revolutions a piece of metal or gravel ignited the dust in the room; that the dust burned with a light explosive force, making the noise Mahan heard, and that particles of the fluffy cotton were blown through the meshes of the door, setting fire to the pile on the outside. It is extremely probable that the cotton inside the room was also burning.

(5) All of the cotton waste in the part of the factory where the fire originated was clean, dry, and free from oil or other extraneous matter. The pile of cotton outside the door was composed of bleached waste and fluffy particles of cop waste. The bleached waste was some left over from that used in making gun-cotton charge No. 173; it was received in bales over a year ago and found to be very clean, absorbent, and in hot weather remarkably free from firing in the process of dipping.

NAMES AND DUTIES OF EMPLOYEES.

(6) The regular force employed in the gun-cotton factory numbered five men, but, as work had only just been resumed after a shut down of some six weeks while repairs were made to the pulper, a vacancy that had occurred had not been filled, and four men only were at work at the time of the fire, engaged in running the pulper, picker, and final drier. They were J. Harrington, foreman; F. Loughlin, assistant foreman and engineer; and D. Mahan and L. Juliensen, first-class laborers. The first two mentioned had had long experience in the work of the factory, and were fully competent either to take part in or to direct the performance of any one of the processes. Harrington was made foreman in December, 1891; Juliensen was a new hand on trial.

(7) Upon the alarm of fire the duties were as follows: Harrington, in general charge, was to look after the northern half of the building, and he was specially charged, after sounding the alarm, to throw the tank of long-staple gun cotton out of the building, to turn on the sprinklers in the final drying room, and to see the fire hose led out and started. Loughlin was to look after the south end, to start the salt-water pump if it was not running, and to see that the fire hose in the center and south end were led out and started.

The other hands were to lead out the hose near to which they happened to be working. In the event of fire making headway all were to pass out boxes of gun cotton (compressed). The fire apparatus was tested the 1st instant, and found to be in good working order; the fire hose and nozzles were always kept coupled and ready for instant use; the directions for fire could have been carried out under any circumstances in two or three minutes, yet when the fire broke out all hands seem to have precipitately abandoned the building, Harrington and Loughlin both coming over to the machine shop to notify me.

LOCALITY OF THE TANK CONTAINING LONG-STAPLE COTTON.

(8) There were some 6 or 7 pounds of long-staple gun cotton, made about a year ago for use in igniters and vent-sealing primers, stored loosely packed in an empty powder tank. This was kept adjacent to the north window in the room, between the engine and final press, used for the storage of the tanks containing the cotton ready for nitration. It was plainly marked, and both Harrington and Loughlin had been repeatedly cautioned by me as to the disposition to be made of it in case of fire, and it would almost seem as if they had recollected and were endeavoring to get it out when they were killed, for, instead of going down into the ditch, as I had ordered when directed by the inspector to concentrate all water on the boxes of wet gun cotton, they dragged the hose back from the north end of the factory, carried the nozzle to the window of the storage room, and thrust it in. The explosion took place very shortly afterwards.

Very respectfully,

CHAS. BELKNAP,
Lieutenant-Commander, United States Navy.

Commander G. A. CONVERSE, U. S. N.,
Inspector, in Charge.

Referred to the "board of investigation," of which Lieutenant Kennedy is senior member.

G. A. CONVERSE,
Commander, U. S. N., Commanding Torpedo Station.

Received July 11, 1893.

DUNCAN KENNEDY,
Lieutenant, U. S. N., Senior Member of Board.

Respectfully returned. Copy appended to the report of the board.

DUNCAN KENNEDY,
Lieutenant, U. S. N., Senior Member of Board.

D.

FIRE BILL.

The fire alarm will be a continuous ringing of the electric fire-alarm bell for the space of one minute. This will be followed by the steam whistles of the machine shop, ferry launch, and all boats under steam, sounding the general alarm, thus: ——— — — — ——— thrice repeated. The general signal will be followed by the signal denoting the fire district, as given below.

The island is divided into three districts for the purpose of locating the fire.

First district.—All that part of the island north of a line joining the northeast corner of the gun-cotton factory and the southeast corner of the machine shop. Whistle signal, ——— — ———.

Second district.—All that part of the island lying between the above-mentioned line and a line running east and west at south end of the inspector's quarters. Whistle signal, ——— — — ——— — — ——— — — —.

Third district.—All that part of the island south of the last-mentioned line. Whistle signal, ——— — — — ——— — — — ——— — — — —.

On the alarm being sounded all the officers of the station will go to the district in which the fire is.

In the event of the fire taking place at or near the wharves, or on board any of the boats belonging to the station, the ferry launch will immediately spread fires and stand by to tow other boats out of danger.

On the first alarm being sounded all enlisted men will go to their stations, as given below. A repetition of the alarm will call all the mechanics to the scene of the fire, except those at the gun-cotton factory, who will lead out their hose and protect that building and the magazines in the vicinity.

STATIONS.—*In charge:* Senior officer present. *Boilers:* Fireman on duty. *Steam pump:* Foreman of machine shop, *Triana's* machinist; at night, night watchman. *Hydrant and hose reel:* Assistant in charge of torpedo work; hydrant, mate in charge of grounds; at night, quartermaster, hose reel, crew of *Fortune*. *Hook and ladder, wreckers:* The electrician, seamen under instruction.

T. F. JEWELL,
Commander, U. S. N., Inspector of Ordnance, in Charge.

E.

RULES FOR THE GUN-COTTON FACTORY.

(1) No person not specially employed there is to enter the gun-cotton factory unless accompanied by an officer.

(2) Mechanics engaged in repairs to the machinery and plant shall notify the foreman before going to work. The foreman shall see that all gun-cotton dust is removed from the locality before such work is begun; and he shall see that all waste, shavings, chips, and other refuse material and tools are removed from the building after the completion of the job.

(3) All soiled waste and refuse material of every kind must be placed in the crocks provided for the purpose and not dropped on the floors.

(4) The pulper, poachers, molding press, and surrounding areas spattered with gun-cotton pulp are to be washed down with the hose after the completion of the process for each charge; and particular care must be taken to prevent accumulation of refuse cotton waste or of gun-cotton pulp or dust in any part of the building.

(5) Pressed blocks are to be soaked as soon as practicable after stowing in boxes, and no dry gun cotton is to be stored in the factory except such samples as may be in the office.

(6) All caustic soda is to be kept in the cellar, and in weighing care must be taken that no particles adhere to the scales.

(7) Smoking is absolutely prohibited. No friction matches or other means of obtaining ignition are allowed in the factory.

(8) No lights other than the electric lights are permitted in the factory without the knowledge of the superintendent.

(9) The valves of the fire system of pipes are to be tested on the 1st and 15th of every month (when Sunday, the preceding day), and the fire axes to be overhauled and freed from rust at the same time, and entry made in the journal of the condition of the fire apparatus.

(10) The steam fire pump is to be left in working order every night; the fire buckets are always to be kept filled with water, and the fire hose is to be kept coupled to the fire plugs and bighted down ready for use at a moment's notice.

(11) All windows and outside doors are to be fastened every night.

(12) Inside doors between the different parts of the building and, when there is any cotton in the pots, the roof windows of the dipping room are to be closed at night.

(13) In freezing weather all water pipes are to be bled each evening.

(14) Steam must be shut off the building completely every evening, except in freezing weather.

(15) Working clothes are to be hung in the place provided for them.

(16) The foreman is to inspect each evening before leaving, and to see that the factory is thoroughly cleaned up each Saturday afternoon. He is to see that the foregoing regulations are observed and to report any violation of them. Any infraction of the rules is sufficient ground for dismissal from employment.

THEO. F. JEWELL,
Commander, U. S. N., Inspector of Ordnance, in Charge.

TORPEDO STATION, *July 1, 1893.*

F.

RULES FOR CONDUCT OF CREW AT GUN-COTTON FACTORY IN CASE OF FIRE.

(1) The efficiency of the electric fire alarm in the gun-cotton factory, also that between the gun-cotton factory and machine shop, and the efficiency of all fire-extinguishing apparatus in the building, will be tested by the foreman every morning, and their condition reported to the superintendent.

(2) Any person discovering fire will sound the nearest alarm and then promptly do everything in his power to extinguish it.

(3) Upon the alarm of fire the foreman will promptly go to its scene, take charge, in absence of the superintendent, and see that all the resources of the factory are employed well and effectively to extinguish it.

(4) Upon the alarm of fire the engineer will stop the engine, start the donkey pump, turn off the dry rooms and boiling tubs, and if the fire is in the middle or north end of the building he will turn the water on the dry rooms; he will then go to the salt-water pump, taking charge of it, under the foreman, starting it, if not started, and turning the water on the fire line, doing his utmost to extinguish the fire.

(5) Upon the alarm of fire the person nearest the salt-water pump will start it and turn water on the fire lines; then, utilizing the nearest hose and fire buckets, will do his utmost to extinguish the fire.

(6) Upon the alarm of fire everyone will drop his work, leaving everything as safe as possible, and bring the nearest hose and fire buckets to bear effectively on the fire.

(7) Order and quiet will be preserved and the orders of the foreman promptly obeyed. Personal safety or consideration will be disregarded until the authority present consents.

(8) During the day, and under steam, the salt-water and donkey pumps must be kept charged.
(9) If the fire is at all serious, sound the machine-shop fire alarm.
(10) In case of serious fire, all gun cotton will be taken out of the building and beyond its reach. Pulp in stuff chest, poachers, and pulper will be run out through sewers.

The PRESIDING OFFICER. The question is on the adoption of the amendment reported by the Committee on Appropriations, which has been read.

The amendment was agreed to.

Mr. HANSBROUGH. I call the attention of the Senator in charge of the bill to the language used in the paragraph on page 130, beginning in line 9. The language is:

For payment of amounts for commutation of rations to prisoners of war in rebel States.

I suggest that it should read as follows:

For payment of amounts for commutation of rations to prisoners of war in States formerly in rebellion.

Mr. ALLISON. This provision is in the statutes which have been passed for a great many years, and this appropriation was made to conform to those statutes. It has been the language used for thirty years.

Mr. HANSBROUGH. Of course if that language has been used in the statutes heretofore, I have no objection to it remaining in the bill, but I submit that it is rather an awkward statement.

Mr. ALLISON. The phraseology has been used for a long time.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Under the Department of Justice," on page 131, after line 7, to insert:

For fireproof record case, double door for vault, metallic window frame and shutters, office of the register of wills, per estimate of the Architect of the Capitol, $500.

The amendment was agreed to.

The next amendment was, on page 131, line 14, after the word "Attorney-General," to insert "and the Secretary of the Interior;" and in line 18, after the words "Rocky Mountains," to insert "under the provisions of the 'Act for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes,' approved March 3, 1891;" so as to make the clause read:

To enable the Attorney-General and the Secretary of the Interior to have prepared plans, specifications, and estimates, and for expenses connected with the selection of a prison site south of the thirty-ninth degree of north latitude and east of the Rocky Mountains, under the provisions of the "Act for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes," approved March 3, 1891, to be immediately available, $15,000.

The amendment was agreed to.

The next amendment was, on page 132, line 15, to increase the appropriation "for detecting and punishing violations of the intercourse acts of Congress and frauds committed in the Indian service" from $4,000 to $14,000.

The amendment was agreed to.

The reading of the bill was continued to the end of the following clause, on page 132:

Prosecution of crimes: For the detection and prosecution of crimes against the United States preliminary to indictment; for the investigation of official acts, records, and accounts of marshals, attorneys, clerks of the United States courts, and United States commissioners, and for this purpose all the records and dockets of these officers, without exception, shall be examined by the agents of the Attorney-General at any time; and for the inspection of United States prisoners and prisons, to be expended under the direction of the Attorney-General, $40,000.

Mr. WILSON. I do not know that it is in order here, but I should like to offer, for the consideration of the Senate, the amendment which I send to the desk and ask to have read, for if it can be inserted in this bill it will save some thirty or forty thousand dollars in the way of fees.

The PRESIDING OFFICER. The amendment submitted by the Senator from Washington will be read, but the Chair will inform the Senator that the understanding is that the amendments of the Committee on Appropriations shall first be considered, and then the bill be open to general amendment.

Mr. ALLISON. I have no objection to having the amendment read, and then I will ask the Senator to let it lie over.

Mr. WILSON. I should like to have the amendment read for information.

The PRESIDING OFFICER. The amendment submitted by the Senator from Washington will be read.

The SECRETARY. It is proposed to insert:

That hereafter it shall be unlawful to pay to Indians who obtain intoxicating beverages, or aid and abet the same, from any person or persons accused of the offense of selling or supply the same contrary to the acts of Congress prohibiting the sale and disposal of intoxicating beverages to Indians, any fees or compensation for attendance, or detention in custody or otherwise, as witnesses in proceedings before any court or committing magistrate, pursuant to such acts of Congress, or expenses of travel in going to or returning from the place of such proceedings. Such witnesses may be compelled to attend and testify as in other cases, and marshals shall pay the traveling expenses and board of such witnesses while in custody, but not to such witnesses.

Mr. ALLISON. Let the amendment be passed over for the present.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 133, line 22, after the word "dollars," to insert "and any unexpended balance of the appropriation for this purpose for the fiscal year 1898 may be used for the fiscal year 1899;" so as to make the clause read:

Defense in Indian depredation claims: For salaries and expenses in defense of the Indian depredation claims, $52,000, and any unexpended balance of the appropriation for this purpose for the fiscal year 1898 may be used for the fiscal year 1899.

The amendment was agreed to.

The next amendment was, on page 134, line 5, before the word "dollars," to strike out "one thousand" and insert "five hundred;" so as to make the clause read:

Counsel for Mission Indians: To enable the Attorney-General to employ a special attorney for the Mission Indians of southern California, upon the recommendation of the Secretary of the Interior, $500.

The amendment was agreed to.

The next amendment was, on page 134, after line 12, to insert:

Payment to the widow of Samuel F. Miller: To enable the Secretary of the Treasury to pay to the widow of the late Samuel F. Miller, a justice of the Supreme Court of the United States, $7,419, being a sum equal to the balance of his salary for the year in which he died, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 135, line 17, after the word "dollars," to insert the following proviso:

Provided, That the commissions or appointments of United States district attorneys under section 767 of the Revised Statutes, or the act of February 27, 1897, shall expire at the end of the present session of the Senate, and such appointments hereafter made shall expire at the end of the session of the Senate next succeeding the date of the appointment.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Appropriations.

Mr. HOAR. The Senator from Vermont [Mr. PROCTOR] has been called out of the Chamber in the discharge of the service of the Senate. He asked me to request that this amendment should go over until the reading of the bill was concluded, reserving the point of order. He will be back presently.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the amendment may be passed over. In the absence of objection, it is so ordered.

The reading of the bill was resumed and continued to the end of line 5, on page 136.

Mr. ALLISON. In line 5, page 136, I move to strike out "fifty" and insert "sixty," and to insert at the end of the clause what I send to the desk.

The SECRETARY. It is proposed in line 5, page 136, to strike out "fifty" and insert "sixty," and after the word "dollars" to insert:

Ten thousand dollars of which may be expended by the Attorney-General in the payment of such expenses as he may authorize or approve in the conduct or investigation of such cases.

So as to make the clause read:

For payment of assistants to United States district attorneys employed by the Attorney-General to aid district attorneys in special cases, $60,000, $10,000 of which may be expended by the Attorney-General in the payment of such expenses as he may authorize or approve in the conduct or investigation of such cases.

Mr. ALLISON. I will state that there is a letter from the Attorney-General showing the importance of this provision, and I hope it will be agreed to.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 139, line 25, before the word "thousand," to strike out "and judicial officers, one hundred" and insert "ninety;" so as to make the clause read:

For rent of rooms for the United States courts, $90,000.

The amendment was agreed to.

The next amendment was, on page 140, line 3, after the word "courts," to insert:

And provided further, That no such person shall be employed during vacation; of reasonable expenses for travel and attendance of district judges directed to hold court outside of their districts, not to exceed $10 per day each, to be paid on written certificates of the judges, and such payments shall be allowed the marshal in the settlement of his accounts with the United States; expenses of judges of the circuit courts of appeals; of meals and lodgings for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court.

So as to make the clause read:

For pay of bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York: *Provided*, That all persons employed under section 715 of the Revised Statutes shall be deemed to be in actual attendance when they attend upon the order of the courts: *And provided further*, That no such person shall be employed during vacation, etc.

The amendment was agreed to.

The next amendment was, on page 140, line 24, to increase the appropriation for miscellaneous expenses of United States courts and their officers, etc., from $15,000 to $20,000.

The amendment was agreed to.

The next amendment was, on page 141, after line 5, to insert:

Authority is hereby given to the Secretary of the Treasury to pay, out of

the appropriation for stenographic clerks for associate justices of the Supreme Court, to Irwin B. Linton for services as such clerk to Stephen J. Field, retired associate justice, for the months of December, January, and February last past, the sum of $297.

The amendment was agreed to.

The next amendment was, on page 141, after line 16, to insert:

UNDER THE DEPARTMENT OF STATE.

International industrial conference: For representation of the United States at the Brussels conference, to be held under the convention for the protection of industrial property, concluded at Paris, March 20, 1883, $5,000, to be immediately available, and to be expended under the direction of the Secretary of State.

The amendment was agreed to.

The next amendment was, on page 124, after line 24, to insert:

Office of the Secretary: For temporary typewriters and stenographers in the Department of State, to be selected by the Secretary, $2,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 142, after line 3, to insert:

Paris Exposition: The President, by and with the advice and consent of the Senate, shall appoint a commissioner-general to represent the United States at the exposition to be held in Paris, France, commencing April 15 and closing November 5, 1900, and, under the general direction of the Secretary of State, to make all needful rules and regulations in reference to the contributions from the United States, and to control the expenditures incident to and necessary for the proper installation and exhibit thereof; and the President, by and with the advice and consent of the Senate, shall also appoint an assistant commissioner-general, who shall assist and act under the direction of the commissioner-general, and shall perform the duties of commissioner-general in case of the death, disability, or temporary absence of the commissioner-general; and a secretary, who shall act as disbursing agent and shall perform such duties as may be assigned to him by the commissioner-general, shall render his accounts quarterly to the proper accounting officers of the Treasury, and shall give bond in such sum as the Secretary of the Treasury may require. The President shall also appoint, as assistants to the commissioner-general, twelve experts having special attainments in regard to the subjects of the group or groups in said exposition to which they may be assigned, respectively, and who, under the direction of the commissioner-general, shall assist in the selection and arrangement of exhibits to be sent to said exposition from the United States, and who shall be specifically assigned to the several groups into which the exposition will, under official regulations, be divided. The commissioner-general shall be paid a salary of $8,000 per annum; the assistant commissioner-general a salary of $6,000 per annum; and the secretary a salary of $4,500 per annum; which said sums shall be in lieu of all personal expenses other than actual traveling expenses while engaged in exposition work; and the terms of service of the commissioner-general, assistant commissioner-general, and secretary shall not exceed three years. The experts herein provided for shall serve during the entire calendar year 1900, and may be employed not exceeding six months during the calendar year 1899 in the work assigned to them, and they shall be paid for such service at the rate of $3,000 per annum each, which payments shall be in lieu of all personal expenses other than actual traveling expenses while engaged in exposition work. The necessary expenses herein authorized, and expenses for the proper installation and care of exhibits, together with all other expenses that may be authorized by the commissioner-general incident to the participation of the United States in said exposition, are hereby limited to the sum of not exceeding $750,000, including not exceeding $70,000 for clerk hire in the United States and in Paris. The Secretary of Agriculture is hereby authorized to prepare suitable exhibits of agricultural products of the States and Territories of the United States, including those mentioned in groups 7, 8, and 10 of the plan of said exposition, and shall exhibit the same under the direction and control of the commissioner-general, the total expenses of the said exhibits not to exceed in the aggregate $75,000, to be paid out of the aforesaid sum of $750,000; and reports respecting such exhibits, printed in the English, French, and German languages, shall accompany such exhibits as the commissioner-general may direct. All officers and employees of the Executive Departments and of the Fish Commission and of the Smithsonian Institution, in charge of or responsible for the safe-keeping of exhibits belonging to the United States, may permit such exhibits to pass out of their possession for the purpose of being transported to and from and exhibited at said exposition, as may be requested by the commissioner-general, whenever authorized to do so, respectively, by the heads of the Departments and the Commissioner of Fish and Fisheries and the secretary of the Smithsonian Institution; such exhibits and articles to be returned to the said respective Departments to which they belong at the close of the exposition. It shall be the duty of the commissioner-general to report to the Secretary of State, for transmission to Congress at the beginning of each regular session, a detailed statement of the expenditures incurred hereunder during the twelve months preceding; and the commissioner-general is hereby required, within four months after the close of said exposition, to make full report of the results thereof, as herein required, which report shall be prepared and arranged with a view to concise statement and convenient reference, and when printed shall not exceed six volumes octavo, containing an average of not exceeding 1,000 pages. Toward the expenses herein authorized, incident to the participation of the United States in said exposition, there is hereby appropriated the sum of $200,000, to be immediately available, and to remain available until expended, of which amount the sum of $20,000 may be used by the Secretary of Agriculture in the preparation of the agricultural exhibit herein provided for.

The amendment was agreed to.

The next amendment was, at the top of page 146, to insert:

UNDER THE DEPARTMENT OF AGRICULTURE.

The Secretary of Agriculture is hereby authorized to use any unexpended balance that may remain of the appropriation made by the agricultural appropriation act for the fiscal year 1898 for fiber investigations, in connection with the regular work of botanical investigations and experiments, in closing up the unfinished work of the office of fiber investigations.

The amendment was agreed to.

The next amendment was, on page 147, after line 6, to insert:

New edition of charters and constitutions: For the purpose of preparing and printing a new edition of the charters, constitutions, and organic laws of all the States, Territories, and colonies, now or heretofore forming the United States, and any acts of Congress relating thereto, $25,000, the same to be expended under the direction of the Joint Committee on Printing.

The amendment was agreed to.

The next amendment was, on page 147, after line 13, to insert:

SENATE.

For payment to the legal representatives of the Hon. James Z. George, late a Senator of the United States from the State of Mississippi, $5,000.

Mr. ALLISON. I move to insert at the end of the amendment the words "to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 147, after line 17, to insert:

For payment to the legal representatives of the Hon. Isham G. Harris, late a Senator of the United States from the State of Tennessee, $5,000.

Mr. ALLISON. I move to insert at the end of the amendment the words "to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 147, after line 20, to insert:

The Secretary of the Senate be, and he hereby is, authorized and directed to pay Hernan D. Money for services rendered as clerk to the Hon. H. D. MONEY, Senator from the State of Mississippi, from the 8th day of October to the 6th day of December, 1897, from the appropriation for salaries of officers, clerks, messengers, and other employees in the service of the Senate for the current fiscal year.

The amendment was agreed to.

The next amendment was, on page 148, line 14, after the word "rents," to insert "books of reference;" and in line 16, before the word "hundred," to strike out "two million nine" and insert "three million three;" so as to make the clause read:

For the public printing, for the public binding, and for paper for the public printing, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving for both Houses of Congress, the Supreme Court of the United States, the supreme court of the District of Columbia, the Court of Claims, the Library of Congress, the Executive Office, and the Departments, including salaries or compensation of all necessary clerks and employees, for labor (by the day, piece, or contract), and for rents, books of reference, and all the necessary materials which may be needed in the prosecution of the work, $3,332,000.

The amendment was agreed to.

The next amendment was, on page 148, line 23, to increase the appropriation for printing and binding for Congress from $1,529,500 to $1,835,600.

The amendment was agreed to.

The next amendment was, on page 149, line 7, to increase the appropriation for printing and binding for the State Department from $18,000 to $25,000.

The amendment was agreed to.

The next amendment was, on page 149, line 13, to increase the appropriation for printing and binding for the War Department from $130,000 to $137,900.

The amendment was agreed to.

The next amendment was, on page 149, line 17, to increase the appropriation for printing and binding for the Navy Department from $70,000 to $90,000.

The amendment was agreed to.

The next amendment was, on page 149, line 21, to increase the appropriation for printing and binding for the Interior Department, including the Civil Service Commission, from $278,000 to $300,000.

The amendment was agreed to.

The next amendment was, on page 149, line 25, after the word "and," to insert "annual volumes of the;" on page 150, line 2, after the word "binding," to insert "in half turkey, or material not more expensive;" and in line 5, before the word "thousand," to strike out "twelve" and insert "seventeen;" so as to make the clause read:

For the Smithsonian Institution, for printing labels and blanks for the "Bulletins" and annual volumes of the "Proceedings" of the National Museum, the editions of which shall not be less than 3,000 copies, and binding in half turkey, or material not more expensive, scientific books and pamphlets presented to and acquired by the National Museum Library, $17,000.

The amendment was agreed to.

The next amendment was, on page 150, line 13, to increase the appropriation for printing and binding for the Department of Justice from $9,000 to $12,000.

The amendment was agreed to.

The next amendment was, on page 150, line 18, to increase the appropriation for printing and binding for the Department of Agriculture, etc., from $85,000 to $100,000.

The amendment was agreed to.

The next amendment was, on page 150, line 20, to increase the appropriation for printing and binding for the Department of Labor from $7,000 to $8,000.

The amendment was agreed to.

Mr. ALLISON. After line 23, page 150, I wish to move an amendment. I call the attention of the Senator from Missouri [Mr. COCKRELL] to the amendment which I propose to offer.

Mr. COCKRELL. Where is the amendment to be inserted?

Mr. ALLISON. After line 23, on page 150.

The SECRETARY. After line 23, page 150, it is proposed to insert:

The Commissioner of Labor is authorized to compile and publish annually, as a part of the Bulletin of the Department of Labor, an abstract of the main features of the official statistics of the cities of the United States having over 20,000 population.

Mr. ALLISON. A letter from the Commissioner states that if this authority is given to him he can gather much valuable information without any expense by compilations from the current annual reports of cities of this size. I think it wise to give him the authority.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 151, line 4, to increase the appropriation for printing and binding for the Library of Congress from $12,000 to $25,000.

The amendment was agreed to.

The next amendment was, on page 152, after line 2, to insert:

That the Public Printer be, and he is hereby, directed to acquire by condemnation, for the purpose of providing a site for an addition to the Government Printing Office building, the following-described real estate embraced in square No. 624 in the city of Washington, D. C., and containing 57,005 square feet, more or less, to wit: All of lots A, B, 1, 2, 3, 4, 5, and 6 in J. C. McGuire's subdivision of said square No. 624, as recorded in book B, folio 97, in the office of the surveyor of said District; the west 8 feet of lot 7, all of lot 8, and the east 6 feet of lot 9 of the said J. C. McGuire's subdivision of the said square No. 624, being lots 81 and 82, as per plat of Michael Brady's subdivision of the west 8 feet of said lot 7, all of said lot 8, and the east 6 feet of said lot 9, as recorded in book 11, folio 80, in the office of the surveyor of said District; the west 18 feet of lot 9 of the said J. C. McGuire's subdivision of said square No. 624, as recorded in book B, folio 97, in the office of the surveyor of said District; all of lot 10 and the east 8 feet of lot 11 of the said J. C. McGuire's subdivision of the said square No. 624, being lots 68, 69, 70, and 71, as per plat of John R. Condon's subdivision of the said lot 10 and the east 8 feet of said lot 11, as recorded in book C H B, folio 364, in the office of the surveyor of said District; the west 16 feet of lot 11 and all of lot 12 of the said J. C. McGuire's subdivision of said square No. 624, as recorded in book B, folio 97, in the office of the surveyor of said District; the south 95 feet 3 inches of each of lots 13, 14, 15, and 16 of the said J. C. McGuire's subdivision of said square No. 624, as recorded in book B, folio 97, in the office of the surveyor of said District; the south 110 feet 3 inches of lot 17 of the said J. C. McGuire's subdivision of the said square No. 624, being lot 83, as per plat of Thomas Donnelly and Joseph Anthony's subdivision of the said lot 17, as recorded in book 11, folio 154, in the office of the surveyor of said District.

The Attorney-General, upon request of the said Public Printer, is authorized and directed to make application to the supreme court of the District of Columbia, by petition, at a general or special term of said court, for an assessment of the value of said parcels of real estate, and said petition shall contain a particular description of the property required, with the name of the owner or owners thereof, and his, her, or their residence, as far as the same can be ascertained, and the said court is hereby authorized and required, upon such application, without delay, to notify the owners and occupants of each such parcel, and to ascertain and assess the value of the same by appointing three commissioners to appraise the values thereof and to return the assessment to the court, and when the values of such parcels are thus ascertained, and the said Public Printer shall deem the same reasonable, the same shall be certified to Congress for its action thereon.

That the fee simple of all premises so appropriated for public use under the provisions hereof, and of which an appraisement shall have been made under the order and by direction of said court, shall, upon appropriations therefor being made by Congress, be vested fully in the United States and the right of possession thereof.

That the said court may direct the time and manner in which possession of the property condemned shall be taken or delivered, and may, if necessary, enforce any order or issue any process for giving possession. The cost occasioned by the inquiry and assessment shall be paid by the United States; and as to other costs which may arise, they shall be charged or taxed as the court may direct.

That whenever, and as, title to the several parcels of such real estate shall be acquired as aforesaid, and the same shall be ready for delivery, and the sufficiency thereof shall be certified by the Attorney-General of the United States, and appropriations are duly made therefor, the Secretary of the Treasury is hereby authorized and directed, upon the requisition of the said Public Printer, to pay into court the condemnation price of such property, parcel by parcel.

That the alley, 14 feet wide, running north from the north side of G street, for a distance of 175 feet 3 inches (being the alley in the rear of lots A, B, 1, 2, 3, 4, 5, and 6, and running parallel with lot 7, in J. C. McGuire's subdivision of square No. 624, city of Washington, D. C., as recorded in book B, folio 97, in the office of the surveyor of said District) be, and the same is hereby, closed and made a part of the land which the said Public Printer is herein directed to acquire for a site for a building for the Government Printing Office.

Mr. ALLISON. This is an important amendment looking to the acquisition of additional land for the Government Printing Office. When the amendment was first considered by the Committee on Appropriations, it was thought best not to make an appropriation at this session to provide for the condemnation of the property; but, ascertaining the condition of the law in this District, it was found that in order to secure condemnation it was necessary to make an appropriation. Therefore, as an amendment to the amendment, I offer what I send to the desk, to be inserted as stated, being changes necessary in order to make an appropriation for the purchase of the property.

The PRESIDING OFFICER. The first amendment to the amendment will be stated.

The SECRETARY. On page 153, at the end of line 22, insert:

And a sum sufficient, not to exceed $225,000, to pay for said real estate in the manner hereinafter provided, is hereby appropriated.

Mr. STEWART. I should like to inquire what the mode of condemnation is to be?

Mr. ALLISON. That is set out in the amendment. The appraisement is to be made by a commission consisting of three persons.

Mr. STEWART. I want to say right here that I am opposed to purchasing any property in the District of Columbia to be appraised by a jury. Their decisions are so wild that no business transaction can be based upon them. I have observed their verdicts for some years, and they have no reference to the value of property. They are the wildest things I ever did see. I have seen wild horses and all that kind of thing, but nothing is so wild as the verdict of a jury summoned in this District to condemn property.

Mr. WHITE. Is it their tendency to appraise high or low?

Mr. STEWART. It is their tendency to give all the party who owns the property wants, if they can find out.

Mr. ALLISON. Does the Senator from Nevada say that they generally appraise too high or too low?

Mr. STEWART. Too high, three or four times too high.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. ALLISON. On page 154, line 13, I move to strike out all after the word "reasonable" to the end of the paragraph, in the following words: "The same shall be certified to Congress for its action thereon," and to insert:

The sum or sums so ascertained shall be paid into said court for their use.

The amendment to the amendment was agreed to.

Mr. ALLISON. On page 154, I move to strike out, after the word "upon," in line 18, the words "appropriation therefor being made by Congress be," and to insert:

Payment into the said court as aforesaid of the amount so ascertained and assessed as to each parcel be thereupon.

The amendment to the amendment was agreed to.

Mr. ALLISON. On page 155, lines 6 and 7, I move to strike out, after the words "United States," the words:

And appropriation are duly made therefor.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 156, line 18, after the word "office," to strike out "That section 2 of the act aforesaid, approved March 3, 1887, be, and the same is hereby, amended by adding thereto at the end thereof the following: 'The jurisdiction hereby conferred upon the said circuit and district courts shall not extend to cases brought to recover fees, salary, or compensation for official services of officers of the United States or brought for such purpose by persons claiming as such officers or as assignees or legal representatives thereof,'" and insert "That section 9 of the act aforesaid, approved March 3, 1887, be, and the same is hereby, amended by inserting in the fifth line thereof, after the word 'contained,' the words: '*Provided*, That in all cases hereinbefore provided for an appeal to the circuit court of appeals shall be allowed on behalf of the United States from all judgments adverse to the United States of United States district or circuit courts.'"

So as to make the last section of the bill read:

SEC. 3. That section 1 of the act of March 3, 1887, chapter 359, second session of the Forty-ninth Congress, be amended by adding thereto the following proviso, to wit: *Provided further*, That no suit against the Government of the United States, brought by any officer of the United States to recover fees for services alleged to have been performed for the United States, shall be allowed under this act unless an account for said fees shall have been rendered and finally acted upon according to the provisions of the act of July 31, 1894 (chapter 174, 28 Statutes at Large, page 162), unless the proper accounting officer of the Treasury fails to finally act thereon within six months after the account is received in said office. That section 9 of the act aforesaid, approved March 3, 1887, be, and the same is hereby, amended by inserting in the fifth line thereof, after the word "contained," the words: "*Provided*, That in all cases hereinbefore provided for an appeal to the circuit court of appeals shall be allowed on behalf of the United States from all judgments adverse to the United States of United States district or circuit courts."

The amendment was agreed to.

The PRESIDING OFFICER. The reading of the bill has been concluded.

Mr. ALLISON. At the bottom of page 64 and the top of page 65 I wish to change the amount of the unexpended balance made available for improvement of ventilation in the Capitol Building, by making the sum $2,173.54 instead of $2,724.99.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 25, page 64, and line 1, page 65, strike out the words "two thousand seven hundred and twenty-four dollars and ninety-nine cents" and insert "two thousand one hundred and seventy-three dollars and fifty-four cents."

The amendment was agreed to.

Mr. ALLISON. In the items for the Government Hospital for the Insane, on page 79, line 11, after the word "friends," I move to insert:

And not exceeding $1,000 may be expended in the purchase of such books, periodicals, and papers as may be required for the purposes of the hospital.

The amendment was agreed to.

Mr. ALLISON. On page 111, after line 24, I move to insert:

Antietam battlefield: For repair and preservation of monuments, tablets, observation towers, roads and fences, etc., made and constructed by the United States upon public land within the limits of the Antietam battlefield, near Sharpsburg, Md., $3,000.

The amendment was agreed to.

Mr. ALLISON. On page 141, after line 24, I move to insert what I send to the desk. I do this without the approval of the committee, or rather the committee has not had an opportunity to consider the amendment, but I think it is a proper one, and I offer it at this time so as to clean up a memorandum I have here.

The SECRETARY. After line 24, on page 141, insert:

Nicaragua Canal Commission: The engineer member of the Nicaragua Canal Commission, appointed from the Corps of Engineers of the United States Army as authorized by the sundry civil act approved June 4, 1897, shall be entitled to receive compensation, in addition to his regular army pay and allowances, equal to the difference between such annual army pay and allowances and the compensation of the other two members of the commission.

Mr. ALLISON. I think that is a proper amendment.

Mr. COCKRELL. That is right.

Mr. ALLISON. It puts the army engineer upon the same basis with the others.

The amendment was agreed to.

Mr. ALLISON. There are some amendments that were passed over, and I ask that they may now be considered with the exception of one or two where the Senators interested are not present.

The PRESIDING OFFICER. The Chair understands that the first amendment passed over is on page 3. The first amendment will be stated.

Mr. ALLISON. I reserved the amendments of the committee on that page embraced within lines 13 and 19, inclusive.

The first amendment reserved was, on page 3, after line 12, in the items for immigrant station, Ellis Island, New York, to insert:

For new tunnel, steam mains, sewerage, and water supply to and from buildings, $11,450.

The amendment was agreed to.

The next amendment reserved was, on page 3, after line 15, to insert:

For water supply from Jersey City, $10,000.

The amendment was agreed to.

The next amendment reserved was, on page 3, after line 16, to insert:

For naphtha launch, $4,000.

The amendment was agreed to.

The next amendment reserved was, on page 3, after line 17, to insert:

For new ferry house on island, $3,500.

The amendment was agreed to.

Mr. FAIRBANKS. I move to insert, after line 19, on page 3:

Immigrants' disinfection bath house and laundry, $55,200.
Kitchen and restaurant building, $30,000.
Repairs to crib work on northeast side of basin and ferry slip, $20,000.

I will state that in conference with the Committee on Appropriations these items have been agreed to.

Mr. ALLISON. The statement of the Senator from Indiana is not quite accurate. The Assistant Secretary of the Treasury, the Senator from Indiana, who is the chairman of the Committee on Immigration, and myself looked over the items, and the Assistant Secretary convinced me that the amendment now proposed by the Senator from Indiana ought to be embraced in the bill; but it was agreed to by no other member of the Committee on Appropriations, because I have not had an opportunity to submit it to the committee.

Mr. COCKRELL. I hope that when the matter comes into conference the amendment offered by the Senator from Indiana will be stricken out, for I think it is entirely unnecessary, and the institution can be carried on just as well without it as with it. That is my judgment.

Mr. FAIRBANKS. I will briefly state that a year or more ago the immigrant station at Ellis Island was destroyed by fire. Congress at the last session passed a bill appropriating $600,000 for the reconstruction of an immigrant building upon the island and for the enlargement of the island. The Treasury Department prepared for the reconstruction of this very important station according to the most approved designs and in a durable manner.

Those having in charge the work appeared before the Committee on Immigration and submitted to that committee the plans they had adopted and fully presented the imperative needs of the service. The committee was convinced that the work and improvements provided for by the original appropriation were inadequate, and that the additional work and improvements contemplated by the amendment are absolutely essential in the proper transaction of the vast and important business at the immigrant station.

The first item which I have offered by way of amendment amounts to $55,200 for the construction of an immigrant's disinfection bath house and laundry. The assistant commissioner of immigration at New York makes the following careful and complete statement with reference to the character of and necessity for this improvement:

In this building it is proposed to disinfect the clothing and clean the person of every immigrant arriving at the port of New York who may be detained over night for any reason.

This is a separate plant from the smaller disinfecting apparatus used at the hospital, where all those diseased or liable to spread contagion are treated in another way by the medical authorities. * * * After the immigrants pass their inspection and are held for any reason, before they retire for the night, it is proposed to pass them into this disinfection building, where there should be provided a bathing establishment containing a sufficient number of shower baths for men and separate baths for women and children.

In connection with these baths should be a room for disinfecting the clothing and effects of immigrants by means of formaline-gas apparatus, in order to destroy all vermin. This apparatus, which is the most modern and effective, while being at the same time very inexpensive, can also be used to disinfect blankets, and deodorize and disinfect the rooms in the main building, where the immigrants live and sleep while detained.

In connection with this should be a free laundry, tubs for the use of immigrants, with hot and cold water, and drying racks over steam coils. In this building should also be established a laundry suitable for the work of the island, exclusive of the hospital, for towels, blankets, bedclothing, etc.

The building should be well lighted, ventilated, and properly warmed, made of nonabsorbing, noncorrosive material, walls lined with enameled bricks, and the whole capable of being thoroughly scoured and cleaned. On coming to this building from the main building the men and women are to be separated, taking all their possessions which are to be disinfected with them. On going to their several rooms they disrobe, their effects are placed in a basket and a check given for them.

From there they proceed to the bathroom; after the baths to a dressing room, where they are to be provided with a suit of clothing suitable for night wear. In the meanwhile the effects are placed in baskets, each one by itself, and placed in the disinfecting room to be treated thoroughly by formaline gas. During this time the immigrant goes to bed, and in the morning receives his belongings thoroughly disinfected.

No further explanation of this item is deemed necessary. It seems to the committee that the very highest sanitary considerations would support the recommendation that has been made by the immigration officers and by the Treasury Department.

The next item provides for a kitchen and restaurant building. As the Senator from Missouri is perhaps aware, Ellis Island is a small one. There will be no buildings upon it not belonging to the Government. There will be no provision made for the support of the large number of officials and employees upon it except it is made by the Government. There will be neither public restaurants nor hotels there, and it is thought not only advisable, but absolutely essential, by the Immigration Bureau that there should be provision made by the Government for furnishing kitchen and restaurant facilities for the employees, they, of course, paying the expense of their meals.

Mr. COCKRELL. That is, practically furnishing a hotel to feed them at Government expense.

Mr. FAIRBANKS. They must either have a hotel furnished there or go to the mainland, to either the New York or New Jersey shore, which is entirely impracticable. The assistant commissioner of immigration submits the following reasons why this item should be authorized:

As the total number of persons employed, including Government officials and employees of all classes necessary to conduct the business of the depot, will average 300, there must be provision made for at least a lunch meal, and the building should contain a kitchen, storeroom, cold storage, bake ovens, pantries, dining room for employees, etc.

It seems to the committee that this appropriation, which is strongly urged by the officers in charge of the immigrant station and by the Treasury Department, is amply justified by the obvious necessities of the situation.

The next and last item is, "Repairs to cribwork on northeast side of basin and ferry slip, $20,000." The Treasury Department reports in detail what this is for and the necessity for it, as follows:

This item covers the repair of that part of the crib only which is immediately adjacent to the new main building. It was originally work of an inferior character, planned with a view to the smallest expenditure at the time. It was also greatly damaged by the fire which destroyed the main building, which stood almost on the back line of the crib.

The repair is absolutely necessary for access to the main building. The old crib was made of round instead of square timber, which has allowed the filling to wash out. The crib is also bulged toward the basin. The estimate is in sufficient amount only to make the front secure. It is not intended to take out and rebuild the whole crib.

The amendment embraces only those items which seemed in the judgment of the committee to be absolutely essential for the proper conduct of the immigrant service at Ellis Island.

I will add in reference to my opening statement that I was a little inaccurate in saying that the Appropriations Committee had agreed upon the amendment. I should have said the chairman of the Committee on Appropriations [Mr. ALLISON], who has charge of the pending bill, had so agreed.

Mr. BACON. I understand that all the amendments suggested by the committee have been disposed of.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The pending question is on the amendment submitted by the Senator from Indiana [Mr. FAIRBANKS].

The amendment was agreed to.

Mr. ALLISON. Now I ask that the next amendment reserved may be considered.

The PRESIDING OFFICER. The next reserved amendment of the Committee on Appropriations will be stated.

The SECRETARY. On page 67, line 21, under the heading "Protection and administration of forest reserves," in line 21——

Mr. ALLISON. That amendment was agreed to, I believe.

Mr. WILSON. I move that the amendment of the Committee on Appropriations, on page 67, line 21, striking out, after the word "persons," the words "to be designated by the Secretary of the Interior for duty" be receded from.

Mr. ALLISON. I supposed that by unanimous consent that had been passed over. If it has not been passed over, I trust it will now go over until the amendments of the committee have been acted upon.

Mr. COCKRELL. That was the understanding. The amendment has been agreed to. The matter was called up yesterday, and it was acquiesced in apparently by all that the question should be again raised when the bill was reported to the Senate.

Mr. ALLISON. I so understood.

Mr. WILSON. I thoroughly understand that, but I am not at fault. The committee themselves started to call for the amendments which had been passed over.

Mr. ALLISON. The Senator is certainly correct.

The PRESIDING OFFICER. The Chair understands that the agreement was that the amendment referred to by the Senator from Washington should be taken up when the bill was reported to the Senate.

Mr. ALLISON. In order to perfect the text of the bill, in line 9, on page 67, before the word "may," I move to strike out "he" and insert "the Secretary of the Interior."

The PRESIDING OFFICER. The amendment submitted by the Senator from Iowa will be stated.

The SECRETARY. On page 67, line 9, before the word "may," it is proposed to strike out "he," and insert "the Secretary of the Interior;" so as to read:

Provided, That agents and others employed under this appropriation shall be allowed per diem, subject to such rules and regulations as the Secretary of the Interior may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each and actual necessary expenses for transportation.

The amendment was agreed to.

Mr. ALLISON. I move the same amendment in line 24, on page 67.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 67, line 24, before the word "may," it is proposed to strike out "he" and insert "the Secretary of the Interior;" so as to read:

Provided, That forestry agents and supervisors, and other persons under this appropriation, shall be allowed per diem, subject to such rules and regulations as the Secretary of the Interior may prescribe, in lieu of subsistence, at a rate not exceeding $3 per day each, etc.

The amendment was agreed to.

The PRESIDING OFFICER. The amendment which was passed over on page 135 will now be stated.

The SECRETARY. On page 135, line 17, in the clause making appropriations "for fees of the United States district attorney for the District of Columbia," the Committee on Appropriations reported to insert the following proviso:

Provided, That the commissions or appointments of United States district attorneys under section 767 of the Revised Statutes, or the act of February 27, 1897, shall expire at the end of the present session of the Senate, and such appointments hereafter made shall expire at the end of the session of the Senate next succeeding the date of the appointment.

Mr. ALLISON. The Senator from Massachusetts [Mr. HOAR] asked that that amendment might be passed over for the Senator from Vermont [Mr. PROCTOR] who is now in his seat.

Mr. PROCTOR. Mr. President, it strikes me that that amendment is subject to a point of order. I have voted a good many times to sustain the Committee on Appropriations on points of order which were not so well taken as would be a point of order against this amendment.

It certainly seems to me peculiar legislation. It is aimed at one or two persons. The fair way would be not to make the provision retroactive. I should have no objection to having it apply to future appointments, but I think it is better to allow the persons who have been appointed to continue in their offices until the President sees fit to change them.

I make the point of order on the amendment.

Mr. GORMAN. I trust the Senator from Vermont will not make the slightest opposition to this amendment.

To cover the case, as it was said, of an emergency one year ago, in 1897, there was passed unanimously through the Senate and through the House of Representatives in one day a small bill authorizing the courts to appoint district attorneys in the case of a vacancy, particularly in the District of Columbia, where there was no such power in the courts. It was not intended by Congress, and never could have been, that such temporary appointments should become permanent appointments, because the law and the Constitution require that such appointments shall be made by the President of the United States, and then be confirmed by the Senate.

Under the provision of the law to which I have referred, the power of the Senate in these cases, which is given to it by the Constitution, is absolutely nullified. Certainly neither the Senator from Vermont nor any other Senator would desire such a condition to continue after this body had pronounced its judgment, and take from us the right to which we are entitled under the Constitution and the law. That is all that this amendment is intended to provide for. Such appointments may run to the end of this session or to the end of any session of Congress where such an emergency occurs, in order to give ample opportunity for the selection of proper persons to fill such offices.

I am certain the Senator from Vermont, after the statement I have made, will not insist upon his point of order, because it can not be applied, as a matter of course, to an amendment reported by the Committee on Appropriations to limit an appropriation contained in the bill. The Senator, I am certain, would not desire to take advantage of an accidental piece of legislation of this character and thus deprive the Senate of the right to exercise its judgment.

Mr. PROCTOR. Mr. President, I have always been inclined to sustain the Committee on Appropriations whenever they raise points of order on new legislation. Certainly I do not know a case where the point of order would apply with any more force than it does to this provision. I should have no objection to it and should not make the point of order were it not for the language, beginning in line 20, which makes the provision apply to appointments already made. If Senators insist upon inserting any such provision, let it cover future appointments, but do not let it have a retroactive effect. The President will no doubt heed the views of the Senate in due time, and so I think it is altogether better to leave the matter where it is, and it will soon settle itself.

Mr. COCKRELL. Let me ask the Senator a question. When that law was passed, was it contemplated that that man should continue in office indefinitely beyond the time for which he was appointed? Was it not in contemplation then that the bill which was passed was to provide for an emergency? Congress has adjourned since that time, and yet no action has been taken by the President.

This is not an ex post facto law. It will operate upon all such appointments made heretofore and provides that they shall expire at the end of the present session of Congress. That ought to be the general law and cover all cases.

Mr. PROCTOR. Perhaps it should be, but it seems to me very clear that this is not the proper corrective to prevent such cases in the future; and this case, of course, the Executive will in due time take care of. I see no reason for taking it out of his hands; and so I make the point of order on the amendment.

Mr. CHILTON. Mr. President, it seems to me that this is one of the most desirable amendments which the committee has reported.

In the present state of the law, United States district attorneys and marshals constitute an exception to the general rule that public officers, when once appointed, shall serve until their successors are qualified. Therefore, when the four years' term of a marshal or district attorney has expired, a vacancy at once arises.

This peculiar situation has been under consideration by the Committee on the Judiciary, and that committee has reported a bill bringing these two offices into harmony with the general rule, and providing that all appointees alike shall hold until their successors are qualified in due course.

To provide against the interruption of justice which would result from vacancies such as I have described in the offices of district attorney, it became necessary several years ago to pass a statute authorizing the justices of the Supreme Court to appoint district attorneys where vacancies occurred in their circuits.

But when a vacancy occurred in the office of the district attorney for the District of Columbia about a year ago it was discovered that no method of filling that vacancy existed. All are familiar with the facts connected with that attorneyship. President Cleveland made an appointment. That appointment was deliberately rejected by the Senate.

Under these circumstances the District of Columbia was about to be left without a district attorney. So, by common consent, a new statute was passed, which applied the principles of the general law to this District and authorized an appointment to be made by the supreme court of the District of Columbia. Strange to say, the very gentleman whose confirmation had failed in the Senate was named by the court under this statute. As the law stands to-day, that man may hold office for two years, five years, ten years, or indefinitely. A district attorney who is appointed by the President and confirmed by the Senate under the greatest solemnity only holds his office for four years, but here is an officer, appointed by a court during an emergency, who may hold his office for an unlimited time. That is indefensible, in my judgment, and it seems to me that the Senator from Vermont should not make the point of order upon an amendment so meritorious.

Mr. LINDSAY. Mr. President, the statement of the Senator

from Texas [Mr. CHILTON] is sufficient of itself to justify the point of order. This is undoubtedly general legislation. It is not pretended that under the law, as the law exists to-day, the persons who are intended to be affected by this amendment are not lawfully in office.

Mr. CHILTON. If the Senator from Kentucky will allow me, I was not so much arguing the point of order as I was presenting the merits of the question and seconding the suggestion made by the Senator from Maryland [Mr. GORMAN] that the Senator from Vermont [Mr. PROCTOR] should withdraw his point of order.

Mr. LINDSAY. Then it is not necessary to argue the point of order. The amendment is general legislation, it is clearly prohibited by the rule, and the point of order ought to be sustained.

Mr. HOAR. Mr. President, I suppose that there is no question in the mind of any Senator that the amendment is liable to the point of order if it shall be insisted upon. I have not thought it a very important matter one way or the other, but I suppose—speaking now only for myself—that the gentleman referred to is a very good officer. The judge seems to have continued him in office, to have reappointed him, or to have made a temporary appointment, and the President seems to have delayed the appointment of his successor for a considerable time longer than was expected when the appointment of the present incumbent was made.

But if this law should pass and for any reason it was to be presumed that within a week or two or a day or two the President would be ready to make an appointment, I would suppose the judge would be likely to continue this gentleman in office for a brief time rather than to have a new officer learn all the duties of the office, give a new bond, take a new oath of office, and all that. So it strikes me, with great deference to the Senators who have urged the adoption of the amendment, that it is not a very important matter one way or the other.

Of course nobody can supppose for a moment that a practice will grow up with any President, or that any judge will be likely, without very extraordinary reasons, to continue in office any person after he had once been rejected by the Senate. Still, the point of order being made, I suppose no Senator doubts that it is well taken.

The PRESIDING OFFICER. If no other Senator wishes to be heard upon the point of order, the Chair is ready to decide the question.

Mr. GORMAN. Let the Chair decide.

The PRESIDING OFFICER. The Chair is of the opinion that the point of order is well taken, the proposed amendment being general legislation. Therefore the Chair holds that it is not in order.

Mr. GORMAN. I offer an amendment, which I send to the desk, which I think comes within the rule limiting this appropriation.

The PRESIDING OFFICER. The amendment submitted by the Senator from Maryland will be stated.

The SECRETARY. On page 135, line 17, in the clause making appropriations "for fees of United States district attorney for the District of Columbia," after the word "dollars," it is proposed to insert:

Provided, That no part of the appropriation authorized in the two preceding paragraphs shall be used to pay salary, fees, or expenses of a district attorney appointed under section 767 of the Revised Statutes or the act of February 27, 1897, for a time beyond the end of the session of the Senate next succeeding the date of said appointment.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. DAVIS. I offer the amendment which I send to the desk, to come in after line 9, on page 4.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 4, after line 9, it is proposed to insert:

For the post-office, court-house, and custom-house, St. Paul, Minn.: The limit of cost of building, including heating and ventilating apparatus, fireproof vaults, elevators, and approaches, complete, is hereby extended $250,000; and the Secretary of the Treasury is authorized to contract for the completion of said building as aforesaid, within said limit of cost, in accordance with amended plans of said building to be prepared by the Supervising Architect of the Treasury; and the Secretary of the Treasury is hereby directed to cause suitable accommodations to be provided in said building for all officials of the United States located in said city who are entitled to quarters in public buildings.

Mr. ALLISON. The amendment submitted by the Senator from Minnesota [Mr. DAVIS] was considered by the Committee on Appropriations, and the committee regarded it as exceptional as respects public buildings; and therefore, while not incorporating it in the bill, the committee instructed me to make no point of order upon it, though it is in the nature of legislation which would subject it to a point of order if made. I do not, however, make a point of order.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from Minnesota.

The amendment was agreed to.

Mr. CULLOM. I offer the amendment which I send to the desk, to come in on page 105, after line 2.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 105, in the clause making appropriations for "improving falls of the Ohio River at Louisville, Ky.," after the word "dollars," in line 2, it is proposed to insert:

Of which sum $15,000 shall be used for restoring the banks of the Ohio River at or near Shawneetown, Ill., recently swept away by the high waters on said river, such sum to be immediately available.

Mr. CULLOM. I hope that amendment may be adopted.

The amendment was agreed to.

Mr. PETTUS. I propose for the consideration of the Senate the amendment which I send to the desk, to come in on page 98, after line 16.

The PRESIDING OFFICER. The amendment will be stated.

The Secretary read as follows:

To provide for the coaling of ships of war and their tenders, barges, and other vessels at the wharves and elevators at the city of Mobile, and for victualing and watering of ships of war at said wharves, $200,000, to be expended, under the direction of the Secretary of War, in deepening and widening of the channel leading into Mobile Bay from the Gulf of Mexico and up to the wharves at Mobile, Ala.

Mr. PETTUS. This amendment is a very important one concerning our present situation. The outer bar of Mobile Bay has gradually washed out until there is now a depth of about 23 feet. Many of the war vessels, however, can not come over that bar. After passing the bar a few miles, the entrance to the harbor is guarded on one side by Fort Morgan and on the other side by Fort Gaines.

In case of war Mobile Harbor is the best place in the United States, so far as price goes, to obtain coal for our vessels. As it is now situated, our larger vessels can not go over the bar there at all. The bar is only a little more than a quarter of a mile wide. It has been washed out by the regular current of the river, within my recollection, some 6 or 8 feet without any sort of assistance.

The object of the amendment is to secure to our vessels passage into Mobile Harbor, where they will be under the protection of the forts, because as soon as they pass over the bar they will be in what is called the lower bay, where there is an abundance of water. They will be there under shelter, and they will be there where they can obtain a supply of coal more cheaply than they can obtain it at any other place in the United States.

I hope the Senate will allow the amendment to pass.

Mr. ALLISON. I shall not at this moment make any point of order on the amendment, although I was not aware until I had conversed with the Senator from Alabama that the Committee on Commerce had rejected it; but, if this appropriation is to be made, it must be made upon the very exceptional grounds stated by the Senator from Alabama, and it should be done by unanimous consent, so that it may be thoroughly understood that we are not to convert this bill into a river and harbor bill. If the emergency is such and if the conditions are such that the amendment should be inserted here by unanimous consent, without suggesting other amendments in the nature of river and harbor amendments, I shall not object; but unless it can be understood by Senators that it is an emergency amendment, and that it is so regarded by the Committee on Commerce, I think it should not be in this bill.

Mr. MORGAN. Mr. President——

Mr. FRYE. Does the Senator rise to address the Senate on the pending amendment?

Mr. MORGAN. Yes.

Mr. FRYE. I am called out, and will ask the Senator if he will allow me to offer an amendment which will take but a moment?

Mr. MORGAN. Yes.

Mr. FRYE. I desire to offer an amendment to come in on page 25, after the words "Revised Statutes," in line 15.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the words "Revised Statutes," in line 15, on page 25, it is proposed to insert:

Provided further, That the Secretary of the Treasury is authorized to purchase, from the appropriation for the maintenance of the Revenue-Cutter Service, uniform clothing for the enlisted men of said service, the same to be sold to the crews of vessels in service: *Provided*, That the actual cost of the clothing thus supplied to enlisted persons shall be withheld from their pay and repaid to said appropriation.

Mr. FRYE. This amendment is rendered necessary by the fact that nine revenue cutters have been ordered into service and that the men are without uniforms.

Mr. COCKRELL. How are the uniforms furnished to others—are they furnished by the Government?

Mr. FRYE. No; by themselves; but they will be relieved by this provision. They all pay for their own uniforms.

Mr. COCKRELL. This amendment does not place these men in a different position from the others?

Mr. FRYE. No. This amendment provides that they shall

pay the amount back to the Secretary of the Treasury when the appropriation is made.

The amendment was agreed to.

Mr. HOAR. I desire to ask the Senator from Iowa for my own information whether he proposes to finish the pending bill this afternoon?

Mr. ALLISON. That is not my purpose.

Mr. HOAR. If it be not the purpose of the Senator, I wish he would allow this amendment to go along with the others.

Mr. MORGAN. I believe I have the floor.

The PRESIDING OFFICER. The Senator from Alabama declines to yield.

Mr. HOAR. I did not know the Senator had the floor.

Mr. MORGAN. I know you did not.

The PRESIDING OFFICER. The Senator from Alabama [Mr. MORGAN] had the floor and yielded to the Senator from Maine [Mr. FRYE].

Mr. FRYE. I inquire of the Chair if the amendment offered by me has been adopted?

The PRESIDING OFFICER. That amendment has been agreed to. The question now is on the amendment offered by the Senator from Alabama [Mr. PETTUS].

Mr. MORGAN. I want to make a single remark about the amendment offered by my colleague [Mr. PETTUS] before the Senator from Maine [Mr. FRYE] leaves the Chamber. He is chairman of the Committee on Commerce, and the chairman of the Committee on Appropriations stated that the Committee on Commerce thought the amendment ought to be rejected on its merits when it was pending in that committee. I think that is not the fact.

Mr. FRYE. No; it had not been rejected on its merits, but rejected under a rule adopted by the committee that whatever was legitimate to a river and harbor appropriation bill we would report adversely to the Senate to be placed upon another bill.

Mr. MORGAN. My colleague has stated the exceptional circumstances and the exceptional necessities in regard to the amendment submitted by him. I merely want to add that the officers of the Navy and the officers of the Army concerned in this matter are very anxious to have this appropriation made for military purposes, if for nothing else, and that the whole purpose of the amendment is to enable ships to get up to the wharves of Mobile over the outside bar, where they can get elevators for the purpose of coaling and get water and supplies. It is now costing us an immense amount of money to secure coal and other supplies. Our vessels, as we have seen already, have had to leave the Dry Tortugas on account of drought there, and they are hauling in hundreds of thousands of gallons of water, seeking to supply the cisterns at Dry Tortugas. It is a very important matter.

Mr. COCKRELL. What is the object of the appropriation?

Mr. MORGAN. To clean out, or, rather, to enlarge, the channel leading from the wharves at Mobile out to deep water.

Mr. COCKRELL. I thought that channel had been cleaned out.

Mr. MORGAN. Not to a sufficient depth, as stated by my colleague, to permit vessels of the largest draft to pass over the bar.

Mr. BACON. What is the amount of the appropriation?

Mr. MORGAN. Two hundred thousand dollars.

Mr. ALLISON. I desire to reserve the point of order upon this amendment, unless there is unanimous consent that it shall come in upon the grounds stated by the Senators from Alabama.

Mr. MORGAN. That is the only ground on which we offer it. It is not an ordinary river and harbor improvement.

Mr. ALLISON. I am notified on this side of the Chamber that for the same reasons and upon the same grounds other amendments will be offered to the bill; and it is not my purpose, representing the Committee on Appropriations, to allow the pending measure to be converted into a river and harbor bill. I think there is great force in the suggestions which have been made by the Senators from Alabama; but if the effect of this shall be that it will be followed by other amendments of a similar character, I shall be bound to raise the point of order upon the amendment.

Mr. MORGAN. I wish to say just a word.

Mr. GRAY. Will the Senator from Alabama yield to me for a moment?

Mr. MORGAN. Certainly.

Mr. GRAY. I hope the Senator from Iowa will not take grounds which it seems to me, without intention on his part, of course, are not thoroughly patriotic. If there is ground for this amendment such as the Senator from Alabama states, that it is in some way a war measure, that it is necessary for the carrying out of the schemes of the Navy in regard to loading and unloading vessels and supplying our fleets, then any other harbor to which the same applies ought to be upon the same footing, and unless such other harbor shall be upon the same footing, of course it need not be considered.

I want to advise the Senator now that I have an amendment in regard to the very important harbor of Wilmington, in the State which I in part represent, where three of the oldest and largest shipbuilding plants in this country are located and in active operation and are now doing work for the Government. They are seriously hampered by the exceptional fact that the appropriation of $225,000, made two years ago under the contract system, of which $100,000 was made available, has utterly failed because the board of engineers reported that there should be an increase in the limit of cost. Therefore nothing has been done for two years under the appropriation available, while the War Department and the Navy Department are all interested. Two vessels of the Navy are now being built there which will find serious difficulty in getting out.

Mr. ALLISON. Mr. President, I do not intend to be put in the attitude of wanting in patriotism as respects this question either by the Senator from Alabama or any other Senator. I know the situation of the Senator from Delaware with respect to his harbor, and I should be very glad myself to allow the amendment suggested by him to be inserted in the bill; but if any amendments are to be inserted in the bill in the nature of river and harbor improvements, they must be inserted by unanimous consent and be put upon the ground suggested by the Senator from Delaware, or else I shall make the point of order upon every one of them.

There is no Senator here who does not know perfectly well that a bill as to any river or harbor or any portion of this Union which it is necessary for the United States to use, occupy, or improve for the purpose of carrying on war, if we shall be engaged in war, will pass the Senate and the other branch of Congress without a moment's hesitation. Therefore I wish simply to put myself in the position of opposing river and harbor amendments upon the sundry civil bill. I am willing that these appropriations suggested as war measures may be put on the bill; but they shall not be put on without a point of order, except for that reason.

Mr. PETTUS. I appeal to the Senator from Iowa to let this amendment pass on its merits. Let whatever may come hereafter be met in its proper time. This work ought to be done, and I ask the unanimous consent of the Senate that the amendment may be put upon the bill.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent that the amendment submitted by him may be adopted as a part of the pending bill. Is there objection?

Mr. STEWART. I shall certainly not object, but I wish to suggest to the Senator from Iowa that the invitation to make this a river and harbor measure did not come from his committee or from the Senate, but from the other House. There are in the bill several items—I do not know how many—of appropriations in that class of cases where contracts were authorized, but where no contracts have been made, and the only reason for the appropriation is to carry out existing law. This brings in selected cases while the great mass of cases are left out. It seems to me it would have been wiser if we could have had from the other side a river and harbor bill, so that we could all have had an equal chance.

I certainly shall not object to this amendment. It appears to be a matter of necessity, but this bill must be construed and considered a river and harbor measure to all intents and purposes by those who will read it. It is said that it is to be confined to those projects where contracts are authorized. That does not do any good, because the committee can not know whether the improvement will exceed the limit until the contract is made. Nobody ever thought of turning it over to the Committee on Appropriations until the contract is made. The fact that the authorization of a contract is made amounts to nothing. You go on as if there were no such authorization. If you are going to appropriate when no contract is made, you have an original river and harbor bill, and it is not fair, because here are all these other items. If you are going to have a river and harbor bill, let them come in regularly.

This makes a selection and without such discrimination as the committee would make if it were brought before them. Does anybody doubt that the appropriations desired by the two Senators before me, the Senator from Alabama and the Senator from Delaware, would be granted if we had before us a river and harbor bill? These items may yet be stricken out in conference if you get them in. So I say this seems to me an irregular way of doing business, although there ought not to be any objection to either of these propositions.

Mr. ALLISON. I move that the Senate adjourn.

Mr. HOAR. I hope the Senator from Iowa will withdraw his motion.

Mr. ALLISON. Very well. This is a matter that can not be disposed of in a moment, however.

I wish to say to the Senator from Alabama that I am not hostile in any sense, and I do not know anyone who is, to his amendment, but if this is a measure necessary to our national defense, we have a committee in this body which deals with that class of

questions; and if it shall come here as a measure of national defense, I certainly shall not object to it, nor will I object to any suggestion that comes here as a measure of national defense. But no committee has passed upon this question, and so far as I know no Department has suggested it. I will not be put in hostility to the amendment, but I do not agree that it shall go upon this bill until we have had some further investigation. Therefore I do not wish either to agree to accept or to exclude the amendment at this moment.

Mr. PETTUS. Will the Senator from Iowa yield to me for a moment?

Mr. ALLISON. Certainly.

Mr. PETTUS. The Senator from Iowa said he would not object if the amendment could be agreed to by unanimous consent. It was agreed to by unanimous consent.

Mr. ALLISON. I ask the Senator from Alabama when it was agreed to by unanimous consent?

Mr. PETTUS. The Chair so announced.

Mr. ALLISON. Certainly the Chair could not have made such an announcement when I was on my feet ready to make objection.

The PRESIDING OFFICER. The Chair will state, so that there may be no misunderstanding, that the Chair, on the suggestion of the Senator from Alabama, asked whether the unanimous consent of the Senate would be granted, and at the moment of closing, the Senator from Nevada [Mr. STEWART] addressed the Chair and was recognized. Of course, the Chair made no decision upon the question of granting unanimous consent.

Mr. ALLISON. I am willing that this matter shall lie over until to-morrow, just as it is, in order that we may see what measures are to be presented here for consideration upon grounds of national defense. I suggest to Senators who have amendments of this character that they secure the recommendation of the committees having charge of national defense upon these subjects and not open the door here to a river and harbor bill. I ask that the pending bill may be laid aside for the day.

Mr. TELLER. I was about to ask if the Senator from Iowa would not allow the bill to be laid over.

The PRESIDING OFFICER. The Senator from Iowa asks that the pending bill may be laid aside until to-morrow. Is there objection? The Chair hears none, and it is so ordered.

RIGHT OF WAY THROUGH PUBLIC LANDS.

Mr. TELLER. Some days since I asked the Senate to recall from the other House the bill (H. R. 1595) to amend an act to permit the use of the right of way through public lands for tramroads, canals, and reservoirs, and for other purposes, in order that I might move an amendment to an amendment which had already been adopted, as I thought, without proper examination. The bill was sent back from the House of Representatives, and the vote by which it was passed reconsidered, and the amendment was reconsidered. It is now on the Calendar, and I desire to submit an amendment to it. I will state that all of the parties who are interested in the bill have seen the amendment and all agree that it is proper.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent for the present consideration of the bill indicated by him. Is there objection? The Chair hears none, and the bill is before the Senate.

Mr. TELLER. In lieu of the amendment found on page 2, commencing in the twenty-eighth line, I move to insert what I send to the desk.

The SECRETARY. In lieu of the amendment beginning in line 28, page 2, it is proposed to insert the following proviso:

Provided, That the Secretary of War is hereby authorized to secure from the State of Texas the necessary land on which to build a dam on the Rio Grande River at or near El Paso in that State. No reservoirs for the storage of water shall be built on said river within the boundaries of the Territory of New Mexico without an act of Congress authorizing the same.

Mr. COCKRELL. Is that the amendment suggested by the Senator from Colorado?

Mr. TELLER. Yes.

Mr. COCKRELL. What is the object of it?

Mr. TELLER. I will read the amendment as the committee reported it and as it passed the Senate, which has been reconsidered. That amendment went very much further, I think, than anybody who examined it supposed it did.

Provided, That nothing in this act or the act approved March 3, 1891, entitled "An act to repeal timber-culture laws, and for other purposes," or the act approved January 21, 1895, entitled "An act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes," or the act approved February 26, 1897, entitled "An act to provide for the use and occupation of reservoir rights reserved," shall be so construed as to authorize the appropriation or storage of the waters of any stream or river, State, interstate, or international, to which others below have right by prior appropriation, or the obstruction or interference with the navigable capacity of such streams or rivers; and such appropriation or storage, obstruction or interference, is hereby prohibited.

That is a very sweeping amendment, and when the attention of those who desired it was called to it they admitted that it went way beyond what they anticipated, it being drawn by somebody outside of the Senate, I understand. The present amendment accomplishes just what they want to accomplish and does not interfere with the people who are irrigating on the upper parts of those streams.

Mr. CARTER. Will the Senator from Colorado permit me? The amendment which was finally incorporated in the bill and passed by the Senate was not, I think, fully understood by the Committee on Public Lands. Since the passage of the bill and the adoption of the amendment its sweeping character has become quite obvious. I am inclined to think that objections will lie to the amendment proposed by the Senator from Colorado. I am informed that certain litigation is now pending before the Supreme Court of the United States involving questions this bill touches so far as the Territory of New Mexico is concerned. I am not advised as to the extent or the manner in which the proposed amendment might affect the rights of the parties now litigating in the Supreme Court.

As I understand, the question involved in the case is whether a reservoir can be constructed or a dam built in the river or a ditch or canal constructed to divert the water from the channel of the stream in the Territory of New Mexico in such manner as to interfere with navigation in the lower river in Texas or along the Mexican border. That is a very serious and momentous question, and I believe it would be better, all in all, to recommit the bill and the proposed amendment to the Committee on Public Lands.

Mr. TELLER. I will state that my amendment does not go to the extent the Senator from Montana indicates. It merely prevents the building of a storage reservoir on that river without the consent of Congress, and no such reservoir ought to be built except with the consent of Congress.

Mr. MILLS. That is right.

Mr. TELLER. But if there is to be any debate or trouble about it, I move to have the bill, together with my amendment, recommitted to the Committee on Public Lands.

The motion was agreed to.

THE HUBBARD COLLECTION OF ENGRAVINGS.

Mr. WETMORE. I ask unanimous consent for the present consideration of the joint resolution (S. R. 139) authorizing the Librarian of Congress to accept the collection of engravings proposed to be donated to the Library of Congress by Mrs. Gertrude M. Hubbard.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the Librarian of Congress is hereby empowered and directed to accept the offer of Mrs. Gertrude M. Hubbard, widow of the late Gardiner Greene Hubbard, communicated to him by the following letter, on the terms and conditions therein stated; and to communicate to Mrs. Hubbard the grateful appreciation of Congress of the public spirit and munificence manifested by said gift:

WASHINGTON, D. C., *March 21, 1898.*

MY DEAR SIR: I hereby offer to the Congressional Library, for the benefit of the people of the United States, the collection of engravings made by my husband, the late Gardiner Greene Hubbard, and in addition thereto the art books, to be treated as part of the collection.

This disposition of the collection, the gathering of which was to him the pleasure of many years chiefly devoted to the welfare of his fellow-men, is in accordance with his wishes, and is that which would give him the greatest satisfaction.

I desire that a suitable gallery in the Library be devoted to this collection, and such additions as may from time to time be made to it, to be known as the "Gardiner Greene Hubbard Gallery," where it can be accessible to the public, to be studied and enjoyed under such reasonable regulations as may be made by Congress or by the authority to whom Congress may delegate the control of the Congressional Library.

Accompanying the collection is a bust of Mr. Hubbard by Gaetano Trentanove, which I desire may be kept in a suitable place in the gallery.

I propose during my lifetime to add to the collection from time to time, and in my will to make provision for increasing the collection by creating a fund of $20,000, to be placed in the hands of trustees, the interest of which is to be used by the Librarian of Congress in the purchase of additional engravings, it being my understanding that the expenses incident to the proper care of this collection will be borne by the Congressional Library and not be a charge against this fund.

I am, very sincerely, yours,

GERTRUDE M. HUBBARD.

The Hon. JOHN RUSSELL YOUNG,
Librarian of the Congressional Library, Washington, D. C.

Mr. MILLS. What is the value of the proposed donation?

Mr. WETMORE. I understand it is very considerable. I think the honorable Senator from Massachusetts [Mr. HOAR] can inform the Senate more fully on that point.

Mr. HOAR. Mr. President, it is impossible, I suppose, to fix the absolute value of the collection, but it was the work of this gentleman for a great many years. He was a man of very large wealth, and it is one of the finest collections in the world. I suppose a great many thousand dollars might easily be obtained for it if it were offered for sale. Mr. Hubbard for many years collected rare and costly engravings, in some instances the only copies in existence, all over the Continent of Europe. An expert came on from the city of Boston the other day, one of the most eminent experts in this country on that subject, and he made a comparison of it with the Gray and Randall collection, which is

the property of Harvard College. Those two collections have now become one, and are the property of Harvard College, and they are kept for the public advantage in the Art Museum in Boston. They constitute undoubtedly the most valuable collection in this country, and one of the few principal collections in the world. This gentleman reports that this collection compares very favorably with that, and that in some departments it is much richer.

I suppose it would be like asking what is the value of a famous picture. No money estimate could be put on it. But I have no doubt it is worth a good many thousand dollars—a hundred thousand dollars or a hundred and seventy-five thousand dollars, but I can not say exactly.

Mr. MILLS. I would have no objection, of course, to accepting this donation by Mrs. Hubbard, but it seems we are to pay a price that is of some value. A gallery is to be set apart and known by his name, which is about equivalent to building a monument to him for all time to come, or as long as the Library lasts. That is a very distinguished honor to be conferred on an individual when we come to think that some of the most illustrious names written on the pages of our history are not mentioned in the Library and that there are no busts and no monuments to represent them. It seems to me we ought first to commence to build monuments to the great men of this country, the men who have been conspicuous in building up the Library. I should like to see there a bust of Thomas Jefferson.

Mr. HOAR. I understand the apartment to be devoted to this purpose is already used for engravings. It is not a new appropriation of a gallery, and I hope and believe that this will be a very great event in the history of the National Library and will be an example and stimulant to other benefactors.

Mr. BACON. Mr. President, the suggestion of the Senator from Massachusetts [Mr. HOAR] gives the reason why I am not willing that the joint resolution shall be passed. I do not think the Congressional Library ought to be converted into an establishment for commemorating the munificence or generosity of those who may desire to perpetuate their names in that way.

The joint resolution provides not merely that we shall accept this donation, but that a particular part of the building shall be set apart and be known by the name of the donor or rather that of the person whom she represents. If it is accepted, of course, it is but the beginning of a great number of such things. There is the most magnificent building in the world, and there is no place probably in this whole country where men of wealth would more delight to perpetuate their memories than by seeking to have Congress follow in their cases the precedent which we are asked to set here to-day. This grand public building should not be converted into a series of memorial halls for those who may have the means to make costly donations to the Government.

Mr. President, I do not think the Library is intended for the perpetuation of the memory of any particular man unless it is somebody connected with the Library, either with its inauguration, or in the work of its construction, or in its organization, or in its superintendence, certainly of persons connected with the Government; and it should not be used for the purpose of gratifying the wish of private individuals who, through their opportunity and ability to make donations of this kind, may have their names linked with this great enterprise and this great public work.

Mr. President, this is a country in which there is a great deal of wealth. It is a country in which there is going to be more of wealth than there is now. It is most laudable on the part of those who possess wealth that they should make benefactions of this kind; but I desire that they shall do it in a way not to convert this public institution into what would be a very different establishment from what it was originally designed to be. We have in this city a most notable monument to the generosity of a most liberal benefactor in the case of the Corcoran Art Gallery. I should be more than delighted to see that precedent followed, but I hope that we will not by the passage of the pending joint resolution inaugurate that which will be followed in innumerable instances in perpetuating in the Congressional Library the memories of private citizens, or else we will have to make a distinction and say we will allow it in one case and not in another.

Now, if this collection or any other collection is sought to be donated to the Government, I am in favor of accepting it; but I am not in favor of accepting it upon the conditions prescribed in the joint resolution, that it shall not only be placed in the public Library, but that a part of the public Library shall be set apart and known by the name of the party whose donation and personality are thus sought to be made perpetual and famous through all time.

Mr. HAWLEY. Mr. President, if this collection should be taken to the national gallery it would be inevitably called and known everywhere as the Hubbard collection. It is a very wonderful collection of costly etchings and they are of the very highest merit. I have had the honor to look over the collection to some extent. I did not endeavor to examine all of its treasures. It ought to be in the national gallery, and if it goes there it will have a name. People will instinctively call it the Hubbard collection. They will want to know where it is, so that they can go and examine those etchings, some of which are of great historical interest. I do not care about calling it the Hubbard gallery or anything of that sort, but I would be perfectly willing to accept it as the Hubbard collection of etchings.

Mr. SPOONER. I rose to suggest to my friend from Connecticut that years ago there was accepted from Dr. Toner——

Mr. HAWLEY. I used that name just now by mistake, thinking of the Toner collection.

Mr. SPOONER. I beg pardon. I did not know the Senator had it in mind.

Mr. HAWLEY. Dr. Toner was a distinguished physician here who expended large sums of money, and had made it a study to collect, along with other matter, medical works of all sorts, those of the ancient and a newer time. He gave his collection to the Government, and every lover of books and of libraries, and all men in the medical profession especially, were grateful to him. That collection was placed in the Library of Congress.

I think it a very excellent thing to tempt men of wealth, men who have spent lives upon what you may call fads, to bestow such gifts upon some State or national gallery. The national gallery may as well enter into the field of competition with the other institutions that are very glad to welcome such bequests. Put above the collection a bust, if you choose, and let them call it a collection or anything of the sort. We could not escape calling it a collection if it should be given to the Government without any condition whatever.

Mr. HOAR. Mr. President, this collection contains, among other things, the finest collection in the world of prints illustrating the life of Napoleon, I dare say Senators may have seen the account of a very small part of this collection in one of the magazines lately. It was not only interesting in the history of art, but a great deal of it was entirely new to the public, illustrating the life and history of Napoleon. It is of great historic value. There are in the collection, I believe, a very large number of Rembrandts. In some of the schools the collection is wonderfully rich. I wish I had the report which the expert made about the treasures and the value of the collection.

This nation is distinguished from all others in the fact that what is done by public beneficence elsewhere is done by private munificence here. We have no great state university. We have no state churches. The Smithsonian Institution is the result of the private benefaction of an Englishman, and we call it by his name.

Mr. CULLOM. Will the Senator be satisfied simply with the name being applied to the collection and not to a gallery?

Mr. HOAR. It seems to me there is very little difference in the two things. It is the phrase which will occur to anyone.

Mr. CULLOM. I know; but as there is no such gallery, simply give the individual name to the collection.

Mr. HOAR. One of the hundred square apartments, it is proposed by the Librarian and the Library Committee, shall be set apart for that purpose, and it will inevitably have that name. The people of this country pour out their wealth like water in some of these directions. It seems to me that it is a small recognition of so sumptuous and magnificent and unparalleled an example to the benefactors of the country to give a name to a small portion of that building in honor of this deceased gentleman whom we all knew.

Mr. Hubbard's life was a life of public benefaction. A number of things his wisdom and business ability have made practical. He took the telephone, the product of the genius of his son-in-law, introduced it to the world, and made it the instrument of civilization and of commerce in bringing mankind close together. He took what was almost a mere fancy, the teaching of the dumb articulate speech, and over every obstacle (his plan was dismissed from the Massachusetts legislature on the ground that it was a mere fad) he carried into effect that wonderful process which has opened a new avenue to the soul of the dumb. He was the builder of the first street railroad in this country, with a single exception, I think. He was one of the earliest men in introducing gas lighting into cities. So great an organizer was he that at the meeting held in his honor there were some eight or ten of the gentlemen, who were representatives of great leading institutions of charity and of education, each making a separate address setting forth the great services that Mr. Hubbard had rendered to the departments under their special charge. He died at the age of 77, working himself to death and breaking down, losing his life as a martyr in his devotion to the success of the great southern exposition at Nashville.

Perhaps if the proposition had been made otherwise it would have made no difference; but when this magnificent gift comes with the suggestion that an apartment be set apart for this collection where others will be gathered, and that it shall be called the Hubbard gallery, it seems to me it would be a great pity to interpose with a suggestion of a change or an amendment or a

criticism. Within the few days since this letter was written and communicated to the chairman of the Committee on the Library this excellent lady has spent hundreds of dollars in increasing the value of the collection.

Mr. GRAY. May I ask the Senator from Massachusetts from whom does this proposition come?

Mr. HOAR. It comes from Mrs. Hubbard.

Mr. GRAY. The widow?

Mr. HOAR. The widow of Gardiner G. Hubbard.

Mr. BACON. Mr. President, I do not depreciate in any manner the value of this gift, nor do I desire to be understood as unappreciative of the generosity of the donor, but I am earnest in the belief that it would be a most egregious error on the part of the Government of the United States to accept a donation of this kind from anyone, whatever may be the value of it, upon the terms and conditions which are imposed. We have to accept this donation with the conditions or not at all, unless the conditions are voluntarily changed by the donor.

I am perfectly willing that this collection should be accepted by the Government, and that we should agree to place it in the Public Library, and I am perfectly willing that it should be known as the Hubbard collection; but I am utterly unwilling (and I trust the Senate will come to the same conclusion) that a portion of that building shall be set apart in the name of any man, living or dead, now or for any time in the future. And yet that is the condition upon which it is proposed to make this donation.

Mr. HAWLEY. What does the Senator say to the Smithsonian Institution, where the whole institution was given upon conditions?

Mr. BACON. I shall be more than delighted if they will give us a fund which will enable us to build a structure in which this collection can be placed. That is what was done by the benefactor in that case. Or, if you please, if a donation of any kind is made to us of sufficient value, I will agree that we ourselves shall appropriate so much money to build a structure for it. But that is a very different thing from putting it in the Library building.

Mr. HOAR. If the Senator will pardon me, I have no doubt that this gift is of much more value than the original amount given by James Smithson.

Mr. BACON. That may be; but if it were a hundred times the value, so much the more would I object to it, because that is a great public building, representing the great public of the United States, and not designed for the commemoration of any man either as to his munificence, or his beneficence, or his virtues, or the love that was his through all the community while he lived or after he was dead. That is not the design of it.

Mr. President, I will state the conditions of this gift: First, that this collection shall not only be known as the Hubbard collection, but that it shall be set apart in an apartment to be known as the Hubbard Gallery.

Mr. PASCO. That is not the full name.

Mr. BACON. I am abbreviating it, of course.

Mr. PASCO. It is to be known as the Gardiner Greene Hubbard Gallery.

Mr. BACON. Of course I simply used the surname by way of expedition. The name is put here in full and in quotation marks, showing that the entire name is intended to be used:

> I desire that a suitable gallery in the Library be devoted to this collection, and such additions as may from time to time be made to it, to be known as the "Gardiner Greene Hubbard Gallery"—

Those words are in quotation marks to show that that name is to be held inviolate and not to be changed—

> where it can be accessible to the public, to be studied and enjoyed under such reasonable regulations as may be made by Congress, or by the authority to whom Congress may delegate the control of the Congressional Library.

Now, Mr. President, if we say that by reason of the fact that a man has been eminent in life, that he has been——

[Mr. HOAR spoke privately to Mr. BACON.]

Mr. RAWLINS. Mr. President, we can not hear what is being said.

Mr. GALLINGER. Mr. President, Senators can not be heard.

Mr. HOAR. Mr. President, I thought, if the Senator from Georgia will pardon me, that it was not improper under the circumstances to make a suggestion to the Senator who was speaking.

Mr. BACON. The Senator from Massachusetts desires to suggest an amendment.

Mr. HOAR. I wish to ask the Senator from Georgia if he will allow me to suggest an amendment which will probably remove his objection and save the time of the Senate.

Mr. BACON. Certainly.

Mr. HOAR. I move to amend the joint resolution, in line 5, where it says, "communicated to him by the following letter, on the terms and conditions therein stated," by making it read, "except that the collection shall be known as the Gardiner Greene Hubbard collection," instead of giving the name to a part of the building. Of course that will require the lady's consent to the modification I have proposed.

Mr. BACON. There is another condition here which I had not spoken of, which is a most important one, a more important one really than that which has already been considered. Of course I am perfectly willing, as I said in the beginning, that the collection shall be received, and that it shall be taken into the Library, and that it may be known by that name; but there is another condition that we are equally bound by, and I suggest it to the Senator from Massachusetts:

> Accompanying the collection is a bust of Mr. Hubbard, by Gaetano Trentanove, which I desire may be kept in a suitable place in the gallery.

That is also a condition. How many men would give a million dollars to have their busts put into that building, to be kept there for all time?

Mr. HOAR. There are the busts of nine persons on the outside of that building now, saying nothing of a very considerable number of statues. There are two busts of recently deceased citizens of one small town.

Mr. BACON. I am aware of that fact; at least I am aware of the fact that there are busts there. I did not know that there were busts of two from one town placed there. But that is not the point, Mr. President.

Mr. MILLS. It ought not to have been done either. I have criticised that all along.

Mr. BACON. Even conceding, which some people do not, the propriety of that, the question is whether we ought to accept a donation from anyone on such a condition. I certainly do not in any manner desire to cast any reflection upon the entire propriety of placing this bust, as well as any other bust, there; but the question is as to the propriety of accepting a donation from anyone, I care not who he may be or how high he may be, accompanied with a condition that his bust shall go into that Library building. I do not care if it was an ex-President of the United States or the General Commanding the Army; I care not who it is; there ought never to be accepted as a gift to the Library anything coupled with a condition that a bust of the party or of anybody else shall be placed in the building. In what way can we concede it in this instance and deny it in others?

The Senator from Massachusetts has suggested that this discussion is not a pleasant one. I certainly desire no personal reflection upon Mrs. Hubbard. There is no question but that she is a most estimable lady and that her husband was all that the Senator from Massachusetts states he was. I can not be too emphatic in saying that the objection which I make to this donation upon the conditions stated I would make to a similar proposition coming from the representative of any man who ever lived in this country. I think it is wrong in principle, and therefore I suggest that the amendment proposed by the Senator from Massachusetts will not of itself be sufficient.

Of course I am only one Senator here. I do not know how many may agree with me about this matter, but so far as I am concerned, I am perfectly willing that the collection shall be received. Of course it will be known by the name of Mr. Hubbard. I am perfectly willing that it shall be kept in the Library, that it shall be assigned to a place in the Library.

Mr. CULLOM. And that it shall be called the Hubbard collection?

Mr. BACON. And that it shall be called the Hubbard collection. Of course it would be so called. But I am utterly unwilling, as to this collection or any other collection, that there shall be a precedent set by which anyone who may possibly have the means may convert what is a great public building into a building for the commemoration of the virtues, if you please, of himself or of any man, living or dead.

Mr. LODGE. Mr. President, this proposition is certainly not an uncommon one in the management of any great national collections or any great national libraries. In our own Library here—the Library of Congress, which we are now discussing—there is the great Toner collection, with the portrait of the donor.

Mr. WETMORE. And his bust also.

Mr. LODGE. I am told that his bust also is there. I knew there was a portrait. It is a great collection of Americana, especially relating to Washington. There is a room set aside for the collection, and his bust and portrait are there. The Louvre in Paris is the greatest collection of art and antiquities in the world. There is in it everything that can be imagined. It is the greatest museum undoubtedly in the world with the exception, possibly, of the British Museum. There is in the Louvre one great room given to the collection of Lacaze, a collection of pictures, with his portrait, which was a condition in the will. It is not an uncommon thing. On the contrary, it is usual in great national libraries or in libraries or galleries of any kind where a donor makes a gift of sufficient importance to be of general public value to set it aside as a collection by itself and to place with it as a memorial of the giver his bust or his portrait.

I do not think the nation is likely to be burdened with many

such gifts. The fact that we take one great and exceptional gift of books or engravings or something of that kind does not in the least deprive us of the right of discretion and judgment as to others that may come later. I know in the Art Museum at Boston many bequests with conditions like these have been refused where the bequest was considered trivial or was not worth assigning a great place to. Those are things that must be left to the judgment of the managers.

It seems to me that it is not an unreasonable or unusual request that if this great collection is given to the nation a place shall be set aside for it, and that the bust or portrait of the donor shall be placed in the room, not because he was a great man, but because he has given a great gift to the nation and to connect his name with the gift. I, for my part, can see no inappropriateness in it. On the contrary, it seems to me to be in accordance with the well-established practice in other libraries and museums.

Mr. MILLS. I move to recommit the joint resolution to the Committee on the Library.

The question being put, there were on a division—ayes 20, noes 18; no quorum voting.

The VICE-PRESIDENT. No quorum having voted, the Secretary will call the roll.

Mr. HOAR and Mr. MILLS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 3 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 7, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 6, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

THE HOUSE GALLERIES.

Mr. BAILEY. Mr. Speaker, I desire to ask the Chair if, under the rules of the House, the Chair can entertain a request for unanimous consent that members may be permitted to seat their families on the floor of the House during the session to-day?

The SPEAKER. The rules of the House expressly forbid the Speaker to entertain any motion from any member or a request for unanimous consent for that purpose.

Mr. BAILEY. Then, Mr. Speaker, as a matter affecting the privileges of the House, I desire to say that I have been informed by members of the House that when they tried to seat their families in the galleries to-day they were refused admission, and were told that an unoccupied bench had been reserved by the Assistant Doorkeeper for certain members and their families. I desire to know if the Assistant Doorkeeper of the House, or the Doorkeeper himself, is authorized to partition off the galleries of the House in that manner?

The SPEAKER. He would not without the approval of the Speaker.

Mr. BAILEY. Then I desire to ask if the Speaker has authorized such a change?

The SPEAKER. The Chair authorized the apportioning of a portion of one seat, in addition to that ordinarily set apart for the Speaker.

Mr. BAILEY. And that was done by the Speaker's request?

The SPEAKER. Under the direction of the Chair.

Mr. BAILEY. I understand, of course, that under the rules the Speaker controls the disposition of the galleries. But I was unwilling to see this pass as a matter controlled by the hands of the Doorkeeper or the Assistant Doorkeeper.

The SPEAKER. In no way——

Mr. DOCKERY. Mr. Speaker, I desire to offer the following resolution, relating to the gallery seats, for reference to the Committee on Rules. I ask that the resolution be referred.

The SPEAKER. Without objection, it will be referred to the Committee on Rules.

A MEMBER. Is this resolution in order?

Mr. DOCKERY. It is only offered for reference.

The SPEAKER. The resolution will be referred to the Committee on Rules.

[The resolution is printed in another part of to-day's RECORD.]

ARMY REORGANIZATION BILL.

The SPEAKER. Under the order of the House heretofore made, the Chair recognizes the gentleman from Iowa [Mr. HULL] to call up the bill relating to the reorganization of the Army.

Mr. HULL. I call up the bill, Mr. Speaker, providing for the better organization of the line of the Army of the United States.

Mr. BAILEY. I desire to ask, Mr. Speaker, if, under the rules of the House, that bill is required to be considered in Committee of the Whole House? It creates additional officers.

Mr. HULL. The order was that it would be considered in the House.

The SPEAKER. The Chair will state that this bill has been made a special order for to-day——

Mr. BAILEY. I understand that; but it is also subject, as I understand it, to the rules as to where it shall be considered.

Mr. HULL. My recollection is, and it was understood in the House, that it would be considered in the House. The agreement was made by unanimous consent.

Mr. BAILEY. I think the special order merely fixed to-day for the consideration of the bill. However, the RECORD will show that fact.

Mr. MCMILLIN. I do not know, Mr. Speaker, exactly what the request was, but the order was for the consideration of the bill, and did not go so far as the gentleman insists. It did not take the bill from the consideration of the House or relieve it from the points of order to which it may be subjected.

The SPEAKER. The Chair will read the order of the House made on the occasion referred to:

On motion of Mr. HULL, by unanimous consent, it was ordered that on Wednesday, April 6, immediately after the reading of the Journal, the bill (H. R. 9253) for the better organization of the line of the Army of the United States shall be considered in the House.

Mr. HULL. That was the request I made—to be considered in the House.

Mr. BAILEY. Is that the RECORD or the Journal from which you read?

The SPEAKER. The Journal.

Mr. MCMILLIN. While I make no point at this time upon the statement, still I desire it to be understood by the House that this consent was not given, as I understood it. I was specially looking to the enactment of the bill and should not have consented to any request which prohibited its consideration in the Committee of the Whole. The request was not stated, as I understood it, by the gentleman who made the request, in that way.

Mr. RICHARDSON. The RECORD does not sustain the statement of the gentleman from Iowa.

Mr. HULL. The request that it should be considered in the House?

Mr. RICHARDSON. No; the gentleman is mistaken. The RECORD shows the statement was put in this way:

The SPEAKER. The Chair will put it in that way, although it is the same thing. The gentleman from Iowa asks unanimous consent that the bill be taken up, as a special order, on Wednesday next, immediately after the reading of the Journal, not to interfere with any report from the Committee on Foreign Affairs.

To this there was no objection.

Mr. HULL. I ask to have the first request I made read, which shows this bill was to be considered in the House.

Mr. SAYERS. But, Mr. Speaker, what the Chair has read was the request submitted by the Speaker to the House, and to which the consent was given.

Mr. MCMILLIN. Otherwise there would have been objection.

Mr. SAYERS. Consent was given to the request in the form in which it was submitted by the Speaker, not otherwise. Mr. Speaker, I desire——

Mr. HULL. The first request that was made expressly stated "in the House," and I think the RECORD will so show it. The second was a statement by the Chair practically that he would state it again.

Mr. MAGUIRE. But which one did the House act on?

The SPEAKER. That is the Journal of the House. The gentleman from Iowa [Mr. HULL] is recognized.

Mr. SAYERS. Mr. Speaker, I want to say that I was paying particular attention to the request of the gentleman from Iowa [Mr. HULL], and I heard no such request as he now claims was made, because I should have objected to it if I had heard it.

Mr. COX. A request for what?

Mr. SAYERS. That the matter be considered in the House.

Mr. MCMILLIN. I can make the same statement, because my attention was especially called to it with a view of requiring its consideration in Committee of the Whole.

Mr. HENDERSON. A parliamentary inquiry, Mr. Speaker. Does not the Journal settle this question absolutely?

The SPEAKER. The Journal settles the question.

Mr. HENDERSON. Then I demand the regular order.

Mr. SAYERS. It ought not to settle it against the fact.

The SPEAKER. The gentleman from Iowa [Mr. HULL] is recognized.

Mr. HULL. I yield a minute for the gentleman from Iowa [Mr. PERKINS] to read what the RECORD does say.

Mr. PERKINS. On page 3901 is the following:

Mr. HULL. My proposition does not limit it to two hours; but it is that it shall be taken up and considered in the House as in Committee of the Whole.

Mr. MCMILLIN. But, Mr. Speaker, the House is bound by the proposition that the Speaker submitted to the House, and not by the request of the member.

The SPEAKER. The House is bound by its Journal.
Mr. McMILLIN. But the Journal turns out to be erroneous.
Mr. HULL. No.
The SPEAKER. The gentleman from Iowa is recognized.
Mr. BAILEY. Before the gentleman proceeds——
Mr. McMILLIN. The Journal having been approved, I think probably we have no remedy.
Mr. BAILEY. Before the gentleman proceeds I desire to call the attention of the gentleman and the attention of the Chair to the fact that the Speaker stated the request in these words:

The gentleman from Iowa asks unanimous consent that the bill H. R. 9253 shall be in order after the reading of the Journal on Wednesday morning. Is there objection?

The gentleman from Delaware [Mr. HANDY] objected. Then the gentleman from Iowa renewed his motion to suspend the rules and pass the bill. Then, after a conference with the gentleman from Delaware and others, I myself requested the gentleman from Iowa [Mr. HULL] to repeat his request, which he did. And it seems to me—I myself do not think it is very material, because I do not think that we on this side desire to engage in any debate in the committee which would not be permissible in the House on this bill; but I thought, inasmuch as there was greater latitude there than here, perhaps it might take its proper course, which is the usual course.
The SPEAKER. The Chair desires to add that not only does the Journal control, but even if the language used was that which was contended for, as against the Journal of the House, nevertheless, under the ruling of Mr. Carlisle, it would be considered in the House.
Mr. HULL. Before proceeding——
Mr. BAILEY. Mr. Speaker, the trouble about that ruling—I am aware that a former Speaker of the House held it—is that very few members examine the Journal, while very many members examine the RECORD; and wherever a variance occurs between the RECORD and the Journal the statement of the Journal is very much more apt to be overlooked than the statement of the RECORD. And I submit that the RECORD would be the safer guide.
Mr. HULL. Mr. Speaker——
The SPEAKER. The gentleman from Iowa [Mr. HULL] will proceed.
Mr. HULL. Mr. Speaker, before I proceed I should like to see if we can not arrive at some agreement as to the length of time——
Mr. McRAE. Mr. Speaker——
The SPEAKER. The gentleman from Iowa has the floor.
Mr. McRAE. Upon the point——
The SPEAKER. The gentleman from Iowa——
Mr. HULL. I should like to see if we can not arrive at some agreement as to the time the general debate shall run. My own impression is that the House would like more time for amendments and for general debate, but if we can come to an agreement for general debate and then for the consideration of the bill for amendments, I should like to have that agreement entered into. Now I will ask that we have three hours for debate and then the balance of the day to consider the bill by paragraphs for amendment, and vote at 5 o'clock.
The SPEAKER. The gentleman from Iowa asks unanimous consent that the general debate be limited to three hours, and that the remainder of the day be employed, or so much as may be necessary, for voting on amendments under the five-minute rule. Is there objection?
Mr. MARSH. I object.
Mr. SULZER. I ask unanimous consent that general debate occupy four hours, two hours on each side.
The SPEAKER. The gentleman from New York [Mr. SULZER] asks unanimous consent that the general debate shall continue for four hours, two hours on each side. Is there objection?
Mr. MARSH. I object.
Mr. HULL. Mr. Speaker, the proposition, then, to have four hours of debate has been objected to as well as the proposition for three hours?
The SPEAKER. Objection is made to four hours.
Mr. DOCKERY. I would suggest to the gentleman from Iowa, Mr. Speaker, that this is an exceedingly important measure, and it is well to proceed in the usual way, and after the debate has progressed for a time it is probable that some agreement may be made.
Mr. DINGLEY. But, Mr. Speaker, this being in the House, the gentleman in charge of the bill can move the previous question at any time.
Mr. DOCKERY. Certainly; if he should determine to do so.
Mr. HULL. But to move for the previous question would cut off amendments, and I am anxious to preserve the right of the House for amendment.
Mr. HENDERSON. Let us go ahead.
Mr. HULL. Mr. Speaker, the bill for the better organization of the Army seems to have aroused antagonism in the country more on the line of what is called in our States the National Guard than on any other line; and that, I think, from a mistaken idea. The bill deals only with the Regular Army. In the discussion of the bill as to what the Federal Government recognizes, under the title of the States as National Guard, by that of militia, I shall refer to what we all understand as the Guard, as the militia of the country.
It has been assumed, Mr. Speaker, that this bill if enacted into law will destroy the militia of the different States of the United States. I have had letters shown to me in the last two days, written by prominent officers of the militia or Guard, as you please, to their Representatives on this floor, stating that if what is known as the Hull bill passed it will absolutely destroy the National Guard of the country, and that hereafter no officer in the Guard or militia will have any opportunity for promotion or distinction in any of the wars that may come to the United States.
Mr. Speaker, if I believed that I would not advocate the passage of the bill. If I believed that it would deprive patriotic citizens of this country of the right to bear arms in State organizations, mustered originally by the governors, and mustered into the Federal service by United States officers, as they were during our last war, I would not advocate the passage of the bill. I do not recognize the Army of the United States as the great fighting power of the nation. It is or should be always organized and receive the first fire of an enemy.
I do not recognize the National Guard as representing the great fighting power of the Republic of the United States. It is well organized and effective as far as it goes. With only a small standing army, with only a small force as organized and drilled militia, both would amount to absolutely nothing in any great war. Back of both these small organizations stands the great patriotic citizenship of the United States, ready to enroll itself under the banner of the Republic and fight for the defense of their Government. There is the strength of the Republic, and to make it effective the organization should be perfect. This bill does not interfere, it does not change in any particular the law as it now exists as to mustering into the service of the United States all the volunteer troops that may be called for by the President. I grant you it does do this: It makes a larger regimental organization, extends in case of war our peace footing to a war footing, and makes the armies of the United States compare in organization and efficiency with the best armies of the world. You gentlemen must realize this fact, that with the change in firearms, with the modern improvements in engines of war, it would be murder to send the troops of the United States, either the Regular Army or the volunteer forces, into battle with the organization now provided for by law.
It may startle some of you gentlemen to know that this great Republic of ours has an army organization that is absolutely obsolete in all the civilized nations of the world. Absolutely obsolete! When we last had occasion to use the Army in regimental form, we went under that organization into action touching elbows in close order. You remember that we went as near as three or four or five hundred yards of each other and stood there shooting at the opposing ranks, and not certain to kill a man at 500 yards. To-day, with the modern organization, with modern firearms, you have extended formation and you have a space between every man. You have a single rank.
It is more like what we called the old skirmish line during the war, but not so distended; and it would be, as I said before, simply murder to require the armies of the United States to go into battle under the present laws of the United States. It will make fewer officers. That is true. It may deprive some men of the opportunity of being colonels. That may be. How many? If this bill passes, the regiments of the Regular Army and of the volunteers mustered into the United States service will be larger in numbers, and of course it will not require so many regiments to organize a given number of troops. The number of men in a company can be considered when the bill is being amended.
So far as the National Guard is concerned, if there is war of any consequence every man that is now a colonel of a regiment will have an opportunity to enlist with his regiment and be commissioned as a colonel if the governor of his State will grant him that commission. But the first shock would come upon the Regular Army. Why should it not? Do you know, under the present law and your faulty organization, if you have a war the President of the United States can more than double your Army as it is to-day?
He can not change its organization, but he can double its effective force. You are now on a peace footing with 2,610 men; every regiment of infantry under the present law would double its force, your cavalry would have one-third added to it and your artillery would practically double its force, so your Army would be more than doubled. The limitation to 25,000 enlisted men was made on an appropriation bill without repealing the provisions as to maximum and minimum of a company. When more troops are authorized by Congress can not the troops be filled to the maximum?

Mr. DOCKERY. Does not this bill in effect provide service for the surplus officers of the Army?

Mr. HULL. It will not unless there is war.

Mr. DOCKERY. In the event of war, that would prevent the enlistment of volunteer officers——

Mr. HULL. Not a bit of it.

Mr. DOCKERY. The volunteers would be required to enlist in the Regular Army.

Mr. HULL. I will come to that in a moment. I will say further that if the object is simply to commission officers you ought to cut the present regiments down one-half, and then you would have twice as many volunteer officers to come in. I do not conceive that that is the object of Congress in legislation—to see how many places it can provide for any class of people in any line of public service, but this is not any radical change in sections 1 and 2. Suppose you adopt the first two sections, and if the House desires, leave the number of men you can have in time of war to the present number provided by law.

The only additional officers it makes are for two additional companies of infantry, no more than that in any line, the two additional companies of infantry, and if you have in addition to these two additional companies of infantry on a war footing you come to this point that it is only the second lieutenants that the Government are paying for and supporting now who are not assigned. What are we paying the officers for, paying them until they are 64 years of age and then putting them on the retired list and keeping them until they die? Simply as ornamental? We are paying them because we want trained defenders of the Union to respond to the call for arms whenever the country is assailed. Should they not first of all be put to the front instead of the men from civil life who support themselves?

During our last war there was no one thing of more injury to the service of the United States, and undoubtedly to the Confederate army, than the fact that we had a constant formation of new regiments instead of filling up the old regiments and putting them where they would do the most good. In the last war the regiments that went out first became mere skeletons of regiments. Many of them were less than 300 men, with a full complement of officers, and when there was a call for additional troops, instead of filling up those regiments the Government of the United States gave permission to organize new regiments, with new colonels and new officers and left the old ones in a condition not to render effective service to their country. It cost the Government millions of dollars and prolonged the war.

I do not believe it is patriotism, I do not believe it is right, for the Government of the United States to legislate simply on the line of how many officers it can get, but it is right to legislate on the line of how we can best promote the efficiency of our Army and protect the people of the United States in case of danger.

Mr. Speaker, further than that, it does not provide in this bill for the creation of a single additional regiment of the Regular Army. It does not provide in this bill for the creation of any organization to absorb the patriotic citizens of this country. It does provide for the expansion, and I concede to you that when we consider the bill under the provision for amendments, it may be a question whether that expansion is not made too great under this bill. I confess my original idea was that it should not have gone beyond 200 at the outside.

But the bill provides that in time of war, or when war is declared by Congress, rather, because we have amended the bill, and these companies are recruited to the number of 150, they are on a war footing, and the President of the United States in his discretion is not to expand them beyond that number a single man. If you limit it to that, the bill would be of infinite value to the people of the United States. Now, Mr. Speaker, I want to say that this is not a new thing. I want the Clerk to read for me, in order to save my voice as much as possible, a letter from General Sherman, written in 1876.

The Clerk read as follows:

HEADQUARTERS ARMY OF THE UNITED STATES,
Washington, D. C., September, 1876.

SIR: In compliance with the resolution adopted by the commission at its first session, August, 1876, I have the honor to submit my individual views and opinions of the matter confided to our action.

* * * * * * *

Each regiment would * * * contain, for a peace establishment, 54 officers and 736 enlisted men, aggregating 790; or the

5 regiments of artillery equal	60 companies equal	270 officers and	3,680 men.
10 regiments of cavalry equal	120 companies equal	540 officers and	7,360 men.
20 regiments of infantry equal	240 companies equal	1,080 officers and	14,720 men.
		1,890	25,760

Aggregating, officers and men, 27,650.

To increase to the war standard, simply add to each company 1 sergeant, 1 corporal, and 50 privates, which would result as follows:

5 regiments of artillery equal	60 companies equal	270 officers and	6,800 men.
10 regiments of cavalry equal	120 companies equal	540 officers and	13,600 men.
20 regiments of infantry equal	240 companies equal	1,080 officers and	27,200 men.
		1,890	47,600

To further increase for war purposes, add four new companies to each battalion, and we have—

5 regiments artillery equal	120 companies equal	510 officers and	13,700 men.
10 regiments cavalry equal	240 companies equal	1,020 officers and	27,400 men.
20 regiments infantry equal	480 companies equal	2,040 officers and	54,800 men.
		3,570	95,900

The Germans now use companies as large as 250 men, so that a battalion of eight companies numbers 2,000 men. Assuming that as the maximum, we will have—

5 regiments equal 15 battalions of artillery, equal	30,000
10 regiments equal 30 battalions of cavalry, equal	60,000
20 regiments equal 60 battalions of infantry, equal	120,000
Making an army of	210,000

On a minimum or peace basis of 27,650. Thus an effective and well-organized army of over 200,000 can be created promptly "without the least confusion or disorder," fulfilling all the conditions of Mr. Calhoun's second great principle, which he regarded as of more national importance than the first.

On considering any paper organization it is safe to assume that about one-third are usually absent. This seems a large proportion, but it is the result of experience extending back for centuries. Good discipline and good administration diminish this ratio, while bad discipline and worse administration increase it largely. The usual causes of diminished ranks are wounds and sickness, furloughs and leaves of absence, confinement by way of punishment, details for cooking, for care of sick, as teamsters, care and distribution of supplies, detachments for escorts of trains and exposed points along the routes of supply, etc.

* * * * * * *

With great respect, your obedient servant,

W. T. SHERMAN, *General.*

Hon. J. D. CAMERON,
Secretary of War, and President of the Commission for the Reorganization, etc., of the Army.

Mr. HULL. Now, Mr. Speaker, if the House has paid attention to the reading of that letter, two things that I want to call attention to have been brought out. One is that with any army, no matter how organized, the experience of the past has shown that one-third of the men are always absent from duty. That seems like a very large percentage, yet it is the experience of all the armies of the past in any considerable wars; and if you have the present organization on a war footing, with 101 men to a company, it will result, with the fighting force in the best conditions, that you will have in your companies on the average less than 66 men. The modern formation, as I said a while ago, makes it absolutely imperative to pass some law on this subject if we are to have war.

Mr. HEPBURN. Will the gentleman permit me to ask him a question?

Mr. HULL. Certainly.

Mr. HEPBURN. The gentleman has spoken of the new formation made necessary by the new weapons—the attenuated lines and the lengthened lines. Now, will he tell us what would be the space occupied in line of battle by one of his full companies of 250 men, to be commanded by three officers under the conditions contemplated in this bill?

Mr. HULL. In the first place, I do not believe there would ever be in one company a line of 250 men, although the bill would authorize that in the discretion if passed as it is now.

Mr. HEPBURN. I am asking my question with reference to the bill as now before us.

Mr. HULL. A line of that kind would take as much ground practically as one of our old regiments.

Mr. HEPBURN. And be commanded by three officers?

Mr. HULL. No; by a captain and three lieutenants, with an increased number of noncommissioned officers, the captain being mounted.

But, Mr. Speaker, when we come to consider amendments, we can better discuss the size of the company that should be authorized. What I want to call attention to now is another feature that the committee has ingrafted on the bill. It provides for three battalions——

Mr. RAY of New York. Before the gentleman takes up that subject, I should like to ask him a question. It has been stated that if this proposed bill should become a law the men of the National Guard would, under its operation, be taken to fill up the regiments of the Regular Army, while the officers of the National Guard would be left at home, without commands. I wish to ask the chairman of the committee whether that is true.

Mr. HULL. In reply to the gentleman, I will say that I hold in my hand an editorial from a Philadelphia paper, purporting to quote from an interview with me published in the New York Sun, in which that idea is put forward. I want to say to the gentleman from New York and to the House that I never had an interview of that kind, that no utterance that I have made to any correspondent of the New York Sun or any other paper embraced any such idea. I wish to say further that that would not be the effect of the bill, unless on the first call for troops the men would prefer to volunteer in the Regular Army instead of going into the National Guard. There is nothing in this bill that contemplates any such thing as absorbing the National Guard, so called, into the Regular Army. There is not a line in the bill that justifies any such assumption as that.

Mr. RAY of New York. Then, to make the matter clear, let me put the question in this form: Is it true that under your bill

the organization in the State, if it desires, may remain intact and if it volunteers as an organization go to the front under its own officers?

Mr. HULL. That is absolutely true. I should like the gentleman to repeat his question, so that all the members of the House may hear it, and I trust we may have order for that purpose.

The SPEAKER. If members conform to the rule and address the Chair, a larger number of the members of the House will be likely to hear what is said. The moment the remarks of members become dialogues they cease to be debate.

Mr. HULL. I think I understood the gentleman's question. Now let me answer it.

A MEMBER. The House did not understand it.

Mr. RAY of New York. I will repeat it, so that the House may hear it. I had no desire, of course, to interrupt the gentleman; but there are some points in connection with this bill which I wished to have explained fully in order that there might be no misunderstanding, and I know that the chairman is able to give such explanation. It was for that purpose and no other that I rose.

My question is this: Under the provisions of this bill may the men be taken from the regiments of the National Guard in the various States and put into the ranks of the Regular Army, while the officers of the National Guard are left at home without commands? I think that covers my question.

Mr. HULL. In reply to that question, I will say that the question whether a member of the National Guard will stay with his command or go into the Regular Army is left absolutely with him, as it is with every other man who may volunteer.

Mr. WM. ALDEN SMITH. What is the meaning, then, of section 5?

Mr. HULL. I do not care to discuss that matter just now, but for the benefit of the gentleman from Michigan, I will answer his question. The meaning of section 5 is that if upon the call men from different States do volunteer and go into the Regular Army, and afterwards there should be a draft, the State that has furnished a certain number of men to the Regular Army shall have as much credit for those that go into the Regular Army as for those that go into the volunteers. That is all that section means.

Mr. DOCKERY. Now, will the gentleman allow me——

Mr. HULL. I hope the gentleman from Missouri will not press his question now. I want first to answer fully my friend from New York.

As the law now stands, if there is a call for troops and the President, under the present law, is authorized to expand the regiments to a war footing, there is nothing to determine whether the recruits shall go into the Volunteer or the Regular Army. It rests entirely and solely with the party himself. The bill does not in any respect change his privilege in that regard. Of course, if a man in the National Guard wants to go into the Regular Army, I should not favor any law which provides that he should not have and exercise that privilege. And if a man is not in either the National Guard or the Regular Army, and wants to enlist and go out with the State troops in his own State, I would not favor a law to prevent it. It is a right that he ought to exercise; it is the right of each citizen to select his service and to determine the character of that service for himself.

Now, Mr. Speaker, there is another question presented by this bill. I have had a great number of letters during the last year or two asking me, if we should expand the Regular Army in the manner here proposed, whether we ought not at the same time to expand the militia, or the National Guard, as it is called. Now, do not gentlemen on the floor of the House know that the law as it stands to-day requires that the National Guard of the States is to be organized and must conform as nearly as practicable to all of the requirements of the Regular Army of the United States in case of war?

And yet we have a number of National Guardsmen all over the country who have been, by letters and otherwise, urging me for the last two years, as a member of the Committee on Military Affairs, to secure a change of the law and to provide that in case of war the Regular Army should be made to conform to the National Guard organization. Why? Because the National Guard, in many of the States of the Union, is a better organized system of military force than the Regular Army of the United States is. They have kept up with the times. We are behind the times in our organization.

They have modern tactics and modern drill, while under the law of the United States your War Department could not even publish the tactics of the United States Army, providing for the modern system of drill and the modern methods. Why? Notwithstanding the fact that all of these are compiled and ready and waiting to be printed, yet if they are published without a change of the present law, that Department would be guilty of violating the laws of the country. Therefore there is strong reason, on every ground that can be suggested, for making the change in the organization of the Army proposed here, so as to make it conform to the needs of a great Republic, and make it conform to the change in improved conditions of the military forces in the various States of the Union and all civilized countries of the world.

If, Mr. Speaker, we should have a war and should change our system to the three-battalion organization, every National Guard of every State and every soldier recruited for the Regular Army in every State throughout the Union will conform to the organization of the Regular Army and will go into battle with a harmonious organization, precisely the same in all respects as the National Guards of the States and the Regular Army or the volunteer service of the United States. Our organization now is defective and is far from being harmonious. That is a fact which no one will deny.

Mr. STEELE. Will the gentleman allow me to ask him a question?

Mr. HULL. Certainly.

Mr. STEELE. I understood the gentleman to say a few moments ago, in discussing this matter, that the rule should apply both ways, namely, that a militiaman should be privileged to go into the Regular Army and that the soldier in the Regular Army might go into the militia in case of war.

Mr. HULL. Oh, no; the gentleman misunderstood me. I said that the individual should have the right to exercise his judgment in this matter before enlisting. He has the right to enlist, in other words, where he chooses.

Mr. STEELE. That is undoubtedly true.

Mr. HULL (continuing). But the man in the Regular Army or in the State troops, after he is mustered into the service of the United States, has no privilege or right to change his service after that.

Mr. STEELE. And certainly should not have.

Mr. HULL. He has not, under existing law, and should not have. As I have said, this is only to make the United States service conform to the best service in the States.

Mr. WALKER of Massachusetts. The truth of the matter is the States have gone far ahead in this regard.

Mr. HULL. That is correct. The United States regulations and system of organization demand this change.

Mr. RAY of New York. Will the gentleman from Iowa not make the point plain to the House to which I referred a moment ago, because there is a great deal of objection, as I understand it, made to the bill on that account? Gentlemen say that if a company of the National Guard in any of the States wants to go into the service of the United States as a body, there is no way by which it can do so without losing its organization and losing its own officers. In other words, they would have to go into the service of the United States as individual members and without their organization or their officers.

Mr. HULL. Do you mean in the Regular Army or the reserves?

Mr. RAY of New York. Yes; I mean in the Regular Army.

Mr. HULL. If any body of men want to go into the Regular Army, they go in as individuals.

Mr. DOCKERY. That is true.

Mr. HULL. They do under the law as it stands to-day.

Mr. DOCKERY. And as privates, too.

Mr. HULL. They go in as individuals under the law to-day. And let me say further, gentlemen, that you can not pass a law that lets people go into the Army as an organization. Let me ask you gentlemen who are so fearful on this point a question. Suppose there is a call for a hundred thousand men. Suppose there is a call for 50,000 men. Under your present law you can expand the Regular Army more than half of that amount by individual enlistment. You apportion the other 25,000 men to the different States. Do you claim that your regiments of the National Guard go in as regimental organizations under the present law?

Mr. DOCKERY. I will answer the gentleman.

Mr. HULL. I will tell you how you go in and always did go in. A requisition is made on the governor for so many troops. Suppose in my State of Iowa it is for one regiment. The Government of the United States has not one thing to say as to the men accepted till the regiment is organized by the governor of the State and tendered to the United States to be mustered into the service. He may select companies from different regiments of the Guard.

Mr. DOCKERY. But right there——

Mr. HULL. The gentleman will have his own time.

Mr. MAHON. Will the gentleman answer a question?

Mr. HULL. I ask the gentleman to wait a minute longer.

Mr. MAHON. Then I will wait.

Mr. HULL. The governor of that State organizes State regiments, and it is the same under this bill that it is under the present law. The present law leaves all these matters as at the present time.

Mr. WALKER of Massachusetts. And he officers the regiment.

Mr. HULL. Organizes and officers the regiment. Organization means enlisting the men and commissioning the officers. The governor organizes the regiment, and, as I said, he may not take

all of any one regiment of National Guards. We have in my State two brigades of National Guards. The governor of Iowa could take one company from one regiment and another from another, and under the law as it stands to-day he could commission a man as colonel who is not in the Guards at all. The law does not say the governor shall in time of war commission the colonel who is now commanding a regiment of National Guards. The law does not recognize that. The National Guard of the different States is organized for State service only.

Mr. MAHON. Now will the gentleman yield for a question?

Mr. HULL. Yes.

Mr. MAHON. I want to ask the gentleman from Iowa, Why not recruit your Regular Army under this bill, as you always have recruited it, wherever you can get the men, and credit them to no particular State?

Mr. HULL. I have no objection to that at all.

Mr. MAHON. Do that and then strike out section 5 from this bill, and I shall have no objection to the bill.

Mr. HULL. I have no objection to striking out section 5.

Mr. MAHON. It ought to go out.

Mr. HULL. I am perfectly willing that it should go out. I want simply to say in answer to that that when this bill was before the committee we were anxious to have it so framed that it would have the unanimous support of the committee. I do not regard this section 5 as one that the committee are particularly in love with, but every member of the committee indorsed the bill as it was reported. The senior member on the Republican side after the chairman is chairman of the Committee on the Militia [Mr. MARSH]. He took an active part in framing the bill, and I do not believe that he would have been willing, nor do I believe that any member of the committee would have been willing, to frame a bill that would cripple, much less destroy, the National Guards.

Mr. MARSH. Will the gentleman yield?

Mr. HULL. Yes; I yield.

Mr. MARSH. I want to say to the gentleman that when I urged and voted to report that bill to the House I made the distinct statement that I wanted to get it out of the committee into the House, where it could have decent consideration. It is there now. I never committed myself to that bill.

Mr. HULL. Mr. Speaker, I have the floor, and the gentleman will have it later. He raised no objection to the bill in committee, and I assumed he was heartily in favor of it.

The SPEAKER. The gentleman from Iowa has the floor.

Mr. MARSH. He yielded to me.

The SPEAKER. The gentleman from Iowa has the floor.

Mr. HULL. I want to say again that every member of the committee voted for the bill. The record of the committee will bear that out. I had no idea that I was sticking a pin into my friend from Illinois in making a little statement that was intended to be complimentary to him; but I will say that a large number of the amendments offered to this bill were offered by the gentleman from Illinois, and not a single amendment that he offered was rejected that I can now recall; not one.

Now, as to the economy of it. It does in time of peace add twenty-five majors to the Regular Army. It makes two battalions out of eight companies that are now in active service in the infantry arm of the Army. It provides for an increase, then, of just twenty-five majors in the infantry. There is no increase in the cavalry and no increase in the artillery in time of peace. It divides the eight companies into two battalions.

Now, Mr. Speaker, at the very most it will cost $87,000 a year increased expenditures in time of peace. That is a fair statement of the case. We have the promotion in the second lieutenancies and up the line to senior captains to be major. That will make a little increase in the expenditures, as the majors are increased by promotions brought about in the bill. In the next class that we will have graduated there will be more unassigned lieutenants than enough to make up the twenty-five now promoted to first lieutenants by the promotion of senior captains to be majors. Why, we pay them now. We pay our captains, first and second lieutenants now, and you have a difference in pay in the senior captains' and majors' pay which amounts to less than $2,000 a year; and that is a fairer proposition than the other.

Not only that, Mr. Speaker, but the committee was so anxious to economize in this matter, that under the circumstances this committee did not provide for three majors even in time of war. It utilizes in the three battalions the lieutenant-colonels, that is, one lieutenant-colonel and two majors in the infantry, and one lieutenant-colonel and three majors for the cavalry and for the artillery. That would be leaving them as they are in the present law. So that we have cut the expenses of this measure, gentlemen, to the very lowest point possible in order to get an efficient army organization. Now, Mr. Speaker, I want to reserve a part of my time——

Mr. COOPER of Texas. Will the gentleman yield to me for a question?

Mr. HULL. I will.

Mr. COOPER of Texas. I would like to know, under this bill, if the National Guard or the State militia can be utilized in case of war until the 104,000 provided for in the bill have been supplied?

Mr. HULL. That would be a question with the President of the United States. He would have a discretion as to whether the number of men in a company should exceed 150 enlisted men.

Mr. COOPER of Texas. Then one more question, which the gentleman can answer at the same time. In the event that we should have war, which would be unfortunate, and a company were organized, and that company desired to select their own officers, would they be permitted to do so?

Mr. HULL. They would not, if they went into the Regular Army, and never did.

Mr. COOPER of Texas. Is it not required that you should fill up the 104,000 before you can use the National Guard or the militia?

Mr. HULL. The answer to that question comes when we come to the consideration of the companies, and is answered already. When that is reached, there is the proper place to limit the discretion of the President. Under the present law, if we do not change it a particle, every company of infantry can be raised by the State, and every company of infantry is on the full quota of a war footing which is now on a peace footing; and after the President fills up the Regular Army regiments, and if there were no need for any other troops, there would be no call for any action by the States. Nor would there be under the present law.

Mr. OTEY. Will the gentleman allow me to ask him a question?

Mr. HULL. I will.

Mr. OTEY. At the end of the war what becomes of this increased number of officers?

Mr. HULL. The last section shows what is proposed, and we will reach that in the discussion of the bill. They are not mustered out, I will say to the gentleman; and that is one reason that we do not provide an extra major, and we want to reduce the number of the officers as much as possible. Section 9 provides that they shall be absorbed and transferred, but not mustered out. But the bill will be a great saving in officers' salaries. I will say to my friend from Virginia that if we should provide that every officer should be mustered out, there would not be a man in the Regular Army who would accept a commission for the two extra companies provided for, because he is now on the regular force. He knows he is where he is to be taken care of during his life, and would refuse service in any of the extra companies.

Mr. OTEY. You muster out all the privates, but you absorb all the officers by transferring them.

Mr. HULL. How many do you have? There will be no promotion unless you need them.

Mr. OTEY. What are you going to do with the supernumerary ones?

Mr. HULL. The supernumeraries will be taken care of as they are taken care of now. The second lieutenants that we have as they are graduated are awaiting assignments. They are on the pay roll of the Government; they are not mustered out because there is no place to put them at work.

Mr. BRUMM. This bill will increase the supernumeraries, will it not?

Mr. HULL. At the close of the war; I think so.

Mr. BRUMM. Then your answer is not pertinent.

Mr. HULL. Yes; my answer is.

Mr. WILSON. As this bill has a limitation, should it be necessary to have more soldiers where will they come from? Will they not come from the volunteers of the various States?

Mr. HULL. I have answered that several times. If there are more troops than the Regular Army needs, they will come from apportionment of States, but when we come to consider the bill by sections, if the size of the companies is considered too large, you can leave out the increase, keep the Army as it is now, and still keep up the improved organization. I want to call attention to one feature——

Mr. BELKNAP. Will the gentleman allow me a question?

Mr. HULL. Yes.

Mr. BELKNAP. In connection with what you have just said, if we do not expand the Regular Army to 104,000, keep the companies at the maximum now allowed by law, 101 men, then that gives the militia and volunteers who want to fight an opportunity to fight.

Mr. HULL. Not until the Regular Army is filled.

Mr. BELKNAP. If you keep the companies at a maximum of 101 men, you do not take in so many men in the Regular Army.

Mr. HULL. Clearly not.

Mr. BELKNAP. You still obtain your new organization.

Mr. HULL. If you keep the men the same and pass the first and second sections, you do. But if you do not pass the bill, you do not.

Mr. BELKNAP. I am in favor of the improved and modern organization, but I want the militia and volunteers who desire an opportunity to fight to have that chance. I do not want them to be shut out by the Regular Army.

Mr. HULL. I want to call attention to the fact that if we increase the Army to 104,000 men it would be a saving to the Government of more than $3,000,000 a year in pay of officers.

Mr. HEPBURN. Will the gentleman allow me to interrupt him?

Mr. HULL. Yes.

Mr. HEPBURN. Before the gentleman goes to another point I would like to have him explain what he means by skeleton companies in time of peace.

Mr. HULL. When the law went into effect limiting the Regular Army to so many men, the War Department issued regulations under that law skeletonizing, as they called it, two companies of each regiment of infantry and two companies of cavalry. That simply means that the officers are assigned to a command, but there are no enlisted men. This bill does not change that at all in time of peace, but it does provide that in time of war the skeletonized companies shall be recruited up to their full strength, or whatever the President determines to be the strength he desires, and at the conclusion of the war they are mustered out entirely.

Mr. HEPBURN. Is that the condition now?

Mr. HULL. Yes.

Mr. HEPBURN. Then two-tenths of the line officers are without command.

Mr. HULL. Not so many as that, because not all of the regiments are skeletonized.

Mr. SHAFROTH. Will the gentleman yield to me for a question?

Mr. HULL. Yes; but I would like to get through, so as to reserve some of my time.

Mr. SHAFROTH. Will the gentleman be willing to accept an amendment providing that the increase shall not occur until the available strength of the National Guard shall be given an opportunity to enter into the service?

Mr. HULL. I do not know as I should accept that. I am not authorized to. The time will come, if we get through with the general debate and a reasonable time given so that amendments can be offered, when the gentleman can offer this one and the House can determine whether they will accept it or not.

Mr. SHAFROTH. Will you express your views upon it?

Mr. HULL. I should say this: That the infantry companies ought to be increased to 150 men, but I am not tenacious as to that, as the battalion organization is to my mind the most important feature of the bill. They would not be full, probably, under that. The War Department gave me a statement of all the armies of the world, showing that in Germany, France, Russia, Austria, and Italy they have the basis of 250 or more men to the company, and that the artillery companies have more than is provided in the bill.

Mr. SHAFROTH. Do not you think that a privilege or preference ought to be given to the National Guard?

Mr. HULL. Most assuredly. I want to ask gentlemen if they believe that in any war of any considerable size the Regular Army and the National Guards combined will furnish troops necessary for the defense of the Republic?

Mr. BINGHAM. Will the gentleman answer a question?

Mr. HULL. Yes.

Mr. BINGHAM. What is the sum total of officers carried in the bill on a war footing?

Mr. HULL. I will give the gentleman that.

Mr. BINGHAM. Seven hundred or more?

Mr. HULL. Seven hundred or more.

Mr. BINGHAM. Where do you get all the officers?

Mr. HULL. We get the second lieutenants first for the Regular Army from West Point, and then they are promoted from the ranks of the Regular Army after examination.

Mr. BINGHAM. Then the commissioned officers will come from noncommissioned officers and enlisted men now in the service?

Mr. HULL. Very largely.

Mr. BINGHAM (continuing). As against the trained officers in the volunteer force, those trained in the militia of the country——

Mr. HULL. Not at all.

Mr. BINGHAM. Show me where.

Mr. HULL. They would still go into State troops.

Mr. BINGHAM. But not into this body of men.

Mr. HULL. No; they would not be in the Regular Army. My friend is assuming that this bill is legislating for troops outside of the Regular Army, whereas in this bill we are legislating for the Regular Army and the Regular Army only.

Mr. BINGHAM. Is it not a fact that before any troops can come into the service you must have 104,000 men in the Regular Army?

Mr. HULL. No, sir; that is not the fact. It would be a fact if the President under this bill filled it up to the maximum. As I repeatedly said, when we reach the size of the companies we can come at that more properly than in general debate. I am more interested in the reorganization of the Army than I am in the size of the company. I am more interested in the three-battalion organization than I am in the size of the company.

Mr. BINGHAM. I simply wanted to know where you are to get your commissioned officers.

Mr. HULL. From the Regular Army. But that does not affect what we understand to be the State troops. As I have said repeatedly, if the size of the companies should be deemed too large; if, in the opinion of the House, the proposed size of the companies would increase the Regular Army to a greater extent than it ought to be increased in time of war, it will be an easy matter, when we come to consider the amendments to the bill, to fix the size of the companies in a way to correspond to the wishes of the House without interfering with the great cardinal principle of the bill, which is that of reorganization.

Now, Mr. Speaker, I want to reserve the balance of my time.

Mr. ROBBINS. Before the gentleman takes his seat, I would like to ask him a question.

Mr. HULL. Mr. Speaker, how much time have I remaining?

The SPEAKER. Twelve minutes.

Mr. HULL. Then I must reserve all my time.

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. MARSH] in opposition to the bill.

Mr. MARSH. Mr. Speaker, this bill in many respects has my approbation. So far as it provides for the reorganization of the Army so that there may be three battalions to a regiment it follows, in my judgment, the best military opinions of the world. My principal objection to this bill, which I shall consume but a few moments in stating, is that it unduly and unnecessarily increases and enlarges the Regular Army. We now have 42 regiments in the Regular Army, 25 of infantry and 10 of cavalry, and, in view of our recent legislation, 7 regiments of artillery. The number of men in those 42 regiments is by existing law limited to 26,610. This bill provides for the increase of the enlisted men in those 42 regiments to the extent of 78,000 more than we now have. In other words, it proposes to increase the number of enlisted men of the Regular Army in time of war from 26,610 to 105,000, in round numbers.

Now, in the first place, I am opposed to the increase of the Regular Army to any such extent. The policy of European governments is to maintain large standing regular armies. Just the opposite has been the policy of this Republic from the earliest days down to the present time. In all of our wars, foreign and internecine, we have depended upon the citizen soldiery of the country to defend the flag. And, Mr. Speaker, the country has never depended upon them in vain. They have performed fully and completely all the functions of good soldiers. And I am opposed, even in time of war, to the considerable increase here proposed of the regular troops. In case of war, the imminent possibility of which now confronts us, I think it wise to do in the future as we have done in the past—to depend upon the citizen soldiery of the country. [Applause.]

First, allow me to criticise (if I may use that term) the size of the regiments proposed by this bill. Under existing laws, a maximum regiment of infantry consists of about 1,000 men, there being, I believe, 98 enlisted men to the company. That provision of law was enacted years ago, when our formations, regimental and company, were in two ranks, elbows touching elbows. The men were maneuvered in that form, and they were hurled into battle in that form. Under the modern mode of warfare, with the improved guns, etc., that is absolutely done away with; and all the infantry engagements must be in the skirmish-line formation, and the company and regimental formation must be the single-line formation.

This bill proposes to increase the company to 250 enlisted men. True it is not probable that a company would ever go into action with all of that number. Some men would be sick; some men would be out of the ranks.

A MEMBER. The gentleman is speaking of the infantry.

Mr. MARSH. I am speaking of the infantry regiments.

Mr. STEELE. As I know the gentleman from Illinois [Mr. MARSH] has had a great deal of experince on this subject, I wish to ask him this question: Suppose you should go into the field to-day with a company of 250 volunteers; how many men do you suppose you would have to go into battle in six months or in six weeks?

Mr. MARSH. I may go into that matter after a while. But I will say now that an answer to the question of the gentleman from Indiana [Mr. STEELE] would be largely a matter of speculation.

Mr. STEELE. I am appealing to the gentleman's experience.

Mr. MARSH. I do not suppose the company would go into battle with every man in line. But I think we have a right to expect that the larger portion of it would be in line.

Now, under the present formation, with the present modes of carrying on battles, these men, instead of being in two ranks and touching elbow to elbow, would be in a skirmish line, 6, 8, or 10 feet apart. So that one company of 250 men or 200 men, under the proposed formation and with the present mode of fighting, would occupy more frontage space than a full regiment would under the old sytem. And I say it is a physical impossibility for two, three, or even four company officers to take care of so long a line.

Mr. HEPBURN. The gentleman will allow me to suggest that one of the regiments provided for in this bill, with the formation that the gentleman from Illinois has spoken of, with intervals of even 5 feet, would occupy in line of battle a little more than 4 miles. [Laughter.]

Mr. MARSH. Mr. Speaker and gentlemen of the House, I hope you have heard the statement just made by the gentleman from Iowa [Mr. HEPBURN]. I have no doubt he has made his computation carefully and that his statement is correct.

This bill provides for 12 of these companies to each regiment and 250 men to a company—that is to say, 3,000 men in a regiment—and my friend from Iowa [Mr. HEPBURN], who made the computation, says that when a full regiment is in action under the modern mode of warfare, it would occupy a line of 4 miles in length.

Now, Mr. Speaker, I am making, as I stated before, no attack whatever on the organization proposed in the pending bill, but I am opposed to the large increase of the enlisted men provided for the Army by this bill. I am opposed to it for two reasons, which I propose to state to the House. One, because it makes these companies and regiments too large to properly handle, and in the second place, because it will cut out all opportunity for the citizen soldiers of the country to take part in the coming war, if we are to have a war.

We have in this country now a National Guard, composed of troops of the various States, numbering, on the 1st day of December last, 104,000 men, well drilled, well equipped, well clothed, well armed, and well able to meet any emergency that might arrive.

Mr. BINGHAM. And well officered.

Mr. MARSH. And well officered. These men are able, anxious, and willing to respond to the call of the country; but if this bill passes, providing for 105,000 regular troops, it will preclude, in my judgment, the possibility, or at least the probability, of these citizen soldiers taking part in actual hostilities in case we should get into a contest, as now seems probable.

Now, sir, as I have said before, it has been the policy of this country to fight its battles with its own citizen soldiery. [Applause.] And I wish to say if we enter upon a war, either now or hereafter, if a war shall become a necessity, as I expect it will in a very few days—if we enter upon that war, we want it to be a popular war; and you never can popularize a war in this country by means of the Regular Army. [Applause.]

You must have the heart of the men, the women, and the children all over the land in its progress and prosecution. [Renewed applause.] And, Mr. Speaker, we will have it if we permit their sons and their brothers to enlist under the banners of the Republic as they have been allowed to do in previous wars which this country has had to meet.

A MEMBER. Will the gentleman explain the uses of the pending bill?

Mr. MARSH. The gentleman asks me to explain what the bill is or what its purposes are.

I think the organization as proposed in the bill is a correct one, that is, the three-battalion organization. As I said a while ago, there are 42 regiments and only 26,600 soldiers in the Regular Army. I think the Regular Army ought to be increased—and that I favor—to 1,000 men to each regiment, thus increasing the aggregate force of the enlisted men in the Army from 26,600 men to 42,000 men, so as to give 1,000 men to each regiment of the Regular Army.

In other words, Mr. Speaker, there are, as I have said, 42 regiments; and I would increase the regular enlisted force of the Army to 42,000 men, and I would not go a man beyond that. That is as large as these regiments ought to be, and will give us all the regular troops that we need. I would adopt, I hope the House will adopt, the organization as proposed in this bill—the three-battalion system, and the proposition further to skeletonize one of the battalions, but retaining the force of officers.

Now, I wish to say that I have no hostility toward the Regular Army. I have the highest respect for the officers and men who are connected with that branch of our service. The officers of the Regular Army of America will compare favorably, and, in my judgment, are superior to those of any other country on the face of the globe. In point of education, in equipment, in gallantry, in skill, they are not excelled, if they are equaled, by any other set of officers on the face of the earth. And, furthermore, Mr. Speaker, if I had the power to do so, I would double the number of cadets at West Point and Annapolis; and when they graduated, if there was no use for them in the Regular Army or in the Navy, I would turn them loose among the people.

It is a good investment of the public money; it is a good thing for the country to educate men for war at all times. [Applause.] But my hostility to this large increase in the enlisted force of the Regular Army is not because of any hostility I have for that organization at all. I love it; I revere it; I respect it with all my heart and all my mind; but I have some respect also for the efficiency of the National Guard—the men and the officers of my own State and other States in this great Union. [Applause.]

I would not ignore them; and yet if you pass this bill providing for 105,000 enlisted men in case of war in the Regular Army, in all probability that number will be all of the men that the Government will need in the coming war, and these men at home, patriotic citizens, who have been devoting themselves largely year after year to the building up of the National Guard in their own States, and taking great pride in their organizations, paying a portion of the expense out of their own private purses to the extent that the National Government has failed to supply such payments, will be entirely prohibited from entering into the service of the United States.

I would give them an opportunity to enter the service of the Government in the event of war, and enable them to enroll themselves in the service of the United States. I would say to the governor of Illinois or the governor of Mississippi, we want two or three regiments from your State; and the governors of the respective States would say we designate the Second or the Third Illinois or Mississippi regiments of the National Guard, as the case may be, to answer the call of the President.

I would give every member of that National Guard who thought, for family reasons or for business reasons, that he could not enter the service of the United States an opportunity to drop out and let some one else take his place; but I would take that regiment into the United States service as the Third Regiment of National Guards of Illinois, and when I got through with them, I would muster them out as the Third Illinois National Guard, and let them go back to Illinois and perpetuate for all time the memories of the regiment and its organization. [Applause.]

By doing that, Mr. Speaker, you encourage the patriotism of the country. By doing that you recognize the patriotic young men of the country, of Mississippi, and of South Carolina, and of Massachusetts, and of Maine, and of California. Why, Mr. Speaker, I had occasion a few days ago, perhaps ten days or two weeks ago, to call upon the Secretary of War and also upon the President to suggest to them that in case of war the National Guard should first be called upon and given an opportunity to volunteer as organizations into the United States service.

That evening the fact that I had called and urged that was stated in the newspapers of the city, and before I retired at night I received a telegram from Los Angeles, Cal., saying that if the President accepted that suggestion, a certain regiment, naming it, 1,200 strong, was ready to respond to the call of the Government. That came from the Pacific Ocean. That is the spirit which animates the National Guard all over this country, and they would feel it an insult to them if we should recruit the Regular Army to a point where it would not be necessary to call upon them for military assistance.

I want to say, Mr. Speaker, that any action which is taken by this Congress that interferes with or makes provision interfering with the National Guard of the country taking a hand in the coming contest—I say any such effort will be injurious to the patriotic spirit of the country, and will, in my judgment, meet with its condemnation. Now, when we reach that point where amendments will be in order, I propose to offer an amendment to reduce these regiments to 1,000 enlisted men to a regiment and limiting the number of enlisted men in the Regular Army to 42,000 in time of war, inasmuch as there are 42 regiments.

I hope, Mr. Speaker, that that amendment will be adopted by this House; and if it is adopted, I want to say that it will be a grand recognition of the magnificent patriotism of the country that is exhibited in every county all over the land by the National Guard organizations. [Applause.] I know of nothing else that I desire to say upon this bill.

How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has thirty-seven minutes remaining.

Mr. MARSH. I yield ten minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, we are upon the threshold of a war. Every man in this House realizes it. It is important that we should start right, and whether in this contest, which seems inevitable, we start with State troops, as we have in the past in times of war, or whether we begin with the Regular Army alone, I say it is of the utmost importance that we start right on this question.

I believe that in the district which I have the honor to represent

on this floor we could not raise 100 men for the Regular Army in three months. I believe we could, if need be, raise three regiments of volunteers in twenty-four hours. That is the difference with which the people of Iowa would look upon enlistment in the Regular Army as compared with the volunteer service. The battalion at the Iowa State University has tendered its service to the Government, but they would not enlist in regular regiments.

The State of Iowa has appropriated $500,000 to mobilize and prepare the National Guard for immediate use. The State of New York has appropriated half a million dollars for the same purpose.

Mr. SULZER. I wish to say to the gentleman that the State of New York has appropriated $1,000,000.

Mr. GROSVENOR. The gentleman has spoken of New York and Iowa, and I think Ohio and Michigan. Now, is it not a fact that if a war should come and this money should be expended by these States, in the light of the history of the past, will they not come to Congress to get every dollar of that back?

Mr. HILL. They will call upon the Government for it.

Mr. GROSVENOR. Will they not come here, as they always have done——

Mr. LACEY. I hope so. I have no doubt they will.

Mr. GROSVENOR. As they have for thirty years, and drain the Treasury.

Mr. LACEY. I am not talking about the Treasury. They will not draw from the Treasury any more than they may expend.

Mr. MAHON. You are talking about patriotism.

Mr. LACEY. Mr. Speaker, there is no question as to the expense. It will have to be borne by the country at large in the end. I only speak of this as showing the speed with which State troops may be mobilized and prepared for the field. The States will put them on a war footing more quickly than can be done in any other way.

Now, I deplore war. I regret that it seems to be inevitable; it is doubtful if it can be avoided with honor; it will probably come soon, but we can get one good thing out of this war. Let us have it. I want to have a controversy arise between the State of Georgia and the State of Iowa as to which regiment got in first in the next fight and which one stayed longest and fought the best after they got in. [Applause.]

It will be a patriotic, a generous, and a noble emulation, Mr. Speaker. There will be a contest between a Maine regiment and a Texas regiment as to which fought the more bravely in battle. In that way you will cement the Union together. [Applause.] I went through Mexico a year or two ago, and, talking with Mexicans there, they said they could whip the whole United States if it were not for Texas. [Laughter.] That was the idea they had about it. Now, they never had met any Iowa troops in Mexico. [Laughter.] Iowa was a thing of the future at the time of the Mexican difficulty.

I hope they never will; but that is the feeling in that country, because they happened to meet the Texas soldiers, and met them first. They met them at San Jacinto and at the Alamo, and it is that State spirit, that pride of State, coupled with national patriotism, that in a war would cement the people together with blood and iron. It would be the only unalloyed good thing that would come out of a war. This bill, in its present form, would provide for a regular standing army large enough to meet the necessities of the contest and deprive us of the patriotic advantage of State competition upon the field of honor.

And that I do not wish to see lost, Mr. Speaker. When you begin in the future to talk about war, people will then say, "What war?" And when we now speak about war, we mean "the" war—the war where we furnished the troops for both sides. The next war will be fought with our troops on only one side, and let the North and let the South and let the East and let the West march side by side in this contest. We can not fill the Regular Army speedily. It is the slowest form of enlistment. We have recruiting flags out now. Are the people flocking to them? Not at all. They are gathering slowly. They await the call for the volunteers.

They are recruiting for the Navy, and the result is they are not getting men with that rapidity which we would like to see, because Americans do not like to enter into a permanent army or navy organization. But when they go into a State force, into the volunteers, and come back home in a few months or in a year, they go back and dissolve into the common masses of the people of the country. They immediately take their places in the front ranks in civil life. It has always been so. We will see some of them in Congress two years from now, at the end of the next war. The people never forget their defenders. The men who enlist in the State troops come from all the avenues of life; and if a locomotive goes off the track, they call for an engineer, and he steps out of the ranks. In case of an accident to an engine or machine, they call for a machinist, and he steps to the front and takes his place.

The Regular Army is not recruited in this way. It is recruited in the cities from men without homes, without family ties, and it is recruited almost solely from that class; and when it becomes necessary to disband the organization, the men have no place to go. They go back, many of them, to a wandering course instead of returning to the avenues of civil life. The opportunities of promotion are nominally open, but in fact the chances of any high career are not accessible to the men who present themselves to the recruiting officers of the standing Army. In the volunteers no career is closed to them. The way to the top is open in the field and in civil life as well when their service in arms is no longer required.

Now, my colleague, in the utmost good faith and sincerity, has brought in this bill, believing it to be a wise measure. I am sorry that I can not fully agree with him. I believe with him that the Regular Army ought to be reorganized and changed to the three-battalion system and adapted to the changed circumstances, to the new tactics, and improved arms. But that is as far as I can go with him. If he will modify the bill to that extent, I will be pleased to join him in its support. I believe that the increase of the Regular Army to 104,000 men, with each regiment increased to 3,000 men, would do away with the use of the National Guard or the volunteers, and this would be a fatal mistake upon the threshold of that contest that we are all now led to expect. These are the objections I have to this bill. Let us rely again, as in the past, upon the patriotism and valor of the volunteer citizen soldier of the Republic. [Applause.]

The SPEAKER pro tempore. Does the gentleman from Illinois desire to occupy more time?

Mr. MARSH. I yield five minutes to the gentleman from Pennsylvania.

Mr. ROBBINS. Mr. Speaker, as an officer of the National Guard of Pennsylvania, and at the request of the officers of that division, because I think this bill is striking at the volunteer soldiers of the United States, I desire to protest against its passage. I desire to confine myself, because the bill has been gone over in a general way, to the value of the volunteer as compared with the Regular Army soldier.

I want to confine myself to the force and effect it would have upon those who desire to volunteer should there be a call of war upon the members of the National Guard, and those who desire to volunteer in the armies of the United States. In the second section of this bill, sir, it is provided that there shall be created in the Regular Army a formation that is known as the three-battalion formation in each regiment, and that this formation, in case of a declaration of war by Congress, shall be made up by each regiment being divided into two battalions of four companies each, and the third battalion to include two skeleton companies and two additional companies, to be created, and the officers shall be appointed by promotions and appointments under existing law—by the President of the United States appointing, under existing laws, officers for the two additional companies. What does under existing laws mean? And I call the attention of this House, and every member who has a National Guard in his native State, that that means that the President shall appoint first by promotion from the regular service, next by meritorious examination from the corporals and sergeants in the Regular Army, and then from civil life.

I want to direct the attention of the members of this House to the fact that under this law there will not be a single member of the National Guard or a citizen in civil life in their States who could get a commission in the regular service, upon declaration of war being made by Congress, if this bill is passed. Not one. They will be shut out. Not a soldier in the National Guard of Pennsylvania, in which we have 8,000 uniformed, armed, and drilled militia—not one man of these, either officer or private, all of whom have given one night in every week for years to drill and two weeks each summer to camp work, will be eligible. For what purpose have these troops been uniformed, armed and drilled? Why does Pennsylvania spend $300,000 per annum on her National Guard? Why this perfect organization of 8,000 men, each man in which is a qualified marksman? It was in the hope that at some time, when the Government of the United States was threatened, she would come down and call upon them to take up arms in behalf of our common country.

Then they hoped that they would have an opportunity to enlist, to volunteer, not as individuals, but as companies, regiments, and brigades, taking with them their officers and maintaining the glory and pride of their local organizations. Why, sir, after this organization of the skeleton companies and battalions is officered by appointment, as provided in this bill, let us see how it is to be filled up with men. Are these regiments to be filled by volunteering by companies or regiments from Pennsylvania, from Ohio, or from Iowa? This bill positively prohibits this. Sir, they are to be filled up by the National Guard of my State and yours taking off their uniforms, throwing down their rifles, resigning from their companies and regiments, and going to some city to a United States recruiting station and enlisting in the Regular Army as recruits, to be assigned to any arm of the service—infantry, artillery, or

cavalry—that may need men. Their identity is lost and their pride of command and familiar officers gone.

Under this bill the pride of local organization is destroyed. There can be no more volunteer Pennsylvania companies, regiments, and brigades to vie for honor and patriotic commendation with similar organizations from other States in the defense of our Union. Under this law the next war must be fought by the Regular Army—the volunteer soldier will be no more.

Is that a system we want to adopt in this country? Do we want to say to the young men that are in the National Guard of the various States who have risen from the ranks, who are serving there for the love of country and from patriotic motives, "You can not enlist in the service of your country unless you throw away your identity with your regiment and go in as an individual, under strange officers, into a strange organization, to serve wherever you may be assigned?" If the policy proposed by this bill be adopted, the Regular Army will be increased to 104,000 men, and not until that army is exhausted can there be a single volunteer admitted into the service of the United States, neither officer nor man, neither citizen nor National Guardsman. That is not all of it.

A comparison of the present and proposed enlisted strength of organization is supplied by the following table:

	Present.	Proposed.
	Men.	Men.
120 troops of cavalry, each	60	100
14 light batteries of artillery, each	75	173
70 heavy batteries of artillery, each	65	200
200 companies of infantry, each	65	250

The entire increase proposed is 78,954 men, of which 75,125 are to go to the infantry. The infantry increase greatly affects the National Guard, because the latter is nearly all infantry. If there is any one branch of the Army that does not need increasing in time of war, it is the United States infantry, on account of the great amount of infantry available from the National Guard and the excellent material of which this is composed. The present enlisted strength of the United States infantry is 13,125, and it is proposed to increase this by 75,125, or at a ratio of 1 experienced soldier to 5 raw recruits.

But, remembering that the present term of enlistment is three years, it follows that about one-third of the present 13,125 infantrymen, or 4,375, have less than one year's service. There remain but 8,750 experienced soldiers, making the above ratio incorrect and worse, so that it will be about 1 experienced soldier to 8 raw recruits. The leavening qualities of a United States infantry soldier must be beyond belief if each one can offset the effects of eight raw recruits. Furthermore, the new men can not be of as good a class, when enlisted hurriedly after war is declared, in regard to patriotism, morals, intellect, and education, as the National Guard that is already organized and the men well known by their officers.

The United States infantry, which already has little experience in field duty and long marches, will be composed of a heterogeneous mass of mixed nationalities, and will be little better than a levée en masse. Yet, on account of its having the name "regular," an unwarranted reliance will be placed upon it; whereas, in fact, it will be below the National Guard and volunteers. Yet, by this bill the United States infantry will almost, if not entirely, supplant the National Guard—that now valuable auxiliary to our national strength.

The after effects of such a bill can be easily foreshadowed. The probabilities of the National Guard being called into service, after this bill becomes law, will be exceedingly remote, and will cause interest in the Guard to lag. This Guard will lose its importance in the eyes of the people, and, rightly or wrongly, will fall into oblivion and disappear as an efficient and inexpensive mainstay. During the last few years, however, when they have been in the public eye, and have been regarded as a force that would be called out immediately upon a declaration of war, they have felt their responsibility and have steadily improved. The passage of this bill will mark the highest point in efficiency and numbers of what promised to be the grandest and safest body of armed men on which any nation could rely. It is composed of the safest class of men, the ideal defenders of a republic, viz, citizen soldiers.

One-fifth of the proposed increase could be assimilated by the United States infantry without material danger, but the entire increase could be managed successfully only in time of peace, when there is time to instruct and train and teach the trade of the soldier. To crowd into the infantry service eight raw recruits to every single experienced soldier leaves no part of the United States infantry service on which to rely for special strength, and there will be no fine body, no corps d'élite, for the general officer to send forward at a critical moment. Chaos and uncertainty would be the leading features of every battlefield. The word "regular" would lose its significance.

The United States infantry has now an experimental system of drill (tactics) untried in war and by many condemned. Add to this large and unwieldy companies composed of the rawest possible material after war breaks out, and an enemy could ask no greater advantage.

The bill proposes to add one second lieutenant to each troop of cavalry, one first and one second lieutenant to each battery of artillery, one second lieutenant to each company of infantry, one major (immediately, in peace time) to each regiment of infantry, and to increase each regiment of infantry by two companies. The officers created will be:

	Under bill.	Now in service.
Cavalry second lieutenants	120	120
Artillery first lieutenants	84	98
Artillery second lieutenants	84	84
Infantry second lieutenants	350	250
Infantry first lieutenants	50	.....
Infantry captains	50	.....
Infantry majors	25	.....
Total	763	.....

After war is over the Army is to be reduced again to its present strength by transfer and absorption of the supernumerary officers and transfer and discharge of enlisted men. It is easy to see that this bill, which creates 475 infantry officers and provides no way for reducing this number except through death and retirement and transferring them to the other branches, that will also be clogged with officers, has been proposed by friends of the infantry. After the close of a war the Military Academy could be profitably closed for the next twelve years, because there would have to be 738 casualties and promotions before a single vacancy for a cadet would be made.

The expense attending the maintaining of 738 supernumerary officers after a war ends would make an enormous sum.

Volunteer officers and soldiers can readily be honorably mustered out after a war ends.

Stagnation in promotion is now the curse of the Army, but after a war it would be worse than now, under the provisions of this bill.

The National Guard are already organized and ready for war and would be much more effective than the same amount of raw material hurriedly selected and crowded into the Army.

The time to train men is before war. The National Guard are the next best trained men after the Regular Army, so why not take them instead of this vast number of absolutely raw and undisciplined men? These are of no value after a war is in progress. They require disciplining, drilling, and to be trained especially at target practice. This latter takes much time. A soldier that does not know how to aim is valueless. The National Guards have had this latter practice, and have had drill and camping experience. They are already uniformed, and are practically ready for immediate service. This bill will be a snub at them, and should not pass.

Sir, the success of American arms in every war has been due to the volunteer citizen soldier. The roster of the Regular Army is to-day made lustrous by their names. Of the volunteer soldiers who entered the army during the late war, Generals Miles—now major-general—Brooke, Otis, Coppinger, Shafter, all at this time brigadier-generals, Corbin, present Adjutant-General, Ludington, Quartermaster-General, and many others rose from the ranks.

This bill is against the history and traditions of our country. It is the first step toward a large standing army in time of peace. It means to belittle the military organizations of the States and to aggrandize that of the nation. It will add greatly over a million dollars annually to the cost of maintaining our Army.

But, most of all, it closes forever the Army of the United States against the volunteer soldier, that great body of patriotic citizens that have answered every call to duty in the past and must be this nation's sure defenders in the future. I wish to call attention to the estimate placed by the great hero of American arms, General Grant, on the American volunteer soldier as compared with the "Regulars." In his Personal Memoirs, volume 1, page 283, he says:

> While at Cairo I had frequent opportunities of meeting the rebel officers of the Columbus garrison. * * * There were several officers among them whom I had known before, both at West Point and in Mexico. Seeing these officers who had been educated for the profession of arms, both at school and in actual war, which is a far more efficient training, impressed me with the great advantage the South possessed over the North at the beginning of the rebellion. They had from thirty to forty per cent of the educated soldiers of the nation. They had no standing army and, consequently, these trained soldiers had to find employment with the troops from their own States. In this way what there was of military education and training was distributed throughout their whole army. The whole loaf was leavened.
>
> The North had a greater number of educated and trained soldiers, but the bulk of them were still in the army, and were retained, generally, with their old commands and rank until the war had lasted many months.
>
> In the Army of the Potomac there was what was known as the "regular brigade," in which, from the commanding officer down to the youngest second lieutenant, every one was educated to his profession. So, too, with many

of the batteries; all the officers, generally four in number to each, were men educated for their profession. Some of these went into battle at the beginning under division commanders who were entirely without military training. This state of affairs gave me an idea, which I expressed while at Cairo, that the Government ought to disband the Regular Army, with the exception of the staff corps, and notify the disbanded officers that they would receive no compensation while the war lasted except as volunteers. The register should be kept up, but the names of all officers who were not in the volunteer service at the close should be stricken from it.

Now, I appeal to those who reverence the memory of the volunteer soldiers of the country, who have made its armies illustrious in every conflict of American arms—I appeal to the members of this House for the National Guard boys, who are patriotic and enthusiastic to serve their country, to vote against this measure. [Applause.]

Mr. MARSH. Mr. Chairman, I now yield five minutes to the gentleman from Kentucky [Mr. COLSON].

Mr. COLSON. Mr. Speaker, I have supported every proposition for an increase in our Navy made since I became a member of this House, for the reason that in any war between the United States and any foreign power a strong navy would be absolutely necessary to the former, and would, in fact, very probably, be required to do most of the fighting; and for the further reason that the having a strong navy by this Government ready for action at all times would have a tendency to maintain peace, especially in the Western Hemisphere, cause our flag to be respected, and guarantee the safety of American citizens wherever they may be throughout the world. [Applause.]

I would like to see Uncle Sam possess a navy that would be the pride of our country and the envy of the rest of the world, and to which no other navy of the world could give successful battle. A navy requires years to build, and must be built before the beginning of any conflict in which it is expected to take part. It takes battle ships, monitors, cruisers, torpedo boats, torpedo-boat destroyers, and other forms of craft to make a strong navy, and these can not be called into being in a day, no matter how much money may be available for the purpose.

Now, as to the Army, it is different. I am opposed to this Government maintaining a large standing army. There is no necessity for it. The bill under consideration provides for the organization of the Regular Army on a peace and also on a war footing, when its organization on a peace footing is all that is necessary. If we should provide for the expansion of the Regular Army to meet the wishes of those most clamorous for such increase, it would not, as so expanded, be sufficient for war purposes. The gentleman from Iowa [Mr. HULL] admits this. On the contrary, we would, in case of war, have to rely upon the great body of the citizens of the Republic to do the fighting, and we can rely upon them, too. This being true, precludes the necessity for a large standing army.

While this bill provides for the reduction of the Army to a peace basis at the end of any war in which it may have been expanded, we all know that this provision would not be observed. The people of this country are opposed to a large standing army. They know that standing armies may become corrupt, may become partisans of would-be despots, that the safety of the country's honor and the country's flag in great crises can best be trusted to the great body of her sturdy citizens engaged in the callings of peace.

It is estimated that there are 9,000,000 men in this country that could bear arms. A majority of them would be very willing to do so should war occur between the United States and any other country. I know the men of the district that I have the honor to represent on this floor are anxious, should there be war between the United States and Spain, to fight to uphold the flag of the country and to maintain its honor. Every day I am receiving letters from my district offering companies of men for a regiment I propose to organize to take part in any war between this country and Spain.

The writers of these letters mean just what they state. They are very earnest about it. They also have asked me why the Government of the United States has not taken action. Why it has not recognized the independence of Cuba and intervened by force of arms to maintain that independence. They have asked me why Congress has not done something to help free Cuba and end the inhuman warfare which has for more than three years been waged in that unhappy island. They have asked why their Representative has not brought before this House a resolution recognizing the independence of the Island of Cuba and providing for armed intervention by the United States to maintain that independence. They also say something about the *Maine*, which was destroyed in the harbor of Havana, and why the murder of more than 260 American seamen by the treachery of the Spaniards is not being avenged. [Applause.]

Now, it is well understood that I have been for free Cuba from the time the war began in Cuba, in February, 1895. My constituents, I say, know this. They do not, however, understand the rules of this House, which, it is said, were framed to prevent a minority from obstructing business, to prevent a minority from standing in the way of a prompt expression by the majority of its will on any subject, but which, in fact, have made it possible for a still less minority to prevent even the consideration of any matter which the committee to which, under these rules, it must be referred and the Speaker of the House do not favor. Resolutions without number, almost, recognizing the belligerency of the Cuban insurgents, recognizing the independence of the Cuban Republic, and providing for intervention to stop the war in Cuba have from time to time been introduced in this House. Under the rules they went to the Committee on Foreign Affairs, where they were put to sleep and, it seems, to never wake again.

There has not been a day since this Congress convened that this House would not have passed a resolution of the character named had it been brought before the House by the committee referred to. With the Committee on Foreign Affairs failing to report and the Speaker of this House opposed to and refusing to recognize any member to make a motion to have the committee report such a resolution, there has been no way under the rules in which such a resolution could be gotten before the House, even though the other 340 members of this House had with unanimity desired it. I understand, however, the Speaker of this House has right recently become an insurgent, and I hope it is true. [Laughter.]

Now, a member of Congress I think probably should be forgiven for voting once for the adoption of such rules; but he should not be forgiven if he ever votes that way a second time. [Applause.] New members of Congress come here freshly elected—not familiar with the rules of the House——

The SPEAKER pro tempore (Mr. PAYNE). The time of the gentleman from Kentucky has expired.

Mr. COLSON. I ask the gentleman from Illinois [Mr. MARSH] to give me five or ten minutes more.

Mr. MARSH. I yield the gentleman five minutes more.

Mr. COLSON. Mr. Speaker, when new members of Congress come here the fact is that they are nearly all hero worshipers. They have heard of "BOUTELLE of Maine;" they have heard of "Uncle JOE CANNON;" they have heard of "DALZELL;" they have heard of a few other old and prominent members of the House who make a great deal of noise here; and they come here ready to vote for anything that those old members of the House may propose; and not realizing what they are doing, they bind themselves hand and foot—they eliminate their own individuality. Soon they find what they have done, and then they go out into the cloakroom and kick themselves. [Laughter and applause on the Democratic side.]

The SPEAKER pro tempore. The House will please come to order. Gentlemen will be seated and cease conversation. All gentlemen will be seated.

Mr. COLSON. At the beginning of the extra session——

The SPEAKER pro tempore. The gentleman will suspend until the House is in order.

Mr. COLSON (after a pause). At the beginning of the extra session of this Congress——

The SPEAKER pro tempore rapped loudly for order.

Mr. COLSON. I do not want the Speaker to hammer away all my time. [Laughter.]

The SPEAKER pro tempore. The gentleman will suspend until the House is in order. This will not be taken out of his time.

Mr. COLSON. At the beginning of the extraordinary session of Congress the question as to the adoption of the rules of the House in the Fifty-fourth Congress for the government of this House was presented, and on a rising vote there was, according to my recollection, a tie—148 to 148. Promptly the gentleman from Pennsylvania [Mr. DALZELL] called for the yeas and nays, whereupon many Republicans who had stood up in opposition to those rules faced about and voted for their adoption. [Applause on the Democratic side.]

They did that, however, with the assurance that those rules were to be adopted only temporarily; that it would not be long before the Committee on Rules would report a set of rules for the government of this House. They have since found that they were buncoed. [Laughter.] The Committee on Rules has failed to report. It has been a few weeks since the question was raised here as to when that committee would report. The gentleman from Iowa [Mr. HENDERSON], a prominent member of it, said that he had been ill, and that the committee had had no time to consider the question.

I have observed that the gentleman from Iowa [Mr. HENDERSON], that member of the Committee on Rules, has been here ever since that time, and yet we have had no report from the committee, and we are to-day operating under those rules which this House was induced to adopt upon the assurance that they would prevail only temporarily and that the committee would soon report for the consideration of the House a set of rules for its government. And by these rules, adopted in that manner, this House has been kept from passing a resolution recognizing the belligerency or the independence of the Cuban Republic. How long will we submit to this? How long will this House allow

itself to be "bottled up" by a single committee of this House? I for one am opposed to it. I am glad I voted against the adoption of the present rules.

And now, Mr. Speaker, getting back to the bill [laughter]—I hope the House will pardon this digression—I am opposed to the bill because there is no necessity for an increase of the Regular Army. In case of war the volunteer forces of the United States will defend the flag. The great body of the national militia is ample for that duty. In fact, we should leave it to them and give them the privilege of taking the lead in any struggle that may come between the Government of the United States and the Government of Spain, or any other government on the face of the earth, to the extent that land forces can be utilized.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. COLSON. I thank the gentleman from Illinois [Mr. MARSH] for his courtesy.

Mr. MARSH. How much time have I remaining?

The SPEAKER pro tempore. Thirteen minutes.

Mr. MARSH. I will reserve that time, but yield a moment to the gentleman from Missouri [Mr. DOCKERY] that he may make a request.

Mr. DOCKERY. Mr. Speaker, I ask to be recognized in my own right——

The SPEAKER pro tempore. The gentleman can not be recognized at present.

Mr. DOCKERY. I was about to ask unanimous consent to take the floor in order that I might yield to my colleague [Mr. DE ARMOND] a part of my time.

Mr. MARSH. I reserve the balance of my time.

Mr. COX. Mr. Speaker, I am astonished that in the discussion of a bill of this importance matters have been brought in that have no relevancy whatever to the bill. The great trouble with gentlemen who oppose the bill seems to lie in the assumption on their part that the bill interferes with the militia organizations of the States and with the volunteer forces when called into actual service. Let me say at the outstart that if I believed there were substantial grounds for any such apprehension, I would not support a paragraph of the bill. The idea grows out of a misapprehension, as I think, of what the bill is intended to accomplish.

Taking another proposition, let me say that if I thought this bill would have the effect of increasing the Army of the United States in time of peace, I would not support it. I made my record on that question almost solitary and alone when I voted against the bill providing two additional regiments as a permanent increase in the Army.

What is the pith of this bill? Let us distinctly understand it. No man has a higher respect for the volunteer service of this country than myself. No man has a higher respect for the officers of the volunteer service than myself.

But, Mr. Speaker, what are you confronted with and what have you to meet plainly and squarely? Without regard to speeches that do not touch the bill at all, what is the proposition involved here? You have an army, recognized under the laws at the present time within the limits now fixed, amounting to about 27,000 men since you passed the two-additional-regiment bill. They are skeleton organizations, in one sense of the word—that is, they are the nucleus to form an effective army in time of war. On the peace footing, however, the Army is about 27,000 men. If it is not fit for that purpose—that is, to be the nucleus of a larger army—then it is not fit for anything. You have your educated officers, whose education was paid for by the Government of the United States, and you have your military schools throughout the country for the very purpose of teaching men the art of war.

Now you have that skeleton organization, as I have said, and the only propositions important, I think—and I will call the attention as I proceed to every one that is of any importance in the matter—the only propositions of any importance lie in the fact that the President of the United States, in time of war, or upon a declaration of war, shall be permitted to proceed and do so and so. Now let me call your attention to the importance of that language.

When the original bill was presented and considered in the committee, this question was one admitting of very grave doubts. It looked like it was conferring upon the President of the United States a power which belongs to Congress—to declare war. The bill was therefore amended, and not a man can be enlisted into the United States Army—and I speak now of the Regular Army—over and above the 27,000 now authorized by law, until Congress shall declare that war is flagrant in the land. The difference in the terms consists in this: That if it shall be the will of Congress to declare war, then the President is invested with certain powers; but if somebody else declares war against us—some foreign nation—then the recommendation must come from Congress before a single man can be enlisted, under this bill, into the Regular Army.

Now, then, let us, for the purpose of illustration, examine the provisions of the bill and see exactly what it proposes.

Mr. OTEY. Will the gentleman allow me to interrupt him for a question?

Mr. COX. I think perhaps I will answer the point that the gentleman may desire to make as I proceed. For the present I prefer not to be interrupted.

Suppose we take a practical illustration of the operations of the bill. Let us put it at the worst and see what it does. Let us see how it will work. Why, the Congress of the United States declares war to-morrow—I am not talking now of what it is going to do, but I am simply illustrating a point; I am not entering into the Cuban business just at the present time, but the Congress of the United States declares war against any power on the face of the earth whatever. Then what power is conferred on the President of the United States in this bill? Simply that he shall call for the enlistment in the Regular Army of such number of troops as in his judgment may be necessary.

Now, do not mix that with the idea of the volunteer service. He calls for enlistments in the Regular Army. How? By giving notice to each of the governors of the various States that the State notified will be required to furnish so many men to serve in the Regular Army.

Mr. OTEY. Will the gentleman now permit me?

Mr. COX. I would prefer not to be interrupted now. I will, after a while, be glad to yield to the gentleman.

Now, suppose in the exercise of that function the President of the United States addresses a note to the governor of my State, for instance, and tells him that the State of Tennessee is requested to furnish 1,000 men. For what purpose? Why, simply to volunteer in the Regular Army of the United States. The officers are fixed; they are the officers of this Government; they are educated to the requirements of officers in time of war; and the governor of my State calls for 1,000 men, not to be enlisted in the volunteer service at all, but to serve in the Regular Army of the United States. Under the organization of the Regular Army and this call, suppose not a man in my State responds to that call; what is the result? An opportunity is offered to each State to furnish the recruits according to the population of the States.

Now, let me call your attention to this——

Mr. MAGUIRE. Will the gentleman allow me to ask him a question?

Mr. COX. Well, I will yield to the gentleman. I will probably meet the point the gentleman might have in view as I proceed, but I will answer the question now.

Mr. MAGUIRE. Will the same class of men, in the judgment of the gentleman from Tennessee, enlist in the United States Army under the conditions fixed by this bill that would freely enlist in the volunteer forces tendered by the States upon the call of the country?

Mr. COX. I am glad the gentleman called attention to that——

Mr. OTEY. Will the gentleman let me——

Mr. COX. Well, now, I will give you an opportunity in a short time.

Mr. OTEY. If the gentleman declines to yield, of course I will not interrupt him.

Mr. COX. If the gentleman will permit me, I will yield to him later on. If he does not desire that, it makes no difference.

I was going to say in response to the gentleman from California that in my judgment no legislator has any right to sit here and decide that any section of the United States produces a better man than any other section, or to decide in favor of one against another. The only thing that the people doubt is that there will be no opportunity given to them to enlist. It is not that there will not be sufficient enlistments. There is no fear of that.

Now, in that very connection, and bearing upon this subject, an amendment will be proposed to the bill by the gentleman from Illinois which I shall support earnestly, and that is what is suggested by the gentleman from Illinois, not to make the companies of 250 men, but to keep them in the original line of 98 men.

Now I will yield with pleasure to the gentleman from Virginia.

Mr. OTEY. This bill says that upon a declaration of war by Congress, or a declaration of Congress that war exists—and you quoted that language—now, in that connection, will you tell me how any of the National Guard can be called from a State into the Army in time of war? They have got to come in companies and to be enlisted into the United States Army in the regular way, as provided by the bill.

Mr. COX. That is the trouble that I have been trying to explain, and I hope I will make it satisfactory to my friend. Let us take a view of it as it exists to-day. Every day the enrolling in the Regular Army is going on, but when you get to the limit of 27,000 men you can not go any further. Now, this bill, when properly amended, will authorize an enlistment into the Regular Army of about 42,000 men. When you get your Regular Army up to 42,000 men, suppose you do not need any more. They are under trained officers, educated officers, men we have educated for the purpose.

Mr. TALBERT. Will the gentleman allow me to ask him a question?

Mr. COX. Yes; with pleasure.

Mr. TALBERT. Suppose under this plan you do not raise the required number of Regular Army soldiers, then what?

Mr. COX. Then you call upon the volunteer service of the United States.

Mr. PARKER of New Jersey. And the militia.

Mr. COX. And on the militia, just as the law is now, and there is where the misapprehension has arisen.

Mr. TALBERT. But suppose the militia have been disbanded by volunteering?

Mr. COX. Nobody goes into the Regular Army except by his own free volition. It is a voluntary act of the individual, not an official act at all.

Mr. TALBERT. But, as I understand, the number must reach 100,000 first?

Mr. COX. When we get the opportunity to amend this bill, we will put it at about 42,000.

Mr. OTEY. That is a supposition.

Mr. COX. That means if you and all the rest of you vote for it.

Mr. OTEY. Yes; I will vote for it.

Mr. PARKER of New Jersey. Let me ask the gentleman whether, if there are 500,000 men needed, we may not need to have fifty or sixty thousand in the Regular Army to meet the first attack?

Mr. COX. Gentlemen, I do not desire to do anything that I do not think to be right. I will never vote to hurt the volunteer service. Nobody need be concerned about that. I have seen that, and I think I understand it; but here is the plain proposition to call out, under the amended bill, say 42,000 enlisted men in the Regular Army, with trained officers whom you have educated at an expense of millions of dollars. Part of these companies will be drilled and part of their forces ready for war. No man can say that they would not be more efficient in the service than an organization none of whom had seen war service or proper discipline or read the history or known the tactics of war.

Now, what do you object to in that? Not a militiaman of a State has to go. Not a man in a State has to go unless it is his own voluntary act. The only way it can possibly affect the militia of the State lies in the fact that if the number of enlisted men in the Regular Army is, in the judgment of the war power, sufficient to meet what is required, there will be no call; but the moment that the call goes beyond that, then the volunteer service is called, just as it always has been and as I hope it always will be.

Now, that is this bill. What is the objection to it? Let us not run off at some tangent upon it. I repeat here that if the education of your young Army officers does not confer upon them any sort of advantage in war, we ought to abolish the system and abolish it at once.

Mr. TALBERT. Then all you want in this thing is to have a few volunteer privates.

Mr. COX. That is all. Not a man has to go who does not want to go. Why not let him go if he wants to go?

Mr. TALBERT. I have no objection.

Mr. COX. Well, I have none, and that is all there is to this bill. A misconception of it has gone all through this House.

Mr. TALBERT. I do not believe they will enlist under those circumstances. Now, suppose they do not. Then what are you going to do?

Mr. COX. When you call for volunteers, probably you will get them.

Mr. TALBERT. But you can not call for volunteers until you get a hundred thousand men in the Army.

Mr. COX. Oh, the gentleman is mistaken about that.

Mr. KING. What is the advantage of this bill?

Mr. COX. Nothing in the world, except to afford to the President, the Commander in Chief of the Army, when war is declared by Congress, the opportunity to receive certain recruits into the Army, over and above the 27,000 now allowed, running the Army up to about 42,000.

Mr. TODD. Why not let Congress call for volunteers——

Mr. COX. Oh, well——

Mr. OTEY. Will you just let me ask you how a regiment from Tennessee or Virginia can go to the front in this fight at all until 42,000 regulars have been enlisted?

Mr. COX. Well, I will tell you. Suppose 42,000 do not enlist. Well, then, you call for your volunteers, and your volunteers are officered by the State, not the General Government. Then you can not take a regiment from Virginia and muster it into the service in any other way except as volunteers.

Mr. OTEY. Then they will not call for volunteers until the 42,000 are enlisted.

Mr. COX. I do not think that would follow at all.

Now, then, Mr. Speaker, hurrying over this matter, I have tried to make myself as plain as I could upon my views. Now, I want to call attention to another point that does not seem to have been observed. That is, the President might confine his call to a few States. You will find that there is an amendment which provides that he shall call on the governors of the States to furnish these men if they are willing to go.

Mr. KING. Mr. Speaker, I call for order.

The SPEAKER pro tempore. The gentleman from Utah makes the point that the House is in disorder. The House will be in order.

Mr. KING. The disorder seems to be in the galleries.

The SPEAKER pro tempore. The attention of the Chair is called to disorder in the galleries. All in the galleries will please be seated and refrain from conversation. The Chair trusts that the House will set a good example to the galleries.

Mr. COX. I was trying to impress on the House this point, so that members could see that there was nothing wrong in this arrangement: Under this bill the governor of the State is to be notified that so many recruits are desired (not demanded) to fill up the skeleton companies and regiments in the Regular Army. Suppose he declines to furnish a single man. Why, that does not interfere with the volunteer service at all. It does not touch them. But suppose he responds, and a thousand men are mustered into the Regular Army. Keep in mind always it is their voluntary act; no compulsion about it at all; and they are mustered into the Regular Army. Now, when they are mustered in, they are accredited to that State on its pro rata upon a call for volunteers and that——

Mr. MAGUIRE. Do the men that come from each individual State bear any identity as soldiers of that State in the service?

Mr. COX. They are called from the State, my friend, and requested to enlist; and when they do enlist, it is a voluntary act of theirs.

Mr. MAGUIRE. But their identity is lost as representatives of States?

Mr. COX. Precisely. When they go into a regular regiment of the Regular Army, they are like any other enlisted men. I will be frank and candid with you, because if you want to preserve the identity of the volunteers from a State, you must muster them in under a State organization.

Now, one question I desire to call the attention of the House to. I want to ask this House, with perfect candor and frankness, if your Army of 27,000 men is incompetent and insufficient to repel attack, what are you going to do with it? What? Call for volunteers? Then go and reduce your officers of the Army.

Mr. KING. That is right.

Mr. COX. And make them serve not only public, but common economy.

Mr. KING. Why do you not bring in a bill reducing the officers of the Army?

Mr. COX. Well, I have trouble here with my friends. When a bill was brought in increasing the Army, you every one voted against me [laughter], my friend before me and other gentlemen excepted. But my friend from Missouri and the whole host around me, when they proposed to enlist two regiments of the artillery, voted against me; and now he comes back at me. [Laughter.] Let me call your attention to what sort of legislation that is. Call out your volunteers, the best troops that ever a nation had. There never will be in this country an army equal to the volunteers. There never will be again an army that will fight like the volunteers. They are the very best in this Government, and in times of war my hope of salvation and success lies in the volunteers. [Loud applause.] Is your Army a failure? Has it been created and has its education been foolish? Have you spent this money for training men and can not trust them with an increase of their service limited by law? If so, abolish it.

Mr. LOVE. If I understand, then, you are in favor of the amendment, but you are not supporting the bill as reported by your committee.

Mr. COX. I will state very distinctly, I fought this bill as it came into the committee in the shape it came there. Look at the amendments put into it. I did my best to put these amendments in, and I am glad to say—I always take pleasure in saying—that with the chairman of that committee and the members of the committee I had no trouble. The only trouble was in an honest discussion and a free expression of views. We amended it there as far as we could, and hope the House will help us to amend it further.

Mr. TALBERT. The point I wanted to make is, Is not the President estopped, if this bill passes, from calling for volunteers until you reach a certain maximum?

Mr. COX. He is not. Suppose the President to-morrow comes to the conclusion that under this bill he wants to fill up the Regular Army and does fill it up, and he comes to the conclusion that it is not large enough. What does he do? He calls for volunteer service from the States.

Mr. BAIRD. But the gentleman from Tennessee does not answer the gentleman from South Carolina. He asked, Can the President call for the volunteers until the Regular Army is full?

Mr. COX. No doubt of it in the world, unless he comes to the conclusion that the 42,000 recruits will be all he needs. Now, then——

Mr. LOUD. He would not wait a year or two until he could get 40,000 men, would he?

Mr. COX. No. I should think that a President of the United States who was going to war would want to have enough men to whip the enemy, and whip him quick.

Mr. TODD. Will my friend allow me a question?

Mr. COX. Go on.

Mr. TODD. I would like to ask my friend if he does not think our standing Army is large enough for a peace footing, and whether we should not depend upon volunteers for any necessary increase in time of war? If the President is authorized to call for such volunteers as are needed, we will acquire a large army more quickly and with more patriotic impulses than by the means provided in this bill.

Mr. COX. Then disband your Army; for then it would be no use as a nucleus.

Mr. SMITH of Arizona. What war are you talking about?

Mr. COX. Oh, my friend knows that I am good-natured and that I am not to be drawn off into the Cuban matter at all. If you want to fight Cuba, all right; if you do not want to fight Spain, it is all right. But if you are going to fight, fight like men and wipe them out quick.

Mr. SETTLE. Or give up the gun.

Mr. COX. Or give up the gun. [Laughter.]

Mr. TALBERT. I thought you were going to fight for Cuba and not against Cuba.

Mr. COX. Now, one more matter and I am through. The next important point in the bill lies in the point that when peace is declared you will reduce the Army and put it back to where it was in the time of peace. Now, when the civil war closed, with that enormous army of volunteers, Congress passed an act reducing the Army to its present basis. It carried out quite a number of officers until the Army reached its present basis.

But what does this do with the officers? There seems to be another trouble on the peace basis. This bill carries only an increase of two companies; that is done to bring your Army to a battalion organization. Nobody seems to object to that. Now, the war basis made an increase in your Army, in the organization outside of the enlisted men, of two companies. So what have you got on your war basis to increase the officers? You have got two companies and the captains and lieutenants. That is all you have got.

Mr. OTEY. What is the increase in officers?

Mr. COX. On a peace basis or on a war basis?

Mr. OTEY. On a war basis.

Mr. COX. You have on a war basis two independent companies, with the captains and the lieutenants, and that is all.

Mr. OTEY. About 700 officers.

Mr. COX. Oh, no. If that is so, the best way would be to put the officers in the ranks, and let the privates command the officers.

Mr. OTEY. I asked the gentleman what was the increase in the number of officers on a war footing; what was the total increase—700, I think.

Mr. COX. No; it is not. You call out two new companies, for what? To put your regiments on a battalion basis, and when you do that you have the officers of two new companies. That is all you have.

Mr. CONNOLLY. Does not the Committee on Military Affairs report that the Army at present embraces 1,610 commissioned officers——

Mr. COX. Yes, sir.

Mr. CONNOLLY. And that the increase of commissioned officers necessary to put the line of the Army on a war footing will be 738?

Mr. COX. How many would that make?

Mr. CONNOLLY. About 2,400 commissioned officers.

Mr. COX. If the gentleman believes that, he ought to vote against this bill.

Mr. CONNOLLY. The committee so report.

Mr. COX. Oh, no; if gentlemen will examine the report and ascertain its real meaning, they will find it to be this: That when we muster into service two additional companies, we have to officer them, and then when you add your twenty-five majors, you have the whole of the proposed increase of officers.

Now, before closing I want to consider one other point—how this Army is to be reduced. This bill provides that when we go to work to reduce the Army, we shall muster out the enlisted men. It does not, I confess, touch the officers; but that does not preclude Congress, if it becomes necessary, from reducing the number of officers just as it has done heretofore.

Mr. McRAE. How large an increase of the Army is possible under this bill?

Mr. COX. You mean the whole line?

Mr. McRAE. The whole thing.

Mr. COX. It will run the Army up from 27,000 men, if the bill be not amended, to about 104,000.

Mr. McRAE. Is it proposed that the whole difference between 27,000 men and 104,000 men shall be put in the two companies?

Mr. COX. Certainly not; and I am astonished that the gentleman should ask me such a question.

Mr. McRAE. I understood the gentleman to say it was proposed to recruit only two companies.

Mr. COX. I said only two new companies; but at the same time it is proposed to fill up the defective organization of the present companies, regiments, and battalions.

Now, Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. Twenty-eight minutes.

Mr. COX. I yield to the gentleman from Arizona [Mr. SMITH].

Mr. SMITH of Arizona. Mr. Speaker, it seems almost unnecessary for me to speak on a bill the provisions of which are so much better understood by men here who are more experienced in proper army regulations than myself. I have entertained an objection to this bill on the ground that it gave no chance for the great patriotic masses of the American people to show to the world how intensely they feel and how ready they are to meet an emergency at their country's call. I thought that this Regular Army would stand in the way of enlistment of volunteer forces. But if the explanation of the gentleman from Tennessee is the real explanation of this bill, the measure does not seem to involve the objections which the gentleman from Illinois [Mr. MARSH] urged against it.

But, my friends, there is one consolation to be found in this bill itself. Whether the army here provided for be too large or too small, whether the organization proposed be correct or incorrect, there is a provision that may give us some hope that we shall not be hurt by the bill; for it positively declares in terms that it is not to take effect until a declaration of war by this Congress. When will that happen? My friend from Tennessee [Mr. COX] very happily suggested in committee, until Congress may be forced finally to recognize a condition of war, brought on, it may be, by a declaration on the part of Spain for nonpayment by us for her explosives used in the disaster in the harbor of Havana.

Now, my friends, I do not see where the war is coming from, as matters look to-day. From the President's standpoint there seems no emergency. Is this pressed as an emergency bill? Where is the emergency? If the emergency comes, the American volunteer will be found ready to meet it; and if the emergency comes, we must look on land to the volunteer forces who come up in regiments from the body of the people.

I hope war may be avoided with honor, but I see no way to avoid it if we protect our national honor and lend a hand to struggling neighbors, who with pain, courage, and fortitude are contending for the inestimable blessing of freedom. Sirs, when the time shall come, the Volunteer Army will meet all demands on the land; and I trust we shall be ready with valorous sailors to uphold the glorious history our navies have written. And this brings me to the reflection that there was a time in the days of old when the President of the United States selected his Cabinet from statesmen. In those days any emergency, foreign or domestic, was promptly met.

There is one modern instance where a President discovered statesmen for his Cabinet, but it remained for this Administration, with the aid of MARK HANNA, to invent them. [Laughter.] And what is the consequence? A halting, if not cowardly policy, instant in its changes, enlivening anxiety, arousing suspicion, and disappointing patriotism; and with nothing else to do we stand here debating as to whether or not our Regular Army shall be composed of more or less men volunteered in this or that way.

While we have no assurance that any army will be needed, unless in case of armed intervention, it may be used to aid Spain in suppressing the liberty of Cuba. The money interest is on the side of Spain, and I tremble for Cuba when this Administration intervenes. I would hate to see Cuba suffering under such freedom and my own country further enslaved by the same agencies.

But, recurring to this bill, in regard to the final disbandment of this Army, that matter has been put beyond peradventure; the objection which has been urged to the bill on that ground is now entirely out of the question; for immediately on the declaration of peace or the cessation of hostilities the Army is to be simply disbanded as our former Army was disbanded after our late great war.

Mr. LOVE. Is there any provision in the bill as to how large a standing army shall remain after the termination of war?

Mr. SMITH of Arizona. The bill provides that after the war the Army shall be put on exactly the present peace footing. So that there can be no objection on that ground.

Mr. DOCKERY. I did not understand that anyone had urged objection on that ground.

Mr. SMITH of Arizona. The proposition was made, as I understand, that there would be difficulty in disbanding so large an Army and provide for its officers.

Mr. BARTLETT. The Army may be disbanded, but the officers would still remain.

Mr. SMITH of Arizona. Just as they are now.

Mr. BARTLETT. But there will be new ones appointed under this bill.

Mr. SMITH of Arizona. No new ones will be necessary under this bill, according to the explanation of the gentleman from Tennessee.

Mr. BARTLETT. That is not the way the bill reads.

Mr. SMITH of Arizona. I mean no officers outside those now holding commissions in the Regular Army.

Mr. KING. Why not provide for mustering some of the officers out of the service?

Mr. SMITH of Arizona. I would be perfectly willing to muster out just as many officers at the close of the war as the House may agree to.

Mr. Speaker, I am not in favor of this bill. I recorded my dissent in the committee. I have great confidence in the educated officers of our Regular Army, but very little faith in the Army they command in time of peace. I have no doubt that every captain or lieutenant in the Army to-day would to-morrow, in case war should by any accident be declared, prefer to lead to battle a company enlisted by him in the neighborhood of his birth than any company now serving in the Regular Army.

Speaking for the free, brave people of Arizona, I do not hesitate to say this bill will not bring one recruit from that Territory. They will not hide their valor and lose their identity by enlisting as privates in some United States Regular Army regiment. But give them the chance in any war against us to enlist as an Arizona regiment under officers of their own selection, and the battle's edge will never become too perilous for that regiment to pass across it.

I do not believe in any great increase of the Regular Army, and to that extent I oppose this bill. I depend in war on the great mass of the common people, as the Government must depend on them in time of peace. Five hundred Arizona boys, well mounted, as they go at home, can drive any two regiments of Spanish soldiers out of the Island of Cuba into the sea and under the very wreck that Spain's unpunished perfidy wrought.

In war we must depend on our citizen soldiery. They are ready on the first call to arms. They are impatient of delay, and no patriot blames them. A halting, changing, uncertain policy, advised possibly by the invented statesmen to whom I have referred, has bred impatience in the heart of every true, liberty-loving American patriot. Let us calmly await the arrival of a promised message—if we can.

I yield back the balance of my time to the gentleman from Tennessee.

Mr. BENTON. Mr. Speaker, the present bill has for its object the increase of the Regular Army from 26,000 men to 104,000 men. I am opposed to any increase in the Regular Army at the present time, or at any time, under any circumstances, or for any purpose. Under the provisions of this bill the President of the United States can augment the Regular Army to over 100,000 men. Is there any necessity for the passage of this bill? What is the necessity, if it does exist? Can we assume that such necessity exists? Has the chairman of the Military Committee, or any member of the committee, pointed out the reasons calling for this act on the part of the Congress? Is there any war impending that would justify it? Now, the gentleman from Tennessee [Mr. Cox] says that the President can not take this action until there is a declaration of war by Congress. Would that make it any more necessary? Under the provisions of this bill the regiments are to be made up of three battalions, of companies numbering 250 men to a company, the regiments to contain 3,000 men.

The gentleman from Tennessee [Mr. Cox] further informs us that in case of war these additional soldiers will come from the States. He says that the President will ask each of the States for a given number of volunteers for the Regular Army—that is to say, the President will ask the State of Tennessee or of Missouri, for instance, to provide one, two, or three thousand men to enlist in the Regular Army of the United States. We ask why the citizens of the several States should, under any circumstances, be required to enlist in the Regular Army? The reply of the advocates of the bill is that by joining the Regular Army the enlisted men will have trained, educated, and accomplished officers ready to lead them into the field. This brings a query.

How many of the officers of the United States Army have ever seen any actual service in the field whatever? The list of officers, as a rule, is made up of young men who have come out of West Point, nine-tenths of whom never saw or felt a battle. Fully one-half of them were born since the war between the States. They would be wholly unacquainted with the private soldiers. There would be no community of interest between the men and the officers. This bill provides for over 700 additional field officers. It seems to justify the suspicion that one of the important reasons for its passage is to make places for officers now in the Regular Army.

Again, I am opposed to the bill for the reason that I believe if there is to be a war the President of the United States should call upon the governors of the various States, asking them to furnish their quota of three, four, five, or ten thousand men to be sworn into the service of the United States Army. In this way the governor of each State can call out first the organized militia or National Guard and offer their services to the Government. The National Guard or militia of the several States make a greater number of men than are provided for in this bill. These militia organizations have been drilled through a series of years, are armed, uniformed, and already equipped to go into the service of the United States as volunteer soldiers of the Government.

I appeal to the members on this floor to bear me out in the declaration that this class of men formed into military organizations in various towns of the several States is made up of young men liberally educated and carrying in their veins the best and gamest blood of the sovereign States of the Union. The sergeants, lieutenants, captains, majors, colonels, and other officers of the several regiments are all the neighbors and friends of the men who serve in the ranks. Officers and privates of the militia organizations have grown up from childhood to stalwart manhood together. They have been associated with each other in the ordinary affairs of life. They have at home a community of sentiment and interest. They have a pride in their officers, and the officers in their men.

There is no man on this floor who has served as a soldier under the starry flag of the Union or the stars and bars of the Confederacy but what knows it to be a fact that men do not fight as a rule because of any inherent or natural bravery. But they do fight because of that spirit of individual and neighborly pride which is in every American heart. He finds more of that pride when his neighbor stands to the right of him and to the left of him, when his officers are the friends and companions of his everyday life. It is this element of pride that will beget bravery in the heart of any American.

Mr. MAGUIRE. Will the gentleman allow an interruption?

Mr. BENTON. Certainly.

Mr. MAGUIRE. Is it not a fact that every private who enlists in the volunteer service has an opportunity to reach to the very highest position in the Army, while those who are in the United States Army—the Regular Army—have no chance to rise above the grade of a noncommissioned officer?

Mr. BENTON. I thank the gentleman from California for the suggestion. It is true that in the Regular Army promotions for private soldiers do not reach the commissioned offices.

Mr. STEELE. That is hardly a fair statement of fact. I will tell the gentleman that the law permits promotions of privates in the Regular Army for bravery.

Mr. BENTON. But the conditions existing practically forbid the enforcement of any such provision.

Mr. STEELE. Not by this bill.

Mr. BENTON. If this bill is carefully read by members you will find that the officers of each regiment in the Regular Army are made up from officers already in the service of the Government.

Now, Mr. Speaker, my idea is that if the soldiers of each company elect their own sergeants, lieutenants, captains, and other company officers, and the majors and colonels are taken from their own States—selected because of their acquaintance with and knowledge of the soldiers—that we will have the best character of organizations. Regiments made up of sterling privates, officered by their gallant neighbors, will make the very best possible fighting machines. Again, when the promotions come, the men of the companies will be permitted to have something to say as to who will be promoted from the ranks.

Mr. HULL (interrupting). Let me ask the gentleman if the law does not provide that in the Regular Army companies are officered by Regular Army officers?

Mr. BENTON. Yes, sir; that is my contention, and is one of the objections I have to this bill becoming a law.

Mr. HULL. Are not the volunteers allowed to elect their officers?

Mr. BENTON. That is correct, and I may add, in my opinion, proper.

Mr. HULL. Then there is nothing in this bill to change the provisions of the law.

Mr. BENTON. Yes; but under the provisions of the bill, as I will show, the volunteer will find no place for himself unless he is disbanded from his militia organization and joins the Regular Army. For I can see no necessity, under any circumstances that present themselves to me at this time, for more than 105,000 soldiers. What do we want with any more than that number—that is, what can be the need of the United States for a greater number?

The suggestion may come of possible war with Spain on account of the Cuban situation. Mr. Speaker, if this Government, or, rather, this Administration, shall wake up to its duty to poor, starving Cuba, if tardy justice is to be done by this Government, 100,000 soldiers is all we need. If the Government of Spain, with its whole army pouring in on devoted Cuba, has not been able in three years to beat down and destroy thirty-five or forty thousand

ragged, undisciplined, unarmed, and unfed people on the Island of Cuba, how long would her legions stand before the onset of 100,000 American soldiers made up from our militia organizations?

I do not oppose this bill, Mr. Speaker, because I am unfriendly to the Cuban cause; no, no. Along with this side of the House I have stood up on every count in favor of the demand that belligerent rights or the recognition of independence be accorded to that unhappy people. I voice the sentiment of all the people whom I represent when I say that if this Government had done its plain duty as a republican government, a Christian government, belligerent rights would have been granted to Cuba more than a year ago. If the unseen power of the money changer had not been stronger than the bright fires of patriotism, 300,000 starving Cubans would not have died, 266 American seamen would not have lost their lives, and our gallant battle ship, bearing the flag of a restored Union, would now be gallantly floating on the waters instead of at the bottom of the sea in Havana Harbor, the victim of Spanish treachery.

The people of Missouri, aye, of all the States, have waited for the Administration to move. They have seen our President insulted, our flag insulted, our sailors murdered, our ship blown up, our neighbors in Cuba fighting and dying for freedom. Our people have heard the Cuban cry for succor, and have been astonished and humiliated that our Republic has turned a deaf ear to Cuba's call. Let us hope that the voice of American freemen will yet be strong enough to drown the hoarse cry of the money kings.

No, Mr. Speaker, possible war with Spain furnishes no sufficient reason for an increase in the Regular Army. Under this bill how will our volunteer militia get into the Army? Not until the Government of the United States fills up the regiments, as suggested under the provisions of this bill, to the full number of 104,000 men.

Mr. HULL. Will the gentleman yield to me for a question? I will yield to him sufficient time to make up for all that I occupy.

Mr. BENTON. I will yield to the gentleman.

Mr. HULL. Under the present law, in the case of war, with the present organization of the Army, you may have 25,000 infantrymen alone. You could have 12,000 cavalrymen alone. Under the law as it now exists, in time of war the artillery would have 11,248 artillerymen.

Mr. BENTON. You mean under the present law.

Mr. HULL. Yes; making a total of 48,248 men.

Mr. BENTON. Yes.

Mr. HULL. Now, I want to suggest to the gentleman that the main point of this bill, which I should like to hear discussed, is the modern formation of the three battalions. The increase of the Army can be easily fixed. When we come to the size of the companies, it is easy then to reach the point of the size we want.

Mr. BENTON. I do not particularly care to discuss that feature of the bill. The manner of forming the regiments into three battalions is not, with the little information I have, the very objectionable feature of this bill. The objections which I urge are, first, that it makes the regiments too large. Under the new system of going into action a regiment of 3,000 men marching abreast would be 3 or 4 miles long. The field officers could not be in touch with the men. My own knowledge on the subject of the organization of the regiments is that 1,000 men are as many as ought to be in any one regiment, exclusive of the officers; that 100 men, together with their officers, is large enough for a company. I do not believe that companies or regiments ought to be so large that they can not be under the immediate supervision of their several officers. That is my view on that subject for whatever it is worth.

Mr. Speaker, my contention is, in the first place, that there is no necessity for enlisting 100,000 men in any possible war that may confront us. If that is true, there will be no call for volunteers if you fill up the regiments as is called for in this bill. And the National Guard or organized militia of the several States will not be called into service, and none of the men composing the militia organizations will get into the service unless as individuals they come and enlist in the several companies and regiments of the Regular Army of the United States. In that case they will be officered by men who are total strangers to them, who care nothing for them as individuals, and about whom they do not care anything. The idea that I want to impress upon this House is that the citizen soldier, with his own neighbor and friend as his immediate officer, selected at his suggestion, is the best for service for this country in case of battle.

If a man has to enlist under this law in the United States Army, he loses his identity. He is no longer a soldier from Texas or Illinois, from Tennessee or Indiana, from Kansas or Missouri, but he is simply a United States soldier. There is left to him no pride of village, town, or city; no pride of county or State to fire his heart or nerve his arm.

He is a mere atom. The marked difference between a Regular Army soldier and the volunteer soldier is this: The Regular Army soldier, as a rule, enlists to be fed and clothed and paid $13 a month. The volunteer soldier enlists because of the patriotism that is in his own breast, and because of the patriotic feeling of his town, his county, his State, and his reverence for our General Government. [Applause.]

As I said in the outset, Mr. Speaker, I am opposed to increasing the Regular Army under any circumstances. The average American citizen does not look to the Regular Army as the best protection to our Government and its people. There has grown up a very strong sentiment in this country in opposition to the standing army. The people have seen and felt the use of the standing army in times of peace. They have seen it called upon in open, plain violation of the Constitution to do duty within the borders of the sovereign States without the call of the governor or the legislature.

They have seen the standing army pressed into service to carry out the edicts of the Federal courts, that are doing so much legislating in these latter days. They have seen the Regular Army brought into cities and towns to overawe the citizen when he protested against starvation wages for his labor. To the plain citizen the presence of Regular Army soldiers to enforce the decrees of courts does not serve to arouse his patriotism. The great majority of the plain people of this country consider the standing army as a menace to liberty. I trust the idea of the regular standing army may never become popular in the American heart. [Applause.]

Mr. Speaker, I believe in a return to first principles. Mr. Jefferson in his first inaugural address laid down the principles of government suited to a free people. He enunciated the true doctrine when he declared that "the best reliance of a republican government was on its militia." Our Government has always relied on the militia when imperiled. The volunteer soldiers of the States, in the service of the General Government, have upheld the flag and maintained the honor of our country.

When the day of battle comes there are no questions asked as to how many Regular Army soldiers there are in the field. But there was frequently heard: Is that the Eighth Iowa to our right? Is the Fourth Tennessee on our left? Is that the Second Illinois Cavalry in front? Where is Cockrell's Missouri Brigade?

Mr. Speaker, if war comes, let the President call on the governors of the States for volunteers. The volunteer soldier will bare his breast to the storm of war and bring victory to the flag. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

H. Res. 178. Joint resolution granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike.

The message also announced that the Senate had passed without amendment the following resolution:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and is hereby, requested to furnish the House of Representatives, at the earliest time practicable, such information as he may have regarding the possibility of providing deeper draft at the entrance into Charleston Harbor than is contemplated by the approved project for the improvement by jetties of the entrance to that harbor; and that he be requested further to submit a plan and estimate of the cost of securing a depth of not less than 26 feet at low water from the ocean to deep water inside the harbor, and to report his opinion as to the advisability thereof.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3472. An act to incorporate the Masonic Temple Association of the District of Columbia; and

S. 1116. An act to pay the heirs of the late John Roach, deceased, $330,151.42, for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*.

THE GALLERIES.

Mr. HENDERSON. Mr. Speaker, I desire to report the resolution which was offered this morning with respect to the galleries.

The SPEAKER. The gentleman from Iowa [Mr. HENDERSON] wishes to present a report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules have had under consideration resolution No. 278, and report the following as a substitute and recommend that the same be adopted:

"*Resolved*, That until otherwise ordered by the Speaker there be issued daily by the Doorkeeper to each Representative and Delegate two tickets to the galleries of the House, and the Doorkeeper is hereby authorized and directed to reserve sufficient space to accommodate the holders thereof.

"During the pendency of this order the rules as to the members' family and the visitors' galleries are suspended."

Mr. HENDERSON. Mr. Speaker, just a word of explanation to the House. This will give two tickets to each Member and Delegate daily. They will be taken up at the door. The tickets heretofore issued by the Speaker to the family gallery and by members

of the House to the visitors' gallery will be suspended. That must of necessity be. The public gallery will be reserved to the public, extending from that railing to the corner railing, and a portion of it will be assigned to ladies and to ladies with escorts and a portion to gentlemen without ladies. The rest of the galleries, excepting the executive and diplomatic galleries, will be reserved to the holders of these cards.

Mr. KITCHIN. Will the gentleman yield for a question?

Mr. HENDERSON. Yes.

Mr. KITCHIN. Will the doorkeeper, under this resolution, take up the tickets from the visitors when they first come in, so that afterwards they can not be used again during that day?

Mr. HENDERSON. I could not hear all of the gentleman's question, but I will say that these tickets will be taken up daily. There is no other way to make it safe.

Mr. KITCHIN. But the question is this: Supposing a visitor comes in under one of these tickets. Now, when that visitor goes out, will the doorkeeper then take up the ticket, so that it can not be again used during the remainder of that day?

Mr. HENDERSON. That ticket will take him in and out during that day, but no longer. I want to say we have brought this up at this time, interfering with the special order, because the Doorkeeper will have to have the tickets printed, and they can not be printed and deposited in your boxes to-day, but they will be printed in time, and you will find them in your post-office box to-morrow.

Mr. KITCHIN. The ticket may be used two or three times in the day by different people, but there will only be one ticket?

Mr. HENDERSON. The ticket will take in or out anyone who holds the ticket, but each ticket will be taken up each day.

Mr. TALBERT. And new tickets will be issued every day?

Mr. HENDERSON. That will have to be done.

The SPEAKER. The tickets will be taken up by the doorkeeper when the gallery is entered.

Mr. DOCKERY. As I understand the Chair, the ticket is not returned to the person.

The SPEAKER. It is not returned to the person who held it.

Mr. DOCKERY. Even though he desired to go out and return in fifteen minutes?

The SPEAKER. Perhaps some arrangement can be made for that purpose, but the tickets are to be taken when the recipient enters the gallery.

Mr. DOCKERY. It occurs to me, Mr. Speaker, if an arrangement were made by three or four parties who desire to use the same ticket during the day, the order would be entirely safe if the ticket should have the date printed on it.

The SPEAKER. The difficulty is that some tickets might be passed out after people came in.

Mr. BAILEY. Here is the difficulty I see: That if some visitor or some one holding a ticket went into the gallery and should be called out for any purpose—for lunch, or for any other reason—if the ticket were taken up and not returned, he would be unable to reenter the gallery, and yet under this system there will be a seat for each one of these tickets.

The SPEAKER. That can be arranged by the doorkeeper.

Mr. BAILEY. The doorkeeper could hand the ticket to them as they passed out again.

The SPEAKER. That can be arranged. The question is on agreeing to the resolution.

Mr. EVANS. I desire to have the resolution read before action is taken.

The SPEAKER. The Clerk will again report the resolution.

The resolution was again reported.

The question was taken; and the resolution was agreed to.

On motion of Mr. HENDERSON, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ARMY BILL.

Mr. DOCKERY. I desire to yield to the gentleman from Alabama.

Mr. WHEELER of Alabama. Mr. Speaker, I simply ask leave to print the substitute which I want to discuss to-morrow.

The SPEAKER. The gentleman from Alabama asks unanimous consent to have printed the substitute which he proposes to offer. Is there objection? [After a pause.] The Chair hears none.

The proposed substitute is as follows:

A bill for the better organization of the line of the Army of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the organization of each regiment of infantry now in service shall embrace 1 colonel, 1 lieutenant-colonel, 2 majors, 10 captains, 12 first lieutenants, 10 second lieutenants, 1 sergeant-major, 1 quartermaster-sergeant, 1 chief musician, 2 principal musicians, 2 battalions of 4 companies each, and 2 skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops: *And provided further*, That the vacancies in the grade of major created by this section shall be filled by promotion, according to seniority in the infantry arm.

SEC. 2. That hereafter the pay of officers and enlisted men of artillery, while serving with either light batteries or heavy artillery, shall receive the same pay as is now provided by law for cavalry; and artillery while serving as infantry shall receive the same pay as is now provided for infantry.

SEC. 3. That upon a declaration of war by Congress, or a declaration of Congress that war exists, the enlisted strength of a battery of artillery and company of engineers, respectively, may, in the discretion of the President, be increased to comprise not exceeding:

For each battery of heavy artillery: One first sergeant, 1 commissary-sergeant, 23 sergeants, 10 corporals, 2 musicians, 2 artificers, 1 wagoner, 161 privates; total enlisted, 200.

For each battery of field artillery: One first sergeant, 1 quartermaster-sergeant, 1 veterinary sergeant, 6 sergeants, 15 corporals, 2 farriers, 2 artificers, 1 saddler, 2 musicians, 1 wagoner, 141 privates; total enlisted, 173.

For each company of engineers: One first sergeant, 10 sergeants, 10 corporals, 2 musicians, 64 first-class privates, 63 second-class privates; total enlisted, 150.

The quartermaster, commissary, and veterinary sergeants provided for in this section shall have the pay and allowances of sergeants of their respective arms.

SEC. 4. That in time of war the President shall cause the batteries of artillery authorized by law to be organized as heavy or field artillery, as in his judgment the exigencies of the service may require.

SEC. 5. That in time of war every officer serving with troops operating against an enemy, who shall exercise, under assignment in orders issued by competent authority, a command above that pertaining to his grade, shall be entitled to receive the pay and allowances of the grade appropriate to the command so exercised: *Provided*, That a rate of pay exceeding that of a brigadier-general shall not be paid in any case by reason of such assignment.

Mr. DOCKERY. I yield ten minutes to my colleague [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, with some diffidence, feeling that I am not well acquainted with the subject under consideration, and yet with well-settled views as to the policy which I think is involved, I venture to address the House briefly upon the pending bill. I have nothing whatever to say against the Regular Army, but, if time permitted, could say very much in its praise, because many and many a page in American history, glorious now and glorious forever, has been written by it.

Neither can I say anything against the officers of the Regular Army—the trained officers from the great Military Academy at West Point—that will rank in standing, in achievements, by the great soldiers it has developed and trained, with the best the world has ever known. Believing, however, that under our Government and according to its genius the reliance and dependence of our country at all times, in peace and in war, must be upon the great mass of our citizenship, upon the patriotism which animates them and the courage which will characterize them upon any and every field, I am convinced that the legislation proposed is in the wrong direction.

As was well said by my colleague [Mr. BENTON], we can not suppose if a war is to come between this country and Spain that a larger army than that provided for in this bill will be required. Eloquently and forcibly he called attention to the fact that for three years an immense army from Spain has proved totally unable to conquer the weak, poorly disciplined, poorly fed, poorly armed forces of Cuba. And in view of this, in view of the achievements of our soldiers upon every field, in every war in which they have been engaged, there can not be a doubt, I think, that an army of 100,000 men will be ample, and more than ample, for all the needs of the United States in any conflict, probable or possible, with Spain.

Then this bill, in fact, would provide a regular army to fight the battles of the country, if battles are to be fought, to the exclusion of volunteer soldiers. The gentleman from Iowa, speaking on this question a short time since, said, and my colleague [Mr. BENTON] urged in even stronger language, that a large share of the glory of the war, if we are to be involved in war, is to come from that generous, noble rivalry of the troops of one State with the troops of another State, all for the cause of humanity and freedom, as shall appear when the story of battles and victories is told and retold.

In an American volunteer army the individual soldier is much. In the Regular Army the private soldier is but a small part of a great machine—

The individual withers and the army is more and more.

If we are to read chronicles of bloody warfare, let us read of the charges of regiments of volunteers from New York, from Ohio, from Missouri, from Texas, and from the several other States of the Union. Let the soldiers from one proud State, the volunteer citizen soldiery answering their country's call, meet in generous rivalry, under the one flag and for the one cause, the volunteer citizen soldiery from the other proud States. That will be a fitting representation of the American people upon the field of battle, where is to be settled great issues worthy of the nation, worthy of its traditions, worthy of its responsibilities, its hopes.

Why should the entire fighting force of the United States be mustered into the Regular Army? Have we not about enough soldiers in the Regular Army? Will those who enlist among the "regulars" be better soldiers than those ready to go forward as volunteers under the State flag, floating just below the Stars and Stripes? Why ought not the comradeship, the fellowship, of those who go out of the same community be sustained and carried through the trying scenes of war?

If playfellows in childhood, schoolboys together, fellow-students in the years of early manhood, associates, aye, bosom friends, with full confidence and trust in one another—if they go to war under their country's starry banner, why should they not go forward side by side, trusting friends as well as soldiers? Then when the battle rages, when the supreme test is applied, each man will feel that at his side stands a friend. He will feel that if some deadly missile strikes him and he falls he will fall into the arms of a friend, and that his last words uttered upon earth, some message to his loved ones at home, will drop into the ear of a friend, to be carried, he may fondly hope, to those vainly watching and waiting for his return.

Such is the American citizen soldiery; such is the volunteer army that has made this country glorious for a century of war, peace, and progress. Why should we banish that army?

I am proud of my State, proud of the glorious record her sons have made on a hundred battlefields. I wish to see Missourians to the front. I wish to hear and to read of the gallant deeds of Missouri volunteers. I wish to hear and to read of the achievements of the heroes and the sons of heroes from old Virginia, from Texas, Tennessee, New York, Kentucky, Pennsylvania, and Massachusetts.

Let each volunteer have the opportunity to gather new laurels for his State at the moment that new laurels are gathered for the United States—his nation. Then your warfare will be truly American, truly republican, truly democratic, really worthy of our great Republic.

It is no reproach to the Regular Army, it is no criticism of the superb officers trained in the art of war at West Point, to say that if our people are to go forth to battle they ought to go surrounded by their friends, officered within their regiments by friends of their choice. They ought to be permitted to give battle as American citizen soldiers.

Whatever may be said of the excellency and efficiency of the Regular Army, there are distinctions, and creditable ones, which may be observed in favor of the citizen soldiery. They are of the body of the people to-day—farmers, mechanics, merchants, clerks, professional men—to-morrow, warriors, the equal of any upon battlefield, at sieges, upon long marches, and in endurance of all the privations known to the soldier. And, the war over, how quietly these volunteer soldiers drop back into the peaceful pursuits of life. This is the kind of soldiery upon which we must depend. From this soldiery there never is danger, while from it always will come efficient service and glory and honor to the nation.

Mr. COX. Will the gentleman allow me to ask him a question?

Mr. DE ARMOND. Yes; but my time is limited.

Mr. COX. I will not take much of your time. Now, any man in Missouri or Tennessee can enlist, if he pleases, in the Regular Army.

Mr. DE ARMOND. Exactly. Mr. Speaker, my friend from Tennessee suggests that under this bill a man in Missouri or Tennessee may enlist in the Regular Army. That is true. In that case he goes in as a member of the Regular Army of the United States, severing himself entirely from his State.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. DOCKERY. I yield the gentleman two minutes further.

Mr. DE ARMOND. Going in as a member of the Regular Army, does he go in with friends; does he go in under officers of his choice or the choice of his friends? No; where he may go, who may be his company and regimental officers, who shall stand to his right, who touch elbows with him on the left, are matters that he can not determine, matters about which he has no say. I repeat, when he thus goes in he loses his character as a Tennesseean or a Missourian; he becomes simply a private in the Regular Army of the United States.

What I ask—what I think ought to be allowed by this House—is that when the Missourian goes to war as a volunteer soldier, no less true to the Union—the great nation made up by the union of these mighty States—than a member of the Regular Army, he may go forth to battle also as a Missourian, proud of the record of his State in peace and in war. He will be no less efficient as a soldier, and, while reflecting glory upon the arms of our common country, he will also reflect glory upon his State.

Let the helpful rivalry come between these soldiers from the respective States, each in his own State organization—the friendly, noble rivalry in determining who can fight hardest, who can march farthest, who can gather—to be clustered upon and twined about the shield of our common country—the brightest flowers of glory. That is the volunteer-soldier policy as against the Regular Army policy. [Applause.]

[Here the hammer fell.]

Mr. DOCKERY. I now yield to the gentleman from Colorado [Mr. BELL].

Mr. HULL. Before the gentleman from Colorado proceeds, I hope it may be agreed that general debate may close to-day at 5 o'clock in order that we may take up the bill under the five-minute rule and have extended debate on the different paragraphs as they are reached. Considering the bill in that way, members can get a better idea of it.

Mr. DOCKERY. I would very much prefer that the gentleman consent at 5 o'clock to recommit the bill.

Mr. HULL. I see no necessity for that.

Mr. DOCKERY. I think it will save time to do so. If I do not mistake the temper of the House, the bill, if brought to a vote, will be rejected by an overwhelming majority.

Mr. HULL. Mr. Speaker, I have no feeling on this subject——

Mr. DOCKERY. I do not want to anticipate the defeat of the bill, but it seems to me a recommitment would be the nearest way out.

Mr. HULL. There is no use in recommitting the bill, because the House, without recommitting it, can change it so as to preserve, if it so desires, only the battalion organization. In that way time will be saved. If it can be agreed that general debate close at 5 o'clock and the bill be then considered under the five-minute rule for amendment, we can, as we go through the paragraphs, determine the size of the companies and decide also the question as to the increase or decrease of the Regular Army as absolutely as could be done by a recommitment of the bill.

Mr. COX. I had a certain number of minutes reserved, and then I yielded to the gentleman from Arizona [Mr. SMITH]. He did not consume all my time. I wish to know from the Speaker how many minutes I have remaining?

The SPEAKER. Twenty-one minutes.

Mr. HULL. The point I want to get at is this: I think that when we come to consider amendments to the bill, there ought to be quite full discussion; and in that way we can go on and perfect the bill in the House just as well as by recommitting it. The main point about which the committee is especially anxious is the question of the modern formation, and the increase or decrease of the Regular Army, the House can settle without recommitment.

Mr. DOCKERY. I do not think there is any objection to the modern formation. The only suggestion I have heard supplemental to that is that the Regular Army be reorganized on the basis of the present force.

Mr. HULL. As provided by law in time of war. Mr. Speaker, I ask unanimous consent that general debate on this bill close at 5 o'clock.

Mr. WHEELER of Alabama. I should like to say——

The SPEAKER. The gentleman from Iowa [Mr. HULL] asks unanimous consent that general debate on this bill close at 5 o'clock.

Mr. MARSH. I object.

Mr. COX. If this arrangement interferes with my using the time I have reserved, I shall make objection.

The SPEAKER. Objection is made by the gentleman from Illinois [Mr. MARSH].

Mr. DOCKERY. I yield fifteen minutes to the gentleman from Colorado [Mr. BELL].

Mr. BELL. Mr. Speaker, I am opposed to this bill, because I think that 25,000 men are enough for the Regular Army, either in time of war or in time of peace. I object to this bill because I think that it is wholly oblivious of all the laws of human nature.

The Regular Army, if it is increased at this time in the regular way, must necessarily call on the men from Colorado and Missouri and from other portions of the country that are not drilled, men that are unemployed and who will seek the Regular Army more for the purpose of securing a subsistence than for the purpose of accomplishing the demands which may be made upon the Army of the nation. On the other hand, if the bill is permitted to be so perfected as to call into action the National Guard of the different States, then you get an army of men well drilled and in a great many particulars as well officered as the Regular Army of the United States.

Taking the State of Colorado, for instance. I have just received a letter from our adjutant-general saying that the head of the State militia of that State graduated at the head of the class of 1884 at West Point. The National Guard, generally, of the various sections of the country is drilled in competition with the other forces from different portions of the State. There is a competition and a rivalry existing amongst them to secure the best drill and soldierly bearing, and to-day it is safe to say that many of them could make a very favorable competitive showing, as far as drill is concerned, with the United States Regular Army.

If it is the object of this committee to fill up the Army for the present prospective exigency, it is wholly impracticable under the plans proposed here; because we know, from human nature and from the history of mankind, that when you call upon men generally to come from different portions of the country to enlist in the Army of the United States, you will not get the very best fighting element of the country. You are more liable to secure

that element of our population which is not self-reliant; you will more probably secure an element of the country that is not willing and is not capable of competing with their fellows in the ordinary avocations of life.

And therefore I say if you should fill up the Army from 25,000 to 104,000, as is proposed here, the greater part of that Army would be totally undrilled and not of the best fighting blood of the country; and such a body of men can not be trained and fitted for service and properly used as an emergency army. The National Guard is drilled, ready for action, and of the best citizenship of the nation.

In the last war President Lincoln and his advisers in the beginning ignored the same law of human nature to which I have referred; they first started in as though they had the idea that it was to be a war of the Republican party; that it was, in other words, to be a Republican war. You know how things languished. You know the great apathy in Democratic States. Democratic strongholds concluded that if it was to be a Republican war they would have no responsibility or part in it.

But when Ben Butler was called to Washington he said, "Mr. President, let me go into these great Democratic strongholds; let me advise them that this is a popular war in favor of the Union—a war by the people for the safety and integrity of the Constitution—and you issue commissions to Democrats and they will give full support to the Union cause; but Democrats will not make the roll of privates if the Republicans hold all the commissions." Now, you know the result. But you start in under the provisions of this bill and call men from Colorado or from Missouri or any other State to enlist in the Army, using the Regular Army as a reservoir from which to officer them, and the public sentiment will be so strong against it that you will get nothing but a few stragglers from these various States who are not capable of making a living at home. You get a class of men who would be of little service in the Army and who are of no value at home.

I have letters from Colorado miners, saying, "We want to organize a miners' regiment, a regiment that will be experienced in handling dynamite." I hear of others saying they want to organize a "cowboy" regiment, who are experts in horsemanship. We find the same thing is true among other classes and avocations in the various States. When you ignore the beacon lights that stir up an emulation for rank you ignore every principle upon which you can get up and maintain an efficient army. If we must have an army for the present exigency, we must have an army in the next few months. I received from our adjutant-general a day or so ago two letters, and to show you how jealous they are of your discrimination against any portion of the country, or of your ignoring their efficiency for active service, I desire to read these letters in full.

This is what the adjutant-general of Colorado says:

ADJUTANT-GENERAL'S OFFICE, *Denver, March 31, 1898.*

SIR: I desire to call your attention to certain features of the Army reorganization bill now pending in the House of Representatives.

Section 3 of the bill provides for increasing the enlisted force of the Regular Army to more than 100,000 men in case of war. The effect of this section will be to prevent the National Guard of the several States from being called on unless more than 100,000 men are needed. This would seem unjust for many reasons. The National Guard is organized, equipped, drilled, and disciplined, and its members have devoted a great deal of time and study in order to educate themselves so as to be of assistance to the country in time of need. The organizations of the National Guard would also be imbued with esprit du corps, which is a feature essential to success, and which would not prevail in the case of recruits suddenly added to the forces of the Regular Army.

It is suggested that the following amendment to section 3 of the bill would prevent an injustice being done the National Guard, and would also give to the country better service in a case of emergency: "*Provided*, That such increase shall not be made until the available strength of the organized National Guard shall have been called into service."

If you will have the kindness to investigate this matter, the action will be highly appreciated by the members of the National Guard of Colorado, and doubtless will meet the approval of the National Guard of every State and Territory in the Union.

Very respectfully, your obedient servant,

CASSIUS M. MOSES,
Adjutant-General.

Hon. J. C. BELL,
House of Representatives, Washington, D. C.

And again he writes:

ADJUTANT-GENERAL'S OFFICE, *Denver, March 31, 1898.*

SIR: It has come to the knowledge of the writer through unofficial sources that in the event of the National Guard of the various States being called on for service in a possible war with Spain only the States east of the Rocky Mountain region will be asked to furnish troops.

The writer desires to direct your attention to the fact that the National Guard of Colorado has responded to numerous calls for service in the past four years, having been on duty to suppress riots, etc., for a total of eight months during that period, and the experience gained in this service would be of inestimable value in time of war.

Our Guard consists of two regiments of infantry, a battery of light artillery, and three troops of cavalry, the members of the cavalry owning their own horses. The entire Guard of the State is fully equipped for field service.

The brigadier-general commanding the Guard is Irving Hale, who graduated from West Point at the head of the class of 1884, and is very favorably known at the War Department.

In the event of war the entire National Guard of Colorado desires to be among the first called for duty, and if you will use your influence to have this desire gratified you will place under many obligations that portion of your constituency known as the National Guard of Colorado.

Very respectfully, your obedient servant,

CASSIUS M. MOSES,
Adjutant-General.

Hon. J. C. BELL,
House of Representatives, Washington, D. C.

Now, gentlemen, that spirit is in every State of the Union. We do not want any more regular soldiers. The time of war is of all times the period when we least want the raw regular soldier. The regular soldier is a safeguard in time of peace. Not saying anything in disparagement of the regular private, but, generally speaking, many of them drift into the Army of necessity. Too often men who have not been able to cope successfully with their neighbors in private affairs seek the Regular Army in times of peace for food and clothing and because they are not self-reliant enough to fight their way alone in private life.

But when you come to war, if war must be, you will find that the man who has succeeded at home among his fellows in the general avocations of life will be at the front. You will find the young men of the country generally wanting to go with their neighbors and wanting to be officered by their own citizens. You will find miners who want a miners' regiment. You will find the cowboys wanting a cowboy regiment. You will find that the city boys will want a city regiment. You will find that the farmers will want a farmers' regiment, and this combination, with the strong emulation it will engender, will form the army that must win our battles now, as they have been won in the past.

I am opposed to this bill for these reasons, and I am opposed to any increase of a standing army, because it tends too much toward militarism. Wherever a nation has organized a great standing army a military despotism has followed. Every increase of the Army is a menace to the civil power. The National Guard is segregated and responsible in times of peace to the governor of the State where formed, and is a strength to the civil power. [Applause.]

I now yield back to the gentleman from Missouri any time I may have left.

Mr. DOCKERY. I yield five minutes to the gentleman from Louisiana [Mr. OGDEN].

Mr. COX. Mr. Speaker, I have a certain number of minutes left.

The SPEAKER. The gentleman has twenty-one minutes.

Mr. COX. I should like to be recognized.

The SPEAKER. The gentleman from Tennessee.

Mr. DOCKERY. I have not used up all my time.

Mr. COX. I think the gentleman had better wait until I get through with my time.

The SPEAKER. The gentleman from Missouri [Mr. DOCKERY] has the floor. The Chair understood that he had yielded the floor.

Mr. DOCKERY. I yield five minutes to the gentleman from Louisiana [Mr. OGDEN].

Mr. OGDEN. Mr. Speaker, I am opposed to the bill under consideration for more than one reason. In the first place, I am opposed to the increase of the Regular Army of the United States. There is no necessity for such an increase. In my opinion, the only good feature in this bill is the proposed battalion organization. The change of the organization of the regiment from ten companies to twelve companies could, it seems to me, if that was the wish of the committee, have been brought about in another way. The committee could have brought in a bill changing the regimental organization without involving all this vast increase of enlisted men.

The very report that the committee brings in with this bill is enough to condemn it in the eyes of almost every man, whether he has ever had any experience in military affairs or not. Some of the older members of this House have had some experience in war. We all recognize that the methods of war have changed in the last thirty or forty years, since the late civil war was fought, and we recognize the necessity of changing the method of the organization of our regiments to comport with the present manner of fighting throughout the world. We know that the old double-line formation has gone forever, and we know that that has been succeeded by what is known as the "skirmish line" formation.

The various Secretaries of War have from time to time sent in reports to Congress upon this subject. I will read from the report of the committee what the Secretary of War in 1894 says, which is a fair sample of all:

The organization of the line of the Army has undergone no material change since the close of the civil war. During this period of thirty years every large foreign army has been completely reorganized. Changes and improvements in arms, ammunition, and equipments have forced upon the leading strategists and tacticians of the great armies of the world the necessity of a broad departure from the old systems.

All have adopted the battalion as the tactical unit for infantry and artillery serving as infantry, and nearly all the equivalent of the squadron as the cavalry unit. The light-artillery battalion has a similar composition. Should our Army ever be brought into collision with disciplined foreign troops our present formation would prove so defective as to turn the scale against us in a conflict on terms otherwise equal.

For some years the Secretaries of War, the generals commanding the Army, and the most eminent authorities in military science in this country have urged the adoption of the battalion formation, and our most progressive and best-informed officers believe that the organization of our small Army should embody this universally approved result of modern military thought.

Four companies are as large a body as is now possible for one officer to lead and control in action. Formerly, and down to a recent date, the colonel could see and direct the movements of all the men of his regiment, who marched and fought in double rank with touch of elbows. Under such conditions a regiment of 1,000 men occupied a front on the battle line no greater than would now be covered by a small battalion of one-third that number. A few years ago small-arms fire was ineffective at distances greater than 600 or 800 yards, while now it will be deadly at ranges of 2,000 yards, or at even greater distances.

In modern warfare the men will act in small groups or singly, and the advance will be made in successive lines in open order. Perfect organization and perfect control by the commander of each unit will be absolutely essential to efficiency and success in the field.

The National Guard of several of the States, more progressive than the General Government, already has the three-battalion organization, and our own Army is being instructed as thoroughly as our defective system will permit, battalions of from two to five companies being improvised in the different garrisons.

The committee indorses Senate Report No. 231 of the first session of the Fifty-second Congress, which says:

In the same tactical formation of infantry probably fifteen men would be killed where one was killed with the former firearm. Add to this the powerful machine guns now used, such as the Gatling and Hotchkiss, and the rate of death to the closed files of double rank would be terribly increased. This it is that makes the present single-battalion double-rank formation a suicidal one, and that has caused its abandonment in other civilized nations.

For a line to live under these changed conditions means that it shall be a single line, with intervals or spaces between the men who are to receive attack or make assault. The length of line of the present 1,000 men of a regiment, in double rank, without intervals, is about 300 yards, and in single rank 600 yards. Every regimental commander of our late war will appreciate the difficulty of commanding even this length of line. In the din of battle neither voice nor bugle note can easily be heard. The noise of conflict has been greatly intensified by the introduction of the breech-loading repeating firearm.

Von Scherff, the great German military writer, referring to the Franco-Prussian war, says: "It was very difficult for officers to keep their men together, because of the noise of a close conflict between breechloader and breechloader."

Let the single line be lengthened by intervals between the files, as it must now be, and how powerless would any colonel be to control and command his regiment? He absolutely needs the three-battalion formation with a subordinate commander, a major, for each battalion.

He can not even personally command one and supervise the action of the others, for with the battalions properly placed according to modern tactics, each in rear of the other, the first with its skirmishers and supporting lines and columns holding a front of 200 yards and a depth of 400, the second and third battalions in column, with spaces of about 250 yards intervening; with a total depth (owing to the far-penetrating power of the modern arm) of about 1,000 yards, being about the depth of a division prepared for battle as it was formed in the three-line brigade organization during our war, the colonel commanding could not only not be heard, but in most cases he could not see his command. The lieutenant-colonel, as the title implies, is needed as the lieutenant or general assistant of the colonel, and the majors commanding battalions become an absolute necessity for successful warfare.

To sum up the tactical matter, the old line-of-battle formation used during our civil war "now belongs to the past as completely as the Macedonian phalanx, and the general who would use it would simply invite the murder of his army and sacrifice the cause of his country on the altar of imbecile conservatism." The present organization is objectionable in that it has no expansive power and must be totally changed in time of war, thus violating a familiar military maxim that "the plan of an army should be the same in time of peace as in time of war."

Further on they say that the unit ought to be reduced. Now, what does this bill do? Under the present organization form a regiment consists of 10 companies. This bill increases it to 12 companies, adopting the battalion formation, and allows in time of war recruiting to go on, the companies to be increased to 250 men; so that a colonel will command 12 companies of 250 men each in time of war, making 3,000 men commanded by a colonel. Now, it seems to me that is absurd. If we want to follow the advice of the Secretary of War and these eminent strategists and follow the lines of modern warfare, we should adopt the opposite policy.

The SPEAKER. The time of the gentleman has expired.

Mr. OGDEN. I have five minutes from the gentleman from Tennessee.

Mr. COX. I yield to the gentleman five minutes.

The SPEAKER. The gentleman is recognized for five minutes more.

Mr. OGDEN. As I was going on to say, if we adopt this bill as brought in by the committee, we increase the number of enlisted men under the command of the company officer to three times what it is at present. In other words, a company officer who formerly, when he went into battle, commanded 15 men would command 60 men under this bill. The captain would command 250 men instead of 100 men, and the colonel would command 3,000 men instead of 1,000 men. If it was difficult for a colonel to command a regiment of 1,000 men under the old double-line formation, it would be impossible for him to control the movements of a regiment of 3,000 men under the skirmish-line formation.

Now, I think that if they want to reorganize the Army, as we have 25 infantry regiments and 10 companies to a regiment, making 250 companies, all that would be necessary would be to divide these 250 companies into battalion organizations of 12 companies each.

If it is necessary to give them an additional major or an additional lieutenant or two additional lieutenants to complete this more efficient organization of the Army, it ought to be done; and then we ought to stop there. All that is necessary to be done is to change from the ten-company organization to the twelve-company organization.

I grant what the gentleman from Illinois has said and the gentleman from Iowa has said in regard to the efficiency of the volunteer force of this country. I agree with them perfectly that if war is to come and additional force is needed, the war will and ought to be fought by the volunteer forces of this country; and I will never agree that in times of war the right to fight the battles of the country shall be taken from the volunteers of the country and put into the hands of the standing Army of the United States. We do not need the increase of a single man in war or in peace in the standing Army of the United States. We have no Indian wars. What use have we for even 25,000 troops in time of peace, and in time of war we have 25,000 men already organized.

What do we want with an increase of the standing Army? Oh, gentlemen, the belief is prevalent in this House, I know, that for years attempts have been made to increase the standing Army, and you are taking advantage of a probable war with Spain to bring about an increase of the Army, to be used as a police force in the interests of the trusts and corporations. I do not want to increase by a single man the standing Army in time of peace or war. In peace we do not need any, and if war comes, our dependence will be, as in the past, in the volunteer organizations of the country.

Now, I am willing to vote for that part of the bill to give authority to reorganize the Army into the three-battalion formation, especially the infantry.

Take the 25 regiments of 10 companies each and organize them into 20 regiments of 12 companies each, with a maximum of 100 enlisted men to each company; add such additional field officers as may be necessary under the battalion formation, and you have accomplished all the reorganization that is needed to meet the necessities or requirements of modern warfare.

Mr. DOCKERY. I yield five minutes to my colleague [Mr. COCHRAN].

[Mr. COCHRAN of Missouri addressed the House. See Appendix.]

Mr. DOCKERY. Mr. Speaker, I think it is hardly necessary to add anything to what has been so well said on both sides of the Chamber in opposition to this bill. It is obvious to me that this House will, by an overwhelming vote, reject the measure. The only proposition which now seems to offer any hope of saving any part of the bill is the one suggested by the gentleman from Iowa and others, looking to the amendment of the measure.

Mr. Speaker, if the bill is to be amended, I suggest to the gentleman from Iowa that the bill should be recommitted to the committee, and after careful consideration again reported to the House. I think in that way, in view of the discussion already had, the committee will be able to report a suitable measure which will receive the approval of the House, provided always that the standing army is not increased either in time of peace or time of war.

Mr. Speaker, this is not an emergency measure. It does not increase the standing army in time of peace, but it proposes to increase the standing army in time of war from about 27,000 men to about 105,000 men. I am opposed to this increase in the Regular Army of 78,000 men, because the United States in all its wars has largely relied upon the volunteer soldiery, and has fought its battles and achieved its triumphs with their aid.

We relied upon the volunteers in the war of 1812; we called for the volunteers in the war with Mexico, in all the Indian wars, and in the late civil war. The volunteer soldiery has always supplemented the Regular Army and fought our battles, and if there is to be war with Spain, if our flag is to float in victory upon the Island of Cuba, it should be sustained and upheld by the volunteer soldiers of the United States. [Applause.]

Mr. Speaker, this bill authorizes an increase of the Regular Army in time of war to the extent of about 78,000 men. I object to it because, to that extent, it stands in the way of the rugged yeomanry from Iowa, from Missouri, from Illinois, from the great Northwest, from the Northeast, and from other sections of the Union, who desire to defend the flag if there is to be war with Spain. For that reason, Mr. Speaker, I trust the gentleman from Iowa [Mr. HULL] will consent at this time that the bill may be recommitted and reconstructed. I am satisfied that the House will then approve it, provided there is no authority to increase the Regular Army in war or peace.

Mr. HULL. The bill is now before the House, and the committee are perfectly willing to hear the objections of the gentleman from Missouri so far as the increase of the number of companies is concerned. Why not let us amend the bill to meet the views of a majority of the House?

Mr. DOCKERY. Because I do not believe in that way the

measure can be properly perfected. The whole bill should be reconstructed. If reconstructed on the line of this discussion and no increase is made in the Regular Army, I think the House will approve it.

Mr. HULL. The present law on the statute books of the United States places the Regular Army in the time of peace at 26,010, in round numbers. The present law on the statute books of the United States provides for an increase between a peace footing and a war footing, making, in round numbers, the Regular Army of about 48,000 men. Does the gentleman want us to bring in a bill providing that in time of war there shall be no increase in the Regular Army over what we have to-day?

Mr. DOCKERY. I am speaking for myself only. I do not desire the Regular Army increased in time of war. I insist that this nation should rely upon the volunteer soldiery. Let me state the effect of the bill: Under its provisions the men who enlist in the Regular Army from Missouri, from Iowa, from Illinois, from Maine, and from other States must enlist as privates. They must go upon the muster roll as privates, to be officered by the officers of the Regular Army.

Mr. HULL. Do you not do that under the law as it is now?

Mr. DOCKERY. Certainly, Mr. Speaker; but the Regular Army is small, and I do not desire it increased, because our people should have the opportunity not only to enlist as privates but also to enlist as officers.

Mr. HULL. According to that theory, if the committee should bring in a bill on the lines that the gentleman suggests, we would be obliged, in order to have the modern formation, to cut the number of regiments in two.

Mr. DOCKERY. Mr. Speaker, I am not familiar with the details of army organization. I am not an expert in military matters; but I oppose the increase of the Regular Army either in time of peace or in time of war. If we are to have war, let the Government call upon our heroic volunteers to aid the Regular Army. [Applause.]

Mr. TALBERT. It has been stated here by different members that in case of war this bill, if it should be in operation, would destroy the militia organization—the National Guard. I should like the gentleman from Missouri to explain in what way the bill will dismember or disorganize the militia of the States.

Mr. DOCKERY. Simply by denying them the privilege of "doing business."

Mr. TALBERT. Then it takes their business out of their hands?

Mr. DOCKERY. It commits to the Regular Army the duty of fighting our battles, to the extent at least of the proposed increase of 78,000 men. It thus takes away from the National Guard the incentive for maintaining its organization.

Mr. ROBBINS. And there can not be enlistments in the Regular Army beyond the number of 104,000.

Mr. DOCKERY. That is true. I think the bill should be recommitted, that it may be perfected before it is again brought into the House. I should be glad if we could have unanimous consent at this time to test the sentiment of the House upon a simple motion to recommit the bill.

Mr. FLEMING. Let us have a vote on that.

Mr. HULL. I object to that, because I believe that the bill can be perfected and voted upon in the House. If we fail in that effort, it will then be time enough to recommit the bill.

Mr. MARSH. I want to suggest to the gentleman from Missouri whether, in cutting down the number of men that this bill contemplates as an increase of the force of the Regular Army, the proposed increase of officers should not also be largely cut down. Something more than 750 new officers are provided for in the bill, and if there is to be, as suggested by the gentleman from Missouri, no increase in the number of enlisted men, it is a question whether there should be any increase of the officers.

Mr. DOCKERY. There ought not to be. I am not criticising the committee; I know that it has presented the best measure it could devise. But the bill is not in harmony with the sentiment on both sides of this Chamber, unless I am wholly mistaken. I have conversed with a number of gentlemen, and I believe the sentiment is practically unanimous against the bill.

Mr. HULL. I do not believe there is any division of sentiment on this subject if we do not increase the number of men in the Army. If the present force, without any increase, be simply put on a war footing, then there will be no increase of officers provided for in the bill except the twenty-five majors. I believe there is no difference of opinion on this side as to the part of the bill in which I am particularly interested, which is the modern formation—the battalion formation.

Mr. OGDEN. Right there, let us get down to something practical. There are twenty-five regiments——

Mr. DOCKERY. I yield to the gentleman from Louisiana [Mr. OGDEN] for a question.

Mr. OGDEN. I have been through one war; and I want to put a question to the gentleman from Iowa [Mr. HULL] which may elicit something practical. There are twenty-five infantry regiments, I believe?

Mr. HULL. Yes.

Mr. OGDEN. They are composed of 10 companies each?

Mr. HULL. Yes.

Mr. OGDEN. That will make 250 companies. Now, if we should adopt the three-battalion organization, consisting of 12 companies, that would of necessity reduce the number of regiments, but not change the number of companies; or, if you add 2 companies and continue the same number of regiments, it would add one-sixth to the force as at present constituted. Now I will ask the gentleman which proposition he would make if we should go on now and amend the bill?

Mr. HULL. I would make the proposition to adhere to the twelve-company organization and the 25 regiments of infantry.

Mr. OGDEN. That, then, would increase the present force 2 companies to each regiment, which would give 50 additional companies?

Mr. HULL. It would.

Mr. OGDEN. Making an addition of 5,000 men to the Regular Army?

Mr. HULL. Yes; in time of war.

Mr. OGDEN. That is a reason to recommit the bill and let the committee reconstruct it and meet the views of those who are opposed to an increase of the Army. We are willing to vote for the three-battalion organization suggested by the bill, but we are opposed absolutely to any increase in the Army.

Mr. HULL. I have no question but that the committee, if they reconstructed the bill at all, would bring it back with a change by adding two companies to each infantry regiment. It does not increase the companies in the cavalry or in the artillery regiments, but only makes the increase of two companies in the infantry regiments.

Mr. DOCKERY. Does the gentleman object to a request to be submitted now for unanimous consent to test the sense of the House on a motion to recommit the bill?

Mr. HULL. I would most certainly object to it at this time.

Mr. DOCKERY. Why?

Mr. HULL. Because so many members have left the House, not expecting a vote to be taken upon it at this time.

Mr. SHAFROTH. Will the gentleman allow a question?

Mr. HULL. Well, the gentleman from Missouri has the floor.

Mr. DOCKERY. I yield to the gentleman.

Mr. SHAFROTH. I would like to ask the gentleman from Iowa if the provision contained in the bill as to the reorganization is solely embodied in section 1 of the bill?

Mr. HULL. It is in sections 1 and 2 of the bill.

Mr. SHAFROTH. Section 2 says:

SEC. 2. That upon a declaration of war by Congress, or a declaration by Congress that war exists, the President, in his discretion, may establish a third battalion for each infantry regiment, consisting of four companies, to be supplied by manning the two skeleton companies, and by organizing two additional companies.

Now, is that all that relates to organization in the bill?

Mr. HULL. That relates to the third battalion.

The first section of the bill provides for taking the eight companies and dividing them into two battalions.

Section 2 provides for the organization of the third battalion in time of war.

Mr. SHAFROTH. Then the provisions are contained in the first and second sections of the bill?

Mr. HULL. Mainly, or largely so. The others relate to the numbers of companies, the manner of disposing of them, and various matters of that kind.

Now, you can reenact, so far as I am concerned, the present law as to the questions involved here, provided you will give us the three-battalion organization, and the bill, even modified in that respect, as it would be would still be an excellent one.

Mr. HENRY of Mississippi. Will the gentleman allow me an interruption?

Mr. HULL. Certainly.

Mr. HENRY of Mississippi. As I understand it, these two companies, of which mention is made here, simply consist of officers and not men, which are to form the nucleus of the third battalion.

Mr. HULL. Yes. But this bill does not change the old provision. We have that enactment now.

Mr. HENRY of Mississippi. Well, we have no use for it.

Mr. HULL. That may be; but we have that provision of law just the same.

Mr. HENRY of Mississippi. And that section is carried forward in section 2?

Mr. HULL. It is provided that these companies are to be fully organized, but it does not change the ten-company provision. It leaves that just as it is now.

Mr. HENRY of Mississippi. How, then, do you propose to fill up the regiments—by voluntary enlistment?

Mr. HULL. Just as is provided under the present law. If the President calls for volunteers for the Regular Army, the States are called upon, and the number of troops necessary is specified according to their population. But if the President is to call for troops outside of the Regular Army, the Congress must first authorize him to do it. The minute that Congress does that it would take precedence over anything else, and the State troops would be organized as they were organized during the last war, and as the provision of the present law authorizes their organization.

Mr. HENRY of Mississippi. As under the provisions of this bill.

Mr. HULL. This has nothing to do with the volunteer troops. They are organized under the present law. If we pass a bill or a joint resolution to-morrow authorizing the President to call for volunteers, he would apportion them among the various States, and under present conditions the most of the States have a better organization than the Regular Army.

The SPEAKER. The time of the gentleman from Missouri has expired. The gentleman from Wisconsin.

Mr. GRIFFIN was recognized.

Mr. DOCKERY. I desire to move to recommit the bill, Mr. Speaker, if it be in order.

The SPEAKER. The trouble is that if it was in order the gentleman's time has expired, and the Chair has recognized the gentleman from Wisconsin [Mr. GRIFFIN].

Mr. HULL. I think that motion would not be in order anyway, Mr. Speaker, until the bill is on its third reading.

Mr. DOCKERY. The Chair holds the motion to be in order.

Mr. HULL. I hardly think it fair to make the motion with so many members absent from the House.

The SPEAKER. The gentleman's time has expired, and the Chair has already recognized the gentleman from Wisconsin.

Mr. GRIFFIN. Mr. Speaker, whatever the fate of this bill may ultimately be, it is self-evident that the people of this country, through their representatives on this floor, are exceedingly sensitive with respect to any increase of the armed force of this country. Very much of this sensitiveness and much of this adverse sentiment comes from a misapprehension of the provisions of this bill. This entire debate has proceeded upon the line of the National Guard in opposition to the permanent establishment in the military forces of this country.

For one I exceedingly regret that such should have been the character of the debate. No man upon this floor has greater respect for or interest in the National Guard than I have. Not only that, Mr. Speaker, but there is no organization that I know of to-day that shall perpetuate my name save an organization in the National Guard of my State. So I have watched the progress, the advancement, the development of the National Guard in my State for so many years that it seems to me as if I were to-day a part of it, and I regret exceedingly that the Committee on Military Affairs of this House should have been charged with bringing in a bill here antagonistic to the interests of the National Guard in the various States of this Union. That, sir, was not our purpose nor our object, and we deny that it is accomplished by the terms of this bill.

The argument which has been made here in opposition to the bill is an argument in favor of disbanding the permanent establishment and doing away with it for all time. Who, sir, is willing to place himself upon record as being in favor of a proposition of that kind? One gentleman was so extreme in his remarks as to say that in time of war we had less use for the Regular Army than in time of peace. To my mind, having had a little experience in war, it seems almost impossible for me to reconcile that with rational ideas.

In time of war, if the war be sufficiently extensive, as we have reason to apprehend that it might be at some time in the history of this country, the Regular Army will be just as much needed as the volunteers, and the volunteers just as much as the Regular Army. I desire, Mr. Speaker, to overcome, if I can, this seeming prejudice and contention which it has been endeavored to build up here to-day as between the Regular Army and the National Guards, who would constitute the volunteer forces of this country, as the rolls now show, to the number of 114,000 enlisted men.

Sir, we want to foster both, within proper limitations. And this bill, to my mind, does not infringe upon that principle. It only increases the Regular Army about 56,000 men in time of war beyond what the law now provides. Surely in a great country like ours, with 70,000,000 people, no one could object to 56,000 men of our good citizens being added if they were added to the military forces of this country in time of peace.

Now, sir, we ought to take this bill and consider its operations as a practical question. It has been contended here that the passage or enactment of such a law as this would deprive the volunteer soldiers of this country of the right to do duty and perform service for the country. I am one of those who believe that in case of war, if this bill should become the statute law of the country, not one-tenth, nay, not one-thirtieth, of that increase would come to the Regular Army.

Why? Because, as has been suggested here in this debate, men who are willing to serve under the old flag prefer to serve with the State organization; and when the President of the United States, in view of an emergency—and I am speaking altogether in an abstract sense—calls for men to enlist, he establishes his recruiting offices, and if there be prospect of war which would necessitate the calling out of a large force of men, American citizens are sufficiently intelligent to comprehend the situation, and the desire to serve in their own State regiments would be so great that every man would say, "Well, if we do not enlist in the Regular Army, which is not as desirable for us, because we are only going to serve during the war, we shall have an opportunity to serve in volunteer regiments from our own States." And there, Mr. Speaker, is an obstacle in the very sense and sentiment of the American people to any large increase in the Regular Army under the provisions of such a bill as this would be if it should become a law.

Some have suggested, "Well, the President of the United States might order a draft." But, sir, before any Chief Executive of this nation will undertake to fill up the ranks of the Regular Army by a draft in any State of this Union, the governor of that State would say, "Mr. President, my State is prepared to furnish its quota of men as volunteers, but is not willing to see its citizens drafted when it stands ready with many more men than you need to meet your requisition."

In that I can see safety and a safeguard that these gentlemen who do not stop to analyze the provisions of this bill have perhaps overlooked. I will confess that I am not one of those who are afraid of the military establishment of the United States. I have never yet seen or apprehended any danger that might possibly flow from the maintenance of a national police force in this country, and that is all there is of the handful of men now serving in the Regular Army.

But, sir, in the volunteer force of this country to-day, that so many eulogize, and that I am willing to eulogize, we have a representation of the men who more than a third of a century ago shouldered their muskets in defense of our country and who preserved the honor of its flag. They are the prototypes of what the men in 1861 to 1865 were, on both sides of that unfortunate contest; and, sir, we need nothing more than to read the history of this country, and point out the examples of heroism which were performed during those four misguided years, in order to have our admiration for the volunteer soldier occupy the highest plane in the country's history.

Nor, sir, while I am doing that do I forget that those who served in the Regular Army were men who maintained the honor of this country and their own reputation as heroes. Now, sir, the National Guard and the Regular Army have for many years worked and operated in harmony in this country. The officers of the National Guard and the officers of the Regular Army—nay, more, I may say the noncommissioned officers of the Regular Army—have worked together under a system of education in the lines of military training and teaching and discipline which have made both better than they otherwise would have been. And, sir, when they talk about the men who serve in the National Guard of the various States being a better class of men than the Regular Army, I want to call their attention to the fact that to-day and for the past few years the standard has been gradually elevated in selecting and accepting men to serve in the Regular Army.

Neither the officers of to-day nor the enlisted men in the Regular Army occupy the same plane as they did years ago. There were times in the history of this country when the Regular Army officer looked upon the National Guardsman as something beneath his attention. To-day they recognize them as their equals; and I agree with the sentiment expressed here, that in many cases they are their superiors. But, sir, it will not become us to deny the fact that we have in the Regular Army to-day just as good men, just as good officers, as any nation on the face of the globe could desire. I am not here to disparage by invidious comparison the standing of any of our citizens, let them be in the uniform of a soldier or be a private citizen.

We have in this Chamber to-day created that which may result in contentions between the Regular Army and the National Guard. That system of beneficial education in a military way which has been inaugurated and in force in this country for many years by the efforts of broad-minded men, by the efforts of men who have appreciated the fact that in time of need the National Guard was the reliance; that that system from this time on, because of the unfortunate sentiment which has been expressed here, the two arms of the service may be at variance, and the country deprived of the benefit which would otherwise have resulted. Sir, the National Guard to-day—and I speak advisedly, because I have

been in touch with that organization for many years—the National Guard to-day owes much of its proficiency, much of its superiority, to the education and the example and to the discipline of men in the permanent establishment.

Now, sir, if these gentlemen are not afraid of an increase in time of war of 56,000 men in the Regular Army, there is nothing in this bill to which they can object. If you are not afraid of 56,000 men added to the 48,000, to which even under the present law the present Army may be increased, why then there is nothing for you to fear. But if you are, then you ought to vote against this bill or that provision of the bill, and yet it requires a practical test and a practical application of such a law to determine the proposition which I laid down, that with a prospect of war, as the law is, you would utterly fail to increase your Army one-thirtieth part of the number that you stand in fear of.

One of the greatest difficulties in case of war with the President would be the very same sentiment that is advanced by gentlemen upon the floor of this House, that the sentiment of the country is not sustained here in trying to fill the ranks of the Regular Army to 104,000 or to increase by 56,000 above what the present law provides for. Those who do not see any safety in that advance have a further objection to the increase in the military establishment of this country to the number mentioned. They are opposed to this bill. It is a desirable measure in case of emergency. The bill contains proper limitations for the reduction of the Army when the exigency is passed. It is immediately required by this bill that the Army shall be reduced to a peace footing of 26,610 men. It can no longer exist upon a war footing. Now, sir, so far as the increase from 48,000 to 104,000 is concerned, to that extent, and to that extent alone, it decreases the opportunities for the National Guard to serve their country. In other words, if in time of war under a law of this kind 104,000 men were sufficient, and if these men could be secured upon enlistments in the Regular Army, the National Guard or the volunteer forces of this country would not be called upon to serve.

There is no desire on the part of this committee or any member of the committee to conceal or mislead any member of this House. This proposition is presented fairly and squarely to the consideration and the intelligent judgment of the members. It is for this House to say whether they would rather be limited in time of war, in time of great emergency, when quick work would have to be accomplished—it is for them to say whether they would rather the President should be deprived of the right to increase the Regular Army so as to admit of volunteer forces of the State, or vice versa.

Mr. HENRY of Mississippi. Will the gentleman allow me to ask him a question?

Mr. GRIFFIN. Yes.

Mr. HENRY of Mississippi. Do you think in case of an emergency it would be quicker, more expeditious, to fill up the regiments by recruits than to call on the States for volunteers?

Mr. GRIFFIN. No, sir.

Mr. HENRY of Mississippi. That is what you did say.

Mr. GRIFFIN. I will say right there that that is the protection of the men who entertained the views that the Regular Army ought not to be increased in time of war under such a bill as this. Enlistment in the Regular Army under these circumstances would be so slow that it would be impossible for the President of the United States to thus cooperate——

Mr. HENRY of Mississippi. Then you give away your whole case, according to your own argument, because you admit that you have got to rely upon the volunteer forces to serve the country in case of emergency.

Mr. GRIFFIN. I admit the President of the United States would accept such as came to the Regular Army under this bill, and if they did not come fast enough he would call upon the volunteers.

Mr. HENRY of Mississippi. I call upon the members of the House to witness that the gentleman has given away his case, because he admits the fact that the Government at last, in the case of an emergency, must rely upon the citizen soldiery of the country to save the national honor. [Applause.]

Mr. GRIFFIN. Did you ever find a condition differing from that?

Mr. HENRY of Mississippi. No, sir; I never did; that is why I oppose this bill.

Mr. GRIFFIN. Then my statement is perfectly consistent with the passage of this bill.

Mr. HENRY of Mississippi. No, sir; I deny that it is consistent, and I want to say to you——

Mr. GRIFFIN. I object to the gentleman making a statement; I object to the gentleman interfering with my remarks.

The SPEAKER. The gentleman from Wisconsin declines to yield.

Mr. GRIFFIN. I decline to yield to a gentleman who misstates the situation.

Mr. HENRY of Mississippi. I deny that I have——

The SPEAKER. The gentleman from Wisconsin declines to yield.

Mr. HENRY of Mississippi (continuing). Misstated the situation.

The SPEAKER. The gentleman from Wisconsin declines to yield. Will the gentleman from Mississippi resume his seat?

Mr. GRIFFIN. The gentleman is extremely sensitive as to what the bill may do. I say it is proper that the power should be lodged in the Chief Executive of the nation, and if he can acquire sufficient troops, sufficient additions to the Regular Army, to insure the purposes of the occasion, he should have that privilege. I am in favor of the Chief Executive enjoying the power which will enable him to take care of this country and maintain a proper defense of it.

If the bill, or a measure such as this, fails to meet the exigency, then he has the other privilege of calling upon the States for volunteers. Sir, that is practically the method which has heretofore been pursued. I regret that gentlemen should be so sensitive, so supersensitive, on this subject, when no harm can occur. Does any gentleman on this floor believe that the Chief Executive would call into requisition a larger army than that which would meet the needs and necessities of the occasion? If he does, then it is proper for him to oppose this measure.

If he lacks that confidence in the Chief Executive of the nation when such an emergency may arise, no matter who he may be—if they lack confidence in him, then he should not only oppose this measure, but he should ask that the present Regular Army be disbanded. Sir, it belongs to the national characteristic that every nation in its regular and permanent military establishment should have a sufficient force to protect and defend it in the time of need. Any other policy leaves the nation exposed to foreign foes; leaves it exposed to the enemies who might assault the Government without any means and without any opportunities for that nation to protect itself and its great interests.

I do not believe in that line of policy. Notwithstanding that we have so many men qualified for military duty—and at the present time there are 10,000,000 men in the United States who are so qualified—I care not how many you have, unless you have a sufficient force maintained and in training, that can be called upon in an instant to respond to the order of the Chief Executive, you are a feeble, weak nation. The American people do not want to be placed in that attitude. They do not want to build up a reputation of that kind. They are great and strong in every other characteristic, and it is not to their discredit that they are willing to maintain a proper, permanent establishment for self-defense.

All the efforts which have been made in opposition to this bill have proceeded on lines of legislation in the interest of the National Guard. It ought to be recognized as a fact (for it is a fact) that this bill does not to any extent or in any manner legislate in the interest of the National Guard.

Mr. HULL. Or against them, either.

Mr. GRIFFIN. Or against them. Sir, when legislation in the interest of the National Guard is presented here, there will be no one on this floor who will be as ready to support it as I. And, Mr. Speaker, I regret that the gentleman from Illinois [Mr. MARSH], who is chairman of the Committee on the Militia, has not used his influence to increase the appropriation proposed by his bill for the maintenance of the National Guard. The men who have for years served in that organization have made greater sacrifice for the benefit of this country in the way of becoming educated in military tactics and discipline that they may be ready to serve the country in time of need than has yet been recognized by the nation at large. And, sir, I shall be ready, if the gentleman from Illinois will amend his bill, to aid the National Guard by increasing the annual appropriation for its maintenance from $400,000, as proposed in the bill reported, to $1,000,000, as it should be. [Applause.]

Mr. MARSH. Will the gentleman permit me?

Mr. GRIFFIN. Certainly.

Mr. MARSH. I wish to say that the committee has authorized me to offer that amendment to the bill now pending in the House.

Mr. GRIFFIN. I am very much pleased, Mr. Speaker, to have that assurance. I know that the National Guard throughout this country will thank that gentleman and his committee; and he also has my personal thanks, because just as long as I live I will be a friend of the National Guard of my State and of all the States regardless of the permanent military establishment of this country.

Some intimations have crept out in this debate which would lead one to philosophize a little on this subject. If we consider the interests of all kinds of organizations and all kinds of men and all sections of this country, without reference to the interests of the entire body of our people, and try to frame a measure which shall satisfy every locality, every organization, and every individual, legislation would be practically out of the question. One gentleman states in this House that he has an application for an organization of a cowboy regiment. Now, this bill might have interfered with that.

He also makes the statement that he has an application expressing a desire to organize a miners' regiment; and he thinks that under the provisions of this bill he could not have that opportunity. But when these States are called upon for volunteer forces, the governors direct the forces that are to fill that requisition on the part of the President. Those regiments may be known as cowboy regiments, or miners' regiments, or regiments of retail clerks, or any other designation; but, sir, when they mingle with and become a part of the military organization of this country in time of war, constituting the volunteer forces of the country, their organization then receives a number with the name of the State, and they are no longer known as "cowboy regiments" or "miners' regiments" or anything of that kind, except among those who may desire to preserve their identity in history by using the original names of the organizations.

A name amounts to nothing. The history of glorious deeds, the history of valor, may as well cluster around a number with the name of the State from which the organization emanated as around the designation "Cowboy Regiment" or "Miners' Regiment." When that time comes, men are not measured by the occupations in which they may have been engaged. The country, then, is looking for men who will serve it well—men who will maintain its honor. And I concede there is no class of men who will do it better than the volunteer forces of the country. Whatever may be the fate of this bill, when the time comes, if it ever does, when the volunteer forces shall be called in to aid the Regular Army, I have no doubt that each organization will vie with all the others to see which can render the best, the highest, the most effective service to their country and its cause. And with that object in view this bill has been prepared.

Why, Mr. Speaker, efforts have been made ever since the year 1883 to effect the three-battalion organization in infantry regiments. It has been recommended by every Secretary of War since that time. It has been recommended by those who held the positions of General and Lieutenant-General in the armies of the United States. Bills have been prepared and introduced for the accomplishment of that object. But the developments of to-day have indicated why those efforts have not met with favorable response on the part of Congress.

While gentlemen entertain views so adverse to military legislation for the benefit of this country, just so long we shall be unable to effect that organization. And yet Persia, China, and the United States are the only known countries to-day whose infantry organizations consist of two battalions in a regiment. It is time, sir, that in this respect we made the three arms of our service harmonious. With the passage of the first and second sections of this bill that object will be accomplished. Without it the Army will go on in its present inefficient and cumbersome condition until the necessities of war at some time in the future compel a reorganization and readjustment upon the lines of the first two sections of this bill.

Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PARKER] the balance of my time.

The SPEAKER. The gentleman from New Jersey is recognized for twenty minutes.

Mr. MARSH. Before the gentleman from Wisconsin takes his seat, I would like to ask him a question.

The SPEAKER. The gentleman from New Jersey has been recognized.

Mr. MARSH. I hope the gentleman will allow me to interrupt for a moment.

Mr. PARKER of New Jersey. I would be very glad to do so, but I need all the time at my command.

Mr. Speaker, this bill, so far as it relates to doubling up the Army from within each company and to crediting the recruits of the Regular Army to the various States, is no emergency measure. If any member who is interested will look at report No. 2520, in the second session of the Fifty-fourth Congress, he will find a report which was prepared by a then member of the committee in favor of these two matters. I will deal with the second of them first; that is, the localizing of the recruitments of the Regular Army.

I want to call your attention in this connection to a matter of history. Our Regular Army has always been the nucleus, and at first the fighting line, in time of war. We depend afterwards upon the National Guard for the fighting. I am a member of the National Guard myself, and I have never introduced a bill, and never will introduce a bill, against it. [Applause.]

I believe in the militia—Jefferson's militia—mentioned by gentlemen in the discussion of this bill to-day. We stand ready at the beck and call of the President of the United States whenever in his judgment our services are necessary to repel invasion and to suppress insurrection, just as much as the Regular Army. [Applause.]

The Military Committee ask only that the Regular Army be given an equal chance. During the late war the regiments of the Regular Army went down to skeletons, not because men did not want to go into them to enlist under tried, able, accomplished, and good officers, under the old and recognized leaders of the Regular Army, but the regiments went down to skeleton organizations because the quotas enlisted were not credited to the States, and the States therefore preferred to put their men into the volunteer forces.

As a consequence, the Regular Army got comparatively no recruits. This bill allows such a credit, and, as I have said already, it localizes the recruitments of the Regular Army. This is not the least important item in the make-up of the bill. If two friends can come together from the same neighborhood and from the same town, join the same company, and it is known that men from that neighborhood will be allowed to enlist in such a regiment of the infantry or cavalry, as the case may be, then local pride and fellowship is enlisted, the quota of the States can be brought up, and men will go into regiments where they have friends and neighbors.

This plan is followed in every other army in the world. Why should it not be done with us? They have, for instance, county regiments in England, and regiments representing the various kingdoms in Germany. Not that they do not represent the Empire or the Government, but that they represent the local pride of the people. We now have one regiment of artillery that is composed chiefly of men from a single State. In that regiment there are few cases of desertion, because these men do not dare to go home and meet other men from that regiment or their neighbors.

The provision for local recruiting is in section 5 of the pending bill. As originally drafted, it went further and ordered the name of the State to be put on the regimental flag. This provision was omitted because of the opposition of the Army authorities, but it will be done if we get in a war, when it is recognized that the men from a certain State are represented exclusively in one regiment.

It is, however, provided in the bill that each regiment of the Army may draw its recruits from such State or States as may be designated by the President, and that such recruits shall be credited to such State or Territory, including the District of Columbia, upon its proportional quota. Now, it is hard to see why the bill was amended so as to forbid that any State bounty shall be paid such recruits. The States should be encouraged to put their best men into either regular or militia service, and they should be properly represented in the Army of the United States. State pride in the regiment would make enlistment popular, as in the volunteers.

Now, Mr. Speaker, I pass to the provision authorizing the Regular Army to be increased from within in time of war. Let us again look at history. In the war between the States—that sad struggle—we sent out regiment after regiment, and as the men were killed off or disabled and the regiment reduced in numbers another regiment would come in under untried officers from the same State. The veteran regiments were skeletons and the new regiments useless.

That system was found bad, and after a while both sides, the Southern army and the Northern army, learned from the sheer force of experience what was best to be done under the circumstances. They put new men into old regiments. Only the old regiments were trusted. At Gettysburg there were a hundred thousand new men, and they were not regarded as worth anything, although they had been drilling.

What did they know about the marching, what about the camping, what about the fighting, and what about meeting the enemy? They were not veterans. We relied on the veteran regiments in which the same raw men, put in alongside of the old men, were veterans. We stand now as we did at the outbreak of the great war. We have veterans among us, but they are old, and age counts in an army. Only Heaven knows how many of us are fit to take our places in the fighting line.

We have to consider the fact that we might have to meet a first-class power. When this bill was drawn there was not a cloud in the sky. There are powers who could land sixty or seventy or eighty thousand disciplined troops, men who know how to march, camp, and fight. On the other hand, we have 25,000 disciplined men, under good officers, who know the business of the camp, the march, and the supply of food, men who have been in Indian fighting. In this Army we can put the new man alongside of the old.

More than that, we could often put the old man alongside of the old; the man who has served in the Army and been discharged honorably, who is ready to take his place again alongside of his comrades. Such regiments, if shipped to Cuba, will be seasoned regiments, used to marching and camping; men who will not be drowned out in camp because they do not know how to dig a ditch, who will not be caught in ambuscades, because they go under tried officers who know what fighting is; men who are ready to make the first line. True, it is only the first line.

What we need is at least 50,000 men, or, better, seventy-five or

one hundred thousand men, as provided by this bill, of whom some at least have had experience how to fight, as well as how to drill in a particular battalion organization; men who are ready to take the first brunt of the conflict, while the National Guard, called out at the same time, are in the field and are being taught by experience and are learning under their officers the demands of actual warfare. Shame on the idea that would disparage our Regular Army! [Applause.]

On it we of the National Guard pattern ourselves. True, the volunteers draw from the best blood of the country, but go to Fort Myer and tell me if the young men in the Regular Army are anything but solid, energetic Americans, even if they have not been to college. The officers are devoted to their duty. They know their men, and are what we need as a first fighting line. We do not want to go into a war again with nothing but 20,000 men who know anything about the requirements of warfare. There is no army in the world that finds it possible to keep in the ranks all the men it means to call there.

Germany puts all its infantrymen through the course of service in two years, and half of them are new every year, but there are three times as many more to fill up the ranks, to double the companies at the beginning, and to fill the ranks as the men drop out. Those companies in war are 250 strong, twice the peace strength. The same reserve system should exist in the National Guards. Why should we be enlisting men for two, three, four, or five years and then letting them go back into society, and not have the right to call them back again? Their active service should be only a training to enable them to come back again into the old regiment.

The same provision for increasing the regiment must belong to the National Guard which we found necessary for the volunteers in the last war. We need the same principle in the Army. A hundred thousand men are but a flea-bite in a great war. They are only the leaders. We want the same system in the National Guard—to call back the trained guardsmen into the ranks, to double up the companies, to put in under the present active officers all those who have had the training of that Guard, and to make that Guard three times as large as it is.

It is only a little over 100,000 men now. It ought to be able to expand to 500,000 men, with all the training that has been given to the number who are now in civil life. This bill is not aimed against the National Guards. It is a bill to enable the Regular Army to become an effective fighting force. It is also a bill which, when adopted by the States with reference to their own enlistments, will make the National Guard a tremendous fighting force instead of being regarded as a plaything. It will make every man know that when he enlists in that Guard for two years he really enlists for ten—two or three years in active service and the rest in reserve.

It means that instead of depending on untrained volunteers, with politicians as their leaders, we shall depend upon a trained National Guard; not only upon its active ranks, but upon its reserve, ready to go into the conflict. I am astounded at the objections made to this bill. Increase the efficiency and strength of the Regular Army and you increase the military spirit throughout the whole nation. Give that Army the power to fill itself up from within, and then, in time of necessity, you put the reserve line in alongside of the trained soldiers.

Do that by the Regular Army and you will soon have the same plan adopted by the National Guard. The two organizations work together on the same lines. They stand together as the defense of this country, but that defense, when once encouraged by a proper system, using all the strength of State pride, yielding all credit to the State for every man that goes into the service of his country, either in the Regular Army or in the volunteers, adopting the methods adopted by every warlike country in the world, in having an active service and a reserve, so that it can fill its ranks in case of necessity with trained men—I say these two organizations make up an army that needs no further training than the hard work which untrained men get in the field. Give them three months of that, and I say it would be an army before which the army of any Government in the world, no matter how strong it be, would quail.

Mr. LOVE. Will the gentleman allow me to ask him a question?

Mr. PARKER of New Jersey. I will.

Mr. LOVE. My question is this: I understand this provides for an increase of officers in case of war?

Mr. PARKER of New Jersey. Very little.

Mr. LOVE. Then, after the war is over, would there be any necessity for them? It provides that the soldiers shall be mustered out.

Mr. PARKER of New Jersey. The increase in the officers is almost infinitesimal. There are more or less losses as the result of war, even if they have no fighting. Men always drop out. The only increase is in the second lieutenant in each company of infantry, which makes about one new officer in eight, so that with the changes that take place in war there would be at the end of the war practically no increase of officers.

Mr. MARSH. It increases the number of officers about 750.

Mr. PARKER of New Jersey. Yes.

Mr. MARSH. And you assume that many of them would be killed or die?

Mr. PARKER of New Jersey. I mean to say that they would——

Mr. MARSH. Those places would be filled as soon as the vacancies occurred.

Mr. PARKER of New Jersey. Certainly.

Mr. MARSH. So the number at the close of the war would be full.

Mr. PARKER of New Jersey. It might stand at 750.

Mr. HULL. Would it not also, so far as the number of the Army is concerned, save between three and four millions in cost?

Mr. PARKER of New Jersey. Yes. But I have regarded the question of cost as entirely subordinate to the question of efficiency. The benefit of having new men in line with the trained men, who can each teach his comrade how to pitch his tent and manage his business, is great. I disclaim to my friend from Illinois, whose earnestness I recognize and with whom I have not had a chance to talk, any idea of doing without volunteers. But the Regular Army must be used while they are in training.

Mr. MARSH. One more question. The gentleman says they are not trained. Are there not a hundred thousand of the National Guard of this country that are as well prepared as the volunteer regiments were in the civil war after six months' service?

Mr. STEELE. Oh, no.

Mr. PARKER of New Jersey. Perhaps they are as well drilled to the use of the musket and in the ordinary work of drilling, but if the gentleman means to tell me that they are used to marches of 25 to 30 miles in a day, I will say, from what I have seen of the National Guard, they are not, nor have they the trained officers of the Regular Army, nor its trained soldiers. New men may be put in that Army, and the old men leaven the mass. It makes a veteran regiment by the proportion of veterans with which the recruits have been mixed.

Mr. SIMPSON. I wish to ask the gentleman a question. He is making a very interesting speech. The bill says that in time of peace these officers are to be absorbed. Absorbed by what? What do you understand by that?

Mr. PARKER of New Jersey. By the ordinary promotion in the Regular Army. They will have gotten undue promotion in time of war, and after that they will have to wait, of course, for their rank, and take promotion as it will come—not so quickly.

Mr. SIMPSON. That is, the officers.

Mr. PARKER of New Jersey. The officers. There will only be a few more to be promoted.

Mr. SIMPSON. The gentleman from Illinois says 750.

Mr. OTEY. Seven hundred and thirty-eight.

Mr. SIMPSON. They are to be absorbed?

Mr. PARKER of New Jersey. Yes.

Mr. SIMPSON. Absorbed by what?

Mr. PARKER of New Jersey. Absorbed by the ordinary chances of promotion in the service.

Mr. SIMPSON. Would not that stop the chance of promotion, especially when they have a great many more of them?

Mr. PARKER of New Jersey. We would find that a great many of these men who are capable of service, and who would serve in time of war, would retire in time of peace.

Mr. JONES of Washington. Will the gentleman from New Jersey allow me to interrupt him?

Mr. PARKER of New Jersey. Certainly.

Mr. JONES of Washington. I understand by the provisions in this bill, in case we should get into a war and this bill should go into effect, at the close of the war, when the privates are discharged, we should have left an Army of 25,000 men, with officers enough for 105,000 men.

Mr. PARKER of New Jersey. The officers are not increased proportionately. They are increased about one-eighth. There are a great many staff officers connected with every regiment, and we have them in time of peace as in time of war, and then there are the recruiting stations.

Mr. JONES of Washington. Yes; but after the discharge of the privates you would have 25,000 soldiers, with officers enough for 105,000 soldiers.

Mr. PARKER of New Jersey. You would take off at the end of the war three-quarters of the privates and reduce the officers by about one-eighth. The officers would not be much reduced.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. PARKER of New Jersey. I should like time enough, Mr. Speaker, to answer any questions that may be put to me. I do not want to decline to answer the question of any gentleman.

Mr. DOCKERY. I ask unanimous consent that the gentleman have sufficient time to answer such questions as may be put to him.

Mr. ROBBINS. The gentleman stated, as I understood him, that the National Guards were not armed and equipped.

Mr. PARKER of New Jersey. The gentleman misunderstood me. I did not say so.

Mr. PEARCE of Missouri. I say so.

Mr. PARKER of New Jersey. I said that while they are well armed and well equipped and well drilled, they are usually drilled inside of fixed camps, in fixed places, and they are not fully used to pitch their own tents, to find their own food, to make long marches, and do the work of men who have to be soldiers. I am not trained to that, although I am a member of the National Guard, and I am proud of being a National Guardsman.

Mr. ROBBINS. The Pennsylvania National Guard is trained to that; every one of them is an expert marksman; every one of them is uniformed, and every one of them is drilled, and on every occasion when they have been called into service, as in strikes, the commissary department is so complete that they can find subsistence as a company, regiment, or battalion.

Mr. PARKER of New Jersey. I yield to no one in my admiration for the National Guard of Pennsylvania. True, as stated by the gentleman from Pennsylvania, it was the result of a strike in 1877, when they were called out, and since that time the organization has been modeled on that of the Regular Army. There is no better National Guard in the country, and I am saying a great deal, for I come from New Jersey, and we are proud of our National Guard.

Mr. MARSH. The gentleman does not know the National Guard of Illinois.

Mr. SIMPSON. And I am sure he is not familiar with the National Guard of Kansas. [Laughter.]

Mr. PARKER of New Jersey. Well, gentlemen, I take all that back. "Comparisons are odious." Now, does anybody else want to ask me a question?

Mr. RICHARDSON. We have a good guard in Tennessee.

Mr. PARKER of New Jersey. Is that a question the gentleman asked me?

Mr. HULL. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Iowa moves that the House do now adjourn. Pending that motion, the Chair will submit to the House the following report from the Committee on Enrolled Bills.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same:

H. R. 732. An act granting a pension to Mrs. Sarah A. Denny;

H. R. 2246. An act to increase the pension of Elwin A. Scutt;

H. R. 5030. An act to authorize the construction of a bridge across St. Francis River, in the State of Arkansas;

H. R. 5156. An act granting an increase of pension to Daniel J. Smith;

H. R. 3299. An act granting a pension to Ellen Day;

H. R. 5964. An act granting a pension to Walter D. Weaver;

H. Res. 178. Joint resolution granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike;

H. R. 6007. An act for the relief of Cora L. Robinson;

H. R. 5965. An act granting a pension to Laura A. Berry;

H. R. 4194. An act granting an increase of pension to Samuel F. Fowler;

H. R. 907. An act granting a pension to Emily J. Miller;

H. R. 4183. An act granting an increase of pension to Nicholas Gardner;

H. R. 6211. An act granting an increase of pension to Isabella G. Dennis;

H. R. 1971. An act to grant a pension to James J. Gibbs;

H. R. 5384. An act for the relief of Jerome A. Stanton; and

H. R. 2198. An act granting an increase of pension to Joseph P. Harmon.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 1116. An act to pay the heirs of the late John Roach, deceased, $330,151.42 for labor and material, docking and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*;

S. 3056. An act authorizing the Shreveport and Red River Valley Railway Company to construct and maintain a bridge across the Loggy Bayou in Louisiana;

S. 3472. An act to incorporate the Masonic Temple Association of the District of Columbia;

S. R. 28. Joint resolution making an appropriation for the improvement of the Anacostia River and reclamation of its flats;

S. R. 105. Joint resolution relative to the appropriation for the Rouge River, Michigan; and

S. 435. An act for the relief of the legal representatives of John C. Howe, deceased.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. STURTEVANT for ten days, on account of important business.

ADMISSION TO GALLERIES.

The SPEAKER. The Chair desires to say to members, in regard to carrying out the resolution as to tickets of admission, that they will be found in members' boxes at the post-office to-morrow. The Doorkeeper asked if the order was to be strictly enforced, admission to be only by ticket, and the Chair responded that it was. If it is objectionable, the House must take some action in regard to it.

Mr. FARIS. Will that order of things begin in the morning?

The SPEAKER. The Chair hopes so, and hopes for the concurrence of members in the direction he has given.

Mr. FARIS. Ought there not to be some provision made in pursuance of the suggestion that was made about persons going out for luncheon?

The SPEAKER. The Chair has given the Doorkeeper directions in regard to that.

The motion of Mr. HULL was then agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting for the consideration of Congress a copy of a communication from the Secretary of the Interior submitting an amended provision in relation to the Commission of the Five Civilized Tribes—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting the copy of a proposed "Act further to prevent counterfeiting and prescribing penalty"—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of War, transmitting, in response to resolution of Congress, a letter from the Chief of Engineers on the subject of the improvement of the Homochitto River, in Mississippi—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. KLEBERG, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 1156) to grant land to the State of Florida for the use of the normal college for white pupils at De Funiak Springs and for the use of the normal college at Tallahassee for colored pupils, reported the same with amendment, accompanied by a report (No. 990); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 5428) to authorize the construction of a bridge over the Tennessee River at or near Sheffield, reported the same without amendment, accompanied by a report (No. 994); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7339) to authorize the construction of a bridge across the Tennessee River at New Decatur, reported the same without amendment, accompanied by a report (No. 995); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8551) to increase the pension of Armenias H. Evans, reported the same with amendment, accompanied by a report (No. 986); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 795) granting a pension to William Henry Smith, reported the same with amendment, accompanied by a report (No. 987); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions,

to which was referred the bill of the House (H. R. 377) granting a pension to Susan I. Barrows, reported the same with amendment, accompanied by a report (No. 988); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1887) granting an increase of pension to Russell R. King, reported the same without amendment, accompanied by a report (No. 989); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1480) granting an increase of pension to Lewis D. Baker, reported the same with amendment, accompanied by a report (No. 991); which said bill and report were referred to the Private Calendar.

Mr. HURLEY, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 320) for the relief of William G. Mayer, reported the same with amendment, accompanied by a report (No. 992); which said bill and report were referred to the Private Calendar.

Mr. WEYMOUTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6482) granting a pension to Herbert W. Leach, reported the same with amendment, accompanied by a report (No. 996); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9606) to pension Hettie A. Wilkins—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9626) for the relief of Edgar E. Aldrich, of Rhode Island—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PEARSON: A joint resolution (H. Res. 224) recognizing the independence of Cuba and authorizing intervention—to the Committee on Foreign Affairs.

By Mr. BABCOCK: A joint resolution (H. Res. 225) for the suspension of the collection of certain taxes in the District of Columbia—to the Committee on the District of Columbia.

By Mr. JONES of Washington: A concurrent resolution (House Con. Res. No. 28) to protect American citizens in Cuba—to the Committee on Foreign Affairs.

By Mr. DOCKERY: A resolution (House Res. No. 278) allotting gallery space—to the Committee on Rules.

By Mr. SMITH of Illinois: A resolution (House Res. No. 279) recognizing the independence of Cuba and pledging the enforcement of such recognition by all the forces of our Army and Navy—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 9748) for the relief of I. T. Thrash, of Spalding County, Ga.—to the Committee on Patents.

By Mr. CATCHINGS: A bill (H. R. 9749) for the relief of John and Sarah Griffin—to the Committee on War Claims.

By Mr. CLARK of Missouri: A bill (H. R. 9750) for the relief of John Harper, Alexander Hammontree, and others, trustees of the Methodist Church at Warrenton, Mo.—to the Committee on War Claims.

By Mr. FENTON: A bill (H. R. 9751) for the relief of John Martin—to the Committee on Military Affairs.

By Mr. LITTAUER: A bill (H. R. 9752) granting a pension to William H. Mosley—to the Committee on Invalid Pensions.

By Mr. LOW: A bill (H. R. 9753) for the relief of Francis Irsch—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 9754) to grant an increase of pension to Nelson Purcell—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 9755) for the relief of Matilda Waedel—to the Committee on Invalid Pensions.

By Mr. TODD: A bill (H. R. 9756) granting an increase of pension to Albert G. Barnes—to the Committee on Pensions.

Also, a bill (H. R. 9757) for the relief of Caleb Wollpert—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows;

By Mr. ADAMS: Resolutions of the Trades League of Philadelphia, Pa., upholding the policy of President McKinley in endeavoring to conclude the settlement of the Cuban troubles without war—to the Committee on Foreign Affairs.

By Mr. BARTHOLDT: Petitions of the First Congregational Church of Webster Groves, Mo., Epworth League and Home Missionary Society of the Methodist Episcopal Church South of Carondelet, St. Louis, Mo., for the passage of bills to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the First Congregational Church of Webster Groves, Mo., praying for the enactment of legislation prohibiting kinetoscope reproductions of prize fights in the District of Columbia and the Territories, to raise the age of protection for girls, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the First Congregational Church of Webster Groves, Mo., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

Also, petition of the First Congregational Church of Webster Groves, Mo., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the First Congregational Church of Webster Groves, Mo., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, resolutions of Company A, First Battery, National Guard of Missouri, favoring an appropriation to promote the efficiency of the militia—to the Committee on the Militia.

Also, petition of Metal Polishers, Buffers, Platers, and Brass Workers' Union No. 13, American Federation of Labor, of St. Louis, Mo., in support of sundry bills in the interest of labor—to the Committee on Labor.

Also, petitions of the board of directors of the Interstate Merchants' Association of St. Louis, Mo., and business firms of St. Louis, Mo., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Typographical Union No. 158, of Springfield, Mo., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BELFORD: Resolutions of West End Women's Republican Association, of New York, favoring an amendment to the Constitution giving power to Congress to regulate the hours of labor—to the Committee on the Judiciary.

By Mr. BENNETT: Four petitions of citizens of Brooklyn, N. Y., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM: Resolutions of the Clearing House Association of the Banks of Philadelphia, Pa., in support of the President's policy—to the Committee on Foreign Affairs.

Also, resolution of the Trades League of Philadelphia, commending the action of Congress in supporting the President in behalf of peace—to the Committee on Foreign Affairs.

By Mr. BRODERICK: Petition of L. F. Randolph and 50 citizens of Nortonville, Kans., favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNLOW: Petitions of citizens of New Tazewell, Del Rio, Jonesboro, Greeneville, Johnson City, Rogersville, Limestone, Bristol, Telford, and Persia, Tenn., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON: Petitions of citizens of Kankakee, Ill., and Gilman, Ill., favoring the enactment of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CATCHINGS: Petition of A. B. Smith Company, of Indianola, Miss., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRANE of New York: Petition of union congregations of the Lutheran, Methodist, and Presbyterian churches of Melrose, N. Y., for the passage of a bill to prohibit the sale of intoxicating beverages in Army and Navy posts, Soldiers' Homes, and immigrant stations—to the Committee on Alcoholic Liquor Traffic.

By Mr. CONNELL: Petitions of the Green Ridge Baptist Church, of Scranton, Pa., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Green Ridge Baptist Church, of Scranton, Pa., for the passage of a bill prohibiting the sale of intoxicating

liquors in the Capitol building and grounds—to the Committee on Alcoholic Liquor Traffic.

By Mr. CURTIS of Kansas: Petitions of citizens of Emporia and Florence, Kans., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Division No. 11, Order of Railway Conductors, of Newton, Kans., urging the passage of sundry bills pending for the protection of labor—to the Committee on Labor.

Also, petitions of the Woman's Christian Temperance Union and St. Paul's Evangelical Lutheran Church, of Peabody, Kans., and Methodist Episcopal Church and Presbyterian Church of Rossville, Kans., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church of Rossville, Kans., and St. Paul's Evangelical Lutheran Church, of Peabody, Kans., favoring the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. DAVEY: Petition of Charles L. Hopkins and others, of Des Allemands, La., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ERMENTROUT: Protest of Hon. James S. Biery, of the Ninth Congressional district of Pennsylvania, against any armistice between the belligerents in Cuba that is not based on the absolute independence of Cuba—to the Committee on Foreign Affairs.

By Mr. FARIS: Petition of W. R. McKeen and other citizens of Terre Haute, Ind., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FISCHER: Two petitions of citizens of New York State, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GROUT: Petition of Rev. Joseph F. Cobb and 6 other citizens of East Montpelier, Vt., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENDERSON: Resolutions of the Scott County Medical Society of Davenport, Iowa, in favor of establishing a commission of public health and defining its duties, known as the Spooner health bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Elmer Reeves and others, Roger Leavitt and others, W. C. Holt and others, all citizens of the State of Iowa, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of 45 citizens of Stanley and 24 citizens of Radcliffe, Iowa, for the passage of bills to protect State anti-cigarette laws and to prohibit interstate gambling by telegraph, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of 28 citizens of Radcliffe, Iowa, in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of 45 citizens of Stanley and 25 citizens of Radcliffe, Iowa, asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. HITT: Memorial of the International Peace Bureau of Berne, Switzerland (Belva A. Lockwood, secretary American branch), deprecating war—to the Committee on Foreign Affairs.

By Mr. HOWE: Petition of the West End Woman's Republican Association, of New York, for an amendment to a joint resolution pending in Congress to regulate the hours of labor for women and children in manufacturing establishments—to the Committee on Labor.

By Mr. HURLEY: Petition of the Trades League of Philadelphia, Pa., commending the action of Congress in supporting the President in his endeavor to prevent war pending an adjustment of peace methods—to the Committee on Foreign Affairs.

By Mr. KERR: Petitions of the Universalist Church of Peru, Ohio, and the F. E. Willard memorial service held at Wakeman, Ohio, in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Universalist Church and Sunday school of Peru, Ohio, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KLEBERG: Two petitions of citizens of Kingsbury and Goliad, Tex., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTAUER: Paper in support of a bill granting a pension to William H. Mosley—to the Committee on Invalid Pensions.

By Mr. LOW: Papers to accompany House bill for the relief of Francis Irsch—to the Committee on Military Affairs.

By Mr. OLMSTED: Petition of the Woman's Christian Temperance Union of Juniata, Pa., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Juniata, Pa., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petition of the Young Men's Christian Association, Methodist Episcopal Church, and clergymen and teachers of Juniata, Pa., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. OTEY: Petition of William M. Hudson and other citizens of Scottsburg, Va., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS: Petition of 15 citizens of Sheldon, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. REED: Resolution of the New York Board of Trade and Transportation, commending the action of Congress in supporting the President in his effort to prevent hostilities pending an adjustment by peaceful methods—to the Committee on Foreign Affairs.

Also, petition of the Woman's Christian Temperance Union of New Gloucester, Me., asking for the passage of bills to forbid the interstate transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of New Gloucester, Me., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the citizens of North Berwick, Me., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. ROBBINS: Petition of Leechburg Lodge, No. 250, Knights of Pythias, of Leechburg, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. SHERMAN: Petition of Thomas H. Hardin and 13 others, Harrodsburg, Ky.; W. J. Patut and 40 others, Harrodsburg, Ky.; B. B. Easty and 32 others, Mascot, Tenn.; E. P. Penick and 28 others, Williston, Tenn.; J. T. Vicars and 31 others, Riceville, Tenn.; W. B. Robinson and 30 others, Newport, Tenn.; A. R. Rutherford and 34 others, Corrytown, Tenn.; James Hickerson and 3 others, Ronda, N. C.; G. W. Reed and 29 others, Biltmore, N. C.; O. J. Dula and 17 others, Oldfort, N. C.; R. J. Snyder and 17 others, Scotts Creek, N. C.; Bartnett Fortner and 20 others, Marshall, N. C.; A. H. Stone and 18 others, Swain, Miss.; H. B. McYorland and 18 others, Maryland, Miss.; G. I. Redditt and 10 others, McAnerney, Miss.; D. D. Davenport and 31 others, Greers, S. C.; P. W. Sullivan and 30 others, Honeapath, S. C.; E. T. Johnson and 45 others, Graniteville, S. C.; A. C. Wilkins and 15 others, Batesburg, S. C.; L. W. Wood and 30 others, Montreal, Va.; J. B. McPhail and 15 others, Randolph, Va.; T. M. Derflinger and 9 others, Waterlick, Va.; Rev. William M. Hudson and 11 others, Scottsburg, Va.; E. S. Reed and 17 others, Chatham, Va.; J. Rhodes Brown and 30 others, Columbus, Ga.; D. M. Roberts and 25 others, Eastman, Ga.; C. C. Smith and 6 others, Seney, Ga.; Felix Corput and 16 others, Cavespring, Ga.; J. B. Douglass and 29 others, Riverside, Ala.; B. Hewitt and 9 others, Madison County, Ala.; Mayor R. B. Baker and 11 others, Decatur, Ala.; W. W. Lindsay and 30 others, Bellemina, Ala.; J. F. Reynolds and 19 others, Nottingham, Ala.; W. H. Clark and 12 others, Cottondale, Ala.; J. H. Holmes and 23 others, Cuba, Ala.; H. B. Guy and 16 others, Eden, Ala., and Sol. Haas and 23 others, Birmingham, Ala., in favor of House bill No. 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. STEVENS of Minnesota: Resolutions of Company E, National Guard of the State of Minnesota, favoring a bill to promote the efficiency of the National Guard—to the Committee on the Militia.

Also, resolution of the Board of Trade of Minneapolis, Minn., urging the passage of the Cullom bill relating to extension of authority granted Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES W. STONE: Petition of 2,773 citizens of Venango County, Pa., for the passage of a bill to substitute voluntary industrial arbitration for railway strikes—to the Committee on the Judiciary.

Also, petition of the Trades Assembly of Bradford, Pa., urging the passage of sundry bills pending for the protection of labor—to the Committee on the Judiciary.

By Mr. VAN VOORHIS: Resolution of Marietta Lodge, No. 504, of Marietta, Ohio, and Cambridge Lodge, No. 380, of Cambridge, Ohio, Brotherhood of Railway Trainmen, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Foraker and Young Men's McKinley clubs of Zanesville, Ohio, favoring vigorous action in the settlement of the Cuban question—to the Committee on Foreign Affairs.

Also, petition of the Young People's Christian Union of the Second United Presbyterian Church of Cambridge, Ohio, in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WEAVER: Petition of the Woman's Christian Temperance Union of Tippecanoe City, Ohio, for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

SENATE.

THURSDAY, *April 7, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. FAULKNER, and by unanimous consent, the further reading was dispensed with.

IMPROVEMENT OF MUSKINGUM RIVER, OHIO.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of appropriation for improvement of Muskingum River, Ohio, $6,000; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

A bill (S. 435) for the relief of the legal representatives of John C. Howe, deceased;

A bill (S. 1116) to pay the heirs of the late John Roach, deceased, $330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago, Boston,* and *Atlanta;*

A bill (S. 3056) authorizing the Shreveport and Red River Valley Railway Company to construct and maintain a bridge across the Loggy Bayou, in Louisiana;

A bill (S. 3472) to incorporate the Masonic Temple Association of the District of Columbia;

A bill (H. R. 722) granting a pension to Mrs. Sarah A. Denny;

A bill (H. R. 907) granting a pension to Emily J. Miller;

A bill (H. R. 1971) to grant a pension to James J. Gibbs;

A bill (H. R. 2198) granting an increase of pension to Joseph P. Harmon;

A bill (H. R. 2246) to increase the pension of Elwin A. Scutt;

A bill (H. R. 3299) granting a pension to Ellen Day;

A bill (H. R. 4183) granting an increase of pension to Nicholas Gardner;

A bill (H. R. 4194) granting an increase of pension to Samuel F. Fowler;

A bill (H. R. 4320) granting a pension to Nancy Hollenbank;

A bill (H. R. 5030) to authorize the construction of a bridge across St. Francis River, in the State of Arkansas;

A bill (H. R. 5156) granting an increase of pension to Daniel J. Smith;

A bill (H. R. 5384) for the relief of Jerome A. Stanton;

A bill (H. R. 5964) granting a pension to Walter D. Weaver;

A bill (H. R. 5965) granting a pension to Laura A. Berry;

A bill (H. R. 6007) for the relief of Cora L. Robinson;

A bill (H. R. 6211) granting an increase of pension to Isabella G. Dennis;

A joint resolution (S. R. 28) making an appropriation for the improvement of the Anacostia River and the reclamation of its flats;

A joint resolution (S. R. 105) relative to the appropriation for the Rouge River, Michigan; and

A joint resolution (H. Res. 178) granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the petition of Mrs. Mary H. Hunt, national superintendent of the educational department of the Woman's Christian Temperance Union of the United States, praying Congress to seek earnestly for freedom for Cuba by the way of peace; which was referred to the Committee on Foreign Relations.

Mr. FAULKNER presented the memorial of E. M. Harris and 19 other citizens of West Virginia, remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

He also presented a petition of the congregation of the Baptist Church of Moundsville, W. Va., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Presbyterian Church, the Episcopal Church, and the Christian Church, all of Moundsville, in the State of West Virginia, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. MILLS presented a petition of sundry citizens of Goliad, Tex., and a petition of sundry citizens of Beeville, Tex., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. BATE presented a petition of the Tennessee Society of the Colonial Dames of America, praying for the purchase and preservation by the Government of Fort Ticonderoga, N. Y.; which was referred to the Committee on Military Affairs.

Mr. PENROSE presented a petition of the educational department of the Woman's Christian Temperance Union of the United States, praying that the freedom of Cuba be sought through diplomacy, instead of resorting to armed intervention; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Ministerial Association of Chambersburg, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Ministerial Association of Chambersburg, Pa., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. QUAY presented a petition of the Woman's Christian Temperance Union of Juniata, Pa., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented petitions of the German Woman's Christian Temperance Union, of the Woman's Christian Temperance Union of Juniata, of the Woman's Christian Temperance Union of West Philadelphia, of the Woman's Christian Temperance Union of McLane, of the Young Men's Christian Association and the congregation of the Methodist Episcopal Church of Juniata, and of the congregation of the Green Ridge Baptist Church, of Scranton, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the German Woman's Christian Temperance Union, of the Woman's Christian Temperance Union of Juniata, of the Woman's Christian Temperance Union of West Philadelphia, of the Woman's Christian Temperance Union of McLane, of the Young Men's Christian Association and the congregation of the Methodist Episcopal Church of Juniata, and of the congregation of the Green Ridge Baptist Church, of Scranton, all in the State of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PLATT of New York presented a petition of the Retail Grocers' Union of New York City, praying that Congress cooperate with the President in his policy of settling the Cuban question by peaceful methods; which was referred to the Committee on Foreign Relations.

He also presented a petition of the National and International Department of Temperance Instruction in Schools and Colleges in the United States, praying that the independence of Cuba be obtained by peaceful intervention; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Woman's Board of Home Missions of the Presbyterian Church, of New York, remonstrating against the opening up to miners and others of Annette Island, in Alaska, hitherto reserved by the Government for the Indians of New Metlakahtla; which was referred to the Committee on Public Lands.

He also presented petitions of the Woman's Christian Temperance unions of Beekmanstown and Lestershire; of the congregation of the First Congregational Church of Binghamton; of the Christian Endeavor Society of Oakdale, and of the congregations of the First Baptist Church of Wellsville and the Methodist Episcopal Church of Van Etten, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Union Congregation of the Lutheran Church and of the congregations of the Methodist Church and the Presbyterian Church, all of Melrose, in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in army and navy posts, Soldiers' Homes, and immigrant stations; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of Lestershire; of the congregations of the First Congregational Church of Binghamton, the Methodist Episcopal Church of Van Etten, and the First Baptist Church of Wellsville, and of the Christian Endeavor Society of Oakdale, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Lestershire and Beekmanstown; of the congregations of the Methodist Episcopal Church of North Germantown, the First Baptist Church of Wellsville, the Methodist Episcopal Church of Van Etten, and the First Congregational Church of Binghamton, and of the Christian Endeavor Society of Oakdale, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

Mr. SEWELL presented a petition of the Christian Union of the Congregational Church of Upper Montclair, N. J., praying that a peaceful solution of the present crisis may be reached by Congress; which was referred to the Committee on Foreign Relations.

He also presented a petition of Mrs. Mary H. Hunt, national superintendent of the educational department of the Woman's Christian Temperance Union of the United States, praying that the freedom of Cuba may be secured by peaceful intervention; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Christian Temperance Union of Pitman Grove, N. J., and a petition of the Young People's Society of Christian Endeavor of the Lutheran Church, of Friesburg, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance Union of Pitman Grove, of the Young People's Society of Christian Endeavor of the Lutheran Church of Friesburg, of the Christian Endeavor Society of Westfield, and of Central Council, No. 131, Junior Order United American Mechanics, of Westfield, all in the State of New Jersey, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Pitman Grove, of the Young People's Society of Christian Endeavor of the Lutheran Church of Friesburg, of the congregations of the Congregational Church of Christ, of Westfield, the First Methodist Episcopal Church of Westfield, and the Central Baptist Church of Atlantic Highlands, all in the State of New Jersey, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. FAIRBANKS presented a petition of Fidelity Lodge, No. 109, of Logansport, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Hartford City, Ind., and a petition of the Central Presbyterian Church of Newburg, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Hartford City, Ind., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the congregation of the Methodist Episcopal Church of Newburg, Ind., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of the National Business Men's League, praying for the enactment of legislation to provide a gold income and to strengthen the public credit to meet all emergencies; which was referred to the Committee on Finance.

Mr. MALLORY presented a petition of the San Antonio Strawberry Growers' Union, of San Antonio, Fla., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which was referred to the Committee on Interstate Commerce.

Mr. HANSBROUGH presented a petition of the Woman's Christian Temperance Union of Kelso, N. Dak., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Epworth League of Bowesmont, N. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Epworth League of Bowesmont, N. Dak., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. COCKRELL presented the memorial of F. W. Reynolds and 19 other citizens of Missouri, remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

Mr. VEST presented the memorial of J. E. Meyers and 18 other citizens of Missouri, remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

Mr. MORRILL presented a petition of the Young People's Society of Christian Endeavor of the Reformed Presbyterian Church of Topsham, Vt., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. HOAR presented a petition of sundry merchants of Boston, Mass., praying for the enactment of legislation to prevent the desecration of the national flag; which was referred to the Committee on the Judiciary.

Mr. GEAR presented a petition of the Woman's Christian Temperance Union of Iowa, praying that the freedom of Cuba be obtained by peaceful intervention; which was referred to the Committee on Foreign Relations.

Mr. LODGE presented a resolution of the Municipal League of Boston, Mass., and a resolution of the Boston Merchants' Association, of Boston, Mass., approving the President's course in his efforts to secure a peaceful solution of the Cuban question, and pledging him their support; which were referred to the Committee on Foreign Relations.

He also presented a petition of Pioneer Lodge, No. 238, Brotherhood of Railroad Trainmen, of Merritt, Mass., and a petition of Spindle City Lodge, No. 233, Brotherhood of Railroad Trainmen, of Lowell, Mass., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which were referred to the Committee on Education and Labor.

Mr. ALLEN presented petitions of the Woman's Christian Temperance Union of Auburn; of the congregation of the Methodist Episcopal Church of Utica; of the congregation of the Methodist Episcopal Church of Tamora; of sundry citizens of Nehawka, and of the Woman's Christian Temperance Union of Plattsmouth, all in the State of Nebraska, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Auburn; of the congregations of the Methodist Episcopal Church of Tamora and the Methodist Episcopal Church of Utica; of the Ladies' Aid Society of the Church of Christ of

Plattsmouth, and of sundry citizens of Nehawka, all in the State of Nebraska, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Auburn and Plattsmouth; of the congregations of the Methodist Episcopal Church of Tamora and the Methodist Episcopal Church of Utica, and of sundry citizens of Nehawka, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

MONETARY STANDARD.

Mr. PETTIGREW. I present a paper, being an answer to the usual questions asked by those who advocate the single gold standard, and move that it be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 4142) to provide a life-saving station at or near Dollivers Neck, near Gloucester, Mass., reported it with amendments.

Mr. FRYE, from the Committee on Commerce, to whom was referred the joint resolution (S. R. 122) to appropriate $200,000 for the widening and deepening of the ship channel in the Bay of Mobile, asked to be discharged from its further consideration and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. WILSON, from the Committee on Indian Affairs, to whom was referred the bill (S. 4121) for the relief of the estate of Ramsay Crooks, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 4183) for the relief of Leonard I. Brownson, late first lieutenant Company K, Fifth Vermont Volunteers, reported it without amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on the Judiciary, to whom was referred the amendment relative to the execution of the work of the commissioners appointed by the President to revise and codify the criminal and penal laws of the United States, submitted on the 5th instant, intended to be proposed to the sundry civil appropriation bill, reported it without amendment, and moved that it lie on the table and be printed; which was agreed to.

DISTRICT CAB SERVICE.

Mr. McMILLAN. I am instructed by the Committee on the District of Columbia, to whom was referred the joint resolution (H. Res. 189) authorizing the Commissioners of the District of Columbia to locate a cab service, and for other purposes, to report it favorably and without amendment.

This joint resolution passed the House of Representatives some days ago, and I ask that it be taken up and acted upon by the Senate at this time. It will take, I think, but a moment.

The VICE-PRESIDENT. The joint resolution will be read at length for information, subject to objection.

The Secretary read the joint resolution, as follows:

Resolved, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to locate on the streets or parts of streets adjoining the stations of any railroad company in the District of Columbia a stand for cabs, carriages, and other vehicles for the conveyance of passengers to and from the said railroad stations, said service to be established by the said railroad companies. That the rates of charges for the service to be rendered by the said railroad companies shall be fixed by the Commissioners of the District of Columbia, and that at no time shall the schedule exceed the rates now in force in the city of New York.

Mr. ALLEN. What are the rates referred to in this joint resolution?

Mr. McMILLAN. I do not hear the Senator.

Mr. ALLEN. I inquire of the Senator what he is endeavoring to regulate by the joint resolution?

Mr. McMILLAN. To regulate the price of the cab service from the railroad stations in this city.

Mr. ALLEN. That is committed to the District Commissioners.

Mr. McMILLAN. The Commissioners are to regulate it, and the rates are not to exceed those charged in New York.

Mr. ALLEN. Can the Senator give us the rates in New York?

Mr. McMILLAN. The rates are established at 25 cents for a single passenger and 40 cents for two passengers.

Mr. PLATT of Connecticut. That depends entirely on the distance for which passengers are carried.

Mr. McMILLAN. I am speaking now about the ordinary distances.

Mr. PLATT of Connecticut. New York is divided into certain districts, and the fares are regulated according to the district to which a person wishes to go. I confess that I do not see exactly how the rates in the city of New York are to be applicable to the rates in the District of Columbia.

Mr. McMILLAN. I will state that the object of this joint resolution is simply that a passenger arriving at one of the railroad stations in Washington shall be carried at the rate of 25 cents the same distance for which he is now charged 50 cents and frequently a dollar. The intention of the joint resolution is to give us a greatly improved and clean cab service and to furnish cabs fit to be occupied. Most of the cabs which are now around the railroad stations are absolutely unfit for use. If this joint resolution shall be passed, it will assure to the traveling public a cheap and clean cab service.

Mr. ALLEN. There is one fault with the joint resolution. How is a stranger coming to Washington and desiring to be carried from the depot to a hotel or to a private residence to know what are the rates?

Mr. McMILLAN. Under the District regulations the rates are printed on cards, which are posted up in the cabs.

Mr. ALLEN. But in many instances the rates are not carried in the cabs, or, at least if they are, they are concealed.

Mr. McMILLAN. The law compels the rates to be posted up, and the Commissioners require it to be done in all cases.

Mr. HANSBROUGH. I should like to have the joint resolution again read.

The joint resolution was again read.

Mr. HAWLEY. I inquire of the chairman of the committee whether the establishment of this service would exclude private competition?

Mr. McMILLAN. It would not.

Mr. HAWLEY. Then I understand it is not proposed to take possession of the entire ground near its depot for cabs by the Pennsylvania Railroad Company?

Mr. McMILLAN. It is not. The Commissioners are authorized to set apart a certain portion of the ground for cabs.

Mr. HAWLEY. That is what I wanted to know. I need not say to gentlemen accustomed to traveling in New York and going to that part of the city, especially from Twenty-third to Forty-second street, that the improvements introduced by the Pennsylvania Railroad Company are most admirable, and it would be very desirable if we could adopt substantially the same thing here.

Mr. SEWELL. I should like to have the joint resolution again read.

The VICE-PRESIDENT. The joint resolution will be again read.

The joint resolution was again read.

Mr. JONES of Arkansas. I should like to ask the Senator in charge of the joint resolution whether it gives the railroad company the exclusive right to occupy the cab stands with its cabs?

Mr. McMILLAN. It does not. The intention of the railroad company is to furnish an improved cab service, just as they are doing now in all the great cities, so that when passengers come here they will not be cheated and abused by the cab drivers who hang around the stations at night.

Mr. JONES of Arkansas. Then this joint resolution does not propose to establish a monopoly?

Mr. McMILLAN. Nothing of the kind. It is simply to control the service.

Mr. TILLMAN. I should like to ask if it does not do it indirectly? In other words, will the promiscuous cabs that are running around the streets now have a location there? Are not the Commissioners allowed, or will they not have the power under this joint resolution, to prohibit private cabs from occupying a stand where they can be hired?

Mr. McMILLAN. No. The cab service in the city of Washington is now so arranged by the Commissioners that there are cab stands all over the city. You can get a cab almost anywhere. The joint resolution does not interfere with that. It only allows the company to have certain spaces set apart at the two depots for their cabs, so as to accommodate the traveling public.

Mr. TILLMAN. There will be a space for the city cabs, for the private cabs?

Mr. McMILLAN. Certainly.

Mr. TILLMAN. All right.

Mr. WHITE. If I understand the Senator from Michigan, the idea is simply to set apart a particular locality where the people engaged in this business will be compelled to bring their cabs?

Mr. McMILLAN. No; it does not go so far as that.

Mr. SEWELL. If the Senator from Michigan will allow me to answer, I will say that the character of cabs proposed to be provided under this joint resolution will be such that it would not do to mix them up with those which are now in use. We have in this city the very worst cabs imaginable, particularly around the railroad stations at night. It is not really safe for travelers to get into them. They are dirty, old, and worn out, and the horses are likely to fall down. The railroad corporation would not desire to put their cabs alongside of such cabs alternately; but they

have said to the Commissioners that they desire to establish a better service. This will give the company a piece of ground on one side or another, so as to locate their cabs, with a place for private cabs between them. It is the intention to let them all have a fair show; but the railroad company wants a place for its own cab service. That is the idea.

Mr. VEST. Mr. President, I have very great respect for the chairman of the Committee on the District of Columbia and for any statement which he makes; but it is entirely impossible to convince me that these railroad companies will put up stands here and then allow them to be occupied by anybody else than by their own employees or creatures. If I understand the chairman of the committee, he makes the statement now that these stands are to be put up by the companies and then be free to all owners of cabs.

Mr. FAULKNER. Oh, no.

Mr. VEST. The Senator from West Virginia says "Oh, no;" but that was the statement of the chairman of the committee. He can correct me if I am wrong.

Mr. FAULKNER. I think the Senator from Missouri misunderstood the chairman.

Mr. VEST. Let the chairman make his statement. I certainly understood him in that way.

Mr. FAULKNER. If the Senator from Missouri will permit me, I will state the difference between this and the original proposition which was before the House of Representatives. The original proposition which was before the House of Representatives provided an exclusive right and required the Commissioners to give an exclusive right to the railroad companies for keeping their cabs within a certain distance from the railroad property. The House defeated that on the ground that it established a monopoly in the railroad cab service. Then this joint resolution was drawn, which avoids that monopoly and simply authorizes the Commissioners to establish a place for this particular cab service. It does not interfere with the right of the Commissioners to establish a different location. There is no erection of buildings or anything of that kind. It is simply the designation of a place where the cabs may stand.

Mr. WHITE. If the Senator from West Virginia will permit me, I wish to ask him a question. I am simply seeking information. Will the Senator from West Virginia inform me what the exigencies of the present condition are which justify the intervention of Congress to give to a railroad company a franchise in a public street? Why not permit it to be open for everybody? Why should there be a franchise in favor of a railroad company upon a public highway for carriages or aught else?

Mr. FAULKNER. As Senators well understand, the District Commissioners have no power in these matters except through positive enactment of Congress. They have no discretionary power whatever, unless where it may be so expressly provided. Congress is simply the common council of the District of Columbia.

The cab service at the railroad depots in this city is recognized to be worse than any service in any city where I have ever been. The Baltimore and Ohio Railroad Company has not made a proposition. The Pennsylvania Railroad Company simply asks permission to locate a stand for its cab service at its own depot, not interfering in any way with the establishment of a cab service by other parties. The stands to be selected are adjacent to the depot.

Mr. ALLEN. What is wrong with the present system?

Mr. FAULKNER. At present we have all the rattletrap and broken-down cabs in the city of Washington stationed at the railroad depots. The miserable and broken-down vehicles around the city are taken from the other cab stands and are stationed around the depots.

In addition to that, if ladies or others not familiar with cab rates in Washington arrive at a depot, day or night, and get into one of these cabs, they do not know what will be charged them when they get to their destination. They not only have dirty, filthy cabs to get into, but they have really no indication as to the cost of the service; whereas, under this system as it exists in Philadelphia, in Boston, and in New York, a passenger goes to a man appointed by the railroad company—one of its employees—and secures a cab at a fixed rate to take him to his destination. There can be no cheating; there can be no imposition upon the traveler. The service will be absolutely in the control of the officer appointed by the railroad company at the station, where a person can obtain a cab and know exactly the cost of the service.

In addition to that, we shall, beyond question, get the very best service that is rendered in any form known to the municipalities where such a cab service is used.

Mr. VEST. Mr. President, I have failed to hear any answer to the statement I made in regard to the control of these vehicles and stands by the railroad company. That was the point. I did not yield the floor for any general argument on the question. I understood the chairman of the committee to state that the railroad companies controlled this service, and I see now by the joint resolution in the eighth and ninth lines "said service to be established by the railroad companies." The English language can not be plainer or more energetic than that. The result of it will be unquestionably that the cabs controlled by the railroad companies will have the exclusive use of a certain portion of the street opposite the sidewalk, and the cabs belonging to general owners, to use the expression, outside of the railroad connection, will go to the lower end of the curb.

Mr. McMILLAN. I will ask the Secretary to read the report made in the House of Representatives in reference to this joint resolution. The subject was discussed in the House very fully, and this is the report made there on this very question.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

The resolution herewith recommended avoids the objectionable feature of a bill granting the sole right to the Baltimore and Potomac Railroad, which was laid upon the table. No exclusive rights are conveyed by the resolution herewith reported, and to the Commissioners of the District of Columbia is granted the full authority, both as to the location of such cab stands and the regulations for the services rendered. It will add to the transportation facilities of the city of Washington to a great degree. The service which is proposed to be established under this bill is similar to that now in use in all of the large cities of the country. It may be said, in conclusion, that the measure has the approbation of the District Commissioners.

Mr. TILLMAN. I should like to ask the chairman of the Committee on the District of Columbia if there is not already a regulation of the cab service here by the District Commissioners?

Mr. McMILLAN. Yes.

Mr. TILLMAN. Are not the rates fixed and are not the cab stands already provided? If that be so, why can not the railroad company compete with private parties in the cab service, put their cabs into service, and let the traveling public understand—those who come in on the trains—that they will give them a clean cab, a nice cab, a respectable cab, an aristocratic cab, if you please, that can go anywhere; but leave the common people an opportunity to compete with the railroad companies, instead of giving the railroad companies the monopoly here?

Mr. ALLEN. Let the joint resolution go over.

Mr. McMILLAN. The number of cabs needed for the railroad service in Washington will be very small.

The VICE-PRESIDENT. Objection is made to the present consideration of the joint resolution, and it will go to the Calendar.

ADJOURNMENT TO MONDAY.

Mr. ALLISON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

BILL BECOME A LAW.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the bill (S. 432) for the relief of the heirs of Sterling T. Austin, deceased, having been presented to the President on March 24, 1898, and not having been returned to the House of Congress in which it originated within the ten days prescribed by the Constitution, it has become a law without his approval.

BILLS INTRODUCED.

Mr. WALTHALL introduced a bill (S. 4364) for the relief of John and Sarah Griffin; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 4365) granting a pension to Jackson Wennel; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. NELSON submitted an amendment relative to the imposition of an additional tax upon the Capital Traction Company, intended to be proposed by him to the bill (H. R. 8656) authorizing and requiring certain extensions to be made to the lines of the Capital Traction Company in the District of Columbia; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. ALLEN submitted an amendment relative to the election of clerks of district courts in the Territories of Oklahoma, New Mexico, and Arizona, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. PRITCHARD (by request) submitted an amendment relative to the conveying of electric power for the successful operation of electric railroad lines in the District of Columbia, intended to be proposed by him to the bill (H. R. 6148) to amend the charter of the Eckington and Soldiers' Home Railway Company of the District of Columbia, the Maryland and Washington Railway Company, and for other purposes; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. STEWART. I submit an amendment authorizing the Secretary of the Navy to contract for not less than twenty submarine torpedo boats of the Holland type, etc., intended to be proposed by me to the naval appropriation bill.

In connection with the amendment I present sundry papers, which I move be printed as a document and referred with the amendment to the Committee on Naval Affairs.

The motion was agreed to.

COMPENSATION OF POSTMASTERS.

On motion of Mr. COCKRELL, it was

Ordered, That 250 copies of Senate Report No. 1847, Fifty-first Congress, second session, being a report submitted by Mr. Wilson, of Maryland, December 8, 1890, from the Committee on Post-Offices and Post-Roads, to accompany sundry resolutions relating to the compensation of third and fourth class postmasters, be printed for the use of the Senate.

ADDITIONAL CLERK FOR COMMITTEE ON FOREIGN RELATIONS.

Mr. DAVIS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Foreign Relations be authorized to employ for the remainder of this session an additional clerk, to be paid out of the contingent fund of the Senate at the rate of $1,440 per annum.

THE RIO GRANDE RIVER.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

In response to the resolution of the Senate of February 26, 1898, requesting the President "if not incompatible with the public interest, to transmit to the Senate the proceedings of the international commission authorized in the concurrent resolution of Congress of April 29, 1890, and a subsequent international convention between the United States and Mexico of May 6, 1896, and also the correspondence relating thereto with Mexico by the Department of the Interior, Department of War, and Department of Justice, as well as the Department of State, relating to the equitable distribution of the waters of the Rio Grande River, including the draft of an incomplete treaty between said Governments, negotiated between the late Secretary of State, Mr. Olney, on the part of the United States, and Mr. Romero, on the part of Mexico, and all the correspondence between said officials relating thereto," I transmit herewith reports from the Secretary of State, the Secretary of War, the Secretary of the Interior, and the Attorney-General, with accompanying papers.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *April 7, 1898.*

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask that the Senate proceed to the consideration of the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes, the pending question being on the amendment submitted by Mr. PETTUS.

Mr. PETTUS. Mr. President, when the Senate adjourned it had under consideration an amendment which had been proposed to this bill making an appropriation for war and naval purposes and to open the outer bar at Mobile Harbor and the approach to the wharves. There was a question of order talked about. At one time the Senator having charge of the bill suggested that if unanimous consent could be obtained he would waive the point of order. He changed his mind, however, on that subject.

This particular amendment has been recommended by the Secretary of War, and I suppose that will avoid any question of order as to it. If it does not, on reading the last clause of the first rule on amendments to appropriation bills the Chair will see that the recommendation or estimate made by the Secretary of War avoids any point of order that can be made in reference to it.

Mr. WILSON. Mr. President——

The VICE-PRESIDENT. Does the Senator from Alabama yield to the Senator from Washington?

Mr. WILSON. I simply rose to a question of order. I should like to hear what the Senator from Alabama is saying, if possible.

The VICE-PRESIDENT. The Chair will inform Senators that there is disorder on the floor of the Senate and will request Senators to take their seats.

Mr. WILSON. It is rather embarrassing to call upon the Chair to enforce order, but in this part of the Hall it is impossible for us to hear anything at all.

The VICE-PRESIDENT. The Senate will be in order. The Senator from Alabama will proceed.

Mr. PETTUS. I would prefer that the Senate should be in order. It is the third time I have been interrupted, and I prefer to wait, if the Chair will allow me.

The VICE-PRESIDENT. The Chair will certainly indulge the Senator to the fullest extent, in order that Senators may cease audible conversation on the floor of the Senate.

Mr. SPOONER. I sympathize entirely with the purpose of the Senator from Alabama, and ask him to repeat, if he will, the statement which he began to make a few moments ago to the Senate.

Mr. PETTUS. I will request that the Senate be in order. If any member of the Senate desires ever to have the attention of the Senate, he ought to pay some attention to the request of the Chair and the man on the floor.

The VICE-PRESIDENT. The Senate appears to be in order at this moment. The Senator from Alabama will proceed.

Mr. PETTUS. I was saying, Mr. President, that this amendment, which was offered yesterday and was under consideration when the Senate adjourned, has had the approval of the Secretary of War, and the last clause of the rule on this subject expressly provides an exception to the general rule in reference to such amendments—that they are always in order when an estimate has been made by one of the Cabinet, called the head of the Department in the rule. Therefore I hope that the Senator from Iowa will not force us into a discussion of the rule. He ought to allow the amendment to pass without any question as to rules. It is of vast importance to the United States generally, and especially to the people who live on the Gulf.

There is a remarkable feature about this bill. It provides not a cent for the Gulf, although it provides $1,400,000 to dig a highland canal. If any difficulty is to be had with a foreign nation at this time, it will be in the Gulf or in that neighborhood. Here is a provision proposed to be made by which our vessels may obtain absolutely essential supplies, and at the scene of action. I hope the gentleman in charge of the bill will allow the amendment to be passed without further opposition.

Mr. ALLISON. Mr. President, like the Senator from Wisconsin [Mr. SPOONER], I am in sympathy with the plans of the Senator from Alabama, but I regret that I can not assent to the purpose he has in view.

It is necessary, perhaps, for me to state briefly the situation as respects the amendment. The senior Senator from Alabama [Mr. MORGAN] offered an amendment some weeks ago proposing this appropriation, and in substance the amendment now proposed by the junior Senator from Alabama [Mr. PETTUS]. That amendment was referred, under the rules of the Senate, to the Committee on Commerce, which has charge, and exclusive charge, of rivers and harbors. The amendment of the senior Senator from Alabama I will read:

For the deepening and widening of the canal leading through the bay of Mobile, from the wharves at Mobile to the lower bay, to provide a harbor of refuge for ships in time of war, $200,000, to be immediately available.

The amendment was sent from the Committee on Commerce to the Committee on Appropriations with an unfavorable report asking that the amendment be rejected. Yesterday the junior Senator from Alabama [Mr. PETTUS] introduced the following amendment:

To provide for the coaling of ships of war and their tenders, barges, and other vessels at the wharves and elevators at the city of Mobile, and for victualing and watering of ships of war at said wharves, $200,000, to be expended, under the direction of the Secretary of War, in deepening and widening of the channel leading into Mobile Bay from the Gulf of Mexico and up to the wharves at Mobile, Ala.

The Senator from Alabama yesterday placed this amendment upon the ground that it was necessary for the national defense. It not having been reported from any standing committee, it not having been estimated for by any Department of the Government, I made the point of order then upon the amendment that it was a river and harbor project, and under the rules of the Senate these projects are placed under the control of that committee and are excluded from the sundry civil bill. I am told this morning that the Committee on Commerce have considered this amendment. I do not know whether they have reported it or not.

Mr. BERRY. It has been reported and referred to the Committee on Military Affairs.

Mr. ALLISON. It has been reported and referred to the Committee on Military Affairs. So if this matter is a matter connected with the national defense it has gone now by the order of the Senate to the proper and appropriate committee having that subject in charge.

The rules of the Senate, are reasonable rules, not only for the convenience of the Senate, but for the procuration of adequate information respecting the subjects which are brought before the Senate. We are told now, and I am notified as chairman of the Committee on Appropriations, that if this amendment is allowed to go into the bill it will be followed by numerous similar amendments, all placed upon the ground that they are justifiable and necessary for the national defense. Therefore the Senator from Alabama now opens a new field of investigation, wherein it will be necessary for the Senate, without the intervention of a committee, to decide as between all the harbors and all the rivers and all the lakes of our country, with a seacoast of 6,000 miles in extent, as to which of those harbors, which of those rivers, and which of those lakes are necessary to be improved for the purpose of national defense.

Mr. President, the reason of the rule is clear and adequate to exclude this amendment from this appropriation bill. I repeat what I said last night at the close of the session, that if any of these things are necessary to be done for the national defense there is not a Senator on this floor, or a member elsewhere, who will for a moment hesitate to grant all that may be necessary to promote that national defense.

Mr. PETTUS. Will the Senator from Iowa allow me to read what the Secretary of War says?

Mr. ALLISON. Certainly.

Mr. PETTUS. I have a communication from him which reads:

War Department, Washington, April 7, 1898.

This is the amendment which I hold in my hand:

I recommend that this amendment be adopted with the qualification at the end thereof.

I will now read what is to be added:

In such manner as the Secretary of War may deem best under the present exigency.

The meaning of that, Mr. President, as I understood from the wording, and also from the Secretary of War himself, was that the money was to be expended in such place as the Secretary of War may deem best on the line of that work.

Mr. ALLISON. Mr. President, I do not care to enter into a discussion of the opinion of the Secretary of War upon this subject. I took occasion to telegraph him regarding it last evening, and received a reply which I shall not now read to the Senate——

Mr. BERRY. Why not have it read?

Mr. ALLISON. But which is in conflict, I will say, with the views of the Senator from Alabama and with the indorsement upon the amendment which the Senator has read.

Mr. BERRY. I think the Senator from Iowa ought to have it read to the Senate. It was read in committee, and there is nothing about it which is going to materially affect the situation. I should like the Senate to hear it. It is, in substance, however, that the Secretary of War does not recommend the amendment.

Mr. MORGAN. I shall read it when I get the floor after the Senator from Iowa has concluded.

Mr. ALLISON. But if the Secretary of War does recommend the amendment, that does not make it in order in any sense, because if that were so, then all that would be necessary in order to secure the adoption of an amendment upon this appropriation bill would be for the Secretary of War to say that this or that improvement ought to be made under such limitations and conditions as to the Secretary of War might seem wise and proper. So by putting this amendment upon this bill we open up the entire field of river and harbor appropriations. Therefore, whilst I sympathize with the Senators from Alabama in their desire for the adoption of the amendment, I am directed by the Committee on Appropriations unanimously to make the point of order against it, it not being an amendment which comes here under the rules of the Senate with the consent of a standing committee of the Senate, and it not having been referred, as it should have been, to a standing committee and reported favorably to the Committee on Appropriations.

Mr. MORGAN. Mr. President, there are two ways under our rules of getting an amendment before the Senate and making it in order. One is by the recommendation of a standing committee and the other is by the recommendation of the head of a Department. The head of a Department, looking at this precise amendment, indorses his recommendation on the back of it with a single qualification, which, of course, we are willing to accept by way of amendment. So if that does not bring it in order, it is impossible to get anything in order before the Senate which does not meet the consent of the Committee on Appropriations, which have not anything to do with recommending amendments.

I wish to make a point right there, Mr. President. The Committee on Appropriations is a committee for the expenditure of money, limited to such expenditure by the laws as they exist. This committee continually puts on new propositions which are not provided for by the laws as they exist, and it has no right to do it. It is not one of the powers of that committee to make a recommendation for an appropriation. It is one of the regular standing legislative committees of this body that has that right, and not the Appropriations Committee. Still they violate that rule continually and with impunity. The Senator from Iowa [Mr. ALLISON] quotes that committee as being opposed to this amendment, and supposes, or leaves the inference very clear, that unless the Committee on Appropriations shall also recommend an amendment it is not in order before this body.

Now, I wish to say to the honorable chairman of that committee—for whom I have the most intense respect, and whose administration of that high office I have looked upon with admiration for many years—that he had better look out when he and his committee, which undertake to monopolize all the powers of this Senate, go to the point of insisting that their recommendations are of value and that nobody's else is; they had better look out, or the Senate will dissolve them and distribute the appropriation bills among the different committees of this body; and I shall be one of the men who will help to do it.

Mr. ALLISON. Will the Senator allow me a moment?

Mr. MORGAN. Yes.

Mr. ALLISON. The Senator wholly misapprehends what I stated, or what I intended to state, if he assumes that the Committee on Appropriations expects to make a point of order upon every amendment which does not meet its own approval. On the contrary, when, under our rules, a standing committee of this body recommends an appropriation and has it referred under the rules for a single day to the Committee on Appropriations, it is in order.

As for the implied threat made by the Senator from Alabama, if I know myself I do not crave the work which is made necessary under the rules of the Senate for the Committee on Appropriations to perform. We do conscientiously, I believe, and as best we may, the things that are committed to us under the rules of the Senate; and if the Senator wants to dissolve the Committee on Appropriations, or if the Senate itself desires to do so, I shall not complain if it is done without delay.

Mr. MORGAN. Those instances, Mr. President, in our history, and in the history of all governments, which lead to the dissolution of committees and the distribution of their powers are instances where such committees have assumed to the function of managing the entire legislation in a senate or in whatever body it may be; and there is too much of that in this Committee on Appropriations. That subject has been up before, and has been discussed. I am not on new ground here at all.

Mr. ALLISON. Will the Senator allow me just one moment?

Mr. MORGAN. Yes.

Mr. ALLISON. I ask the Senator why he does not use his epithets against the Committee on Commerce, which is a large committee, and deals with these subjects, and which turned his amendment down?

Mr. MORGAN. Because the Committee on Commerce says, and very properly says, that it has not anything to do with war measures, but the Committee on Appropriations concludes that it has something to do with war measures and nullifies the recommendation made by the Secretary of War by stating that that committee, as twice expressed by the Senator, has unanimously agreed that they would not favorably report this amendment, but would report against it. That is why I say so.

The Committee on Commerce did very proper in saying they would refer it to the Committee on Military Affairs. That is the proper committee for it to have gone to, though at the moment of time when I asked the reference I supposed that the Committee on Commerce was the proper committee. They took the correct view of it.

But the question here is between the Secretary of War and the Committee on Appropriations, which has no right to recommend any new measure upon an appropriation bill. Their duty, sir, they have neglected and forgotten until they think they can run over the laws of this land, which compel them to confine their action and their recommendation to the law as it is written and not to the law as they want to make it.

Here in this bill, as my colleague informs the Senate, there is an appropriation of $1,400,000 for a high-land canal. I do not know how it got into the bill. I have heard of no committee making a recommendation of that sort, nor the Secretary of War, nor anybody else; but there it is.

It has also been intimated here that my colleague and myself are actuated by a personal desire in regard to this appropriation. Well, sir, to the extent that I want to see the Government of the United States succeed in the great controversy which seems to lie before us, it is a personal desire, but it is not a personal desire connected with the prosperity of Alabama. If any other State on the Gulf coast had access to coal mines such as we have through the Bay of Mobile and the Alabama River and through the great trunk lines, one on the east and the other on the west of that river, running near the heart of our coal fields, from which they can bring, on a line of transportation not exceeding 100 miles at the farthest, as good steaming coal as there is in the United States in unlimited quantities down to tidewater, down to the Gulf, at a cost less than any other people in the United States possibly can afford coal to the war steamers on that Gulf—if any other State could do that, I should be here advocating an exactly similar amendment in favor of a bay that happened to lie in Florida or anywhere else. I only regret that the attitude of my colleague and myself—the imputed attitude assigned to us by the Senator from Iowa—is such that we have not apparently a perfectly impartial position toward this question.

Sir, let me suggest whether it is safer to take the coal which is absolutely essential to supply the fleet at Key West or at Dry Tortugas down by the sea voyage below the point of Florida, where, if the enemy has any ships at all upon the sea, they would come necessarily with a fleet to intercept our coalers, or, if not with a fleet, there would come privateers, armed ships, to intercept and capture our coalers, or whether it is better to assist the interior railroad lines of this country in hauling coal six or seven or eight hundred miles and pay them for it, than it is to get it within a hundred miles of the coast? I should like to hear about that.

If we are going into war, Mr. President, we need all our resources of men, material, and money, and it becomes us to economize those resources. Already we hear of a great coal combination in

the United States. God grant that there may be no foundation for that story; yet I do not hear it denied. I hear it stated now that prominent financial men in the United States are cornering coal for the purpose of supplying our fleets in the Gulf of Mexico. Ah, sir, what a chance there is for a grab, for a monopoly, for a treasonable spoliation of the people and the Treasury of the United States; and when I and my colleague get up here and propose something that will furnish out of those great mines of Birmingham, in Alabama, a supply of coal that will break up any such foul combination as that, everybody is on the qui vive, and the whole Committee on Appropriations is ready to strike it down.

Mr. President, I am speaking rather boldly, but I feel that it is my duty to speak so, and I am not afraid to do so when I feel that it is my duty. The situation must be looked at, and I appeal to the American people whether, under these circumstances, a little technical quibble like this, where the Committee on Appropriations is trying to overrule a recommendation of the Secretary of War, is to be heard for one second. No, sir.

I do not know whether war is coming or not. No Senator on this floor can rise and point to me and say that I have ever done anything to promote war except to state upon testimony sworn to in the Committee on Foreign Relations, depositions taken, that a state of affairs is going on and approaching which now involves the country in the necessity of striking in defense of its honor, in defense of its name, in defense of humanity, and in defense of its seamen enshrouded in the mud of Havana Harbor. This is all I have done. Those men have brought this war on who have refused to believe the truth and to act upon it; but, notwithstanding they have done that, I am willing here to vote for the taxation of a people who are not reluctant in matters of this kind to furnish their sons an opportunity to march out under the flag of the United States and prove their loyalty to this Government. I am ready to vote for that, and I am ready to vote for a declaration which will make it a necessity that they shall assume those obligations, for I believe that just cause exists.

Now, because we come here and open up, with the recommendation of the Secretary of War, a necessary means of supplying the Navy of the United States with coal, with provisions, with water, and with a place of refuge, if any of our ships should be crippled, with a hospital retreat for their wounded seamen, and furnish also a place of retreat and refuge for merchantmen who may be driven in by stress of war to seek shelter, or who may have received some harm at the hands of belligerent Spaniards—because I do that, this thing is chased around from committee to committee, and it is called an internal-improvement bill, a river and harbor bill, and no committee can be got to touch it. Sir, if a railroad company had brought it into this Senate, I dare say it would have passed before this. I am doing what I can to succor the Navy of the United States before it gets into distress.

More than that, I am doing what I can to make it impossible that this great coal monopoly shall in the beginning of our troubles absorb from the Treasury ill-gotten wealth. That is why so much care is taken here, I suppose, to prevent Birmingham from furnishing coal for the ships at Key West.

Mr. HAWLEY. Mr. President, I think there would be very little difference of opinion in the Senate, at least no serious difference among us in this matter, if the exact situation was understood. I would like the attention of the Senator from Alabama [Mr. MORGAN] especially. Suppose the entrance to Mobile Bay should be deepened to 25 or 30 feet, or say to 25 or 22 feet, it can then be entered by very large ships.

Mr. MORGAN. By any ships.

Mr. HAWLEY. It can be entered by any ships. Have we, then, sufficient of the modern type of first-class guns to defend that entrance?

Mr. MORGAN. I think we have, Mr. President, but I am not an expert on that subject. I think General Alger, who must know about it, would scarcely recommend the appropriation if he was afraid on that point, but, in order to guard against it, the Senator will notice the qualification that General Alger puts at the end of the recommendation—subject to his discretion as to the place of expenditure. He may not want to deepen that place—I do not know that he does, for I have had nothing to say to him about that—but he may want to deepen the inside channel so as to get up to Mobile.

Mr. HAWLEY. And leave the bar.

Mr. MORGAN. Yes, he may want to leave that, but it is entirely within his military discretion. The amendment leaves it right there.

Mr. PETTUS. If the Senator will allow me, I understand that the Secretary of War proposes to reserve the power to himself, by this recommendation, to say that the money proposed to be appropriated shall be expended to the best advantage of the United States Navy and Army. The expenditure is to be made on that line, but as he directs. Whether the outer bar will be entirely opened or not will be in his discretion.

Mr. HAWLEY. If the outer bar were not opened, would the proposed improvement then answer the purpose the Senator seeks?

Mr. PETTUS. It might answer a large part of the purpose by allowing a certain class of our war vessels to go up to the wharves, and by keeping out other classes.

Mr. HAWLEY. I will make no further reply, as I observe the Senator in charge of the bill desires to speak.

Mr. ALLISON. No; I only wish to interrupt the Senator for a moment. As the Senator from Connecticut [Mr. HAWLEY] has raised the question, and as the Senator from Alabama nearest me [Mr. MORGAN] has taken occasion to criticise somewhat severely, perhaps not unjustly, the Committee on Appropriations, and inasmuch as on yesterday I spoke kindly of this appropriation and only desired to know the facts in relation to it, not knowing or thinking for the moment that the Committee on Commerce had rejected it, I took occasion last evening to send a telegram to the Secretary of War, in order that I might myself have some information upon this subject.

Mr. MORGAN. I do not understand that the Committee on Commerce have rejected the amendment.

Mr. ALLISON. They refused to report it favorably to the Committee on Appropriations.

Mr. MORGAN. They asked that it be referred to the Military Committee.

Mr. ALLISON. That is the amendment of the Senator's colleague.

Mr. MORGAN. That is the amendment of my colleague, and it is the only one before the Senate.

Mr. ALLISON. I ask that my telegram to the Secretary of War, which did not reach him until this morning, his answer to me, and also a further statement explaining his recommendation upon the face of the amendment, shall be read to the Senate, so as to get all the facts we can.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

APRIL 7, 1898.

Hon. RUSSELL A. ALGER, *Secretary of War:*

Senator PETTUS last night offered an amendment to the sundry civil bill for the dredging of the channel at Mobile, Ala., and puts his amendment upon the ground that it is necessary for the national defense. Will you kindly make such examination as you can during the morning, and send me a telegram on this point as early as practicable to-day, giving the opinion of the War Department upon the subject?

W. B. ALLISON.

WAR DEPARTMENT, *April 7, 1898.*

Hon. WM. B. ALLISON:

In reply to your telegram of this date, I believe the channel of Mobile Bay should be deepened as soon as this crisis is past, but it seems to me it would be better not to open any further deep water ports that would admit war ships until the present condition of affairs is determined. It would make one more place to guard.

R. A. ALGER, *Secretary of War.*

WAR DEPARTMENT, *April 7, 1898.*

Hon. W. B. ALLISON:

I telegraphed you this a. m. concerning Mobile Bay. Senator PETTUS called this a. m. to ask an appropriation of $200,000 for opening that channel. That I readily did, because I know it should be done; but you will notice on the indorsement it is to be left to the discretion of the Secretary of War. I explained to the Senator that I would not favor doing anything to give the enemy another seaport to enter and destroy a town during this emergency; but we could do much work, leaving a sufficient length of the bar to protect us until we saw it was safe to open.

R. A. ALGER, *Secretary of War.*

The VICE-PRESIDENT. The Chair feels that he can not fully sustain the point of order made by the Senator from Iowa [Mr. ALLISON] and thus exclude the amendment from consideration by the Senate. The rule which is invoked is that such amendments as this can not be entertained unless proposed "in pursuance of an estimate of the head of some one of the Departments" or moved by direction of a standing or select committee of the Senate. It is true the latter was not obtained—the direction of the Committee on Commerce or of the Committee on Military Affairs, to which committees this amendment has been submitted; but the Secretary of War has possibly—I say possibly—brought the amendment within the rule. While perhaps technically the amendment is not proposed in pursuance of an "estimate" made by the Secretary of War, yet it is in precisely the language in which it was originally offered by the Senator from Alabama, and upon which this morning there is an indorsement from the head of the War Department that he recommends that this amendment be adopted with a suggestion as to the method of expenditure.

The Chair does not under these circumstances feel that he should exclude the amendment and declare it out of order. While the point of order is sustained by the Chair, there are sufficient facts stated by the Senator from Iowa to make it a proper case to be submitted to the judgment of the Senate to decide whether it is or is not in order, and whether the amendment itself should be submitted to the Senate. This course will practically submit to the Senate the entire question both of order and incidentally

whether, in its judgment, the amendment should or should not be adopted.

Mr. WHITE. Mr. President, might I inquire whether there is any estimate as to the cost of this proposed improvement?

The VICE-PRESIDENT. There is no "estimate," so far as the Chair knows, of the precise cost of the improvement further than the fact that on the amendment itself is the indorsement, to which the Chair has referred, by the Secretary of War that "I recommend that this amendment be adopted" with a certain qualification. If that is not an estimate as to the cost, it is so near to it that the Chair feels he ought not to exclude the amendment on that account, for it could not have been thus recommended without practically an estimate of cost.

The Chair does not, however, want to be understood that a recommendation of a head of Department, placed upon the face of an amendment as this is, makes such an amendment in order, under our rules.

Mr. WHITE. As I understand the telegram just read from the Secretary of War, it is to the effect that if there is any difficulty with reference to our coast defenses it consists in the proposition that we have too much harbor now. It appears that the opening of this harbor would be an element of weakness, because no method thus far suggested by the Secretary of War or anyone else will exclude the Spanish ship while it admits the American ship.

One of the difficulties which confronts us in the situation into which we are anxious to madly rush, is that our harbors are not properly fortified. Perhaps it might be well (though this suggestion I have no doubt will not be acted upon) to fortify and defend what we have now on hand rather than to create new points of attack and make it necessary to invent some method of defending points which, under prevailing circumstances, are not immediately defensible.

Mr. PETTUS. Mr. President, the Senator from California has omitted to notice that the Secretary of War thinks it advisable that the particular sum of money named in the amendment should be appropriated, to be expended on that line as he thinks best; that the outer bar ought not to be entirely opened, but could be advantageously worked for the benefit of the War Department or the Navy; that there are other portions of the line the amendment provides for that would not concern the outer bar at all; and that this money could advantageously be used for war purposes without entirely opening the bar, which is the thing he objects to. But the Secretary of War desires to open it in part, and you can very readily see that he might have the most important purposes in view in opening it so as to plant submarine mines in the proper place. So the Senator's argument is not based on the facts.

Mr. MORGAN. I hope my colleague will amend his amendment so as to make it comport with the recommendation of the Secretary of War.

Mr. PETTUS. Undoubtedly; that was the purpose. I ask leave to modify the amendment so as to adopt the language of the Secretary of War, by striking out the comma at the end and adding the words suggested.

The VICE-PRESIDENT. It is proposed to amend the amendment by adding the words:

In such manner as the Secretary of War may deem best under the present exigency.

Is there any objection to it? The Chair hears none, and the amendment of the Senator from Alabama is so modified.

Mr. BACON. Now, I ask that the amendment may be read as it has been amended.

The SECRETARY. The amendment as amended reads as follows:

To provide for the coaling of ships of war and their tenders, barges, and other vessels at the wharves and elevators at the city of Mobile, and for victualing and watering of ships of war at said wharves, $200,000, to be expended under the direction of the Secretary of War, in deepening and widening of the channel leading into Mobile Bay from the Gulf of Mexico and up to the wharves at Mobile, Ala., in such manner as the Secretary of War may deem best under the present exigency.

Mr. WHITE. I think that the Mobile Harbor presents a case where public improvement ought to be made; and if it can be accomplished, in view of the present exigency, I do not know that there ought to be any serious objection, as the end proposed may justify the means. But the amendment now before the Senate has in it certain phraseology that may be misinterpreted elsewhere. It would look as though we were passing an amendment which might warrant the purchase of coffee, tea, sugar, pork and beans, and anything else as the result of the action of Congress, because we are going there for the purpose of victualing the ships. I suggest that the phraseology in that regard might be changed without in any manner interfering with the object of the appropriation, which, I have no doubt, is disconnected entirely with that commercial and corner-grocery feature.

The VICE-PRESIDENT. Shall the amendment of the Senator from Alabama [Mr. PETTUS] as modified be submitted to the Senate as in order?

Mr. PETTUS. I ask for a division.

Mr. CHANDLER. What is the question?

The VICE-PRESIDENT. The question is, Shall the amendment be submitted to the Senate as in order?

Mr. BERRY. Is the question as to whether the amendment is in order? Is that the question to be submitted?

The VICE-PRESIDENT. Yes, sir; that is the question.

Mr. GRAY. I beg pardon; it may be my own fault that I misunderstood the exact question put before the Senate. Will the Chair be kind enough to restate it?

The VICE-PRESIDENT. Is the amendment in order? Shall it be submitted to the Senate?

Mr. BERRY. Is the amendment in order?

Mr. MORGAN. I understood the Chair to rule that the amendment was in order.

The VICE-PRESIDENT. The Chair said that the question whether the amendment was in order or not would be submitted to the Senate.

Mr. MORGAN. I did not understand it.

Mr. PLATT of Connecticut. And the question is whether the amendment is in order?

The VICE-PRESIDENT. Whether it is in order and whether it shall be submitted to the Senate.

Mr. MORGAN. I call for the yeas and nays.

Mr. HALE. On what are the yeas and nays demanded?

The VICE-PRESIDENT. On the question submitted by the Chair to the Senate.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from Texas [Mr. MILLS]. I do not see him in his seat, and therefore withhold my vote.

Mr. HANSBROUGH (when his name was called). I have a general pair with the senior Senator from Virginia [Mr. DANIEL].

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. ROACH].

Mr. PETTUS (when his name was called). I am paired with the senior Senator from Massachusetts [Mr. HOAR]. I do not see him present, and I shall have to withhold my vote.

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL]. I do not know how he would vote, and I therefore withhold my vote. If I were at liberty to vote under the circumstances, I should vote "yea."

Mr. ALLISON. I hope the Senator from Wisconsin will be allowed to vote. Certainly pairs are not generally observed on questions of order.

Mr. SPOONER. I vote "yea."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON], but I do not think this is a political question, and I believe it is always in order for a Senator to vote on any proposition. I vote "yea."

Mr. WHITE (when his name was called). I am paired with the Senator from Iowa [Mr. SHOUP]. He is not present. I therefore withhold my vote.

The roll call was concluded.

Mr. MCLAURIN. I announce my pair with the Senator from North Carolina [Mr. PRITCHARD]. I do not know how he would vote. If I were at liberty to vote, I should vote "yea."

Mr. MORRILL. I desire to inquire whether the senior Senator from Indiana [Mr. TURPIE] has voted?

The VICE-PRESIDENT. The Senator from Indiana has not voted.

Mr. MORRILL. Then I withhold my vote.

Mr. BACON (after having voted in the negative). I inquire whether the junior Senator from Rhode Island [Mr. WETMORE] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. BACON. I withdraw my vote, being paired with that Senator.

Mr. SPOONER (after having voted in the affirmative). In view of the fact that pairs are being observed upon this question, I feel constrained to withdraw my vote.

Mr. CHILTON. I desire to announce my pair with the Senator from Minnesota [Mr. DAVIS].

The result was announced—yeas 19, nays 33; as follows:

YEAS—19.

Allen,	Heitfeld,	Mantle,	Turley,
Bate,	Kenney,	Morgan,	Turner,
Butler,	Lindsay,	Rawlins,	Wilson,
Clay,	McEnery,	Stewart,	Wolcott.
Gray,	Mallory,	Tillman,	

NAYS—33.

Aldrich,	Elkins,	Jones, Nev.	Proctor,
Allison,	Fairbanks,	Lodge,	Quay,
Berry,	Faulkner,	McMillan,	Sewell,
Burrows,	Foraker,	Martin,	Teller,
Caffery,	Gear,	Money,	Vest,
Carter,	Gorman,	Pasco,	Wellington.
Chandler,	Hale,	Penrose,	
Cockrell,	Hawley,	Platt, Conn.	
Cullom,	Jones, Ark.	Platt, N. Y.	

NOT VOTING—37.

Bacon,	Hanna,	Morrill,	Spooner,
Baker,	Hansbrough,	Murphy,	Thurston,
Cannon,	Harris,	Nelson,	Turpie,
Chilton,	Hoar,	Perkins,	Walthall,
Clark,	Kyle,	Pettigrew,	Warren,
Daniel,	McBride,	Pettus,	Wetmore,
Davis,	McLaurin,	Pritchard,	White.
Deboe,	Mason,	Roach,	
Frye,	Mills,	Shoup,	
Gallinger,	Mitchell,	Smith.	

The VICE-PRESIDENT. The Senate decides that the amendment is not in order and shall not be submitted to the Senate.

Mr. SPOONER. A day or two ago I introduced an amendment intended to be proposed to the pending bill, and asked that it be referred to the Committee on the Judiciary. I am instructed by the committee to report the amendment favorably.

Mr. CARTER. By direction of the Committee on Military Affairs, I submit an amendment to the pending bill.

The SECRETARY. At the end of line 25, page 94, it is proposed to insert the following proviso:

Provided, That it shall not be necessary for disbursing officers or heads of Departments to present to the Auditor, along with accounts for any telegraphic services rendered the United States, official telegrams or copies of the same, and that a certificate of the proper officer to the facts necessary to enable the accounting officers to audit the account shall be made, and will be accepted as sufficient evidence of the facts stated in it.

Mr. ALLISON. I desire to state that the Committee on Appropriations considered this amendment and thought it unwise to adopt it; but I suppose there is no special point in that.

Mr. CARTER. Mr. President, I fully realize that the Committee on Appropriations considered this amendment, the amendment having been presented for the consideration of that committee by the Secretary of War. Subsequently the proposed amendment was presented to the Committee on Military Affairs and by that committee reported favorably for presentation in the Senate.

The facts in the case and the proposition presented by the amendment, briefly stated, are as follows: Under an existing law, or a ruling of the Auditor for the War Department having the force of law, it is held that every telegram sent by the War Department for which the Government is held liable must be copied and a copy of the telegram, with a translation of it, if it happens to be in cipher, must be filed with the Auditor of the Treasury for the War Department before the telegraph account can be approved. The War Department insists, and the Military Affairs Committee thinks with justice and a proper regard for public policy and the proper administration of the law, that exigencies are liable to arise and do arise requiring that confidential telegrams shall be exhibited to the least possible number of persons for examination. It would be, apparently, quite as forcible for the Auditor to say that it would be necessary for him to detail a clerk from his Department to examine the work performed by day laborers in the public parks or to ascertain that goods had been delivered to the War Department for which payment was requested as to demand that a copy of each and every telegram sent by the War Department, be it confidential or otherwise, should first be translated and submitted to another Department of the Government before payment can possibly be made to the telegraph company for the transmission of the message.

It would be quite as philosophical and logical, I assume, that before the stamp account for the transmission of mail to foreign countries could be allowed by the Auditor the character of the communications sent abroad by the War Department should first be submitted to the Auditor of the Treasury for examination. Bills of the War Department and all the Departments are generally paid and allowed by the Auditor upon proper vouchers presented, with the certificate of the head of the Department attached that the service was rendered for the public interest or in the prosecution of the public business. The following is the certificate which the Secretary of War would sign in a given case and send to the Auditor with a bunch of telegrams:

I hereby certify that the telegrams charged in the above account were on official business; that in the interest of the public service it is impracticable to furnish herewith the original telegrams or copies thereof; that they have been examined in connection with said account, and that said account is correct as to the number of words, computation of rates, distance, etc., and that they contain no direction as to bond-aided or subsidized lines.

Another feature of this matter to which I wish to call the attention of the Senate is this: It must be borne in mind that under the rule of the Auditor's Office complained of, and the rule we seek here to set aside, it is an existing necessity, a duty devolved upon the War Department which can not be ignored, that each and every telegram must be copied and a copy of the telegram forwarded with the account for telegraph service from the War Department to the Auditor's Office; and the copying of the telegrams costs about as much as the sending of the telegrams over the wires.

Mr. COCKRELL. Will the Senator from Montana permit a question?

Mr. CARTER. Certainly; with pleasure.

Mr. COCKRELL. Does not the same rule apply to the Navy Department, to the Interior Department, and to every other branch of the public service?

Mr. CARTER. If such a rule applies to the State Department or the Navy Department, it should be abrogated without any delay whatever.

Mr. COCKRELL. Has not that rule been in force ever since the foundation of the Government in every branch of the public service——

Mr. CARTER. That may be true.

Mr. COCKRELL. In every Department, the State Department and all others, and we have gone through the war of 1812, the Mexican war, the war of the rebellion, and all other wars with that law upon our books and with the accounts audited in that way.

Mr. CARTER. In the war of 1812 we had no telegraph accounts and the auditing department never required copies of letters to be forwarded and filed in the Treasury Department relating to the Navy, the State Department, or the War Department. During the Mexican war telegraph instruments were not used. During the war of the rebellion the Government largely owned or controlled the telegraph lines of the country as military telegraph lines.

At the present time all the telegraphing is done by private corporations, with very slight exceptions, and the telegraph correspondence has assumed proportions which were not comprehended or foreseen twenty-five years ago. The telegraph rates charged the Government are very low, and the correspondence of the Government in its various Departments through the agency of the telegraph lines has increased enormously within the past few years. The rule which applied in 1812 applied only to written communications inclosed in envelopes and sent through the mails. The rule applied in 1846 during the Mexican war does not apply now, because the telegraph lines were not used then. The rule which applied during the war of the rebellion has no application here, because the telegraph lines were then generally the property of the Government or impressed into the service for military purposes.

But at the present time, in case of any war exigency arising, the telegraph would be used more extensively perchance than the mail, and yet we have a rule which was applicable when no telegraph lines existed, it is suggested by the Senator from Missouri, which would require the apparently silly proceeding of the Government discrediting the certificate of the Secretary of War or the Secretary of the Navy, and requiring that each and every telegram sent by either Department should be submitted to whom? Should be submitted to the scrutiny of a fifteen or eighteen hundred dollar clerk in the Auditor's Office.

Mr. President, many of the communications which would be sent over the telegraph lines in cipher and otherwise should we have the misfortune to become engaged in war would be of a confidential character. It would be of the most supreme public importance that the nature and contents of the telegrams should not become known. And yet under the rule of the Auditor's Office every telegram of the War Department would of necessity be copied and transmitted to an auditor and subjected to the inspection of his clerks for the purpose of ascertaining what? Whether or not it related to the public business. That is all that could be inquired into; and upon that point let me suggest that any individual fit for one moment to occupy the position of Secretary of War should be relied upon to give a faithful and true certificate as to the public character of the messages sent over the wires at the cost of the United States.

If we can not trust the Secretary of War upon a matter of this kind, what particular faith can you place in the $1,800 clerk who is to inspect the telegrams and determine whether the Secretary of War issued a true or a fraudulent certificate with reference to the nature of the telegrams?

Mr. President, I think the amendment unquestionably should be adopted; and if it is necessary as to telegrams and cablegrams of the State Department and the Navy Department, the amendment should be made generally applicable.

The VICE-PRESIDENT. The question is on agreeing to the amendment submitted by the Senator from Montana.

The amendment was agreed to.

Mr. WILSON. I offer an amendment, to be inserted in line 11, page 61.

The amendment was read and agreed to, as follows:

And of which sum $1,000 per annum shall be paid to the collector of customs at Port Townsend.

Mr. GRAY. I offer an amendment, to come in on page 98.

The SECRETARY. On page 98, after line 16, it is proposed to insert:

For continuing construction of the harbor of Wilmington, Del., $100,000; and the provision in the river and harbor appropriation act of June 3, 1898, authorizing contracts to be made for improving the harbor of Wilmington, Del., is hereby amended to read as follows:

"*And provided further*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the modified project of improvement submitted in the Annual Report of the

Chief of Engineers to the Secretary of War, dated September 30, 1897, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $476,625."

Mr. GRAY. Mr. President, I wish to say a word, to which I ask the attention of the chairman of the Committee on Appropriations particularly and of the Senate, in regard to the amendment just offered by me.

In June, 1896, in the river and harbor act passed during the session of Congress of that year, there is the following provision of law:

Improving harbor at Wilmington, and Christiana River, Delaware: Continuing improvement, in accordance with the modified project, $20,000.

Then—

And provided further, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the project of improvement, not including estimate for flushing basin and extension of jetty, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate $225,846.

That provision is found in the river and harbor act passed in June, 1896, and that is the provision of law in regard to the improvement of the harbor at Wilmington and the Christiana, in the State of Delaware. The Congress of the United States by that enactment decided that the improvement should be made. That was the determination made in the only way such a determination can be made by Congress, to wit, by the enactment of a law. Incidental to that provision of law was the authority to enter into a continuing contract, not to exceed $225,000, to be expended from time to time as appropriations should be made in order to carry out that project.

Mr. President, when this provision of law came before the Department of Engineers, after the passage of the bill, some time, I suppose, in the summer or fall of 1896, it was decided that the amount fixed for carrying out that provision of law was too small. That was the result of a commission of engineer officers appointed by the Department, who, after viewing the situation and considering the project, reported to the Department. My colleague has their report. It is incorporated in the report of the Secretary of War, and I ask him to read it.

Mr. KENNEY. The report is made under date of October 3, 1896. They say:

In view of the above—

Referring to the fact that the continuing contract could not be completed within the appropriation made—

In view of the above, the board believes that the execution of the modified project under existing conditions is practically impossible within the limits of expenditure established by the act. The board, therefore, does not recommend that a continuous contract to complete this project of improvement be made at the present time.

On page 1259 of the Annual Report of the War Department for the year ending June 30, 1897, an estimate is made for the entire work:

Construction of jetty on south side of mouth	$30,000
Construction of jetty at the mouth of the Brandywine	20,000
Dredging 1,429,000 cubic yards (place measurement), as estimated by General Smith, at 18 cents	257,220
Estimated annual deposit in two years, during progress of work, 200,000 cubic yards, at 18 cents	36,000
Total	343,220
Contingencies	34,322
Total	377,542

Mr. GRAY. That is recommended and estimated for by the Department.

I conceive that the amendment offered by me is in order on two grounds. In the first place, it is an amendment in pursuance of existing law. In other words, it is not excluded by the language of Rule XVI, which says that no amendment shall be received "unless it be made to carry out the provisions of some existing law." The existing law in this case I have already pointed out to the Senate, which is a determination by an enactment of Congress, which is a law, that that harbor shall be made, that work undertaken, and the authority for a continuing contract given to the War Department, the only difficulty about it being that the engineers in executing the law found that it was not expedient to make a continuing contract for the amount provided for.

In this amendment I follow the recommendation of the Secretary of War and the estimate made by him, and quoting the language of the law passed in 1896, except in adopting the estimate made by him of $377,000 instead of $225,000. So on both grounds the amendment is in substance an attempt to carry out the provisions of existing law. It is also an amendment made pursuant to the estimate of a head of a Department, to wit, the Secretary of War, who, in his report made last December to the present session of Congress, recommends this revised project and this increased appropriation. I think that under the circumstances it is clearly within the most conservative rules of the Senate in regard to amendments to appropriation bills.

I shall say only a word further. Not wishing to make any fanciful or strained use of the crisis through which we are passing, I should like to call the attention of the Senate to the fact that on the Delaware River the most important shipbuilding plants in the United States, certainly on the Eastern coast, are situated. The oldest iron ship building establishment in the United States is situated upon this very harbor of Wilmington, where they are now constructing torpedo boats for the use of the United States and hurrying them to completion with all the energy and skill of the trained mechanics who are now there performing their duty. It is exceedingly important that whatever obstruction can be removed in that harbor for the ingress and egress of ships of war of the largest tonnage and caliber should be removed. I think that is a moderate and not a strained statement of the situation at this time, which will commend itself as being one of some degree of exigency.

Believing that the amendment I have offered is within the purview of the rules of the Senate, or rather within the exceptions of the prohibition to amendments on both the grounds I have mentioned, I appeal to the Senate and to the chairman of the committee for its favorable consideration.

Mr. ALLISON. Mr. President, I appreciate the situation of the improvement at Wilmington Harbor. This is estimated for in the Book of Estimates. The project for this improvement, I think, was changed after the law of 1896 was passed, so that under the new project or plan the amount required is about twice the amount required in the law of 1896.

Mr. GRAY. Not twice the amount, but about one-third more.

Mr. ALLISON. It is $486,000. Now, this is a change of existing law; it is a new statute, and therefore it is not in order upon the bill, as I understand the rules of the Senate. Sympathizing with this improvement as I do and as I did with that of the Senator from Alabama, I am instructed by the committee to make the point that the amendment is new and general legislation, and therefore not in order.

Mr. GRAY. I ask the Senator from Iowa before he takes his seat what he has to say in regard to its being in accordance with the estimate of the head of a Department?

Mr. ALLISON. It would be perfectly in order, as I conceive, to make the appropriation; but the Senator does not pause there. He proposes to modify a statute. I could not make the point of order against the appropriation if it were left without a change of existing law. The Senator knows more as to the details of this improvement than I do, but I understand that there is a portion of this work that can be done under either plan.

Mr. GRAY. The Senator will pardon me; I did not hear him.

Mr. ALLISON. My understanding is that although here is a new project, it is not such a diversion or change of a project as would exclude the expenditure of a certain portion of the money under the old plan, so that next year, or this year, if the Committees on Commerce shall report to this body and the House, the change of limit can be made without impinging upon the expenditure of a portion, at least, of the appropriation.

Mr. GRAY. If the Senator from Iowa thinks that the recommendation of the Secretary of War as to this matter and the estimate he has returned to Congress is sufficient to bring it in that respect within the rule, I will accept that modification of it.

Mr. ALLISON. I have no doubt that it is within the rule, because it is estimated in the Book of Estimates. There is an estimate here for $205,000, there having been appropriated $25,000 in the original bill.

Mr. GRAY. I will ask that my amendment be modified in that way, if it will meet the objection.

Mr. ALLISON. I think there can be no objection, because it comes clearly within the contract provision, excepting that the Senator's amendment proposes to change the law. Within the provisions of the contract there certainly can be no objection to making the appropriation, because it would then stand on all fours with every other appropriation in the bill. There is no other appropriation here which proposes a change in the law. If the Senator brings it within the statute of 1896, I can see no reason why this appropriation should not stand with the others.

Mr. GRAY. I will modify the amendment so as to read:

For continuing the construction of the harbor of Wilmington, Del.

Mr. ALLISON. And Christiana River.

Mr. GRAY. "And Christiana River." What is the amount there?

Mr. ALLISON. Two hundred and five thousand eight hundred and forty-six dollars.

Mr. GRAY. "Two hundred and five thousand eight hundred and forty-six dollars;" and let it stop there. The clause "to be expended under the direction of the Secretary of War" I suppose is not necessary.

Mr. ALLISON. It is not necessary.

Mr. SPOONER. It is the law now.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Delaware as modified.

The amendment as modified was agreed to.

Mr. HANSBROUGH. After line 13, on page 86, I move to insert:

For the construction of a pedestal for a statue of Daniel Webster, to be presented to the city of Washington by Mr. Stilson Hutchins, the site for said pedestal and statue to be selected by the Joint Committee on the Library, $4,000.

Mr. ALLISON. That is an amendment that was reported to us favorably from the Committee on the Library. The Senator from Missouri [Mr. COCKRELL], who is also a member of the Committee on the Library, made some suggestion respecting it, and the committee did not agree to the amendment and did not agree to report it favorably because we had not the requisite information as to its location. As respects the amendment, I defer to the Senator from Missouri, who is, I believe, a member of the Committee on the Library as well.

Mr. COCKRELL. The statue, I think, should be accepted. The only question was as to the place of location. The committee had the matter up and was not able to satisfy themselves as to the proper place for it. I see no objection to leaving it to the Committee on the Library. That is the proposition, is it not?

Mr. HANSBROUGH. The proposition is to leave the location to the Joint Committee on the Library.

Mr. COCKRELL. I see no objection to leaving it with the joint committee.

Mr. GALLINGER. The Senator from Missouri will remember that as the joint resolution was originally introduced, it having been introduced by me, there was a site designated. I thought that was objectionable when it was submitted in that form. This seems to eliminate that feature and leave it open for the committee to decide. I should think that there could be no objection to it in its present form.

Mr. ALLISON. I think there ought to be some limitation as to placing it upon the Capitol grounds.

Mr. GALLINGER. I think so, too.

Mr. COCKRELL. A clause excluding the Capitol and Library grounds should be inserted if it is not in the amendment.

Mr. ALLISON. That clause is not in the amendment.

Mr. HANSBROUGH. It is not in the amendment. I presume the committee would take due cognizance of the expression of opinion against such a location.

Mr. COCKRELL. I have no objection to putting in such a clause. I think it ought to be inserted.

Mr. HANSBROUGH. I have no objection.

The VICE-PRESIDENT. What is the amendment of the Senator from Missouri?

Mr. COCKRELL. Not including the Capitol and Congressional Library grounds.

The VICE-PRESIDENT. Will the Senator state where the amendment is to come in?

Mr. MORGAN. I am going to vote for this amendment, but I should like to inquire whether there is any estimate for it?

Mr. ALLISON. The amendment was reported from the Committee on the Library.

Mr. MORGAN. I know that it was reported, but I should like to know if there is any estimate for it. I am going to vote for it anyhow. I wanted to know its status.

Mr. WARREN. Pending the amendment, while the amendment to the amendment is being reduced to writing, I have a slight amendment that I should like to offer.

The VICE-PRESIDENT. An amendment is now pending, offered by the Senator from North Dakota. The amendment of the Senator from Missouri to that amendment will be stated.

The SECRETARY. Add at the end of the amendment the following:

But said statue shall not be placed upon the Capitol or Congressional Library grounds.

So that the amendment, if amended, would read:

For the construction of a pedestal for a statue of Daniel Webster, to be presented to the city of Washington by Mr. Stilson Hutchins, the site for said pedestal and statue to be selected by the Joint Committee on the Library, $4,000. But said statue shall not be placed upon the Capitol or Congressional Library grounds.

Mr. HOAR. I should like to inquire whether the term "Capitol or Congressional Library grounds" includes all the space between the west front of the Capitol Grounds and the Library building?

Mr. COCKRELL. It includes all the area in the grounds of the Capitol, around in every direction.

Mr. HOAR. Speaking for one, I hope there will be some good statues of famous Americans put in the space here. I think it is one of the best possible places, and such statues would increase the beauty and attractiveness and ornament of the great space here.

I do not wish to interfere with this amendment, which seems to have the general acceptance of the Senate, but I hope the matter shall come up hereafter. There is a proposition now to get a statue of Professor Longfellow erected. The Chief Justice is the president of the organization for the erection of a statue of Longfellow. I can conceive of no more appropriate use for the great beautiful space here than to have upon it some ornament of that kind. I merely wish to put in this caveat now.

The VICE-PRESIDENT. The question is on the amendment of the Senator from Missouri to the amendment of the Senator from North Dakota.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FORAKER. I move an amendment on page 105, after line 14.

Mr. HANSBROUGH. I hope the Senator from Ohio will permit me to conclude.

Mr. FORAKER. Certainly.

Mr. HANSBROUGH. I have another amendment that I desire to offer, which I do not believe will give rise to any debate.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 146, after line 9, insert:

For necessary repairs to buildings and grounds, making connection with the city water system, building new fence, and making other urgent improvements for the United States Weather Bureau at Bismarck, N. Dak., $3,000, to be expended under the direction of the Secretary of Agriculture.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was agreed to.

Mr. FORAKER. On page 105, after line 14, I move to insert:

Provided, That $8,000 of said sum may be used for the repair and extension of the levee of the Muskingum River at Zanesville, Ohio, in the discretion of the Secretary of War.

The amendment was agreed to.

Mr. SHOUP. I send to the desk an amendment that I offered several days ago, and I ask for its present consideration.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After line 11, on page 69, insert:

Maps of public-land States: For the publication of maps of public-land States, to be distributed under the direction of the Commissioner of the General Land Office, $1,000.

Mr. ALLISON. I ask the Senator from Idaho to allow that amendment to be passed over until Monday morning.

Mr. SHOUP. Very well.

The VICE-PRESIDENT. The amendment will be passed over. The hour of 2 o'clock has arrived.

MEMORIAL ADDRESSES ON THE LATE SENATOR GEORGE.

Mr. WALTHALL. Mr. President, pursuant to the notice heretofore given, I submit the resolutions which I send to the desk, and ask that they may be now considered.

The VICE-PRESIDENT. The resolutions will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep regret and profound sorrow of the death of Hon. JAMES Z. GEORGE, late a Senator from the State of Mississippi, and extends to his family and to the people of Mississippi sincere condolence in their bereavement.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay fitting tribute to his high character and distinguished public services.

Resolved, That the Secretary transmit to the family of the deceased and to the governor of Mississippi a copy of these resolutions, with the action of the Senate thereon.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as an additional mark of respect at the conclusion of these ceremonies the Senate do adjourn.

Mr. WALTHALL. Mr. President—

No man the world ever saw was equally great in every quality of intellect and in every walk of action. All men are unequal, and it is truthful, as well as just, to plant the praise where it is true rather than drown all individuality and all character in one foaming chaos of eulogy.

This, and other language like it, from a distinguished Mississippian in a masterly address on the life and character of Henry Clay, whom he ardently admired, made on me, then quite a young man, a profound impression which still endures. When we speak of noted men who have departed, a reasonable observance of the limitations these words suggest seems due alike to them and to the living who may profit by the lessons of their lives. Praise, when indiscriminate, or comment, if inapt, may obscure the characteristics and achievements of a man of mark, and the record of such a man's life ought not to be thus disfigured and defaced.

In the Congressional Directory we find the following modest and necessarily meager sketch of the late Senator GEORGE, prepared with his approval:

JAMES Z. GEORGE, of Carrollton, was born in Monroe County, Ga., October 20, 1826; his father having died in his infancy, he removed, when 8 years of age, with his mother, to Noxubee County, Miss., where he resided two years; he then removed to Carroll County, where he was educated in the common schools then existing; he volunteered as a private in the First Regiment of Mississippi Volunteers in the Mexican war, commanded by Col. Jefferson Davis, and was at the battle of Monterey; on his return he studied law, and was admitted to the bar of Carroll County; he was elected reporter to the high court of errors and appeals in 1854, and reelected in 1860, and prepared and published ten volumes of the reports of the decisions of that court, and afterwards prepared and published a digest of all the decisions of the supreme court and high court of errors and appeals of that State from the admission of the State into the Union to and including the year 1870; he was a member of the convention in Mississippi in 1861 which passed the ordinance

of secession, and he voted for and signed that instrument; he was a captain in the Twentieth Regiment of Mississippi Volunteers in the Confederate States army, afterwards a brigadier-general of State troops, and later a colonel of the Fifth Regiment of Mississippi Cavalry in the Confederate States army; was chairman of the Democratic State executive committee in 1875-76; in 1879 was appointed one of the judges of the supreme court of Mississippi and elected chief justice; resigned his seat on the supreme bench in February, 1881, to take his seat in the Senate on the 4th of March of that year, and was reelected in 1886 and again in January, 1892; was a member of the constitutional convention of the State of Mississippi which was held in 1890 and framed the present constitution of the State.

In these few lines are epitomized some of the leading features in the life work of a man who was a prominent figure and important factor through many years of our country's history—most of them eventful years for that section of the Union in which he resided.

Between these lines and without them we must look for the original capacities and their development, the will power and the work, the qualities and principles, the struggles and successes, the conflicts and triumphs which made up and filled out the well-rounded career so modestly recited.

This little sketch tells us he was educated in the common schools of that early day in Mississippi; but it is only by their fruits that we know of the patience and courage, the toils and trials, it cost him to overcome his early disadvantages and acquire that splendid intellectual equipment in after life exhibited in various arenas.

We are told that he was a volunteer in the Mexican war and was at the battle of Monterey, but the private soldier except in aggregation cuts but little figure in the record of the campaigns in which he makes great names for other men. Tradition, often juster than recorded history, assigns to their proper places of credit the nameless heroes of the field, and in the story of this young soldier's service his gallantry and devotion are abundantly attested.

On his return from Mexico he studied law and was admitted to the bar, but in the fact that he soon established himself in practice where there was formidable competition, despite the drawback of his imperfect education and the interruption in his preparation caused by his military service, we see the workings of that element of success which was illustrated in all his undertakings. For such a lawyer as he became to issue ten volumes of reported decisions of the appellate court was of itself no great performance, but when their completeness and the rapidity with which they were prepared and published in the midst of other engagements are considered, it was a remarkable achievement.

From the careful and discriminating examination of which these books give evidence on every page, it would be inferred that their preparation was the author's sole employment, when in fact they were issued amid the exactions of a varied and extensive practice, which took him much from home, and when private interests claimed much of his attention. In these reports, as in the digest of all the Mississippi decisions by which he subsequently lightened the labors of the profession, we see the proofs of that capacity for constant and effective labor with which our late associate was as liberally endowed as any man I ever knew. This digest, though prepared after the close of the war and under the disadvantage incident to four years of interruption in the habits of a student's life, is yet a model of its kind. In thoroughness and orderly arrangement it is unsurpassed, though the work was done while the courts in which the author was an active practitioner were perplexed with a vast variety of novel and difficult questions arising out of the results of the war and when there were many distracting claims upon his attention.

When the movement for separate Southern independence took shape in 1861, my late colleague's situation in life was enviable indeed. He was the leading lawyer in the district where he lived and ranked high at the supreme court bar of the State, then one of the ablest in the Union. He had the confidence of his people, who watched with pride his progress to prominence from obscurity. In one of the worthiest of women he had early found a most congenial helpmate; he had a growing family about him and was happy in all his private relations and home surroundings. But none of these things could stand between such a man, devoted as he was to the interests and institutions of the South, and the discharge of the duty he felt he owed his section.

After voting for the ordinance of secession as a member of the Mississippi convention of 1861 he promptly enlisted in the military service of the South, and, although less fitted by aptitude and taste for such a sphere than for others in which he figured afterwards and before, with characteristic earnestness he took hold of his new duties and in several positions of high responsibility discharged them all with credit. In the fortunes of war, without fault in any quarter, it befell him twice to be captured, and for many months he was confined in Northern prisons. Making the best of his situation, he followed his labor instinct and found congenial employment in instructing a law class formed of his fellows in confinement.

After the establishment of peace the fruits of his law practice enabled him in a few years in large measure to repair his private fortunes, much broken by the war's results. In 1873 he extended his field of effort by changing his residence to the capital of the State, but in 1888 returned to his old home in Carroll County, where he had never surrendered his citizenship.

The year 1875 was, for Mississippi, perhaps the darkest period in the era of reconstruction, and it was in the political campaign of that year that my late colleague rendered a great service to his people as chairman of the State committee appointed by a convention of the "Democratic and Conservative people of Mississippi." The time was critical, the issues vital, and a brief allusion to them will be excused by their manifest pertinence in this connection. The situation has been aptly described as an—

> Upheaval * * * produced by an unselfish devotion of the whole white people to the public weal, by harmony in counsel, by union in action, by a general abandonment of personal aspiration and personal resentments for the public good. This harmonious and unselfish action had been forced by the ever-pressing evils of maladministration and by the instinct of self-preservation.

It is no marvel, then, that the successful and peaceable issue of a movement like this should have won the people's faith for the forceful man whose wise leadership, backed up by strong support, had been so largely instrumental in giving them back their own. In January, 1876, the legislature of the victorious party came to elect a Senator in Congress, and the successful leader of the late campaign, supported by a powerful following, was among others presented for the place. For such a position, at such a time, no man, whatever his services or merits, could stand before Lamar, then the foremost statesman of the South.

In the lower House of Congress he had proven the very genius of conciliation, and it was meet that his State, at the first opportunity, should indorse his effective work for the restoration of good will between the sections. His wisdom, courage, and conservatism were everywhere recognized, and in the recent campaign he had made the strongest and most stirring popular speeches of his life. He was the idol of the hour, and his election implies nothing against his distinguished competitors, who had not the opportunity which he so well employed in the work of pacification, on which just then so much depended for the South.

Mississippi was not slow in recognizing the worth and ability of the strong man who in 1875 had done so much for her redintegration and retrieval. For more than eighteen years before his death official honors flowed in thick and fast upon him, and others in his reach were declined. Appointed in 1879 judge of the supreme court of the State for a nine years' term, his associates conferred on him a rare distinction by choosing him chief justice immediately on his accession to the bench. Within a year thereafter he was elected to the United States Senate for the term beginning March 4, 1881; but before resigning his position as judge, in February, 1881, he had left his impress upon the judicial annals of the State in important opinions marked by his characteristic thoroughness, lucidity, and thought. His reelection to the Senate in 1886 was without opposition, but that in 1892 was after a stubborn contest with a formidable opponent, Hon. Ethelbert Barksdale, an able man, popular and influential, with large experience in public affairs.

By his advocacy of a supposed measure of relief put forth by the Farmers' Alliance and made the leading issue of the campaign, Mr. Barksdale was enabled seriously to contest Senator GEORGE'S claim, which was a very strong one, upon the support of the farmers, with whom he had a close identification and whose interests were known to be the objects of his special concern and attention. An extensive planter himself, there was no phase of the agricultural concerns of the State that did not enlist his active interest. He was the most serviceable promoter of the Agricultural and Mechanical College in Mississippi, an institution in which he took great pride and of which he was an active trustee from its foundation to the day of his death.

Confident that the subtreasury scheme was a delusion, and that if it should prevail it would bring disaster to the interest it was intended to advance, he boldly assailed it in all its aspects and won a signal victory in the outcome.

For several years prior to 1890 the subject of a new constitution had been much discussed in Mississippi, and Senator GEORGE, an earnest supporter of the proposition, was called from his place here to serve as a member of the constitutional convention, which assembled in August of that year. In the difficult work of that body, which had to deal with the delicate subject of suffrage under conditions of peculiar embarrassment, when widely divergent views were current touching questions of both expediency and power, he was the acknowledged leader and the guide, and to him has been accorded the largest measure of credit and responsibility for the results which were accomplished.

The new constitution came under review in this body in the debate upon the Federal election bill of 1890, and several Senators read and commented on the speeches made by some distinguished members of the convention in disparagement of an important clause in the suffrage regulations which Senator GEORGE is understood to have proposed. His defense of the constitution, and

notably of the clause specially assailed, will be remembered here as one of the strongest and most learned arguments delivered in that famous debate.

In this presence I need not comment on his regular attendance upon the sessions of the Senate, his attention to the details of routine work, the patient hearing he gave to discussion, and his general efficiency in the discharge of official duty. With all these most of those around me are familiar.

The products of his intellect and industry which fixed his status in this body as a man of acknowledged ability appear in the record of the work done here and attest his usefulness and uncommon powers. The evidence of patient and exhaustive research and precision, severe analysis and discrimination, unflagging diligence and care were all observable in his prepared addresses delivered in the Senate, and in running debate his adversary always found him well armed, skillful, and alert. If he had been content with ordinary success and had not labored so constantly and earnestly, going without relaxation from one task to another and concentrating his powers intensely upon the next one as upon the last one, his physical constitution was so strong and his habits of living so simple that his useful life might have been considerably prolonged.

Judged by his robust appearance when last in this Chamber at the close of the session in 1896, he seemed as little likely as any here to fall a victim to overwork, but it was not long before failing health brought him the admonition that nature revolted against the constant transgression of her laws. In the summer and fall his condition excited serious apprehension among his family and friends, and in January, 1897, when he had come to Washington to resume his duties, it became so critical that after undergoing medical treatment here for several weeks he returned to his devoted wife at home, a confirmed invalid, who could not come to him. Until almost the end of summer he wrestled with his fatal malady with varying results, some better days when hope revived, some worse ones when it seemed to flee—the ebb and flow of waning vitality, so often incident to the mysterious diseases of the heart.

Near the end of July his wife, who through more than half a century of happy married life had been "his inspiration and his help," passed that shadowy portal where so soon he was to follow. Lonely in the midst of family and friends, desolate with loving hearts around him, after the sundering of this tie how could the stricken husband, withered by this blow and wasted by disease, much longer endure the burden of existence? In the hope that possibly he might derive at least some temporary benefit from change of air and scene, his family removed him to Mississippi City, but climate and skill, affection, attention, and prayers were unavailing then; and there, on the afternoon of Saturday, the 14th of August, 1897, upon the Gulf border of the State he had served so well, he peacefully passed away in the hope of the Christian faith. The highest honors were paid his remains at the capital of the State and all along the route as his body was borne to his old home for interment. The immense concourse of people of all classes and conditions and from many quarters of the State who followed his remains to the public cemetery from the Baptist Church at Carrollton, of which he was in life a member, attested the esteem and affection in which he was held by those who had known him longest and knew him best.

My acquaintance with my late colleague began in 1852, when I was admitted to the bar and he was well on his way to professional distinction. Thereafter until his death we were citizens of adjoining counties, and for many years were active practitioners in the same courts, always members of the same political party and generally in agreement touching party policies and public movements in our State. For nearly twenty years our relations were most cordial, and they were so when he died. There were some intermediate interruptions, none leading to permanent estrangement and all adjusted without formal explanation, incident to constant contact between two men who respected each other and themselves, but whose opinions, tastes, and interests (other than political) were not always in accord.

These occasional disturbances of a friendship which for a large part of forty-five years was somewhat close and often confidential are referred to now, when there should be no affectations or false pretenses, because the truth requires it, and they afforded opportunities no less illustrative than others I had of estimating the attributes and characteristics of the remarkable man I would faithfully represent. He was a strong man, full of resources and conscious of his power. He was self-reliant, self-approving, self-asserting, and in self-help he put his chief dependence. He knew his own capacity for work, he had faith in the strong fiber of his mind and body, and he did not undervalue his intellectual grasp and vigor. He was essentially a practical man, and reason in all things was his guide.

He read books for what he could get out of them that could be turned to practical account, and he studied men and things as well as books. He dealt with substance, and shadows neither diverted nor deluded him. In his favorite projects he was impatient of opposition, and if at times he seemed inclined to overbear those who sought to thwart him it was due to the zeal of an earnest man with fixed opinions striving to do something he thought should be accomplished. In conflict he was resolute and uncompromising; he contended obstinately and sometimes pressed his advantages unsparingly, but when defeat was inevitable he recognized it promptly and without brooding or repining was soon engrossed in other work his hand found to do. Independent in thought always, he was sometimes so in action when a man more politic and tactful might have found reason for concert and cooperation.

He was no more forgetful of his friends and their rights than of himself and his, and he constantly sought the advancement of those who allied themselves with his fortunes. He was capable of any high act of self-abnegation if there were cause enough to justify it, but he brooked no postponement of himself any more than of his friends on any strained idea of magnanimity or other affectation. He considered no preferment too good for himself or for them of which they were worthy and for which they were fitted, and he openly claimed what he thought was due to either. He had his own standard of proper conduct between man and man; it was founded on a sound morality, and he lived up to it scrupulously and consistently. He was a plain man, unostentatious, direct, and courageous. He was rugged in his honesty as he was blunt in his address and sturdy in his physical and intellectual stamina.

His manner was sometimes brusque to his detriment, and he never affected the lighter graces and accomplishments which did not belong to his nature. He was hospitable in his home and enjoyed greatly informal social intercourse, but all the mere artificialities of society he rejected and despised. To worthy objects he gave liberally of his substance, but his charities were neither wasteful nor indiscriminate.

As husband, father, friend, and neighbor he was faithful, just, and kind, and in meeting his duties in these relations he but followed his natural inclination.

To say that a man like this was without decided prejudices and exempt from those of other men, and that with strong attachments he did not both entertain and incur some strong resentments, would be to make a glaring contradiction of his character and rob of their emphasis its positive but harmonious component elements.

The arena to which he was best adapted and in which he was most effective was the bar, in my opinion. Whether measured by his successes or by the skill, pertinacity, and power with which he prepared and conducted his causes, great and small, as a practitioner he was unsurpassed. In that capacity his superiority was illustrated more than on the bench. At the bar his enlistment as a champion brought out in all their intensity forces valuable in contention whose repression or restraint was part of his duty as an impartial judge. Whenever a legal question arose in debate here, in which he took part, his familiarity with the subject, his confidence in himself, and his pointed and ready answers to his antagonists illustrated his ability as a legal debater and showed that however he might shine in other spheres the law was his true element and of that science he was well-nigh a master.

If in statesmanship he had a model, it was the late Albert G. Brown, once an honored member of this body, in whose wisdom he had implicit faith and profound admiration for his talents and his public career. In an address upon that great man's life and services something of his own bent was revealed in the following words spoken in commendation of the character and career he was discussing:

> He knew the people; he mingled and associated with them; he was one of them. He knew their thoughts, their wishes, and their aspirations. He also knew their troubles and trials—their hindrances to success in life. He sympathized with them in their joys and their sorrows. He believed they were capable of self-government. He believed they knew their own interest. He had faith that in the long run they would be, must be, right. * * * Having this faith in them, he was accustomed in forming his judgment on public measures to give a large consideration to the opinions of the people.

Even more perhaps than the statesman of whom he spoke, though neither did so always, did his eulogist defer to the opinion of the masses of the people upon questions of direct concern to them, and out of his sympathy for them arose his jealousy of the growing power of corporations and the capitalistic classes, which he never sought to conceal. If any supposed this sentiment sometimes tinged his judgment or tended to misguide him, none ever doubted its sincerity. It was his pride that he sprang from the people and theirs that he rose so high. He attached much value to their sagacity and instinctive sense of right, and they to the confidence he reposed in them. They were grateful for his good offices and he for their approval and support. He made their cause his own, and it was like him to espouse and urge it with all the intensity of his nature.

Proud as he justly was of his name and fame as lawyer, soldier, judge, and Senator, and careful ever to guard them, if his epitaph

were limited to a single sentence most accordant with his preference, I am not singular in the belief that "a friend of the people" would be inscribed upon his tomb.

Mr. PROCTOR. Mr. President, others will relate the events of the life of our late colleague, Mr. GEORGE, and tell of the public service which raised him to eminence in his own State and to distinction in this body. I can only speak of our personal relations and of my association with him on committee service. I was acquainted with him only to a limited extent before I came to the Senate, but here we met frequently and on friendly terms as members of the Committee on Agriculture and Forestry during the Fifty-third and Fifty-fourth Congresses. In the former Congress Senator GEORGE was chairman, and I had ample opportunity to observe his careful, painstaking methods, the cheerfulness with which he accepted every duty, and the thoroughness with which his committee work was performed.

Although we came from the extremes in latitude and politics, I found much in Senator GEORGE'S public career to admire—his firm resolution, his constancy and consistency of purpose, and, above all, the patriotism with which I believe his every act was animated. He was an enthusiastic agriculturist, well posted on every subject that concerned his section, of an original turn of mind, taking nothing for granted, but an inquirer after the truth and a student of all measures that came before our committee. As a lawyer, keen and shrewd to point out defects of careless legislation, we naturally relied upon his accurate judgment and regarded him as thoroughly equipped for the work of the committee, as he was for the deliberations on this floor. As a legislator he was careful and conservative in the extreme, respecting and jealously guarding all the limitations imposed by the Constitution.

Able, laborious, learned, practiced in the science of law and legislation, he was certainly a most useful member of this body. And above all, Mr. President, no one can be better entitled to have inscribed in the record of his life, "An honest man."

Mr. TURPIE. Mr. President, I became acquainted with the late Senator GEORGE, of Mississippi, in December, 1887, at the commencement of my latter term of service in this body. The acquaintance grew into that sort of intimacy which is founded upon a similarity of tastes, and upon the mutual concern which we took in the very serious questions of constitutional law and of political rights and franchises that so often become here the subject of our deliberations. We, indeed, usually agreed in opinion upon these topics; but even when we disagreed we yet took pleasure in discussing our differences and in the attempt to find or make some middle term which might lead to their satisfactory adjustment.

I do not think there has ever been a fairer disputant or debater than our late colleague. He always seemed willing to concede a certain degree of reason in the position taken by an opponent, sometimes frankly admitted that he had formerly entertained the same opinion, for the same causes, but when he came to state his own position, finally taken, this was done in such a tone of absolute conviction and supported by such weight and force of argument as to bring to his aid not only the undecided and the indifferent, but even those who had been adversely inclined thereto. His mind was broad, discursive, grasping with rapidity the problem in argument, yet his conclusions were formed with much care and elaborate forethought. He had the capacity for great and continued mental exertion, the faculty of fixing his mind day after day upon a single theme without weariness, and of contemplating the subject so selected from every side and angle, with all its incidents and dependencies.

His great, distinctive, and, so to speak, his peculiar intellectual force was that of analysis. Herein he was rarely gifted. He divided and subdivided the subject-matter in argument with masterly discrimination and discernment. He stripped off the husk of irrelevancies, all manner of masks and disguises, laid these aside and away, and showed in the clearest light and in open view what the proposition in question was, and in the same manner what it was not. Distinctions came to him, apparently, with much facility. They were neither trivial, unfounded, nor farfetched, but closely related and nearly allied to the very heart of the controversy. Thus he would take apart, piece by piece, a proviso, a section, or a whole enactment which he denounced, not only explaining but exposing its unwisdom, its unconstitutionality, its utter worthlessness, and when he had made an end of this destructive process he stopped short.

He was no believer in the modern doctrine so often urged, that the objector to a measure must offer a substitute, that he is under obligation or bound in duty to proffer an amendment, something better or different. Senator GEORGE constantly denied that there was any such duty or obligation. He asserted that the offering of means for a better writ, by those who pleaded in abatement, was a maxim of the courts, of the courts only, and that it had not the slightest application to the province of the lawmaker. When he was questioned in such a case as to what he would do, he had the directness to reply plainly, without other suggestion, "No law is better than this."

He did not think it his province as a Senator to take remedial or curative charge of the lame, maimed, infirm, and impotent bills and overtures too often presented here. He rested and reposed in this negation, the denial of their utility. In his opinion the commendation and credit of a legislative assembly depended quite as much upon what it did not do, upon what it declined to do, as upon what was done. The business of the Senate was not to pass laws and make enactments, but primarily to consider, to deliberate, and, above all, to understand thoroughly the effect, intendment, and consequences of the measure proposed, and often ended there.

His style of diction and delivery was admirably fitted for the exhibition of the remarkable powers of analysis so highly developed in his mental structure. His enunciation was clear, distinct, slow, and deliberate. He used gesture very little. His pose and attitude were those of conscious strength and stability—monumental in their character. His terms and phrases were well chosen; they expressed neither more nor less than the thought intended. He had a wise economy in the use of words. He discarded ornament; he avoided tautology and repetition; the innate beauty and force of pure reason set forth in unadorned simplicity; these sufficed him. Hence, although his speeches in the Senate sometimes attained, when the subject demanded it, a great length, yet the sentences in them are short, without involution or parenthesis. They read one after another like maxims, like elementary truths; statements not made, but born of that necessity which the rigorous logic of the cause required. This is well shown by his argument in the Du Pont case. It is quite long, yet the separate sentences are brief, pithy, and closely fitted to the various branches of the discussion.

One may read them without fatigue, since every period makes a plain and visible progress in the case. In this excellent production, much noted and commended at the time, one of his traits as a jurist is strongly marked and defined—his deference for the text of the organic law, whether it be the constitution of a State or of the United States. For in this case he had often to consider the constitution of the State of Delaware as well as that of the Federal Union. He approaches each with equal deference. He treats both as being in their respective spheres of the same dignity, as clothed with powers exclusive, absolute, and essentially sovereign. This was with him a doctrine which he delighted to honor and which in his long public career he constantly avowed and defended.

During his service in the Senate, he was chosen by the people a member of the convention to frame a new constitution for the State of Mississippi. He accepted the office so conferred upon him, and those of us who were present recollect very well that day when he rose in his place in the Senate and asked for an indefinite leave of absence, which was granted, that he might give himself wholly to the performance of the duties of this new position. Some time before he left Washington on this service he had, after long reflection, and upon great consideration, drafted a proposed clause in the new constitution upon the right of suffrage. This draft he submitted, for inspection and examination, to a few of his Senatorial colleagues, upon the single question of its constitutionality, whether there was anything in its terms in conflict with the Constitution of the United States. Receiving for answer, without dissent, that the clause in question was not in conflict with the Federal Constitution, he carried the draft of it with him upon his journey home, and at the proper time offered it as a section in the new constitution. It was adopted, after full debate, in very nearly the text and terms of the original draft, and is now a part of the organic law of the State.

This suffrage clause became afterwards the subject of criticism and attack in the Senate upon the ground that it was in violation of the Federal Constitution, that it was an ordinance of government not republican in form, and not competent to be made in a free State by and for a free people. The reply of Senator GEORGE to these objections was full and explicit. His argument in support of the suffrage clause of the constitution of his State, both upon the general principles involved and upon a comparison of the same with similar provisions either now or at some time existing in the constitution of other States, was one of the ablest and clearest ever heard here upon any occasion. Objection was silenced. The attack failed and has never since been renewed.

His prolonged and laborious service in the Senate had been largely devoted to questions nearly akin to the suffrage clause. Year after year he had thought and spoken concerning the force bill and other methods then proposed of Federal intervention with the election systems of the Southern States and upon the still broader theme of inter-race relations. Always his utterances had been without threat, without menace, earnest, sincere, but temperate, considerate, devoid of violence. His conduct had been that of the statesman, that of the philanthropist and the philosopher. He purposed good for all, good for both races, white

and black, but especially he kept faith with those of his own race and lineage. He was not willing to abandon the claim of his own race to a certain political supremacy. He thought this was an indispensable necessity for the welfare of both races. At last the opportunity came to him, as the author of this special provision on the subject of suffrage, to formulate this policy in the law of his own country.

The most beneficent consequences have resulted from his labors. There is now a stable, firm, unbroken pacification of the government in his State. Civilization and social order have been reestablished. The former disastrous conditions of riot, confusion, and bloodshed have ceased. All classes and colors are at rest. Dissent has been merged into accord and satisfaction. What he wrought in this magnificent domain for human progress and happiness has not died with him. The future generations of that historic Commonwealth will say of him in the years yet to be, Senator GEORGE gave to Mississippi and to all the inhabitants thereof the priceless boon of peace.

One of the finest traits in his rich and varied character was that of political courage. Having once made up his mind as to the course of action to be adopted, he pressed forward against every obstacle. This was strikingly exhibited in the history of this constitutional provision relating to the franchise. No sooner was it declared and published than there arose instantly a formidable and widespread opposition to his views and action. A section of the press, not only at his home, but in the adjoining States of the South, united in their denunciation of the proposed enactment and its author. They accused him of being governed by mere partisan motives and of using the powers of the convention to maintain and perpetuate the supremacy of his own political faith and followers; but Senator GEORGE took no notice of this storm of aspersion and obloquy.

Deeply convinced of the rectitude of his own purpose and of the excellence of the measure which he advocated, he did not hesitate or falter. He was one who could bear unmoved immeasurable burdens of hatred and detraction, rejoiced in bearing these in a cause which commended itself to his conscience and judgment. He cast behind him the strife and rancor, the hindrances and difficulties of the present hour, relying in quiet and in confidence upon the good effect of the enactment in the future as an answer—more than an answer—to the charges made against himself and his associates. He was not regardless of public opinion, but he did not compliment his opponents by yielding one jot or tittle of his own convictions, nor did he swerve one moment from the course which he had chosen.

He had been a member of the convention which passed the ordinance of secession, as he was a member of the convention which framed the latest organic law of his State. Revolutions usually destroy those who take the initiative in them, often when they succeed, always when they fail; but here is an instance of one who witnessed the beginning, the decline, and the final overthrow of a great revolution, who walked afterwards unscathed, with wary step, through the disturbed era of reconstruction, and who closed his career holding the avowed and conceded primacy in that deliberative body which gave supreme law to another and later generation.

It may be, indeed, asked concerning our departed friend, as of others, what did he accomplish in his long service at Washington? Why is not his name connected with some law of general importance, some measure of national repute? The answer to such inquiry is not difficult and is readily apprehended. He spent the whole period of his service here in the minority. It is true he was a Senator during the first Administration of Mr. Cleveland, somewhat akin to his own political faith; but that Administration had been from the beginning incomplete, imperfect. It controlled only one branch of Congress, and comprised only the President and the House of Representatives in its best day. It was, by consequence, meager in results, and wholly barren of initiative legislation.

Senator GEORGE was here during the second Cleveland term, but very early he dissented from the ideas of the President upon the subject of finance, being one of the ablest and most earnest advocates of the free coinage of silver, and adhering steadfastly to that policy. In the whole course of his service here he never stood for a day in line with that majority which has the power to formulate its opinion in the shape of statutes. Occasion did not once touch him at the elbow, saying, "Now I am with you; move toward your purpose." Often history acquaints us with men whose destiny placed them in positions too high for their abilities. Senator GEORGE is not to be numbered with this class. His splendid abilities were marred by that fortune which always allotted to him here a place, a very high place, among the minority.

The man was greater, far greater, than his opportunities. He was one of the statesmen, rare in this time, who depended for his influence and ascendency upon reason and argument. He had no other arts, blandishments, or resources, or, having them, disdained to use them. "If you think with me, vote and act with me; if not, go and do otherwise;" such was his port, carriage, and utterance toward the people at home, as to the Senate here.

Living, he was highly honored; gone from among us, his memory will be fervently cherished as long as intellectual excellence, purity, and singleness of heart are reverenced among mankind.

In bidding farewell to our illustrious colleague we seem to be taking leave of a companion who has journeyed with us for many days among the mountain summits of high thought, of lofty action, and of grand design. Somewhere among these almost untrodden heights the ardent hopes of this loyal and stalwart servant of the people, his ambitions and aspirations, his once teeming plans for future betterment, his bright visions of a coming time of improved conditions for the masses of his fellow-men, all these are buried, buried in the irrecoverable past, and no man knoweth the sepulcher.

Mr. BATE. Mr. President, it is always interesting and instructive to review the character of a public man—a statesman of our country—whose political and private character received its form and reached its maturity under the strongest operation of moral and Christian influence. The serious thoughts, the elevated reflections, and the earnest devotion to higher principles of life and conduct, thus influenced, conduce to the perfection of a nobler life. It is righteousness that exalteth a nation, and the service of God which perfects a man. Kindness, honesty, and truth are the ripened fruit of such a life which puts away malice, envy, falsehood, and injustice.

Such a character was that of the late Senator JAMES Z. GEORGE, of Mississippi, whom we this day honor and mourn. His mind was deeply imbued with reliance upon and love for religion. A sincere fervor acting upon a clear and strong understanding gave a simplicity, directness, and continuity of thought, and made him lofty in demeanor, dauntless in spirit, and conscientiously devoted to the performance of every duty and to the protection and security of the best interest of that portion of our great country intrusted in part to his watchfulness.

For years our daily contact in this Chamber has made us familiar with the characteristics, the capacity, and worth of this lamented and valued Senator. His frank and earnest nature forbade all barriers to his inner life. Truthful, strong, and brave, he looked calmly and fearlessly upon current events, as he did upon the men who inspired them. He was not without peculiarities, for strong and masterful men rarely are; yet, all in all, you seldom meet his like. He did not belong to that treadmill order of men, content with things as they are, but was aggressive in carrying out his convictions; and, if those convictions differed with his party or his fellow-Senators, he would maintain them with increased force and energy, and the friction it would beget often brought out from him a latent power that, in argument, seemed to have been held as a reserve force for the occasion.

As a lawyer he had few equals. His forte was legal argument, and it excites not envy but pride among that higher class of lawyers in this body to say that the late Senator GEORGE was the equal of any.

Senator GEORGE possessed preeminently a legal intellect, great clearness of thought, accuracy of discrimination, soundness of judgment, and strength in forensic debate. These high qualities, united with a rare knowledge of jurisprudence, a large experience in the intricacies of legal practice, and extraordinary application to business, rounded off and completed the character not only of a great lawyer, but of an exalted statesman.

His judgment was so accurate and practical that he rarely made a mistake in dealing with men either in his public or private capacity. The simplicity of dress and manners of Senator GEORGE was a key to his nature, as it was an indication of his politics and his idea of government. He believed we had too much legislation, and that our laws should be few and simple. His philosophy was that the individual, as a personal and legal entity, was the unit of governmental existence and the prime object of legislation; that the aggregation of men could take care of themselves, as a whole; but the individual man should be protected from being overridden by the mass in its concentrated form and power. In this he was right, for it is this philosophy that leads to local self-government, without which there can be no republic in the true sense of that term.

The services he rendered his State, his section, and his country need only to be hurriedly reviewed to show not only the earnestness of his patriotism, but also the appreciation of his fellow-citizens. When a mere boy, JAMES Z. GEORGE responded to the call of his country and enlisted in the Mississippi Rifles, commanded by Jefferson Davis, and shared the brilliant fortune of that regiment under its famous commander in the campaigns in Mexico of Gen. Zachary Taylor. Senator GEORGE was proud of his boy soldiering, and was wont to refer with pride to the wonderful achievements of that war, of the vast territorial possessions, with its extended ocean coast, it brought under the flag of the United States, together with the gold of California and silver

of Nevada. When he died it left but two on the rolls of Congress who fought in the Mexican war. Though he did not need it, he took pride in drawing his pension of $8 a month. He did not, however, use or convert it to his own use, but passed it over every quarter to a trustee, regularly appointed by the courts in his county for that purpose, to give to the poor widow of a soldier of the Mexican war, whom he designated to receive it. This was kept up until his death.

When the sections of our country, each as it construed a common Constitution, called upon the citizens of the respective States to settle by the ultima ratio that which the forum of debate could not solve, this private in the Mexican war took sides with his native South. He was a captain in the Twentieth Regiment of Mississippi Volunteers in the Confederate States army, afterwards a brigadier-general of State troops, and subsequent thereto colonel of the Fifth Regiment of the Mississippi Cavalry in the Confederate States army.

But it was more in civil than military life that his qualities of leadership in guiding and fixing public opinion on great and vital questions were developed. In civil life he found promotion rapid and easy from engrossing clerk in the Mississippi legislature to reporter of the supreme court, to the membership of that exalted tribunal, to the convention which withdrew his State from the Federal Union, to the presiding officer or chief justice of the supreme court of that great State, thence to the Senate of the United States, where, from 1880 to 1897, he performed his high duties with that earnestness, application, zeal, and ability which each of us so well remembers.

That he was firm and positive, unyielding, and not to be deterred from any of the consequences of his convictions is too well known and too highly appreciated in this Chamber to need review. A bold, brave man, sustained by positive convictions and restrained by religious principles, yields not to party, unless its principles and measures accord with his earnest and honest sentiments; then his party can not go too far for him; he follows or he leads along the line of duty, looking neither to the right nor the left, but only looking ahead, where the star of justice stands over the manger of righteousness.

Few men have lived among us who were more practical than Senator GEORGE. He was thrifty and frugal and thoroughly businesslike, and in that line was quite a success. Brought up and educated in a plain, practical way, with farmer boys as his associates, the log schoolhouse his fountain of knowledge, and the old-fashioned pedagogue with frown and rod as master, he had instilled into him the crude and strong ideas of practical life which abided with him even to the end, in his every public station, however exalted. His habits, his manners, his dress, and mode of living, even in official and social circles, while thoroughly substantial, were without affectation or pretension, plain and unostentatious. The religious and moral principles instilled in him in his early life, under the dripping of the sanctuary of his Baptist faith, backed by a strong native mentality and high moral courage, molded his private and public career.

His style of oratory, whether upon the hustings, before the court, or in the Senate, partook of his, if I may so speak, brusque and rather rugged nature. Neither euphony nor rhythm found place in his speeches and writings, but they were none the less wonderfully practical and attractive. They were without embellishment in language or ornament of style; his sentences were severely plain and pointed, and each seemed to have a driving force that sent it home. Beauty and brilliance were lost in the substance of his argument; weakness became strength; facts were analyzed and hewed into line, until the whole was seen to be a logical conclusion. His strength of style greatly consisted in jagged and unpolished points, strongly put together. He took a businesslike view of whatever he had to deal with, and estimated things at their real value and treated them accordingly. He was eminently practical, and took a businesslike view of everyday life.

The sentimental and beautiful did not dominate his nature, nor did imagination lead his judgment astray. With him 2 and 2 made 4, and twice 4 made 8. To him the bloom of the cotton plant was more beautiful than that of the rose; with him the fresh, green, and sweet-scented corn in Yazoo Bottom excelled in beauty and attraction lilies "which toil not, neither do they spin." The forest oak, from which was made his house and fences, had more attraction for him than groves of that most beautiful queen of the South, the magnolia. Indeed, it may be said of Senator GEORGE that he was a diamond in the rough, none of its strength lost by polishing.

He was born in the country, grew up in the country, and was wedded to that mode of life. One of his social delights was to tell of his country home near Carrollton, Miss., where his cattle browsed and his lambs skipped around him. At this home was displayed nature in her simplest and most attractive form, and the contemplation of it filled his mind with aspiration and hope. There he could see the sun rise and set without looking through a window darkened around by brick and mortar. The nights were as clear and beautiful as the Italian skies, and the stars, those eternal sentinels of the infinite, invited communion with the boundless, and thus became the inspiration of the highest reason and noblest purposes.

Thus nature in her finite forms and in her infinite suggestions became his instructor. The boundless expanse around taught him freedom of thought and action which he introduced into the practical affairs of life. He became the interpreter of nature in all its varied expressions of "universal mind," and learned to reflect on the realities of life as they affected him and his fellowmen. But his was no dreamland; the tangible and palpable peopled his world of thought and action.

The ability and characteristics of Senator GEORGE, in private as well as public and official life, impressed his constituency and the country. His boat in his voyage over the sea of life left a wake behind that marks its track and is seen of men.

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time:

Footprints that perhaps another,
Sailing o'er life's solemn main,
A forlorn and shipwreck'd brother,
Seeing, shall take heart again.

Mr. TELLER. Mr. President, Senator GEORGE entered the Senate on the 4th of March, 1881. Before entering the Senate he had held important positions both in military and civil life. A private in the United States Army in the Mexican war; captain, colonel, and brigadier-general in the Confederate army; reporter of the court of error and appeals; chief justice of the State, which position he resigned to take his seat in this body. After a service of six years he was reelected in 1886, and again reelected in 1892. The confidence that the people of Mississippi had in his ability and integrity is evidenced by the character of the positions he had held in that State and his repeated election to the Senate.

He at once took high rank in this body as a debater, and until he was compelled to absent himself on account of ill health he took an active part in the proceedings of the Senate.

He was a man of positive convictions on all the questions that came before him on which, in his official capacity, he was called upon to act. He was conservative, painstaking to a laborious degree in his examination of public questions. He carefully considered the reasons and arguments in support of or against a proposition; he did not reach a conclusion in haste, nor did he let his passions or prejudices blind his reason. His investigation was honestly made in search of the truth. His mind informed on the subject, he called into play a well-matured judgment, and formed his conclusions in a dispassionate way—I may say in a judicial way. His opinions once formed, he was ready to defend them with that positiveness of right that belonged to his nature and that is characteristic of a strong mind. He did not consider the question whether it was good or bad policy to proclaim what he believed. He was not a trimmer. Right with him was right, and the consequence of such support did not concern him.

He was self-reliant, but not improperly dogmatic or self-assertive. He felt his strength, and meant others should see as he did, by force of logic and fair argument. While he was positive in his convictions and firm in defense thereof, he was courteous to those who opposed him, but he was not tolerant of pretense or shams. He hated hypocrisy, but respected the opinion of those who honestly differed with him. He could defend the right or attack wrong, as he saw it, with all the power at his command, without offense to his opponent. His earnest conviction and self-reliance made him combative, but not quarrelsome. In debate he gave and received with outspoken frankness, but recognized the proprieties and amenities of the place and what was due to his opponent.

As a youth he had followed his country's flag in a foreign land. In his mature years he believed duty to the State in which he lived demanded that he put himself in hostility to that flag. In his judgment he was no less a patriot in his last service than in his first, and while he accepted to the fullest extent the results of war and all that entailed on him and his people, he could not admit that he or they had been in error in their attempt to secure different results.

As a soldier he was aggressive and brave—he could not be otherwise. He was not a man to do things in a weak or half-hearted way; his heart was in whatever he felt it his duty to do. He was a believer in the people and their capacity for self-government; he believed all power was with them, and as a Senator he regarded himself as the representative of his State and bound to do its will. He was a partisan because he believed the principles of his party would secure to the country good government and the blessing of freedom.

He loved the South with a love begotten of the sacrifice he had made for it, but his patriotism was not bound by sectional lines

and he was devoted to the interests of the people of every section, of our common country. A soldier, a jurist, a statesman, and a patriot, his death was a loss not to the people of Mississippi alone, but to the people of all the States.

Mr. GRAY. Mr. President, the hand of Death has been busy in the Senate during the past year. Thrice in less than six months has he touched with icy finger our membership, and made vacant a place in our midst. Senator GEORGE laid aside the cares, the trials, and suffering of his long, useful, and honorable career on the 14th day of last August, at his home in Mississippi, during the recess of the Senate. It is well, therefore, that at this the first session after his death we should pause for a day amid the exciting scenes that surround us and do honor to his memory.

It is for others to sketch his life and the development of his mind and character as it was exhibited among the people of the State whom he loved so well and who honored him so highly. I shall only speak of him, and that briefly, as I knew him in the Senate, where our acquaintance and friendship began thirteen years ago. Senator GEORGE had already made a distinguished place for himself in this body when I came into it, and I at once recognized in him those forceful qualities of mind and character which impressed me more and more as the years rolled by. Always clear in his grasp of a subject, he was to me a most interesting debater.

The excitement of discussion seemed to clarify his intellectual perceptions, and gave a remarkable force and perspicacity to his carefully uttered propositions. The search for a right and just conclusion was always materially aided by his participation in debate. It was always a pleasure to have him on your side, for then you were sure that the side you espoused would receive the full benefit of his well-supplied intellectual armory, and that there would be no surrender until the last keen weapon had been used.

No review of Senator GEORGE's service in the Senate would be adequate that did not touch at least on the place he occupied among the lawyers of this body.

He was instinctively a legal gladiator. A question involving the principles of the common law or the learning of constitutional jurisprudence had for him irresistible attraction, and the opening gun in a contest on such a question was the signal for him to move to the front.

I never saw the gaudium certaminis so plainly in evidence as in him on such an occasion. He came to the discussion of a legal point with faculties trained and disciplined by a lifetime devoted to the study of his profession. Yet he never trusted to the garnered learning of his well-stored mind—his ability as a legal casuist was always fortified by a laborious research which exhausted the particular question in hand.

When hard driven by his antagonist, he displayed a remarkable capacity for refinement of reasoning and originality of view, and you were never sure that he would not carry the day, or at least escape defeat, by an unexpected tour de force.

It was this trait, this faculty of making the worse appear the better reason, that perhaps deprived him, with some, of the rank of a profound and great lawyer, which his capacity for severe labor and exhausting research, combined with a clearly working and logical intellect, would naturally give him.

Be this as it may, I venture nothing in asserting in the presence of many of the distinguished lawyers of this body who served with Senator GEORGE that no one ever encountered him in legal debate without being made aware that all the legal acumen and ability he himself possessed would be required for the contest. I do not think I ever knew one more skilled in the dialectics of the law than he.

A Senator so equipped and always so ready could be and was of immense service to the country. No specious and plausible proposition, dangerous to our institutions, was likely to escape the keen scrutiny and well-timed challenge of such a lawyer-statesman. None better than he could expose the danger lurking in some well-meant measure founded on a temporary expediency, which sacrificed the integrity of our constitutional system, and no one could more effectively defend our priceless inheritance of liberty regulated by law. In this respect I conceive that the Senate and country have suffered a loss which will be long and sensibly felt.

It is not strange that a man so devoted to his work, so laborious and painstaking in all that he did, did not cultivate as much as others, or perhaps as much as he ought, the social side of his nature. True it was that Senator GEORGE often repelled those who were prepared to admire his abilities by a brusque and blunt manner that did him, I am sure, injustice. There are some men, Mr. President, so innately honest and sincere, who so despise shams and false pretense, that in avoiding them they go unnecessarily to an almost rude extreme, and in this way doubtless Senator GEORGE often offended without being conscious of his offense. I want, however, to bear testimony that I have more than once known him when he came to realize that he had so offended express the pain he felt at the discovery and hasten to make amends.

That he had a warm heart and sympathetic nature, those who knew him best can testify. That he was capable of a steady and sincere friendship I am here to-day as a sorrowing witness. The beadroll of Mississippi's distinguished sons is a long and brilliant one. It is adorned by names that will live as long as the history of the Republic is read. The added name of GEORGE will be viewed with satisfaction and pride by the sons of that gallant State in the years that none of us shall see. Mr. President, he was my friend, and I sincerely mourn his loss.

Mr. PLATT of Connecticut. Mr. President, I regret that the pressure of other duties has prevented me from formal preparation of the expression of my respect and admiration for Senator GEORGE, who has gone from among us. The full and critical appreciation and careful analysis of his character given by loving friends who have spoken here to-day leave me only the position of a gleaner in the field where others have fully gathered.

I think I sat with Senator GEORGE in this Chamber for something over sixteen years. I was never intimately acquainted with him. I think he was perhaps a man not easy to become acquainted with. I knew him more intimately as a member of the Judiciary Committee of the Senate, where I found him upon my appointment to that committee some six years, I think, before his death. I learned to know him then as we come to know each other when there is no special intimacy or special acquaintance growing up between us, and I think that we form a pretty good estimate of each other's abilities and characters even where we do not become intimate by close association. Indeed, I think there is no body in the world where the character and standing and ability of men are so accurately measured as in the Senate of the United States.

We differed more frequently than we agreed. It was my fortune to find myself espousing usually the opposite side of the question from Senator GEORGE. We differed in politics, in our interpretation of the Constitution of the United States, in our views as to the wisdom of legislation, and yet, perhaps owing to this very fact, the tribute of praise which I award to him will be none the less acceptable.

We very frequently hear criticisms upon the character of this body, more especially upon the ability of Senators as compared with Senators in the olden times. It is fashionable to lament that there are no longer Websters, or Clays, or Calhouns, or Bentons in the Senate of the United States; and yet, in view of my observation of the late Senator from Mississippi, I am convinced that if he had lived and been a member of the Senate fifty years ago, he would have taken rank, in the estimation of the people, among the most wise and able Senators who have adorned the Senate. A Senator who comes now to this Chamber meets with an average ability with which the Senator of olden times did not have to contend. No man can be preeminently conspicuous here to-day. There is too much of force, of learning, of strength, of ability here for any one man to stand head and shoulders above his associates.

Senator GEORGE, I think, was heard upon every important question which attracted the attention of the country while he was a member of the Senate. Sitting here in my seat to-day and reflecting that he was not considered a talking Senator, I could not but feel surprised when I remembered that there had been no important question discussed in the Senate from the day of his admission into it that did not receive the benefit of his thought, experience, and argument. I doubt whether there is a Senator living to-day who has spoken and spoken ably upon so many topics, upon so many measures, as our late colleague.

He was a lawyer pure and simple, I was about to say; but he was more than a lawyer. He had a very wide range of information and he had opinions upon every topic. But as a lawyer he was most conspicuous and eminent. The term "great lawyers" is so often used that it comes to mean very little, and yet I think I can say, and say truly, that Senator GEORGE was a great lawyer, and that is great praise. I know it is fashionable to sneer at the law and lawyers, but law is the safeguard of civilization; it is the foundation of social order; it is the guaranty and the only guaranty of personal right. When a man becomes skilled in the law, able in the law, there is no higher eminence to be attained in our country or in any country.

I think it may be said that Senator GEORGE possessed genius. He certainly had some of the eccentricities which it is said men of genius possess. These eccentricities were sometimes manifested in his argument of legal principles. He was a dangerous antagonist. He knew all the methods of attack and defense. He could wield with equal skill the broadsword or the rapier. He was fertile, original, and bold as a lawyer. I think I have never known a lawyer who had greater respect for the decisions of the courts than did Senator GEORGE. Even when he thought they

were wrong he recognized their binding force, their validity, and respected them.

But when in pressing a legal proposition he found his way hedged up with cases—and he had a most intimate knowledge of all cases and he had them at his instantaneous command—he had a way of trying to blaze a new road, as it were, something like what lawyers would call confession and avoidance; and although he seemed to others to be wrong and to be pursuing a path which could not lead him to the end he desired, he had a force of argument, a directness of purpose, a facility of statement and comparison and analysis which almost convinced those who differed with him that he was right.

An illustration of this comes to my mind. In the measure which was known as the anti-option bill it was provided that the business of dealing in options and futures should be so taxed that it would be destroyed. Senator GEORGE, sympathizing with the purpose of the bill, being, I think, as zealous as any advocate of the measure in the desire that in some way the business could be destroyed, felt that it was unconstitutional to use the power of taxation for the purpose of destruction, and therefore, although his constituency desired that he should support the bill, although he himself entertained a hostility to the business in question as great as that of any other person, he opposed the measure upon the ground of its unconstitutionality, and indeed that it would be ineffectual.

But he thought he had discovered a way in which the purposes sought by the bill might be effected. He thought he saw that dealing in futures and options was an obstruction to commerce as much as a rock in a harbor or a wreck in a channel, and that Congress had the right to remove the obstruction. So he proposed an amendment, the purpose of which was to fine and imprison anyone who should engage in the business of dealing in options and futures. He supported that view, in which I think scarcely any lawyer in the Senate agreed with him, with such force, with such wealth of learning, with such reference to general principles and the decided cases as certainly to excite our admiration, if not to convince us. I think it is an illustration of the bent of his mind.

Senator GEORGE belonged to that school of lawyers who interpret the Constitution of the United States strictly. I think if he were living he would esteem it high praise for me to say that he was a zealous State rights man. I do not think that I have ever seen the doctrine which that school of lawyers hold so ably set forth as in the minority report submitted by Senator GEORGE upon the bill to provide for national inquests.

I may not stop to refer to it at length, but I will say this. He may have been called a follower of John C. Calhoun, but I believe, Mr. President, that Mr. Calhoun never stated the doctrine that the Constitution conferred upon our Government only certain delegated and specific powers with such force, ability, and clearness as it was stated by Senator GEORGE in that report. I believe that had he lived in the days of Calhoun he would have been esteemed certainly as great a Senator and as great a man as was Calhoun.

But I may not dwell longer upon his character. I said that we differed in politics. When he came to the Senate I think that his career in his own State during reconstruction times had created in my mind a prejudice against him. But as I came to know him and understand his character I formed a juster estimate of the man and came to be one of his admirers.

Death teaches us, Mr. President, to form juster estimates of those whom we have known. The living, especially men in public life, are subject to fierce criticism in these days. No man can occupy public station whose motives are not questioned, whose honesty is not suspected, and who is not fiercely and unjustly criticised. We criticise the living; but when they are gone, we view them in a clearer and better light and see that much of our criticism was unmerited. As we look back now upon the life and services of Senator GEORGE we behold a singularly able, striking, and unique figure, a man eminent as a lawyer, eminent as a statesman, a man without show, without ostentation, despising shams and pretense, not selfish, but self-reliant—in every way a notable character. We come to a juster understanding, a more charitable and truer estimate; and so we come greatly to respect and to admire him who has gone.

Mr. MONEY. Mr. President, this tribute to the memory of the late Senator J. Z. GEORGE, my illustrious predecessor, is the offering of a friendship that has been lifelong, unbroken, and intimate. He once said to me that my family for three generations had given him three of his best and dearest friends.

A near observation of his private and public life enables me to form a just estimate of his great character. I think few men knew him as well and none loved him better than I.

My friendship had in it every quality of esteem, of respect, of admiration, of confidence, and of affection that could make the tie sacred and binding. Its spell is strong upon me; and though I shall live to his ripe age, it shall still blossom in my heart.

When a boy, I first began to know him at his own fireside. His tenderness for his young wife and gentleness and forbearance with his children were evidences of the warm heart within. A young man, he married the woman he loved, and for half a century they walked the path of life, hand in hand, with mutual confidence, trust, and devotion. He loved his children, and all through this life that affection has been duly reciprocated.

His wife and children admired and loved him most because they knew him best. They loved him for his gentle character because they felt his unceasing tenderness, for his charity because they knew his kind deeds and forbearance, for his intellect because they knew its power. I knew each of his children well, and I have never known the relations of father and child more substantially true and tender. What good effects flow from a strong, true love that is full of sympathy served to form his character through over fifty years of exemplary home life.

His biographical sketch, with his eminent services to the State, his success at the bar and in public life, have already been graphically and beautifully told by my colleague.

Through his public and private life I have been a witness of his achievements. I have largely profited by his advice and experience, and never had friend a more honest counselor.

In his boyhood his life became a struggle with unfriendly circumstances, but he had the great good fortune to be born and reared on a farm, the place in which moral, mental, and physical stamina are best acquired, the place from which the greatest men of this country have gone into competition with their fellows and won success.

From this nursery of great men of our country he went as a youth, a member of the First Mississippi Rifle Regiment, to Mexico, and did his duty as a brave soldier. He returned to enter upon the practice of law before he attained his majority, and by his energy and rugged honesty, his industry, and his capacity for labor he soon won a great success and a reputation of being the greatest practitioner the bar had ever known in his State

He was for a long time State reporter, and wrote a digest of the laws of Mississippi, which is the vade mecum of the profession of that State, and served with great distinction as the chief justice of the supreme court, from which place he was called to the Senate of the United States.

During the exciting civil revolution produced by the campaigns of 1875 and 1876 Senator GEORGE was chairman of the Democratic State committee, and proved an executive ability of the highest order. He had, it is true, the unquestioning obedience of his party, which sprung from their absolute confidence in the wisdom, honesty, and patriotism of the man, but his informing genius and strong will organized the Democrats for victory.

When he came to the Senate, after a short experience in this Chamber, he remarked to me that he would like to be a member of the Judiciary Committee; that he was not a politician nor a statesman, but a lawyer, and that the best work that was in him could be brought out in that committee. This modest disclaimer of his ability as a politician and statesman will not be admitted by any man who knew him.

His record here attests not only his talents and acquirements as a lawyer, but also that wide acquaintance with public affairs, an intimate knowledge of the people and their wants, and the profound thought which make the statesman. He was a man exceedingly generous and unselfish in his friendships; he kept no accounts with friends. The only reciprocity he asked was that of feeling, and he served with equal zeal and readiness those who could never aid him as those who could be most useful to him.

Old schoolmates, still older friends, who, however willing, could no longer serve him were the constant objects of his thoughtful and tender care, and the more helpless they were the more generous was his devotion. While of rugged exterior, though of manly, grand physique, he cared nothing for conventionalities, and his courtesies were those that flowed from a natural goodness of heart.

He was thoroughly democratic in his association, and required of his companions neither position, power, nor wealth, but only uprightness of character and congenial temperament. In his charities no man that I have ever known of the same fortune has ever equaled him. The poor of his neighborhood and beyond it were the constant recipients of his bounty. Every case of distress received from him a generous response.

He particularly delighted to make comfortable the old soldiers who had served with him in Mexico and in the late war, and his charities were so unostentatious that the public knew of them only by chance. As a citizen he was public spirited and liberal, and in every good work he was foremost; whether to build a church or a schoolhouse, or any other matter of public convenience or use, he was the most beneficent giver.

He was easily affected by the griefs of others, and I have often

seen his strong face wet with sympathetic tears at the story of distress. His mind was massive and vigorous, indefatigable in its operation, sustained by an energetic and indomitable will and an immense physical capacity for labor.

He was an unwearied student, surrounded himself with books, and was never satisfied with halfway researches. His mind was eminently analytical, working with great precision in his logical reasoning and following every thread of reasoning to its remotest consequence. Admit his premises, and his conclusions could not be denied. He was always careful and anxious about his facts, and spared no pains to verify his understanding of them.

This analytical faculty made his inquiries exhaustive; and when he had gone over a subject, there was very little left for those who followed. He had a rare combination of the synthetical with the analytical, and his constructive powers have left behind him the greatest monument to his genius in the present constitution of the State of Mississippi. His prescient mind foresaw the necessity for a new constitution that would deal successfully with the difficult problems of suffrage that threatened to demoralize the State, so he earnestly advocated a convention, and became with ease its leading spirit. In a body of men who have never been surpassed in a constitutional convention of any State he was acknowledged the head, and all eyes were turned to him for the settlement of all vexed questions.

He knew the people of Mississippi, having sprung from their ranks; he loved them; he trusted them, and devoted his great power to their service.

Sallust has said of a distinguished Roman of his time that the statues of his ancestors in the forum always moved him to a noble fury to strive by every means to emulate their great achievements. So the history of the struggles and achievements of this great and good man will long incite the youth of his State to emulate his illustrious example.

In his public career his solicitude was always about the plain people of the country. He preferred the committees which he thought would enable him to do them the greatest service. He asked me once: "Can you not help me find some work for the poor women of the South; some work for the spare moments from wearisome employment?" The sad condition of the poor, the hopelessness of female drudgery, the small and infrequent opportunities for improvement, the narrow life, the monotony, all appealed to him with pathetic power to mitigate in some manner the hard fortune of their lives.

One of the strongest characteristics of this strong man was his sustained and resolute purpose. It is said of the mountain cedars that—

> Moored in the rifted rock,
> Proof to the tempest shock,
> The firmer it roots them
> The ruder it blows.

So his purpose hardened and his resolution became more fixed by adverse criticism and opposition, yet withal he had no mere pride of opinion and never hesitated to yield to proof or reasoning better than his own. I have spoken of his charities to the poor and his tenderness to his family and friends, and I must now say that he regarded his enemies with little consideration and was prone to express his sentiments toward them with great frankness. Some of his work in the Senate has rarely been equaled by the greatest geniuses that ever illustrated its annals. His speech on the Treaty of Washington was declared by competent judges to be the ablest ever delivered in the Senate on a treaty.

His speech in the defense of the constitution of Mississippi was so rich in legal and constitutional learning that it surprised and discomfited all its adversaries and became an armory of weapons for all who spoke on like subjects afterwards. His report on the national inquest bill exemplified his powers both as a statesman and a lawyer, and his unpublished opinion on the unconstitutionality of the cotton tax, it is believed by those who have read it, would have changed the decision of the court on that question if it had been submitted.

To the world, to those who met him in daily life, to those who appreciated what Justice Lamar called his cormorant mind, that devoured and digested everything, there was a general opinion that his great intellect had never been directed to polite literature; but to the inner circle of his friends it was known that he delighted in the study of history and biography, in works of philosophy, in poetry and the drama, and in his lighter moods could talk delightfully about them.

His mind was not of the speculative cast, and he cared little for metaphysics; but he was keenly sensible to the beauties of poetry and the charms of eloquence. Oratory he never attempted, because the logical faculty dominated every other and appealed to the reason and not to the emotions.

He did not concern himself about the dogmas of religion, and accepted without question what was written in the Holy Scriptures. He had no taste for disputations theology and could not see the utility of religious controversies. He believed that conduct more than creed would fix his position in the future life, as it did in the present one.

This great man, this good man, good in his upright walk, in his beneficence, in his tolerance, in his sympathies, has gone out of this life into another life. We accompanied him with sorrowing hearts to the narrow door through which he passed. We placed his body to lie in cold obstruction. "Silence and darkness, solemn sisters," hold his mortal remains.

But beyond that door, who can say? This great soul walks through the dark shadow, through the narrow door, and into a brighter light. What powers he will there exercise, what hopes there realize, who can say? To me it seems as though he had gone out of this room into another. How long he will remain there, into how many other rooms he will successively go, what his final goal in the infinite progress of the soul, who knows?

You are told in the good book: "Blessed are the dead which die in the Lord, that they may rest from their labors and their works do follow them." There is no certain voice that comes to us from that mysterious world. We dream dreams and see visions; but there is no certain information. Weeping we aspire, we strive, we reach upward, but the definite, the fixed is beyond us.

We know of him that where he has gone, if there be good souls, strong souls, this one will be of them. Throughout the borders of the great Commonwealth he served so well there is genuine sorrow for his loss, a grief that will not be comforted. They are proud of his greatness.

They called him the "Old Commoner," and other names expressive of affection and confidence. They sympathized with him in his struggles and in his successes.

Another who knew him well has said:*

> The unfavorableness of Senator GEORGE'S early surroundings merely gave him subjugation, which is as sweet as the conquest of a woman. He was an aggressive conqueror of opposition. His mind was like a restless and resistless tide that beats unceasingly upon the shores of opportunity until it has gained an everlasting ebb and flow thereupon.
>
> Variety of experience gives broadness; adverse experience, when it escapes bitterness, wombs charity; this is especially true of the latter when crowned with victory.
>
> Thus he had not only strength and broadness from contest and charity from both, but, like all great men, he had liberality.
>
> He knew *right* because he had seen *wrong*. He rightly used power in later years because he had felt the positive lack of it in former years—the mature strength was sweetly tempered by the early weakness.
>
> He loved a friend because he was thoroughly one himself. He despised littleness because he was so great himself. He contemned narrowness because of his own catholicity. If he hated falseness, it was because he was himself true.
>
> It was the omnipotent right in him that enabled him to detect evil in others; it was the broad charity of him that threw a mantle over their weaknesses. He never did right through fear, for courage was in his weakest sinew. It was indifferent to him if his virtues remained unknown; it was sufficient for him that he possessed them. His unselfishness challenged not only, but commanded emulation by others. If he became the example in virtues, it was simply because he went his way; he saw for himself and others, and it was natural for him to act as well for them as for himself. He was different from the mass of men, and therefore great; and by how much he was individual, he was greater, for his greatness not only within, but by comparison.
>
> GEORGE, the boy, overcoming difficulty as Columbus triumphed over the dangers of the unknown deep; GEORGE, the lawyer, treading the intricate paths of the law till all were plain; GEORGE, the soldier, shouldering his musket for right and principle; GEORGE, the patriot, striking for home and State; GEORGE, the statesman, employing the science of politics to the intelligent administration of his State's affairs; GEORGE, the friend, stretching out a hand; GEORGE, the husband, and of the strong heart; GEORGE, the father, with a father's love; GEORGE, the man, the noblest work of God.
>
> Entombed in the modest little graveyard at Carrollton? Aye, his body. Forgotten because out of sight? Ah, no; morally brave? Look to his principles for answer. Physically courageous? Consult his comrades of the bivouac. If you would know how true he was, ask his friends; if how fair, ask his enemies; if how great a man, ask his native country. In life he was able to defend his good name; in his death it defends itself. And to detract from it is but to convict the detractor.

Mr. WALTHALL. Mr. President, before the vote is taken upon the resolutions I ask the unanimous consent of the Senate that there be printed, in connection with the report of these proceedings, resolutions of the legislature of Mississippi and proceedings of the supreme court bar of that State upon the death of the late Senator GEORGE.

The PRESIDING OFFICER (Mr. PETTUS in the chair). The Senate has heard the request of the senior Senator from Mississippi. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

> Whereas since the last session of the legislature there has passed from this life JAMES Z. GEORGE, a citizen of this State and a Senator in the Federal Congress; and
>
> Whereas we deem it to be right that we should record some expression of the admiration, love, and gratitude felt for him not only by the members of this body, but also by the entire people of Mississippi: Therefore,
>
> *Be it resolved (as the sense of this body)*, First, that in the death of Senator GEORGE Mississippi has lost an eminent citizen, an unselfish patriot, a far-seeing statesman, a wise and safe counselor, and an intrepid leader;
>
> Second, that his services to the people of Mississippi were so great, disinterested, and beneficent as not only to win for him an undying fame, but also to merit our lasting gratitude and affection;
>
> Third, that we are gratified that in him Mississippi contributed to the

* George P. Money, in a sketch written directly after the death of Senator GEORGE.

services of the Federal Government a statesman whose profound learning, simple honesty, and steadfast devotion to the rights and interests of the people recalled the earlier and better days of the Republic;

Fourth, that we are rejoiced to know that he passed away not only ripe in years and in honors, but rich in the strong assurance of another and better life;

Fifth, that we will cherish his memory and guard his fame, while we strive to emulate his virtues and follow his example;

Sixth, that these resolutions be spread upon the journals of both houses, and that an engrossed copy be sent to the presiding officer of the United States Senate, also to each member of the immediate family of Senator GEORGE.

Adopted by the legislature of the State of Mississippi in joint session January 18, 1898.

J. H. JONES,
President of the Senate.

Attest:
JNO. Y. MURRAY, Jr.,
Secretary of the Senate.

JAMES F. McCOOL,
Speaker of the House of Representatives.

Attest:
L. PINK SMITH,
Clerk of the House of Representatives.

[Supreme court of the State of Mississippi, December special term, A. D 1897, Monday, January 17, 1898.]

The attorney-general, Mr. Wiley N. Nash, for the supreme court bar presented the following memorial and resolutions:

"Only a few months have passed since the lamentations of our people gave information to the world that J. Z. GEORGE, the jurist, soldier, statesman, lawyer, had gone beyond the confines of mortality.

"The death of a great and good man brings along with the sense of the loss it involves a better appreciation of how much can be made of life. Surely this thought is brought home to us in contemplating the character and achievements of him whose end we now deplore. To assert his preeminence on the bench, at the bar, and in the halls of Federal legislation, although a grateful task, is a waste of words in the presence of those who are so well acquainted with his great abilities, learning, and untiring industry. Still more pleasing to recollect and equally well known are his undaunted love of country, his inflexible integrity, his broad benevolence, and that sympathetic kindness and good nature that made him so dear to his family, his friends, and his neighbors.

"And the history of this great character is a lesson to the youth of the land he so much loved. His fame was no sudden growth, but the result of his own long-continued struggles against adverse circumstance, and built up block by block like some noble and enduring pyramid. He rushed not meteorlike across the firmament, but slowly ascended to the zenith of public usefulness and renown like some great luminary whose kindly light still lingers, to guide our steps, even after it has sunk in full-orbed majesty beyond the western sky.

"In his decisions as a member of the supreme court, in his published briefs, his digest and reports, he has left a lasting memorial of his ability as a lawyer and judge, but his patriotism and philanthropy have reared for him a still prouder monument that will forever hold its place in the hearts of his countrymen. Be it, therefore, by the bar of the supreme court:

"*Resolved*, That we will ever reverence and cherish the memory of our departed brother, J. Z. GEORGE, and would express to his sorrowing family our deep and tender sympathy.

"*Resolved*, These resolutions be presented to the supreme court with the request that they be spread upon the minutes and that a copy thereof be delivered to the family of the deceased.

"TIM E. COOPER,
"WILEY N. NASH,
"T. A. McWILLIE,
"W. H. POTTER,
"*Committee.*"

To which the court, through Chief Justice Thomas H. Woods, responded, and ordered that the memorial be spread upon the minutes.

A true copy from the minutes.

[SEAL.] E. W. BROWN, *Clerk.*

Mr. MONEY. Mr. President, I ask for the adoption of the resolutions.

The resolutions were unanimously agreed to; and in accordance therewith (at 4 o'clock and 3 minutes p. m.) the Senate adjourned, the adjournment being until Monday, April 11, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 7, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

BRIDGE ACROSS THE YAZOO RIVER, MISSISSIPPI.

Mr. CATCHINGS. I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, in Leflore County, in the State of Mississippi," approved March 3, 1897, be, and the same is, so amended that if the actual construction of the bridge therein authorized to be constructed shall be commenced within one year after the date hereof, and if the same shall be completed within three years after the date hereof, the provisions of the act hereby amended shall remain in full force and effect, to all intents and purposes, just as though the construction of said bridge had been commenced and the same had been completed within the dates prescribed in said act.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CATCHINGS, a motion to reconsider the last vote was laid on the table.

J. HENRY RIVES.

Mr. WALKER of Virginia. I ask unanimous consent for the present consideration of the bill (H. R. 4918) for the relief of J. Henry Rives.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be authorized to pay to J. Henry Rives, of Virginia, out of any money in the Treasury not otherwise appropriated, the sum of $885.57, being the amount of the attorney's fees and expenses necessarily incurred and paid by him in the arrest of John C. Henry, deputy collector, for embezzlement.

The amendments reported by the Committee on Claims were read, as follows:

In lines 5 and 6 strike out "$885.57;" and insert "$293.90."
In line 8 strike out "attorney's fees and."

Mr. PAYNE. Mr. Speaker, I think there ought to be some explanation of this bill before unanimous consent is given. I reserve the right to object.

Mr. HAY. Let the report be read.

Mr. WALKER of Virginia. I will make an explanation of the bill. Mr. Rives, the beneficiary of the bill, was collector of internal revenue. An employee stole money——

Mr. PAYNE. The gentleman will allow me to suggest that his colleague [Mr. HAY] has called for the reading of the report. Perhaps it had better be read.

The SPEAKER. The report will be read.

The Clerk proceeded to read the report.

Mr. PAYNE (interrupting the reading). I see that the facts of the case are stated on the second page of the report. The first page simply refers to other reports. I suggest that only the second page be read.

The SPEAKER. The Clerk will read the latter part of the report.

The Clerk read as follows:

Mr. Rives was collector of internal revenue for the Fifth district of Virginia, and John C. Henry his deputy. February 5, 1874, it was discovered that his deputy was an embezzler to the extent of $36,241, and that he had fled. Thereupon Mr. Rives took prompt and efficient measures for his arrest and the recovery of the funds. The deputy was arrested, tried, convicted, and sentenced to four years in the Albany Penitentiary, and there was recovered from him in money and by sale of property over $31,000, leaving a balance of deficit of about $5,234, which was ultimately paid by his sureties. It is evident that this result was very largely due to the promptness, energy, and fidelity of Mr. Rives.

The expenses attendant upon the arrest and prosecution of the defaulting deputy were $885.57, which was paid by Mr. Rives from his own funds. No appropriation, it seems, was available to reimburse him. The claimant asks to be reimbursed the amount expended by him.

Under date of February 17, 1880, the Commissioner of Internal Revenue said, relative to this claim, in a letter to the Committee on Ways and Means of the House:

"Mr. Rives is entitled to commendation for the promptness and energy displayed in the arrest and prosecution of this defaulting officer and the recovery of the money, which was all deposited in a reasonable time. * * * Under the circumstances I think this claim is entitled to your favorable consideration."

Under date of February 1, 1884, the Commissioner, answering a letter of inquiry from this committee, said:

"In reply to the questions asked by the committee, I would state: First, that it does not appear from the records of this office that the embezzlement of Deputy Henry occurred through any carelessness or negligence on the part of Collector Rives; but, on the contrary, it was reported that his deputy conducted his fraudulent transactions so skillfully as to deceive the collector and evade the checks which had been established by the collector to prevent such frauds."

It further appears from the Commissioner's letter that it was Rives's duty, under the practice of the service, to cause to be arrested and prosecuted the defaulting deputy, such duty not forming a part of the duties of the special agents of the Department.

The following is a statement of the expenses incurred by Collector Rives:

Bills for telegrams sent to insure the capture of J. C. Henry	$93.90
Paid J. P. Farrant $50 and S. H. Carrick $50 for arresting Henry	100.00
Expenses in pursuit of deputy collector	100.00
Paid different attorneys in civil suits to recover amount embezzled	581.67
Total	885.57

The committee are of opinion that Collector Rives should be reimbursed for the amount expended by him in the capture and conviction of Henry, as it was, as appears from the letter of the Commissioner of Internal Revenue, his duty to cause Henry's arrest. The amounts paid to attorneys in the civil suits, however, should not be allowed, because such suits were brought by the collector to protect himself, as he was responsible for the amount of the embezzlement.

The committee therefore report back the bill with the following amendments: Strike out the words "eight hundred and eighty-five dollars and fifty-seven cents," in lines 5 and 6, and insert in place thereof the words "two hundred and ninety-three dollars and ninety cents;" in line 8 strike out the words "prosecution and conviction;" in lines 9 and 10 strike out the words "and the recovery of the money embezzled;" and recommend that the bill do pass as amended.

Your committee would therefore report Senate bill 517 favorably, and recommend that it do pass.

Mr. PAYNE. Mr. Speaker, I am inclined to think, from the reading of the report, that this is a proper bill and that the money ought to be paid. I make no objection. There is no doubt that Mr. Rives was liable to the Government for the full amount of the defalcation. But the Government realized $31,000 of the amount from the defaulting deputy and the balance from his bondsmen. Mr. Rives was at the expense of arresting him—his own personal private expense—amounting to $293, which the bill as amended proposes to reimburse to him.

Mr. DOCKERY. Mr. Speaker, if this bill involved any very large amount, I should certainly interpose an objection. I do not do so solely for the reason that the amount carried by the bill is small.

It appears that in this case there was a defalcation of $36,000 by a deputy collector of internal revenue. His resources were ample to make good about $31,000 of this liability, and the sureties paid the remaining $5,000; so that, as it appears from the report, the collector himself was not out a dollar by reason of the transaction except the expenses involved in the pursuit of the defaulter. The report gives him credit for diligence. I imagine that commendation is entirely unnecessary, as any man under similar circumstances would use all due diligence to protect himself. That is exactly what this collector did. He was liable for $36,000, and, resting under that liability, he necessarily invoked all the agencies of the law to capture the fugitive, and in doing this he involved himself in a personal expenditure of $293.

Now, then, as to the western district of Missouri, let me say there is now pending here a bill appropriating $12,000 to reimburse a collector on account of loss by a deputy collector. I do not know whether it has been favorably reported or not. It was so reported in a former Congress, but I am quite sure it has not yet passed Congress.

Of course if we enter on the policy of reimbursing collectors, not simply for losses incurred by reason of embezzlement, but also for the payment of their expenses incurred in the pursuit of criminals, we open, as gentlemen must understand, a very wide door. I shall not object, as I have stated, Mr. Speaker, to this bill, because of the fact that it involves a trifling sum. But I do not think it ought to be passed. It involves a bad principle and establishes a bad precedent.

Mr. LOUD. Will the gentleman allow me? If the amount involved were larger, would it alter the decision or opinion of the gentleman regarding the bill?

Mr. DOCKERY. I admit, Mr. Speaker, that my position is a trifle illogical and inconsistent and that I should interpose an objection to the consideration of the bill.

Mr. LOUD. I would further ask the gentleman if the passage of this bill would not be the establishment of an exceedingly vicious precedent, even though the amount is small, that will be used hereafter—and the debate on this bill be pointed to—to form the foundation for much larger claims of a similar character?

Mr. DOCKERY. I think it is very bad legislation and establishes a vicious precedent.

Mr. LOUD. I think this man got off pretty well, for my part. It seems that this collector was involved in a possible loss of $36,000. The deputy collector paid $31,000 and the sureties $5,000. He was only at a trifling loss, therefore.

Mr. DOCKERY. That is correct; a loss of but $293. As the gentleman says, he got off exceedingly well.

Mr. WALKER of Virginia. The gentleman is mistaken in that. The amount paid by him was $885.

Mr. DOCKERY. And that was a personal liability incurred in pursuit of the defaulter or embezzler.

Mr. WALKER of Virginia. At all events, he paid it, and he ought to be reimbursed.

Mr. LOUD. Well, Mr. Speaker, the question amounts simply to this: He spent about $800 to save the loss of $36,000, and now the Government is asked to reimburse the $800.

Mr. DOCKERY. That is an accurate, terse, and forcible statement of the exact condition of the case.

Mr. PAYNE. But. Mr. Speaker, that is not all. The gentlemen do not state the full case here. Now, the deputy gave bond to the Government——

Mr. LOUD. No; to the collector.

Mr. PAYNE (continuing). The deputy gave bond, according to the report, to the Government, and the deputy's sureties paid the balance of the deficit.

Mr. LOUD. The gentleman will find that he is mistaken in that regard.

Mr. PAYNE. Well, the report so states. I am simply suggesting what I find in the report. I think the deputy collector also gave a bond. But, at all events, the report says that this loss was without any fault on the part of the collector and is in such a shape as to justify the relief asked here.

Mr. LOUD. But it was the duty of the collector to try to arrest the man, just as any other officer of the Government would have done, and to pay the expense himself.

Mr. PAYNE. The gentleman knows that the collector was responsible for the deficit——

Mr. LOUD (continuing). And he ought to be responsible for the expense incurred.

Mr. PAYNE. This is a different case from that which was acted upon by the House yesterday or the day before, which involved a principle absolving the party from all liability.

Mr. DOCKERY. What case does the gentleman refer to?

Mr. PAYNE. I refer to a case passed by the Committee of the Whole a few days ago, the case of the mint in Philadelphia. I am not certain exactly as to the day; but it involved the absolving of the principal from liability for money stolen.

Mr. LOUD. But that was not done by unanimous consent.

Mr. PAYNE. No; but it went through the House after a full consideration.

Mr. WALKER of Virginia. Mr. Speaker, there seems to be no objection to the consideration of this bill.

Mr. DOCKERY. I stated that I would not object, and suppose that I shall have to stand by the statement. I do not think, however, that the bill should pass.

The SPEAKER. It requires unanimous consent. Is there objection?

Mr. HAY. I object.

Mr. WALKER of Virginia. I hope the objection will be withdrawn.

Mr. HAY. If the gentleman will give any reason why the bill should pass or why the objection should be withdrawn, I will consider it.

Mr. WALKER of Virginia. Well, you heard the reasons, and they are set forth fully in the report.

Mr. HAY. I have heard some very good reasons from the gentleman from Missouri and the gentleman from California why I should object.

Mr. WALKER of Virginia. I suppose, of course, the gentleman has a right, if he desires to do so. But why should he object now when similar bills have been passed heretofore?

Mr. HAY. I do not think bills of this character ought to pass.

Mr. WALKER of Virginia. I hope the gentleman will not insist on his objection.

Mr. HAY. I will withdraw the objection, Mr. Speaker.

Mr. HULL. Mr. Speaker——

The SPEAKER. The gentleman from Iowa has the floor.

Mr. HULL. Mr. Speaker, I want to make a statement to the House. In the Committee on Military Affairs, at the meeting this morning, all the members who were present——

Mr. WALKER of Virginia. The gentleman has withdrawn his objection.

The SPEAKER. Does the gentleman from Iowa yield?

Mr. HULL. I will yield, if there is no objection.

Mr. KING. Regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded.

ARMY REORGANIZATION BILL.

Mr. HULL. Mr. Speaker, if I can have the attention of the House for a moment, I want to say that the Committee on Military Affairs, at the meeting this morning, by unanimous vote of all who were present—I will say, however, that all the members were not present—agreed to this proposition, that the reorganization feature of the Army bill, the three-battalion organization for infantry, is the question that they are more anxious for than any other feature of the bill, and that the committee are perfectly willing to adhere to the proposition that only the three-battalion part of the bill shall be pressed before the House. [Applause.] In other words, they are willing to have the bill amended so as to strike out the expansion of the companies, provided we can close general debate and go on with the bill without further delay or contention.

Under the five-minute rule, when any proposition is up, there will be ample opportunity for gentlemen who desire to express themselves upon the general feature of army reorganization; and I now ask unanimous consent that general debate may be considered as closed, and that we may go on to the consideration of the bill under the five-minute rule.

Mr. SULZER. At 2 o'clock——

Mr. UNDERWOOD. I should like to ask the gentleman from Iowa if he means the House to understand that the committee are going to move an amendment to strike out those portions of the bill except the three organizations?

Mr. HULL. The committee will move that amendment.

Mr. SULZER. We are willing to consent that general debate shall be closed at 2 o'clock, and that a vote shall be taken on the bill at, say, a quarter to 5.

Mr. LIVINGSTON. Let us have all the time we can get under the five-minute rule.

Mr. HULL. That is better. More time under the five-minute rule will be better.

Mr. SULZER. We want until 2 o'clock in general debate.

Mr. HULL. I will say that the committee are not anxious to cut off debate, and we will extend the time of any gentleman who wants to discuss the bill, so that he will not find any fault with the action of the House——

Mr. DOCKERY. I understand that a member of the committee objects to that arrangement. He desires general debate to close at 2 o'clock.

Mr. SULZER. We want to divide up the time on our side.

Mr. HULL. I am making the proposition that the committee

authorized me to make; but I would suggest to my friend from New York [Mr. SULZER]——

Mr. ROBBINS. Has the committee got any amendment ready?

Mr. HULL. We have an amendment ready.

Mr. SULZER. Mr. Speaker——

Mr. HULL. We will give you all the time you want under the five-minute rule, and you can take it on the first section, so that you can come in at once.

Mr. SULZER. They want time to discuss the bill generally.

Mr. HULL. They can. There will be no trouble about that when we understand that we can finish the bill to-day.

Mr. SULZER. Why not go on with the general debate until 2 o'clock?

Mr. PERKINS. What is the use of discussing the bill as it is when it is to be amended?

Mr. HULL. Yes; when there will be nothing left of it but the three-battalion organization?

Mr. OGDEN. What is left of it is a very important feature.

Mr. HULL. Mr. Speaker, then I simply ask unanimous consent that general debate may be considered as closed, and that we proceed to the consideration of the bill under the five-minute rule.

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be now closed, and that the consideration of the bill proceed under the five-minute rule. Is there objection?

Mr. SULZER. Mr. Speaker, under the statement of the gentleman from Iowa that, under the five-minute rule, there shall be liberal extensions to any member who desires to discuss the bill, or anything appertaining to it, for more than five minutes, I for one am willing to consent to that.

The SPEAKER. The Chair would suggest that it would be wise to have the extent of the extension suggested, or there may be difficulty arising from misunderstanding.

Mr. McMILLIN. Mr. Speaker, this is not——

Mr. SULZER. Suppose anybody will want as much as twenty minutes. Will you have any objection to that?

Mr. HULL. Not a bit.

Mr. SULZER. Twenty minutes, then.

The SPEAKER. If that is the understanding, the Chair will put the question again. The gentleman from Iowa——

Mr. HULL. I would not agree that every man who speaks should have twenty minutes, because he might want to talk on anything on earth.

The SPEAKER. The Chair suggests that would be the difficulty.

Mr. HULL. If the gentleman will couple with that that a vote shall be taken at half past 4, I have no objection.

Mr. RICHARDSON. A liberal extension.

Mr. HAY. Mr. Speaker——

The SPEAKER. The gentleman from Iowa asks unanimous consent that general debate be now closed. Is there objection?

Mr. SIMPSON. I object, Mr. Speaker.

Mr. HULL. Then I ask that general debate on the bill close at half past 1.

Mr. SULZER. Say 2 o'clock. I am willing to consent that general debate shall close at 2 o'clock.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate be closed at 2 o'clock. Is there objection? [After a pause.] The Chair hears none.

Mr. DOCKERY. A parliamentary inquiry. I would like to know about the division of the time.

The SPEAKER. The Chair will endeavor to find out.

Mr. HULL. Mr. Speaker, I suppose I will control the time in favor of the bill. I do not know who will control in opposition.

Mr. LEWIS of Washington. Mr. Speaker, I should like to hear what the gentleman from Iowa says; I am interested in the bill.

Mr. SULZER. Mr. Speaker——

The SPEAKER. The gentleman from New York is recognized.

Mr. DOCKERY. Mr. Speaker, I would be glad to know the time occupied by the respective sides.

Mr. SULZER. Mr. Speaker, this bill was——

The SPEAKER. One hundred and eight minutes have been occupied by the friends of the bill and one hundred and fifty minutes by the opponents of the bill.

Mr. SULZER. Mr. Speaker, this bill was carefully considered in the Committee on Military Affairs. It was reported to this House with the understanding that each member should have the privilege——

Mr. HULL. Has there been any arrangement made as to the division of the time?

Mr. SULZER. As I understand it, I am recognized in my own right.

The SPEAKER. The gentleman from New York is recognized in his own right.

Mr. HULL. What I was asking about was the division of the time.

Mr. SULZER. I believe I have the floor, and I will proceed.

Mr. Speaker, the bill was reported by the Committee on Military Affairs with the understanding, on my part, at least, that each member of the committee should have the privilege of taking such position on it as he desired. For one I desire to say that I am absolutely opposed to the greater part of this bill. The only part of the bill that I favor is the provision for the reorganization of the Army on the basis of three battalions.

There are, I believe, only three countries in the civilized world to-day which have their armies organized on the basis of two battalions. They are China, Persia, and the United States. Every civilized nation in the world which considers itself a military power has the modern organization of three battalions, and China, I am informed, is about, or has recently, adopted this modern plan of organization. I therefore believe that the Government of the United States should adopt the three-battalion system. I favor that part of the bill, and I hope so much of the bill will pass.

The chairman of the committee [Mr. HULL] has said this morning on the floor of this House that at the conclusion of the debate he would favor striking out all of the bill after the second section.

The first and second sections of the bill simply provide for the reorganization of the Army on the three-battalion system. That would not increase the number of the Regular Army, except to the extent of adding twenty-five additional majors. I can see no objection to that.

I am a Jeffersonian Democrat, and I have always been opposed on principle to a large standing army in time of peace. I am opposed now to any further extension of increasing the number of men in the Federal Army.

The laws on the statute books at present seem amply sufficient for enlarging the Army in case of war.

I make no criticism upon the Regular Army. It is a magnificent body of brave and loyal men. It has made history. I have only praise for its valor and glory. The Regular Army speaks for itself and needs no eulogy from any man. But I do desire to say a few words in behalf of the militia of the States and the volunteer forces of the Government, the citizen soldiery of our land. They constitute the flower of our land, the pride and glory of our States, and the reserved strength, greatness, and power of our country in time of war.

If this bill should pass in its, present shape, it would add to the Regular Army over 75,000 men. This bill is not a war measure; no one contends that it is an emergency measure. If it passes in its present shape, it would make the standing Army of the country a little over 104,000 men, and until these men were mustered in for active service there could not be and there would not be a chance for the service of volunteers or the militia. In other words, if this bill became a law in its present shape, there could not be a single military organization from any State and there could not be a volunteer force from any State mustered into the Federal service in time of war unless more than 104,000 men were required. This, in my opinion, would be unfair and unjust to the citizen soldiery of the States and to the volunteer forces of the country.

I believe in the citizen soldiery of our land. I take a deep interest in their welfare, and in so far as I can I shall always maintain their rights. The history of our country in time of war demonstates that there are no better soldiers. They are brave, patriotic, and intelligent. They come from the professions, from the workshops, from the counting rooms, from the mills, from the mines, and from the fields. There are no better fighters than those who come from the volunteer forces of the people. These volunteers constitute the great patriotic army of our country. They are no hirelings, no mercenaries; they fight for the defense of home and country, for principle and glory, for liberty and the rights of man. In time of peace they follow their usual trades, professions, and occupations. They do not menace our liberties or the stability of our free institutions. In time or war they constitute an army of intelligent, well-drilled soldiers as large as any army in the world. In a republic like ours a great standing army in time of peace is useless, expensive, and dangerous. In time of trouble we should and we must rely upon the volunteer forces of the country.

This bill, in its present shape, comes to us from the War Department, at the instigation of the officers of the Federal Army, to make places and secure promotions for them, and would be unjust to the volunteer forces and the military organizations of the States whose rank and file and officers devote days, months, and years of valuable time to practice, to drills, to tactics, and to organization.

If you pass this bill as it is now, you may just as well disband every militia company and every volunteer organization in our country.

I am glad that the chairman of the committee has agreed to strike out of this bill all the provisions increasing the Federal Army. He simply asks now, as I understand it, for the enactment of the first and second sections of the bill, which provide for the three-battalion system of organization. I can see no harm in that.

I believe good will come of it. Our Army in time of peace and in time of war should be organized on the basis of the best military organization in the world. As at present constituted it is organized on a basis now obsolete, and not followed by any other great military power in the world. We ought to be up to date in this as in everything else. The part of the bill to accomplish this should speedily pass. All the rest of it, and especially the part which seeks to increase the Federal Army, should be stricken out.

Mr. Speaker, such are my views and opinions on this bill. I give them to the House for what they are worth. I shall now and hereafter vote in accordance with them until I am convinced that I am in error. No act of mine will ever, I trust, lend assistance to the disorganization of our State military organizations, and no vote of mine will ever, I hope, be cast to chill the ardor, the loyalty, and the patriotism of the splendid and magnificent volunteer forces of our country.

While discussing this bill I may be pardoned, I hope, if I refer to the Cuban question.

Poor Cuba is now the one question uppermost in the thoughts and talks of the people of our land. It is fitting and proper that I should again raise my voice in behalf of the struggling Cuban patriots. We are told that the crisis is here, and that war with Spain is now inevitable. If such is the case, I have no fears of the result. Cuba will be free, our national honor will be vindicated, and Spain will be humiliated in the dust. We will teach Spain a lesson she will never forget; and the conflict should be short, decisive, and annihilating.

If we are on the eve of war, we are ready. I am one of those who believe either Spain or the United States must now back down. I am one of those who believe that we have now reached that crisis in Cuban affairs where nothing can be done by this country with honor unless we free Cuba.

As everyone knows who is conversant at all with the Cuban matter, there was a time when war with Spain could have been averted. In my judgment and in the judgment of almost everyone, that day is now passed. We must fight now for the independence of Cuba and our national honor, or we must retire in disgrace. We must bring about the freedom of Cuba and wipe out the stain Spain has put on our flag, or we must forever hereafter hold our heads in humiliation and shame before the civilized powers of the world.

Mr. Speaker, in the Fifty-fourth Congress a concurrent resolution recognizing the belligerent rights of the Cuban patriots was passed by an almost unanimous vote. It went to the Executive, and he quietly pigeonholed it. If he had signed it, the Cubans would have achieved their independence within six months. Nothing else was done by the Fifty-fourth Congress regarding poor Cuba and her frightful tribulations.

At the very beginning of this Fifty-fifth Congress—to be accurate, on the 20th of May, 1897—Senator MORGAN passed in the Senate of the United States by an overwhelming vote a joint resolution granting belligerent rights to the Cuban patriots. That resolution was sent to this House on or about the 20th day of May, 1897. The Speaker referred it to the Committee on Foreign Affairs, and it has slumbered in that committee ever since.

I am informed that the Committee on Foreign Affairs of this House has never taken action on that joint resolution. It is well known that if that resolution had been reported to this House, as it should have been long ere this, it would have passed by an overwhelming majority. If it had passed, it would have become a law and the Cuban people long ago would have achieved their own freedom and independence.

Mr. Speaker, some one is responsible for the suppression of that joint resolution. Its suppression was a blunder worse than a crime. Who is the man? In a number of speeches which I have made heretofore on the floor of this House relating to Cuba I have called attention in no mistaken terms to the suppression of Senator MORGAN'S joint resolution granting belligerent rights to the Cuban patriots. All this trouble could have been averated if that resolution had passed.

Since the war for Cuban independence began, over three years ago, the Cuban patriots have persistently and continuously begged and pleaded that this country grant them belligerent rights. Give them this right, they said, and they would do the rest. If it had been done a year ago, or two years ago, no one doubts but that Cuba would to-day be a free and independent republic. During this time they were and are entitled to belligerent rights, according to the facts and by every construction of international law.

They are entitled to more now, and in my judgment we should at least recognize their independence. We should have recognized the independence of Cuba long ago. We have delayed too long. We have neglected too much. The order of the day has been procrastination. Our responsibility is great, and we will realize it before a great while. The people will judge you, and nothing you can now do will alter or change their judgment regarding your nonaction for three long years.

Mr. Speaker, the following is the joint resolution of Senator MORGAN I have referred to, and which I will now read:

Joint resolution declaring that a condition of public war exists in Cuba, and that strict neutrality shall be maintained.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a condition of public war exists between the Government of Spain and the government proclaimed and for some time maintained by force of arms by the people of Cuba, and that the United States of America shall maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

Passed the Senate May 20, 1897.

Attest: WM. R. COX, *Secretary.*

From that day to this the Committee on Foreign Affairs of this House has refused to report that resolution, notwithstanding the repeated efforts of Democratic members to force it to do so. It has been suppressed in the committee for almost a year. What a shame!

If it had been reported and passed, Cuba would have been free six months ago, and recent events would never have occurred. But now we should go farther, in my opinion. Now we should recognize the independence of the Cuban Republic. Recognition of independence is a fact, and we have a right to determine what constitutes a fact as well as Spain had when she recognized the Southern Confederacy in 1861. The Cuban Republic is a living fact. If we recognize the independence of the Cuban Republic now, if we had done so six months or a year ago, Spain could not justly complain. It is not and could not be construed as a casus belli. Spain could find no fault and would have no just cause of complaint against this Republic. This Government recognized the independence of all the South American Republics, and Spain never did and never could find fault.

If it is true that we have neglected our duty regarding this important question for the last two years, it is not yet too late for us to pass a joint resolution recognizing the independence of Cuba. If we do this now promptly and speedily, the Cubans will achieve their independence without any further help from us. The Cuban patriots do not ask the Government of the United States to intervene; they only ask for a recognition of their independence. We should grant it to them immediately. It is the least we can do.

They have been fighting their own battles; they have beaten Spain in every important engagement; they have conquered and hold more than three-quarters of the territory of the island; they have a stable government; they levy and collect taxes; they make and administer their own laws; they have a well-drilled army in the field; they have a permanent seat of government, and they say to us: "Give us recognition and we, with our own strong arms, will achieve our own independence." They ask for bread, and we give them a stone. We delay; we wait; we hesitate; we are to-day the laughing stock of the world. We should do our duty and let the President do his duty. We have waited here from Monday to Wednesday, from Wednesday to Monday, week in and week out, for the Executive to send his message to Congress. Why should we wait? Why should we not, as representatives of the people, do our duty and discharge our responsibility? Why should we not pass the joint resolution recognizing the independence of Cuba, send it speedily to the President, and let him take such action on it as he may deem fit and proper?

Let him sign the resolution or veto it, and let the responsibility for his action be upon his own head. Action on our part is what the people demand. No one here doubts that if the Committee on Foreign Affairs would report a joint resolution recognizing the independence of Cuba it would pass this House by an almost unanimous vote. Nine out of every ten members are in favor of recognizing Cuban independence. Why is the Committee on Foreign Affairs derelict in its duty? Resolution after resolution recognizing Cuban independence has been introduced in the House and referred to the Committee on Foreign Affairs, and there they sleep the sleep that knows no waking. The Committee on Foreign Affairs seems to be bound and shackled. It is impotent. It can not act unless the Speaker tells it to act, and the Speaker will not give the word. We are waiting, waiting, waiting, for a weak and wabbling Executive to make up his mind what to do. We are waiting for his message.

We know nothing whatever about it. We do not know that it ever will come. For one I have not yet given up hope. Perhaps next Monday, perhaps some day when it will be too late, a weak and apologetic message, similar to that submitting the testimony of the board of inquiry in regard to the tragedy of the *Maine*, may come in. For one I stand here and emphatically say I am opposed to further delay. I favor immediate action by this House. I am opposed to delegating the constitutional rights of the members of this House to the President of the United States. [Applause.]

We are the representatives of the people, and we ought to have the courage of our convictions. Let us be men. Let us do our duty. Let us be true to the people and to our constituents. Let us act here what we talk about so eloquently elsewhere. Let us do something regarding this Cuban question or admit to the world

that we are slaves or automatons. In the lobbies, in the smoking rooms of this House, on the street corners, and in the hotels, you sing the eloquent song of Cuban independence, and tell how anxious you are to bring it about; but in this House, for some reason or other, you stand mute and silent. Under your breath you murmur and mutter and threaten revolt; but when the time comes for action, you fall in line and do the bidding of your master. What secret power holds you thus? Is it the awful power of the Speaker, or is it the fear of the avenging mailed hand of MARK HANNA?

You are very brave outside of the walls of this Chamber, but here you are afraid to open your mouths. You are the absolute creatures of some potent influence more powerful apparently than the will of the American people. If you act thus much longer the people will call you Speaker REED's "reconcentrados" or President McKinley's "pacificos." [Laughter and applause.]

Mr. Speaker, some time ago I introduced a joint resolution recognizing the independence of Cuba. It is buried in the Committee on Foreign Affairs, like many other resolutions on Cuba I have introduced. I can not get it out. I send a copy of it to the Clerk's desk and ask to have it now read, so that it will go in the RECORD.

The SPEAKER. The resolution will be read in the time of the gentleman from New York [Mr. SULZER].

The Clerk read as follows:

Joint resolution (H. Res. 220) for the independence of the Republic of Cuba.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of the Island of Cuba are, and of right ought to be, free and independent.

That the Government of the United States hereby recognize the Republic of Cuba as the true and lawful government of that island.

That the war Spain is waging against Cuba is so destructive of the commercial and property interests of the United States and so cruel, barbarous, and inhuman in its character as to make it the duty of the United States to demand, and the Government of the United States does hereby demand, that she at once withdraw her land and naval forces from Cuba.

That the President of the United States be, and he is hereby, authorized, empowered, and directed to use, if necessary, the entire land and naval forces of the United States to carry these resolutions into effect.

That the battle ship *Maine* was blown up in the harbor of Havana February 15, 1898, and the lives of 266 American seamen and marines lost by the action of Spain.

Now, gentlemen, if you will vote here as you talk outside of the halls of this House, we can force a report of that resolution and pass it through Congress in twenty-four hours. The President will not dare refuse to sign it. It will become a law. It may avert war. Spain will probably back down, but at all events Cuba will be free in less than thirty days. [Applause.] Action on our part is all that is necessary.

Over a week ago one of the members of the Committee on Foreign Affairs, the gentleman from Pennsylvania [Mr. ADAMS], in order, no doubt, to gain time, promised that the committee would report a joint resolution recognizing the independence of Cuba if the President did not send in the right kind of a message on the the following Monday. Monday has come and gone. No message. Wednesday has come and gone. No message. Will he send it in next Monday? I hope so. We all do; but if he does not, what then? Will the Foreign Affairs Committee report, or will it wait until the indignant members of this House rise up and force it to report the proper kind of a resolution?

You all know the frightful situation and deplorable condition of affairs in Cuba. Every day is momentous. Every day of delay here means the death of thousands of innocent, peaceable men, women, and children. The suffering, the misery, the crime, and the butchery there can not be told in words. It is beyond the expression of man. It has no parallel in history. It is unprecedented in the blackest annals of the world. How much longer are we expected to wait? How much longer must we be put off? The press and the pulpit ring with denunciations against our disgraceful conduct. Ninety-nine out of every hundred citizens in our land want us to do something. They want us to recognize the independence of Cuba, and, if necessary, maintain it by force of arms. That is my position. If I am not mistaken, that is the position of every Democrat here and of the Democrats generally of the United States.

Let us as the people's representatives have the courage to do our duty without waiting any longer. If the President will not lead, he must follow. We must take action at once. Any further delay on our part will be a criminal blunder. Our responsibility is great. We can not shift it nor evade the duty which stares us in the face. The press of the whole land rings with patriotic article after patriotic article asking us to do something. Our inaction is becoming a national scandal. It is becoming a disgrace. We have done practically nothing. We are doing nothing to help the starving, struggling, heroic Cuban patriots. Everything that the Government has done since the Cuban struggle began has been done in the interest of Spain and to help the Spaniards.

We have spent millions of dollars of the people's money during the last three years doing police duty for Spain along our coasts. We have arrested and imprisoned our citizens on the alleged charge of trying to help the Cuban patriots, but they have violated no law, national or international. We have done everything in our power to prevent the Cuban patriots from buying arms, food, clothing, medicine, and the munitions of war. We have appropriated $50,000,000 to get ready for something, and we appropriated it without a murmur. We do not desire to harshly criticise the President; we have too much respect for the great office he holds; but we think it is only fair that he should take us into his confidence and let us know what he is going to do, how he is going to do it, and when he is going to do it.

Mr. Speaker, the duty of the House of Representatives in regard to Cuba is now and for the last two years has been imperative. The way we have ignored this great question should bring the blush of shame to the cheek of every liberty-loving citizen in our land. At the beginning of the Fifty-fourth Congress I introduced a joint resolution granting belligerent rights to the Cubans, and subsequently, on the 2d day of March, 1896, in a speech I made on the floor of this House I said:

The Cuban patriots are entitled by every construction of international law to belligerent rights. They have in the field a standing army of over 40,000 men. They have proclaimed their declaration of independence, similar to our own, and, in the opinion of many, more justifiable. They have adopted a provisional constitution, republican in form. They have elected a president, a vice-president, and a constituent assembly. They have a cabinet of ministers. They have a seat of government, and are in possession and hold three-quarters of the island. They are competent to-day to treat and negotiate with any other sovereign people on the face of the globe.

They have maintained their army in the field against the great army of Spain, under the command of her first Captain-General, for more than a year. They have won important and decisive battles. They are unconquered and unconquerable. They are a brave, long-suffering, and patriotic people. They ought to win, and they will win. We do not know what is going on in that island to-day, because Spain fears the light of truth; because Spain fears investigation; because Spain hates to allow the people of the world to know how she is conducting the war there. She has established a censorship of the press, of the cable, and of the post-office that is an affront and an insult to the intelligence, the progress, the civilization, and the enlightenment of the last decade of the nineteenth century.

On the 17th day of December, 1895, I offered the following resolution, which was referred to the Committee on Foreign Affairs:

Joint resolution declaring that a state of public war exists in Cuba and that belligerent rights be accorded to the Cuban Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States recognizes a condition of public war between the Government of Spain and the government proclaimed and for some time maintained by force of arms by the people of Cuba; and the United States of America hereby declare that they will maintain a condition of strict neutrality between the contending powers and accord to each all the rights of belligerents in the ports and territory of the United States. The Congress of the United States protest and remonstrate against the barbarous manner in which the war in Cuba has been conducted, and the President is hereby authorized to take such steps as may be expedient, in his judgment, to secure an observance of the laws of war as recognized by all civilized nations.

That is all the Cuban patriots ask for or want. I introduced it at their request. It is moderate and conservative, but it accomplishes the object desired, hoped for, and prayed for. I had indulged the ardent hope that the Committee on Foreign Affairs would report it and that it would pass Congress.

Regarding the adoption of that resolution I said in that speech:

If you will pass this resolution, I have no hesitancy in predicting that Cuba will be free and independent ere the end of the year. [Applause.]

If it is not done, what then? Well, sufficient unto the day is the evil thereof. Congress will have to act, or the people of this country will say to their representatives and those in authority, in the words of the poet Watson:

"Betrayers of a people, know thy shame."

And what I said then is true to-day.

In that same speech, speaking of the contest the Cubans were making, I said:

These brave, noble, heroic Cuban patriots are fighting a battle of republicanism against monarchy; of democracy against plutocracy; home rule against the bayonet; the sovereignty of the individual against the sanctity of the king; the ballot against the throne; American liberty against foreign tyranny; and above all and beyond all, they are fighting a battle for the rights of man. They must and will succeed.

And I predicted that—

Spain can not win. She can not again subjugate Cuba. Her greatest generals meet with defeat in every important engagement, and her resources are drained to a condition of national bankruptcy. She can not carry on the war much longer and must soon admit her inability to quell the revolution. From what I can ascertain and from what I can learn from the best and most authoritative sources, I know the Cubans will accept no terms but the freedom of the island—no more faithless promises of reform; nothing but absolute independence.

That was true then, and it is true now. The Cuban patriots will accept no armistice, no more reforms, no system of autonomy. They will accept nothing but independence or death. God help any Administration in this country that will cooperate with Spain to coerce the Cuban patriots to accept anything but independence.

That joint resolution of mine granting belligerent rights to the Cubans was never reported from the committee of this House, although I did all I could, in season and out of season, to get it reported.

Senator MORGAN's resolution, which passed the Senate, is very similar to it, and after it came to this House I abandoned my resolution in favor of his. The committee never reported it.

On the 17th day of June, 1897, I presented to this House a monster petition in favor of the immediate passage of Senator MORGAN'S

resolution, and, as the RECORD will show, I then said in a short speech which I made:

We are wasting time here day in and day out while hundreds and hundreds of American citizens are languishing in Cuban jails for no offense whatever. Our trade with Cuba ruined, our flag fired upon, our citizens robbed, insulted, and assassinated, or driven like wild beasts from their homes and farms in the interior of Cuba to the Spanish fortified towns on the coast to starve, to sicken, and to die! The history of the last two years' struggle in Cuba is the saddest in all the annals of the world. It is high time this great Government should protect its citizens and their property in Cuba. It is high time we should intervene in the name of humanity, civilization, and Christianity, and put a stop to this brutal, bloody, devastating carnage.

These citizens of the United States in Cuba look to this country for their rights and protection. Apparently they look in vain. The flag of their country, which should protect them, is spit upon by the brutal Spaniards. These cruel and bloodthirsty Spaniards trample our flag in the dust, ignore treaty rights, and bid defiance to this great Republic.

It is time for us to act. If we do not, we will stand disgraced in the opinion of our own liberty-loving citizens and before the Christian powers of the world. If we do not put a stop to the fiendish barbarities and refined cruelties of these Spanish brigands, our boasted republicanism will become a byword and our flag of freedom a reproach and a farce. How long shall we submit? How much longer shall we permit poor Cuba to be a human shambles?

The joint resolution of that venerable Senator and friend of humanity, Mr. MORGAN, granting belligerent rights to the Cubans, should be speedily submitted to a vote of this House. Some one is responsible for its suppression. Somebody is responsible for its delay. Who is the man? * * *

The American people to-day are in favor of granting to the Cuban patriots belligerent rights. If that question could be submitted to the people of this country, they would decide in favor of it by an overwhelming majority. They would like to know why no action has been taken by this House on that joint resolution of belligerency. * * * We allow our citizens to be butchered, murdered, and assassinated in Cuba without a protest. * * *

The American people want Cuba to be free. They will see to it sooner or later that Cuba is free. I do not know who retards the joint resolution. I do not know who is responsible for the delay in procuring action upon it, but I do know that the day of reckoning is not far distant, and the American people, who sympathize with those brave and struggling Cuban patriots, will hold some one responsible.

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All that I then said was true, and you know it to-day. Many of you sneered and laughed then, but you do not dare to sneer or laugh now. The American people at last have found out who are and have been responsible for the suppression of debate on Cuba, and for the defeat of all legislation in behalf of the Cuban patriots.

The Republican party is responsible. No one who will read the record can escape this irresistible conclusion.

Mr. Speaker, yet again, on the 19th day of last January, in a speech I made in this House on the diplomatic and consular appropriation bill, I said:

The situation in Cuba demands immediate action, and the American people are in favor of aiding the Cuban patriots by extending to them belligerent rights. This should have been done long ago. There is not a member of this House who does not know that if the joint resolution granting belligerent rights to the Cubans which passed the Senate a long time ago by an almost unanimous vote was permitted to be voted on in this House it would pass here by an almost unanimous vote. I do not hesitate to say that nine-tenths of all the members are in favor of it. Some one is responsible for the suppression of action on that joint resolution.

The people of this country would like to know who is responsible—whether it is the Speaker, the President, or the chairman of the Committee on Foreign Affairs. The time is not far distant when we will find out. We shall know. The Republican party can not escape responsibility in regard to this matter. The people, irrespective of party, all over this country want Cuba to be free. Newspapers all over this country are in favor of granting to the Cuban patriots belligerent rights. Congress should have done so at the very beginning of the war in Cuba. This is not a partisan question and can not be made so. It is a question of right, honesty, justice, and patriotism. Everybody knows that there is war in Cuba. The Spanish monarchy almost daily admits it. No one doubts it. Thirty days after Sumter was fired on, Spain recognized the belligerent rights of the Confederacy.

Mr. OGDEN. And rightfully, too.

Mr. SULZER. Well, we did not complain, and Spain can not justly complain if we recognize the belligerent rights of the Cuban patriots. International law justifies it. We ought to take prompt and immediate action in regard to the frightful situation existing in Cuba. It is proper and humane and all well enough to send provisions, to send money, to send medicine, and to send clothing to the sick, starving, and distressed victims of Spanish barbarity in Cuba, but we should do more—we should send down the North Atlantic Squadron to the gates of Havana, stop these outrages, and aid the Cuban patriots to achieve their freedom and independence, as France aided the Revolutionary colonists in their struggle for liberty and independence.

The Democrats in this House are in favor of passing the joint resolution granting belligerent rights to the Cubans. The Republicans have persistently refused to permit a vote on the question. The people of this country will hold the Republican party responsible for that action at the coming election. We will meet you on the stump all over this country, and we will tell of your recreancy on this important question, and the people will condemn you. (See CONGRESSIONAL RECORD, Fifty-fifth Congress, second session, page 818.)

And again on the same day, discussing the same bill, I said:

I wish to submit a few words regarding the situation in Cuba and to show the country the position on this question of the party of great moral ideas before and after the election, with a commentary by the distinguished gentleman who presides over the destinies of this House and who apparently controls all legislation of the representatives of the people of the United States.

The Republican party in national convention assembled in 1896 said regarding Cuba:

"From the hour of achieving their own independence, the people of the United States have regarded with sympathy the struggles of other American people to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression; and our best hopes go out for the full success of their determined contest for liberty. The Government of Spain, having lost control of Cuba, and being unable to protect the property or lives of resident American citizens, or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island."

That is the Republican national platform. On that platform Mr. McKinley stood before the people of this country. In his letter of acceptance he said that he believed in every word contained in that platform, and, if elected, he would do his best to carry out the promises and pledges therein contained. Let us see how he has done it. Let us see if he has kept the promise. I read from the President's message, submitted to the Fifty-fifth Congress on the first Monday in December, 1897, regarding the Cuban situation. After giving a brief history of the various insurrections, the various outrages, the various brutalities of the Spaniards in Cuba, he sums it all up by saying:

"For these reasons I regard the recognition of the belligerency of the Cuban insurgents as now unwise, and therefore inadmissible."

What a complete change of front! What a betrayal of a sacred trust! What a difference between now and then!

That is what has made cowards of you all; that is the reason you have changed your tune; that is the reason you sing a different song now. And a little further on he says:

"It is honestly due to Spain and to our friendly relations with Spain that she should be given a reasonable chance to realize her expectations and to prove the asserted efficacy of the new order of things to which she stands irrevocably committed."

"The new order of things to which Spain stands irrevocably committed" is the subjugation of Cuba by the ruthless extermination of the last Cuban patriot. That is the Republican party "before" election and the Republican party "after" election: and the comments I desire to read upon that record of infidelity, upon that record of betrayal of the people's confidence, are the comments of the Speaker of this House, delivered at Alfred, Me., not very long ago. In a speech on that occasion Mr. REED said:

"Boasters are worth nothing. Deeds are facts, and are forever and ever. Talk dies on the empty air. Better a pound of performance than a shipload of language."

The Republican party gave the people of this country "a shipload of language" during the last national campaign; and now when it can carry out its promises it refuses to give the people "a pound of performance." We appeal from the outrageous parliamentary tactics perpetrated by the Republicans on the minority members of this House to the American people. We appeal from Philip drunk to Philip sober. We point to the record and ask for judgment. (See CONGRESSIONAL RECORD, Fifty-fifth Congress, second session, pages 820 and 821.)

That is the record, and you can not now escape the responsibility of all that has occurred for the past year. I have no desire to severely arraign you, but I ask, and I have a right to ask, that you do something now. No more delay.

Mr. Speaker, we Democrats of the minority stand ready and willing to help you Republicans of the majority in every way that we can to aid the independence of Cuba and vindicate our national honor. On the 8th day of March, 1898, in a speech on the bill appropriating $50,000,000 for the national defence, I said, in regard to this phase of the Cuban question:

This is a time for the exhibition of the greatest degree of patriotism and for the exemplification of the smallest degree of partisanship. This is the time for action and not for talk. This is the time for unity, for harmony, and for us all to stand together shoulder to shoulder for the safety and the greatness of the Republic, for the grandeur and the glory of the flag, and for the vindication of American honor.

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In a time like this there should be no parties and no party politics. We should all be patriots, and act with a singleness of purpose for the best interest of all the people and for the greatness and glory of the Republic.

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No member of this House has more persistently and consistently for the past three years advocated and championed Cuban freedom and Cuban independence than I have. It is now a matter of great personal gratification to me that at last we are alive to the gravity of the situation and that Congress is about to do something and take decisive action.

It should have done so long ago.

In my judgment we should have recognized the independence of Cuba or granted her patriotic sons belligerent rights long ere this. We have waited too long. We have delayed too much. If we had taken decisive action, as we should have done, a year or two years ago, this crisis would have been averted and Cuba would to-day be free and independent and in her proper place among the proud nations of the world.

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Cuba is lost to Spain forever, and Spain knows it.

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In conclusion permit me to say, as a member of this House representing as loyal and as patriotic a constituency as exists to-day in the country, that no one will do more, that no one will go further than I will, now or hereafter, to do all in my power to promote the national defense, uphold and maintain the national honor, and support and strengthen the hands of the President to speedily bring about what every liberty-loving American citizen wants to see—the freedom and the independence of Cuba.

A month has come and gone since then, and we are still asked to wait and be patient.

God knows we have been patient. We have waited long and have borne much. Pending delay, the Spanish minister insults our Chief Executive; the Spaniards at Havana blow up one of our finest battle ships and send to a watery grave 266 American sailors, as brave and patriotic as ever faced an enemy. Spain destroyed the *Maine* by a mine. We know, and the world believes, she is guilty. No one doubts it. That barbarous act was a cause for war. It was a declaration of war. It was the most fiendish, the most brutal, the most barbaric act of its kind ever perpetrated in the history of the world, but it was characteristic of the cruel, catlike, fiendish, bloodthirsty, bull-fighting Spaniard. There is not a man to-day in all this land who has read the testimony taken before the naval board of inquiry who does not believe in his heart that the *Maine* was sunk by a Spanish mine, touched off by Spanish agency. If that crime had been committed against any other great power on earth, there would have been war within five days. We are too slow. We hesitate too long. We put up with too much. We are too patient.

The President asked us to suspend judgment regarding the tragedy of the *Maine*. The people of our land, broad-minded, cool and collected, slow to anger, and level-headed, patient, and patriotic, suspended judgment. But the time is at hand when they will suspend judgment no longer. Unless something is speedily done to vindicate American honor and the glory of our flag; unless something is speedily done for the freedom of Cuba; unless something is speedily done to demonstrate that we are a brave people and a great people, conscious of our rights and willing to maintain them, the world will charge us with cowardice. We are no cravens, no cowards. Let us prove it now. [Applause.] Let us act now.

We suspend judgment against Spain no more. We come to take judgment against her. She has no true defense to make. The great American press is doing for Cuba more than Congress. And in that respect let me say to you that when the historian comes to write the true history of the heroic Cuban struggle for freedom and independence he will say, and truthfully say, that the New York Journal did more to bring it about than any other single agency in the land. The New York Journal is an American paper for the American people. Regarding the frightful crimes, the brutalities, and the cold-blooded assassinations in Cuba it has told the truth, the whole truth, and nothing but the truth. Everything it has printed has been corroborated by members of this House and by members of the Senate who have been to Cuba as its commissioners and have seen for themselves. It has given us and the people not only the news day by day, but it has given us ocular demonstration from the camera. Who can gaze on these frightful pictures and hesitate as to his duty?

No one who has seen these terrible pictures, no one who has read the terrible news, no one who has listened to the eloquent but dispassionate speeches of Senators PROCTOR, THURSTON, GALLINGER, and MONEY, will suspend judgment any longer. If we do not act now we stand disgraced in the eyes of our own people and in the estimation of all the powers of the civilized world. The selfishness of Wall street must not interfere with the performance of our patriotic duties. We can not neglect the most sacred duties of life in order to please a few manipulators of the market. We must carry out the mandate of the American people and make Cuba free, or the American people will hold us responsible now and hereafter. They are aroused, and woe to the man who is recreant to his trust.

Mr. Speaker, my position is well known and unchangeable. Long, long ago I made up my mind. I have never deviated from the first stand I took. I want to see Cuba free. She must be free and independent. The Spaniard and his yellow flag, the emblem of atrocity, must go.

You know that in all the history of the world no people ever deserved the right of self-government more than the heroic, struggling Cuban patriots. For centuries they have been oppressed, robbed, starved, and murdered by a cruel foreign power. The tyranny of Spain, her refined butcheries, her fiendish brutalities, are the blackest pages in the annals of the world.

What a sad story the history of poor Cuba tells! For more than three centuries Spain has ruled her with a bloodstained and an iron hand. It has been a thousand times worse than the rule of the Turk. It has been a thousand times worse than the rule of a barbaric military despotism over a conquered and subjected province.

The history of poor Cuba's trials, her woes, her troubles, and her tribulations never has been written and never will be written. Not half the truth will ever be known. And more the shame!

Spanish rule in Cuba has been one long, unending, hideous carnival of crime, of public plunder, of rapine, of official robbery, of murder, of starvation, of destitution, of assassination, and of cruel, torturing death—a frightful big black blot on the pages of civilization, a lasting, burning disgrace to all Christendom, an impudent, imperial challenge, backed by the bayonet, to the sober sense of humanity and the Christian civilization of the world. [Applause.]

No pen can depict, no human tongue can tell, one half of poor Cuba's woes and miseries. The horrors of Spanish rule in Cuba are beyond the conception of the human intellect.

Captain-General after Captain-General has come and gone, leaving behind a trail of blood and a pitiful record of pillage, of plunder, of rapine, of crime, and of death in all its forms. But Cuban patriotism has never been conquered. It has lived on and hoped on, and as the years rolled by has become more intensified, more united, and more persistent, until at last the bright dawn of Cuban independence is at hand and Cuba will be free.

From the very beginning of her struggle for independence I have been an ardent friend of Cuba, a pronounced sympathizer of the Cuban patriots, and a strenuous and persistent advocate for their freedom and independence. I shall not change.

I have made many speeches on the floor of this House in favor of granting the Cuban patriots belligerent rights or in favor of recognizing their independence. Every prediction that I have made regarding Cuba is true to-day. With every other liberty-loving American citizen, I want to see the Cuban patriots win their independence; and if we will do our duty, they will win.

We must give our ultimatum to Spain, and it must be that Cuba must be free; that the wanton butcheries, the frightful horrors, the fiendish brutalities, the bloody assassinations, and the willful extermination of innocent men, women, and children in Cuba must be stopped, and stopped at once. As I have said before, we want peace with honor; but there can be no peace with honor unless Cuba receives her independence. The Spaniard must go, and the Spanish flag must be hauled down on the Western Hemisphere. Spanish rule on this side of the Atlantic is at an end. It has always been a disgrace to civilization and to Christendom.

Spain has run her course. Her days of conquest are no more. She is bankrupt; she is obsolete; she is a Bourbon, never forgetting, never learning. Her throne totters, and the monarchy hangs in the scale, trembling for its existence.

Weyler, the greatest criminal of the age, has gone. But the bloody Blanco is carrying out his decrees. He is just as bad; one like the other—no difference.

Mr. Speaker, we have heard much of late about the President's policy of intervention. The President has been promising for several weeks to send to Congress a ringing patriotic message in favor of immediate armed intervention. Let us look into this for a moment. Let me say to you that as I understand it the Cuban patriots do not want armed intervention unless they are recognized as independent. Independence must come first. Intervention can follow, if necessary to maintain it. That seems to me to be the proper policy.

There can be no intervention, it seems to me, with justification unless we recognize the independence of Cuba or declare war against Spain. The Cuban patriots, battling as they are and have been for three years and more for freedom, for liberty, and for the right of self-government, do not intend to give up now. All they ask for, as I am informed, is the recognition of their independence. They do not ask for the armed intervention of this Republic. Recognize their independence, they say, and they will achieve their own freedom. Recognize their independence, and they will drive from the territory of the fairest island in all the world, the gem of the ocean, the last vestige of Spanish rule and Spanish domination.

They believe, and I believe, that if this Government will recognize their independence, England and every South American and Central American republic will also recognize their independence. This, in my opinion, is the first thing we should do. We should have done it months ago. It is not yet too late. Let us do it now.

Mr. Speaker, I believe now that if we will but do our simple duty, as I conceive it, and recognize the independence of Cuba, the Cuban patriots will speedily win. It will give them the right, by virtue of international law, to buy arms and munitions of war; to buy a navy; to fly their flag on the high seas; to sell their bonds, and to raise money. Give them this right of recognition, I say, and they will be able to cope with Spain in every way and will soon be free by their own stout hearts and their own strong arms. No doubt they can do this.

Look at the situation. According to the best statistics Spain has only about 75,000 soldiers in Cuba, and most of them are disabled. The Cuban patriots have 40,000 well-drilled soldiers, armed and thoroughly equipped. They can put 100,000 more men in the field if they have the rifles and the ammunition. Give them a chance to get 100,000 more rifles and 2,000,000 cartridges, and the Cubans in thirty days will drive the last Spaniard from the coast of Cuba without any aid or assistance from the United States. If you want to avoid war, do this, my friends, and in my judgment we will escape war. Yes, independence, and not intervention, is what the Cuban patriots ask us for. Let us, then, be brave and manly and recognize the fact, and give the proper recognition.

Why, may I ask, all this talk about intervention? In whose interest is intervention? Not in the interest of the Cuban patriots. Will it be in the interest of the Cuban sugar-plantation syndicate, whose agents reside in the New England States? Will it be in the interest of the Spanish bondholders and Wall street, or will it be for the political interest and the aggrandizement of the Republican party? Let some one on the majority side of this House answer.

Mr. Speaker, I stand now where I always have stood, where I will stand until the last—for the liberty-loving people of Cuba, who are making and have made as heroic and as gallant a battle for freedom and independence as any people ever made in the history of the world. [Applause.] I want to see them win, and I know they will win if this great Republic, which should stand as a shining light, as a beacon, and as an example for all the other republics of the world and for every people struggling for liberty and independence, will simply do its duty. [Applause.]

Let us pass a joint resolution recognizing the independence of Cuba. Let us do it at once without waiting further for a message from the President or for the consent of the Speaker.

Let us do our duty, and then let us hope the Executive will do his duty. If he believes in delay, if he believes in a policy of procrastination, I know of no reason why we should. There is not a member on the floor of this House who can rise in his place now and tell us what the policy of Mr. McKinley is or will be regarding the Cuban question. No one seems to know. There does not seem to be a man in Congress who can tell. Is there any reason to believe we shall be able to know more about the President's policy next week, or the week after next, or next month, or the month after next?

Many people of this country, I am afraid, are beginning to think that Mr. McKinley is not a free agent. A great many people will soon believe he has no mind of his own. If he does not do something pretty soon, the people will ere long believe that he is a mere automaton. [Laughter.] He wabbles; he waits; he hesitates. He changes his mind. Our countrymen are beginning to believe that something must be wrong. Many no doubt think that one day he listens to the nobler impulses of his own heart—and he has a good heart—and to the patriotic dictates of his own conscience—and his own conscience must tell him his imperative duty—and that the next day he listens to his alleged owners and advisers, HANNA, McCOOK, ELKINS, and the agents of Wall street. The American people will rebel against being governed by the agent of MARK HANNA. Take my word for it, the American people will never consent to be governed by any man who is not big enough to own himself. Let those to whom this applies take heed lest they fall. A word to the wise is sufficient.

Mr. Speaker, you know and I know that the American people are to-day aroused as they have seldom been before. They demand to know what we, their representatives, intend to do to help free Cuba. Do not mock them. Make no mistake; they will know. They want to know what the President is going to do about it, and they will know. There comes a day of reckoning.

We are waiting and waiting. For what? For the President to make up his mind; for the Executive to come to some conclusion. The American people have made up their minds long ago. They want us to act. They want us to do something. We can not gather courage by inaction and irresolution. If we are going to do anything regarding Cuba we must do it now. This talk about intervention will be ridiculous in a few weeks more when the rainy season in Cuba begins. Everyone knows who knows anything about Cuba that it will be impossible for our American soldiery to operate with any degree of success in Cuba during the rainy season. The dread disease of yellow fever will be more potent then than bullets from Spanish rifles. Now is the time to act. The watchward of the Administration should be action! action! action!

Mr. Speaker, for one I do not think the President is dealing fairly with Congress. Do you not think it was his duty to send some message to the representatives of the people telling them what he intended to do and when he would do it? We are waiting, but we are waiting in vain. I hope we will not have to wait after next Monday. We are neglecting the true performance of our duties. You gentlemen do not fully appreciate how intense the feeling is among the American people generally on this Cuban question. You do not know how they chafe under these unexplained and incomprehensible delays. I sincerely hope you gentlemen of the majority have some conception of how aroused, how embittered, how humiliated, and how disgusted the rank and file of our constituents are by these delays and these postponements. They will hold the Republican party responsible, no matter what may occur or happen hereafter. The skirts of the Democratic party are clean. For three years we have been trying to accomplish something for the freedom and independence of Cuba.

You know that the Democrats on the floor of this House have over and over again, in season and out of season, endeavored to pass Senator MORGAN'S joint resolution granting belligerent rights to the Cuban patriots. The majority, controlled by the Speaker, has frustrated our efforts. You know, and the world knows, that the Democrats on the floor of this House have time and time again voted to pass a resolution recognizing the independence of Cuba. But the Republican majority has persistently voted against every attempt that we have made. We are in the minority. We can not do anything but vote and demonstrate our sincerity and good intentions. The Republican party is charged with the responsibility of legislation.

It has most signally failed to carry out its promises regarding Cuba. The people of our country to-day know that if you Republicans did what you ought to do Spain would be compelled to get out of Cuba in twenty-four hours. You should not have delayed a week after the *Maine* was destroyed. There is not an intelligent man in our land who has read, or will read, the testimony of Captain Sigsbee and the other survivors of the *Maine* who escaped Spanish treachery and Spanish destruction who does not believe Spain deliberately destroyed our vessel and assassinated our citizens. That crime must be atoned for.

The proof of Spanish guilt is clear. The testimony is conclusive. If Spain was on trial for her life and the proof was as strong and as convincing, any jury in the land would bring in a verdict of guilty.

Spain shall not escape for this terrible crime against the laws of God and man. The *Maine* tragedy must not be lost sight of. It ought to be made a casus belli against Spain.

All honor and all glory to the heroic crew of the *Maine*. They were as brave and as gallant a crew as ever sailed the sea or challenged a foe. They died in the service of their country, and their countrymen will not forget the deep damnation of their taking off. They died in the cause of Cuba, and Cuba must be free at least to atone for their death. They sleep to-day on Spanish soil, but ere the autumn winds blow again over the Queen of the Antilles they will, if we are true to their memory, be sleeping under the Cuban flag or under the flag of the country they served so well. [Applause.]

Mr. Speaker, I am one who believes in peace with honor, and I say now and again there can be no peace with honor until Cuba is free and the crime of the *Maine* is atoned. The sinking of the *Maine* is no mere incident, but is one of the most frightful crimes ever perpetrated in the history of the civilized world. When comes the day of judgment?

I am no jingo crying for war for the sake of war; but there are things more horrible than war. I would rather be dead upon the battlefield than live under the white flag of national disgrace, national cowardice, national decay, and national disintegration. Yes, gentlemen, I believe if you had done your duty, if you had passed the resolution of belligerency or the resolution for independence, there would have been no war, and Cuba would be free. Many believe that war is now inevitable. If it must come, the quicker the better. If it comes, we have nothing to fear, nothing to be ashamed of. We appeal to the enlightened judgment of the world for the justice of our cause. Let us make it short, sharp, crushing, and decisive.

Mr. Speaker, I believe it is the duty of this Government now, before another hour or another day goes by, to serve notice on the Spanish monarchy that her torpedo flotilla must not leave the harbor of the Canary Islands. I believe this Government should serve immediate notice on the Spanish monarchy that she must get out of Cuba; that we will not tolerate her kind of administration on this hemisphere, and that if she does not get out and give the Cuban people their independence, we will recognize them and help them to achieve it, just as France helped our revolutionary fathers in the dark days of '76.

We must be firm. We must stand up for the right. We must help the weak and oppressed. There is nothing the American people despise so much as a weak and impotent foreign policy. It will wreck any Administration. There is nothing that will destroy our Republic so quickly as national cowardice. We must maintain our rights or sink into national decay. Let us all stand together for the glory of our country. We know our own greatness and our own power. We are the greatest Republic the sun of noon ever looked down upon. We are invincible and invulnerable. [Applause.] If Spain desires trouble, so much the worse for poor old Spain. Let us teach her our greatness in war. That will be an object-lesson to the world. Every one knows, who knows anything about our Army and our Navy, and her army and her navy, that if she goes to war with us she will be crushed and humbled to the dust in thirty days. [Applause.]

We must do our duty and fear nothing. Let us do what we know to be right, and let the consequences take care of themselves.

Let us, then, at once meet the paramount duty of the hour and recognize the independence of Cuba. There are many who believe that if this is done at once there will be no war and that Spain will soon give up the contest and get out of Cuba. But, war or peace, let us do our duty.

Oh, for one day of an Andrew Jackson in the White House, with his courage, his backbone, his nerve, and his patriotism! If a man like Jackson were at the helm of the ship of state there would be no more delay, no more hesitation, no more apologies, but he would say in trumpet tones that would shake the very throne in Madrid, "Onward the whole fleet; forward the whole line. And let the battle cry be 'Cuba must be free!'" [Long applause.]

Mr. LEWIS of Washington. Mr. Speaker, a parliamentary inquiry. How much time is left to the gentleman from New York?

The SPEAKER pro tempore. The gentleman has thirteen minutes remaining, five of which go to the gentleman from Tennessee [Mr. COX], which would leave eight minutes to the gentleman from Washington [Mr. LEWIS].

Mr. COX. Mr. Speaker, this bill, as it is proposed to amend it, will simply be a bill to reorganize the Army under the three-battalion system or basis. When amended, that is all there is in this bill. Necessarily in every battalion there must be a major, and the effect will be to increase the majors to the extent of twenty-five, so that is all this bill will cover when it is properly amended,

in time of peace. In time of war, so as to reach the battalion system, two new companies will be organized, because you can not reach that system without them. The size of the companies remains as now authorized by law. They can at no time go beyond 100 men, and then, to reach that, war must exist.

A little matter has occurred since yesterday that has made a very great impression upon me. My friend the gentleman from Missouri [Mr. DOCKERY] is not present, but I want to pay him a very high compliment, and I think that yesterday I treated him a little wrongfully. I know he was very eager to get two large regiments into the permanent Army in time of peace that cost the people $560,000 a year, and I could not understand yesterday why he did not want to put any men in the Army with muskets in their hands. I understand it now. Whenever a man is going to be governor, you know he will be commander in chief of the forces of the State, and the gentleman from Missouri thought this bill might run in on some of his Missouri troops. I am sorry that I made the mistake of trying to take away any of his command.

One other thing, and then I am done. Yesterday we wanted to fill up the Army because it was expected that war would come. We were sitting here tied up to the very highest pitch, expecting a great declaration or recommendation of war from the President of the United States. Then it did not come, and so we concluded, as sensible men, that there was no necessity of increasing the Army, and went back and left the law just as it was except for that change in the organization. Now, when the war does come, I imagine my good friend [Mr. DOCKERY], whom I appreciate as such, coming from the great State of Missouri, heading the militia of the State with great strides of valor, and war on his brow, for he can get as serious as a preacher sometimes, when he undertakes to do it. I assure him now that from this time on I will never advocate anything that takes one of the men away from that intended great governor of the State of Missouri. [Laughter and applause.]

Mr. LEWIS of Washington. Mr. Speaker, it is my desire to address a few suggestions to the provisions of the bill exclusively. It has been found agreeable by some on this side that I conclude this debate against this measure because of my previous attitude toward this subject. I join, of course, very heartily in the patriotic and eloquent sentiments expressed by the distinguished gentleman from New York [Mr. SULZER] upon the immediate demands of Cuba. If I had a creed to place before the House upon which I would pin its faith, I would inscribe that text simply in the words that I used in my late speech upon this question: "The freedom of Cuba is a sentiment, the avenging of the *Maine* a duty," and there I would rest the discharge of our duty.

But I desire the attention of the honorable chairman of the Committee on Military Affairs, and call the attention of the House to the fact that I am very much like the gentleman from Pennsylvania [Mr. ROBBINS]—I am interested in this bill, and somewhat personally; and as the rules of the House require that I should make that known personally, I do not hesitate to do so. If this bill goes into effect as now provided it legislates me out of office. I am at present an officer of the National Guard of the State in which I live.

The most cordial associations and the dearest moments of my life have been intertwined within the social associations as well as the sacrifices attending that Guard. While that to some extent stimulates and inspires me to investigation of this measure, there are greater influences. This House will recall that I informed the gentleman from Iowa on the 17th day of January, when I stood in this House making my speech on the "passing of representative government," said that it was his purpose and the purpose of his committee to eventually bring forth in this Chamber a bill that would have for its object the strengthening and increase of the National Army in time of peace. He at once made the accusation in that very patent invective, that I was talking "claptrap." Some of his party papers throughout the country appended to me the antique anathema of a "demagogue."

I desire to bring now as a witness to this House this bill as brought in by this honorable gentleman as chairman of the Military Committee, the first section of which reading: "A bill providing for the organization of the Army in time of peace." Mr. Speaker, according to the provisions of this bill, it would increase the Army by 255 officers of the infantry and 31 in the other arms of the Army, and bring the standing army to 105,000 men; and, coupled with the National Guard of this country, taking the serviceable men, you have in the service at the present the highest, greatest, and numerically the strongest standing army in the world. What think you now, sir, of the accusation you made against me? Was I not right, and you unconstitutional?

Mr. Speaker, a theory of organization brought forth in this bill is given as the excuse for the measure. It is said that it is a war measure. We have no war upon us. If it is a war measure, it can not possibly succeed. Far from stimulating the patriotism of this country by inducing those to join the Army who fight for their homes and firesides under the command and leadership of friends and neighbors, you have no other purpose in this bill than to provide for 250 officers who have been graduated at West Point, who have no other hope than promotion to life service under this law.

There is no other object in this bill, and you can not keep the secret longer from us. Your real mission concerning this is to give these positions to these men. I am opposed to that. I am tired of such a reigning influence in this country. I shall, as heretofore, fight any organization composed of gilded military satraps on the one hand and tasseled society sapheads on the other. [Applause and laughter on the Democratic side.] I am opposed to every form and frame of the measure, because as a war measure it is futile, empty, and delusive, and so it has been shown in the best armies in the world.

I remind the distinguished gentleman that this measure is wholly without value. France tried your measure. She had her officers who were educated at St. Cyr. She tried that system under Napoleon III. She assembled her soldiers from the vine-clad cottages and from out of the hamlets and hillsides of that poetic country under the command of the graduates of her colleges, and they lost the battles for Napoleon III and yielded the victory at Sedan to the Germans. England has tried your policy. In 1872 she made such recommendations. It was attempted by Lord Derby, and had been by Lord Cardiff before him, but it proved a failure, and now it comes from the honorable Lord Bulwer, commander in chief, that the same system was considered in England and declared a failure.

These condemned courses were the same as the prospective plan that is now here considered. After an exhaustive trial it has been demonstrated to be a failure. A great many gentlemen around me have said that the only countries that have their armies on the formation that our Army is formed are China, on the one hand, and Persia on the other. I would remind gentlemen that while that may have been true seven years ago, it has not been since. The Chinese army has been re-formed. They have formed it on the English plan, and to-day are considering a general revision because of that English report that such a policy serves no good purpose.

That I would indicate to the gentlemen of this House how absolutely ineffectual would be this plan of organization, I call to your attention the fact that there will be 3,000 men under the command of a colonel, and 2,000 under the command of a major and a multitude of captains and lieutenants, and not one of these officers to bear the slightest relation to the men under his control. The captains and lieutenants will be neither friends nor neighbors of those under their control, the officers of these men to be "West Point graduates," and their main stimulus, "seeking the bubble reputation in the cannon's mouth," will be to drive the men into battle, irrespective of sentiment or regard for their lives or safety, and exterminate them in order to maintain the "official reputation" of these national officers. This can never be the theory of the National Guard, the armed force in a free country, intended to oppose foreign invasion in a State. This attempt to put armed power in the hands of the selected few in order to give power and exemption to the few favored and place the burdens of government and the right of authority upon the weak, is not a new question.

The Marquis of Beccaria wrote an essay and sent it down to the constitutional convention of this country, and it was read and commented upon by Governor Morris, of Pennsylvania. The doctrines asserted by these gentlemen now as something new have been in every form confronted, combatted, and overthrown time and time again. Their establishment has ever been regarded as a blow against the ranks of the poor and the army of the toilers, and to bring them forward now is to bring something obsolete and oppressive which has been tried and proven a disaster when successful and a failure when not oppressive and tyrannical.

Mr. Speaker, I am opposed to this measure aside from the fact that it has no merit and has no utility as a measure of organization. I am opposed to it because, as I have said on this floor with such humble ability as I possessed, I will fight consistently every measure that will tend to reduce this country to imperialism and to place upon the standard Cæsarism instead of freedom. Increase the standing army in order to provide berths for a favored few, for those who may have graduated at West Point and hold now the privileges of this nation. This is the object of the law; make mercenaries of our volunteer soldiers and martinets of every insolent military understrapper. Let these men work for a living as men, and be entitled to the consideration of the American citizens.

We are not pensioning these distinguished gentlemen by giving them official titles as favor; we are not creating an official army for the purpose of satisfying the yet unsatisfied ambition of these pampered maudlins. Unless these gentlemen can come with some measure which will add to the efficiency of the Army by adding inspiration and influences which bring to the country's defense

patriotism, which is essential in the hour of her trial, this measure has no purpose and is futile and should be defeated. The soldiers now in command or service will be protected and dignified; where there are faithful services these officers will be honored. The gentleman says the law may be remedied by some amendments. It can not be amended so as to give it the qualities which it lacks. It lacks constitutionality. It is devoid of Americanism. It is an engine of oppression and the stealthy destroyer of the weak.

I conclude my sentence. I said the bill could not be amended, and to continue the illustration that you could not amend this bill so that it would be efficient, because the bill stands as the artist's work of "Virago." It may sometimes bear the maidenly smile of virtue, yet there is something so vicious and odious hidden within it that it has the look of distortion, the form of infamy, and the purpose of crushing to death all who shall come within its embrace.

Mr. HULL. How many sentences does the gentleman want to conclude.

Mr. LEWIS of Washington. My concluding sentence is to sentence the gentleman from Iowa to political oblivion if he imposes this bill further upon the country. [Laughter and applause.]

Mr. HULL. Mr. Speaker, I have been much interested in the speech of my distinguished friend from Washington, but he fails to point out any part of the bill that increases the number of officers or men in the time of peace. There is no difference of opinion between Democrats and Republicans on the committee in regard to that. I do not want to take up the time of the committee, for I want to yield to the gentleman from Virginia [Mr. HAY] ten minutes.

Mr. HAY. Mr. Speaker, I have been much surprised at the remarks of the gentleman who has just taken his seat. The gentleman seems to think that he is the only Democrat on this floor. He has implied, if he has not stated, that the Democratic members of the Committee on Military Affairs were—I can not exactly catch the always distinguished language which the distinguished gentleman uses—but that we were tessellated somethings and brazen somethings else, I do not know what. [Laughter.] However that may be, the gentleman is entirely mistaken in the object of this bill.

I propose to discuss the bill from the standpoint which was announced by the chairman of the Military Committee this morning, and that was that we did not propose to increase the Army one particle; that an amendment would be offered by the committee which would take from it the objections which have been raised by gentlemen on both sides of the Chamber; that there would not be any increase whatever of the Army in the time of war, except of 5,000 men, which is now authorized by law, not officers, because it seems that it is the officers that want to lead the National Guard and do not want to be kept out of this fight which they say is imminent, but which I do not believe is ever coming. I say we have eliminated and taken from the bill the sting which seems to have struck the members of both sides of this House.

There will not be a single officer added to a single company or a single regiment, except the twenty-five majors who will be necessary to carry out the three-battalion formation provided for in this bill.

Now, the gentleman from Washington has repeated to us a great deal of history. He tells us that England has tried the three-battalion system and has abandoned it. I defy the gentleman to point to any authority showing that England has ever tried the three-battalion formation. She has stuck to her old system beginning in the seventeenth century and coming down to the present time. And the greatest military authority in England to-day says that if that country should have a war with one of her strong neighbors, it would be necessary for her to have the three-battalion formation in order to succeed.

I say that this three-battalion organization which we insist upon is one which is now used by Germany, the greatest military power on earth, and by France, and by all the civilized countries except Persia, China, and perhaps one or two others that have gone back in their civilization.

Now, I want to call attention to the fact, and to insist upon it, that this bill, when it shall be amended as the committee proposes to amend it in this House, will be in such shape that the National Guard will not be affected by it in any way. I want to call attention to the fact that the National Guard of New York and Pennsylvania have now the three-battalion system, and that if those military organizations should now be mustered into the service of the United States, instead of continuing the battalion system which they now have, they would be compelled to adopt the system which is by law the system of the United States Army. That is the law; and they could not get away from it.

Therefore, I say, this bill will help the National Guard throughout the country in adopting the system which is recognized to be the best infantry system that can be used by any army. There is no possible argument that can be used against the system which we propose. Notwithstanding the argument of the gentleman who has just taken his seat, the bill can be amended without the least trouble in any manner which may be desired; and therefore it will not be necessary to recommit it.

When gentlemen talk about the National Guard they are talking alone about those troops which are under the control of the governors of the States. The militia of the United States and the National Guard of the United States are two separate and distinct things. The National Guard are State troops, under the command of the governors of the different States. The militia are the men of this country between the ages of 18 and 45 who are subject to military duty.

Mr. MARSH. Will the gentleman allow me?

Mr. HAY. Certainly.

Mr. MARSH. I do not want the statement the gentleman has just made to go to the country uncontradicted. I deny that there is any distinction, so far as the power of the National Government is concerned, between the National Guard and the militia. They are all comprised within the provision of the Constitution which makes the President the Commander in Chief of the militia of the United States. There is no military organization of the States that is not the militia of the United States.

Mr. HAY. Notwithstanding the statement of the gentleman, I adhere to the statement I have just made, and if the gentleman will take the trouble to examine the law he will find that what I say is true. Perhaps if he had taken the trouble some little while ago to do this there would not have arisen the conflict there has been in this House over this bill.

Now, Mr. Speaker, I do not care to occupy further time in speaking upon this measure. It seems to me that the statement of the chairman of the Committee on Military Affairs this morning that this bill would be amended in accordance with the evident wish of the majority of this House ought to be entirely satisfactory to all. For myself, I never desired—and I can say for the committee of which I am a member that they never intended or wished to bring in any measure here which would in any way affect the efficiency of the National Guard or prevent them from going to the front when the country is attacked or when the country attacks somebody else. We all recognize the fact that the citizens of this country are the soldiers of the country; that they are the people upon whom this Government must rely in time of war.

Mr. HUNTER. Will the gentleman allow me a question?

Mr. HAY. Certainly.

Mr. HUNTER. If the National Guard were called out as a body to-day by the President of the United States, directly or through the governors of the States, could they go into the ranks of the Army as a National Guard organization?

Mr. HAY. Yes; as I understand.

Mr. WHEELER of Alabama. The law expressly says that they shall.

Mr. HUNTER. I mean under this bill.

Mr. HAY. This bill does not touch or in any way whatsoever interfere with the National Guard. It says not a word about the National Guard. It leaves the existing law to operate.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

Mr. HAY. I ask the gentleman from Iowa [Mr. HULL] to yield me three minutes more.

Mr. HULL. I will do so.

Mr. HAY. I wish to answer more fully the question just put by the gentleman from Illinois [Mr. HUNTER]. I say that under this bill the National Guard is not touched; and if the President were to call upon the governors of the States for troops, those troops would enter the Army as an organization—as organized regiments, officered by their own colonels, their own majors, their own captains; they would be a separate and distinct organization. This bill does not touch that. The law remains just as it was.

Mr. LEWIS of Washington. Will the gentleman allow an interruption for a question?

Mr. HAY. Certainly.

Mr. LEWIS of Washington. I would like to ask my friend if he does not understand that this bill creates 175 new officers, or an addition of 20 per cent to the officers now in the standing army; and that they would take command in the Regular Army, including also the State militia and the volunteers, should they be called into service?

Mr. HAY. Mr. Speaker, I was discussing this bill, as I stated, from the standpoint on which the members of the House must vote on it. The amendments to be offered by the chairman of the Committee on Military Affairs will eliminate any objection that may be raised in the direction the gentleman speaks of. I am discussing the bill now as it will be before the House, finally, for its adoption.

Mr. LEWIS of Washington. I mean the portion of the bill that is still before the House after the proposed amendment.

A MEMBER. But that does not appoint any additional officers, except in the event these skeleton regiments are filled up. This does not make any additional colonels.

Mr. HAY. The bill would make an addition in time of peace of one major to each regiment. There are twenty-five infantry regiments, but in time of peace—not war—there will be one additional major to each regiment; that is to say, the bill will provide for the three-battalion system. A lieutenant-colonel will command one of the battalions, one major will command one, and the other major the third. That is all that the bill provides.

Mr. WHEELER of Alabama. That is correct.

Mr. LEWIS of Washington. Where do you get the other officers, the subordinates, lieutenants, and captains?

Mr. WILLIAMS of Mississippi. Will the bill increase the number of regiments?

Mr. HAY. It will not, sir.

Mr. KELLEY. Does not the bill provide for the increase of the Regular Army to 104,000, exclusive of the National Guard?

Mr. HAY. Why, Mr. Speaker, I have just stated to the gentleman from Washington [Mr. LEWIS], in response to his inquiry, that I am discussing this bill from the standpoint of the statement of the chairman of the Committee on Military Affairs that that provision will be stricken from the bill and the Army remain just as it is now.

The SPEAKER pro tempore (Mr. PAYNE). The time of the gentleman has expired.

Mr. BRUNDIDGE. Mr. Speaker, I desire to submit a report at this time.

Mr. HULL. I yield five minutes to the gentleman from Illinois [Mr. BELKNAP].

Mr. BRUNDIDGE. I ask consent to submit a report that will take but a moment.

Mr. HULL. If it comes out of the time allowed for debate, I can not yield.

The SPEAKER pro tempore. The time for general debate has been fixed for 2 o'clock. The Chair will recognize the gentleman after that to submit the report.

Mr. BELKNAP. Mr. Speaker, I had no intention whatever of saying anything relative to the pending bill until the gentleman from Washington [Mr. LEWIS] made his remarks a few moments ago, and although I do not think he intends to be unfair in his statement, I must say frankly that he made suggestions which are manifestly unfair and statements that are not founded on the present situation relative to this bill as it comes from the Military Committee. He stated that the Committee on Military Affairs was desirous of increasing the Regular Army. I as a member of that committee and as a Republican most heartily oppose increasing the Regular Army either in time of peace or in time of war. And his accusation therefore is unjust and unfounded upon facts.

This bill—and we must consider it now simply as it comes to the House to be voted upon—every feature of the bill will be eliminated except the sections that provide for a modern organization of the regiments. That is all there is to it. As our organization is now, it would be absolute murder to fight the men. We will have a new organization under the bill; and, mark you, gentlemen, that will bring the Regular Army up to the perfected standard of organization now in vogue in the National Guard throughout the country.

Mr. OTEY. Does not this bill increase the standing army in time of peace 5,000 men?

Mr. BELKNAP. No, sir; it does not increase it one man.

Mr. WHEELER of Alabama. It increases it just twenty-five—twenty-five officers.

Mr. OTEY. Does it increase the number of officers for each regiment or companies in each regiment?

Mr. BELKNAP. No, sir; it does not; and I will state to the gentleman that I would be utterly opposed to it if it did. I will say to the gentleman, further, that I am absolutely fair and frank in my statement that all I would vote for is the reorganization of the Regular Army to put it on a modern basis. That is all I ask, because, Mr. Speaker, when war comes I believe that the volunteers and the militia of this country should have the opportunity to fight for our flag, and they will properly and nobly defend it. [Applause.]

Mr. MARSH. Will the gentleman allow me an interruption?

Mr. BELKNAP. Certainly.

Mr. MARSH. I understand it is now proposed to strike out all of the bill except the first and second sections.

Mr. BELKNAP. I believe that is correct.

Mr. MARSH. Will you now inform the House how many men will be increased in the Army, and how many officers, by the sections remaining after the bill is perfected?

Mr. BELKNAP. You mean in time of peace?

Mr. MARSH. I mean at any time. The bill, I believe, does not go into operation except in time of war; but what would be the increase, under the second section, of officers and enlisted men when it does go into operation? I ask the question because the impression prevails with many members that the adoption of the first and second sections will perfect the new organization, or permit the reorganization, but will not add officers or men to the Army.

Mr. BELKNAP. As I understand it, that is the case, and if it is not the case, I will not vote for it.

Mr. MARSH. Well, it is not the case.

Mr. BELKNAP. Very well, sir, then I can not vote for it. I took my feet so that I would not be placed in the position of advocating an increase in the Regular Army.

I want simply a modern organization for the Regular Army, not an increase. I will not vote for a bill that will shut out the National Guard or militia and the volunteers by the Regular Army.

Mr. MARSH. If you vote for the second section, you do increase it.

Mr. LEWIS of Washington. That was my understanding from the gentleman from Illinois [Mr. MARSH] yesterday, and I investigated the matter, and sanction his remarks this morning. I have no intention of being unfair to my friend from Illinois.

Mr. BELKNAP. Of course there is an increase of 25 majors for the modern organization.

Mr. LACEY. And also 100 lieutenants and 50 captains.

Mr. BINGHAM. If the President in his discretion establishes a third battalion, and so forth, as he is authorized to do in section 2, what will be the increase of officers and men?

Mr. MARSH. My colleague says there will be no increase under the second section.

Mr. BINGHAM. Suppose the President establishes a third battalion in time of war. It says he may establish a third battalion to each infantry regiment.

Mr. MARSH. My colleague understands that the adoption of that very section does not increase the Army, does not authorize the increase of the Army, either in enlisted men or in officers.

Mr. BELKNAP. Beyond what the present law allows. I will ask if that is not so?

[Here the hammer fell.]

Mr. HULL. Mr. Speaker, I want to take up the first and second sections of the bill for a minute. The first section provides——

Mr. DOCKERY. I hope the gentleman will give the information desired by the gentleman from Illinois.

Mr. HULL. The first section provides—

That hereafter the peace organization of each regiment of infantry now in service shall embrace 1 colonel, 1 lieutenant-colonel, 2 majors, 10 captains, 12 first lieutenants, 10 second lieutenants, 1 sergeant-major, 1 quartermaster-sergeant, 1 chief musician, 2 principal musicians, 2 battalions of 4 companies each, and 2 skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops.

The colored troops have regimental chaplains. Now, that provides for an increase in time of peace of 25 majors, and 25 majors only. The language will not admit of any construction beyond that. It takes the 8 companies as now organized by law and divides them into 2 battalions, where there is now 1 battalion, and provides a major for the second battalion.

Mr. OGDEN. Right there, now, I want to ask what becomes of the other 2 companies?

Mr. HULL. It leaves them as they are.

Mr. OGDEN. Then you would have to amend the section.

Mr. HULL. Not at all. It leaves the 2 skeleton companies as they are now, in time of peace.

Mr. OGDEN. How can you divide 10 companies into 2 battalions of 4 companies each? What becomes of the other 2 full companies that we already have?

Mr. HULL. There will be 2 battalions of 4 companies each and 2 skeleton companies.

Mr. OGDEN. It musters the men out of the service, then, and leaves 2 companies skeleton?

Mr. HULL. They are already skeletonized, and the officers are detailed to teach in the colleges of the different States of the Union, and there is not enough of them to meet the demand for the colleges and schools of the United States; and we are now besieged to increase the number, so that the Government of the United States can furnish these instructors.

Mr. CONNOLLY. Why do you provide for 12 first lieutenants?

Mr. HULL. Because one first lieutenant is detailed to act as quartermaster, and another first lieutenant is detailed to act as adjutant.

Mr. CONNOLLY. That is for detail, but you are providing for the regular organization.

Mr. HULL. That is where the adjutants and quartermasters of the regiments will be filled from.

Mr. CONNOLLY. But they will have 12 first lieutenants, and then detail others in addition, as is done now.

Mr. HULL. Not at all.

Mr. CONNOLLY. That is the case in the Army now.

Mr. HULL. That is not the case in the Army now.

Mr. CONNOLLY. They detail an officer for adjutant and an officer for quartermaster.

Mr. HULL. Yes, and that is the reason you get 1 extra first lieutenant for adjutant and 1 extra first lieutenant for quartermaster now.

Mr. CONNOLLY. Why do you not say so?

Mr. HULL. It is clear enough now.

Mr. CONNOLLY. It is not clear enough. It depends on the construction of the Department.

Mr. MORRIS. I should like to ask the gentleman from Iowa if there are not 2 skeleton companies under the present law?

Mr. HULL. Yes; that has been stated here over and over again.

Mr. BARROWS. Mr. Speaker, perhaps I am the only one here who has any curiosity about the provision the gentleman from Iowa just read, "that nothing herein contained shall be construed as abolishing the office of chaplain in the regiments of colored troops." I wish to ask if it is presumed that the colored troops need chaplains and that the white troops do not?

Mr. HULL. The chaplains for the white troops are, as a rule, post chaplains, but the regiments of colored troops are provided with chaplains for the regimental organizations, they being kept together more as regimental organizations. It was feared that if that was not put in, the construction of the law would be that these offices would be abolished. The white troops have their chaplains in their posts.

Mr. BARROWS. I suppose I am the only one who has any professional interest in the subject.

Mr. BINGHAM. Will the gentleman permit an inquiry?

Mr. HULL. Yes.

Mr. BINGHAM. I think in the gentleman's statement yesterday he left the House under the impression that the President, under the existing law, could double the present force of the Regular Army. Upon what authority does the gentleman make that statement? Let me submit to the gentleman that in 1877 the Army appropriation bill contains the following provision:

For expenses of recruiting and transportation of recruits, $90,000. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of 25,000 enlisted men, including Indian scouts and hospital stewards. Nothing, however, in this act shall be construed to prevent enlistments for the Signal Service, which shall hereafter be maintained as now organized, and as provided by law with a force of enlisted men not exceeding 400 after present terms of enlistment have expired.

That was the act of 1877, but I come to the act of 1885 and I find this:

And there shall not hereafter.

That is the first time the word "hereafter" appears in the Army bill.

For expenses of recruiting and transportation of recruits from rendezvous to depot, $107,302.50. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of 25,000 enlisted men, including Indian scouts and hospital stewards; and thereafter there shall be no more than 25,000 enlisted men in the Army at any one time, unless otherwise authorized by law. * * * And there shall not hereafter be expended out of appropriations made for the support of the Army any money for the support of the Signal Service or Corps, or for any purpose connected therewith, other than the pay of such commissioned officers as may be detailed by the Secretary of War for service therein, except such sums as may be specifically appropriated therefor.

That is the statute law. The old law no longer runs. The President has no power beyond the existing law, which is a limitation of 25,000, "unless otherwise authorized by law."

Mr. HULL. The President will have absolutely no power to recruit the Army except the Congress authorizes him. Now, let me read you what I think everybody will find, considering the whole statutes and considering the law as to infantry organization.

Mr. DOCKERY. Will the gentleman allow me, in that connection?

Mr. HULL. I will when I get through with my statement. The law provided:

1079. Each company of infantry shall consist of 1 captain, 1 first lieutenant, 1 second lieutenant, 1 first sergeant, 1 quartermaster-sergeant, 4 sergeants, 4 corporals, 2 artificers, 2 musicians, 1 wagoner, and 50 privates; and the number of privates may be increased, at the discretion of the President, not to exceed 100, whenever the exigencies of the service require such increase.

Mr. BINGHAM. What was the date of that?

Mr. HULL. The date of the enactment was away back.

Mr. BINGHAM. I am disposed to think that the law in the appropriation bill repeals it.

Mr. HULL. That was whenever the President thought there was an exigency, and that law has never been repealed. There was a limitation as to the number of enlisted men in the Army, but no limitation over the men whenever Congress authorized the employment of additional troops. I believe the gentleman from Pennsylvania will admit that this law governs and fixes it. In fact, the President can enlist additional men when authorized by Congress.

Mr. BINGHAM. Yesterday the gentleman left an impression on the House that on the ipse dixit of the President he could do it.

Mr. HULL. We were discussing this only as a war measure, and assumed that Congress would authorize more troops. The limitation as to number of men in the Army leaves the law forming companies in full force, and when the number is increased the President can fill the companies. Now, Mr. Chairman, I want to go on to the second section.

Mr. DOCKERY. Right at that point I want to submit an inquiry.

The SPEAKER pro tempore. The time for general debate has expired.

Mr. HULL. Wait until we read the section, and then I will take the floor.

CONTESTED-ELECTION CASE—PATTERSON AGAINST CARMACK.

Mr. BRUNDIDGE submitted the views of the minority in the contested-election case of Patterson against Carmack, Tenth Congressional district of Tennessee, which, under a previous order of the House, were ordered to be printed.

ARMY REORGANIZATION BILL.

The SPEAKER pro tempore. The Clerk will report the first section.

The Clerk read as follows:

Be it enacted, etc., That hereafter the peace organization of each regiment of infantry now in service shall embrace one colonel, one lieutenant-colonel, two majors, ten captains, twelve first lieutenants, ten second lieutenants, one sergeant-major, one quartermaster-sergeant, one chief musician, two principal musicians, two battalions of four companies each, and two skeleton or unmanned companies; the organized companies to be constituted as now authorized by law: *Provided*, That nothing herein contained shall be construed as abolishing the office of chaplain in each regiment of colored troops.

The amendment recommended by the committee was read, as follows:

In line 12 insert, after the words "colored troops," the proviso:
"*And provided further*, That the vacancies in the grade of major created by this section shall be filled by promotion according to seniority in the infantry arm."

Mr. WHEELER of Alabama. I move to strike out the last word.

Mr. DOCKERY. I wish the gentleman from Alabama would allow me to make an inquiry of the chairman of the committee.

Mr. HULL. The question will first be on the amendment of the committee, Mr. Speaker.

Mr. DOCKERY. We are not ready to vote. I desire the gentleman from Alabama to give way to me to make an inquiry of the gentleman from Iowa.

Mr. HULL. I take the floor simply to find out what the gentleman wants to inquire about.

Mr. DOCKERY. Following up the inquiry propounded by the gentleman from Pennsylvania—because I did not catch the reply of the chairman of the committee—as I understood the chairman of the committee yesterday, he stated that under the existing law the President has the right in time of war to increase the Regular Army to about 42,000 men. Not knowing anything to the contrary, I very gracefully assented to the proposition.

Mr. HULL. My proposition was, assuming that Congress would authorize the calling out of troops, I think the very minute the limit of troops organized in the company is authorized it can be increased, as I read by the law this morning.

Mr. DOCKERY. But the gentleman from Illinois and the gentleman from Pennsylvania read a section of the statutes which, in my judgment, absolutely, it seems to me, forbids an increase.

Mr. BINGHAM. I do not believe the President has power to do it, unless Congress permits an organization under this act of 1885.

Mr. DOCKERY. What I want the House to understand is that the President has no authority to increase the Regular Army to 42,000 men.

Mr. HULL. Unless he is authorized by law.

Mr. DOCKERY. Why, certainly.

Mr. HULL. So that contention would be settled without any specific organization of the Regular Army if Congress provided for an increase of the troops. That is not before us now. So that it is not necessary to have a judicial decision. I believe under the law, never repealed, if there is an authorization under the

discretion of the President to meet an emergency arising, of course he can do it; but I think my friend will be mistaken if Congress grants the additional troops. Without that is authorized, then it is not given.

Mr. DOCKERY. That is a very important matter.

Mr. BINGHAM. I am not antagonizing the gentleman. I wanted to bring to him information that he might bring it to the House.

Mr. HULL. In the debate yesterday it was not fully followed out.

Mr. DOCKERY. But the chairman stated that the present law authorized the President in time of war to increase the Regular Army to 42,000 men.

Mr. HULL. You have got to assume that Congress authorized him to call for troops. I believe the size of the company would be fixed by the law.

Mr. BINGHAM. Mr. Speaker, I move to strike out the last word for this purpose: It was my intention to make some remarks upon the National Guard, but I now desire to put into the RECORD a letter from the War Department, in reply to an inquiry of mine, wherein they state the actual strength of the Army of the United States at stated periods in each year from 1789 down to 1897. In reply to my inquiry, it is stated that during the war of the rebellion the regular forces only numbered 23,000 men. I will read it:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 7, 1898.

SIR: In reply to your telegram of yesterday to the Assistant Secretary of War, asking the size of the Regular Army during the war, embracing number of regiments and number of enlisted men, I have the honor to inform you that the authorized strength of the Regular Army during that period was as follows:

	Enlisted men.
6 regiments of cavalry	7,248
5 regiments of artillery	4,606
19 regiments of infantry	26,783
Miscellaneous, engineers, ordnance, noncommissioned staff, etc	2,461
Total authorized enlisted strength	41,158

The actual enlisted strength of the Army during the war did not exceed, however, an average of 23,000 men.

I inclose a printed statement showing the strength of the Regular Army at various periods in each year from 1789 to 1897.

Very respectfully,

THEO. SCHWAN,
Assistant Adjutant-General.

Hon. H. H. BINGHAM,
House of Representatives.

Actual strength of the Regular Army of the United States at stated periods in each year from 1789 to 1897.

[Retired officers not included.]

Date.	Officers.	Men.	Total.
1789*	40	840	886
1790*	57	1,216	1,273
1791*	104	2,128	2,232
1792 to 1796*	258	5,156	5,414
1796 to 1798*	233	3,126	3,359
1798*	783	13,638	14,421
1799*	2,447	49,244	51,691
1800 to 1801*	318	4,118	4,436
1802 to 1808*	241	3,046	3,287
1808 to 1812*	774	9,147	9,921
1812*	1,057	34,695	35,752
1813*	3,260	54,091	57,351
1814*	3,495	59,179	62,674
July, 1815*	674	11,709	12,383
December, 1815	726	9,298	10,024
December, 1817	640	7,580	8,220
December, 1818	640	7,036	7,676
December, 1819	641	8,047	8,688
December, 1820	712	8,230	8,942
December, 1821	530	5,216	5,746
November, 1822	512	4,699	5,211
November, 1823	525	5,424	5,949
November, 1824	532	5,247	5,779
November, 1825	562	5,157	5,719
November, 1826	540	5,269	5,809
November, 1827	546	5,176	5,722
November, 1828	540	4,989	5,529
November, 1829	608	5,561	6,169
November, 1830	627	5,324	5,951
December, 1831	613	5,256	5,869
November, 1832	659	5,443	6,102
November, 1833	666	5,746	6,412
November, 1834	669	6,155	6,824
November, 1835	680	6,471	7,151
November, 1836	672	5,611	6,283
November, 1837	642	7,192	7,834
November, 1838	701	7,957	8,658
November, 1839	716	8,988	9,704
December, 1840	733	9,837	10,570
November, 1841	754	10,415	11,169
November, 1842	781	9,847	10,628
November, 1843	805	8,130	8,935
November, 1844	813	7,760	8,573
November, 1845	826	7,523	8,349

Actual strength of the Regular Army of the United States, etc.—Continued.

Date.	Officers.	Men.	Total.
December, 1846	879	9,811	10,690
November, 1847	1,353	20,333	21,686
November, 1848	929	9,106	10,035
November, 1849	945	9,640	10,585
November, 1850	948	9,815	10,763
November, 1851	944	9,594	10,538
November, 1852	957	10,245	11,202
November, 1853	961	9,456	10,417
November, 1854	956	9,789	10,745
November, 1855	1,042	14,710	15,752
June, 1856	1,072	14,490	15,562
June, 1857	1,097	14,667	15,764
June, 1858	1,099	16,399	17,498
December, 1859	1,077	15,358	16,435
December, 1860	1,108	15,259	16,367
June, 1861	1,004	15,418	16,422
June, 1862	1,720	23,761	25,480
June, 1863	1,844	22,915	24,759
June, 1864	1,[illegible]13	19,791	21,604
April, 1865	1,[illegible]05	20,705	22,310
June, 1866	2,020	31,470	33,490
August, 1867	2,853	53,962	56,815
August, 1868	2,835	48,081	50,916
August, 1869	2,700	34,074	36,774
August, 1870	2,541	34,534	37,075
August, 1871	2,105	26,848	28,953
June, 1872	2,104	27,110	29,214
June, 1873	2,076	27,580	29,656
June, 1874	2,080	28,440	30,520
June, 1875	2,094	23,580	25,674
June, 1876	2,151	24,161	26,312
June, 1877	2,178	22,676	24,854
June, 1878	2,153	23,701	25,854
June, 1879	2,127	24,341	26,468
June, 1880	2,153	24,357	26,509
June, 1881	2,181	23,561	25,742
June, 1882	2,162	23,477	25,639
June, 1883	2,143	23,404	25,547
June, 1884	2,156	24,268	26,424
June, 1885	2,167	24,731	26,898
June, 1886	2,111	24,143	26,254
June, 1887	2,200	24,394	26,594
June, 1888	2,189	24,687	26,876
June, 1889	2,177	25,367	27,544
June, 1890	2,168	24,921	27,089
June, 1891	2,052	24,123	26,175
June, 1892	2,140	24,760	26,900
June, 1893	2,158	25,361	27,519
June, 1894	2,146	25,788	27,934
June, 1895	2,154	25,018	27,172
June, 1896	2,169	24,869	27,038
June, 1897	2,179	25,353	27,532

*The returns of the Army covering these years are incomplete, and the authorized, instead of the actual, strength is here shown.

SAM'L BRECK, *Adjutant-General.*

ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., February 21, 1898.

So that gentlemen will see that during the war of the rebellion the regular forces numbered, the maximum average number was 23,000 men, when it was within the power of the Administration to call out 41,158. That, it seems to me, is an argument against increasing the Regular Army to 105,000 enlisted men.

Mr. DOCKERY. Mr. Speaker, I desire to correct a statement I made a moment ago in regard to what the chairman of the committee said. His language was this:

Mr. HULL. The present law on the statute books of the United States places the Regular Army in the time of peace at 26,040, in round numbers. The present law on the statute books of the United States provides for an increase between a peace footing and a war footing, making, in round numbers, the Regular Army of about 48,000 men. Does the gentleman want us to bring in a bill providing that in time of war there shall be no increase in the Regular Army over what we have to-day?

So I was incorrect; the gentleman stated 48,000 men.

Mr. HULL. The statement between the gentleman from Pennsylvania and myself has answered anything on that question.

Mr. SHAFROTH. Will the chairman of the committee explain the second section?

Mr. HULL. We have not got to that yet.

Mr. MARSH. Mr. Speaker, I want to say a word in connection with this subject.

The SPEAKER pro tempore. The Chair promised to recognize the gentleman from Alabama [Mr. WHEELER].

Mr. WHEELER of Alabama. I yield to the gentleman from Illinois.

Mr. MARSH. Mr. Speaker, yesterday it was stated by two or three gentlemen on this floor that in time of war, under existing law, the President had the right to enlist into the Regular Army men up to the number of 48,000. I heard that stated by two gentlemen who are members of the Committee on Military Affairs, one the chairman of the committee and the other the distinguished gentleman from Wisconsin, Colonel GRIFFIN. Now, I have taken the floor here for the purpose of saying that if these gentlemen have deceived themselves in regard to this matter I do not want this House to be deceived.

November 7, 1877, Congress came together in special session, called by President Hayes, and the Committee on Military Affairs, of which I was then a member, reported a bill limiting the number of enlisted men in the Army to 25,000, and that bill was approved during the month of November, 1877, and became a law, and from that day to this there has been no law placed upon the statute books changing that limitation, until two or three weeks ago, when this Congress provided for two additional artillery regiments and authorized the President to enlist 1,610 men in those two regiments. Congress increased by that act specifically the number of enlisted men in the Army to 26,610, and that is the limit under the law to-day; and beyond that, in time of war or in time of peace, the President has no right to enlist one solitary soldier. [Applause.]

Now that these two distinguished gentlemen have deliberately made this statement upon the floor, I think they owe it to themselves, and they owe it to this House, to produce the statute that authorizes the President to increase the Army at his will in time of war even to 48,000, or else strike that statement out of the RECORD; because if it is true, we ought to know it, and if it is untrue, coming from that source, it ought to be corrected.

[Mr. WHEELER of Alabama addressed the House. See Appendix.]

Mr. BARROWS. Mr. Speaker, the testimony of the gentleman from Alabama [Mr. WHEELER] is very significant, and I think on this subject is certainly very valuable. He has been graduated from West Point; he has had experience in the Army, and he comes to us with his confidence in the volunteer soldier. We might extend that testimony a great deal. I believe, Mr. Speaker, in the general subject and purport of this bill, namely, in the necessity of a reorganization of the Regular Army on the three-battalion basis. Our present system is antiquated. It is just as much behind the age as the old muzzle loader is behind the breech-loading gun or the Sharp rifle is behind the Krag-Jorgensen gun.

There is no lack of testimony on that subject. But when we come to consider the bill in all its details as originally proposed, I say that it comes right into conflict with the National Guard. It brings us face to face with that difficulty. As a member of the Committee on the Militia, and as one who has served for fifteen years in the militia of Massachusetts, I have a great interest in that side of the question. In fact, Mr. Speaker, I have an interest in both sides of it. I have seen the Regular Army, and have been with it in two campaigns, though not a member of it, at least in such relation to it as to see its operations and record its history. I have great confidence in the men who come from West Point, our officers.

I have great confidence in the Army as a whole, not only those who graduate from our Military Academy, but those who have made their way up from the ranks. I have seen upon our frontier exigencies presented which would have baffled the greatest engineers of the Old World, but which have been easily solved by our own officers experienced in frontier life. So I have confidence in the Regular Army. But I should oppose, Mr. Speaker, any increase in the Regular Army which would take from the militia the function which it now enjoys of being the great bulwark of this nation in time of war.

I should oppose anything which would take from the militia the supreme responsibility of defending this country, of fulfilling the righteous edicts of this Congress, or answering the call of the President in the time of need. Because the militia of this country represents an essential principle upon which we stand—that we are a peaceful people and that we are not to be called into war unless in case of an exigency relating to our self-defense, our existence and obligations as a nation, or under some supreme call in the interests of humanity.

Now, Mr. Speaker, I believe that the gentleman who has just sat down has presented the right principle, namely, that we are to maintain the spirit, the morale, of the Army, not merely its physical constitution. We tried an experiment in New York, my native city, at the beginning of the war. We thought it might be a good thing to enlist men who were loafing about the streets, idlers, and, as some called them, "plug-uglies," in those days. We thought they might be good warriors. But at the battle of Bull Run they turned their backs and ran, and did not stop until they reached the city of New York, and a few days after the battle that city was full of them.

They had the physical constitution, but they did not have the moral qualifications of a soldier. Now, we have organized our militia in the State of Massachusetts into the three-battalion organization, and have developed not only the physical capacity, but the moral strength of that force. We have seen the power of personality felt all through the organization of companies and regiments until these men have been raised in efficiency to such a standard that in twenty-four hours they would be ready to go into the field, and, after their first baptism of blood, as the gentleman from Alabama has said, be equal to the best regulars. That was the history of Massachusetts in 1861, and it would be so to-day. We do not want the officers who have helped to train these men to be thrown out nor to have regiments disintegrated.

This bill, if carried out in its original intention, would absorb the militia or a large portion of it, I think, into the Army. Now, if we absorb anything, let us absorb the Army into the National Guard. As the gentleman from Pennsylvania has shown, during our last war the Army did not exceed in strength 25,000 men, and yet we know what was the tremendous strength of our National Guard. In its very existence we have security against hasty, unreasonable, wild aggression in times of excitement. It is our guard against rushing into war before we need to, and without pausing to consider its deep and serious consequences. And why is that? Because we know in time of war that if we have a just and righteous cause—and we should never act without it—that the men who will go will be those from our own hearths and homes.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CHARLES W. STONE. I ask that the time of the gentleman from Massachusetts be extended three minutes.

There was no objection.

Mr. BARROWS. Mr. Speaker, I simply want to emphasize this point, that the National Guard is not only a defense in time of war, but a defense against rushing into any unholy war. We know that the men that make up the membership of the National Guard are those taken from our own homes. You can go into Massachusetts homes to-day, as you can go into many houses throughout the country, and find there the picture that is still tenderly draped and lovingly regarded of some dear one who gave his life in the hour of his country's need.

Our people know the cost of war when it comes to them. If we assume that the Regular Army must be filled up simply from pauper institutions, from criminal institutions, or from those who have recently come to this country and are not closely identified with our homes or institutions, but are men looking about merely for a job, then we should know but a small part of the sad realities of war. But when it comes to taking them from our own homes, from those who are near and dear to us, then we know something of what war means, and we shall pause before entering into it without some most holy and sacred cause. We want a cause so sacred that we shall be willing to give to it the most sacred lives; that we shall be willing to send nothing less than the best, the very flower of our manhood.

The great glory of our National Guard is that it is not an army of professional soldiers. It is simply the people organized, not for aggression, but to maintain order and to fulfill their own righteous decrees. At the voice of our governor, through our adjutant-general, the militia of Massachusetts could be mobilized in twenty-four hours, and what is still more satisfactory, by the same voice and in the same time it could be dismissed and not a trace of a soldier remain. It is the citizen, not the soldier, who is supreme; but the soldier is tenfold a better soldier because he is a faithful citizen.

Mr. Speaker, there is not a private in the militia who does not stand in precisely the same relation as the President of the United States in this respect. He is the Commander in Chief of the Army and Navy, he is also the head of our diplomatic department, he is the citizen in chief, but when in a righteous cause and with the authorization of this Congress he lays down his pen to take up his sword, then every member of our National Guard will be ready to leave shop, bench, or field to follow him. We shall not go unfalteringly unless we have a just and holy cause, or unless at the summons of the highest sentiments of philanthropy to fulfill our duty to humanity.

I say, Mr. Speaker, that I shall stand by the National Guard as our safety for defense in war, and our safe defense against inviting the horrors of war in time of peace, for we must act as citizens before we act as soldiers.

Mr. HULL. Mr. Speaker, I want to say to the gentleman that this bill has nothing to do with the National Guard. I would like to ask him if he is not in favor of having the Regular Army organized equally as well as the National Guard?

Mr. BARROWS. I am. I will say that our organization in Massachusetts is a better organization than the Regular Army.

Mr. HULL. Exactly. And do you not think that the Regular Army ought to be as well organized as the National Guard?

Mr. BARROWS. I think it ought to be, and if that is all the gentleman contends for I shall be happy indeed to vote for this bill.

[Here the hammer fell.]

Mr. LENTZ. Mr. Speaker, I should like to have unanimous consent for twenty minutes.

The SPEAKER pro tempore. The gentleman from Ohio asks that his time be extended to twenty minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LENTZ. Mr. Speaker, on behalf of the National Guard of

Ohio, I am obliged to oppose the bill or any amendment or modification of the bill or the bill in its original form that will or might in any way increase the standing Army.

One of the officers of the Army—a colonel—in an interview given in the Ohio State Journal, of the city of Columbus, on Monday, the 4th instant, said that this bill would increase the Army to 104,000 men, and, among other things, he said that it would require but few of the State militia in case of war. He said that if that were done, there would be no need of their services; that "perhaps a few regiments from New York, Pennsylvania, and Massachusetts would be called upon to man coast defenses, but the regiments in the Middle and Western States would not be called upon at all." When that appeared in the local paper, one of the most active and most intelligent members of the Ohio National Guard, Mr. H. P. Ward, immediately sent it to me with this comment and criticism: That they most "emphatically disapproved of the remarks of the colonel," and further said, "The organized militia of the land want to help in this affair, and do not like such snubbing."

I myself am inclined to think that the most important part of our equipment for war is the State militia, and I have been more and more impressed with that as I have heard some of the old ex-soldiers on the floor of this House explain the details of the requirements of a good army. It does seem to me that men without any military experience applying their knowledge acquired in other affairs to the State militia would readily understand that everything needs organization; that every movement, whether it be a society movement or a church movement or a military movement, requires leaders.

And if this measure to increase the Army does not increase it by looking to some encouragement for the officers of State militia, you would find hereafter that no man would assume the responsibility of wasting his time and energy for ten or fifteen years in the National Guard as a leader to inspire the subordinate men if he had no hope of reward, and no hope of honor, and no hope of distinguishing himself as a leader of these men in the future in a place of command among the national forces. The leaven is just as necessary in the bread as the flour is, and I say that the officers of the National Guard, their influence and their inspiration, are really the leaven of the whole military organization of the State.

Now, as far as the three-battalion system and method of reorganization is concerned, it seems to me it ought not to require much discussion on the floor of the House, although I understand that some able and distinguished gentlemen are opposed to the three-battalion system. I have been told by military officers that we have absolutely the most inferior plan of organization in the Regular Army of any of the great civilized nations; that our system is only to be compared with Persia and China and Spain, and not at all to be compared with that of England, France, Germany, Austria, or Russia.

It seems to me, however much we may discuss this measure, that really the only thing that is necessary at this time is to provide for the reorganization of the Army upon the method or system of three battalions. And further than that we certainly ought not to go. There is nothing confronting the country at this time that suggests any necessity for it. We have appropriated $50,000,000 and placed it as an emergency fund at the discretion of the President of the United States. If the men in the different States who are members of the National Guard should not tender their services promptly enough when we need them, there will be time enough for us in a single afternoon here, by the methods we have been using in legislation, to provide for a rapid and immediate increase for temporary purposes.

Mr. TALBERT. If the gentleman will permit an interruption, I would like to ask him a question.

Mr. LENTZ. Certainly.

Mr. TALBERT. In what way would the bill, if it became operative, prevent the National Guard of any State from offering its services? Does the bill prevent them; and if so, in what way?

Mr. LENTZ. I will say in answer to the question of the gentleman——

Mr. TALBERT (continuing). For I am opposed to the bill myself, as I understand the gentleman to be.

Mr. LENTZ. The National Guard of Ohio is radically, distinctly, and diametrically opposed to the passage of the bill, for they feel that the men who have for many years maintained that organization are the men who will be subordinated and ignored if this bill becomes a law.

Mr. HULL. If the gentleman will permit me, is not the proposition to which the gentleman refers respecting the National Guard and the other features proposed to be eliminated from the bill altogether leaving only the reorganization feature? My understanding of the opinions and views of the National Guard of the States of Illinois, Ohio, Massachusetts, Pennsylvania, and Indiana is that they favor the three-battalion system, as proposed here, but not an expansion of the company system.

Mr. LENTZ. I agree with the gentleman as to that——

Mr. TALBERT. Would it not be well for the militia of each State to remain in the State for State defense?

Mr. LENTZ. No; for the very best reason, and that is that the best organized men ought to be permitted to come to the coast for coast defense if any men are needed at all.

Mr. TALBERT. But if the bill becomes operative, could they not do that anyhow?

Mr. LENTZ. Yes; but they are ambitious, not for the Regular Army to be increased, but that their own officers should come to the front together with them, the men who have trained with them, drilled with them, who have mingled with them for years, men from the same localities and neighborhoods, and it seems to me that we ought to encourage the State organizations in that regard.

The experience in Ohio is that the officers of the State militia have been used only in riots mainly in the mines, along railways, and such as occurred in Cincinnati a few years ago which resulted in the burning of the court-house, and they are reluctant to fire into bodies of men who may be their own relatives. But they are anxious and seek an opportunity to come to the front now and not to wait until next Monday; but to move to-night if necessary for the defense of the nation's honor, if we had the courage to simply declare the independence of Cuba, and they would be ready to put down any exhibition of resentment because of that declaration. There is no necessity, under the circumstances, for providing taxation to secure guns and uniforms for the Army if they are not to be used.

I think after this bill is amended as is proposed by the gentleman from Iowa, the chairman of the Committee on Military Affairs [Mr. HULL], it would probably be in such shape as it should be. But there is no necessity for increasing the Army at this time. All the circumstances in the case indicate that there will be no war with Spain. Yesterday we had this House filled, almost, I think, every seat being occupied by the various members, the galleries full to overflowing, and the Capitol grounds covered with people expecting a message from the President of the United States which might lead eventually to a declaration of war. But finally in the afternoon word came that some kind of a message had been sent from Havana by Consul-General Lee, indicating that he wants time, and the message is to be delayed on that account. Now, I do not believe that anybody had any authority for the statement from the Administration or any officer connected with it that justified the rumor which prevailed in the House on yesterday.

I find in the Evening Star of this city on yesterday, which I believe speaks on behalf of the Administration, a telegram from the Associated Press dated Havana, April 6, which says:

HAVANA, *April 6.*

The Government deserves great credit for the fact that in a time of national excitement the best of order is preserved in Havana. The streets are as quiet as the most exacting could ask, while the ordinary avocations are pursued without break or molestation.

It is safe to say that Havana at this hour is far quieter than Washington, New York, or Chicago. Of course, many business men have made their preparations to suspend trading until times are quieter and the vexed questions are settled.

Not only that, Mr. Speaker—not only does the Star use these words, but this morning, in the New York Journal, I find a dispatch dated Havana, April 6, at 6 p. m., using this language:

The attitude of the public is one of quiet expectancy. The order maintained in the city is admirable.

Consul-General Lee assures the correspondent of the Associated Press that he has received no instructions to leave Havana.

And this morning the Washington Post of this city says:

The attitude of the public is one of quiet expectancy. The order maintained in the city is admirable.

Consul-General Lee assures the correspondent of the Associated Press that he has received no instructions to leave Havana.

* * * * * * *

The *Fern*, *Bache*, and *Mangrove* are still in the harbor, with no orders, and with no indications of leaving for the north.

What, then, are we to expect or what to believe? If the Associated Press and the dispatches that appear in these papers tell the truth, then there is nothing to justify the statement sent to the Capitol on yesterday. I say, my friends, there will be no war.

I say that the influences in New York wired over to Boston, wired from Boston out to the Western cities, wired from the Western cities back here under the name of "the peace party," which simply means the speculating party in stocks and bonds—a new name and disguise—demonstrate to us that there will be no war. We need not hasten this bill. Let us take time to deliberate upon it and reorganize the Army according to the best intelligence of the day.

I find in the Ohio State Journal of Tuesday morning a statement headed, "McKinley's policy," and which I read, as follows:

M'KINLEY'S POLICY—INDORSED BY BUSINESS MEN OF COLUMBUS—MESSAGE SENT TO CONGRESSMAN LENTZ ASKING THAT HE SUPPORT THE PRESIDENT.

President McKinley's policy in regard to the impending crisis with Spain was indorsed Monday by a number of the leading business men and firms of

Columbus. The occasion of this expression of confidence was the receipt of the following telegram from Boston:

DAGES, ANDREWS & Co., *Columbus, Ohio.*

GENTLEMEN: If you believe in President's firm, wise policy, telegraph your Senators and Congressmen to-day to support him; urge friends and customers to do the same. Leading concerns throughout the country are doing this.

H. B. ENDICOTT.

The matter was quickly taken up and the following message was sent Congressman JOHN J. LENTZ:

JOHN J. LENTZ, *Washington, D. C.:*

We feel confident that the President's policy on the Spanish question is wise and patriotic and recommend that you support him.

Dages, Andrews & Co.; Tracy-Wells Company; E. E. Shedd & Sons; Samuel Stevens & Co.; Smith Bros. Hardware Company; Orr, Brown & Price; Belknap, Carpenter & Co.; Green, Joyce & Co.; Ulrick & Cless; D. S. Ambach & Co.; Kauffman-Lattimer Company; Monypeny-Hammond Company; Bancroft, Sheldon & Co.; Samuel Butler & Co.; Fred Lazarus; E. B. Gager; J. C. Campbell; H. C. Pirrung; William Scarlett; W. F. Kelley; Harry B. Arnold.

On receiving that telegram, I answered it as follows, my answer appearing in the Cincinnati Enquirer of Tuesday morning:

DAGES, ANDREWS & Co. AND OTHERS, *Columbus, Ohio:*

Please advise me what the President's policy on the Spanish question is, and how did you find it out? Many of us Congressmen and Senators, ever since the assassination of 266 Americans, have been and still are earnestly trying to diagnose the President's policy. Will he take the stars off the flag and substitute dollar marks in their place? Will he tear off the stripes and put ribbons from the stock ticker in their place? How does it happen that your telegram is like that coming to other Congressmen from other cities at this very hour? I have supported the President up to this hour for everything asked. But I can not blindly follow unless I know that he intends to uphold the national flag and preserve the national honor.

JOHN J. LENTZ.

Upon the receipt of that telegram and its publication through Ohio, the Columbus Evening Dispatch, an Administration paper, said:

Let Mr. LENTZ come down a peg.

Mr. GROSVENOR. That is not an Administration paper.

Mr. LENTZ. The gentleman from Ohio [Mr. GROSVENOR] says it is not an Administration paper. I know that all through the campaign that I made this paper denounced me as not upholding the national flag, denounced me as determined to prevent the preservation of the national honor. I think it has been one of the most loyal and effective Administration organs in the State of Ohio in the last two years.

Mr. GROSVENOR. Will my friend listen to me a moment? Is not that paper an independent paper, belonging to no party and following no party organization?

Mr. LENTZ. I am satisfied that it is independent of ever giving the Chicago platform a single fair word in any instance or in any paragraph.

Mr. GROSVENOR. It is merely in the same fix that my friend was in at one time.

Mr. LENTZ. I do not think it is independent of the Administration or the Administration party. This paper goes on and says:

It is a remarkable reply for a Representative in Congress to make to his constituents.

* * * * * * *

The insinuation that the request sent to him was the result of some pressure brought to bear upon these merchants is not only small, but is an insult to them. It is wholly immaterial where the suggestion came from, or whether there was a suggestion. The request was the voluntary act of these business men, who are simply anxious for peace with honor, as all truly patriotic and truly sensible men are.

The Columbus Press-Post of Tuesday evening gives the following information as to how that telegram was prepared in my city. The headline is, "Hurrah for LENTZ and FORAKER!" Let me say I am willing to stand by Mr. FORAKER in his policy on the Cuban question from beginning to end; and ninety-nine out of a hundred "Buckeyes" will stand with Senator FORAKER on that proposition.

A MEMBER. "What is the matter with HANNA" on that proposition?

Mr. LENTZ (reading)—

"Stand by the President!" "Stand by the President!" This is the language of the telegrams now pouring upon Senators and Congressmen, inspired by the "peace bureau" run by MARCUS ALONZO HANNA, John J. McCook, Wall street, and President McKinley.

Such a telegram was sent to Hon. JOHN J. LENTZ, Congressman from this district, signed by names which, it is understood, were obtained by telephone, many of the signers never having seen the dispatch they were requested to indorse.

Such a telegram as that never could or would come from my constituents. I have received many telegrams and letters in behalf of Cuba from my constituents, and every one of them shows that it came direct from the heart and brain of the man who sent it—not a shoddy telegram made from the old clothes of some Eastern speculator. Telegrams are now coming to us on the Cuban question dictated by the commercial greed and instinct of this country! Telegrams dictated by greed when there is a great question of national honor at stake! Telegrams dictated by greed to control the financial policy of this country! Telegrams dictated by greed to control the tariff question of the country! Telegrams all beginning in Wall street! It seems to be the intention of these men to govern the United States from New York, just as England is governed from London. I say that there is an empire west of the Alleghany Mountains that will thwart that infernal purpose. [Applause on the Democratic side.]

My friends, you remember the Baring failure. Stocks came down all along the line. Having been on the farm in an earlier day, I have seen wheat in a bin. I have seen them open a hole in the middle of the bin and the wheat run down. That in the center went down faster, but to the very edges of the bin the whole body of the wheat sank gradually to that one hole in the center. These stock gamblers in New York and in London know that if we should recognize the independence of Cuba this afternoon, to-morrow the Spanish securities would be at the center of the wheat bin, sinking clear out of sight and down to the earth.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LENTZ. I should like to have ten minutes more, if you please.

The SPEAKER pro tempore. The gentleman asks that his time be extended ten minutes. Is there objection?

There was no objection.

Mr. LACEY. Is the gentleman going to speak about the bill or the wheat pit?

Mr. BRUCKER. He has obtained his consent, anyhow.

Mr. LENTZ. I want to say, with reference to the wheat illustration, that the same thing is true of the stocks and bonds in the stock granary or the bond granary. When one great stock sinks rapidly, when you have a Baring house failure or when you have a Spanish house failure, it does not simply mean the falling of Spanish stocks and securities, but it means a sympathetic fall of all the stocks and bonds in which the gambling speculators are dealing in Lombard street and Wall street, and it is not merely the Spanish question, but it is the old question of greed; it is again the question of plutocracy against democracy. It is the old question of the almighty dollar in this country that is destroying the manhood and the independence of it.

I say that the center for this telegram that was sent to me, and for all the telegrams of that kind, is not even Wall street, but Lombard street. I want to say, my friends, that it is a sympathetic fall in the other stocks that these gentlemen who control the Administration fear more than they fear war. They care nothing for the 266 assassinated Americans who went to the bottom of Havana Harbor, but they care everything for 99 cents plus 1 cent.

I say, my friends, that we owe an apology to Judas Iscariot. I say that he ought to be brought back and deified. If Judas Iscariot lived in this age he would not have gone to the potter's field and hanged himself. He would have been sent to the United States Senate in due time, such a speculator as he was. [Applause and laughter on the Democratic side.] The mistake he made was that he came on earth about nineteen hundred years too soon. What a splendid opportunity there would be for him now to get into the Senate from the State of New York.

Mr. FOOTE. Oh, no.

Mr. HANDY. What about Ohio?

Mr. MITCHELL. I hope the gentleman will take that back about New York.

Mr. LENTZ. You ask me what about Ohio. I do not want to get personal. I was told the other day that over in the Senate they bow the head twice now, once when the Chaplain offers prayer and once when a certain gentleman from Ohio enters. Once they bow in reverence, and the next time they bow in shame. [Applause on the Democratic side.]

Mr. FOOTE. The gentleman's apology is accepted.

Mr. LENTZ. I want to say that this business yesterday, my friends, has been properly characterized and represented in these words of the New York Journal. [Cries of "Oh!" on the Republican side.] Let me read from the New York Journal:

At the same time agents of the Administration spread reports in Washington that riots had already broken out in Havana.

These reports are absolutely false.

There have been no riots in Havana. The Americans there are not in more danger than usual.

I have proven that by what I have already read; but I quote again from the New York Journal:

The President and his Wall street Cabinet spread these reports as a subterfuge.

Wall street houses knew, two hours in advance of all others, that the message was not to go in to-day, and the President's money-making friends made fortunes, as they have been making them for the past week.

The state of affairs at Washington is the most scandalous in the history of the country.

I now read from the New York World of this morning, which says:

Delay helped stock jobbers. Wall street insiders made the usual dividend on "war postponed." They had news in advance.

* * * * * * *

The following table shows how the President's policy bulled the market yesterday:

	Tuesday's closing.	Wednesday's—	
		Opening.	Closing.
American Sugar	116⅛	115⅞	119⅛
Atchison, Topeka and Santa Fe, preferred	25½	25¼	26¼
Chicago, Burlington and Quincy	91⅛	91	94
Chicago, Milwaukee and St. Paul	89½	88¾	90¼
Chicago, Rock Island and Pacific	85½	85½	86½
Louisville and Nashville	49⅜	48⅝	51¼
Manhattan	96⅛	96	98⅜
Metropolitan Street Railway	138½	137½	140
Missouri Pacific	26⅜	26	27½
New York Central	110½	109½	111½
Northern Pacific	61½	61	63
Union Pacific, preferred	52⅜	51½	53⅜
Western Union	86½	86	86⅛

You see, there was a sympathetic rise in stocks because Spanish securities were held up another day.

Are we going to speculate each day until next Monday? I say to you that all you have got to do is to read the stock exchange reports to know what governs this Administration in this hour when the honor of this nation and the glory of our flag is being dragged in the gutters of greed and selfishness.

Mr. RICHARDSON. How could they know it two hours before we did?

Mr. LENTZ. I do not know how they could know it.

Mr. STEELE. They did not know it.

Mr. LENTZ. But everybody knows that here is circumstantial evidence that they did know it.

Mr. QUIGG. You do not know that they did.

Mr. LENTZ. I accept that as against the gentleman from New York. Anybody can confirm the statement by reading the stock report in yesterday's New York Evening Post. Not only that, a gentleman of my city, Hon. John L. Trauger, wired me yesterday afternoon, after the message had been delayed, and asked me what I thought about it. I answered him as follows:

President's message withheld. He seems opposed to free Cuba and free silver except by international agreement, and until such an agreement can be obtained the existing gold standard and Spanish policy of tyranny over Cubans and assassination of Americans must be preserved.

[Applause on the Democratic side.]

In 1896 the Republican party at St. Louis said in its plank on foreign relations:

Our foreign policy should be at all times firm, vigorous, and dignified.

Has it been firm, vigorous, or dignified? And now we have these foreign powers intervening. I have not read it, but some one has just handed me the statement that a number of the foreign governments, through their representatives in this city, have carried a message to the President asking for delay.

Mr. QUIGG. It is just about as true as the first thing the gentleman stated.

Mr. LENTZ. I say it has just been handed to me. It is in this evening's Times, from which I read the following:

THE JOINT NOTE.

The undersigned, representatives of Germany, Austria-Hungary, France, Great Britain, Italy, and Russia, duly authorized in that behalf, addressed, in the name of their respective governments, a pressing appeal to the feelings of humanity and moderation of the President and the American people in their existing differences with Spain.

We have no existing differences with Spain. We have 266 assassinated Americans, and if we have any American manhood left we will use it first in recognizing the independence of Cuba, and in due time in avenging this injury and outrage to 266 of us, which should be the sacred concern of all the 75,000,000 of Americans. [Loud applause on the Democratic side and in the galleries.]

The SPEAKER pro tempore. The galleries will refrain from any manifestations of approval or disapproval of the proceedings on the floor of the House.

Mr. LENTZ. It was Talleyrand who said "language was invented to conceal thought." The explanation given yesterday why this Congress did not receive a message was because Mr. Lee in Cuba asked for delay. Was that an invention to conceal thought? The real thought back of that delay was that the stocks might be held up.

Ever since March, 1897, this Administration has been doing something endeavoring to raise the price of stocks, and every effort has been to bull the market and parade the quotations as an evidence of prosperity. And these very men, dictators to the Administration, are now with their shoulders under the market trying to hold it up; and if we declare for the independence of Cuba, Spanish securities will go down and other stocks upon the market will go down in sympathy; and the people who are bulling the market on Wall street realize to-day that if we recognize the independence of Cuba, the bears will have their innings. That is the secret of the Administration's policy of wabbling and delay this day and this hour.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LENTZ. I would like to have a few minutes more.

Mr. QUIGG and others. I object.

Mr. MITCHELL. Mr. Speaker, I object, unless——

The SPEAKER pro tempore. Objection is made by several gentlemen.

Mr. GROSVENOR. Mr. Speaker——

Mr. LENTZ. I want to say to the gentlemen on the other side I would like leave to continue my remarks in the RECORD.

Mr. QUIGG. Regular order!

Mr. LENTZ. I would like leave to continue my remarks. I want to insert what I proposed to say if objection had not been made.

Several MEMBERS. Regular order!

Mr. GROSVENOR. I hope there will be no objection. The gentleman can not publish anything worse than he has already said, and I hope he may have the privilege.

A MEMBER. I object.

Mr. LENTZ. I thank the gentleman from Ohio for that courtesy.

Mr. QUIGG. I demanded the regular order.

The SPEAKER pro tempore. The regular order is demanded.

Mr. RICHARDSON. Who objects?

The SPEAKER pro tempore. The gentleman from New York objected, and the House will be in order.

Mr. GROSVENOR. Mr. Speaker, the gentleman from Ohio [Mr. LENTZ], my distinguished colleague, has predicated a long speech of a full half hour upon a statement of facts made by himself, and for which he binds himself as a representative of the people. Standing in his own place he declares that no message came from General Lee yesterday; that it was a "fake" report; that it was false, and that it was given out for the corrupt purpose by the President of the United States to affect the stock market.

I answer that statement by saying that each and every part of that statement is, without qualification, absolutely without foundation in truth. [Applause on the Republican side.] I call upon the distinguished gentleman from Kentucky [Mr. BERRY], a member of the Foreign Affairs Committee, to say whether I tell the truth or not when I say that such a dispatch was received from General Lee and was read by the Hon. ALBERT S. BERRY, of Kentucky. There is the answer, and that is the character of the assaults that are being made on American honor and the integrity of the President of the United States.

Not only did the dispatch come on yesterday, but it came the day before, and appealed to the President of the United States. I read the telegram, and there are more than twenty men on this floor and in the Senate now who read the telegram, both Democrats and Republicans. It was read to the distinguished members of the Foreign Relations Committee of the Senate, and each and every one of them, without qualification, coincided with the policy of the President not to send the message to Congress at that time. I say again that on yesterday a most earnest and urgent protest came from General Lee. Is General Lee at one "end of the ticker"? [Laughter on the Republican side.] Some men can ascribe corrupt motives to other men. How they ever became educated to the idea that all men are corrupt I leave to your imagination.

Mr. LENTZ. I am not reflecting against General Lee, and said nothing about General Lee——

Mr. GROSVENOR. The gentleman has had a full half hour time——

Mr. LENTZ. If you knew this day before yesterday, why did you let the House and galleries fill up with people and sit here and say nothing about it while Wall street was speculating upon it?

Mr. GROSVENOR. Wall street was not speculating upon it. That story is as false as the other. It is absolutely untrue. How could I keep the people from coming here? That is not all of it. I say to the gentleman that the President intended to disregard, hoping for the best, the first mild suggestion from General Lee, and had his message signed and sealed and ready to be transmitted to both Houses, and yesterday morning when the final protest in the name of humanity came, as I have said, it was read before the two committees of the two Houses, and without a dissenting voice they advised the President against sending it here.

Mr. RIDGELY. Will the gentleman from Ohio allow me a question?

Mr. GROSVENOR. I wish the gentleman from Kansas would let me have the floor just once without interrupting me. I do not want to be bothered. Just as soon as I get the floor, the gentleman at once comes running in with his interruptions to my speech, and I have got tired of it.

Now, let me answer another proposition made by the gentleman from Ohio. He has made a garbled statement here. He made a statement that the representatives of the great powers in this city have to-day called on the President and asked him "to delay."

I stated that that was not true. I have the statement here in my hand and there is not one word said about "delay." What the gentleman did not read is the response it is said the President made—I know nothing about it—in which he put an end, without qualification, to all suggestions of delay or interference of any kind whatever. Now, the gentleman is arraigning the President of the United States. He is sending a message to the enemy showing them that here in the midst of this House of Representatives is a man who will charge the President of the United States with a corrupt purpose, with a corrupt intention, with attempting to stop the progress of the great march of patriotism.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. MITCHELL. Mr. Speaker, I ask that the gentleman's time be extended fifteen minutes.

Mr. WHEELER of Kentucky. I object.

The SPEAKER pro tempore. The gentleman from Kentucky objects.

Mr. WHEELER of Kentucky. If the gentleman from Ohio [Mr. LENTZ] can have the privilege of publishing his remarks in the RECORD, I will withdraw my objection.

The SPEAKER pro tempore. The gentleman from Kentucky objects.

Several members addressed the Chair.

The SPEAKER pro tempore. The House will be in order. Gentlemen will take their seats.

Mr. LENTZ. Mr. Speaker, I understood the gentleman from Kentucky——

Mr. BOUTELLE of Maine. Mr. Speaker, I demand the regular order.

Mr. MCMILLIN. Mr. Speaker——

The SPEAKER pro tempore. All gentlemen will be seated and the House will be in order.

Mr. LENTZ. Mr. Speaker, I would like to ask that the objection to the extension of time be withdrawn, inasmuch as the gentleman did grant me the courtesy of extending my time.

The SPEAKER pro tempore. The Chair will put the request again. Unanimous consent is asked that the time of the gentleman from Ohio be extended fifteen minutes.

Mr. HANDY. Regular order, Mr. Speaker.

Mr. HARTMAN. Is a motion in order to extend the gentleman's time for twenty minutes?

The SPEAKER pro tempore. It is not. The gentleman from Delaware [Mr. HANDY] has demanded the regular order.

The question being taken on the amendment offered by the committee, it was agreed to.

The Clerk read the next section, as follows:

SEC. 2. That in time of war the President, in his discretion, may establish a third battalion for each infantry regiment, consisting of four companies, to be supplied by manning the two skeleton companies, and by organizing two additional companies. The vacancies of commissioned officers in the additional companies shall be filled by promotions by seniority in the infantry arm, and by appointments in accordance with existing law.

The amendment offered by the committee was read, as follows:

On page 1, section 2, line 13, after the word "that," strike out the words "in time of war" and insert the words "upon a declaration of war by Congress, or a declaration by Congress that war exists."

Mr. GROSVENOR. Mr. Speaker, never since I have had the honor to be a member of this House have I objected to an extension of time for any man, and certainly I never engaged in a friendly debate with a colleague on this floor and then sought to shut his mouth by an objection.

Mr. LENTZ. I hope the gentleman does not mean by that remark to reflect on me.

Mr. GROSVENOR. My friend has done all that was fair in the matter.

Mr. LENTZ. I have been anxious that my colleague the gentleman from Ohio [Mr. GROSVENOR] should have all the time he desired.

Mr. GROSVENOR. I want but fifteen minutes.

Mr. DOCKERY. I ask unanimous consent that the gentleman be allowed to proceed for fifteen minutes.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DOCKERY] asks that the gentleman from Ohio may be allowed to proceed for fifteen minutes. Is there objection?

Mr. LENTZ. And I hope he may be allowed additional time, if he desires.

Mr. GROSVENOR. That is all the time I want.

Mr. WHEELER of Kentucky. I wish to say that my objection to permitting the gentleman from Ohio [Mr. GROSVENOR] to proceed was based upon this fact: The request had been made that the gentleman from Ohio [Mr. LENTZ] be allowed to extend his remarks in the RECORD, and objection was made by the gentleman from New York.

Mr. CUMMINGS. "Two wrongs do not make a right."

Mr. WHEELER of Kentucky. I stated that if the gentleman from Ohio [Mr. LENTZ] were permitted to extend his remarks in the RECORD, as it is customary to permit members to do, I would withdraw my objection. I desire now to amend the request of the gentleman from Missouri [Mr. DOCKERY] by adding the provision that the gentleman from Ohio [Mr. LENTZ] be allowed to extend his remarks in the RECORD.

Mr. GROSVENOR. If the gentleman from Kentucky will allow me to proceed, there is going to be no trouble. His friends and my friends will be generously treated, and the gentleman from Kentucky need not be concerned about that. There is no need of either "armed intervention" or any "declaration of independence" on this question.

Mr. WHEELER of Kentucky. But the gentleman from Ohio [Mr. LENTZ] has not been generously treated. The gentleman from New York has objected to allowing the gentleman from Ohio to extend his remarks in the RECORD.

Mr. GROSVENOR. When my colleague [Mr. LENTZ], after occupying the floor for some time, asked an extension, I personally appealed to members that there should be no objection.

Mr. WHEELER of Kentucky. I wish to say to the gentleman from Ohio——

Mr. GROSVENOR. Why punish me over some other man's head?

Mr. WHEELER of Kentucky. I dislike to visit my displeasure upon the gentleman from Ohio [Mr. GROSVENOR.]

The SPEAKER pro tempore. Is there objection to the request that the gentleman from Ohio [Mr. GROSVENOR] be allowed fifteen minutes?

Mr. WHEELER of Kentucky. Will the Chair state the request coupled with my request—that the gentleman from Ohio [Mr. LENTZ] be allowed to extend his remarks?

Mr. GROSVENOR. Does the gentleman from Kentucky make a condition of that character between gentlemen? Would he bring this arrangement down to the level of a horse trade?

Mr. WHEELER of Kentucky. Well, let the matter go.

The SPEAKER pro tempore. The Chair hears no objection to the request of the gentleman from Missouri, and the gentleman from Ohio [Mr. GROSVENOR] is recognized for fifteen minutes.

Mr. HENRY of Mississippi. I wish to say that my objection to the extension of the time of the gentleman from Ohio [Mr. GROSVENOR] was based on the same ground as has been stated by the gentleman from Kentucky [Mr. WHEELER].

Mr. GROSVENOR. With the warm temper of our debates it sometimes happens that gentlemen are not as courteous as they ought to be; but ordinarily you can count on the House doing the fair thing by everybody.

Now, Mr. Chairman, I was interrupted in my remarks at a point which is important for me to recur to for a moment.

I was proceeding to call the attention of the House to the fact that the gentleman from Ohio, my colleague [Mr. LENTZ], had pointed his argument with a statement, made, I assume, by his own mistake in the heat of debate, that the appeal of these ambassadors was for delay on our side. Now, let me say in response to the gentleman that there is no word of delay in all the language which has been used in this connection, and the injustice, I think, of the gentleman's argument was in seeking to get some ground against the President for the declaration of the ambassadors, while he failed to give to the public in the course of his remarks what the President stated in reply.

Now, here is what the President said, among other things:

The Government of the United States appreciates the humanitarian and disinterested character of the communication now made on behalf of the powers named, and for its part is confident that equal appreciation will be shown for its own earnest and unselfish endeavors to fulfill a duty to humanity by ending a situation the indefinite prolongation of which has become insufferable.

I am assuming that this is a true statement of the facts. It is published in the Times. As I understood the gentleman from Ohio to state, this is the Administration organ. God help the Administration if so. [Laughter and applause on the Republican side.]

The Government of the United States—

Says he—

appreciates the cordiality and disinterested character of the communication.

That is what he said. Is there anything about "halting" or calling "time" or "delay" in that?

Now let me say again to the gentleman from Ohio that the only newspaper in Washington that published the statement that there was trouble in Havana on yesterday was the Daily Times; and yet the gentleman said it was published in an "Administration paper."

Mr. MCMILLIN. Will the gentleman yield for a question?

Mr. GROSVENOR. Yes.

Mr. MCMILLIN. Has the gentleman read the response of the

President? Will he please give the House what the policy of the President is to be, in accordance with that suggestion?

Mr. MAHON. To drive the Spanish from Cuba.

Mr. GROSVENOR. Nobody knows better than the gentleman from Tennessee knows that such a question as that is an improper one; and I think I can probably answer it by asking if the gentleman is in possession of information about what the "controlling powers" on his side of the House will be doing next Monday? [Laughter on the Republican side.]

Mr. McMILLIN. I can say to the gentlemen from Ohio that I know one thing, that the controlling power on his side of the House is Mr. HANNA. [Derisive laughter on the Republican side.]

Mr. GROSVENOR. Oh, well, Mr. Speaker——

Mr. BAILEY. If the gentleman from Ohio will permit me to say it, there have been no seceders on this side of the Hall; no men holding caucuses for the last week or two, as they have been doing on the other side of the Hall. [Applause on the Democratic side.]

Mr. GROSVENOR. Now, let us see whether there has been any such action or not. I think I remember an occasion, not forty-eight hours old, when a certain gentleman most vigorously and violently made an onslaught, on constitutional grounds, on a war measure brought forward by the Republicans, and I think I remember to have seen the gentleman from Missouri, the gentleman from Texas, and one from Tennessee break their ranks, and the gentleman took water quicker than a dog overcome with heat rushes to water. [Laughter and applause on the Republican side.]

Mr. BAILEY. I think, as the gentleman from Ohio has set the example of denouncing statements as false upon this floor, I will take occasion to denounce that statement as absolutely false.

Mr. GROSVENOR. Well, we will see about that. It is not a matter that is hidden. It is a matter of record. There is no question about it. It is in the RECORD and will show for itself.

Mr. LENTZ. I have been told on this side that in the confusion I overlooked the fact that the gentleman had said that I said no telegram had been received from Consul-General Lee and that I said the Washington Times was an Administration organ.

Mr. GROSVENOR. Yes.

Mr. LENTZ. I did not say either, and I refer the gentleman to the notes of my speech. I said that a marked copy of the Times had just been handed to me by one of my associates. I did not even have time to comment on that article. I said the Columbus Evening Dispatch was an Administration organ, and the Ohio State Journal has been a Republican organ almost since its foundation—that is, ever since there was a Republican party.

Mr. GROSVENOR. I think I will go on, if the gentleman has got through with that catalogue of newspapers. What the gentleman did say was this—and I may have made a mistake, and if I did, I am glad to call his attention to it—he said that within a very short time after the notice reached us yesterday that the message would not come, it was published in an Administration organ in this town that there was a riot at Havana.

Mr. LENTZ. I deny that I said anything of the kind, and you can not find it in the notes, either.

Mr. GROSVENOR. Well, I so understood it; and if I have done the gentleman an injustice——

Mr. LENTZ. I said we were here up to 3 o'clock expecting a message while they were speculating in Wall street on the fact that no message would come.

Mr. GROSVENOR. But, further than that, you said that in justification of that, as I understood you, an Administration organ published the statement——

Mr. LENTZ. I said that yesterday evening's Star contained a certain article, which I read verbatim.

Mr. GROSVENOR. Oh, that was not that part of your speech.

Mr. LENTZ. That paper, I said, was one of the Administration organs.

Mr. GROSVENOR. If I have done the gentleman an injustice in that respect, I shall see to it that reparation is made in the RECORD.

A MEMBER. Make it now.

Mr. GROSVENOR. But I think the gentleman will find that he will have to make the reparation, and not myself, because there was no publication of that character in the Star of yesterday, none whatever, and surely the gentleman did state that it was being published here that there were no riots in Havana.

Now, I call the attention of the gentleman and of the House to the statement that the gentleman made, that this was another stock-jobbing performance, and that here was another purpose of delay in this declaration of the ambassadors of the great powers, so that Wall street would run upward. I hold in my hand the statement that immediately upon the publication of this statement in the city of New York, the market became very weak and ran clear down upon every one of the leading articles in the market. See how easy it is to make a charge.

Now, let me tell the gentleman something about bonds. It is very easy to charge a Senator—and how brave it is, how wonderfully brave for the gentleman from Tennessee [Mr. MCMILLIN] and the gentleman from Ohio [Mr. LENTZ] to call a Senator by name and abuse him and talk about bonds. That Senator has made a statement, which I challenge any man to deny, that never in his life—not only not this year, but never in his life—did he buy a dollar of stock in Wall street or anywhere else.

Mr. McMILLIN. Can he say the same thing about votes? [Laughter and applause on the Democratic side.]

Mr. LENTZ. Now, if the gentleman will permit me to make another correction——

Mr. GROSVENOR. I believe I had better retain a part of this time—just a little of it.

Mr. LENTZ. Will the gentleman permit me to correct him again?

Mr. GROSVENOR. If I have made any misstatement.

Mr. LENTZ. I want to say that I made no statement about riots. I read that quotation from the New York Journal.

Mr. MAHON. That is a statement.

Mr. LENTZ. I mentioned no Senator from any State on the floor of this House. His name was mentioned in one of the articles I read.

Mr. GROSVENOR. Everybody knew—does the gentleman say he did not intend to point out MARK HANNA?

Mr. LENTZ. How could everybody know?

Mr. GROSVENOR. Did you intend it to mean MARK HANNA? Be brave now. Answer that. Did you mean MARK HANNA?

Mr. LENTZ. What makes you think I meant MARK HANNA? [Laughter.]

Mr. GROSVENOR. You mentioned MARK HANNA, and the RECORD will show it.

Mr. LENTZ. I will charge you with the responsibility of accusing Mr. HANNA. I have not. I described a certain individual

Mr. GROSVENOR. Oh, but the gentleman did use the name I have been baiting him to say that.

Mr. LENTZ. I deny it.

Mr. GROSVENOR. Well, there is the RECORD.

Mr. LENTZ. I appeal to the RECORD. Let us have the RECORD.

Mr. GROSVENOR. And everybody knows, and a gentleman sitting right by the gentleman said, "What about MARK HANNA?"

Mr. LENTZ. I am not responsible for what the whole House says.

Mr. GROSVENOR. What about the Senator from New York whom you assailed? What did you mean by that? I am pointing out the degradation of debate when members of the House of Representatives, for the purposes of their malice, call Senators by name upon this floor and discuss them.

Mr. LENTZ. I appeal to the Speaker. The gentleman asks me a question. He asks me what I meant about the gentleman from New York.

Mr. GROSVENOR. Mr. Speaker——

Mr. LENTZ. Wait a minute. I read in the paper this morning that J. P. Morgan had come back from Europe. That is the gentleman from New York.

Mr. GROSVENOR. Is he a Senator?

Mr. LENTZ. No.

Mr. GROSVENOR. Then the gentleman was trying to locate it where it did not belong.

Mr. LENTZ. Is Mr. HANNA a Senator from New York? He may be——

Mr. GROSVENOR. No; but I have got through with the Hanna part of it. I was pointing out how degraded men can get when driven by the exigencies of a political debate to stand up, in violation of the rules of this House, in violation of gentlemanly propriety, and denounce by name Senators of the United States, who can not reply. Now, Mr. Speaker, let us see how this situation stands. The gentleman is greatly worried about bonds, and he read the name of John J. McCook in one of his raids this afternoon.

Who is John J. McCook? Whom does he represent? What is he here for? How do he and the gentleman from Ohio stand with reference to this? I will show you that they are parties in a great conspiracy; one wittingly so, the other, I trust, ignorantly so. Who is John J. McCook? He is the legal representative of the Cuban Junta, of New York, behind which stands four hundred millions, more or less, of bonds that can be validated by the recognition of the independence of Cuba by the United States, and they will be destroyed by a policy that drives Spain out of Cuba in the interest of the American people. [Applause.]

Mr. LENTZ. Was it not announced that this same J. J. McCook was to be a member of the present Cabinet?

Mr. GROSVENOR. I have heard that the gentleman and myself were, each and both of us, to be governor of the State of Ohio, but we never got there. [Laughter.]

Mr. LENTZ. I am quite sure that you will never get there; I am not so sure about myself. [Laughter on the Democratic side.]

Mr. GROSVENOR. If the gentleman changes his politics again

as rapidly as he did about two years ago, God only knows where he will come in. [Great laughter on the Republican side.]

I will tell you who John J. McCook is. John J. McCook represents an interest running up into the hundreds of millions of dollars, and if he could get the United States to make a recognition of the independence of Cuba and then fight to establish it by the United States, at a cost of a thousand million dollars, the holders of these bogus bonds will realize $400,000,000 and collect the money. That is where the bonds come in.

The SPEAKER pro tempore. The time of the gentleman has expired. [Cries of "Go on!"]

Mr. GROSVENOR. I would like to have five minutes more.

The SPEAKER pro tempore. The gentleman from Ohio asks that his time be extended five minutes.

Mr. LENTZ. I ask that it be extended fifteen minutes.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. LENTZ] asks that the time of the gentleman from Ohio [Mr. GROSVENOR] be extended for fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. Let us take the other side. They are talking about bonds all the time. Let us take the other side. I was told some time ago, just before the time that this trouble broke out—I was told a party in the city of New York sold short on the market to an extent that in the condition that things were in prior to the breaking out of this Cuban trouble would have absolutely ruined him, although his estate is a very wealthy one.

I have been told that from that day to this any proposition to provoke Spain to war, any motion that would cause war in this country between Spain and the United States, has been promoted by that gentleman, because the moment war is declared the short side of the market will put a million dollars into his pocket. Now, would the gentleman tell us——

Several MEMBERS (on the Democratic side). Who is it?

Mr. GROSVENOR. Tell us how anybody can be benefited by preventing war? How? I mean any stock broker; anybody who holds any stocks. How can that happen, when prices are going up or down as each battle progresses and as each ship has to surrender. Then is the time that stocks rise and stocks fall. And were I a stock gambler—which, thank God, I am not—there would be no occasion more gratifying to my greed than upon war with the United States and another country.

Now, the gentleman says there is going to be no war. He tells us how he knows it. He knows it because the money interest is opposed to it! I say to the gentleman that the strongest stand that has been taken for putting an end to this war has been taken by the men representing the greatest amount of money in the United States. Why? Men of vast means do not act foolishly very often.

Why is it that every manufacturer in the United States wants an end put to this war? Because they want things to get back again to where they were before this agitation began. Why is it that the Treasury of the United States wants to put an end to this uncertainty? Because the revenues of the Government are being destroyed by this excitement and uncertainty. Therefore it is that the President of the United States, backed by his Cabinet and backed by the best judgment of this House and backed by the best judgment of the Senate, is proceeding as rapidly as possible to put an end to this war; and yet the gentleman, who has nothing to go upon, says that the President has faltered.

He has not. The gentleman has no means of knowledge. He can not say that the President has faltered; and he has perfectly shielded himself and makes his entire argument upon his original statement—that there never had been any such telegram from General Lee, and the whole thing was sent out by the Administration in the interest of speculation.

That was the charge. A charge no more serious than that has brought the head of many a man to the block. A charge more infamous than that could not be borne by any man in this country—to make it appear that the President of the United States has used the power that Congress has given to him to operate upon the stock markets of this country. Prove that and you would have a vacancy in the Presidency just as quick as you can establish it. The charges have no truth.

Mr. LENTZ. I have already said to you that I deny that I said anything of the kind. I never said that a telegram had not been sent.

Mr. GROSVENOR. "The Administration set the story afloat in the interests of stock speculation." Those are your exact words, as the reporter's notes will show.

You made a charge that, if true, ought to condemn the President of the United States to impeachment and imprisonment; and there is no shadow or foundation for it except your statement that General Lee never sent a message begging, pleading of the President to withhold his message from Congress.

I for one have felt that it was a terrible assault upon the honor and integrity of Spain what we did on yesterday; but it must be remembered that there was put up, on the one hand, the choice of insult to Spain, solemnly delivered by the President of the United States, an intimation sent to the whole world that there was danger of murder to American representatives in Cuba, or there was put, on the other side, the danger itself. We can have no more tragedy along this line until war comes to put the whole thing into the hands of tragedy.

Mr. VANDIVER. Will the gentleman from Ohio allow me an interruption? I think the gentleman is under a misapprehension. If I understood the gentleman from Ohio [Mr. LENTZ] correctly, he did not say that there was no telegram received from Consul-General Lee at that time, but he did say there was no riot in Cuba. [Cries of "Oh!" "Oh!" on the Republican side.]

Mr. GROSVENOR. Oh, my friend, Mr. LENTZ will not say that. I think that after all the statements of denials are filed here, it will appear that the gentleman from Ohio did not make a speech at all, and therefore I propose to ask that he have liberty to print one in the RECORD. [Laughter.]

Now, then, I will say that over against the statement of the insult to Spain that was deliberately hurled at her by the American people, the Administration was compelled to put the chances of murder; not that the Government of Spain would do it, but the Government was so powerless to maintain order that the ships of a friendly nation are unsafe in her ports and might be overwhelmed by mobs and murder have taken place.

I will ask the gentleman from Ohio [Mr. LENTZ], Suppose the message had gone to Congress yesterday, and suppose that last night the blood of that distinguished and chivalrous gentleman from Virginia had soaked the soil of Cuba, what would have been the verdict of the American people against the Administration? But the gentleman read from three or four newspapers to show that in point of fact there was not any riot in Havana last night.

Who said there was? That proposition of General Lee was that if the message went to Congress at 2 o'clock yesterday, there was danger. It did not go to Congress at 2 o'clock yesterday nor at any other time, and the gentleman says, "Now, I can prove there is nothing in this statement that there was danger, because nobody was killed last night." Is not that a beautiful argument? [Laughter.]

That is the argument proposed to condemn the Administration with. The Administration withheld its message from Congress upon the representation of General Lee that there was danger of trouble. There being no trouble, therefore the gentleman from Ohio said that that shows there was not any truth in the statement.

Mr. OGDEN. Will the gentleman state whether the Administration did not first telegraph General Lee, and General Lee respond to it?

Mr. GROSVENOR. No, no; I will not answer that. If there is a man in the House so far forgetful of his dignity as an American citizen, of the humblest character, to intimate that the President of the United States has been guilty of juggling a thing like that, I will not answer it. But let us see what is involved in that insinuation. Let us see how the gentleman stands. God help the man who had you for an advocate. [Laughter.]

Mr. OGDEN. I made it because it was said that the telegram itself indicated that it was in reply to one from the Administration.

Mr. GROSVENOR. Let us see how brief a statement will make you regret that you have done what you have. Is General Lee a puppet? Is he a liar? Is he a scoundrel? Is he a man that ought to be whipped from one end of the world to the other? You intimate that he sent a false dispatch at the suggestion of the President. That is where you put General Lee. Where does a man stand who can imagine it possible that that chivalrous gentleman was guilty of a crime like that—the man whom all the world honors to-day and to whom I pay homage?

Mr. OGDEN. My inquiry made in reference to that is not subject to any such inference.

Mr. GROSVENOR. Let me show the gentleman and he will see how plain it is. There was something in the telegram that General Lee sent on yesterday that indicated it was in answer to a telegram sent to him. I have already told the House that the day before General Lee had sent a telegram expressing fear that trouble might come.

Now, I have said that the Administration yesterday morning or late the night before inquired of General Lee if he did not think he could get along notwithstanding the message was sent to Congress, and in answer to that he sent another one stronger than the one first sent. Mr. Speaker, I did not suppose that in this American Congress it was necessary that I should make an explanation in order to defend the President of the United States from an insinuation like that or that the chivalrous gentleman from Virginia needed a defender on this floor.

Mr. OGDEN. I have made no insinuation. [Laughter.]

Mr. GROSVENOR. Gentlemen, everything that has been said has been taken back. Now, if my friend from Tennessee [Mr. MCMILLIN] will just take back one brief sentence that he said

and one single word that he said, we shall have peace and recognition of independence. [Laughter.] There is nothing left now of all that has been said during the last hour except the remark of the gentleman who asked whether MARK HANNA had bought any votes, and who used the word "HANNA" once.

Mr. MCMILLIN. That is one question the gentleman has never answered and can not answer except to the shame of his party. [Applause on the Democratic side.]

Mr. CANNON. MARK HANNA never bought any Republican votes. [Laughter and applause.]

Mr. MCMILLIN. I am entirely willing that the reputation of the gentleman referred to should rest on what the gentleman from Illinois [Mr. CANNON] has just confessed—that he has bought votes, but they were not Republican votes. [Laughter and applause on the Democratic side.]

Mr. GROSVENOR. Now, Mr. Speaker, I will proceed with my speech.

The SPEAKER pro tempore. The time of the gentleman from Ohio [Mr. GROSVENOR] has expired.

Mr. GROSVENOR. I have not had an opportunity to say a word during these five minutes. I ask unanimous consent for five minutes more.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that his time be extended for five minutes. Is there objection? The Chair hears none.

Mr. GROSVENOR. Now, gentlemen of the House of Representatives, I am delighted that my distinguished colleague [Mr. LENTZ] has taken occasion this afternoon to make this assault upon the Administration. I am glad that the purpose of the opposition is now fully and clearly disclosed. I am delighted that, because of a little change in the programme, wholly unimportant, except as it strengthens the daily augmenting power of the United States—a change made under stress of circumstances that would have controlled any civilized nation—I am delighted that the gentleman from Ohio has given us notice that every occurrence now and hereafter is to be taken advantage of for party purposes; and I am delighted that the gentleman from Texas [Mr. BAILEY] has two or three times now, on each succeeding day, pointed out with great delight that there are differences of opinion on the Republican side of the House. I suggest to the gentleman that when he opens a recruiting office to get volunteers to pass under his banner to fight the Administration he had better make a contract for the rent of his quarters from day to day, as he will probably not need them very long in the future.

Here comes a matter which the whole world will say controlled the Administration as it ought to have been controlled; and the world will be notified to-night that the President of the United States has been assailed by a distinguished Representative on this floor, his motives impugned, his integrity censured, his whole action charged as being instigated by criminal purpose. And this in a body that boasts that it is going to stand by the Administration!

Now, gentlemen, let me tell you another thing. This war will be fought under the banner of the Republican Administration of this Government or it will never be fought at all. We may differ about how it ought to be inaugurated, and honestly. Some of you may have an opinion different from mine, and I honor you for that. But when the time comes the Commander in Chief of the Army of the United States will command the column that will crush the power of Spain, or it never will be crushed.

Again, you will discover as you go along that the enemy on the other side—the opposition—are putting forward matters of legal interest, taking a position to-day that they did not take two years ago. It is not yet two years since it was proclaimed by the great Democratic lawyers of the Congress of the United States that there was no power in the Congress of the United States to recognize the independence of a foreign country; labored arguments filled the CONGRESSIONAL RECORD to show that such recognition was not within the power of Congress, but lay exclusively, under the Constitution, in the hands of the President.

But, however that may be, when war is declared the President of the United States becomes at once vested by the Constitution with the power to conclude treaties with foreign countries, and he is at all times the Commander in Chief of the Armies of the United States.

I have no more doubt that we are going to war than I have that we will live until next week. I may be mistaken. I pray to God that I may be mistaken. But I believe, Mr. Speaker, that we will go to war on a declaration substantially of Congress. My influence will be given for peace with honor, and for whatever it is worth. My influence will be given to avert war; but the time is up, in my humble judgment, when we can avert it; and if peace shall prevail, it must come from the action of another country rather than our own.

Our position is taken, and we can not recede. But let the policy of this Government be such that when the tocsin of war shall have sounded, all of the civilized world will say, "America is right." [Applause.]

Mr. GAINES. What is your position?

Mr. GROSVENOR. I have already stated it fully.

To-day this Administration is being jeered at by some so-called friends at home. And yet the intelligent nations of the world this morning from every great capital of Europe have, by their direct announcement or by a silence more powerful than a mere statement, indorsed the course of the Administration and pointed out that we have been governed by the true principles and the proper spirit of international law. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. BAILEY. Mr. Speaker, the gentleman from Ohio, in the course of his remarks, suggested that with one or two more withdrawals we would be in a position as if nothing had been said. In that statement the gentleman omitted to say, or else he did not remember, that one of the most important withdrawals is one that ought to have come from him. He made a statement with reference to an occurrence which took place in this Chamber only two days ago that if he did not know to be untrue, he ought to have known it, because the evidence of its falsity was in the CONGRESSIONAL RECORD before him.

He declared that I started in on constitutional grounds to resist a measure, and that I was only swerved from my purpose after the gentleman from Texas [Mr. SAYERS] and the gentleman from Missouri [Mr. DOCKERY] had spoken upon the question; and yet the RECORD shows that in reply to an interruption of the gentleman himself I announced my intention and the intention of those on this side of the House to vote for the resolution before either the gentleman from Texas or the gentleman from Missouri [Mr. DOCKERY] had taken the floor. [Applause on the Democratic side.]

Here is the proof. I hold in my hand the RECORD, and with that before him if he is not willing to make the admission that he misstated the facts and did me an injustice, then, Mr. Speaker, I do not care the thrip of my thumb and finger for any statement he may make, for he shows himself utterly regardless of the truth. [Applause on the Democratic side.]

On page 3516, in the very third paragraph, I announced my intention and the intention of this side of the House to support the proposition; and yet the gentleman from Illinois who had the floor did not yield to either the gentleman from Missouri or the gentleman from Texas until page 3517 of the RECORD. And the gentleman ought not to have been mistaken, for he must have known the fact that I had a controversy with the gentleman from Illinois as to the manner in which he sought to use his time. When I concluded my statement, the gentleman from Illinois [Mr. CANNON] said:

> I believe I have the right to close, and as I want not more than two or three minutes, I will ask the gentleman to consume some more of his time.

Upon that statement I proceeded and consumed my time, and it was after I had consumed it that the gentleman from Illinois [Mr. CANNON] first yielded to the gentleman from Texas [Mr. SAYERS]. I protested against it as an unfair advantage, and used these words at the conclusion of Mr. SAYERS'S speech:

> Mr. Speaker, I want to say that I do not consider it fair for the gentleman from Illinois to have left me under the impression that he did not intend to use his time, and then, after we had used all ours, undertake to use the balance and make the vicious attack upon me which he did a minute ago.

The gentleman from Illinois, following a habit that has become too frequent on that side, denied that he had made any such statement as that, and his denial follows here:

> Mr. CANNON. I will say to the gentleman that I gave him no understanding that I would not use a part or all my time.

He said that in the very face of the fact that he had previously said he only intended to use two or three minutes, and asked me to use my time. I then said to the gentleman:

> When I concluded my statement you indicated that. I ask for the reporter's notes.
>
> Mr. CANNON. The notes will not show that, and I have the right to use the time.

Thus there was an issue of fact between the gentleman from Illinois and myself, on which issue of fact I was clearly right and supported by the RECORD; but in the face of that controversy and with the knowledge that I had announced my purpose to support that bill before either the gentleman from Texas [Mr. SAYERS] or the gentleman from Missouri [Mr. DOCKERY] had occupied the floor, the gentleman declared that I was driven to abandon my position by the indication of a revolt on this side.

But, Mr. Speaker, that is unimportant. However, since he has charged that the leaders on this side are driven by the fear of a revolt to abandon their position, I reply that even such conduct is better than that on the other side, where the followers, under the fear of the punishment of their leaders, are compelled to abandon their caucus determination. [Applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BAILEY. I ask two or three minutes more.

The SPEAKER pro tempore. The gentleman asks that his time be extended three minutes.

Several MEMBERS. Five.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BAILEY. Now, Mr. Speaker, I am glad to know from the gentleman from Ohio [Mr. GROSVENOR] that there has been a change in the programme, which he says is unimportant, though he does not favor the House with any statement of how important or unimportant the change is.

Mr. GROSVENOR. If the gentleman will allow me, it was the change in the programme of not sending the message yesterday but on a later day.

Mr. BAILEY. And is the message to be exactly what the gentleman intimated on last Thursday that it would be?

Mr. GROSVENOR. Oh, I think it will be much stronger than I stated it would be, but I do not know anything about the President's message, and the gentleman knows—I think he knows—I do not know anything about it, and I know he knows that if I did I would not tell him. [Laughter on the Republican side.]

Mr. BAILEY. The gentleman talks very much as though he did not know anything about it, but his relations with the President are so close and friendly, I presumed the President had taken him into his confidence; but I do not presume that the gentleman would violate that confidence by standing on the floor of the House and telling us all what the President was only willing to tell him.

On last Thursday, Mr. Speaker, the gentleman from Ohio [Mr. GROSVENOR] used these words:

> There is glory in the right direction. Cuba will be free, and Cuba will be free by the intervention of the United States.

Mr. GROSVENOR. That is right. [Applause on the Republican side.] That is what I say to-day.

Mr. BAILEY. Wait. Let us see if you will applaud this when I finish:

> I would not give one cent for a declaration of independence unaccompanied by a further declaration. What nonsense it would be to declare the Island of Cuba independent and then let her starve to death!
>
> What sense would there be in declaring a nation independent that has not a gun-making shop, not a ship, has not a piece of artillery, so far as I know? The thing to do in the case of Cuba is to exhaust all that honest diplomacy can do to achieve her liberty and independence, and, failing in that, stop not at the halfway house that the gentleman from Texas is talking about—not only declare that Cuba is independent and shall be free, but accompany that declaration with an army and a navy to make our declaration worth something.

Now, if the gentleman speaks with authority for the Administration, the President's message, then, would have declared that Cuba is free and shall continue free. I hold in my hand what purports to be an interview with the gentleman from Ohio, an interview which appeared in the New York Herald only a day or two after that speech was delivered, which asserts a different policy:

> President McKinley's message to Congress may bring war, but it will not recommend it.
>
> This is as much as anyone can say to-night as to the general effect of the anxiously awaited document. The President's closest personal friends insist that they have no definite idea as to the specific recommendations the President will make. Representative GROSVENOR, who is usually regarded as the legislative spokesman of the President, says the President will make a strong, firm review of the Spanish-Cuban question; that his recommendations will be in the direction of the independence of Cuba, without involving a declaration of war.
>
> He says further that the President will make such a comprehensive review of the entire Cuban question, and such definite recommendations in the way of solving the great problem, that Congress can be depended upon to cooperate with him without making a declaration of war. The most that can be said as to this is that Congress will wait until Wednesday for the message.

On Thursday you were for independence followed by armed intervention; three days afterwards you were for independence without armed intervention; and to-day you are for armed intervention without independence. Here are three changes in almost as many days. Now, I ask the gentleman from Ohio, does that interview which appeared in the New York Herald on last Monday correctly represent him?

Mr. GROSVENOR. I have never seen it, but I have heard the gentleman read it. Doubtless the substance is correct; and the three statements which the gentleman has referred to are all substantially in the same direction. [Laughter on the Democratic side.]

Mr. BAILEY. Upon that statement, Mr. Speaker, I am willing to go to the country; but we must go with the understanding that I repel the statement of the gentleman from Ohio that this is to be a Republican war. If it is war at all, it will be the war of the whole American people against Spanish oppression in the Island of Cuba. [Applause on the Democratic side.]

Sir, when the brave volunteer goes to offer his services will you ask him if he be a Republican, a Populist, or a Democrat? Do you expect when he comes to tender his brave heart and young life a willing sacrifice upon the altars of his country that he shall demand to know whether the commander who leads him into battle be a Republican, a Populist, or a Democrat? In such a time such a question would be resented as an insult by a self-respecting American soldier. [Loud applause on the Democratic side.]

Mr. HULL. Mr. Speaker, it seems to me that now that we have had both sides of this Cuban question debated very fully, we ought to go on and finish this bill.

Mr. LENTZ. I hope that the gentleman will allow me to correct the statement of the gentleman from Ohio.

The SPEAKER pro tempore. The gentleman from Iowa in charge of the bill was recognized.

Mr. LENTZ. I realize that; but I hope the gentleman will not proceed under his recognition. As courtesies have been extended, I hope they will not be on one side.

Mr. HULL. Both gentlemen from Ohio and the gentleman from Texas have debated this matter. Now, I give notice that in five minutes I shall move the previous question on this section.

Mr. LENTZ. Five minutes is not enough. The gentleman from Ohio quoted me, and I have asked for the reporters' notes. It will take a little more than five minutes. My friends here accorded an hour to the gentleman from Ohio, and I only had thirty minutes.

Mr. HULL. Make it ten minutes, then.

Mr. LENTZ. It is an easy thing to make a speech against a straw man that you set up for yourself and then knock him down. The speech of the gentleman from Ohio [Mr. GROSVENOR] is one of much ado about nothing. He misquoted me in every instance, and did not dare to explain or try to explain why the recognition of Cuba's independence is delayed. I will ask the whole House to give some good reason why the independence of Cuba should not be recognized here and now; and there has not been anyone, neither when I asked it to-day nor last week, that dares to answer the question or try to answer it.

It does not necessarily mean war unless war is declared by Spain; and if so, let her do it. We want to be on the defensive in that fight. I defy the gentleman from Ohio [Mr. GROSVENOR] to give a reason, either speaking for the Administration or pretending to speak for the people, why we should not here and now recognize the independence of Cuba before we adjourn this evening. Answer it if you dare. What does it mean? Does it mean war? Not unless Spain declares it.

Mr. POWERS. Will the gentleman yield to me for a moment?

Mr. LENTZ. You can ask me questions in your own time. But the gentleman from Ohio [Mr. GROSVENOR] makes charges against me as to certain things which he falsely accuses me of saying, and I propose to use my time in reading the notes of the stenographers to show what I did say. I now read from the notes handed me by the reporter, as follows:

> All the circumstances in the case indicate that there will be no war with Spain. Yesterday we had this House filled, almost, I think, every seat being occupied by the various members, the galleries full to overflowing, and the Capitol Grounds covered with people expecting a message from the President of the United States which might lead eventually to a declaration of war. But finally in the afternoon word came that some kind of a message had been sent from Havana by Consul-General Lee, indicating that he wants time, and the message is to be delayed on that account.
>
> Now, I do not believe that anybody had any authority for the statement from the Administration or any officer connected with it that justified the rumor which prevailed in the House on yesterday.
>
> I find in the Evening Star of this city on yesterday, which I believe speaks on behalf of the Administration, a telegram from the Associated Press dated Havana, April 6, which says:
>
> "HAVANA, *April 6.*
>
> "The Government deserves great credit for the fact that in a time of national excitement the best of order is preserved in Havana. The streets are as quiet as the most exacting could ask, while the ordinary avocations are pursued without break or molestation.
>
> "It is safe to say that Havana at this hour is far quieter than Washington, New York, or Chicago. Of course, many business men have made their preparations to suspend trading until times are quieter and the vexed questions are settled."
>
> Not only that, Mr. Speaker—not only does the Star use these words, but this morning, in the New York Journal, I find a dispatch dated Havana, April 6, at 6 p. m., using this language:
>
> "The attitude of the public is one of quiet expectancy. The order maintained in the city is admirable.
>
> "Consul-General Lee assures the correspondent of the Associated Press that he has received no instructions to leave Havana."
>
> And this morning the Washington Post of this city says:
>
> "The attitude of the public is one of quiet expectancy. The order maintained in the city is admirable.
>
> "Consul-General Lee assures the correspondent of the Associated Press that he has received no instructions to leave Havana.
>
> * * * * * * * *
>
> "The *Fern*, *Bache*, and *Mangrove* are still in the harbor, with no orders, and with no indications of leaving for the north."
>
> What, then, are we to expect or what to believe? If the Associated Press and the dispatches that appear in these papers tell the truth, then there is nothing to justify the statement sent to the Capitol on yesterday. I say, my friends, there will be no war.

I say that the man who represents me as having said anything else than what I have just read from the stenographer's notes is capable of the three representations, within three different days, of the three different policies of the Administration, as indicated and demonstrated by the gentleman from Texas [Mr. BAILEY] as against the expressions of the gentleman from Ohio [Mr. GROSVENOR]. There is no consistency in anything my friend from

Ohio would say upon the floor of this House. I am a young man ready to learn from him, for he is old and gray in wisdom, and on the 6th of last January and in May, 1897, he was full of fire and enthusiasm in support of the Cubans. He almost insulted his own party when he read to you the Cuban platform of St. Louis, as I reminded you all last week when I read from his enthusiastic effort in support of Cuba.

He twitted the rest of you then for violating the Republican platform on Cuba as he was violating it on the civil service; he twitted you then of unusual delay in enforcing your platform of two years ago and keeping your pledge to the people. Now, because we rely on the indications which came by the Associated Press, which is worthy of more credence than anything the gentleman from Ohio has said, he attacks me in my methods of argument by setting up a falsehood and then knocking it down.

I never said that "Consul-General Lee sent no telegram." I said all the telegrams and information indicated that there was no danger to any American in Cuba at this time. I want to say more than that: It is not necessary for the Americans to leave Cuba, for in thirty-six hours any American there can put himself behind the poor Cubans, who even now, weak and hungry as they are, are too strong for the thousands of Spanish cowards, tyrants, traitors, and assassins. [Applause.]

And now comes the Evening Star of this very day, confirming all I have said about the delay in the message. I read the headlines and news from the very first page, as follows:

IN THE DARK AT HAVANA—WONDERING WHY PRESIDENT'S MESSAGE DID NOT GO IN—CITY REMAINS TRANQUIL—GENERAL LEE PRAISES THE AUTHORITIES AND PEOPLE FOR THEIR FORBEARANCE.

[Special cablegram from a staff correspondent.]

HAVANA, *April 7, 1898.*

This morning everything is quiet. Holy Thursday is being celebrated with much patriotic fervor.

PEPPER.

HAVANA, *April 6.*

In Havana it is not understood why President McKinley did not transmit his message to Congress to-day, but the city is quiet.

I read again from the same column of the same paper an account by the Associated Press as follows:

HAVANA, *April 7.*

There is no excitement here to-day, and no reason *for* any, so far as it is possible to see. The weather is cloudy. Holy Thursday is being observed in a quiet manner.

The *Mascotte* is expected to return here to-day and leave for Tampa to-night.

The *Olivette* will be here and the *Bache* and *Mangrove* are ready in the harbor to take any passengers designated by the United States consul-general. The latter has not decided when he will send the American citizens away.

What a godsend it would be to the poor, ignorant people who are "in the dark at Havana wondering why the President's message did not go in" if they could only have the gentleman from Ohio [Mr. GROSVENOR], the Delphic oracle of the Administration, to throw some light on the policy of the President in withholding the message!

The quotation just read from the Associated Press in so many words says our "consul-general has not yet decided when he will send the American citizens away." An effort was made to distort my remarks as a reflection on Consul-General Lee, but the reading of the RECORD will show that not a word was spoken nor an insinuation made against the high honor and dignity of General Lee.

General Lee's courageous record and steadfast Americanism are well known and beyond attack, and far beyond the necessity of having the distinguished services of the Administration orator and oracle.

But side issues and misrepresentation of my statements will not avail the Administration nor its champion to divert the attention of the American people from the brutality of Spain in her barbarous and savage warfare of starving innocent women and children and her cowardly assassination of 266 Americans who were assured they were in the friendly harbor of a civilized nation.

How great the contrast between the wabbling and halting policy of our Administration when compared with that of the young Hohenzollern Emperor of Germany is best shown by an account given in the Washington Post of last Sunday, as follows:

GERMANY ACTS PROMPTLY—WILL ENFORCE HER DEMAND FOR INDEMNITY FOR LOSSES IN CUBA—SPANISH GOVERNMENT INFORMED THAT IF REPARATION IS NOT FORTHCOMING GERMANY WILL PUNISH AND SECURE DAMAGES BY FORCE.

BERLIN, *April 2, 1898.*

The German Government proposes to take prompt action to obtain indemnity in the Cannamabra case. The foreign office has demanded full and immediate redress for the outrage upon German citizens and property, and a German war ship will soon be sent to Havana if satisfaction is not forthcoming in short order.

The Spanish ambassador here, Señor Mendez de Vigo, has had lengthy conferences with Baron von Bulow, the German Minister for Foreign Affairs, who convinced the ambassadors that Germany intended to have complete satisfaction, including an indemnity, for the property destroyed and for the lives taken.

The ambassador was also informed that unless the redress was forthcoming Germany would herself act, secure damages, and punish the offenders.

As an incentive to quick reparation, Baron von Bulow added that provisional orders had been cabled to the commander of the German war ship *Geier* to sail in the direction of Cuba. The Spanish ambassador promised that he would exert himself to the utmost to comply with the German demands.

The outrage complained of occurred on March 18 last in the Trinidad district of the province of Santa Clara, when a band of insurgents attacked the German sugar refinery at Cannamabra, destroyed the plant, and killed four persons connected with it. The incident has convinced Germany that Spain is unable to protect the lives of foreigners in Cuba. The German cruiser *Geier* is now believed to be in West Indian waters.

A German sugar refinery destroyed and the lives of only four men sacrificed, and that by insurgents, not Spanish officers! This on the 18th of March, and on the 2d of April Berlin makes her demands. Our majestic battle ship and 266 Americans at the bottom of Havana Harbor, and not even yet, after almost two months have passed away, does our Administration know what it wants or what to do.

Only one thing is certain, and that is the stock gambler is very busy and prosperous, while all true Americans are humiliated and the flag is without honor; our sailors are impatient, our soldiers are indignant, and our wives and mothers and our daughters are weeping in sympathy with the mothers and sisters of 266 unavenged American citizens.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. LENTZ. I would like to have the privilege of extending my remarks in the RECORD.

Mr. GROSVENOR. I hope that consent will be given. I understand the gentleman is going to speak along this same line?

Mr. LENTZ. Oh, yes.

The SPEAKER. The gentleman from Ohio asks leave to extend his remarks in the RECORD. Is there objection?

Mr. MITCHELL. I object, Mr. Speaker, unless the gentleman withdraws the personal attack upon the President of the United States and against certain Senators.

Mr. LENTZ. The gentleman from New York is mistaken. It is unnecessary to make that condition, because I made no personal attacks upon anybody.

Mr. MITCHELL. Then I withdraw the objection.

Mr. HULL. Mr. Speaker, I move the previous question on this section and the amendments.

The SPEAKER. The gentleman from Iowa asks for the previous question for the section under discussion and its amendments.

Mr. DOCKERY. Mr. Speaker, I desire to appeal to the gentleman from Iowa in charge of the bill, in behalf of fair play.

Mr. SHAFROTH. There has been no discussion on this section.

Mr. LENTZ. Mr. Speaker, the objection to extending my remarks in the RECORD has been withdrawn.

Mr. HULL. Mr. Speaker, the second section has been under discussion legitimately two hours.

Mr. SHAFROTH. But it has not been discussed.

Mr. HULL. The gentleman from Iowa is not responsible for that, and I had agreed with a great many members that I would make this motion. It is for the House to say whether they want more discussion or not, but in justice to gentlemen who are anxious to conclude the bill, I make the motion.

The question was taken; and on a division (demanded by Mr. DOCKERY) there were 123 ayes and 118 noes.

Mr. DOCKERY. Tellers, Mr. Speaker.

Tellers were ordered; and the Chair appointed Mr. HULL and Mr. DOCKERY tellers.

Mr. HULL (pending the division). Mr. Speaker, the gentleman from Missouri [Mr. DOCKERY] suggests that an agreement of twenty minutes on a side may be satisfactory.

The SPEAKER. The gentleman from Iowa asks unanimous consent that proceedings for the previous question thus far taken may be vacated, and that twenty minutes on a side be allowed for debate. Is there objection? [After a pause.] The Chair hear none.

Mr. SHAFROTH. Mr. Speaker, when the gentleman from Iowa, the chairman of the Committee on Military Affairs, stated this morning that sections 1 and 2 were the only sections that related to the reorganization of the Army and that he would withdraw all the other sections, I thought there would be no further discussion upon this bill, as all seemed to be in favor of the reorganization suggested by the committee. But in a controversy between the gentleman from Pennsylvania [Mr. BINGHAM] and the gentleman from Iowa [Mr. HULL] it was developed that there was a provision contained in the second section of this bill which provided for an increase of the Army; and inasmuch as the discussion which has been had on this section has not been germane to the subject-matter, it seems to me that we ought to discuss it at some length.

Mr. Speaker, I am heartily in favor of the reorganization of the Army upon the three-battalion basis, as I am confident that under modern condition of arms it can thereby become more effective. The single-battalion organization of infantry, which we have

had ever since the civil war, may have been very good when men fought in battle within elbow touch of each other and were supported by a line immediately in their rear. But the improvement of the field arms from a muzzle loader to a rapid-firing Springfield rifle with an increase of deadly range from 600 yards to 2,500 yards, would make it suicidal to have now any such arrangement of men in the field of battle. To lead them to battle in that array is to lead them to their death. The modern line of battle is bound to be composed of men stationed several feet apart.

In the late war a colonel could keep in view the men in his entire regiment, because they were marshaled close to each other and in double file, but it will now be impossible to do so since there has arisen the necessity of separating the men in line of battle and having the supporting line considerably in the rear.

Nothing is so essential to perfect organization and effective strength of a regiment in battle as the ability of the officer to see all the soldiers under his command, and of all the soldiers to be able to see the officer. It is therefore imperative that instead of the old system we should have the regiment consist of three battalions of four companies each. This change has been recommended by every Secretary of War for the past twenty years, and by such illustrious generals as Grant, Sherman, and Sheridan.

Mr. Speaker, section 2 does provide for an increase of the Army in time of war. No person can read that section without knowing it. The sentiment of this House yesterday seemed to be almost unanimous against increasing the Regular Army, and yet in the second section, now to be voted upon, there is contained a provision for two additional companies for each regiment in the Regular Army of the United States. I say to you gentlemen who have spoken here in favor of the National Guard, I say to you who have lifted your voices in behalf of the volunteers, that this section discriminates against both of these classes.

Mr. MARSH. The gentleman will allow me to say that the second section not only provides for two more companies, but it provides for filling up two additional companies, making four.

Mr. SHAFROTH. The gentleman from Illinois [Mr. MARSH] says that this section not only provides for the two additional companies in each regiment, but also provides for filling up the two skeleton companies in each regiment, making an increase of four companies in each regiment of the Regular Army; and he is unquestionably right.

Now, Mr. Speaker, it seems to me we have lost sight of the provisions of this section; and the idea of voting upon it without any discussion and without knowing its contents is something that never should have been suggested. Mr. Speaker, I believe there should be no increase of the Regular Army of the United States in time of peace or in time of war. I believe that the additional forces needed in time of war should come from the volunteers.

If we are to have a war with Spain—and war seems now inevitable—I want the National Guard of my State and of the other States of the Union to share in the glory of our victory. The National Guard of the State of Colorado is composed of the intelligent, active, and courageous young men of that Commonwealth. They are the flower of the fighting force of the Rocky Mountain region, and I am confident that they will make as good soldiers as any that will enter the field of battle.

Mr. Speaker, the Volunteer Army of the United States has always been capable of fighting valiantly the battles of the Union. They have never faltered. The reason they can always be relied upon is because they are composed of our best citizens. There is reason why a volunteer soldier is often braver and more courageous than one who enlists in the Regular Army. The reason is simply the statement of a philosophical truth.

The privates of the Regular Army are mostly men who have enlisted for an occupation and not for the high purpose of righting a wrong. The ambitious, aggressive young man will not join the Regular Army, because he is not content to lead the inactive life made necessary by times of peace. The soldier of the Regular Army acts as a machine, fighting whether he approves the cause of war or not. The volunteer only enters the Army in times of war and when inspired by the justice of the cause.

The man who is animated by the sense of right always fights boldly, valiantly, desperately. Shakespeare has well said, "Thrice is he armed who hath his quarrel just;" and no truer aphorism was ever expressed. It is on this account that the volunteer, armed with the justice of the cause, becomes eager to fight for the defense and honor of his country, and becomes an intrepid, invincible soldier.

Mr. HULL. I yield two minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, I should be glad to have the attention of the gentleman from Texas [Mr. BAILEY]. On Monday last I reported from the Committee on Appropriations a joint resolution to enable the President to cause to be constructed fortifications on private lands under certain conditions, and I asked unanimous consent for its consideration. The gentleman from Texas [Mr. BAILEY] objected. Fortunately, it was suspension day, and I moved to suspend the rules and pass the bill. That action was taken after twenty minutes' debate upon each side. The gentleman from Texas addressed the House after I had addressed it for a few minutes. Then I stated, as the gentleman now claims:

> I believe I have the right to close; and I want not more than two or three minutes. I will ask the gentleman to consume some more of his time.

I had the right to close. The gentleman did proceed to consume his time by yielding to the Representative from Ohio [Mr. LENTZ] and the gentleman from California [Mr. MAGUIRE], who opposed the resolution. He also yielded to the gentleman from Massachusetts [Mr. FITZGERALD], who advocated the resolution, and the gentleman from Georgia [Mr. MADDOX], who advocated the resolution; and I also yielded to the gentleman from Georgia at that point some time.

Now, after the resolution had been both opposed and advocated on his own side, the gentleman, notwithstanding his objection in the first instance to its consideration, announced magnanimously that he would vote for the resolution. By that time there were members upon my committee, the Committee on Appropriations, who desired time—the gentleman's colleague from Texas [Mr. SAYERS] and the gentleman from Missouri [Mr. DOCKERY].

Mr. BAILEY. To reply to what I had said.

Mr. CANNON. They wanted time upon the bill.

Now, I did not take exceeding two to five minutes, although I had the right to take whatever of the time on our side I might choose to take. I yielded to those gentlemen as I had a right to yield.

I should not have referred to this matter had it not been that the gentleman has picked out a sentence here and a sentence there and, it seemed to me, sought to impute bad faith on my part upon that occasion. If such was his intention, I do not propose to let the matter rest without repelling the insinuation, and I have referred to it now that the attention of the House might be called to it and the truth appear of record.

It is not very important what the gentleman said on that occasion or what I said. The important thing is that the gentleman objected to the consideration of the bill, which objection was fatal, until there was a motion to suspend the rules, which fortunately could be entertained on that Monday; and the bill did pass. I am very glad that in the end the gentleman voted for the bill the consideration of which he objected to when he supposed the objection would be fatal.

Mr. BAILEY. Why does not the gentleman tell the whole truth and say that I objected upon the express ground that before any more preparations were made for war I wanted to know whether we were to have war or not? That statement is in the RECORD.

Mr. CANNON. That is a matter of argument. I am willing with that statement, so far as I am concerned, that the record remain. The material point is that the resolution which ought to have been passed did pass; and the country does not care much what I said or what the gentleman said.

Mr. HULL. I yield for one minute to the gentleman from Ohio [Mr. GROSVENOR], that he may submit a request.

Mr. GROSVENOR. Mr. Speaker, as the gentleman has allowed me a moment, I desire to ask, in the time yielded to me, that the gentleman from Ohio [Mr. LENTZ]—having made a statement as to the character of the remarks he wishes to add to the RECORD—be allowed to extend his remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. COX. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COX. When we went into this discussion, the discussion ought to have been confined to the bill, and upon an amendment that was offered by the committee to the second section of the bill. That was the amendment that we were talking about, and trying to get into the bill. Now, this second section contains the whole germ of the bill, substantially. And I make the inquiry, Is it competent to offer an amendment at this time?

The SPEAKER. The Chair thinks it is.

Mr. COX. Then I desire, on page 5, line 15, of the bill, to insert the proviso in that section as an amendment to the second section of the bill.

The SPEAKER. Is that an amendment to the amendment?

Mr. COX. It is, sir.

The SPEAKER. Offered by the committee?

Mr. HULL. I reserve the point of order until I hear from the gentleman.

Mr. COX. If the chairman will understand me, I do not think he will make the point of order.

If you will turn to the fifth page of the bill, section 9, you will find added there a proviso as to what is to be done with the increased force of the Army if peace is restored. This ought to be a provision added to the second section of the bill. This proviso

I will read, and move to amend the second section of the bill, adding the proviso now at the end of the ninth section of the bill.

The proviso is as follows:

Provided further, That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis by the transfer or absorption, through promotion, of supernumerary officers and the honorable discharge or transfer of supernumerary enlisted men; and nothing contained in this act shall be construed as authorizing an increase of the enlisted force of the Regular Army beyond that now provided by law.

That, Mr. Speaker, ought to follow the second section of the bill. I hope the chairman has no objection to it.

The SPEAKER. Without objection, the amendment will be considered as pending.

Mr. HULL. I make no point of order on it.

There being no objection, the amendment was considered as pending.

Mr. HULL. I now yield five minutes to the gentleman from Illinois [Mr. CONNOLLY].

Mr. CONNOLLY. Mr. Speaker, in the five minutes allotted to me, I can waive the consideration of anything else except the single question of the increase of the standing army made by the first two sections of the bill.

I understand now from the chairman of this committee that he proposes to dispense with all of the bill except the first and second sections. This bill leaves the twenty-five regiments of infantry in the Regular Army to remain in existence, and provides in time of war for the addition of two companies to each regiment.

Mr. RIDGELY. Four companies.

Mr. CONNOLLY. I am speaking now with reference to the officers. It provides for ten companies in each regiment, as the present law does, and it provides that two of these companies shall be simply composed of officers, but without men.

A MEMBER. That is the "skeleton" company.

Mr. CONNOLLY (continuing). It provides in time of war that these two unmanned companies shall be filled up to their maximum, and provides that two new companies shall be added to each regiment with officers and men complete. This is only in case when war has been declared by Congress or the condition of war is recognized as existing.

Now we have the twelve companies of enlisted men. They are fully officered. They go through the war and the war ends. Now, what are you to do with the accretion of officers that has come to the Army? The gentleman from Tennessee, by the motion he made to amend this bill, recognizes that condition. It shows the necessity for making some provision to reduce the Regular Army after you have increased it to 104,000 men in time of war.

Mr. COX. Will the gentleman yield to me for a moment?

Mr. CONNOLLY. No; it is not necessary in the brief time at my disposal.

Mr. COX. I think the gentleman is mistaken; and I desired to correct a misstatement of facts.

Mr. CONNOLLY. I do not think I misunderstand the amendment. The gentleman seeks, by his amendment, to meet the very point I am making. He seeks to add the proviso found on page 5 to the second section of the bill, which is a provision for reducing the Regular Army to the minimum when peace has been restored. But how do you reduce it?

Mr. COX. Will the gentleman pardon me? I know he wants to get at the facts.

Mr. CONNOLLY. Excuse me. I have only five minutes.

Mr. COX. But the House ought to have the facts.

Mr. CONNOLLY. I claim they shall know them if you will let me alone.

Mr. COX. You are not telling them.

Mr. CONNOLLY. How do you reduce it by that proviso? Listen to the language of it:

Provided further, That at the end of any war in which the United States may become involved the Army shall be reduced to a peace basis.

Mark now the way to reduce it to a peace basis.

By the transfer or absorption, through promotion, of supernumerary officers and the honorable discharge or transfer of supernumerary enlisted men.

How many supernumerary officers are created? The report of the committee shows us, on page 5, that for the infantry alone there are 250 supernumerary second lieutenants. There are 50 first lieutenants; there are 50 captains for the infantry alone, making 450.

Mr. HULL. I will yield to the gentleman all the time that I occupy. He does not, of course, want to state to the House that the first two sections do that. That would be if we add the first and second lieutenants to the different companies of all the regiments.

Mr. CONNOLLY. I beg your pardon. Your report shows that by the entire bill you add 120 second lieutenants in the cavalry; you add 84 second lieutenants in the artillery; you add 350 second lieutenants in the infantry.

Mr. HULL. That is provided for in the other sections, which are to be stricken out.

Mr. CONNOLLY. You only provide, in the sections to be stricken out, for the addition of the officers to the cavalry and the addition to the officers of the artillery.

Mr. HULL. And the infantry—one lieutenant for each company.

Mr. CONNOLLY. Not in the sections you strike out.

Mr. HULL. Yes; one for each company.

The SPEAKER. The time of the gentleman has expired.

Mr. HULL. I yield one minute more to the gentleman. I have occupied a minute of his time.

The SPEAKER. The gentleman from Illinois will proceed.

Mr. CONNOLLY. Now, I call the attention of the House to this. This is probably intended by the committee innocently, but if the committee understood this bill as well as the captain or lieutenant of the War Department who drew the bill understood it, they never would have sought to introduce that measure into this House. It will be seen in that very proviso that there is no purpose of reducing the new officers that come into existence, because the last clause of it is this:

And nothing contained in this act shall be construed as authorizing an increase of the enlisted force of the Regular Army beyond that now provided by law.

The enlisted force is to be disposed of when peace comes, but the supernumerary officers, numbering hundreds, are not to be disposed of. And when I called the attention of the chairman to this to-day and said, "You should provide for mustering out those officers, too," he said, "Why, no; you never could expect a lieutenant in the Regular Army to accept a captaincy if he is to be mustered out of service at the end of the war."

[Here the hammer fell.]

Mr. DOCKERY. I ask the gentleman from Iowa [Mr. HULL] to use some of his time. I have used ten minutes. If the gentleman is going to use any part of his time, I should be glad to have him use it now.

Mr. HULL. I have used about five minutes. I do not know that I shall want to use more than very little of my time.

Mr. DOCKERY. I yield three minutes to the gentleman from Kansas [Mr. SIMPSON].

Mr. SIMPSON. Mr. Speaker, I am opposed to this bill from the first section to the last. I am opposed to it because I am opposed to all increases in the standing army. I believe that it is a dangerous thing to have a large standing army in a republic. The tendency of all republics is toward imperialism, and as time goes on, as a republican form of government drifts toward a strong centralized power, then the demand comes for a large standing army.

We have traveled along that road so far now that it begins to be necessary, as an adjunct to the tendency toward imperialism, to increase the standing army. And whether it be the intention of the committee or the party in power, which that committee represents, to take advantage of the present condition of the country and the excitement among the people in regard to war to give us a larger standing army or not I do not know; but of one thing I am sure—that we are making rapid strides in that direction. I believe it is a bad policy, and we ought not to give way to the present moment of excitement.

Mr. JONES of Washington. Mr. Speaker, I rise to a point of order. We want to hear what the gentleman from Kansas is saying, and the House is in disorder.

The SPEAKER. Gentlemen who desire to converse will please retire to the cloakroom, where conversation can be more free.

Mr. SIMPSON. If I have read correctly the history of our country, the warning of the fathers who established this Republic upon this continent was to the effect that we should beware of establishing in this country a large standing army; and the immortal Jefferson said the reliance of a republican government should be on its citizen soldiery.

I indorse every word that has been said in this debate in regard to the dependence upon the volunteer force to maintain the honor and credit of the nation. A standing army is made up of men who have no great material interest in the country, but enlist in a standing army to get a position and a job, so to speak. They are not defending their own country; but, as Bob Ingersoll well said, "No man will fight valiantly for a boarding house."

Therefore the basis of reliance by our people, as a Government and as a Republic, should be upon the citizens of that Republic who have some material interest in it, who fight not for a boarding house, but fight for their common homes and their own country. I hope this bill will be defeated; but if we get into actual hostility with Spain, as I hope we will not, we will again rest upon the strong arm of the citizens of this Republic to defend its honor.

But if that war does come, I hope and trust we will be able to put it upon a high plane as defenders of civilization, as defenders of a free country, a free government, and the right for a struggling people to establish that kind of a government and govern themselves, and not be put upon the low plane of stealing the territory of some other country. If we can not make the issue

upon that line, we can not justify ourselves before the nations of the world.

I am for my country, and to a certain extent I am for my country right or wrong; but when that motto trenches upon right and justice, I draw the line. I say that no country can afford to go to war in this nineteenth century that does not have ample justification before it appeals to the bloody arbitration of the sword. And in this struggle which they say is about to come we must say to the world we are now going to enter into this struggle and prevent Spain from digging up the barbarities of the sixteenth century and flaunting them in our face, that we will fight this battle on that line, and we will give to the Republic of Cuba that is struggling to free itself the same rights that we have declared in our Declaration of Independence—life, liberty, and the pursuit of happiness, and the right to govern themselves. [Applause.] And when the issue is made upon that plane you will have a cause that will inspire the love of justice and right, that will bring to the defense of the country the best fighting material in the world. [Applause.]

Mr. DOCKERY. I now yield four minutes to the gentleman from Illinois [Mr. MARSH].

Mr. MARSH. Mr. Speaker, I understand the gentleman [Mr. HULL] in charge of this bill proposes to abandon all of it except the first and second sections. Am I right?

Mr. HULL. You are.

Mr. MARSH. It has been said on this floor, Mr. Speaker, by the gentleman who was advocating the passage of these two sections of the bill that these two sections only provide for a battalion organization of the Army.

Mr. COX. In the time of peace.

Mr. MARSH. Now, I do not want a false impression to exist in this House. Instead of these two sections only providing for a battalion organization, they do provide for a large increase in the enlisted men and in the officers of the Regular Army. The first section of the bill provides, in time of peace, for 25 more majors. Now, I do not like to stand in the way of the promotion of 25 gallant, worthy captains in the infantry; but it is a question for this House to determine, whether we need 25 more majors of infantry in the peace establishment.

The second section of the bill provides for 50 more companies in time of war to be added to the regular establishment, and provides for the filling by enlisted men of the 2 existing skeleton companies of each regiment. In other words, in time of war the second section will authorize the enlistment and filling up of 100 companies of enlisted men and officers. The section does not say how large the companies shall be, nor how small they shall be. I hold the power is given in that section to enlist 100 companies, and it provides for the increase of the enlisted force of the Regular Army about 10,000 men, and it provides for the complete officering of 50 companies in addition to what you now have.

If you adopt the first and second sections, you leave the bill in a most incomplete state, without knowing how many men are to go into these additional companies, whether they are to be companies of 100, or more or less. In my judgment, Mr. Speaker, the best thing the House can do with this bill is to recommit it to the Committee on Military Affairs. [Applause.]

I will only add that this increase would be not only 100 companies, which, if they were 100 men strong, would amount to 10,000 additional men, but there would be an increase of something like 175 officers in addition to the 25 majors included in the first section.

Mr. HULL. I now yield five minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. Mr. Speaker, as I spoke a little while ago, I do not wish to obtrude myself unduly upon the House, and I would not speak at all but for certain statements which have been made here contradicting, or impliedly contradicting, what I have said. I say that this bill does not increase the Regular Army in time of peace except to the extent of 25 majors. I say that this increase is absolutely necessary in order to carry out the three-battalion system. I say that this three-battalion system is the system now in use by all the civilized nations of the world and is used by our own National Guard.

Mr. CONNOLLY. What is to become of the 150 company officers in time of peace?

Mr. HAY. I will come to that point in a moment.

I was about to answer the various points which have been made against the second section of the bill, the first section having been disposed of. One of those points is that there will be 5,000 men added to the Regular Army in time of war.

That is true; and why? Because it is necessary to add those 5,000 men in order to carry out the three-battalion system, which is the gravamen of this bill—the leading feature which makes its passage a necessity, whether there is going to be war or not. The question of war, so far as I am concerned, has nothing to do with this matter. Those 5,000 men, who will belong to the infantry alone, are authorized by the bill as it stands; there is no question about that.

The gentleman from Illinois asks, "How do you know how many men you are going to add to each company?" The gentleman knows very well that under the law as it now stands there are in time of peace 50 men in an infantry company, and that the President can increase the company to 100 men in time of war.

Mr. MARSH. I know just the contrary.

Mr. HAY. I know what I am saying. If the gentleman from Iowa [Mr. HULL] has the law before him, I will read it for the benefit of the gentleman from Illinois [Mr. MARSH]. I have stated the existing law, which will be found in section 1079 of the abstract of our military laws. You can not add more than 50 men in time of war to any infantry company beyond the number now in time of peace—50 men. That is true; that is the law; that is all the addition you can make under the existing law.

Therefore the 5,000 men in these 25 regiments are all that you can add in time of war. If that is true—and it will be done solely to carry out the three-battalion system—then so far as the enlisted men are concerned there can be no objection to the provisions of this bill.

Now, the gentleman from Illinois [Mr. CONNOLLY] asks what are you going to do in time of peace with the 150 officers who will be added by this bill? The gentleman from Tennessee has offered a proviso, which reads:

That the Army shall be reduced to a peace basis by the transfer or absorption through promotion of supernumerary officers.

Mr. CONNOLLY. That still leaves them in the employ of the Government.

Mr. HAY. It still leaves them in the employ of the Government. But some of them may be retired; some may be transferred from one command to another. In that way these officers can be and will be absorbed.

In what way, I ask the gentleman, could we turn out these officers? Suppose a cadet who graduated at West Point in June last should, by his bravery upon the field of battle in a war with Spain or any other country, be promoted to a colonelcy by the 1st of next August, could you, at the end of the war, turn him out?

[Here the hammer fell.]

Mr. HULL. I yield the gentleman two minutes more.

Mr. HAY. I was asking this question: If a cadet or any young officer should by bravery in war succeed in becoming a colonel, how would you provide for turning him out? In what way will you provide a class of officers to be turned out at the end of any war?

Mr. CONNOLLY. You can turn out the volunteer officers.

Mr. HAY. You can not turn out the volunteer officers, but if so you would not have the three-battalion system. The gentleman smiles. But he is smiling at the greatest military wisdom of the world.

The SPEAKER. The time of the gentleman has expired.

Mr. COX. Mr. Speaker, upon my amendment, I ask the gentleman from Iowa to yield to me four or five minutes.

Mr. HULL. Mr. Speaker, I have but seven minutes of the time remaining. I do not believe there will be any objection to the gentleman's amendment. I am willing to yield him two minutes, and reserve the remainder of my time.

Mr. COX. But, Mr. Speaker, the first thing I wish to refer to in the time yielded to me is that I do not want any more pictures to be laid on my desk about Cuba.

The SPEAKER. The Chair thinks that the pages should not have done such a thing.

Mr. COX. And I do not want anybody else to do it.

The SPEAKER. The Chair has suggested to the Doorkeeper its impropriety.

Mr. COX. I do not want them to approach me in that manner.

Now, Mr. Speaker, I come to the point on this bill to which I desire to refer. In time of war, and do not forget it, if you are going to put the Army on the three-battalion organization, you can not do it successfully without a modification here such as I have suggested.

I crave the attention of the House for a moment. You want to make the Army effective and of force, but this bill in the second section provides at any time, after the declaration of war by Congress, in the most emphatic language and in the most positive character that can be put into the bill, that then we shall organize the Army by the addition of two companies. And for what purpose? That is to put them in the battalion organization.

I venture to say that there is not a man on this floor who would undertake to take a regiment or brigade into battle—if he ever heard one—and try to control them under the old system of our military and company organization. Now, that is the condition in time of war. You enlist your two companies so as to have three battalions in a regiment commanded by a major. But what is the increase, and what is the point of trouble in this connection?

You call for volunteers to fill up the skeleton companies of the Regular Army, and the volunteers come; but the law limits you and says how far you shall go. But suppose you had this power, and the amendment does not intend to change the existing law that is on your statute books to-day; then why this little fight that is on a mere quibble when you have voted $50,000,000 for public defense, and if you ever win a battle now, Mr. Speaker, mark my words when I tell you that the boys who hold the muskets are the ones who are going to win it.

[Here the hammer fell.]

Mr. DOCKERY. Mr. Speaker——

Mr. HULL. I wish to reserve the remainder of my time.

Mr. DOCKERY. Mr. Speaker, I would like the attention of the House for the few moments remaining to me. Let me say that this is not in any sense a partisan measure. If evidence were required to vindicate that fact, the appearance upon the floor of the eloquent gentleman from Virginia [Mr. HAY] and my able friend from Tennessee [Mr. COX] in support of the bill would be a sufficient refutation of such a suggestion. The issue raised by this bill is nonpartisan in all respects, but, in my judgment, this is a pernicious measure and ought not to pass. It can be, should be, and indubitably will be considered solely from the standpoint of the public interests.

Mr. Speaker, what do the two sections of the bill that remain accomplish? The chairman of the Committee on Military Affairs [Mr. HULL] has abandoned all other sections except the first and the second. All the rest are to be eliminated by consent. I have heretofore asked to recommit the bill to the committee for the purpose of reconstructing it along the line of the manifest sentiment of the House which has developed since its consideration began. But the gentleman from Iowa declines to accede to this request.

Mr. Speaker, the first section adds 25 majors to the Regular Army in time of peace. I do not object so strenuously to that provision, but I am opposed to the bill as a whole because of my unalterable hostility to any increase of the infantry and cavalry arms of the Regular Army either in peace or war. I challenge the attention of the House to the effect of the second section. We should fully understand its purpose before agreeing to its provisions. This second section of the bill repeals the existing law which has been upon our statute books since 1877, fixing the maximum limit of the standing Army at 25,000 men.

It repeals that law, and in the discretion of the President, after a declaration of war, there can be added to the Army not less than 5,000 enlisted men and not less than 150 officers. If this House desires to enter upon the policy of increasing the Regular Army, then let us vote to enact the first and second sections of the bill. I protest against the contemplated reversal of the policy of the fathers and the increase of the standing Army.

Mr. MARSH. I say it means 10,000 men.

Mr. DOCKERY. The gentleman from Illinois declares that the section under consideration authorizes an increase of 10,000 men.

Mr. STEELE. But it does not, all the same.

Mr. DOCKERY. The proper construction of the second section is somewhat in doubt and the views of gentlemen are not in harmony, a fact obviously indicating the necessity of sending this bill back to the committee and perfecting it in plain terms along the lines of justice both to the Regular Army and the volunteer soldiers of the United States. Sir, I have no criticism to make of the Regular Army. I take a just pride in its achievements, which have illustrated the highest order of courage, skill, and patriotism on hundreds of battlefields.

The Regular Army has written much of American history that will remain forever. West Point has been the nursery of its illustrious heroes. We should cherish this great military school and properly maintain the Army, but let us not forget the splendid feats in arms accomplished by the volunteer armies of the Union. Mr. Speaker, this bill was conceived in the War Department. It had its birth in a desire for active service and promotion by the officers of the Regular Army.

When it came originally to this House it was in utter disregard of the interests of the volunteer soldiers. If the gallant men we represent desire to enlist in the Army under this bill to aid in establishing Cuban freedom, they must enlist as privates and be commanded by officers of the Regular Army. Sir, speaking for one of the proudest districts of Missouri, for a constituency without a superior, ready and eager to defend our country in the coming war with Spain, I insist upon their right to enlist in Missouri regiments under the flag of the United States and not in regiments of the Regular Army. [Applause.]

Mr. BINGHAM. I desire, Mr. Speaker, for my own information, as well as, I hope, for the information of the House, to hear from the chairman of the committee [Mr. HULL] just what increase the first section of this bill will make to the service on its peace basis?

Mr. HULL. The first section will add 45 majors on a peace basis.

Mr. BINGHAM. And no others?

Mr. HULL. Absolutely no others, either officers or men.

Mr. BINGHAM. Now, the second section provides that—

the President, in his discretion, may establish a third battalion for each infantry regiment—

in time of war. Now, supposing that the President exercises the broadest discretion under this paragraph, what will it increase the Regular Army in conditions of war?

Mr. HULL. Mr. Speaker, that could be more easily answered if we knew who is right in the contention as to what the law is now on the power of the President. If the gentleman is correct, it would be impossible to organize the third battalion in a regiment without further action of Congress by which the President would be empowered to call for the troops.

Mr. BINGHAM. The act of 1870, to which the gentleman refers, is the act which indicates the character and number of companies, with the limitation of 50.

Mr. HULL. Yes.

Mr. BINGHAM. The act was first enacted in an army bill, as the gentleman from Missouri [Mr. DOCKERY] has stated; but in 1886, sixteen years after 1870, there is the following language:

For expenses of recruiting and transportation of recruits from rendezvous to depot, $107,302.50. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of 25,000 enlisted men, including Indian scouts and hospital stewards; and thereafter there shall be no more than 25,000 enlisted men in the Army at any one time, unless otherwise authorized by law.

There has never been any other authorization by law. Now, I want to know what will be the increase of the Army if the President exercises the broadest discretion.

Mr. HULL. If the President exercises the broadest discretion, it would be filling two companies.

Mr. BINGHAM. In each regiment?

Mr. HULL. Yes; in each regiment.

Mr. BINGHAM. How much would that be—the sum total?

Mr. HULL. It would be an increase of 5,000 men.

Mr. BINGHAM. How many officers?

Mr. HULL. It would be an increase of the officers of two companies to a regiment.

Mr. BINGHAM. How many?

Mr. HULL. Fifty captains, 50 first lieutenants, and 50 second lieutenants.

Mr. BINGHAM. One hundred and fifty.

Mr. HULL. Yes; and under no possible construction could that number be exceeded.

Mr. BINGHAM. From where are they selected under the law?

Mr. HULL. Under the law now, if there are vacancies in the Regular Army, there are several ways in which they can be filled.

Mr. BINGHAM. Yes.

Mr. HULL. One, of course, is from West Point.

Mr. BINGHAM. Yes; that is by the graduation of classes.

Mr. HULL. The graduation class. The other would be through promotion from the ranks by competitive examination. I want to say that a great many of the best officers in the Army are boys that had to enlist in the ranks and study and drill at the same time in order to win their commissions.

Mr. BINGHAM. That I would dispute.

Mr. HULL. I do not believe it is open to dispute. There is another class the President can appoint. In every college and every school of the United States where there is a military instructor the boy that shows the greatest proficiency in military tactics has his name sent to the War Department as eligible to appointment to the Regular Army.

Mr. BINGHAM. That covers the ground.

Mr. HULL. That covers the ground.

Mr. BINGHAM. Now, when you return to a peace basis what is your change?

Mr. HULL. In the establishment where these men——

Mr. BINGHAM. What becomes of the officers?

Mr. HULL. The officers in service would not be mustered out unless Congress hereafter so provides.

Mr. BINGHAM. They would remain in the service?

Mr. HULL. They remain in the service.

Mr. BINGHAM. Then those who had graduated at West Point would not have a chance for examination for promotion?

Mr. HULL. Now, then, with reference to the officers in the service, the Government could do what we did after the civil war closed—have a board to select the least deserving officers, and let them be mustered out, as we did then.

Mr. BINGHAM. Yes.

Mr. HULL. But we do not provide that the officers for the two extra companies shall absolutely be mustered out. If you

did so, you might drive out of the service some of the best class of officers in the service. I want to say that under the law as it stands to-day, without additional authority from Congress increasing the Army, the third battalions would not be organized except in such regiments as the President should provide with three battalions, skeletonizing the force in other regiments to keep the force at the number fixed by law.

But you say, How will you get it? Your law fixes the number of men at 26,010 of all arms, with ten companies, in an infantry regiment. The law does not say what should be mustered out and what should be done. It simply fixes a maximum of all arms. The President and the War Department worked out a scheme that can be made to operate in time of peace—using a number of companies that are in the service for the active list and skeletonizing certain others. And why should not that be done? When the time comes for calling out troops, I want to ask my friend from Pennsylvania——

Mr. BINGHAM. I want information.

Mr. HULL. I want to ask you, as a military man, if it is not a fact that for a short duration he could put these men into the regiments at the front, such men as were at the regimental post on the seacoast where there was no special danger, and use the other regiments as the President has done under the present law, and add the three battalions, skeletonizing more companies, and under the construction of the law it would be absolutely right?

If your theory and that of my friend from Illinois is correct, he would be compelled to do it. It is not a repeal of the present law. My friend from Missouri says that it repeals the law. It does not. It provides in certain contingencies what may be done, and requires further authority of Congress before it can be made operative. If Congress does not hereafter authorize more troops, nothing need be done. And this bill simply gives us the three-battalion organization.

Mr. BINGHAM. I wanted to make that emphatic.

Mr. HULL. It simply gives us that. It covers that. It may be that when Congress takes additional action it will enable the President to make the three battalions in time of peace. The bill does not do anything of the kind, and it could not be done without additional legislation. This system is recognized in every State of the Union where they have a National Guard well organized. I have several telegrams to-day——

The SPEAKER. The time of the gentleman has expired.

Mr. DOCKERY. I ask unanimous consent that a motion to recommit may be submitted at this time.

Mr. STEELE. I will object right now, before you go any further.

The SPEAKER. Objection is made. The question is on the amendment to the amendment offered by the committee. The Clerk will report the amendment to the amendment.

Mr. DOCKERY. I do not think there is any objection to the amendments, and the vote can be taken on them in gross.

The SPEAKER. It seems to be informal. When it was made, there was no point of order. Therefore it will be taken as a separate amendment; and the first vote will be on that of the committee, which the Clerk will report.

The Clerk read as follows:

On page 2, line 4, strike out the words "in time of war" and insert "upon a declaration of war by Congress, or a declaration by Congress that war exists."

The question was taken; and the amendment was agreed to.

The SPEAKER. The Clerk will report the second amendment.

The amendment was again read.

The amendment was agreed to.

Mr. HULL. Mr. Speaker, I ask unanimous consent that the provisions of the bill from the close of section 2 to the end be stricken out.

The motion was agreed to.

Mr. HULL. Now, Mr. Speaker, I move the previous question upon the engrossment and third reading of the bill as amended.

Mr. McMILLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McMILLIN. Did not the gentleman from Alabama [Mr. WHEELER] offer a substitute for the bill?

The SPEAKER. The Chair understands it was not offered. The gentleman from Iowa asks for the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time.

Mr. MARSH. Mr. Speaker, I now move that the bill be recommitted to the Committee on Military Affairs.

The question was taken; and on a division (demanded by Mr. HULL) there were—ayes 155, noes 61.

So the bill was recommitted.

On motion of Mr. DOCKERY, a motion to reconsider the vote whereby the bill was recommitted was laid on the table.

ADJOURNMENT UNTIL MONDAY.

Mr. DINGLEY. Mr. Speaker, I move that when the House adjourn it be to meet on Monday next.

Mr. BAILEY. If the gentleman from Maine will permit me, before that motion is put, I understand that the Senate has adjourned until Monday, and therefore nothing important can be done between now and Monday. That being true, I am not disposed to resist his motion, but I ask unanimous consent that Tuesday be set apart, in lieu of Friday, for business on the Private Calendar, with the understanding that it shall not interfere with any report from the Committee on Foreign Affairs.

Mr. CANNON. I hope that will not be done.

Mr. BAILEY. It was done for the Committee on War Claims.

The SPEAKER. Is there objection?

Mr. CANNON. I think I shall have to object.

The question was taken on the motion of Mr. DINGLEY; and on a division (demanded by Mr. BAILEY) there were—ayes 114, noes 80.

So the motion of Mr. DINGLEY was agreed to.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. PRUDEN, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills and joint resolution of the following titles:

On April 1, 1898:

H. Res. 182. Joint resolution providing for the temporary admission free of duty of naval and military supplies procured abroad.

On April 4, 1898:

H. R. 5865. An act to authorize the Monroe Railway and Construction Company to construct a bridge across Red River at or near Grand Ecore, La.; and

H. R. 1803. An act for the relief of Joseph P. Patton.

WATERS OF THE RIO GRANDE.

The SPEAKER laid before the House the following message from the President of the United States; which, with the report and accompanying papers, was ordered to be printed, and referred to the Committee on Foreign Affairs:

To the House of Representatives:

In response to the resolution of the House of Representatives of March 2, 1898, requesting the President, "if not incompatible with the public interest, to transmit to the House of Representatives a copy of the proceedings of the international commission on the subject of the equitable distribution of the waters of the Rio Grande River, required of said commission by the protocol signed May 6, 1896, by the Secretary of State and the minister of Mexico to the United States; also, the protest of Mr. Horcasitas, representing the citizens of Mexico, against the construction of dams by the Rio Grande Dam and Irrigation Company, and the action taken thereon," I transmit herewith reports from the Secretary of State, the Secretary of War, the Secretary of the Interior, and the Attorney-General, with accompanying papers.

WILLIAM McKINLEY.

EXECUTIVE MANSION, *April 7, 1898.*

NOTE.—The accompanying papers are sent to the Senate in response to a similar resolution of that body.

Mr. ROYSE. Mr. Speaker, I want to give notice that on Monday, after the reading of the Journal, I will call up the election case, in the Sixteenth New York district, of Fairchild against Ward.

Mr. RICHARDSON. I would suggest to the gentleman that that is District of Columbia day.

Mr. HULL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 52 minutes p. m.) the House, in pursuance of its previous order, adjourned until Monday next at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MUDD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8972) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington," reported the same without amendment, accompanied by a report (No. 1009); which said bill and report were referred to the House Calendar.

Mr. SHERMAN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 1073) to provide for the construction of a bridge across Niagara River, reported the same with amendment, accompanied by a report (No. 1010); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7989) granting an increase of pension to Annie J. Bassett, reported the same with amendment, accompanied by a report (No. 997); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 368) granting a pension to Jennie E. Burch, reported the same without amendment, accompanied by a report (No. 998); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2276) for the relief of Almon Stuart, reported the same with amendment, accompanied by a report (No. 999); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2378) granting a pension to Maria Somerlat, widow of Valentine Somerlat, reported the same with amendment, accompanied by a report (No. 1000); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7260) granting a pension to James E. Jones, reported the same with amendment, accompanied by a report (No. 1001); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8243) to pension John Connolly, father of Thomas Connolly, reported the same with amendment, accompanied by a report (No. 1002); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2807) granting a pension to Benjamin L. Nolan, reported the same with amendment, accompanied by a report (No. 1003); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4274) granting an increase of pension to James S. Chapman, reported the same with amendment, accompanied by a report (No. 1004); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4484) for the relief of Miriam V. Kenny, widow of Samuel W. Kenny, a Union spy, reported the same with amendment, accompanied by a report (No. 1005); which said bill and report were referred to the Private Calendar.

Mr. RAY of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6525) granting a pension to Mary Ann Sullivan, reported the same without amendment, accompanied by a report (No. 1006); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5054) granting a pension to Rachel J. Comer, reported the same with amendment, accompanied by a report (No. 1007); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8724) granting a pension to Addie L. Ballou, reported the same with amendment, accompanied by a report (No. 1008); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7506) granting a pension to Susan E. Fielder, reported the same with amendment, accompanied by a report (No. 1011); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the Senate (S. 1155) granting a pension to P. F. Castleman, of Oregon, reported the same with amendment, accompanied by a report (No. 1012); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 489) granting an increase of pension to William A. Beckford, reported the same with amendment, accompanied by a report (No. 1013); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4003) to construe an act approved June 3, 1884, rerating and including the disability of Alonzo B. Chatfield, late of Company B, Thirty-third Regiment of Illinois Volunteer Infantry, reported the same without amendment, accompanied by a report (No. 1014); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 862) granting a pension to Mary A. Benjamin, reported the same without amendment, accompanied by a report (No. 1015); which said bill and report were referred to the Private Calendar.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5740) to remove the charge of desertion against William Britton, reported the same without amendment, accompanied by a report (No. 1016); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 987) to correct the military record of Corydon Winkler, late private Eighth Company, First Battalion, First Ohio Sharpshooters, reported the same with amendment, accompanied by a report (No. 1017); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1213) granting an honorable discharge to W. G. Neeley, of Canyon City, Colo., reported the same with amendment, accompanied by a report (No. 1018); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8286) granting an increase of pension to Alphonzo O. Drake, reported the same with amendment, accompanied by a report (No. 1019); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3254) granting a pension to Adelaide H. Lambertson, reported the same without amendment, accompanied by a report (No. 1020); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3442) granting an increase of pension to Andrew C. Mensch, reported the same with amendment, accompanied by a report (No. 1021); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 5707) for the removal of the charge of desertion against William Mellicott, alias William Reed, late of Company G, Eighth Regiment Tennessee Cavalry Volunteers, and legalizing his service in Company E, Eleventh Regiment Tennessee Cavalry Volunteers, reported the same without amendment, accompanied by a report (No. 1022); which said bill and report were referred to the Private Calendar.

Mr. McEWAN, from the Committee on Claims, to which was referred the bill of the House (H. R. 5730) for the relief of Martha E. Conklin, reported the same without amendment, accompanied by a report (No. 1023); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 158) granting a pension to Peter Daly, reported the same with amendment, accompanied by a report (No. 1024); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. EVANS: A bill (H. R. 9758) to amend the internal-revenue laws relating to distilled spirits, and for other purposes—to the Committee on Ways and Means.

By Mr. BARTHOLDT: A bill (H. R. 9778) to amend an act entitled "An act authorizing the Nebraska, Kansas and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes"—to the Committee on Indian Affairs.

By Mr. ROBBINS: A joint resolution (H. Res. 226) first, requesting that war ships be sent to Havana to protect American citizens; second, that Cuban independence be recognized, and, third, declaring that a state of war exists and has existed since the *Maine* was destroyed—to the Committee on Foreign Affairs.

By Mr. DOCKERY: A joint resolution (H. Res. 227) providing for the compilation and printing of parliamentary precedents of the House of Representatives—to the Committee on Printing.

By Mr. WHEELER of Alabama: A joint resolution (H. Res. 228) thanking Gen. Fitzhugh Lee for his conduct as consul-general at Havana, Cuba—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: A memorial of the legislature of the

State of New York, relative to the Proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. BENNETT: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. BELFORD: A memorial of the legislature of the State of New York, favoring a Pan-American Exposition in 1901—to the Committee on Ways and Means.

By Mr. HOWE: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. HURLEY: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. SULZER: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

By Mr. FISCHER: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition to be held in 1901—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BALL: A bill (H. R. 9759) removing the charge of desertion from the record of William Moore, Company I, Twenty-third Regiment Kentucky Volunteers—to the Committee on Military Affairs.

By Mr. BRUMM: A bill (H. R. 9760) to redeem outstanding certificates issued by the board of public works of the District of Columbia held by W. D. Williams—to the Committee on the District of Columbia.

By Mr. CARMACK: A bill (H. R. 9761) for the relief of the estate of Washington Bond, deceased, late of Shelby County, Tenn.—to the Committee on War Claims.

By Mr. COUSINS: A bill (H. R. 9762) granting an increase of pension to Wyatt Botts—to the Committee on Invalid Pensions.

By Mr. CUMMINGS: A bill (H. R. 9763) authorizing the Secretary of the Treasury to adjust and settle the account of the heirs of Alfred G. Benson with the United States—to the Committee on Claims.

By Mr. DE VRIES: A bill (H. R. 9764) for the relief of and to correct the military record of Charles H. Sims—to the Committee on Military Affairs.

By Mr. DOLLIVER: A bill (H. R. 9765) to increase the pension of John N. Wiley—to the Committee on Invalid Pensions.

By Mr. FISCHER: A bill (H. R. 9766) for the relief of John P. Murphy—to the Committee on Claims.

By Mr. FITZPATRICK: A bill (H. R. 9767) for the relief of Lewis Salyer—to the Committee on Claims.

By Mr. KERR: A bill (H. R. 9768) for the relief of Samuel J. Brent, executor of the will of Frances Brent, and administrator de bonis non of the estate of Rev. J. Brent—to the Committee on Claims.

By Mr. KIRKPATRICK: A bill (H. R. 9769) for the removal of the charge of desertion now standing on the rolls against George Ensley—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 9770) granting an increase of pension to Mrs. Aglaé Bache—to the Committee on Pensions.

By Mr. McINTIRE: A bill (H. R. 9771) granting an increase of pension to Betsey Jones—to the Committee on Invalid Pensions.

By Mr. MITCHELL: A bill (H. R. 9772) to refund certain customs duties collected upon merchandise destroyed in the burning of a United States bonded warehouse—to the Committee on Claims.

By Mr. MOODY: A bill (H. R. 9773) to correct the military record of Henry Heath—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 9774) granting a pension to John M. Sears, late of Company F, Fifteenth Regiment Illinois Volunteers—to the Committee on Invalid Pensions.

By Mr. ROBBINS: A bill (H. R. 9775) granting an increase of pension to Samuel Burket—to the Committee on Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 9776) for the relief of Mrs. R. P. Raney—to the Committee on War Claims.

By Mr. FOSS: A bill (H. R. 9777) to increase the pension of Erasmus Darwin Steen—to the Committee on Invalid Pensions.

By Mr. MAHANY: A bill (H. R. 9779) for the relief of estate of Fayette Hungerford—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 9780) to increase the pension of Josephine Glover—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 9781) for the relief of Joseph Fitzpatrick, of Glenville, Gilmer County, W. Va.—to the Committee on Invalid Pensions.

By Mr. McDONALD: A bill (H. R. 9782) to remove the charge of desertion against David Smith, late private Company E, Forty-fifth Regiment Pennsylvania Volunteers—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Upper Tyrone Lodge, No. 472, Knights of Pythias, of Bradford, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. ADAMS: Resolutions of the Trades League of Philadelphia, Pa., and educational department of the Woman's Christian Temperance Union of the United States, of Boston, Mass., in support of the President's policy in his endeavor to prevent war pending an adjustment by peaceable methods—to the Committee on Foreign Affairs.

By Mr. ALDRICH: Petition of citizens of Montevallo, Ala., in favor of the passage of the anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ARNOLD: Petition of Clearfield Lodge, No. 305, Knights of Pythias, of Clearfield, Pa., indorsing House bill No. 6468, for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

Also, petitions of the First Evangelical Lutheran Church and Trinity Methodist Episcopal Church, of Phillipsburg, Pa., asking for the passage of bills to forbid the interstate transmission of lottery messages by telegraph, to protect State anti-cigarette laws, and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. BALL: Papers to accompany House bill to remove the charge of desertion against William Moore, of Company I, Twenty-third Kentucky Infantry Volunteers—to the Committee on Military Affairs.

By Mr. BARHAM: Petition of Dr. William D. Clark, J. W. Cabby, and other citizens of San Francisco, Cal., favoring the passage of a law which will exclude from entrance into the United States undesirable immigrants of all classes—to the Committee on Immigration and Naturalization.

By Mr. BARTLETT: Petition of the Woman's Christian Temperance Union, Educational Department, of Boston, Mass.; also resolutions of the Trades Union of Philadelphia, Pa., and resolutions of the New York Board of Trade and Transportation, deprecating war, expressing approval of the policy of President McKinley, and hoping for the settlement of the Cuban question by peaceful means—to the Committee on Foreign Affairs.

By Mr. BENNETT: Four petitions of citizens of Brooklyn, N. Y., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Board of Trade and Transportation Company of New York City, expressing approval of the efforts of President McKinley to preserve peace and avoid international war—to the Committee on Foreign Affairs.

By Mr. BINGHAM: Memorial of the Philadelphia Board of Trade, commending the organization of the Philadelphia commercial museums and the work of that institution in fostering and enlarging the export of American manufactures; approving the holding of a national exposition of manufactured goods and products of the United States in Philadelphia in June, 1899, and petitioning Congress to enact a law to authorize and encourage the holding of a national exposition of American products and manufactures especially suitable for export trade in Philadelphia in 1899—to the Committee on Interstate and Foreign Commerce.

Also, preamble and resolutions adopted by the board of directors of the Board of Trade of the city of Chicago, commending the work of the Philadelphia museums in expanding the export trade of the United States, and in the direction of increased trade relations with all foreign countries; also approving the holding of a national commercial exposition in the city of Philadelphia in June, 1899—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Binghamton (N. Y.) Board of Trade, commending the work being done by the Philadelphia commercial museums for the advancement of the export trade of the United States and favoring the passage of the bill to authorize and encourage the holding of a national exposition of American manufactured goods in Philadelphia in 1899—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the board of managers of the Trades League of Philadelphia, Pa. (composed of upward of 2,000 leading firms, merchants, and manufacturers), indorsing the plan of a national exposition of American manufactured goods, to be held in Philadelphia in June, 1899, and urging the Congress to enact a bill appropriating for such exposition—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Springfield (Mass.) Board of Trade, approving the bill to authorize and encourage the holding of a national exposition of American products and manufactures especially suitable for export at the city of Philadelphia in 1899—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Minneapolis (Minn.) Board of Trade, indorsing the national exposition of American manufactured goods to be held in Philadelphia in the year 1899, and petitioning Congress to authorize and encourage the same—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Indianapolis Board of Trade, indorsing the holding of a national exposition of American manufactures in Philadelphia in the year 1899, and petitioning Congress to make appropriation to authorize and encourage such exposition—to the Committee on Interstate and Foreign Commerce.

Also, preamble and resolutions adopted by the New England Cotton Manufacturers' Association, commending the work of the Philadelphia museums in the development of foreign trade—to the Committee on Interstate and Foreign Commerce.

Also, report of the committee of manufactures of the Baltimore Board of Trade, heartily indorsing the Philadelphia Commercial Museum and the national exposition of American manufactured goods to be held in Philadelphia in June, 1899, and favoring the passage by Congress of a bill appropriating therefor—to the Committee on Interstate and Foreign Commerce.

Also, preamble and petition from the Providence (R. I.) Board of Trade, favoring the passage by Congress of a bill to authorize and encourage the holding of a national exposition of American manufactured goods in Philadelphia in June, 1899—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Dayton (Ohio) Board of Trade, indorsing the holding of a national exposition of American manufactured goods in Philadelphia in June, 1899, and petitioning Congress to favor the passage of the bill making appropriation therefor—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Wilkesbarre (Pa.) Board of Trade, indorsing the holding of a national exposition of American manufactured goods in the city of Philadelphia in June, 1899, and petitioning Congress to make appropriations therefor—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Shamokin (Pa.) Board of Trade, indorsing the bill now pending before Congress providing for an appropriation for a national exposition of American manufactured goods to be held in Philadelphia in 1899—to the Committee on Interstate and Foreign Commerce.

Also, preamble and resolution of the Board of Trade of Bangor, Me., urging the passage by Congress of a bill making appropriation for a national exposition of American manufactured goods in Philadelphia in June, 1899—to the Committee on Interstate and Foreign Commerce.

By Mr. BOOZE: Four petitions of J. W. Hyman and other citizens of Baltimore, Md., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of H. Ireland and others, George Keeler and others, L. K. Wright and others, William A. Packlyane and others, J. A. Cassidy and others, S. S. Glaser and others, G. P. Sherman and others, O. Homvay and others, George S. Simms and others, F. S. Beardsley and others, all citizens of the State of Maryland, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BOUTELLE of Maine: Petition of the Woman's Christian Temperance Union of Calais and Anderson Chapter, No. 1021, Epworth League, of the Methodist Episcopal Church, Calais, Me., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Young People's Society of Christian Endeavor of the First Congregational Church, and Christian Endeavor Society of the Second Baptist Church of Calais, Me., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Calais and Anderson Chapter, No. 1021, of Epworth League, of the Methodist Episcopal Church, Calais, Me., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of D. C. O'Leary and 19 citizens of Bangor, Me., protesting against the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BULL: Petition of Providence Lodge, No. 66, Brotherhood of Railroad Trainmen, of Providence, R. I., urging the passage of the arbitration bill—to the Committee on Labor.

By Mr. BUTLER: Three petitions of Col. Theo. Hyatt Council, No. 573, Junior Order United American Mechanics, and other citizens of Chester and vicinity, State of Pennsylvania, favoring the passage of a law which will exclude from entrance into the United States undesirable immigrants of all classes—to the Committee on Immigration and Naturalization.

Also, petitions of William Swayne, C. J. Pennock, and W. R. Shelmin, members of the American Carnation Society, in relation to House bill No. 6804 and florists' stock—to the Committee on Agriculture.

Also, petitions of the Woman's Christian Temperance unions of Chester, Russellville, Parksburg, Linwood, and Young Friends' Association of Penns Grove, and Christian Endeavor Society of Collamer, all of Chester County, Pa., for the passage of bills to protect State anti-cigarette laws, to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions and other religious societies in Chester County, Pa., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CANNON: Petition of the Methodist Episcopal Church of Reddick, Ill., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Methodist Episcopal Church of Reddick, Ill., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of the Methodist Episcopal Church of Reddick, Ill., for the passage of bills to protect State anti-cigarette laws and to prohibit interstate gambling by telegraph, etc.—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Organized Coopers of Chicago, Ill., indorsing the Southwick bill relating to convict-made goods—to the Committee on Labor.

By Mr. CAPRON: Petitions of the Woman's Christian Temperance Union of Maple Root Church and Noose Neck Church, of Summit, R. I., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Noose Neck Church and Maple Root Church, of Summit, R. I., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Alcoholic Liquor Traffic.

By Mr. CARMACK: Petitions of M. Z. Anderson and others, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CASTLE: Petition of the Woman's Christian Temperance Union of Fresno City, Cal., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Fresno City, Cal., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CATCHINGS: Petition of citizens of Stoneville and vicinity, Miss., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CHICKERING: Petitions of the Woman's Christian Temperance Union of Theresa, Jefferson County, N. Y., for a law to regulate the interstate commerce of cigarettes and to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Theresa, N. Y., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CLARDY: Petition of William Barnes and others, of Madisonville, Ky., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CODDING: Petition of the Woman's Christian Temperance Union of Pleasant Mount, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Episcopal Church, Presbyterian Church, and Christian Endeavor Society, of Pleasant Mount, Pa., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of the Episcopal and Presbyterian churches and Christian Endeavor Society, of Pleasant Mount, Pa., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Christian Endeavor Society and Presbyterian and Episcopal churches, of Pleasant Mount, Pa., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CONNOLLY: Petitions of H. N. Schuyler and 65 citizens of Pana; A. Brudt and 26 others, of Maroa; L. C. Schwerdtfeger and 27 others, of Lincoln; A. Linn Beidler and 20 others, of Mount Pulaski, in the State of Illinois, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Resolutions of the Trades League of Philadelphia, Pa., the New York Board of Trade and Transportation, and the educational department of the Woman's Christian Temperance Union of Boston, Mass., commending the action of Congress in supporting the President in his endeavor to prevent war pending an adjustment of peace methods—to the Committee on Foreign Affairs.

By Mr. DE VRIES: Petition to accompany House bill for the relief of Charles H. Simms—to the Committee on Military Affairs.

Also, petitions of the Woman's Christian Temperance Union of Magalia, Methodist Episcopal churches of Oak Park and Elk Grove, and Epworth League of Elk Grove, Cal., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Methodist Episcopal churches of Oak Park and Elk Grove and Epworth League of the Methodist Episcopal Church of Elk Grove, Cal., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. DOVENER: Papers to accompany House bill for the relief of Joseph Fitzpatrick, of Glenville, Gilmer County, W. Va.—to the Committee on Invalid Pensions.

By Mr. ELLIS: Petitions of the pastors and members of the Baptist Church, Methodist Episcopal Church South, and Methodist Episcopal Church of Pendleton, Oreg., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. FISCHER: Petition of the West End Woman's Republican Association, of New York, for an amendment to a joint resolution pending in Congress to regulate the hours of labor for women and children in manufacturing establishments—to the Committee on Labor.

Also, resolution of the New York Board of Trade and Transportation, commending the action of Congress in supporting the President in his effort to prevent hostilities pending an adjustment by peaceful methods—to the Committee on Foreign Affairs.

Also, petition, affidavits, and other papers to accompany House bill for the relief of John P. Murphy—to the Committee on Claims.

By Mr. FITZGERALD: Petition of the Board of Trade and Transportation of New York, expressing a desire for a peaceful settlement of the Cuban question—to the Committee on Foreign Affairs.

By Mr. FITZPATRICK: Petition of W. W. Marmaduke, JERRY SIMPSON, M. C., and 18 others, protesting against the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSS: Petition of the Educational Department of the Woman's Christian Temperance Union of the United States, of Boston, Mass., and resolution of the Trades League of Philadelphia, commending the action of Congress in supporting the President in behalf of peace—to the Committee on Foreign Affairs.

By Mr. GREENE: Four papers, to accompany House bill No. 9393, granting a pension to Mary Borgquist—to the Committee on Invalid Pensions.

Also, petition of U. G. Sawyer, J. H. McWilliams, and 44 other citizens of North Platte and vicinity, State of Nebraska, against the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. GRIFFITH: Petition of Rev. Johannes Jargstorff and others, of Ripley County, Ind., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GROUT: Resolutions adopted by the Trades League of Philadelphia, Pa., J. N. Fitzgerald, secretary; also resolutions adopted by 1,500 citizens of Montpelier, Vt., at a meeting held March 31, John H. Senter, mayor, presiding; also resolutions adopted by the Providence (R. I.) Board of Trade, George H. Webb, secretary, relating to the Cuban question—to the Committee on Foreign Affairs.

By Mr. HARTMAN: Petition of the Educational Department of the Woman's Christian Temperance Union of the United States, Mrs. Mary H. Hunt, superintendent, urging Congress to seek earnestly for freedom for Cuba by the way of peace—to the Committee on Foreign Affairs.

Also, petition of Black Eagle Division, No. 356, of Great Falls, Mont., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON: Petitions of C. F. Fowler, C. B. Smith, and other citizens of Waterloo, Iowa, and H. H. Harris and others, of Cedarfalls, Iowa, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HENRY of Connecticut: Petition of 300 citizens of New Britain, Conn., at a meeting held April 1, 1898, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HICKS: Petitions of the Evangelical Lutheran congregation of Williamsburg, Pa., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Evangelical Lutheran congregation of Williamsburg, Pa., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HOWE: Petition of the Woman's Christian Temperance Union of Brooklyn, N. Y., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Brooklyn, N. Y., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. HOWELL: Petition of the Central Baptist Church, of Atlantic Highlands, N. J., in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. HURLEY: Petition of the department of scientific temperance instruction of the Woman's Christian Temperance Union of Boston, Mass., and resolution of the Board of Trade and Transportation of New York, sustaining the President in his effort to prevent hostilities pending an adjustment by peaceful methods—to the Committee on Foreign Affairs.

By Mr. LATIMER: Petition of citizens of Calhoun, Greenville, and Seneca, S. C., favoring the enactment of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. LENTZ (by request): Petition of the Otterbein University Young People's Society of Christian Endeavor, of Westerville, Ohio, favoring the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. LOUD: Petition of the Woman's Christian Temperance Union of Pescadero, Cal., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Pescadero, Cal., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. McALEER: Petition of the Woman's Christian Temperance Union, department of scientific temperance instruction, of Boston, Mass., for the freedom of Cuba and honorable peace—to the Committee on Foreign Affairs.

Also, resolutions of the Trades League of Philadelphia, Pa., asking that the President be sustained in his endeavor to procure an honorable peace—to the Committee on Foreign Affairs.

By Mr. McCALL: Petition of the Woman's Christian Temperance Union of the United States, educational department, of Boston, Mass., against war—to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Three petitions of citizens of New York City, in favor of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. McDOWELL: Papers to accompany House bill for the relief of Benjamin Young—to the Committee on Military Affairs.

By Mr. McEWAN: Petition of Operative Plasterers' Local Union No. 2, of Hudson County, N. J., for commission of labor, agriculture, and capital bill and the eight-hour bill—to the Committee on Labor.

By Mr. McINTIRE: Paper in support of a bill granting a pension to Betsy Jones—to the Committee on Invalid Pensions.

By Mr. MAHANY: Petition of the West End Woman's Republican Association, New York City, N. Y., in favor of the passage of a bill pending regulating the hours of labor—to the Committee on Labor.

By Mr. RIDGELY: Petition of the Woman's Christian Temperance Union of Elk Falls, Kans., to raise the age of protection

for girls to 18 years and to prohibit interstate gambling by telegraph, etc.—to the Committee on the Judiciary.

By Mr. ROBBINS: Petition of the Jefferson United Presbyterian congregation and Young People's Christian Union, of Baxter, Pa., and Methodist Protestant congregation of Dayton, Pa., and Jefferson County Woman's Christian Temperance Union, of Brookville, Pa., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Jefferson County Woman's Christian Temperance Union, United Presbyterian congregation, and Young People's Christian Union, of Baxter, Pa., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Protestant congregation of Dayton, Pa., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. SETTLE: Petitions of the citizens of Lexington, Ky., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. SNOVER: Petition of a temperance meeting of Lapeer, Mich., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Applegate, Mich., in favor of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of citizens of West Haven, Conn., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SOUTHWICK: Petitions from Albany (N. Y.) Board of Trade, Z. C. Priest Division, Order of Railway Conductors, and Mason C. Hutchins and 310 other residents of Albany, N. Y., favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. STARK: Petition of the Woman's Christian Temperance Union of York, Nebr., and La Salle Street Methodist Episcopal Church Epworth League, of Beatrice, Nebr., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance Union of York, Nebr., for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Sunday school of La Salle Street Methodist Episcopal Church, of Beatrice, Nebr., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. STRODE of Nebraska: Petitions of the Methodist Episcopal Church of Auburn, Ladies' Aid Society of the Church of Christ, of Plattsmouth, citizens of Nehawka, and Woman's Christian Temperance unions of Plattsmouth and Auburn, Nebr., for the passage of bills to protect State anti-cigarette laws, to forbid the transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church, Woman's Christian Temperance Union of Auburn, and citizens of Nehawka, Nebr., against the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. TODD: Papers relating to the honorable discharge application of Caleb Wollpert, of Grand Ledge, Mich.—to the Committee on Military Affairs.

Also, papers to accompany House bill granting an increase of pension to Albert G. Barnes—to the Committee on Pensions.

By Mr. TONGUE: Petition of the Ladies' Working Society of the Congregational Church of Forest Grove, Oreg., to raise the age of protection for girls to 18 years, and to forbid interstate transmission of lottery messages by telegraph, etc.—to the Committee on the Judiciary.

By Mr. VEHSLAGE: Petitions of S. S. Cortis and 7 others, H. G. Polhemos and 5 others, Charles M. Miller and 5 others, all of the city of New York, in favor of House bill No. 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Society of Colonial Wars of the State of New York, in favor of Government ownership of Fort Ticonderoga—to the Committee on Appropriations.

SENATE.

MONDAY, *April 11, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Board of Trade of Jersey City, N. J., approving the action of the President in the present crisis between the United States and Spain, and praying Congress to give him every support; which was referred to the Committee on Foreign Relations.

Mr. HOAR presented a petition of the Young People's Society of Christian Endeavor of the First Congregational Church of Rockford, Mass., and a petition of the Young People's Christian Union of the First Universalist Church of Southbridge, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. QUAY presented a resolution adopted by the Oxford Club, of Philadelphia, Pa., favoring the employment of the land and naval forces of the United States in the immediate promotion of measures to force the Spanish flag from this continent and secure the independence of Cuba; which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Independent Order of Good Templars of Potter and Tioga counties, in the State of Pennsylvania, favoring Congressional action providing for the forced independence and freedom of Cuba from Spanish rule; which were referred to the Committee on Foreign Relations.

POLICY CONCERNING CUBA.

Mr. QUAY. In accordance with the request of the Trades League of Philadelphia, a body composed of 2,000 business firms of that city, and of highly respectable gentlemen, I desire to read a telegram received from them, it being in the nature of a petition, and to reply to it. I will ask the Secretary to read the telegram, if there is no objection.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read the telegram.

The telegram was read, as follows:

[Telegram.]

PHILADELPHIA, *April 5, 1898.*

Hon. M. S. QUAY, *Washington:*

The Trades League of Philadelphia in special session to-day passed the following resolution unanimously:

"Whereas the Trades League of Philadelphia, an organization of nearly 2,000 business firms, appreciating the wise, conservative, and dignified policy of the President of the United States in his treatment of the very grave and momentous differences now existing between the Kingdom of Spain and the United States of America, and recognizing the fact that this policy, if persisted in by the President and aided by Congressional support, will in the end tend to maintain peace upon an honorable basis between the two nations and result in an equitable adjustment of the Cuban troubles: Therefore,

"*Be it resolved*, That the board of managers of the Trades League of Philadelphia commends the action of Congress in supporting the President in his endeavor to prevent war pending an adjustment by peaceable methods.

"*Resolved*, That we appeal to our representatives in Congress to continue to cooperate with the President and to accord him a full opportunity to exhaust all peaceful negotiations. Then, in the event of a failure of these measures, if war should follow, our country will have exhausted every reasonable means to maintain 'peace with honor.'"

Will you or Senator PENROSE please read in the Senate?

W. W. FOULKROD, *President.*

Mr. QUAY. Mr. President, I desire to say to these gentlemen that I have little hesitancy in acceding to their very reasonable suggestion. I have an affectionate personal regard for the President and absolute confidence in his patriotic statesmanship. I have confidence that he will always be in accord with the best thought and interest of his country. The people of the United States, in my judgment, are pretty nearly unanimous that the time for negotiation upon the Cuban question is past—the present is a case for neither Pope, prelate, nor presbyter. They believe that further negotiations mean further time for the concentration of the Spanish naval forces and for general Spanish preparations for war. They know that a Spanish torpedo flotilla is en route for our shores whose mission is hostile, whose only interest can be to destroy our vessels as the *Maine* was destroyed and slay our sailors as the sailors of the *Maine* were slain. They know that on yesterday two Spanish war vessels sailed westward and will be with us in ten days. They believe that bloodshed will be averted or diminished by prompt action of the Government, not by declaring war, but by making war in self-defense before Spain can secure further naval or military advantage, and, perhaps without reason, that delay is largely sought or urged by those interested in the Spanish success, or by those who would market the national honor and make merchandise of the blood and bones of the dead of the *Maine;* that intervention should be armed, immediate, and impetuous; that not merely a stable but a

republican form of government should be given the Cubans; that the Spaniards should get out of Cuba; they should stand not upon the order of their going, but go at once! For these purposes they believe the Army and Navy of the United States should be utilized until Cuba is free and the *Maine* is avenged. Believing that the President is with the ultimate purpose of the people, I have pleasure in assuring the Trades League of Philadelphia that I will comply with their request.

I move that the telegram be referred to the Committee on Foreign Relations.

The motion was agreed to.

INTERVENTION IN CUBAN AFFAIRS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, was received.

The VICE-PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which the Secretary will read.

The Secretary read the message, as follows:

To the Congress of the United States:

Obedient to that precept of the Constitution which commands the President to give from time to time to the Congress information of the state of the Union and to recommend to their consideration such measures as he shall judge necessary and expedient, it becomes my duty to now address your body with regard to the grave crisis that has arisen in the relations of the United States to Spain by reason of the warfare that for more than three years has raged in the neighboring Island of Cuba.

I do so because of the intimate connection of the Cuban question with the state of our own Union and the grave relation the course which it is now incumbent upon the nation to adopt must needs bear to the traditional policy of our Government if it is to accord with the precepts laid down by the founders of the Republic and religiously observed by succeeding Administrations to the present day.

The present revolution is but the successor of other similar insurrections which have occurred in Cuba against the dominion of Spain, extending over a period of nearly half a century, each of which, during its progress, has subjected the United States to great effort and expense in enforcing its neutrality laws, caused enormous losses to American trade and commerce, caused irritation, annoyance, and disturbance among our citizens, and, by the exercise of cruel, barbarous, and uncivilized practices of warfare, shocked the sensibilities and offended the humane sympathies of our people.

Since the present revolution began, in February, 1895, this country has seen the fertile domain at our threshold ravaged by fire and sword in the course of a struggle unequaled in the history of the island and rarely paralleled as to the numbers of the combatants and the bitterness of the contest by any revolution of modern times where a dependent people striving to be free have been opposed by the power of the sovereign state.

Our people have beheld a once prosperous community reduced to comparative want, its lucrative commerce virtually paralyzed, its exceptional productiveness diminished, its fields laid waste, its mills in ruins, and its people perishing by tens of thousands from hunger and destitution. We have found ourselves constrained, in the observance of that strict neutrality which our laws enjoin, and which the law of nations commands, to police our own waters and watch our own seaports in prevention of any unlawful act in aid of the Cubans.

Our trade has suffered; the capital invested by our citizens in Cuba has been largely lost, and the temper and forbearance of our people have been so sorely tried as to beget a perilous unrest among our own citizens which has inevitably found its expression from time to time in the National Legislature, so that issues wholly external to our own body politic engross attention and stand in the way of that close devotion to domestic advancement that becomes a self-contained commonwealth whose primal maxim has been the avoidance of all foreign entanglements. All this must needs awaken, and has, indeed, aroused the utmost concern on the part of this Government, as well during my predecessor's term as in my own.

In April, 1896, the evils from which our country suffered through the Cuban war became so onerous that my predecessor made an effort to bring about a peace through the mediation of this Government in any way that might tend to an honorable adjustment of the contest between Spain and her revolted colony, on the basis of some effective scheme of self-government for Cuba under the flag and sovereignty of Spain. It failed through the refusal of the Spanish Government then in power to consider any form of mediation or, indeed, any plan of settlement which did not begin with the actual submission of the insurgents to the mother country, and then only on such terms as Spain herself might see fit to grant. The war continued unabated. The resistance of the insurgents was in no wise diminished.

The efforts of Spain were increased, both by the dispatch of fresh levies to Cuba and by the addition to the horrors of the strife of a new and inhuman phase happily unprecedented in the modern history of civilized Christian peoples. The policy of devastation and concentration, inaugurated by the Captain-General's bando of October 21, 1896, in the Province of Pinar del Rio was thence extended to embrace all of the island to which the power of the Spanish arms was able to reach by occupation or by military operations. The peasantry, including all dwelling in the open agricultural interior, were driven into the garrison towns or isolated places held by the troops.

The raising and movement of provisions of all kinds were interdicted. The fields were laid waste, dwellings unroofed and fired, mills destroyed, and, in short, everything that could desolate the land and render it unfit for human habitation or support was commanded by one or the other of the contending parties and executed by all the powers at their disposal.

By the time the present Administration took office a year ago, reconcentration, so called, had been made effective over the better part of the four central and western provinces—Santa Clara, Matanzas, Havana, and Pinar del Rio.

The agricultural population to the estimated number of 300,000 or more was herded within the towns and their immediate vicinage, deprived of the means of support, rendered destitute of shelter, left poorly clad, and exposed to the most unsanitary conditions. As the scarcity of food increased with the devastation of the depopulated areas of production, destitution and want became misery and starvation. Month by month the death rate increased in an alarming ratio. By March, 1897, according to conservative estimates from official Spanish sources, the mortality among the reconcentrados, from starvation and the diseases thereto incident, exceeded 50 per cent of their total number.

No practical relief was accorded to the destitute. The overburdened towns, already suffering from the general dearth, could give no aid. So-called "zones of cultivation" established within the immediate areas of effective military control about the cities and fortified camps proved illusory as a remedy for the suffering. The unfortunates, being for the most part women and children, with aged and helpless men, enfeebled by disease and hunger, could not have tilled the soil without tools, seed, or shelter for their own support or for the supply of the cities. Reconcentration, adopted avowedly as a war measure in order to cut off the resources of the insurgents, worked its predestined result. As I said in my message of last December, it was not civilized warfare; it was extermination. The only peace it could beget was that of the wilderness and the grave.

Meanwhile the military situation in the island had undergone a noticeable change. The extraordinary activity that characterized the second year of the war, when the insurgents invaded even the thitherto unharmed fields of Pinar del Rio and carried havoc and destruction up to the walls of the city of Havana itself, had relapsed into a dogged struggle in the central and eastern provinces. The Spanish arms regained a measure of control in Pinar del Rio and parts of Havana, but, under the existing conditions of the rural country, without immediate improvement of their productive situation. Even thus partially restricted, the revolutionists held their own, and their conquest and submission, put forward by Spain as the essential and sole basis of peace, seemed as far distant as at the outset.

In this state of affairs my Administration found itself confronted with the grave problem of its duty. My message of last December reviewed the situation and narrated the steps taken with a view to relieving its acuteness and opening the way to some form of honorable settlement. The assassination of the prime minister, Canovas, led to a change of government in Spain. The former administration, pledged to subjugation without concession, gave place to that of a more liberal party, committed long in advance to a policy of reform involving the wider principle of home rule for Cuba and Puerto Rico.

The overtures of this Government, made through its new envoy, General Woodford, and looking to an immediate and effective amelioration of the condition of the island, although not accepted to the extent of admitted mediation in any shape, were met by assurances that home rule in an advanced phase would be forthwith offered to Cuba, without waiting for the war to end, and that more humane methods should thenceforth prevail in the conduct of hostilities. Coincidentally with these declarations the new Government of Spain continued and completed the policy already begun by its predecessor, of testifying friendly regard for this nation by releasing American citizens held under one charge or another connected with the insurrection, so that by the end of November not a single person entitled in any way to our national protection remained in a Spanish prison.

While these negotiations were in progress the increasing destitution of the unfortunate reconcentrados and the alarming mortality among them claimed earnest attention. The success which had attended the limited measure of relief extended to the suffering American citizens among them by the judicious expenditure

through the consular agencies of the money appropriated expressly for their succor by the joint resolution approved May 24, 1897, prompted the humane extension of a similar scheme of aid to the great body of sufferers. A suggestion to this end was acquiesced in by the Spanish authorities. On the 24th of December last I caused to be issued an appeal to the American people inviting contributions in money or in kind for the succor of the starving sufferers in Cuba, following this on the 8th of January by a similar public announcement of the formation of a central Cuban relief committee, with headquarters in New York City, composed of three members representing the American National Red Cross and the religious and business elements of the community.

The efforts of that committee have been untiring and have accomplished much. Arrangements for free transportation to Cuba have greatly aided the charitable work. The president of the American Red Cross and representatives of other contributory organizations have generously visited Cuba and cooperated with the consul-general and the local authorities to make effective distribution of the relief collected through the efforts of the central committee. Nearly $200,000 in money and supplies has already reached the sufferers and more is forthcoming. The supplies are admitted duty free, and transportation to the interior has been arranged, so that the relief, at first necessarily confined to Havana and the larger cities, is now extended through most, if not all, of the towns where suffering exists.

Thousands of lives have already been saved. The necessity for a change in the condition of the reconcentrados is recognized by the Spanish Government. Within a few days past the orders of General Weyler have been revoked; the reconcentrados, it is said, are to be permitted to return to their homes and aided to resume the self-supporting pursuits of peace. Public works have been ordered to give them employment, and a sum of $600,000 has been appropriated for their relief.

The war in Cuba is of such a nature that short of subjugation or extermination a final military victory for either side seems impracticable. The alternative lies in the physical exhaustion of the one or the other party, or perhaps of both—a condition which in effect ended the ten years' war by the truce of Zanjon. The prospect of such a protraction and conclusion of the present strife is a contingency hardly to be contemplated with equanimity by the civilized world, and least of all by the United States, affected and injured as we are, deeply and intimately, by its very existence.

Realizing this, it appeared to be my duty, in a spirit of true friendliness, no less to Spain than to the Cubans, who have so much to lose by the prolongation of the struggle, to seek to bring about an immediate termination of the war. To this end I submitted, on the 27th ultimo, as a result of much representation and correspondence, through the United States minister at Madrid, propositions to the Spanish Government looking to an armistice until October 1 for the negotiation of peace with the good offices of the President.

In addition, I asked the immediate revocation of the order of reconcentration, so as to permit the people to return to their farms and the needy to be relieved with provisions and supplies from the United States, cooperating with the Spanish authorities, so as to afford full relief.

The reply of the Spanish cabinet was received on the night of the 31st ultimo. It offered, as the means to bring about peace in Cuba, to confide the preparation thereof to the insular parliament, inasmuch as the concurrence of that body would be necessary to reach a final result, it being, however, understood that the powers reserved by the constitution to the Central Government are not lessened or diminished. As the Cuban parliament does not meet until the 4th of May next, the Spanish Government would not object, for its part, to accept at once a suspension of hostilities if asked for by the insurgents from the general in chief, to whom it would pertain, in such case, to determine the duration and conditions of the armistice.

The propositions submitted by General Woodford and the reply of the Spanish Government were both in the form of brief memoranda, the texts of which are before me, and are substantially in the language above given. The function of the Cuban parliament in the matter of "preparing" peace and the manner of its doing so are not expressed in the Spanish memorandum; but from General Woodford's explanatory reports of preliminary discussions preceding the final conference it is understood that the Spanish Government stands ready to give the insular congress full powers to settle the terms of peace with the insurgents—whether by direct negotiation or indirectly by means of legislation does not appear.

With this last overture in the direction of immediate peace, and its disappointing reception by Spain, the Executive is brought to the end of his effort.

In my annual message of December last I said:

> Of the untried measures there remain only: Recognition of the insurgents as belligerents; recognition of the independence of Cuba; neutral intervention to end the war by imposing a rational compromise between the contestants, and intervention in favor of one or the other party. I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

Thereupon I reviewed these alternatives, in the light of President Grant's measured words, uttered in 1875, when after seven years of sanguinary, destructive, and cruel hostilities in Cuba he reached the conclusion that the recognition of the independence of Cuba was impracticable and indefensible; and that the recognition of belligerence was not warranted by the facts according to the tests of public law. I commented especially upon the latter aspect of the question, pointing out the inconveniences and positive dangers of a recognition of belligerence which, while adding to the already onerous burdens of neutrality within our own jurisdiction, could not in any way extend our influence or effective offices in the territory of hostilities.

Nothing has since occurred to change my view in this regard; and I recognize as fully now as then that the issuance of a proclamation of neutrality, by which process the so-called recognition of belligerents is published, could, of itself and unattended by other action, accomplish nothing toward the one end for which we labor—the instant pacification of Cuba and the cessation of the misery that afflicts the island.

Turning to the question of recognizing at this time the independence of the present insurgent government in Cuba, we find safe precedents in our history from an early day. They are well summed up in President Jackson's message to Congress, December 21, 1836, on the subject of the recognition of the independence of Texas. He said:

> In all the contests that have arisen out of the revolutions of France, out of the disputes relating to the Crowns of Portugal and Spain, out of the separation of the American possessions of both from the European Governments, and out of the numerous and constantly occurring struggles for dominion in Spanish America, so wisely consistent with our just principles has been the action of our Government that we have, under the most critical circumstances, avoided all censure, and encountered no other evil than that produced by a transient estrangement of good will in those against whom we have been by force of evidence compelled to decide.
>
> It has thus made known to the world that the uniform policy and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views or to the merits of the original controversy.
>
> * * * But on this, as on every other trying occasion, safety is to be found in a rigid adherence to principle.
>
> In the contest between Spain and the revolted colonies we stood aloof, and waited not only until the ability of the new States to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, were they recognized.
>
> Such was our course in regard to Mexico herself. * * * It is true that with regard to Texas the civil authority of Mexico has been expelled, its invading army defeated, the chief of the Republic himself captured, and all present power to control the newly organized government of Texas annihilated within its confines; but, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Texas. The Mexican Republic, under another Executive, is rallying its forces under a new leader and menacing a fresh invasion to recover its lost dominion.
>
> Upon the issue of this threatened invasion the independence of Texas may be considered as suspended; and were there nothing peculiar in the relative situation of the United States and Texas, our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve with which we have hitherto held ourselves bound to treat all similar questions.

Thereupon Andrew Jackson proceeded to consider the risk that there might be imputed to the United States motives of selfish interest in view of the former claim on our part to the territory of Texas, and of the avowed purpose of the Texans in seeking recognition of independence as an incident to the incorporation of Texas in the Union, concluding thus:

> Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long-established policy of our Government, a policy which has secured to us respect and influence abroad and inspired confidence at home.

These are the words of the resolute and patriotic Jackson. They are evidence that the United States, in addition to the test imposed by public law as the condition of the recognition of independence by a neutral state (to wit, that the revolted state shall "constitute in fact a body politic, having a government in substance as well as in name, possessed of the elements of stability," and forming de facto, "if left to itself, a state among the nations, reasonably capable of discharging the duties of a state"), has imposed for its own governance in dealing with cases like these the further condition that recognition of independent statehood is not due to a revolted dependency until the danger of its being again subjugated by the parent state has entirely passed away.

This extreme test was, in fact, applied in the case of Texas. The Congress to whom President Jackson referred the question as one "probably leading to war," and therefore a proper subject for "a previous understanding with that body by whom war can alone be declared and by whom all the provisions for sustaining its perils must be furnished," left the matter of the recognition of

Texas to the discretion of the Executive, providing merely for the sending of a diplomatic agent when the President should be satisfied that the Republic of Texas had become "an independent State." It was so recognized by President Van Buren, who commissioned a chargé d'affaires March 7, 1837, after Mexico had abandoned an attempt to reconquer the Texan territory, and when there was at the time no bona fide contest going on between the insurgent Province and its former Sovereign.

I said in my message of December last, "It is to be seriously considered whether the Cuban insurrection possesses beyond dispute the attributes of statehood which alone can demand the recognition of belligerency in its favor." The same requirement must certainly be no less seriously considered when the graver issue of recognizing independence is in question, for no less positive test can be applied to the greater act than to the lesser; while, on the other hand, the influences and consequences of the struggle upon the internal policy of the recognizing State, which form important factors when the recognition of belligerency is concerned, are secondary, if not rightly eliminable, factors when the real question is whether the community claiming recognition is or is not independent beyond peradventure.

Nor from the standpoint of expediency do I think it would be wise or prudent for this Government to recognize at the present time the independence of the so-called Cuban Republic. Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of international obligation toward the organization so recognized. In case of intervention our conduct would be subject to the approval or disapproval of such government. We would be required to submit to its direction and to assume to it the mere relation of a friendly ally.

When it shall appear hereafter that there is within the island a government capable of performing the duties and discharging the functions of a separate nation, and having, as a matter of fact, the proper forms and attributes of nationality, such government can be promptly and readily recognized and the relations and interests of the United States with such nation adjusted.

There remain the alternative forms of intervention to end the war, either as an impartial neutral by imposing a rational compromise between the contestants, or as the active ally of the one party or the other.

As to the first, it is not to be forgotten that during the last few months the relation of the United States has virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to the exertion of a potential influence toward an ultimate pacific result, just and honorable to all interests concerned. The spirit of all our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba, untarnished by differences between us and Spain, and unstained by the blood of American citizens.

The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds. It involves, however, hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

The grounds for such intervention may be briefly summarized as follows:

First. In the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation, and is therefore none of our business. It is specially our duty, for it is right at our door.

Second. We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property which no government there can or will afford, and to that end to terminate the conditions that deprive them of legal protection.

Third. The right to intervene may be justified by the very serious injury to the commerce, trade, and business of our people and by the wanton destruction of property and devastation of the island.

Fourth, and which is of the utmost importance. The present condition of affairs in Cuba is a constant menace to our peace, and entails upon this Government an enormous expense. With such a conflict waged for years in an island so near us and with which our people have such trade and business relations—when the lives and liberty of our citizens are in constant danger and their property destroyed and themselves ruined—where our trading vessels are liable to seizure and are seized at our very door by war ships of a foreign nation, the expeditions of filibustering that we are powerless to prevent altogether, and the irritating questions and entanglements thus arising—all these and others that I need not mention, with the resulting strained relations, are a constant menace to our peace, and compel us to keep on a semiwar footing with a nation with which we are at peace.

These elements of danger and disorder already pointed out have been strikingly illustrated by a tragic event which has deeply and justly moved the American people. I have already transmitted to Congress the report of the naval court of inquiry on the destruction of the battle ship *Maine* in the harbor of Havana during the night of the 15th of February. The destruction of that noble vessel has filled the national heart with inexpressible horror. Two hundred and fifty-eight brave sailors and marines and two officers of our Navy, reposing in the fancied security of a friendly harbor, have been hurled to death, grief and want brought to their homes and sorrow to the nation.

The naval court of inquiry, which, it is needless to say, commands the unqualified confidence of the Government, was unanimous in its conclusion that the destruction of the *Maine* was caused by an exterior explosion, that of a submarine mine. It did not assume to place the responsibility. That remains to be fixed.

In any event the destruction of the *Maine*, by whatever exterior cause, is a patent and impressive proof of a state of things in Cuba that is intolerable. That condition is thus shown to be such that the Spanish Government can not assure safety and security to a vessel of the American Navy in the harbor of Havana on a mission of peace, and rightfully there.

Further referring in this connection to recent diplomatic correspondence, a dispatch from our minister to Spain, of the 26th ultimo, contained the statement that the Spanish minister for foreign affairs assured him positively that Spain will do all that the highest honor and justice require in the matter of the *Maine*. The reply above referred to of the 31st ultimo also contained an expression of the readiness of Spain to submit to an arbitration all the differences which can arise in this matter, which is subsequently explained by the note of the Spanish minister at Washington of the 10th instant, as follows:

> As to the question of fact which springs from the diversity of views between the reports of the American and Spanish boards, Spain proposes that the facts be ascertained by an impartial investigation by experts, whose decision Spain accepts in advance.

To this I have made no reply.

President Grant, in 1875, after discussing the phases of the contest as it then appeared, and its hopeless and apparent indefinite prolongation, said:

> In such event, I am of opinion that other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible—mediation and intervention. Owing, perhaps, to the large expanse of water separating the island from the Peninsula, * * * the contending parties appear to have within themselves no depository of common confidence, to suggest wisdom when passion and excitement have their sway, and to assume the part of peacemaker.
>
> In this view in the earlier days of the contest the good offices of the United States as a mediator were tendered in good faith, without any selfish purpose, in the interest of humanity and in sincere friendship for both parties, but were at the time declined by Spain, with the declaration, nevertheless, that at a future time they would be indispensable. No intimation has been received that in the opinion of Spain that time has been reached. And yet the strife continues with all its dread horrors and all its injuries to the interests of the United States and of other nations.
>
> Each party seems quite capable of working great injury and damage to the other, as well as to all the relations and interests dependent on the existence of peace in the island; but they seem incapable of reaching any adjustment, and both have thus far failed of achieving any success whereby one party shall possess and control the island to the exclusion of the other. Under these circumstances, the agency of others, either by mediation or by intervention, seems to be the only alternative which must sooner or later be invoked for the termination of the strife.

In the last annual message of my immediate predecessor, during the pending struggle, it was said:

> When the inability of Spain to deal successfully with the insurrection has become manifest, and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations which we can hardly hesitate to recognize and discharge.

In my annual message to Congress, December last, speaking to this question, I said:

> The near future will demonstrate whether the indispensable condition of a righteous peace, just alike to the Cubans and to Spain, as well as equitable to all our interests so intimately involved in the welfare of Cuba, is likely to be attained. If not, the exigency of further and other action by the United States will remain to be taken. When that time comes that action will be determined in the line of indisputable right and duty. It will be faced, without misgiving or hesitancy, in the light of the obligation this Government owes to itself, to the people who have confided to it the protection of their interests and honor, and to humanity.
>
> Sure of the right, keeping free from all offense ourselves, actuated only by upright and patriotic considerations, moved neither by passion nor selfishness, the Government will continue its watchful care over the rights and property of American citizens and will abate none of its efforts to bring about by peaceful agencies a peace which shall be honorable and enduring. If it shall hereafter appear to be a duty imposed by our obligations to ourselves, to civilization and humanity to intervene with force, it shall be without fault on our part and only because the necessity for such action will be so clear as to command the support and approval of the civilized world.

The long trial has proved that the object for which Spain has waged the war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquility and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

And in the interest of humanity and to aid in preserving the lives of the starving people of the island I recommend that the distribution of food and supplies be continued, and that an appropriation be made out of the public Treasury to supplement the charity of our citizens.

The issue is now with the Congress. It is a solemn responsibility. I have exhausted every effort to relieve the intolerable condition of affairs which is at our doors. Prepared to execute every obligation imposed upon me by the Constitution and the law, I await your action.

Yesterday, and since the preparation of the foregoing message, official information was received by me that the latest decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not yet been communicated to me.

This fact with every other pertinent consideration will, I am sure, have your just and careful attention in the solemn deliberations upon which you are about to enter. If this measure attains a successful result, then our aspirations as a Christian, peace-loving people will be realized. If it fails, it will be only another justification for our contemplated action.

WILLIAM McKINLEY.

EXECUTIVE MANSION, *April 11, 1898.*

Mr. DAVIS. I move that the message of the President, together with the accompanying documents, be printed and referred to the Committee on Foreign Relations.

Mr. STEWART. Mr. President, I do not propose to discuss this question at this time, but such a new phase of it has been presented by the message of the President that I think some public discussion ought to be had before it is referred to the committee.

Intervention in Cuba without the invitation of either party and without the recognition of the belligerent rights of the Cubans looks like a war of conquest. It would be difficult to find a precedent for such intervention outside of the conquest of Egypt or the dividing up of China among the great powers of Europe.

The intervention which most attracted the attention of the world, and which received the commendation of all good men, was the intervention of the powers to protect the struggling people of Greece. Greece had hardly the shadow of a government. The Turks were literally destroying them. They were unable to resist, and were about to be exterminated, when the powers intervened in behalf of Greece and enabled her to form an independent Government. That action was universally approved, and is cited as a precedent for such a case as is presented by the conditions in Cuba.

At the time of our Revolution, France practically intervened in our behalf. It was not suggested that her forces should be used to end the rebellion, take possession of the country, and dictate to the patriots of the Revolution.

There is nothing in the condition of Cuba as set forth in the President's message to form a shadow of an excuse for using armed force against the insurgents, by intervention against Spain and the armies of the patriots in the field. Recognition of the rights of the Cubans must precede intervention, or the United States will be placed in the position of a filibuster, prosecuting war for conquest.

On the 28th of February, 1896, the Senate passed, by a vote of 64 to 6, the following resolution:

Resolved by the Senate (the House of Representatives concurring), That in the opinion of Congress, a condition of public war exists between the Government of Spain and the Government proclaimed and for some time maintained by force of arms by the people of Cuba; and that the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

Resolved further, That the friendly offices of the United States should be offered by the President to the Spanish Government for the recognition of the independence of Cuba.

On the 6th of April, 1896, the House of Representatives passed that same resolution by a vote of 246 to 27. Before the passage of that resolution the subject of acknowledging the belligerent rights of the Cubans was very elaborately discussed by the learned lawyers of both Houses of Congress, and the conclusion at which Congress then arrived was very deliberately made. There was nearly a year of discussion, and what has occurred since has tended very strongly to confirm the opinion which Congress then entertained.

The Republican convention, which met in July following the passage of this resolution, took substantially the same view of the question. It declared:

From the hour of achieving their own independence, the people of the United States have regarded with sympathy the struggles of other American peoples to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

The Government of Spain, having lost control of Cuba, and being unable to protect the property or lives of resident American citizens, or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

"Restore peace and give independence to the island!" That was the sentiment of the country then, and it has been the sentiment of the country ever since. What has occurred since the meeting of that convention to change the conditions? The "incidents" which have occurred since—they are called "incidents"—demand in the most urgent manner prompt action on the part of the United States.

The battle ship *Maine* was blown up by Spain in Havana Harbor. That was an act of war. If a person should put a torpedo under this Capitol, if that torpedo should explode, and if we knew who put it there, would we hold the person harmless, even if we did not see who fired the torpedo? Would we think further investigation was necessary to establish the guilt of the person who planted the torpedo and laid the train? Would we discharge that person on the supposition that he had an accomplice and we could not ascertain who his accomplice was?

The blowing up of the *Maine* is a parallel case. Spain placed the *Maine* over a torpedo, over a mine, which was a Spanish mine. She knew where it was; and that makes the case. War with Spain for the blowing up of the *Maine* would be a war about which we need not invite a consultation or ask the advice of Europe. The President, however, does not invite our attention to the consideration of war in consequence of the act of Spain in blowing up the *Maine*, but the people do.

Passing that by, it was suggested that we had reasons to interfere in behalf of humanity; on account of the cruel starvation of the people of Cuba; on account of the murder of them by hundreds of thousands. The President presented that case to Spain. Spain recognized the injustice and the cruelty of it in words, and appropriated $600,000 for the relief of the reconcentrados. She said she was willing to cooperate with us in mitigating the atrocities she had committed upon the noncombatants of Cuba. She repealed the order which confined the reconcentrados in cities to starve and die. When that was done, that cause of war was substantially removed.

Intervention amongst nations occurs for three reasons: One for conquest, one to stop extreme cruelties, and the other to help one side or the other. We have a right to intervene if Spain asks us to do so; we have a right to intervene if the existing Cuban Government asks us to do so; and we may have a duty to intervene when the Cuban Government needs such intervention. That occurs sometimes; and of such interventions the world has always approved; but the justice of an intervention for conquest is never admitted. Under the law of nations intervention for conquest is condemned, and is opposed to the universal sentiment of mankind. It is unjust, it is robbery, to intervene for conquest. In this case there can not now be intervention for the sake of humanity, because Spain is willing and promises that she will do all she can to relieve the suffering.

If it is intervention against Spain and against Cuba, how is it to terminate? What will be the obligations of the parties when the war ceases? If we enter upon this war without having the Cuban patriots as our allies, we shall have a great war on our hands, and the rainy season and the yellow fever would make it impossible for our soldiers to live in Cuba. It is impossible for the Spanish soldiers to fight there during the rainy season, but the Cubans, being acclimated and being trained soldiers, having been in the field for years, can carry on war. If we interfere in their behalf, we need to send no soldiers there. All we will have to do will be to send arms, ammunition, and food, and the Spaniards will be compelled to leave the Island of Cuba. If we do not want to intervene at all, if we want to do what Congress advised two years ago—acknowledge the belligerent rights of the Cubans—they will take care of themselves, and Cuba will be lost to Spain.

If we intervene and take possession of the country, what are we going to do with it? However, if we declare war against Spain on

account of the destruction of the *Maine*, we would incur no responsibility after the termination of the war. A war with Spain, having the Cubans for allies, would be approved by all liberty-loving people in the land; a war to set them free would be hailed with the same acclaim of approval as was the war against Turkey to liberate Greece. It would be regarded by liberty-loving men as favorably as was the aid which France gave us in securing our liberty. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. STEWART. The spirit of the American people was expressed in that resolution of the Republican party, and with more accuracy than I have ever seen it expressed elsewhere. It was in exact accord with the feeling of our people. I remember, on reading that resolution, I said, "The Republican party have now reached the heart of the American people;" and that was the case throughout the entire campaign. A war in aid of liberty is a war in which the American people are willing to engage. A war to avenge the destruction of the *Maine* will be approved throughout the land. I believe we ought to hold Spain responsible for that act. But a war against both parties in Cuba and taking possession of the island is another thing. What will you do with the island when you take it? There is some talk about responsibility. As I read international law, the responsibility upon us would be very great if we should take the island.

When a country is divided, the two sections of it are equally responsible for its debt. Some authorities say that the debt should be divided between them pro rata, and some even go so far as to say that each is responsible for the entire debt of a government when a country is divided. But when the Cubans make war for liberty, for independence, and a debt is incurred to subdue them, or a debt is incurred to suppress a rebellion which finally succeeds, the new government is freed from all liability for such debt. That is the law of nations, which a great nation like ours would obey. If we intervene in Cuba and take possession of the island, we can not liberate it from the lien which the bondholders have upon it. It is a mortgaged country. Our interference will not be paramount to the mortgage under international law, but the right to liberty and independence, for which the Cubans have fought, is paramount to a mortgage made to obtain money to subdue them. A mortgage on a country to hold a people in subjection is not an obligation resting upon an independent state when it secures its liberty.

I hope there will be no intervention that does not recognize the right of the Cubans. In all the wars of all the ages there never has been more persistent heroism displayed than has been displayed in the last fifty years in Cuba. Whatever we may do now, the name of Gomez will be honored and prized by all liberty-loving men throughout the world. He has stood firm and said nothing to compromise his people; he has done nothing that was not lofty and patriotic; and those people have endured privations in the conduct of the war the like of which have not a parallel in history.

Shall we say that we will not recognize the patriots of Cuba; that we will make war to take possession of the island without their consent? If we do, they will not be our allies. If they are not our allies, and we must fight them and Spain together in the sickly, yellow-fever season, we will have to sacrifice hundreds of thousands of our best people. On the contrary, if they are our allies, we need not send a soldier to Cuba, for the Cubans will have plenty of soldiers to drive the Spaniards out. If we will acknowledge their independence and remain neutral, the Cuban patriots will gain their liberty without our aid.

The Secretary of the Treasury tells us that we have spent millions in policing the ocean to blockade Cuba and prevent munitions of war and supplies from being landed on the island. When I read that I asked myself were we entirely blameless for the starvation of hundreds of thousands of the noncombatants of Cuba. If we had not blockaded the country it might have been impossible for Spain to have carried on a war of extermination by starvation. We have, besides that, used the entire power of the Government to hunt down every person who attempted to give aid of any kind to Cuba. All this has been done year after year, and still Spain is powerless to subjugate the island.

Let us at least be neutral. The time has now arrived for dissolving our alliance with Spain—an alliance which never ought to have been made. Let Cuba buy supplies in our markets upon the same terms and conditions as Spain does, and let her get them to the island without interference from our revenue cutters. Let us remove our blockade, and food and munitions of war will find their way to the struggling Cubans and Cuba will soon be free; but do not for one moment contemplate a war against the patriots for whom the people of the United States have so strong a sympathy. Our whole people sympathize with the struggle for liberty which the Cubans have made, and war on them or interference with them without their consent will be condemned by the American people.

I hope the Committee on Foreign Relations will consider the subject well, and deliberate long before it recommends this new departure suggested by the message of the President.

Mr. DANIEL. Is debate in order, Mr. President?

Mr. DAVIS. Mr. President, I trust the question upon the motion to refer the message of the President may be taken without further debate. The business with which the Committee on Foreign Relations is charged will doubtless be much expedited thereby.

Mr. MASON. I am perfectly satisfied with the suggestion of the chairman of the Committee on Foreign Relations, but I simply wish to give notice that I shall desire about ten minutes of time, either at some time during to-day or to-morrow, to bring to the attention of the committee before their final report some of the precedents, and what I think are the established rules of international law. I desire to present them, at the proper time, as arguments in favor of the recognition of the independence of Cuba.

Mr. BUTLER. Mr. President, I do not intend to speak at length to-day. I rise to introduce a joint resolution which expresses my views of what duty, honor, and patriotism demands of us as a nation; and in introducing it I want to say that I am greatly disappointed, to say the least, at the message of the President which has just been read. In great suspense the American people have waited for this message, and when they read it they will be more than disappointed. That message does not mean the independence of Cuba. The message means, if it means anything, that the President asks Congress to authorize him to make the Cubans stop fighting for their liberty and surrender to the cruel rule of Spain and the greedy demands of bondholders. He asks that we authorize him to intervene to stop the war. The war can not be stopped, Mr. President, until Cuba is free and the Spanish flag goes off from Cuban soil; the Cubans will never submit to anything else, and every American patriot ought to glory in their courage and bravery and pluck. If we favor this course, then let us recognize the independence of Cuba. There is but one other way to stop the war, and that is for the United States to help Spain to crush the Cuban patriots. Shall we permit the President to take that course?

Shall Congress and the country permit our Army and Navy to be used to help Spain further to force autonomy fraud upon the struggling Cubans and take from them that liberty which they have already won? If we do, shame upon us! Shall we sit two months after our vessel and our sailors have been destroyed by Spain and refer to the outrage and the crime as an "incident" and talk of arbitration?

No, Mr. President, the stock jobbers and the bond sharks have not yet crushed out American manhood and patriotism. Before such a monstrous, humiliating proposition can be put through Congress the American people shall be heard from; and, Mr. President, when they are, then the *Maine* will be avenged and Cuba will be free.

Mr. President, I shall have something further to say hereafter. I will withhold further remarks now and let the motion of the Senator from Minnesota be put.

The VICE-PRESIDENT. The question is on the motion of the Senator from Minnesota [Mr. DAVIS], that the message of the President, with the accompanying documents, be referred to the Committee on Foreign Relations and printed.

The motion was agreed to.

INDEPENDENCE OF CUBA.

Mr. BUTLER. I ask that the joint resolution which I offer be now read as part of my remarks.

The VICE-PRESIDENT. If there be no objection, the joint resolution will be read.

The joint resolution (S. R. 142) for the recognition of the independence of the Republic of Cuba was read the first time by its title and the second time at length, as follows:

Whereas the destruction of the U. S. battle ship *Maine* and the murdering of 266 of our sailors in Havana Harbor by the Spanish Government is an act of war on the part of Spain against the United States: Therefore,

Be it resolved by the Senate and House of Representatives of the United States in Congress assembled, First. That to avenge this most foul and unparalleled crime, which our national honor demands, and to put a stop to Spain's most cruel, barbarous, and inhuman warfare now being waged against Cuba, which is demanded in the interest of liberty and humanity, that the Government of the United States hereby recognizes the Cuban Republic as a separate and independent nation.

Second. That the Government of the United States hereby demands that Spain at once withdraw her land and naval forces from Cuba.

Third. That the President of the United States be, and he is hereby, authorized, empowered, and directed to use, if necessary, the entire land and naval force of the United States to carry these resolutions into effect.

Mr. BUTLER. These resolutions express my feelings and sentiments, and I believe that they express the feelings and sentiments of the American people. The crime of February 15 must be avenged by Cuban independence!

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 8875) to amend an act entitled, "An act to authorize the construction of a bridge across the Yazoo River at or near the

city of Greenwood, in Leflore County, in the State of Mississippi;" in which it requested the concurrence of the Senate.

AFFAIRS IN CUBA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. DAVIS, referred, with the accompanying papers, to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

I transmit herewith, in response to a resolution of the Senate of the 14th of February last, calling for information and correspondence in regard to the condition of the Island of Cuba and to negotiations for commercial relations between the United States and that island, a report of the Secretary of State, with its accompanying correspondence, covering the first inquiry of the resolution, together with a report of the special commissioner plenipotentiary charged with commercial negotiations under the provisions of the tariff act approved July 24, 1897, in response to the second inquiry.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, April 11, 1898.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 12, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 11, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of Thursday last was read and approved.

ORDER OF BUSINESS.

Mr. BABCOCK. Mr. Speaker, I call up for present consideration—this being District day—the bill H. R. 9205.

Mr. ROYSE. Mr. Speaker, I had already given notice that I intended to call up to-day the election case of Fairchild against Ward.

I would like to inquire how long the gentleman from Wisconsin thinks this matter will take for consideration?

Mr. BABCOCK. Not more, I think, than fifteen or twenty minutes. I know of no reason why it should exceed that length of time.

Mr. ROYSE. I should not like to yield unless I was absolutely certain that the gentleman would be willing to give up the floor at that time.

Mr. BABCOCK. It is, of course, impossible to be absolutely certain as to the time. That is my impression, however. I know of no opposition to these measures, and we have but two bills to bring forward to-day.

Mr. ROYSE. And the gentleman is not able to state definitely how long it will take to consider them?

Mr. BABCOCK. I am not able to do so. It would be utterly impossible. In my best judgment it will take less than a half hour.

Mr. ROYSE. If the gentleman can assure me he will complete the consideration of them within a half hour, or about that, I am willing to yield for that length of time. Otherwise I do not want this case to go over.

Mr. BABCOCK. It is impossible for me to say. I think this business will be concluded within fifteen minutes. But, of course, that is only my individual opinion.

Mr. ROYSE. What is the character of the bills the gentleman desires to call up to-day?

Mr. BABCOCK. The bill (H. R. 9205) is a bill for the extension of the Columbia Railroad, a matter agreed on by all; and the other is the Episcopal Church charter.

Mr. ROYSE. I doubt whether it is better to yield under the circumstances. It may take an hour or over to get through with those bills.

I think, Mr. Speaker, I will have to insist on taking up the election case.

Mr. BABCOCK. Then, Mr. Speaker, this being District day, I must raise the question of consideration.

The SPEAKER. The Clerk will report the title of the election case called up by the gentleman from Indiana.

The Clerk read as follows:

Contested-election case—Ben L. Fairchild *vs.* William L. Ward.

The SPEAKER. The gentleman from Wisconsin raises the question of consideration.

The question was taken; and the Speaker announced that in the opinion of the Chair the noes appeared to prevail.

Mr. ROYSE demanded a division.

The question was taken on a division; and there were—ayes 154, noes 110.

Mr. BABCOCK. I ask for the yeas and nays.

Mr. ROYSE. Mr. Speaker——

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

Mr. BABCOCK. I ask, Mr. Speaker, that this matter be left pending until after the message is received.

The SPEAKER. Without objection, the message will be submitted to the House at this time.

Mr. ADAMS. Mr. Speaker, by instructions of the Committee on Foreign Affairs, I ask permission of the House that the committee have leave to sit during the sessions of the House.

The SPEAKER. The Chair will submit that question after the message has been read.

The Chair hopes the House will be in order, and that those in the galleries will refrain from any expressions of sentiment; and further, that perfect order may be maintained both on the floor and in the galleries during the reading of the message.

CUBAN AFFAIRS.

The following message from the President of the United States was read, and, with the accompanying papers, was ordered to be printed, and referred to the Committee on Foreign Affairs.

To the Congress of the United States:

Obedient to that precept of the Constitution which commands the President to give from time to time to the Congress information of the state of the Union and to recommend to their consideration such measures as he shall judge necessary and expedient, it becomes my duty now to address your body with regard to the grave crisis that has arisen in the relations of the United States to Spain by reason of the warfare that for more than three years has raged in the neighboring Island of Cuba.

I do so because of the intimate connection of the Cuban question with the state of our own Union and the grave relation the course which it is now incumbent upon the nation to adopt must needs bear to the traditional policy of our Government if it is to accord with the precepts laid down by the founders of the Republic and religiously observed by succeeding Administrations to the present day.

The present revolution is but the successor of other similar insurrections which have occurred in Cuba against the dominion of Spain, extending over a period of nearly half a century, each of which during its progress has subjected the United States to great effort and expense in enforcing its neutrality laws, caused enormous losses to American trade and commerce, caused irritation, annoyance, and disturbance among our citizens, and, by the exercise of cruel, barbarous, and uncivilized practices of warfare, shocked the sensibilities and offended the humane sympathies of our people.

Since the present revolution began in February, 1895, this country has seen the fertile domain at our theshold ravaged by fire and sword in the course of a struggle unequaled in the history of the island and rarely paralleled as to the numbers of the cambatants and the bitterness of the contest by any revolution of modern times where a dependent people striving to be free have been opposed by the power of the sovereign state.

Our people have beheld a once prosperous community reduced to comparative want, its lucrative commerce virtually paralyzed, its exceptional productiveness diminished, its fields laid waste, its mills in ruins, and its people perishing by tens of thousands from hunger and destitution. We have found ourselves constrained, in the observance of that strict neutrality which our laws enjoin, and which the law of nations commands, to police our own waters and watch our own seaports in prevention of any unlawful act in aid of the Cubans.

Our trade has suffered, the capital invested by our citizens in Cuba has been largely lost, and the temper and forbearance of our people have been so sorely tried as to beget a perilous unrest among our own citizens which has inevitably found its expression from time to time in the National Legislature, so that issues wholly external to our own body politic engross attention and stand in the way of that close devotion to domestic advancement that becomes a self-contained commonwealth whose primal maxim has been the avoidance of all foreign entanglements. All this must needs awaken, and has, indeed, aroused the utmost concern on the part of this Government, as well during my predecessor's term as in my own.

In April, 1896, the evils from which our country suffered through the Cuban war became so onerous that my predecessor made an effort to bring about a peace through the mediation of this Government in any way that might tend to an honorable adjustment of the contest between Spain and her revolted colony on the basis of some effective scheme of self-government for Cuba under the flag and sovereignty of Spain. It failed through the refusal of the Spanish Government then in power to consider any form of mediation or, indeed, any plan of settlement which did not begin

with the actual submission of the insurgents to the mother country, and then only on such terms as Spain herself might see fit to grant. The war continued unabated. The resistance of the insurgents was in no wise diminished.

The efforts of Spain were increased, both by the dispatch of fresh levies to Cuba and by the addition to the horrors of the strife of a new and inhuman phase happily unprecedented in the modern history of civilized Christian peoples. The policy of devastation and concentration inaugurated by the Captain-General's bando of October 21, 1896, in the Province of Pinar del Rio, was thence extended to embrace all of the island to which the power of the Spanish arms was able to reach by occupation or by military operations. The peasantry, including all dwelling in the open agricultural interior, were driven into the garrison towns or isolated places held by the troops.

The raising and movement of provisions of all kinds were interdicted. The fields were laid waste, dwellings unroofed and fired, mills destroyed, and, in short, everything that could desolate the land and render it unfit for human habitation or support was commanded by one or the other of the contending parties and executed by all the powers at their disposal.

By the time the present Administration took office a year ago reconcentration, so called, had been made effective over the better part of the four central and western provinces—Santa Clara, Matanzas, Havana, and Pinar del Rio.

The agricultural population to the estimated number of 300,000 or more was herded within the towns and their immediate vicinage, deprived of the means of support, rendered destitute of shelter, left poorly clad, and exposed to the most unsanitary conditions. As the scarcity of food increased with the devastation of the depopulated areas of production, destitution and want became misery and starvation. Month by month the death rate increased in an alarming ratio. By March, 1897, according to conservative estimates from official Spanish sources, the mortality among the reconcentrados from starvation and the diseases thereto incident exceeded 50 per cent of their total number.

No practical relief was accorded to the destitute. The overburdened towns, already suffering from the general dearth, could give no aid. So-called "zones of cultivation" established within the immediate areas of effective military control about the cities and fortified camps proved illusory as a remedy for the suffering. The unfortunates, being for the most part women and children, with aged and helpless men, enfeebled by disease and hunger, could not have tilled the soil without tools, seed, or shelter for their own support or for the supply of the cities. Reconcentration, adopted avowedly as a war measure in order to cut off the resources of the insurgents, worked its predestined result. As I said in my message of last December, it was not civilized warfare; it was extermination. The only peace it could beget was that of the wilderness and the grave.

Meanwhile the military situation in the island had undergone a noticeable change. The extraordinary activity that characterized the second year of the war, when the insurgents invaded even the thitherto unharmed fields of Pinar del Rio and carried havoc and destruction up to the walls of the city of Havana itself, had relapsed into a dogged struggle in the central and eastern provinces. The Spanish arms regained a measure of control in Pinar del Rio and parts of Havana, but, under the existing conditions of the rural country, without immediate improvement of their productive situation. Even thus partially restricted, the revolutionists held their own, and their conquest and submission, put forward by Spain as the essential and sole basis of peace, seemed as far distant as at the outset.

In this state of affairs my Administration found itself confronted with the grave problem of its duty. My message of last December reviewed the situation and narrated the steps taken with a view to relieving its acuteness and opening the way to some form of honorable settlement. The assassination of the prime minister, Canovas, led to a change of government in Spain. The former administration, pledged to subjugation without concession, gave place to that of a more liberal party, committed long in advance to a policy of reform involving the wider principle of home rule for Cuba and Puerto Rico.

The overtures of this Government, made through its new envoy, General Woodford and looking to an immediate and effective amelioration of the condition of the island, although not accepted to the extent of admitted mediation in any shape, were met by assurances that home rule, in an advanced phase, would be forthwith offered to Cuba, without waiting for the war to end, and that more humane methods should thenceforth prevail in the conduct of hostilities. Coincidentally with these declarations, the new government of Spain continued and completed the policy already begun by its predecessor, of testifying friendly regard for this nation by releasing American citizens held under one charge or another connected with the insurrection, so that, by the end of November, not a single person entitled in any way to our national protection remained in a Spanish prison.

While these negotiations were in progress the increasing destitution of the unfortunate reconcentrados and the alarming mortality among them claimed earnest attention. The success which had attended the limited measure of relief extended to the suffering American citizens among them by the judicious expenditure through the consular agencies of the money appropriated expressly for their succor by the joint resolution approved May 24, 1897, prompted the humane extension of a similar scheme of aid to the great body of sufferers. A suggestion to this end was acquiesced in by the Spanish authorities. On the 24th of December last, I caused to be issued an appeal to the American people, inviting contributions in money or in kind for the succor of the starving sufferers in Cuba, following this on the 8th of January by a similar public announcement of the formation of a central Cuban relief committee, with headquarters in New York City, composed of three members representing the American National Red Cross and the religious and business elements of the community.

The efforts of that committee have been untiring and have accomplished much. Arrangements for free transportation to Cuba have greatly aided the charitable work. The president of the American Red Cross and representatives of other contributory organizations have generously visited Cuba and cooperated with the consul-general and the local authorities to make effective distribution of the relief collected through the efforts of the central committee. Nearly $200,000 in money and supplies has already reached the sufferers, and more is forthcoming. The supplies are admitted duty free, and transportation to the interior has been arranged, so that the relief, at first necessarily confined to Havana and the larger cities, is now extended through most if not all the towns where suffering exists.

Thousands of lives have already been saved. The necessity for a change in the condition of the reconcentrados is recognized by the Spanish Government. Within a few days past the orders of General Weyler have been revoked; the reconcentrados, it is said, are to be permitted to return to their homes and aided to resume the self-supporting pursuits of peace. Public works have been ordered to give them employment, and a sum of $600,000 has been appropriated for their relief.

The war in Cuba is of such a nature that short of subjugation or extermination a final military victory for either side seems impracticable. The alternative lies in the physical exhaustion of the one or the other party, or perhaps of both—a condition which in effect ended the ten years' war by the truce of Zanjon. The prospect of such a protraction and conclusion of the present strife is a contingency hardly to be contemplated with equanimity by the civilized world, and least of all by the United States, affected and injured as we are, deeply and intimately, by its very existence.

Realizing this, it appeared to be my duty, in a spirit of true friendliness, no less to Spain than to the Cubans who have so much to lose by the prolongation of the struggle, to seek to bring about an immediate termination of the war. To this end I submitted on the 27th ultimo, as a result of much representation and correspondence, through the United States minister at Madrid, propositions to the Spanish Government looking to an armistice until October 1 for the negotiation of peace with the good offices of the President.

In addition, I asked the immediate revocation of the order of reconcentration, so as to permit the people to return to their farms and the needy to be relieved with provisions and supplies from the United States, cooperating with the Spanish authorities, so as to afford full relief.

The reply of the Spanish cabinet was received on the night of the 31st ultimo. It offered, as the means to bring about peace in Cuba, to confide the preparation thereof to the insular parliament, inasmuch as the concurrence of that body would be necessary to reach a final result, it being, however, understood that the powers reserved by the constitution to the Central Government are not lessened or diminished. As the Cuban parliament does not meet until the 4th of May next, the Spanish Government would not object, for its part, to accept at once a suspension of hostilities if asked for by the insurgents from the general in chief, to whom it would pertain, in such case, to determine the duration and conditions of the armistice.

The propositions submitted by General Woodford and the reply of the Spanish Government were both in the form of brief memoranda, the texts of which are before me, and are substantially in the language above given. The function of the Cuban parliament in the matter of "preparing" peace and the manner of its doing so are not expressed in the Spanish memorandum; but from General Woodford's explanatory reports of preliminary discussions preceding the final conference it is understood that the Spanish Government stands ready to give the insular congress full powers to settle the terms of peace with the insurgents—whether by direct negotiation or indirectly by means of legislation does not appear.

With this last overture in the direction of immediate peace and

its disappointing reception by Spain the Executive is brought to the end of his effort.

In my annual message of December last I said:

> Of the untried measures there remain only, recognition of the insurgents as belligerents, recognition of the independence of Cuba, neutral intervention to end the war by imposing a rational compromise between the contestants, and intervention in favor of one or the other party. I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

Thereupon I reviewed these alternatives in the light of President Grant's measured words, uttered in 1875, when, after seven years of sanguinary, destructive, and cruel hostilities in Cuba, he reached the conclusion that the recognition of the independence of Cuba was impracticable and indefensible, and that the recognition of belligerence was not warranted by the facts according to the tests of public law. I commented especially upon the latter aspect of the question, pointing out the inconveniences and positive dangers of a recognition of belligerence which, while adding to the already onerous burdens of neutrality within our own jurisdiction, could not in any way extend our influence or effective offices in the territory of hostilities.

Nothing has since occurred to change my view in this regard; and I recognize as fully now as then that the issuance of a proclamation of neutrality, by which process the so-called recognition of belligerents is published, could, of itself and unattended by other action, accomplish nothing toward the one end for which we labor—the instant pacification of Cuba and the cessation of the misery that afflicts the island.

Turning to the question of recognizing at this time the independence of the present insurgent government in Cuba, we find safe precedents in our history from an early day. They are well summed up in President Jackson's message to Congress December 21, 1836, on the subject of the recognition of the independence of Texas. He said:

> In all the contests that have arisen out of the revolutions of France, out of the disputes relating to the Crowns of Portugal and Spain, out of the separation of the American possessions of both from the European Governments, and out of the numerous and constantly occurring struggles for dominion in Spanish America so wisely consistent with our just principles has been the action of our Government that we have, under the most critical circumstances, avoided all censure and encountered no other evil than that produced by a transient estrangement of good will in those against whom we have been by force of evidence compelled to decide.
>
> It has thus made known to the world that the uniform policy and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views or to the merits of the original controversy.
>
> * * * But on this, as on every other trying occasion, safety is to be found in a rigid adherence to principle.
>
> In the contest between Spain and the revolted colonies we stood aloof, and waited not only until the ability of the new States to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, were they recognized.
>
> Such was our course in regard to Mexico herself. * * * It is true that with regard to Texas the civil authority of Mexico has been expelled, its invading army defeated, the chief of the Republic himself captured, and all present power to control the newly organized government of Texas annihilated within its confines; but, on the other hand, there is in appearance at least, an immense disparity of physical force on the side of Texas. The Mexican Republic, under another executive, is rallying its forces under a new leader and menacing a fresh invasion to recover its lost dominion.
>
> Upon the issue of this threatened invasion the independence of Texas may be considered as suspended; and were there nothing peculiar in the relative situation of the United States and Texas, our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve with which we have hitherto held ourselves bound to treat all similar questions.

Thereupon Andrew Jackson proceeded to consider the risk that there might be imputed to the United States motives of selfish interest in view of the former claim on our part to the territory of Texas and of the avowed purpose of the Texans in seeking recognition of independence as an incident to the incorporation of Texas in the Union, concluding thus:

> Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long-established policy of our Government, a policy which has secured to us respect and influence abroad and inspired confidence at home.

These are the words of the resolute and patriotic Jackson. They are evidence that the United States, in addition to the test imposed by public law as the condition of the recognition of independence by a neutral state (to wit, that the revolted state shall "constitute in fact a body politic, having a government in substance as well as in name, possessed of the elements of stability," and forming de facto, "if left to itself, a state among the nations, reasonably capable of discharging the duties of a state"), has imposed for its own governance in dealing with cases like these the further condition that recognition of independent statehood is not due to a revolted dependency until the danger of its being again subjugated by the parent state has entirely passed away.

This extreme test was, in fact, applied in the case of Texas. The Congress to whom President Jackson referred the question as one "probably leading to war," and therefore a proper subject for "a previous understanding with that body by whom war can alone be declared and by whom all the provisions for sustaining its perils must be furnished," left the matter of the recognition of Texas to the discretion of the Executive, providing merely for the sending of a diplomatic agent when the President should be satisfied that the Republic of Texas had become "an independent State." It was so recognized by President Van Buren, who commissioned a chargé d'affaires March 7, 1837, after Mexico had abandoned an attempt to reconquer the Texan territory, and when there was at the time no bona fide contest going on between the insurgent Province and its former Sovereign.

I said in my message of December last, "It is to be seriously considered whether the Cuban insurrection possesses beyond dispute the attributes of statehood which alone can demand the recognition of belligerency in its favor." The same requirement must certainly be no less seriously considered when the graver issue of recognizing independence is in question, for no less positive test can be applied to the greater act than to the lesser; while, on the other hand, the influences and consequences of the struggle upon the internal policy of the recognizing state, which form important factors when the recognition of belligerency is concerned, are secondary, if not rightly eliminable, factors when the real question is whether the community claiming recognition is or is not independent beyond peradventure.

Nor from the standpoint of expediency do I think it would be wise or prudent for this Government to recognize at the present time the independence of the so-called Cuban Republic. Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of international obligation toward the organization so recognized. In case of intervention our conduct would be subject to the approval or disapproval of such government. We would be required to submit to its direction and to assume to it the mere relation of a friendly ally.

When it shall appear hereafter that there is within the island a government capable of performing the duties and discharging the functions of a separate nation, and having, as a matter of fact, the proper forms and attributes of nationality, such government can be promptly and readily recognized and the relations and interests of the United States with such nation adjusted.

There remain the alternative forms of intervention to end the war, either as an impartial neutral by imposing a rational compromise between the contestants or as the active ally of the one party or the other.

As to the first, it is not to be forgotten that during the last few months the relation of the United States has virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to the exertion of a potential influence toward an ultimate pacific result just and honorable to all interests concerned. The spirit of all our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba untarnished by differences between us and Spain and unstained by the blood of American citizens.

The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds. It involves, however, hostile constraint upon both the parties to the contest, as well to enforce a truce as to guide the eventual settlement.

The grounds for such intervention may be briefly summarized as follows:

First. In the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation, and is therefore none of our business. It is specially our duty, for it is right at our door.

Second. We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property which no government there can or will afford, and to that end to terminate the conditions that deprive them of legal protection.

Third. The right to intervene may be justified by the very serious injury to the commerce, trade, and business of our people and by the wanton destruction of property and devastation of the island.

Fourth, and which is of the utmost importance. The present condition of affairs in Cuba is a constant menace to our peace, and entails upon this Government an enormous expense. With such a conflict waged for years in an island so near us and with

which our people have such trade and business relations—when the lives and liberty of our citizens are in constant danger and their property destroyed and themselves ruined—where our trading vessels are liable to seizure and are seized at our very door by war ships of a foreign nation, the expeditions of filibustering that we are powerless to prevent altogether, and the irritating questions and entanglements thus arising—all these and others that I need not mention, with the resulting strained relations, are a constant menace to our peace, and compel us to keep on a semiwar footing with a nation with which we are at peace.

These elements of danger and disorder already pointed out have been strikingly illustrated by a tragic event which has deeply and justly moved the American people. I have already transmitted to Congress the report of the naval court of inquiry on the destruction of the battle ship *Maine* in the harbor of Havana during the night of the 15th of February. The destruction of that noble vessel has filled the national heart with inexpressible horror. Two hundred and fifty-eight brave sailors and marines and two officers of our Navy, reposing in the fancied security of a friendly harbor, have been hurled to death, grief and want brought to their homes and sorrow to the nation.

The naval court of inquiry, which, it is needless to say, commands the unqualified confidence of the Government, was unanimous in its conclusion that the destruction of the *Maine* was caused by an exterior explosion, that of a submarine mine. It did not assume to place the responsibility. That remains to be fixed.

In any event the destruction of the *Maine*, by whatever exterior cause, is a patent and impressive proof of a state of things in Cuba that is intolerable. That condition is thus shown to be such that the Spanish Government can not assure safety and security to a vessel of the American Navy in the harbor of Havana on a mission of peace, and rightfully there.

Further referring in this connection to recent diplomatic correspondence, a dispatch from our minister to Spain, of the 26th ultimo, contained the statement that the Spanish minister for foreign affairs assured him positively that Spain will do all that the highest honor and justice require in the matter of the *Maine*. The reply above referred to of the 31st ultimo also contained an expression of the readiness of Spain to submit to an arbitration all the differences which can arise in this matter, which is subsequently explained by the note of the Spanish minister at Washington of the 10th instant, as follows:

As to the question of fact which springs from the diversity of views between the reports of the American and Spanish boards, Spain proposes that the facts be ascertained by an impartial investigation by experts, whose decision Spain accepts in advance.

To this I have made no reply.

President Grant, in 1875, after discussing the phases of the contest as it then appeared, and its hopeless and apparent indefinite prolongation, said:

In such event, I am of opinion that other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible—mediation and intervention. Owing, perhaps, to the large expanse of water separating the island from the Peninsula, * * * the contending parties appear to have within themselves no depository of common confidence, to suggest wisdom when passion and excitement have their sway, and to assume the part of peacemaker.

In this view in the earlier days of the contest the good offices of the United States as a mediator were tendered in good faith, without any selfish purpose, in the interest of humanity and in sincere friendship for both parties, but were at the time declined by Spain, with the declaration, nevertheless, that at a future time they would be indispensable. No intimation has been received that in the opinion of Spain that time has been reached. And yet the strife continues with all its dread horrors and all its injuries to the interests of the United States and of other nations.

Each party seems quite capable of working great injury and damage to the other, as well as to all the relations and interests dependent on the existence of peace in the island; but they seem incapable of reaching any adjustment, and both have thus far failed of achieving any success whereby one party shall possess and control the island to the exclusion of the other. Under these circumstances, the agency of others, either by mediation or by intervention, seems to be the only alternative which must sooner or later be invoked for the termination of the strife.

In the last annual message of my immediate predecessor during the pending struggle, it was said:

When the inability of Spain to deal successfully with the insurrection has become manifest, and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeful struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge.

In my annual message to Congress, December last, speaking to this question, I said:

The near future will demonstrate whether the indispensable condition of a righteous peace, just alike to the Cubans and to Spain, as well as equitable to all our interests so intimately involved in the welfare of Cuba, is likely to be attained. If not, the exigency of further and other action by the United States will remain to be taken. When that time comes that action will be determined in the line of indisputable right and duty. It will be faced, without misgiving or hesitancy, in the light of the obligation this Government owes to itself, to the people who have confided to it the protection of their interests and honor, and to humanity.

Sure of the right, keeping free from all offense ourselves, actuated only by upright and patriotic considerations, moved neither by passion nor selfishness, the Government will continue its watchful care over the rights and property of American citizens and will abate none of its efforts to bring about by peaceful agencies a peace which shall be honorable and enduring. If it shall hereafter appear to be a duty imposed by our obligations to ourselves, to civilization, and humanity to intervene with force, it shall be without fault on our part and only because the necessity for such action will be so clear as to command the support and approval of the civilized world.

The long trial has proved that the object for which Spain has waged the war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and act, the war in Cuba must stop.

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

And in the interest of humanity and to aid in preserving the lives of the starving people of the island I recommend that the distribution of food and supplies be continued, and that an appropriation be made out of the public Treasury to supplement the charity of our citizens.

The issue is now with the Congress. It is a solemn responsibility. I have exhausted every effort to relieve the intolerable condition of affairs which is at our doors. Prepared to execute every obligation imposed upon me by the Constitution and the law, I await your action.

Yesterday, and since the preparation of the foregoing message, official information was received by me that the latest decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not yet been communicated to me.

This fact with every other pertinent consideration will, I am sure, have your just and careful attention in the solemn deliberations upon which you are about to enter. If this measure attains a successful result, then our aspirations as a Christian, peace-loving people will be realized. If it fails, it will be only another justification for our contemplated action.

WILLIAM McKINLEY.

EXECUTIVE MANSION, *April 11, 1898.*

The SPEAKER. The message, with accompanying papers, will be printed, and referred to the Committee on Foreign Affairs.

Mr. BAILEY. Mr. Speaker, I desire to ask if the President has transmitted to the House any diplomatic correspondence between this nation and Spain at this time?

The SPEAKER. There is a supplementary message which the Chair will direct to have read.

The Clerk read as follows:

To the House of Representatives of the United States:

I transmit herewith, in response to a resolution of the House of the 14th of February last, calling for information and correspondence in regard to the condition of the Island of Cuba, a report of the Secretary of State, with its accompanying correspondence, covering the inquiries of the resolution.

WILLIAM McKINLEY.

EXECUTIVE MANSION,
Washington, April 11, 1898.

The SPEAKER. This message, with the accompanying documents, will be printed and referred to the Committee on Foreign Affairs.

ORDER OF BUSINESS.

The SPEAKER. The question is on the demand of the gentleman from Wisconsin for the yeas and nays.

Mr. ROYSE. Mr. Speaker, if the Chair will allow me, perhaps we can agree now, without consuming the time of the House further.

It has been agreed between us that the gentleman shall proceed with District business for thirty minutes. I make this suggestion in order to save time.

The SPEAKER. The gentleman from Indiana withdraws his request for consideration of the contested-election case, and the gentleman from Wisconsin [Mr. BABCOCK] is recognized to proceed with the District business.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep regret and profound sorrow of the death of Hon. JAMES Z. GEORGE, late a Senator from the State of Mississippi, and extends to his family and to the people of Mississippi sincere condolence in their bereavement.

Resolved, That as a mark of respect to the memory of the deceased the

business of the Senate be now suspended to enable his associates to pay fitting tribute to his high character and distinguished public services.

Resolved, That the Secretary transmit to the family of the deceased and to the governor of Mississippi a copy of these resolutions, with the action of the Senate thereon.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as an additional mark of respect at the conclusion of these ceremonies the Senate do adjourn.

EXTENSION OF COLUMBIA RAILWAY.

Mr. BABCOCK. I call up the bill (H. R. 9205) to authorize the extension eastwardly of the Columbia Railway.

The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Columbia Railway Company, incorporated under an act of Congress approved May 24, 1870, be, and it is hereby, authorized to extend its lines and to locate, construct, equip, and maintain and operate a single or double track railway, and all necessary depots, stations, sidings, switches, and turn-outs, and to run cars thereon propelled by cable, electric, compressed air, or other mechanical power to be approved by the Commissioners of the District of Columbia, and to carry passengers, parcels, milk, truck, and merchandise over and along the following routes and roads in the District of Columbia, to wit: Beginning at the present eastern terminus of the railway of said company as now laid down and constructed on Benning road; thence along the north side of said road, but outside of the limits thereof, to the western edge or shore line of the Eastern Branch of the Potomac River; thence over the flats of said branch and over said branch by a wooden trestle bridge to the eastern edge or shore of said branch; thence to a point at or near the intersection of said Benning road with the road north of the Baltimore and Potomac Railroad known as the Race Course road; thence along the said Race Course road, but outside its limits, to the Anacostia road; thence along said Anacostia road, but outside its limits, to Watts Creek; thence east across said Anacostia road, and, by a proper subway, underneath the tracks of the Baltimore and Potomac and Baltimore and Ohio railroads, to a point at or near the eastern corner of the District of Columbia, with a branch from the intersection of said Watts Creek and Anacostia road along Anacostia road but outside its limits, to its intersection with the eastern boundary line of the District of Columbia: *Provided*, That the location of said routes and the plans and specifications for the construction of the said railway lines, depots, and stations shall be subject to the approval of the Commissioners of the District of Columbia, and that the said company shall, whenever the flats of the said Eastern Branch shall be reclaimed, construct in the place and stead of the trestle bridge herein provided for a permanent structure, to be approved by the Commissioners of the District of Columbia: *And provided further*, That overhead trolleys shall not be used on the lines of the said company farther west on said railroad than Fifteenth street NE. That wherever electric power propulsion is adopted upon the extension herein authorized, or on any other portion of the line of said Columbia Railway Company, no portion of the electrical circuit shall be through the earth, but a return circuit of proper capacity and located similarly to the feed-wire circuit shall be provided for the electrical current, and that whenever the trolley system is used each car shall be provided with a double trolley, and that no earth connection shall be made with any dynamo furnishing power for the road. The said company is hereby authorized to construct a roadbed or causeway on which to lay the tracks of its railway across the flats of said Eastern Branch from the western shore or edge to the channel thereof.

SEC. 2. That the main line hereby authorized to a point at or near the eastern corner of the District of Columbia shall be completed within one year from the date of the approval of this act, and the branch from said Watts Creek along said Anacostia road shall be completed within two years from the date of the approval of this act.

SEC. 3. That only one fare for a continuous ride over the route described in the company's charter, and over the extensions hereby authorized or any part thereof, shall be charged for each passenger.

SEC. 4. That the said company shall have at all times the free and uninterrupted use of the line and tracks hereby authorized, and if any person or persons shall willfully, mischievously, and unlawfully obstruct or impede the passage of cars of said railway company with a vehicle or vehicles, or otherwise, or in any manner molest or interfere with passengers or operatives while in transit, or destroy or injure the cars of said railway, or depots, stations, or other property belonging to the said railway company, the person or persons so offending shall forfeit and pay for each such offense not less than twenty-five nor more than one hundred dollars, to be recovered as other fines and penalties are recovered in said District, and all persons so offending shall remain liable, in addition to said penalty, for any loss or damage occasioned by his or her or their act as aforesaid; but no suit shall be brought to enforce such fines and penalties or to recover for any such loss or damage unless commenced within sixty days after the offense shall have been committed.

SEC. 5. That the said company shall have the right to acquire and obtain the right of way over and through the land on which the aforesaid lines and routes may be located, and to acquire and hold land for necessary depots, stations, offices, store and power houses, and workshops; and in the event that said company shall not be able to come to an agreement with the owners of any land through which the said line and routes may be located, or on which it may be necessary to erect depots, stations, offices, store and power houses, or workshops, proceedings for the condemnation for the use of the company of so much land as may be required for right of way, not exceeding 80 feet in width, and for the necessary depots, stations, offices, store and power houses, and workshops may be instituted in the supreme court of the District of Columbia under and in accordance with the provisions of sections 257 to 267, both inclusive, of the Revised Statutes of the United States relating to the District of Columbia, being the laws governing the condemnation of lands in said District for public highways: *Provided*, That it shall be the duty of the marshal of the said District, upon the request of said railway company, to summon all necessary jurors and to exercise the powers and authority conferred upon him by said laws: *And provided further*, That the costs and expenses of all such proceedings shall be defrayed by the said railway company. The Commissioners of the District of Columbia are authorized and empowered to locate the lines of the railway of said company within the said area, 80 feet in width, so to be acquired as aforesaid, north of the present northern line of said Benning road. In the event that said Benning road and other roads mentioned in section 1 shall be widened to a width of 90 or more feet, and further, in the event of any portions of the right of way being included in highways to be opened in future, then, and in such cases, the said company shall convey to the District of Columbia, for the use of the public, the right of way over the said area of 80 feet in width, subject, however, to the right of the said company to use and occupy the same for the operation and maintenance of its said road.

SEC. 6. That the said railway company shall have the right to issue bonds of said company to an amount necessary to cover the cost of locating, constructing, and equipping the said extended lines of railway tracks and the depots, stations, offices, store and power houses, and workshops necessary to the proper operation thereof, and to secure the same by a mortgage or deed of trust covering its corporate franchises and properties, or such portion thereof as may be necessary for that purpose: *Provided, however*, That the total issue of said bonds shall not in the aggregate exceed the actual cost of the construction and equipment hereinbefore authorized; and before any bond or trust deed shall be executed, the amount thereof shall be ascertained and fixed by the Commissioners of the District of Columbia; and for this purpose said Commissioners are hereby authorized to subpœna and examine witnesses and take such testimony as may be necessary to enable them to make such determination and fix the amount of issue: *And provided further*, That an appeal may be taken from the decision of said Commissioners to the supreme court of the District of Columbia. And all bonds issued in excess of the amount authorized by said Commissioners or said court, or in violation of the provisions of this act, shall be null and void.

SEC. 7. That the said railway company is authorized and empowered to contract with any railway company owning and operating, or which may hereafter own and operate, any railway connecting or intersecting the extension of the Columbia Railway herein authorized, for the joint use, management, or lease of said extended lines, or either of them, or any part thereof, upon such terms as may be agreed upon between such companies: *Provided*, That steam power shall not be used upon any portion of the route named herein which is or may hereafter be included within the limits of highways, nor west of the present tracks of the Baltimore and Ohio and Baltimore and Potomac railroads: *And provided further*, That nothing herein contained shall be construed to prohibit the Congress from authorizing any other railroad company owning and operating or to own and operate any connecting or intersecting railway to use said extended lines, or either of them, or any part thereof, upon such terms as it may prescribe.

SEC. 8. That the rights conferred and the duties and obligations imposed upon said company by its charter, or by subsequent legislation, shall be held to extend and apply to the extensions herein provided for.

SEC. 9. That Congress reserves to itself the right to alter, amend, or repeal this act.

The amendments reported by the committee were read, as follows:

Section 1, line 10, insert after the comma following the word "power" the words, "except steam locomotives."

Section 4, page 4, strike out in lines 10 and 11 the following words: "not less than twenty-five nor more than," and insert in lieu thereof the words, "a sum not exceeding;" so that it will read, "the person or persons so offending shall forfeit and pay for each such offense a sum not exceeding $100."

Mr. BABCOCK. The object of the first amendment, as just read, is to prevent the use of steam cars on this line.

Mr. McEWAN. I agree with the gentleman that that is a wise provision. Mr. Speaker, I should like to occupy two or three minutes upon this bill.

Mr. BABCOCK. I yield to the gentleman.

Mr. McEWAN. Mr. Speaker, I take the floor merely for the purpose of giving expression to my dissent (which I wish to put in the strongest terms) against the discrimination embraced in this bill in favor of corporations. Section 4 provides for giving to this corporation rights which are not given to the private owner of any wagon, stage, or other vehicles. I submit that, instead of this discrimination being embodied in the bill, that matter ought to be left to the common law. In order that the House may understand exactly the point which I wish to bring to its attention, let me read section 4 of the bill.

Mr. DOCKERY. I wish the gentleman from New Jersey [Mr. McEWAN] would state what rights which are objectionable are conferred by this section upon this corporation.

Mr. McEWAN. The fourth section provides:

That the said company shall have at all times the free and uninterrupted use of the line and tracks hereby authorized, and if any person or persons shall willfully, mischievously, and unlawfully obstruct or impede the passage of cars of said railway company with a vehicle or vehicles, or otherwise, or in any manner molest or interfere with passengers or operatives while in transit, or destroy or injure the cars of said railway, or depots, stations, or other property belonging to the said railway company, the person or persons so offending shall forfeit and pay for each such offense, etc.

Now, the gentleman knows as well as I do that if any person unlawfully obstructs or impedes either a car or any other vehicle or injures it in any way, the owner of the vehicle has recourse at common law. I say that a corporation should have no more right in this respect or any other matter, should receive no more care in the way of legislation, than an individual.

Mr. BENNETT. Does not the gentleman know that the ordinances of all our large cities contain just such a provision as this section?

Mr. McEWAN. I do not know that. I do not think the gentleman on reflection will assert in a broad way that such is the fact. Perhaps Brooklyn has such an ordinance.

Mr. BENNETT. Brooklyn and New York.

Mr. McEWAN. But the gentleman will not say that any such provision is general at all.

Mr. BENNETT. I believe it is general.

Mr. McEWAN. I say it is not.

Mr. KING. The gentleman from New Jersey will allow me to ask him whether at common law there is any provision that would inhibit the mischievous or criminal obstruction of a railway train?

Mr. McEWAN. Certainly there is.

Mr. KING. I should like the gentleman to refer me to the page of Blackstone where we can find such a provision.

Mr. McEWAN. It is a part of the common law, embraced in the decisions of the court. The gentleman goes on the presumption that Blackstone contains the whole body of common law. It

contains only the common law as existing in the days of Blackstone. It does not contain all the common law down to the present time.

Mr. COWHERD. I should like to ask the gentleman from New Jersey on what principle of common law there could be a prosecution against the driver of a wagon, for instance, who got in front of a street car and went slowly down the street for several blocks, thus obstructing the car?

Mr. McEWAN. On the same ground that the driver of a wagon might be prosecuted if he improperly obstructed a highway.

Mr. COWHERD. But the driver of a wagon would not be violating any principle of the common law if he should simply travel slowly down the street in front of a street car.

Mr. McEWAN. If he unduly obstructed the highway, he would be liable to prosecution; otherwise the gentleman would be obliged to maintain that a vehicle of any kind can stand across a highway and prevent its proper use.

Mr. BABCOCK. I ask for a vote on the amendments of the committee.

The question being taken, the amendments were agreed to.

Mr. KING. On behalf of the committee, I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of section 8 add the following:

"*Provided further*, That nothing herein shall be construed to authorize the Columbia Railway to occupy the right of way of any other company."

Mr. BABCOCK. That is a committee amendment. I hope it will be adopted.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

PROTESTANT EPISCOPAL CHURCH, WASHINGTON DIOCESE.

Mr. BABCOCK. I call up the bill (H. R. 8972) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington."

The bill was read, as follows:

Be it enacted, etc., That section 2 of the act approved March 16, 1896, entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington," be, and the same is hereby, amended so as to read as follows:

"SEC. 2. That the said corporation shall have full power and authority to take and hold subscriptions, contributions, donations, grants, devises, or bequests, in money, real estate, or otherwise, which heretofore have been made or which may hereafter be made for the purpose of an Episcopal residence, diocesan house, church colleges, church or parish schools, churches or mission chapels, and for the purpose of creating a permanent fund or endowment for the support of the episcopate in said diocese, and to or in behalf of religious, missionary, charitable, or educational agencies' uses or purposes now existing or hereafter to exist under the jurisdiction, control, or sanction of said convention within the limits of said diocese, the annual income from which shall not exceed $100,000, and the same to invest and the proceeds thereof to apply for the purposes aforesaid as may from time to time be deemed most expedient, and to appoint, in its discretion, an executive committee or other trustees, boards, or agencies, by whatsoever name or names they may be designated, to administer such funds or property in such manner and form and with such authority as the said corporation shall from time to time prescribe: *Provided, however, and always*, That in such administration the respective funds shall be kept distinct and separate; that each fund shall be held liable only for obligations that may have been incurred in its own proper behoof; and that the principal sum or amount of such subscriptions, contributions, donations, grants, devises, and bequests for permanent endowment of the episcopate shall be at all times invested in some safe and profitable stocks, mortgages, deeds of trust, or other securities, and the expenses of administering the same, the salary of the bishop, and other charges shall be payable and paid only out of the annual interest, dividends, or profits thereof: *And provided further*, That unless this amendment shall be accepted by resolution of the convention of the said diocese at its next annual meeting, and a copy of such resolution of acceptance, certified by the secretary of the convention, be filed for record with the recorder of deeds of the District of Columbia within sixty days thereafter, the same shall become void and of no effect."

Mr. BABCOCK. I yield to the gentleman from Maryland [Mr. MUDD].

Mr. MUDD. Mr. Speaker, I apprehend that this bill needs no explanation. Its object is merely to amend the law so as to remove a doubt as to whether the Protestant Episcopal Church of the Diocese of Washington can take and hold real estate.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

Mr. BABCOCK. The Committee on the District of Columbia has no further business to present.

CONTESTED-ELECTION CASE—FAIRCHILD VS. WARD, SIXTEENTH DISTRICT, NEW YORK.

The SPEAKER. The Clerk will report the election case.

The Clerk read the following resolutions:

Resolved, That Bon L. Fairchild was not elected to the Fifty-fifth Congress from the Sixteenth Congressional district of New York, and is not entitled to a seat therein.

Resolved, That William L. Ward was elected to the Fifty-fifth Congress from the Sixteenth Congressional district of New York, and is entitled to a seat therein.

The SPEAKER. The question is on agreeing to the resolutions.

Mr. GAINES. Mr. Speaker, I have a minority report which I desire to have considered.

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. ROYSE].

Mr. ROYSE. Mr. Speaker, I wish to arrange about the time that shall be consumed in the discussion of this case. What length of time will the gentleman from Tennessee [Mr. GAINES] want on his side?

Mr. GAINES. I thought we had agreed in committee upon three hours and a half on a side. There are quite a number of gentlemen on this side who want to be heard.

The SPEAKER. The gentleman from Indiana [Mr. ROYSE] is recognized.

Mr. ROYSE. Mr. Speaker, it is agreed that we shall not extend the time beyond three hours and a half on a side.

The SPEAKER. Three hours and a half on a side?

Mr. ROYSE. Yes.

Mr. GROSVENOR. Mr. Speaker, I should like to ask the gentleman from Indiana whether it is necessary to spend seven hours in a debate upon this question?

Mr. ROYSE. I am content to limit it to two hours on a side, if the other side are.

Mr. GAINES. I understood that when this matter was disposed of the committee had agreed upon three hours and a half on a side.

Mr. ROYSE. It has not been submitted to the House, and I am willing to confine it to two hours on a side.

Mr. GAINES. I have divided out the time. I hope the gentleman will not seek to shorten the time when I have divided it out with the understanding that there was to be three hours and a half on a side. This is a very important question of law. It is something more than simply seating or unseating the contestant or contestee.

Mr. ROYSE. I ask unanimous consent that a vote be taken at 5 o'clock, then.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a vote be taken at 5 o'clock. Is there objection?

Mr. GAINES. Mr. Speaker, I must make objection to that.

The SPEAKER. The gentleman from Tennessee objects?

Mr. GAINES. Yes.

Mr. DINGLEY. The gentleman from Indiana can give notice that he will move the previous question at 5 o'clock.

Mr. ROYSE. I give notice that I will move the previous question at a quarter before 5.

The SPEAKER. The gentleman from Indiana.

Mr. GAINES. I want to make the announcement that it was our distinct agreement, made in the committee after due deliberation, that there should be three hours and a half on a side. This gives less time than that and takes everybody by surprise. Gentlemen to whom I have laboriously farmed out this time have come here prepared to discuss this question. It is an important legal question, and I do hope the gentleman from Indiana will deal fairly in this matter, having agreed to it in the committee. After the committee have recommended it and we have agreed upon it, then to come in and abrogate that agreement seems to me unfair.

Mr. ROYSE. Mr. Speaker, I ask to proceed with the debate.

The SPEAKER. The gentleman from Indiana is recognized and will proceed.

Mr. ROYSE. Mr. Speaker, I am aware that for several days past——

Mr. GAINES. I ask the gentleman from Indiana to yield to me in order that I may submit a request for unanimous consent.

The SPEAKER pro tempore (Mr. SHERMAN). The gentleman from Indiana has the floor.

Mr. GAINES. I hope he will yield to me to allow me to make a request.

Mr. ROYSE. I yield to the gentleman a minute for that purpose.

Mr. GAINES. The contestant, Mr. Fairchild, desires to be heard in his own behalf, and I ask unanimous consent that he may be heard at the proper time.

Mr. ROYSE. Shall I proceed, Mr. Speaker?

The SPEAKER pro tempore. The gentleman from Indiana.

Mr. RICHARDSON. Will not the Chair submit the request for unanimous consent?

The SPEAKER pro tempore. If the gentleman from Indiana yields for that purpose, of course the Chair will do so.

Mr. GAINES. I hope the gentleman from Indiana will yield long enough to have that question submitted, because it is important that if the contestant is to speak he shall know it.

Mr. ROYSE. I will yield to the gentleman time enough to allow him to make that request.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GAINES] asks unanimous consent that the contestant, Mr. Fairchild, may be permitted to speak in his own behalf. Is there objection?

Mr. GROSVENOR. Out of the time of the other side—his own side.

Mr. GAINES. Of course.

The SPEAKER pro tempore. Out of the time of the minority.

Mr. GAINES. Yes.

The SPEAKER pro tempore. Unanimous consent is asked that the contestant may be permitted to speak in his own behalf, out of the time of the minority. Is there objection?

There was no objection.

Mr. ROYSE. Mr. Speaker, I am aware that the attention of the members of this House has for many days past been engrossed with very important public problems. I realize, too, that it is very difficult to fix the attention upon the question that is now before the House, for, in spite of all we can do, our minds will be drawn away from the subject of discussion to those problems of more serious import to us all. Nevertheless, Mr. Speaker, the question as to who shall occupy a seat upon this floor is an exceedingly important one, not only to the contestants themselves, but to the people of the district that they ask to represent; and not only to them, but also to this House as well. It is important, therefore, that we should give every question of this kind a careful and deliberate consideration, and I will ask each individual member in this presence to give as close attention as possible to the discussion of this important question.

The questions involved in this contest need not arouse the political prejudice or bias of anyone. Unfortunately, sometimes the settlement of questions of this kind is upon party lines, or at least a suspicion of that kind is created. But to-day, in the determination of this contest, there is no call for an appeal to partisan bias or to partisan prejudice.

The contest is waged between two Republicans, and it grows out of the controversy between them as to who was the regular nominee of the Republican party of this Congressional district. The controversy goes back to the holding of the primaries which elected delegates to the Congressional convention. It entered into these primaries, and the struggle was made by each one of the parties to secure the delegation from each one of the primaries. This resulted, in some instances, in two sets of delegates being selected to attend the Congressional convention, one set of delegates supporting Mr. Ward and another set of delegates being friendly to Mr. Fairchild. To complicate the matter still further, there were two Congressional committees claiming the right to call for a meeting of the Congressional convention. It will be necessary to give a brief statement of the facts as to how these two committees came into existence.

At the convention in 1894, held by the Republicans of the district, in addition to nominating a candidate to Congress that convention also selected a committee whose duty it was to call the next Congressional convention. This convention was held in 1894, at which Mr. Fairchild was nominated to Congress and afterwards elected. This committee appointed in 1894 called a Congressional convention in the spring of 1896 to select delegates to the national Republican convention. At this convention, in addition to the selection of delegates to the national convention, there was also appointed a committee to call the next Congressional convention. The next Congressional convention, of course, was the convention that was to nominate a candidate for Congress.

There seems to have been no doubt in this convention but what it had full authority to appoint such committee. No controversy was raised in regard to the subject. Every person seems to concede that the appointment of a committee was absolutely regular. Indeed, one of the members of the old committee, Mr. Teneyck, who afterwards insisted this convention had no authority to appoint a committee, moved in this convention that a new member be added to this new committee, and his motion was carried and the committee was increased by one additional member. Things ran along until the primaries were held, and when it resulted in two sets of delegates being returned for a number of these primaries, the controversy arose as to the regularity of appointing a committee at this spring convention of 1896.

It seems that a majority of the old committee appointed in 1894 were favorable to the nomination of Mr. Fairchild, while the new committee selected in 1896 at the spring convention was favorable to Mr. Ward. So the question arose as to which one of these committees should call the Republican Congressional convention, the old committee, appointed in 1894, insisting that the appointing of a committee in 1896 was irregular, and they were the ones that had the power to call the Congressional convention, and the committee of 1896 insisting that they superseded the old committee, and that the authority of calling the Congressional convention belonged to them; and hence this dispute arose.

This resulted in the calling of two Congressional conventions—one called by the old committee appointed in 1894, which nominated Mr. Fairchild, and the other called by the committee appointed in the spring of 1896, which nominated Mr. Ward. These conventions were held. The one called by the new committee unanimously nominated Mr. Ward, his credentials were made out in regular form and were filed with the secretary of state, the officer with whom they were to be deposited according to the laws of the State of New York. The one called by the old committee unanimously nominated Mr. Fairchild, and his credentials were made out in regular form and filed with the secretary of state in obedience to the laws of the State of New York. Then the question arose as to which one of these nominees should go upon the official ballot in the Republican column.

The law provides that in controversies of this kind the officer with whom the certificates of nomination are filed shall first decide the question. Consequently, we find these parties appearing before the secretary of state, submitting their proofs and arguments, and asking for his decision. After deliberation, the secretary of state decided in favor of Mr. Fairchild, that he was the regular nominee of the Republican party of that district, and his name should go on the official ballot as such. The law provides that the determination of the secretary of state shall not be final, but authorizes that decision to be reviewed by the supreme court or a justice thereof or by the county judge. Consequently, Mr. Ward brought proceedings before Judge Edwards, a justice of the supreme court, to review this decision of the secretary of state.

Notice was issued to the secretary of state to bring up the papers for review, and this was accordingly done. On the day set for the hearing Mr. Fairchild appeared. It seems that in the first instance he was not a party to these proceedings to review. The law is somewhat ambiguous in its terms. It designates that a notice shall be served upon the secretary of state, but that is all the notice that the law requires. So that it seems upon first view that Mr. Ward and the secretary of state were the only proper parties to the proceedings.

Mr. Fairchild, however, appeared before Justice Edwards and asked that he be permitted to intervene as a party. This motion was resisted by Mr. Ward's attorneys, but after deliberation upon the question Justice Edwards decided that Mr. Fairchild was a proper party, if not a necessary party; and therefore upon his own motion he was admitted as a party to the proceedings to review.

Mr. HARTMAN. Is it not a fact that at the time Mr. Fairchild made application to be made a party to this hearing he also raised the question of the jurisdiction of the court to determine the matter?

Mr. ROYSE. I will come to that question after a while.

Mr. HARTMAN. That is a fact, though, is it not?

Mr. ROYSE. Later on it was. It was not a part of the original motion.

Justice Edwards heard the evidence and the arguments of counsel, and took the case under deliberation for two or three days. He then announced his decision in favor of Mr. Ward, that he was the regular nominee of the Republican party, and that his name should go upon the ballot as the candidate. An appeal was taken from that decision to the appellate division of the supreme court for that judicial department. The case was heard before the appellate division, and at its conclusion the supreme court affirmed the decision of Justice Edwards, and also decided that Mr. Ward was the regular nominee of the Republican party.

That ended the case until after the election. In obedience to this decision of the supreme court of that judicial department, Mr. Ward's name was inserted upon the official ballot in the Republican column. That ballot was furnished at each polling place throughout the Congressional district. The decision of Justice Edwards and that of the supreme court were known throughout the entire Congressional district. So far as the evidence goes, it seems that every single voter in that Congressional district knew that Justice Edwards and the supreme court had decided in favor of Mr. Ward.

Mr. HARTMAN. There was no affirmative evidence to that effect, was there?

Mr. ROYSE. Yes; there was affirmative evidence.

Mr. HARTMAN. To what extent was it affirmative?

Mr. ROYSE. To quite an extent.

Mr. HARTMAN. To what extent?

Mr. ROYSE. I can not answer with absolute precision, but to quite an extent.

Mr. HARTMAN. How many witnesses testified?

Mr. ROYSE. I can not give you the exact number.

Mr. HARTMAN. Suppose there were 200 witnesses so testifying; could their testimony bind the 30,000 other voters who did not so testify?

Mr. ROYSE. I will meet that question after a while.

It would be incumbent upon the contestant to show at least that they (the voters) did not know it; and I may as well state right here a fact which I did not intend to refer to until later on.

It is a small Congressional district, so far as territory goes. It is confined within the limits of Westchester County and two assembly districts of the city of New York, and I am informed that formerly these two assembly districts belonged to Westchester County. So practically we have a Congressional district confined within the limits of a single county, thickly populated, the means of information ample, and there can be no question that every voter in that Congressional district knew of the action of Justice Edwards and of the supreme court of the State of New York. That ballot was voted at the election.

I will add another thing in order that it may be correctly understood. The law of the State of New York provides that a man, though not nominated by any political body, may yet have his name placed upon the official ballot upon a petition signed by a certain number of legal voters of the district. Mr. Fairchild procured such a petition; so that his name went upon this ballot, and the ballot as voted had Mr. Ward's name upon it as the Republican nominee and Mr. Fairchild's name as an independent candidate. That is the only ballot that was voted at this Congressional election. There were 30,759 votes cast for Mr. Ward. There were 770 votes cast for Mr. Fairchild on the face of the returns which are not disputed or controverted. Mr. Ward had over 3,000 majority over all the candidates voted for at that election. He received a certificate of election, and by virtue of that he now holds a seat in this body.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. ROYSE. Certainly.

Mr. BARTLETT. Though the gentleman has not yet discussed the proposition, I understand it is a fact, as I observe from this report, that the name of the contestant was by request of his friends, on petition regularly filed in the office of secretary of state, also printed on this ticket.

Mr. ROYSE. Yes; I so stated.

Mr. BARTLETT. Is it not also a fact that everybody who desired to vote for him had that opportunity?

Mr. ROYSE. Certainly.

Mr. BARTLETT. Further than that, is it not a fact that under the law of New York, if anyone desired so to do, he could have scratched out the name of Mr. Ward upon the ticket and written in the name of Mr. Fairchild under the regular Republican device?

Mr. ROYSE. That is true; but I will discuss that matter later on.

After the election was over and Mr. Ward was declared elected to Congress, Mr. Fairchild appealed his case to the court of appeals of the State of New York. In January following the election the court of appeals decided that Mr. Fairchild was the regular nominee and that Justice Edwards had no jurisdiction to hear the review. I will discuss that decision further on. I refer to it now for the purpose of bringing to the minds of members of the House the exact question in controversy.

Mr. Fairchild now insists that the decision of that court fixed it beyond quibble or dispute—conclusively establishes it, in other words—that he was the regular nominee of the Republican party and, as a result of that nomination, insists that these 30,709 votes cast for Mr. Ward should be counted for him and that he should be declared elected. That is the contention of the contestant in this case.

I do not know, Mr. Speaker, whether it will be seriously contended here or not that this ballot, under the decision of that court, was a void ballot. I know the ballots were attacked, and it so appears in the argument before the committee. It seems, however, in the minority report of the committee that the ballot is conceded as a legal and valid ballot, but what they contend for is that the votes cast for Ward shall be counted for Mr. Fairchild.

They do not contend that they were given for Fairchild by the voter, but, because the decision of the court of appeals in the State of New York declared that he was the regular nominee of the party, that he should be entitled to the ballot. In other words, they say that the voter was a kind of machine; that he voted mechanically; that he was bound to support the regular nominee of the party, whoever he might be, and when he voted the Republican ticket, that he voted as a sort of machine, and consequently voted for the nominees of that party as a whole, and not for any man on the ticket. It is contended that all you need is the caption of the ticket; that the names need not be there; that they are mere surplusage, and that if you go in and vote the caption on the ticket, then you are to hunt up who the nominees are. That is the contention, and I propose, Mr. Speaker, to discuss that position of the minority at some length.

But before proceeding to that point I wish to call the attention of the House to some features of the law of the State of New York with reference to elections. The law of the State of New York is similar to the law now in force in the majority of the States of the Union. It is fashioned after the Australian ballot system, but in some details is dissimilar to the law in force in a majority of the States. It recognizes the nominees made by party organizations. That is, that they shall be printed in the ticket, on the official ballot, under a specific emblem, and that a straight ticket can be voted by stamping at the head of the ticket, and thus voting for all of the names printed on the ticket.

There is another peculiarity about the law to which I wish to call your attention for a moment. It provides that although a man is not nominated, still if the voter wants to, he can vote for that man. For example, when the voter goes into the polling booths with his ballot, he discovers there a Republican ticket, a Democratic ticket, a Prohibition ticket, and a People's Party ticket; but if he does not discover a name on these ballots of some man not nominated by any party for whom he desires to vote, he can strike out one of the names and write that name in, and thus vote for his choice, as he sees fit.

Moreover, the ballot is not as sacred in New York as in some of the other States of the Union. For example, if the clerk fails to furnish the ballots at the polling places, or they are lost or destroyed, the clerk can substitute other ballots in their place; and if he fails to do so, the voters at each precinct can make up their own ballots. So the law of New York provides in express terms that it is not in the power of any official who is charged with the framing of the ballots to disfranchise a voter; but he can vote anyway, whether the official ballot is provided or not.

Now it does not make a ballot invalid if the clerk puts a name on which was not nominated by a political party. In other words, it is beyond his power to disfranchise the elector at any voting precinct. This has been expressly decided by the highest court in the State of New York, and this case arose in the election of 1895. There was a faction in the Democratic party in Oswego County that had been in the habit for years of nominating their own local candidates for various county officers. They were entitled to nominate candidates under the Australian ballot law for such officers because they had cast 1 per cent of the votes of that district.

But they were not entitled to nominate candidates for State offices. It appears, however, that at the fall election of 1895 they nominated candidates for local offices, but nominated none for State offices. When the ballot was made up, the clerk put into their ticket the candidates nominated by the Democratic party for State offices. They had not been nominated by the proper parties, but the clerk printed their names in the ticket. A case was brought before the court, action being instituted to compel the clerk to strike from the ticket the names so added. This was refused by the lower court, but after the election the case found its way into the court of appeals, which took up the question and decided it, saying that the clerk had no authority to print the Democratic candidates for State offices in that ballot.

It was wholly unwarrantable and unauthorized under the decision of the court. Then, of course, after that was done, a mandamus was brought to compel the returning board not to count those votes of the Democratic State officials; and that case went also to the court of appeals, and they decided that the votes should be counted. They said it was unlawful and unauthorized to print them on the ballots, but that the clerk having done so, and the innocent voter having voted such tickets having the right to vote, and the election having been held, these votes should be counted, and therefore that the votes should stand.

I think from what I have said now that this fact is established, that this was a valid ballot, no matter whether the name of the regular nominee was upon it or not. It was still a valid ballot and could be voted by the voters of that district.

There is another thing now to understand. The law of the State of New York makes every voter a free man. It can not compel him to vote any ticket that is prepared by any official. No matter how it is prepared, no matter in what way it is made up, when the voter goes into the booth to cast his ballot he stands there as free as he ever was in all the days of his life. He may be a Republican. He can vote the Republican ticket if he wants to. If he does not want to do it, he can vote for some of the men on it if he desires to, or he can utterly refuse to vote it. He can strike out all the names on that ballot and vote for any man that he chooses.

The SPEAKER pro tempore. The Chair desires the attention of the gentleman from Indiana [Mr. ROYSE]. The Chair, having consulted with the gentleman from Tennessee [Mr. GAINES], understands from him that the gentleman from Tennessee supposed an agreement had been reached as to the division of time and the time of taking the vote. That is not the case, and the Chair suggests now that the request be put as coming from the gentleman from Indiana or the gentleman from from Tennessee [Mr. GAINES], that debate be closed at 4.45, and that the time, from the time the gentleman from Indiana [Mr. ROYSE] began to speak until then, be equally divided, one-half to be controlled by the gentleman from Indiana [Mr. ROYSE] and the other half by the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES. I now make that request.

Mr. ROYSE. That is agreeable.

The SPEAKER pro tempore. Is there objection to that request? The Chair hears none, and that is the order.

Mr. ROYSE. I desire now to call attention to this decision to which I have referred, wherein the court of appeals of the State of New York held that that was a valid ballot and that the vote should be counted. I desire to call attention to it because of the fact that it lays down the principle as to the freedom of each elector. It is found on page 142 of 148 New York Reports:

The question is presented as to the effect of such unauthorized action by the county clerk upon the votes cast for justices of the supreme court by the

use of the tickets of the "Regular Democratic party." No suggestion is made that the persons who voted the ballots were not duly qualified electors. The ballots used were official ballots, provided by the county clerk, whose duty it was under the law to prepare, print, and distribute them to subordinate officials, whose duty in turn was to place them in the hands of the inspectors of election of each election district in the county for use at the election. The printed indorsements, including the authentication by the county clerk required by the election law, appear in due form on the outside of the ballots.

The ballots were regular in form in every respect. There was nothing within or upon the ballot from which a voter could know that the ballot was not made up in exact conformity to the law. It was impossible for him to ascertain from an inspection that the candidates for State and judicial offices printed in the column of the "Regular Democratic party" had not been regularly nominated by that party, or that the clerk, in arranging and printing the ballot, had not inserted the names with full authority. The effort in this proceeding is to disfranchise innocent voters because of a latent defect in the official ballot furnished by the State, not discernible on inspection, which ballot they were compelled to use, the defect consisting in the unauthorized insertion therein by a public official, charged with the duty of making up and printing the ballots, of names of candidates in a party column not duly nominated by such party.

The intention of the voters who used this party column to express their choice is clear and admits of no doubt. Each one received his ballot from the inspectors, marked it with the cross under the party name and emblem, and returned it to the inspectors, by whom it was deposited in the box and subsequently counted. We can conceive of no principle—

I ask your attention to this—

We can conceive of no principle which permits the disfranchisement of innocent voters for the mistake or even the willful misconduct of election officers in performing the duty cast upon them. The object of elections is to ascertain the popular will and not to thwart it. The object of election laws is to secure the rights of duly qualified electors, and not to defeat them.

That is the doctrine laid down in the State of New York, and it is wholesome.

Now, I want to read a little from the other case to which I referred. It begins on page 139 of the same volume, where the court of appeals has said that the printing of the names of the Democratic State officials was unauthorized. So they lay down the rule as to the voters:

The most radical change in the ballot system made by recent legislation consists in the substitution of an official ballot for the ballots formerly printed and furnished by political parties or individuals. By the new system the State undertakes to print and furnish ballots for the use of electors, uniform in appearance, containing the names of candidates of political parties or nominating bodies for the offices to be filled at elections.

Now, I want to call your attention to the few sentences that follow:

The legislature in framing the system was bound to recognise the freedom of choice which is of the essence of popular elections. It could not itself designate the candidates to be voted for or limit the right of any elector to vote for any person he might choose.

Such is the law of the State of New York. Every man who goes into the booth to vote is an absolutely free man, not bound by the ticket that is prepared, not bound by anything. He is alone with his own conscience and he votes according to the dictates of his highest and best judgment.

Then what shall we say under a law of that kind? When the voters of this district went in and voted that ticket, casting 30,709 votes for Mr. Ward, that represents the independent, untrammeled, conscientious judgment of every voter who voted that ticket.

And now you are asked to disfranchise these voters, and why? Why, they say, upon the ground that perhaps there was a mistake in the decision that Ward was the regular nominee. And it is said in argument that if Fairchild's name had been on the ticket he would have been elected.

That may be true, and it may not be true. But the weakness of the argument is in the use of that little word "if." Perhaps there could be a thousand men picked out in his district, who, if their names had been upon the Republican ticket, might have been elected, but the misfortune is, their names were not there. They are like the dog that undertook to catch the rabbit. If he had not stopped he would have caught the rabbit. But the misfortune was that the dog did stop, and consequently did not catch the rabbit. So with Fairchild; his misfortune was that his name was not on that ticket.

Mr. Ward's name was, and every voter knew it was there, and it expressed the honest, conscientious judgment of these voters. Why, a statement of their argument is so absurd on its face that a man will not entertain it for a moment. Think of it! A man votes for the nominee whether he is on the ballot or not, they say. That is contrary to the very laws of New York. The law of New York requires that every nominee's name shall be certified; it shall not be certified that the party has made a nomination, but the name of the man shall be certified. Then it directs the official who makes up the ballot to put that name on the ballot, not simply print a ballot with the Republican emblem at the head of it, but print the name of that candidate on the ballot.

The law requires that tally sheets shall be furnished upon which shall be written the name of every man voted for, and opposite his name shall be tabulated all the votes that were cast for that name. These names and these votes are certified to the returning board. The returning board calculates and figures up the number of votes not given to the party, but given to the man. They send that to the secretary of state. The secretary of state does not care what party he belongs to; it makes no difference to him.

What he wants is the name of the man, the votes that were cast for him, and then he gives the certificate of that man's election. Consequently it is not sufficient, it can not be sufficient, to simply cast a blank ballot with a cross at the head of it, with a Republican emblem; that is a vote for nobody. That emblem on the ballot is for the purpose of designating where you will find the Republican column, and for no other purpose. The real substance of the ballot is the name printed on it.

Another word right here. A ballot must be complete upon its face. In other words, the inspectors of election must be able to tell upon the face of that ballot for whom the vote was cast. The inspectors can not refer to any extraneous matter in order to determine for whom the vote was cast. Now, pick up the ballot voted at that election; look at it on its face. What will the inspector of election say? Shall they go outside and say perhaps some other man was elected whose name ought to be there?

They have no right to go to any other place than to that ballot. That is the only way a man can vote. He can vote for no man conditionally. He can not vote a ballot which imports, "I vote for Mr. Ward if he shall turn out to be the nominee; otherwise I vote for Mr. Fairchild if he gets the decision." You can not vote that way. You must vote for one or the other of these men. That is the way every one of these votes was cast. They express the honest, conscientious desire of every single voter in that Congressional district, and it will be an arbitrary act if you take a single one of those votes and count them for Mr. Fairchild. Nowhere under the sun can you do it without violating the law, without doing injustice to the voter and breaking down the whole ballot system of the State of New York.

Of course, it is said that Mr. Fairchild is the regular nominee, and it is said by the decision of the court of appeals that that question is settled beyond cavil or controversy. The committee was not very much in harmony with that decision. Evidently the court did not deliberate over that question with the care it ought to have exercised. The grounds upon which it held that Mr. Fairchild was the regular nominee are these: That the State committee and the State convention and the judicial committee and the judicial convention decided in favor of the Fairchild delegates to these respective conventions, and that therefore the court ought to be bound by the decision of the party committees.

They refused to go behind that decision and examine into the real merits of the case. Now, I doubt whether it is judicious or proper for a court to absolutely abrogate its functions. It is there for some purpose. If it is going to abrogate its functions and simply register the decision of the State judicial committee, then its act is not judicial but simply ministerial; but when you go behind that, when you go behind that decision of these party committees and party authorities, you will find that Mr. Fairchild was not the regular nominee of the convention.

Mr. COLSON. Did not the highest court of appeals of the State of New York decide, upon a full hearing, that Mr. Fairchild was the nominee of the Republican party and entitled to have his name printed on the Republican ballot?

Mr. ROYSE. That is what I have said. That was after the election. They made that decision. They did not go into the merits of the case; they simply took the decision of the party committee and said they were bound absolutely by that, forgetting their judicial functions. But when you go behind that——

Mr. COLSON. Does the gentleman mean to say that the decision of the court of appeals of the State of New York is not to be regarded?

Mr. ROYSE. Oh, no; but I do not regard this decision as conclusive on this question at all, because I think they should have gone into the merits of the question.

Mr. SHANNON. Did they not go into the merits?

Mr. ROYSE. No; they did not.

Mr. SHANNON. Then it will be necessary to read that decision in order to show that they did. It is a very full decision; it touches every point.

Mr. ROYSE. No; it does not.

Mr. SHANNON. The gentleman will excuse me; I think it does.

Mr. ROYSE. No; they simply refused to consider anything else than the decision of the State committee and the judicial convention, and left the matter right there.

But if you go behind that and look into the evidence, as Justice Edwards did and as the supreme court of New York did, you will find that Mr. Ward was the regular nominee. Of course there was a spirited controversy. It was waged with a great deal of earnestness. The Congressional district is composed of three assembly districts of Westchester County and two of the city of New York. These elected delegates to the Congressional convention, which was composed of 24 delegates. It is conceded at the outset that Mr. Fairchild had 5 to begin with from the First Westchester assembly district.

At Tarrytown there was a conflict as to the delegates. I will come to that presently. Mr. Ward had the Sixth and the Third assembly districts of Westchester County. All the remaining districts were controverted. In the Tarrytown convention there was a great deal of discussion; but Mr. Ward is entitled to the delegates from that convention, numbering 5, because he had a majority of the regularly appointed delegates to that convention. In that convention there were 71 delegates—38 of them uncontested. Of those 38 uncontested delegates Mr. Ward had 24 and Fairchild 14. So, if the question were to be decided on the uncontested delegates, Mr. Ward has a majority. As to two of these precincts the contests were trumped up—mere paper contests; and if you give Mr. Ward those, then he had 41 delegates in that convention.

In the next contested assembly district—the Thirty-fifth assembly district of New York—they held their precinct convention. Mr. Ward and Mr. Fairchild both went into that convention. Candidates were put up for presiding officers and were voted for. Mr. Ward's man was elected by over 21 votes. They then put up two sets of candidates for delegates. When the vote was taken Mr. Ward's delegates were elected by over 30 majority. After that was done Mr. Fairchild withdrew and held another convention, which appointed another set of delegates. The State committee, having some political purpose in view, went to work and decided in favor of these delegates, and that is the way this decision came about. When you go to the merits of the matter, there is no question, there can be no question, about the regularity of Mr. Ward's nomination.

But your committee has concluded with respect to this matter that it did not make any difference who was the regular nominee. The voter was there as a free man, entitled to vote his honest sentiments; he did vote them; his ballot represented his conscientious judgment as to which of these men should be a Representative in Congress. That being true, you can not throw the election aside because the ballot may have been in some respects informal; and you can not count the votes cast for Mr. Ward as if they had been cast for Mr. Fairchild, for not a single voter outside of the 770 who voted for Mr. Fairchild on his independent ticket has said that he voted for him.

Mr. COLSON. The gentleman has just stated that Mr. Fairchild withdrew from the convention. Does that appear in the evidence taken in this case?

Mr. ROYSE. Yes, sir.

Mr. COLSON. What witness so testifies?

Mr. ROYSE. There were several affidavits filed which appear in the record that went to the court and upon which the case was heard before Judge Edwards.

Mr. COLSON. Do those affidavits appear in the record here?

Mr. ROYSE. Not in the printed record as we have it here. Part of the record has not been printed here.

Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. Five minutes.

Mr. ROYSE. Mr. Speaker, it will be impossible for me in the little time remaining to enter upon the discussion of any other feature of this case. I want gentlemen to understand distinctly just where this case rests. The whole case rests upon the action of the voter. No matter what any court has decided, the voter as he went to the polls on the day of the election was just as free as you or I were when we went to the polls—absolutely as free. He went into the voting booth just as free as any voter ever was in all his life. The mark which he put upon his ballot was his own free choice. If he desired to cast his ballot for Mr. Ward, he put his mark on the ballot with the knowledge that it would be counted for Mr. Ward, whatever the courts might have said or might have done. Here was the supreme court higher than any other court——

Mr. SHANNON. Except the court of appeals.

Mr. ROYSE. Above the court of appeals. Higher than the court of appeals is the court of the people. Every man who went to the polls took up this question, heard the evidence on both sides, and decided it. He was appealed to on both sides. He knew that Fairchild's name was on the ticket as an independent candidate.

Mr. SHANNON. Why?

Mr. ROYSE. Because the name was printed there, and he had eyes.

Mr. SHANNON. The law required it to be printed there.

Mr. ROYSE. He knew it was, because he had eyes to see it. It is a matter which was distinctly known to him; and the same voter saw on the ballot in the Republican column the name of Mr. Ward. He was not bound to vote for him or for that ballot. He could vote for him or not, just as he pleased. He had a perfect right to do so under the law of the State. His ballot would have been perfectly good if he had scratched out the name and inserted another. He weighed the argument on all sides, understanding his rights and his duties under the law, and decided to cast his vote for Mr. Ward.

And that, Mr. Speaker, is just as honest a vote, as honest an action on the part of the voter, as any action performed by any voter in the election of 1896, and Mr. Ward holds the seat here to-day as untarnished as any other member on this floor. He comes here with a verdict of the people behind him, the honest indorsement of the uncorrupted voters of the district, the choice of the electors of the Sixteenth Congressional district of the great State of New York. That right, Mr. Chairman, and the right of a man—the right of the voter to select the candidate for whom he shall vote—is a right that is too sacred to be cast aside by this body on a mere technicality.

But above all, Mr. Speaker, higher than all, and before all, is the freedom of election and the choice of the electors. The elections in that State are just as free now as they were under the old system. But to adopt the rule laid down on the other side of the House that a man has not the right to select his own candidate, you enslave him; to adopt a rule that would bind him hand and foot, you make him no longer a free man, and his ballot would not be the ballot of an untrammeled voter.

I ask a decision favorable to the honest elections in that State. A decision favorable to the freedom of men who go to the polls to vote their sentiments, such sentiment as they may honestly entertain, which shall not be destroyed or defeated or forbidden or refused by a mere technicality.

The SPEAKER pro tempore (Mr. BENNETT in the chair). The time of the gentleman has expired.

Mr. GAINES. I yield ten minutes to the gentleman from Montana [Mr. HARTMAN].

Mr. HARTMAN. Mr. Speaker, I desire to occupy the time of the House for a very few moments only in the discussion of this case. It is one, as has been said by the chairman of the committee [Mr. ROYSE], arising out of a contest between Mr. Fairchild and Mr. Ward, from the Sixteenth Congressional district of the State of New York, and both of the parties to this contest being members of the Republican party, the question of the political bias or prejudice of any member here may be entirely eliminated from the consideration of the matter.

To my mind the great and controlling question involved in this controversy is the question disclosed by the report of the committee. It is whether a citizen of the United States, in any Congressional district in the United States, may be permitted by questionable methods, by methods if not fraudulent, at least of a sharp character, to have his own name substituted upon the ballot in lieu of the name of the party entitled to have his name printed thereon. That is all there is in the case.

The chairman of the committee has clearly stated the facts in so far as the rights of the respective parties to have their names so printed are concerned. The convention which was called by the committee which subsequently nominated Mr. Fairchild was the regular convention called under and by authority of the precedents of previous conventions in the history of the Sixteenth Congressional district of New York.

That convention was called in pursuance to the call of the regular committee, appointed by the regular convention of 1894, and the convention called to nominate Mr. Ward was called not by a regular committee, not pursuant to any authority granted them by any previous convention, or any authority which had a warrant for such action, but was called by a convention, Mr. Speaker, as you well know as a member of Congress from New York [referring to Mr. BENNETT]—the convention which was only authorized by the national convention to send delegates to represent that district in that convention. Having done so, and complete authority was given them for that purpose, their functions became exhausted. They had no power to do any other act except to adjourn. But instead of that, this convention assumed the right of appointing the committee and candidates, a right which did not belong to them, and, having no right, the appointment of such a committee fell because of lack of authority.

Mr. Speaker, I call the attention of the House, and I ask gentlemen to read the report, to the facts as to the testimony on this point, which is not very long. I ask you to read the facts concerning the methods employed to obtain the printing of Mr. Ward's name on the ballot. It will be remembered, as stated by the chairman of the committee, that primarily the secretary of state determines, as he has a right to do under the law, whose name is entitled to go on the ballot. That right he determined in favor of Ben L. Fairchild.

It is true that at that time the attorneys of Mr. Ward appeared before Justice Edwards, a judge not having jurisdiction of the case at all. There they made their application to have his name placed upon that ballot. Upon that application an order was granted, and I call the attention of gentlemen upon this floor to practices which were then perpetrated and performed by the attorneys of Mr. Ward which ought to have disbarred them from practicing before any reputable and competent court of the United States. They appeared there and obtained that order, and having obtained it, instead of following the statutes, instead of having that order

entered of record, so that the party opposed to it could have the benefit of an appeal, they took that order and put it in their pockets and sneaked out of the court room, as disreputable attorneys would do, and denied the right of the contestant in this case to appeal from the decision of that court until after the election had been held and no substantial right could be secured by him by virtue of that appeal.

Mr. Speaker, that one statement itself ought to damn beyond redemption the right of this contestee here to any consideration at the hands of this House.

Mr. OLMSTED. I should like to ask the gentleman if he is aware that the decree of Judge Edwards was prepared in the presence of Mr. Ward's counsel and Mr. Fairchild's counsel, and was finally agreed upon on Saturday afternoon, October 17, and was filed in the office of the clerk of the court on Monday morning at 10 o'clock, the clerk's office being closed on Saturday afternoon?

Mr. GAINES. I do not agree to that statement. That is not a correct statement of the facts.

Mr. HARTMAN. On the contrary, it was prepared on Friday.

Mr. GAINES. It was prepared Friday night, October 16.

Mr. HARTMAN. That very order was signed on Friday evening between 5 and 6 o'clock, and it was not filed until the following Monday morning.

Mr. GAINES. They stuck it in their pockets and went off with it.

Mr. HARTMAN. Yes; those are the facts.

Mr. BELFORD. Do you mean to say that the order that was filed with the secretary of state was signed on Friday evening?

Mr. HARTMAN. Whether the order——

Mr. BELFORD. Answer that question. Do you mean to say that?

Mr. HARTMAN. I will answer that question, and I will say to the gentleman that I will answer it in my own language. I am not in the habit of having words crammed down my throat by him or anybody else. I will answer the gentleman, and I will say to him frankly that the original order that was signed was the one that was contended for and contended against by the respective counsel on Friday, and that it was signed between 5 and 6 o'clock on Friday, and that subsequently, I presume, it was modified—I do not know, but presume it was—because this case is full of "ways that are dark and tricks that are vain" on the part of the gentlemen who represented the contestee in this case. I will say that on Monday it was filed, and I will say that it ought to have been filed on Saturday morning, and if it had been filed on Saturday morning the case would have been appealed to the court of appeals in time to make effective the decision and to enable the gentleman who contests in this case to have a decision rendered in his favor in time to do him some good.

Mr. SHANNON. And there would be no contest in this House now.

Mr. HARTMAN. And there would have been no contest in this House to-day.

Mr. GAINES. I read from the contestee's brief:

> On October 16 Hon. Samuel Edwards, a justice of the supreme court, sitting in the county of Columbia, in the third judicial district, in the third judicial department, by an order made after full hearing and consideration, and duly entered in the clerk's office of Albany County, reversed the decision of the secretary of state.

And they took the copies of the decree and stuck them in their pockets and kept them there, and would not let the parties file the decree, and would not obey the court and file it, until Monday.

Mr. HARTMAN. That is the truth about it.

Mr. GAINES. The most outrageous and infernal fraud I ever heard of being perpetrated in a court room.

Mr. HARTMAN. That is right.

Mr. SIMPSON. That was in New York, and not in the South.

Mr. GAINES. No; it would not occur in the South.

Mr. BELFORD. Does the gentleman from Montana deny that on October 17 counsel for both parties appeared before Judge Edwards and in the afternoon of that day the form of the order in behalf of Mr. Ward was finally settled upon and the record of the case signed, that being Saturday?

Mr. HARTMAN. I will say to the gentleman that counsel for the contestee in this case appeared before Judge Edwards on Friday, upon notification——

Mr. BELFORD. Will you answer that question categorically?

Mr. HARTMAN. I will answer that question as I please, and I will answer it fairly. I do not propose to have the gentleman stand there and nag me in an unprofessional or unparliamentary way.

Mr. BELFORD. Oh, no.

Mr. HARTMAN. You have asked a civil question and shall have a civil answer, provided you do not press it in an uncivil manner. I will say to the gentleman frankly that on the 16th of October, which was on Friday, the respective counsel for the contestee and contestant appeared before Judge Edwards. There they contested the question as to whether the order should be issued, or the character of it, and between 5 and 6 o'clock on that afternoon, of Friday, the order was there signed.

Mr. KING. In triplicate.

Mr. HARTMAN. Yes; in triplicate, and they put them in their pockets and denied the right of inspection to the contestant and his attorney.

Mr. BELFORD. I deny that such was the case.

The SPEAKER pro tempore. The time of the gentleman from Montana has expired.

Mr. HARTMAN. Has my time expired, Mr. Speaker? I thought I had just commenced.

Mr. GAINES. I yield five minutes more to the gentleman from Montana.

Mr. HARTMAN. As I was saying, Mr. Speaker——

Mr. GAINES. If the gentleman from Montana will allow me, I will answer the gentleman from New York by reading from the contestee's own brief:

> On October 16 Hon. Samuel Edwards, a justice of the supreme court, sitting in the county of Columbia, in the third judicial district, in the third judicial department, by an order made after full hearing and consideration and duly entered in the clerk's office of Albany County, reversed the decision of the secretary of state, and held that Mr. Ward, having been regularly nominated by the authorized convention, was the regular Republican candidate.

That order was signed in triplicate, given to Mr. Ward's counsel, and they put it in their pockets and carried it off, and although the contestant begged them to file it, they refused to do so.

Mr. HARTMAN. That ought to be sufficient to make every gentleman on this floor vote in favor of the contestant and against the contestee; and if that were not sufficient, I call the attention of the members of this House to the opinion of the court of appeals on page 26 of the record, and I wish you would all read it. That opinion sustains absolutely the contention of the contestant in this case. The court of final resort in the State of New York having complete and final jurisdiction in this case, decided in favor of the contestant.

They hold, first, that Judge Edwards, who entered this order, manifestly illegal and fraudulent, had no jurisdiction to enter the order at all. And therefore it failed for want of jurisdiction. Second, that the contestant, Fairchild, was entitled to have his name placed upon this ballot, and not the contestee. That being the case, gentlemen of the House, what is the status here to-day? There is a statute of the State of New York which specifically designates the manner in which votes shall be cast under the Australian system.

One of them—I will not take the time to read it, for I have but three minutes left, but it will be read by some of the gentlemen who are to follow me—one of them points out the method in which a straight ballot shall be cast in that State, and it shall be done how? I ask your attention. By marking a cross opposite the emblem at the head of the ticket. And when that is done, what does it vote? Not the names on the ticket, but the names of every man regularly nominated, entitled to be on the ticket. That is the gist of this case.

Mr. JONES of Washington. Does not the gentleman know that the voter has the right in addition to mark a cross opposite the name of any candidate on the ballot?

Mr. HARTMAN. Certainly, but when a man makes his cross opposite the emblem, he votes the straight ticket. He wanted to vote the straight Republican ticket, and he did not care a continental whose name was on it, whether it was Smith, Jones, Ward, or McGinty. These men stood up and took their medicine in spite of the fact that a man had his name on the ticket by fraudulent and deceitful methods. What does it mean? It means if the House sees fit to establish this precedent, a man can obtain a nomination by resorting to means unlawful and fraudulent, and can be successfully elected. All you have to do is to have a judge susceptible to blandishments and that settles it, because he will put your name on the ticket, and the cross at the head of the ticket elects you.

The SPEAKER. The time of the gentleman from Montana has expired.

Mr. GAINES. I now yield five minutes to the gentleman from New York [Mr. MAHANY].

[Mr. MAHANY addressed the House. See Appendix.]

[Mr. GAINES addressed the House. See Appendix.]

Mr. GAINES. Now, Mr. Speaker, I yield ten minutes of my time to the gentleman from Massachusetts [Mr. WALKER].

Mr. WALKER of Massachusetts. Mr. Speaker, unless I am greatly mistaken, this election case demands more attention from this House, and more serious attention, than any election case that has come before it in my long term of service. No man in this House can afford not to give it the most careful attention, and I do not claim that I can begin to do it justice, as I view it, in any remarks I may make. The report of this committee, in my judgment, ought not to meet the approbation of and should not be sustained by this House. It ought to be defeated more

than any report from any committee that has been made since I have been a member of the House.

This case, as I view it, is blistered all over with fraudulent intent from first to last. What is there in this case that a member from New York must come to my seat and warn me to keep out of it, saying that they wanted to settle it in the New York delegation and by New York. We have not such admiration for the politics of New York, for the political integrity of New York, or the fairness of New York in her elections that we are bound to sit here dumb while New York is trying a case in this court of last resort of the people.

In the first place, the law of New York says that a cross made at the top of the column of party nominees shall be counted for a vote for the regular nominee of the party. That is the first proposition—that an X at the top of the column of Republicans shall be counted for the legally nominated candidates of the party. I submit that it is a fraud—that if a fraud is perpetrated to get a name into that column of a person that was not legally nominated. All law and all justice in the administration of election laws in this House point to correcting the fraud if there is one, and that the legal nominee of the party shall receive the ballots that are marked with a cross at the top of the column, and not the man whom the appellate court of New York has decided got his name into the column fraudulently. Is not that good law? Is not that sound sense and sound legal doctrine? Is not that the principle upon which we have justly decided election cases in this House heretofore?

Mr. BELFORD. Will the gentleman allow me to interrupt him?

Mr. WALKER of Massachusetts. Not just now; let me open my case first.

Mr. BELFORD. I would like to correct the statement that the gentleman has made with reference to the law of New York.

Mr. WALKER of Massachusetts. If you will let me get my case well opened up—I have got but ten minutes—and then some one may finish it. In the first place, there is no dispute upon this floor about certain facts. I ask the gentleman from New York [Mr. BELFORD] if it has not been decided by the courts of New York that Mr. Fairchild was the legal nominee of the Republican party?

Mr. BELFORD. There is no dispute about that.

Mr. WALKER of Massachusetts. I want to ask the gentleman further——

Mr. BELFORD. Well, if the gentleman is going to put so many questions to me, will he not allow me to ask him a question?

Mr. WALKER of Massachusetts. Yes; I will allow you to ask me a question now if you will not make a speech.

Mr. BELFORD. You have stated the law of New York to be that a mark under the emblem casts a vote for the regular nominee of the party.

Mr. WALKER of Massachusetts. I do say so. Let me read:

Section 105 of the New York election laws contains the instructions to the voters in the preparation of their ballots. It provides as follows:

"The elector shall observe the following rules in marking his ballots:

"1. If the elector desires to vote a straight ticket, that is, for each and every candidate of one party for whatever office nominated, he shall make a cross (X) mark in the circle above the name of the party at the head of the ticket."

Mr. BELFORD. The gentleman would not have us infer that that is the only way a voter has for voting?

Mr. WALKER of Massachusetts. No; but I say if a voter does vote in that way and makes his cross at the head of the ticket, that casts a vote for all the nominees of the party.

Mr. BELFORD. Yes; it votes the names under the party emblem.

Mr. WALKER of Massachusetts. No, sir; not for every name under the party emblem. Does the gentleman contend that if a man gets his name printed under there by fraud, the fraud does not vitiate the fact that his name is there?

Mr. BELFORD. We do not concede that.

Mr. WALKER of Massachusetts. You must concede that this candidate Ward took every pains in the world that Fairchild, who was the legally nominated Republican, should not get his legal rights, in having his name printed in its legal place; that he went out of the district in which the nomination occurred, and went into the district where the appellate court did not sit until after the election was to occur.

I never saw a case where lawyers could not make the worse appear the better reason if they only had undisputed sway, and that is the case now on this floor.

Furthermore, Mr. Fairchild advised all his friends to vote the straight ticket, informing them that he would make no contest at the polls, but would appeal to this House for his rights; and that if he failed to secure his rights in this House, his party should not suffer, but should have a man here to cast a Republican vote. He made not the slightest effort to have himself voted for, protesting against his name being put in the column of the independent candidates. These are indisputable facts.

Now, in the election case of Yost I made this declaration:

If the law is violated innocently, even then the election is valid.

But in this case the fraud is on the other party and the law is all in favor of Mr. Fairchild. Furthermore I said:

When the law is violated deliberately and for the deliberate purpose of fraud, then the House can not too emphatically condemn the fraud; and certainly it should never permit deliberate violation of law to be successful.

Now, the obstruction of the law to profit by it is a fraud: and while the contestee in this case observed the forms of law, he so observed them as to practically defeat the spirit and intent of the letter of the law.

Mr. BRUCKER. May I ask the gentleman a question?

Mr. WALKER of Massachusetts. Yes, sir.

Mr. BRUCKER. I understand it is conceded here to-day as a matter of fact and as a matter of law that Mr. Fairchild was the legal nominee of his party.

Mr. WALKER of Massachusetts. It is not disputed by anybody on this floor.

Mr. BELFORD. We do not concede that. What we do concede is that the court of appeals says that.

Mr. WALKER of Massachusetts. The court of appeals says that; and it is a court of competent jurisdiction.

Mr. BELFORD. It said that without passing on the merits of the controversy at all.

Mr. WALKER of Massachusetts. The secretary of state did pass on the merits, and the courts of New York have so declared. Does this Elections Committee undertake to traverse the decisions of the New York court?

Mr. BRUCKER. Let me ask a further question, to see whether I understand myself and also the gentleman from Massachusetts. It is conceded, then, that under the facts and under the law as laid down by the court of appeals of the State of New York Mr. Fairchild was regularly nominated——

Mr. WALKER of Massachusetts. Certainly.

Mr. BRUCKER. And his name as the regular nominee should have appeared on the official ballot?

Mr. BELFORD. Let me answer that question——

Mr. WALKER of Massachusetts. I prefer to answer myself a question which is addressed to me.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. WALKER of Massachusetts. I hope I may have additional time.

Mr. GAINES. I yield five minutes more to the gentleman from Massachusetts.

Mr. WALKER of Massachusetts. Mr. Speaker, this appears to be a case of New York dirty politics. Gentlemen here may and do dispute everthing; but it is conceded that the courts of New York, which I have as much confidence in as I have in New York politicians, to say the least [laughter]—it is conceded that Mr. Fairchild was the regular nominee of the straight Republican convention and had a legal right to have his name printed on that ballot, and that by essential fraud his name was kept off that ballot. Under those circumstances Mr. Fairchild said to his friends, "Rather than have my party defeated, vote the straight ticket; and I will appeal to the House of Representatives for my rights and for justice." [Applause.]

Now, will this House sanction fraud? In view of this essential fraud can it say to this country, under these Australian ballots and strict voting laws, that if any man can get his name on the ballot, by fair means or foul, and absolutely prevent the regular nominee from getting his name on, this House will not rectify the wrong? How long can we have decently pure elections under such action of this House? How long will it be an honor to sit in this House? Mr. Speaker, if this policy is to be pursued, you will have a vacant chair here, for I will not contaminate myself by associating with men who are elected on any such fraudulent proceedings. [Laughter and applause.] You may make any demonstrations you choose, gentlemen. My declaration was that if this House is to be filled by members whose elections have been secured by essential fraud, my seat would be vacant. I believe that there was in this case essential fraud from beginning to end. I may be mistaken, but I do not see how I can be with the facts that are before me.

I have only to say again that Mr. Fairchild is conceded by the courts of New York to have been regularly nominated by the straight Republican convention and that the only court that was competent to decide that question has so decided.

Mr. ROYSE. Will the gentleman yield a moment? I know he does not want to be inaccurate.

Mr. WALKER of Massachusetts. No; I do not.

Mr. ROYSE. There were two courts that decided the other way.

Mr. GAINES. But they were intermediate courts.

Mr. ROYSE. I know that; I am not going to misstate anything; but I want the gentleman from Massachusetts to be correct. Judge Edwards decided, after hearing all the evidence, that

Mr. Ward was the nominee, and so did the supreme court of New York.

Mr. WALKER of Massachusetts. Now, I want to say that when a man goes out of his own district—goes a hundred miles to get a particular judge to decide a case of this kind, in the State of New York, with its political status and conduct, and allows his decision to pass several days without record, I have not the slightest confidence in the decision, I do not care who the judge may be. Furthermore, if Mr. Ward's counsel and friends had had any confidence in the correctness of that decision, they would have made all haste to record it and give Mr. Fairchild a fair chance to have it reviewed by the superior court. And the gentleman does not claim, and no other man claims, that they took any pains or made any haste to give Mr. Fairchild a fair chance to have that decision reviewed, but quite the contrary.

Mr. ROYSE. No; I contend just the contrary.

Mr. GAINES. He would have had it reviewed if the papers had not been stuck in the pockets of an individual and carried a hundred miles or more away.

Mr. FOOTE. I do not think the gentleman from Massachusetts means to impeach the whole bar and the integrity of the courts of New York, as in his last statement he seems inclined to do. He says that this gentleman went a hundred miles to get fair play and a fair judge. Now, in the name of the State of New York and the bar of the State, I do not like that sort of an assertion to be made on the floor of the House without comment.

Mr. WALKER of Massachusetts. Well, Mr. Speaker, whether he likes it or not, he will have to take it. [Laughter and applause.]

Mr. FOOTE. Oh, well, I do take it, coming from the source and influenced by the judgment the gentleman has usually shown on this floor. [Laughter.]

Mr. WALKER of Massachusetts. Well, you are not the first New Yorker who has undertaken to amplify himself on this floor to the exclusion of and as superior to everybody else. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. ROYSE. I yield twenty-five minutes to the gentleman from California [Mr. MAGUIRE].

Mr. MAGUIRE. Mr. Speaker, so far as the parties to this controversy are concerned if I am at all influenced by any personal feeling, it is in favor of the contestant, Mr. Fairchild. He was a member of the Fifty-fourth Congress with me. I found him to be a very fair, high-minded, and honorable man. I have a very high opinion of Mr. Fairchild and practically no acquaintance with Mr. Ward, the contestee.

In reaching the conclusion that Mr. Fairchild was not elected and that Mr. Ward was elected my judgment, so far from being controlled by my feelings, is contrary to their suggestions.

My judgment is based wholly upon my view of the facts and the law, without regard to the parties, uninfluenced by the factional fight in the Republican party of New York or by any other purpose or motive.

It will be impossible to deal with the whole case in the time at my disposal; nor is it necessary, since the chairman of our committee [Mr. ROYSE] has so fully covered the ground. I will therefore deal but briefly and hurriedly with what may be properly called the history of the case, concerning which there is little dispute, and get as speedily as possible to the real and controlling issues.

In 1894 the regular Republican convention of the district in question (the Sixteenth Congressional district of New York) appointed a committee to provide for the election of the next Congressional district convention. That committee called an election early in 1896 for a district convention to nominate delegates to the Republican national convention. The convention so elected appointed a new committee to provide for the election of the next Congressional convention for that district. It was and is asserted that the spring convention had no power to appoint a new committee—that its functions began and ended with the election of delegates to the national convention. The old committee, therefore, ignoring the new committee, proceeded to call a convention for the nomination of a Representative in Congress. The new committee contested the jurisdiction of the old committee and also called a convention, elected under its auspices for the same purpose. The latter convention nominated Mr. Ward, while the former convention nominated Mr. Fairchild, as the candidate of the Republican party.

Mr. Fairchild and his supporters contended that the spring convention, appointed to elect delegates to the national convention, usurped power and exceeded its functions in appointing the new district committee.

Out of that dispute the whole controversy in this case has arisen. The old committee, appointed by the regular district convention of 1894, would seem by the terms of its appointment to be authorized to provide for the election of the next convention to nominate a candidate in Congress. That literal authority supports Mr. Fairchild's contention.

The contention of Mr. Ward, on the other hand, is supported by the course pursued by the Republican organization in the campaign of 1892, in which the convention appointed to select delegates to the national convention appointed a district committee, under whose auspices a Congressional convention to nominate a candidate for Congress was elected. There is a dispute, and a very serious one, as to the practices and customs of the Republican party in New York with respect to these conventions in Presidential election years prior to 1892. In all other election years the custom contended for by Mr. Fairchild as a law of the Republican party of New York was followed.

However, a substantial controversy was thus presented between these parties, to be determined, first, by the regular tribunals of the Republican party; next, in the case of the Congressional nomination, to be determined by the secretary of state of the State of New York; and finally, if appealed, by the courts.

Mr. Fairchild's case was never before any of the tribunals of the Republican party to be decided. But other nominations made by conventions called under the auspices of what is known as the Fairchild committee—the old committee—were held by the tribunals of the Republican party to have been regular. To that extent the tribunals of the Republican party have decided in favor of Mr. Fairchild. The secretary of state, whether upon his independent judgment or following what he understood to be the decisions of these tribunals in analogous cases, held Mr. Fairchild to be the regular nominee of the Republican party for Representative in Congress.

Immediately upon that decision of the secretary of state, Mr. Ward, in accordance with the laws of New York, appealed, or, speaking more technically, by writ of review proceeded to get the judgment of the supreme court of the State of New York upon the question presented by the contest concerning his candidacy.

At that point a very serious question arising upon the construction of the then recently enacted statute of New York was presented. It was this: The statute required that the proceedings should be brought either before the supreme court or a justice of the supreme court within the district, or a county court within the county, and the question arose as to what judicial district was meant by the statute and consequently as to what justice of the supreme court would have jurisdiction of the case under that law.

Mr. Ward's attorneys decided that the justice of the supreme court of the third judicial district, within which district the secretary of state whose decision was to be reviewed had his office and residence, was the justice before whom the proceeding should be brought.

The question was a new one. It had not previously been authoritatively decided, and it seems to me that there can be no proper criticism of Mr. Ward's attorneys in the matter of selecting the court or the district in which they brought the proceedings to review the action of the secretary of state.

It has been charged that these gentlemen went 100 miles out of the Sixteenth Congressional district in order to get their case before a judge of their own selection, the intimation, if not the express declaration, being that they went 100 miles out of the Congressional district for the purpose of getting the case before a corrupt judge who would decide in their favor, whether they were right or wrong. The record does not justify any such accusation or intimation.

Mr. HARTMAN. Has there been any such criticism as that?

Mr. MAGUIRE. I understand the gentleman from Massachusetts [Mr. WALKER] and others have made it.

Mr. HARTMAN. I take it not. I do not think there has been any suggestion of collusion.

Mr. MAGUIRE. So far as the gentleman from Montana was concerned there was not.

Mr. GAINES. If the gentleman will allow me to interrupt him, the fact is that when Mr. Ward wanted to bring a suit in which he wanted to get quick relief—that is, when he attempted to get Mr. Fairchild off the ticket as an independent, he began his suit at home and got the adjudication, but lost it.

Mr. HARTMAN. There was no supreme court sitting in the district in which that county was situated.

Mr. GAINES. There was no supreme court sitting in the third circuit at all; there was in the second circuit.

Mr. MAGUIRE. The court of appeals has jurisdiction over the entire State.

Mr. GAINES. Yes.

Mr. WALKER of Massachusetts. Will the gentleman allow me to make just one statement?

Mr. MAGUIRE. Let me finish this statement and then I will yield to the gentleman. Now, I say there was a very serious question as to what district the statute required the proceeding to be brought in. It was a new question, and in my opinion if I had been acting for Mr. Ward I should have deemed it safer to commence the proceeding in the third judicial district than in the judicial district in which the Congressional district was situated.

Mr. WALKER of Massachusetts. I want to say that I did not charge fraud or anything of the kind. There are a great many mistakes made which come a good deal short of fraud.

Mr. MAGUIRE. Well, that may be, but the gentleman made

a pretty strong statement if he intended only to criticise mistakes. Judge Edwards was not selected for any such reason as has been intimated.

Now, Mr. Fairchild, who is a lawyer, and a pretty good lawyer, in his petition to the supreme court of the State of New York, verified by him and filed on the 17th day of October, 1896, said upon this subject:

That the statute under which this proceeding was instituted and the questions raised upon said hearing before said Mr. Justice Edwards is a new statute, passed in the year 1896, and, as affiant is advised and verily believes, the questions arising herein have never been determined or decided by any other judge or court other than at the hearing above referred to.

So that the charge of bad faith in going to the Albany district comes to naught.

According to the decision of the supreme court of New York, the parties made a mistake in going to that district, but the error in selecting that tribunal was nothing more than a mistake.

Mr. SHANNON. The court of appeals said that.

Mr. MAGUIRE. Yes; I should have said the court of appeals. The supreme court held that Justice Edwards had jurisdiction and affirmed his decision.

Now, Mr. Speaker, this writ of review was brought before Justice Edwards on the 14th day of October, 1896, and criticism is made upon Judge Edwards and upon the attorneys for contestee for the delay occurring between the 14th day of October, when the matter was brought to the attention of Judge Edwards, and the 19th of October, when Judge Edwards's final order was entered of record.

On the 14th of October the parties appeared, and at the request of Mr. Fairchild's attorneys Judge Edwards continued the case for one day. That continuance was certainly not to be charged to any purpose of delay on the part of Judge Edwards or the attorneys of the contestee. The judge continued it one day to accommodate contestant's counsel. On the 15th of October Judge Edwards took the matter up at chambers, heard the arguments, took it under advisement, and on the next day, the 16th of October, he rendered his decision in favor of Mr. Ward and against Mr. Fairchild, reversing the action of the secretary of state. Certainly in a case presenting a number of new questions of law, upon a new statute passed in that very year and raising questions not previously determined by the courts of New York, if Judge Edwards had any corrupt, or even faintly improper, purpose of injuring the contestant by delay, he might well have held that case under advisement for more than one day. He decided it on the day after it was presented to him and submitted for decision.

Mr. GAINES. Then why did the counsel not file the decree, but hold it out three whole days?

Mr. MAGUIRE. I am coming to that. Not only did Judge Edwards decide the case the day following its presentation and submission to him, but he came back on the night of the 16th and sat well into the hours of the night with counsel for both parties, going over his decision and preparing his order and signing it.

As to the events between that time and noon of the next day, there is a conflict in the testimony. Certain it is that the order could not have been filed on the night of the 16th of October, because the order was not complete until near 6 o'clock on that night, long after the clerk's office had closed.

On the following morning there was a question raised as to the correctness of the order, as to the completeness of the order, for the purpose of appeal. Mr. Fairchild, as I remember, was not mentioned as a party to the proceeding. When that matter was determined on Saturday morning I am not prepared to say from the record, because the testimony concerning that matter is so involved with the testimony concerning the settlement and signing of another paper by Judge Edwards, the statement of record of appeal in the case, that I am not clear as to when the order was finally settled. But on the morning of the 17th of October Judge Edwards certified an affidavit of Mr. Bevans, who claimed to represent Mr. Fairchild, although he was not one of Mr. Fairchild's attorneys of record in the case, in which Bevans set forth that the order of Judge Edwards had not been filed and that the attorneys for the contestee were delaying the filing of the order.

Judge Edwards for some reason declined to interfere in that matter, probably upon the assurance given by contestee's attorneys that they would file the order the first thing on Monday morning. It is claimed that they refused to file it on Saturday and that Judge Edwards refused to order it filed on Saturday. The importance of these statements, if true, are greatly minimized by the fact that under the laws of New York the office of the county clerk and the office of the clerk of the court are closed every Saturday at noon, Saturday afternoon being a half holiday under the laws of the State of New York.

The reason given for not filing it on Saturday was that the office of the clerk of court was closed before they could file it, and this leaves open the question as to their delay—from 9 o'clock in the morning on Saturday, when they might have filed the order if it was finished and in a perfected condition, and 12 o'clock noon on Saturday, when the office closed under the law. Three hours' delay. I do not pretend or attempt to excuse the attorneys for Mr. Ward upon any showing contained in the record in delaying the matter even for three hours, but I say the showing of willful delay is reduced to three hours, and no more, because the order could not have been filed until after 9 o'clock on the morning of Saturday and could not have been filed after 12 o'clock noon of that day until it was actually filed on the following Monday morning.

An appeal was taken to the appellate division of the supreme court from the decision of Judge Edwards. Mr. Fairchild had a hearing before the appellate division of the supreme court, and that court reviewed and affirmed Judge Edwards's decision. That court upheld Judge Edwards on the question of jurisdiction and on the question of law decided by him. Mr. Fairchild had the benefit of that appeal to the supreme court, and the decision of that court, reviewing Judge Edwards's decision, in ample time before the election, notwithstanding the delay of which he complains.

Mr. Fairchild then attempted to get into the court of appeals, a proceeding that, in my opinion, was not contemplated by either party while the matter was before Judge Edwards. Why should it have been contemplated, since each party expected that the appellate division of the supreme court would decide in his favor if the case got there. The gentleman from Tennessee [Mr. GAINES], my colleague on the committee, says that Mr. Fairchild lost ten days in getting before the supreme court through Judge Edwards's delay. No; at the most he lost but two days.

Mr. GAINES. I said by this suit being illegally carried to that district.

Mr. MAGUIRE. I will answer that. At most he lost two days. The gentleman says he lost ten days getting the court together, because the supreme court of that district was not in session. That was not the way in which the loss of ten days occurred. The law of New York requires ten days' notice to be given of a hearing in the appellate division of the supreme court, and he lost ten days in giving that notice and getting the matter properly up for hearing in the appellate division. He would have been required to give the same notice and suffer the same delay, within two days, if the court had been in session.

Now, suppose that contestant was deprived of his place on the regular Republican ticket by mistake—by erroneous decisions. Suppose Judge Edwards was without jurisdiction. Suppose the secretary of state made a mistake in obeying the order of Judge Edwards, as confirmed by the appellate division of the supreme court. Then it would follow simply that the secretary of state, by an honest mistake of law, put Ward's name on the ticket illegally in place of Fairchild's.

What are the legal consequences of that mistake, in the absence of any showing of fraud on the part of contestee or any of the public officers and in the absence of any showing that any voter was deceived or misled by it?

What was the result? Thirty thousand seven hundred and nine electors voluntarily and knowingly voted for Mr. Ward, as against 770 for contestee. If his name was illegally placed upon the ballot, then I admit that if any voter in the district was deceived by that mistake and was induced to vote that ticket under the belief, based upon the legal duty of the secretary of state, that Fairchild's name was there or that Ward's name was not there—if any voter so believing had come forward and testified to that effect, it would have been the duty of our committee, and it would now be the duty of the House, to take that vote away from Ward; and if there were enough voters deceived by that mistake of the secretary of state, then Ward should be unseated.

But there is no such showing. Not a man of all the witnesses called—not a man of the contestant's one hundred witnesses—testifies that he was deceived or misled or that anybody else was deceived or misled. Every one of those one hundred men testifies that he knew Ward's name was upon the ticket and voted the straight ticket knowing that Ward's name was there, although he personally preferred Fairchild to Ward.

Mr. HARTMAN. Is it not also a fact that a large number of those witnesses—at least seventy-five—testify that they voted for Mr. Ward because he was the regular Republican nominee, but would have preferred to vote for Mr. Fairchild had he been the regular nominee?

Mr. MAGUIRE. Oh, yes; my recollection is that every one of the men called by Mr. Fairchild testified that he would have preferred Fairchild to Ward; that he voted for Ward because Ward's name had been put upon the ticket as the regular nominee by the decision of the supreme court. But the fact remains that they did knowingly vote for Ward.

Mr. HARTMAN. In other words, they were ready to vote for the Republican nominee, no matter what his name was?

Mr. MAGUIRE. No; I do not recognize any such presumption as that; and even if it were material, it does not so appear from the evidence. A voter must be held to have meant to do what he actually did.

[Here the hammer fell.]

Mr. GAINES. I now yield ten minutes to Mr. Fairchild, the contestant.

Mr. FAIRCHILD (the contestant). Mr. Speaker, I had hoped that in view of the voluminous record in this case, out of which have grown so many statements pro and con on this floor, I would have had an opportunity to go somewhat fully into the facts as they occurred in that district, so that the House could know, by one who was on the ground at the time, what the facts were as they transpired during that Congressional contest. But in the short time that remains under the arrangement for a vote it will be impossible for me to do so. Hence it becomes necessary for me to confine myself almost exclusively to one or two points, and for the opportunity to do this I gratefully acknowledge my indebtedness to the courtesy of the House.

In the first place, however, I desire while I have it in mind to answer one or two statements which the gentleman from California [Mr. MAGUIRE] has just made, because I know he would not have the House misunderstand the facts. He stated that there was one day lost by the application of contestant's attorneys, the fact being, as he will probably recall, that the time fixed for the first hearing before Judge Edwards was at 2 o'clock one afternoon; that it was a case which would and did take all of one day; that the case was adjourned till 10 o'clock the following morning, and did take all of that day.

Mr. MAGUIRE. That is true, as I recollect.

Mr. FAIRCHILD. Now, the other statement is that the judge who signed the final order reversing the decision of the secretary of state signed that order within twenty-four hours after the hearing.

Mr. MAGUIRE. I said on the next day.

Mr. FAIRCHILD. The gentleman said on the next day, the fact being that the argument concluded in the afternoon of one day and the order was signed between 5 and 6 o'clock the second day thereafter.

Mr. MAGUIRE. Oh, no.

Mr. FAIRCHILD. The hearing was on the 14th of October and the order was signed on the 16th.

Mr. MAGUIRE. The gentleman must be mistaken about that.

Mr. FAIRCHILD. I have in my hand the record which was before the court of appeals of the proceedings before Judge Edwards, which shows that the order was returnable before Judge Edwards at 2 o'clock on the 13th of October; that the hearing was adjourned till 10 o'clock on the morning of the 14th of October, and that the order was signed, as the gentleman from California will concede, between 5 and 6 o'clock on the 16th of October, as shown by the date of the order itself.

Mr. MAGUIRE. That is the date of the order.

Mr. FAIRCHILD. Now, the other point to which I wish to direct the attention of the House is as to the facts relating to the nomination and to the proceedings before Judge Edwards. At the time the Congressional convention was called in that district by the committee that was appointed for that purpose by the last Congressional convention which nominated me in 1894, the primaries had already been held in the district, and out of those primaries there had arisen certain contests. Those contests had come before the Republican State committee of New York, and were by that committee decided unanimously in my favor. They had come before the Republican State convention in New York and were by it decided unanimously in my favor.

And they had come before the Republican judiciary convention in the judicial district, and by that convention also decided unanimously in my favor. And that was the situation existing at the time the Congressional committee called the Congressional convention. What followed? Mr. Ward, the contestee, associated with him a Mr. Henderson, who appears in this contest as his attorney, and proceeded to secure an independent nomination by petition, for the avowed purpose of compassing the defeat of the Republican nominee, as testified to in this contest by Mr. Henderson when on the witness stand—to elect the Democrat for the sake of beating the Republican nominee in that election.'

Mr. GAINES. Will the gentleman allow me a moment to say that if they had filed a suit in the second circuit you could have got it to the court of appeals in time?

Mr. FAIRCHILD. Certainly.

Mr. GAINES. And the whole contention here grows out of the fact that this delay occurred through no fault of yours.

Mr. FAIRCHILD. Certainly. The court was sitting in the other district, and there need have been no delay whatever.

Now, Mr. Speaker, that was the situation when Mr. Ward obtained the independent nomination, for the purpose, as his attorney testifies, to defeat the Republican candidate and to elect the Democrat in that election. And right here let me say that simultaneously therewith contestee had a convention called by an unauthorized committee, which committee was appointed without the knowledge of anyone throughout the district, at a convention held the spring previous for the sole purpose of electing delegates to the national convention. There assembled, in pursuance of such unauthorized call, the contesting delegates whose claims had been adversely decided upon by the unanimous decision of the Republican State committee of the Republican State convention and of the Republican judiciary convention—unanimously by every committee and convention where the matter was considered.

Only six uncontested delegates in the whole district participated in that convention with those defeated contestants. As I have said, he held that pretended convention simultaneously with procuring the independent nomination, and based upon the action of that alleged convention, he filed a certificate with the secretary of state of the State of New York claiming to be the regular Republican nominee for Congress. Under the election law such a contest must be decided, "in the first instance, by the officer with whom the certificates are filed," which in this case was the secretary of state. The law of New York further requires that the decision of the secretary shall be made in writing.

After a full hearing the secretary of state did render a decision in writing, and decided that this contestant was the Republican nominee and entitled to have his name printed upon the regular Republican ticket. Under the law, Mr. Speaker, when such a decision as that is made the defeated party can appeal to a judge, as the law provides, "within the judicial district." It was a subsequent decision of the New York court of appeals, unanimously rendered, which held that this meant the judicial district within which the Congressional district was located, where the controversy arose and where the parties resided.

Now, 100 miles away from that Congressional district was the Third judicial district. In that judicial district there was no appellate division of the court in session. If there had been, there would have been no contest before this House. And why? Because we could have reached the court of appeals in time to have it determine the matter before the day of election. In the Second judicial district, having exclusive jurisdiction, there was an appellate division in session to hear an appeal and to render a decision in time for election day, as was done in an assembly case in the same district, and involving the same primary contests. The unanimous decision of the appellate division of the second department in the assembly case was in favor of the Fairchild candidate, whose name accordingly appeared on the ballot, and he was elected.

I will come now to the delays that occurred in the Third judicial district where contestee resorted, in addition to the delay resulting from no appellate division being in session in that district. That hearing, as I have already stated, occurred upon the 14th of October, and between 5 and 6 o'clock on the 16th of October Judge Edwards's order was signed, reversing the decision of the secretary of state and substituting the name of Mr. Ward in the place of the name of Mr. Fairchild in the Republican column. My own attorney was present at the time the order was signed. It was signed in triplicate, at the request of Mr. Ward's attorneys. My attorney immediately requested the judge that, as the time was so short——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALKER of Massachusetts. I move that the gentleman's time be extended twenty minutes.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GAINES] has control of the time on that side.

Mr. WALKER of Massachusetts. I move that the vote be postponed for twenty minutes.

Mr. FAIRCHILD. I ask that I may have ten minutes.

Mr. GAINES. I have not ten minutes to yield to the gentleman. If I had, I would do so.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. GAINES] has control of the time on that side.

Mr. GAINES. I ask unanimous consent that the time be extended ten minutes, and that the gentleman have that time.

The SPEAKER pro tempore. The gentleman from Tennessee asks that the time of the order for taking the vote be extended ten minutes, and that that time be given to the contestant [Mr. Fairchild].

Mr. ROYSE. I object, unless the time——

Mr. HOOKER. I object.

The SPEAKER pro tempore. Objection is made by the gentleman from New York [Mr. HOOKER].

Mr. GAINES. I have only six minutes remaining. I yield three minutes to the gentleman.

Mr. FAIRCHILD. It is impossible in three minutes' time to make a statement of the delay that occurred during those three days. My attorney was there between 5 and 6 o'clock on the evening of Friday, the 16th, when the order was signed, and he appealed to the judge to have the order entered immediately, because the time was so short within which an appeal could be taken.

Mr. GAINES. If it had been entered immediately you would have obtained the relief you wanted.

Mr. FAIRCHILD. Yes. And this contest would not be here now, because the decision of the court of appeals was in my favor.

Mr. SHANNON. That is the point.

Mr. FAIRCHILD. My attorney requested that one of the three copies be given to him so that he could enter it, and they objected to that and the judge refused that. Then the judge left the court room. My attorney followed Mr. Ward's attorney outside and asked him if he would not be allowed to read the order, and Mr. Ward's attorney refused even an inspection of the order. My attorney then telephoned to me at Albany what had occurred. I said to him, "You go to the judge's house and appeal to him again. He can not refuse the immediate entry of that order in view of the fact that the time is so short before the election."

He went to the judge's house and called the attention of the judge to the fact that he had been refused a copy of the order by Mr. Ward's attorneys, and that he had been refused even an inspection of the order. The judge again refused a direction for the entry of the order, and the most he would do was to say that we could come before him at 9 o'clock the next morning. We then telephoned to my counsel, Gen. Benjamin F. Tracy, of New York City. General Tracy took the midnight train from New York on Friday night, after these refusals for the entry of the order, came to Hudson, and we appeared before Judge Edwards at 9 o'clock the next morning. We had then an affidavit drawn by my attorney, stating that the order had not been entered, and that affidavit is in evidence in this case, with Judge Edwards's signature attached to it, because it was sworn to before him at 9 o'clock that morning.

The office of the Hudson County clerk was only three minutes' walk from there. We called the judge's attention to that, and called his attention to the code of New York, requiring that the order be entered, and asked that the judge direct its entry in that county clerk's office, as we had a right to have it entered. The New York code says that such an order must be entered immediately. We opened the code before the judge and called his attention to another provision that when it is not entered immediately the judge who granted the order must make a direction requiring its entry. The judge refused that, and we were all that day, from 9 o'clock Saturday morning till 5 o'clock in the evening, appealing in vain and failing to get the entry of that order. [Applause.]

[Here the hammer fell.]

Mr. ROYSE. Let me inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Indiana has fifteen minutes remaining.

Mr. GAINES. I yield three minutes of my time, the balance of my time, to the gentleman from Missouri [Mr. DE ARMOND].

The SPEAKER pro tempore. The gentleman has only two minutes remaining.

Mr. GAINES. I understood that I had six minutes, and I gave three to the contestant, Mr. Fairchild.

The SPEAKER pro tempore. The gentleman occupied four minutes. The gentleman from Missouri is recognized for two minutes.

Mr. DE ARMOND. Mr. Speaker, it is not possible in that brief time fairly to state the case, much less argue it. If I had time to state the case I would endeavor to begin it in this way: Mr. Fairchild and Mr. Ward each claimed to be the Republican nominee. The matter was carried to the highest court of resort in the State of New York and the decision was that Mr. Fairchild was the nominee. In the meantime, by an erroneous decision, Ward's name had been placed on the Republican ticket, and those voting the Republican ticket had voted for him as the regular nominee. Under this condition of things, if Ward is elected, then it is more than possible under the Australian ballot system for a person to be elected who, by any manner of means, gets his name upon the regular party ticket, if enough votes are cast for the regular ticket, thus giving him a larger number of votes than his competitor.

The voter must take his chance of destroying his ballot by changing it or he must vote for all the persons on the ticket, in order to make good what those called upon to administer the law have made bad. It is the duty of the State to furnish a correct ballot. When the State fails to do that and when as a result of it the person whose name is wrongfully on the ballot has received the number of votes which, if rightfully cast for him would elect, he ought to be deprived of the office. [Applause.]

Mr. ROYSE. Mr. Speaker, I yield the balance of my time to the gentleman from New York [Mr. BELFORD].

Mr. BELFORD. Mr. Speaker, if I rightly conceive the functions of a committee on contested elections it is to view the testimony submitted to it without bias, with minds totally disabused of prejudice, and to reach a conclusion based upon such premises as that. I believe that the Committee on Elections of which I have the honor to be a member have all of them proceeded in that spirit in the consideration of this case. I think that the gentleman who presented the minority report here has been actuated by pure motives—that he has given expression to his honest convictions from a study of this case. Now, this case came to our committee under charges of such gross fraud and irregularity on the one hand, and under such a claim of political purity and virtue upon the other, that if there was any prejudice existing in the minds of this committee at all it certainly at the outset was favorable to Mr. Fairchild and against Mr. Ward.

But I ask this House if it is not a significant fact that eight other gentlemen, aside from the gentleman from Tennessee [Mr. GAINES], men of at least average intelligence, men with motives equally as pure as those of the gentleman from Tennessee, men with precisely the same opportunities of investigation, having studied this case from beginning to end, eight men on that committee come to this House and say that they find that the charge of fraud is absolutely groundless. I ask you at least to give as much weight to the judgment of the eight men on the committee, who say the case is free from fraud, free from intentional trickery, as you will give to the minority report of one.

Mr. HARTMAN. Will the gentleman submit to a question?

Mr. BELFORD. No; I have only fifteen minutes.

Mr. HARTMAN. I submitted to several questions from the gentleman.

Mr. BELFORD. I have only a short time, and I must proceed. Now, let us proceed in order in this matter and see what these charges of fraud are. The first charge of fraud is in the calling of the fall Congressional convention. It is avowed that the Congressional committee which called the convention had no authority to call it whatever. Let us see if the history of the Republican politics in that Congressional district will bear out that accusation.

There is in evidence here—I concede that there is some conflict on this point, but we have the affidavit of Judge Robertson, of that district, a man who has been closely identified with every political movement in the district for twenty years or more; a man of unimpeachable integrity; a man who to-day is regarded, and has been for forty years, I am told, as a representative Republican in that district, and he says that at each Congressional convention so far back as his memory runs a committee was delegated and appointed to call the next Congressional convention.

Now, if we are to accept that affidavit as true, then the Congressional convention that selected a committee in the spring of 1896 did not transcend its power, and was within its proper jurisdiction, in naming a committee to call the fall convention. That is all they did.

A strong point was attempted to be made here on the fact that contesting delegations from some assembly districts were granted seats in the State convention and in the judiciary convention; but I want to emphasize this fact, that the question of the regularity of the committee which called the fall Congressional convention of 1896 was submitted to the State committee of the State of New York, and the chairman of the executive committee of that State committee declined to have the State committee called together for the purpose of passing upon it, stating to the person who made the application that they had foreclosed their case by having acquiesced in the appointment of that committee for that purpose in the early spring convention.

The next allegation of fraud is that the contestee in this case went 100 miles away to find a justice before whom he could bring his appeal from the order of the secretary of state directing that the name of Mr. Fairchild should go upon the ticket as the regular party nominee. Let me read for the information of the House the section of the law of New York defining the judicial district in which this proceeding should be brought:

> The supreme court or any justice thereof—

Observe the language—

> The supreme court or any justice thereof within the judicial district—

Not defining the judicial district, observe—

> within the judicial district, or any county judge within his county, shall have jurisdiction, etc.

Now, what judicial district? I appeal to every clear-headed lawyer on this floor whether there is not sufficient ambiguity in the reading of that section to fairly raise the question what judicial district is meant by the section?

Mr. HARTMAN. Does the gentleman reverse the decision of the court of appeals?

Mr. BELFORD. Oh, no. Let me go on. I will come to the court of appeals in a few moments.

Now, the attorneys for Mr. Ward, reading that section of the law, made that inquiry—What judicial district? Two things could guide them or govern them. One, what were the precedents in similar cases, and the other, what is a fair construction of the statute itself. Now, as to the precedents in the case, I think I rightly state the fact when I say that every precedent up to that time was in favor of bringing this proceeding in the judicial district in which the secretary of state resided.

Furthermore, look at the question from the statute itself. This was an appeal from an order of the secretary of state. Now, what is natural under the circumstances? Nothing, it seems to me,

would be natural except to bring the appeal in the district in which the officer from whose order the appeal is brought resides; and he is the only person, by the way, who is made a party to the proceedings by the statute itself—the secretary of state. This question the court of appeals has now finally settled; but I submit that the determination of the proper judicial district, prior to the decision of the court of appeals, was at least open to an honest difference of interpretation.

Now, I go further. I think I have sufficiently disposed of the question as to whether or not, upon the view of the statute, before we reach the decision of the court of appeals, Judge Edwards had or had not jurisdiction. Upon that case the appeal was taken. Justice Edwards having jurisdiction of the law and the facts, decided in favor of the regularity of Mr. Ward's nomination. The case was taken to the appellate division of the supreme court of our State; and that court, composed of five judges having jurisdiction of the law and the facts, decided unanimously that Mr. Ward was legally nominated in that Congressional district.

Now, I want to call the attention of the House to a provision of the constitution of the State of New York which makes the deliverance of the court of appeals in this case entirely obiter dictum as to the regularity or irregularity of the nomination of either party to this contest. The constitution of the State of New York provides that when the appellate division of the supreme court, except in a case involving a judgment of death, has unanimously passed upon the facts involved in any controversy, the facts are no longer within the jurisdiction of the court of appeals; that the court of appeals then passes simply and solely upon the questions of law that may be involved in the case.

So that as a matter of fact, whether or not Mr. Ward was regularly nominated was not properly before the court of appeals; and that court very clearly defined its position in saying that the case might be of sufficient importance for future guidance to warrant the court of appeals in settling the procedure in similar contests in that direction. But the only question properly before the court of appeals was the question as to the jurisdiction of Justice Edwards to entertain this proceeding. The court of appeals was precluded by the constitution of New York from passing upon the facts of Mr. Ward's nomination. What they said on that subject was wholly and absolutely obiter dictum.

Now, gentlemen, much has been said here to-day with reference to the opportunity of the voter to vote under the election statutes of the State of New York. The legislature of that State certainly never contemplated passing a statute which would make automata of its voters. They certainly never contemplated the passing of a statute which would take away from a voter the exercise of his free will and free choice under the ballot law. And they have not done so.

We have had the Australian ballot system in operation so long in the State of New York that I venture the statement that there is not a voter in the State who, when he takes his ballot into the booth, does not know exactly what it means—does not know exactly how, if he wants to vote for every man on his party ticket, he can do so—does not know exactly how, if he wants to vote for every man on his party ticket except one, he can do so. There can not be any reasonable contention here that a single man who went into the election booth and voted for Mr. Ward might not have voted for Mr. Fairchild, if he had wanted to do so.

I say it is a strange proposition to present to this House, that when 30,000 bona fide electors, using a ballot against which there is not the faintest suggestion of fraud upon the face of it, went into the booths and made their mark upon the ballots as qualified electors, registering their will by so doing—it is a monstrous proposition to ask this House that those 30,000 votes shall be bodily lifted from the emblem under which they appear and from the man for whom they were cast and transferred to another emblem, so that they may be counted for a man for whom they were not cast.

Gentlemen, I know no higher law than the registered will of a supreme and sovereign people. That is higher even than the decisions of courts of appeals. And I tell you that the 30,000 voters who cast these votes are entitled to some respect here even above the deliverance of the court of appeals, whose decision was based on facts not properly presented before the court and in an opinion delivered more than two months after the election was held.

Gentlemen, let us make no mistake in a matter of this kind. If the voters of the Sixteenth Congressional district of the State of New York had desired the return of Mr. Fairchild to the House, they could have accomplished that result. The votes he received are the measure of the voters' desire in that district to have him represent them. And the 30,000 votes that William L. Ward received are but an expression of the Republican people's desire of that district as to whom they wish as their Representative.

Whatever you do to-day, do not, I pray you, reverse the specifically declared will of 30,000 electors in the great State of New York. [Prolonged applause.]

Mr. ROYSE. Mr. Speaker, I call for the previous question on the adoption of the report of the committee.

The previous question was ordered.

The SPEAKER. The Clerk will report the resolutions.

The resolutions were again read.

Mr. GAINES. Mr. Speaker, can the resolutions be divided?

The SPEAKER. They can.

Mr. GAINES. I call for a division of the resolutions.

The SPEAKER. The question is on agreeing to the first resolution, the gentleman from Tennessee asking a division.

Mr. GAINES. I desire to offer the minority report as a substitute.

The SPEAKER. The Chair thinks it is now too late. The previous question has been ordered; and the question is on agreeing to the first resolution reported from the Committee on Elections, which the Clerk will read.

The Clerk read as follows:

Resolved, That Ben L. Fairchild was not elected to the Fifty-fifth Congress from the Sixteenth Congressional district of New York, and is not entitled to a seat therein.

The question was taken; and on a division (demanded by Mr. GAINES) there were—ayes 162, noes 30.

So the first resolution was adopted.

The SPEAKER. The Clerk will report the second resolution.

The second resolution was read, as follows:

Resolved, That William L. Ward was elected to the Fifty-fifth Congress from the Sixteenth Congressional district of New York, and is entitled to a seat therein.

The question was taken; and on a division (demanded by Mr. GAINES) there were—ayes 138, noes 42.

So the second resolution was adopted.

On motion of Mr. ROYSE, a motion to reconsider the last votes taken was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. NORTON of South Carolina, for four days, on account of important business.

To Mr. LINNEY, for three days, on account of important business.

And then, on motion of Mr. ROYSE (at 4 o'clock and 53 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive and other communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the chief clerk of the Treasury Department submitting an estimate of appropriation for contingent expenses, Treasury Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of A. Waddell and E. R. Miller, administrators of Theodore J. Gillett, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Adeline N. Larche against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Catherine McCarthy, executrix of Michael D. McCarthy, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of deficiency in appropriation on account of writs of lunacy—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting for the consideration of Congress a copy of a communication from the Attorney-General submitting an estimate of appropriation for payment of Lenoir M. Erwin—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an additional estimate of deficiency in the appropriation for "Equipment of vessels, Bureau of Equipment"—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Snake River, Washington—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. COWHERD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 5880) to vest in the Commissioners of the District of Columbia control of street parking in said District, reported the same without amendment, accompanied by a report (No. 1026); which said bill and report were referred to the House Calendar.

Mr. CHARLES W. STONE, from the Committee on Coinage, Weights, and Measures, to which was referred the bill of the House (H. R. 7088) to amend section 3545 of the Revised Statutes, and for the payment of deposits of foreign gold coin of not less than $5,000 in value without melting, reported the same with amendment, accompanied by a report (No. 1044); which said bill and report were referred to the House Calendar.

Mr. BENNETT, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 1109) authorizing the Secretary of the Treasury to establish a fog signal at or near the Battery, New York, reported the same without amendment, accompanied by a report (No. 1027); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. COOPER of Texas, from the Committee on War Claims, to which was referred House bill 4849, reported in lieu thereof a resolution (House Res. No. 282) for the relief of Catharine M. Pritchard or her legal representatives, accompanied by a report (No. 1025); which said resolution and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8723) granting a pension to Juliette J. Harrow, widow of Gen. William Harrow, reported the same with amendment, accompanied by a report (No. 1028); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9295) for the relief of J. O. Hottenstein, reported the same with amendment, accompanied by a report (No. 1029); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7306) granting an increase of pension to S. H. Beckwith, reported the same with amendment, accompanied by a report (No. 1030); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2220) granting an increase of pension to Charles F. Holly, reported the same with amendment, accompanied by a report (No. 1031); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3001) granting a pension to Mary McLaughlin, reported the same with amendment, accompanied by a report (No. 1032); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5102) granting an increase of pension to Edson Sullivan, reported the same with amendment, accompanied by a report (No. 1033); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 507) restoring to the pension roll the name of Lucia A. Hynes, reported the same with amendment, accompanied by a report (No. 1034); which said bill and report were referred to the Private Calendar.

Mr. CASTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6093) granting a pension to Ellen E. Nash, an army nurse during the war of the rebellion, reported the same with amendment, accompanied by a report (No. 1035); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1424) granting a pension to Richard T. Seltzer, reported the same with amendment, accompanied by a report (No. 1036); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2673) granting an increase of pension to Mrs. Diana Clark, reported the same with amendment, accompanied by a report (No. 1037); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8679) granting an increase of pension to Eugene A. Shaw, reported the same with amendment, accompanied by a report (No. 1038); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3567) to remove the charge of desertion against Gardner Dodge, reported the same with amendment, accompanied by a report (No. 1039); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1798) to remove the charge of desertion against Carl F. W. Stolle, of Iron Ridge, Wis., reported the same with amendment, accompanied by a report (No. 1040); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8506) to remove the charge of desertion from the military record of John P. Henderson, and grant him an honorable discharge, reported the same with amendment, accompanied by a report (No. 1041); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6930) for relief of and to correct record of Jacob Covert, reported the same with amendment, accompanied by a report (No. 1042); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 360) for the relief of Robert McFarland, reported the same with amendment, accompanied by a report (No. 1043); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 506) granting an increase of pension to Daniel G. George, reported the same with amendment, accompanied by a report (No. 1045); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3026) granting a pension to Ida Emmott, reported the same without amendment, accompanied by a report (No. 1046); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1477) granting an increase of pension to Joseph Porter, reported the same with amendment, accompanied by a report (No. 1047); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 184) for the relief of John E. Welch, a citizen of the United States; and the same was referred to the Committee on Appropriations.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 9783) to increase the efficiency of expert witnesses and examiners in matters of accountancy in the Federal courts, and for other purposes—to the Committee on the Judiciary.

By Mr. RICHARDSON: A bill (H. R. 9784) to incorporate a provident aid association in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. CAMPBELL: A bill (H. R. 9785) to amend the charter of the Brightwood Railway Company, of the District of Columbia, giving better railroad facilities to the citizens of Takoma Park and vicinity—to the Committee on the District of Columbia.

By Mr. CONNELL: A bill (H. R. 9786) to provide for organizing, arming, and equipping a portion of the militia, to be known as the active militia, and to be called the National Guard of the United States—to the Committee on the Militia.

By Mr. RIDGELY (by request): A bill (H. R. 9804) to encourage the formation of industrial colonies—to the Committee on Ways and Means.

By Mr. LEWIS of Washington: A bill (H. R. 9805) to create a national board of arbitration for labor disputes or conflicts between master and servant and to appropriate therefor—to the Committee on Labor.

Also, a bill (H. R. 9806) to protect settlers on Government lands—to the Committee on the Public Lands.

Also, a bill (H. R. 9807) to protect bona fide settlers upon public land claimed by land-grant railroads—to the Committee on the Public Lands.

By Mr. CHARLES W. STONE: A joint resolution (H. Res. 229) authorizing and empowering the President to take measures to secure a final termination of hostilities between Spain and the people of Cuba, and the establishment of a stable government in said island independent of any other nation—to the Committee on Foreign Affairs.

By Mr. CUMMINGS: A joint resolution (H. Res. 230) authorizing the Librarian of Congress to accept the collection of engravings proposed to be donated to the Library of Congress by Mrs. Gertrude M. Hubbard—to the Committee on the Library.

By Mr. COOPER of Texas, from the Committee on War Claims: A resolution (House Res. No. 282) for the relief of Catharine M. Pritchard or her legal representatives (in lieu of H. R. 4849)—to the Private Calendar.

By Mr. VEHSLAGE: A memorial of the legislature of the State of New York, relative to the proposed Pan-American Exposition—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BOTKIN: A bill (H. R. 9787) to increase the pension of Jacob Z. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9788) granting a pension to Washington P. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9789) to increase the pension of Alice A. Siverd—to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 9790) for the relief of Corrinne Perrett Fusilier—to the Committee on War Claims.

By Mr. CARMACK: A bill (H. R. 9791) for the relief of R. W. Gibson—to the Committee on War Claims.

Also, a bill (H. R. 9792) for the relief of Cooper Turner—to the Committee on Claims.

By Mr. HAY: A bill (H. R. 9793) for the relief of Harriet A. Maxwell, now Mrs. James B. Fergusson—to the Committee on the District of Columbia.

By Mr. HOPKINS: A bill (H. R. 9794) for the relief of Orville B. Merrill—to the Committee on Military Affairs.

Also, a bill (H. R. 9795) for the relief of George H. Ostrom—to the Committee on Military Affairs.

By Mr. JOHNSON of North Dakota: A bill (H. R. 9796) granting an increase of pension to Theodore McClellan, late sergeant of Company A, Sixth United States Infantry—to the Committee on Invalid Pensions.

By Mr. McEWAN: A bill (H. R. 9797) granting an increase of pension to Julia B. Seymour—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9798) to grant an increase of pension to Daniel W. Gallup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9799) to grant a pension to Martha E. McDaniels—to the Committee on Invalid Pensions.

By Mr. OTEY: A bill (H. R. 9800) for the relief of the legal representative of Benjamin Wilkes, deceased—to the Committee on War Claims.

By Mr. RAY of New York: A bill (H. R. 9801) granting an increase of pension to Emer H. Aldrich—to the Committee on Invalid Pensions.

By Mr. SHOWALTER: A bill (H. R. 9802) to correct the military record of Jacob Smith, of Company E, Seventy-fourth Regiment Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 9803) to remove the charge of desertion from the military record of Charles T. Jackson—to the Committee on Military Affairs.

By Mr. GROUT: A bill (H. R. 9808) for the relief of the heirs of Daniel Reed, deceased—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 9809) to remove the charge of desertion from the military record of Calvin C. Stebbins—to the Committee on Military Affairs.

By Mr. SULLIVAN: A bill (H. R. 9810) for the relief of Samuel Scott—to the Committee on War Claims.

Also, a bill (H. R. 9811) for the relief of Melchisedec Robinson, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 9812) for the relief of J. B. Fuller, of Benton County, Miss.—to the Committee on War Claims.

By Mr. DORR: A bill (H. R. 9813) granting a pension to John F. Wentz—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of Vesta Lodge, No. 352, Knights of Pythias, of Duquesne, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. ALDRICH: Petitions of citizens of Munford, Montevallo, Plantersville, Iron City, and Gurnee, Ala., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ALLEN: Petitions of citizens of Maben and Iuka, Miss., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of F. G. Henley and other citizens of Aberdeen, Miss., favoring the passage of Senate bill No. 3027 and House bill No. 6705, for pure flour—to the Committee on Ways and Means.

By Mr. BABCOCK: Petition of 40 citizens of Mauston, Wis., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the First Congregational Church of Washington, D. C., in favor of a bill for protection of the Sabbath in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BARNEY: Resolutions of the Cigar Makers' International Union and local unions of Madison, Wis., urging the passage of sundry bills pending for the protection of labor—to the Committee on Labor.

By Mr. BENNETT: Petition of John J. Curtis and other citizens of New York City, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BOUTELLE of Maine: Petition of citizens of Dexter, Me., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. BULL: Resolutions of the New England Shoe and Leather Association, expressing approval of the efforts of President McKinley and Secretary of the Navy to preserve peace and avoid international war between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. BURLEIGH: Petition of the Woman's Christian Temperance Union of Troy, Me., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. CAPRON: Resolution of the New England Shoe and Leather Association, expressing approval of the efforts of President McKinley and the Secretary of the Navy to preserve peace and avoid international war between the United States and Spain—to the Committee on Foreign Affairs.

By Mr. CARMACK: Petition of 10 citizens of Saulsbury, Tenn., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CATCHINGS: Petition of citizens of Greenville, Miss., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CONNELL: Petition of Fairview Lodge, No. 369, Knights of Pythias, of Scranton, Pa., indorsing House bill No. 6468, for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. CUMMINGS: Petition of Edward Krafft and 8 other citizens of New York, in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DANFORD: Petition of citizens of Bellaire, Ohio, in favor of Senate bill No. 3218, relating to greater efficiency in the Steamboat-Inspection Service—to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVEY: Petitions of citizens of St. James, Vacherie, Luling, New Orleans, and Franklin, State of Louisiana, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DINGLEY: Petition of the Young People's Christian Union of Lewiston, Me., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. DORR: Papers to accompany House bill granting a pension to David M. Wentz—to the Committee on Invalid Pensions.

By Mr. DOVENER: Papers in support of House bill No. 6586, for the relief of Nathaniel Bush, of Lewis County, W. Va.—to the Committee on War Claims.

Also, resolution of the Society of the Sons of the Revolution in West Virginia, held at Wheeling, W. Va., respecting the controversy between the United States and Spain and supporting the President and Congress in whatever action may be taken—to the Committee on Foreign Affairs.

By Mr. FOSS: Petition of the Illinois Chapter of the American Institute of Architects, asking for the passage of a bill making an appropriation to secure investigations and tests of American timber—to the Committee on Appropriations.

By Mr. GRIFFITH: Petition of N. G. Sparks and other citizens of Moores Hill, Dearborn County, Ind., in support of resolution for the freedom of Cuba—to the Committee on Foreign Affairs.

By Mr. GROUT: Testimony to accompany a bill for the relief of the heirs of Daniel Reed, deceased—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany House bill to remove the charge of desertion against the military record of Calvin C. Stebbins—to the Committee on Military Affairs.

Also, petition of Mary H. Hunt, national superintendent of the Woman's Christian Temperance Union of the United States; also resolutions of the New England Shoe and Leather Association and resolutions of the New York Board of Trade and Transportation, the St. Johnsbury Board of Trade, and petition of J. R. Brewster, of Windsor, Vt., relating to the Cuban question—to the Committee on Foreign Affairs.

By Mr. HAGER: Petitions of 24 citizens of Defiance, 22 citizens of Neola, and 3 citizens of Weston, State of Iowa, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HARMER: Paper of William K. B. Potts and numerous citizens of the Thirty-fifth Ward, Philadelphia, Pa., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

By Mr. HAY: Petition of 11 citizens of Albemarle County and 8 citizens of Shenandoah County, Va., in favor of the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON: Petitions of P. McCallum and other citizens of Iowa Falls, and S. Bloch and others, of Ackley, State of Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HILBORN: Petition of Paolo Salisbury, W. D. Worster, and 48 other citizens of Berkeley, Cal., praying for the enactment of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Chamber of Commerce of Los Angeles, Cal., urging the establishment of weather bureaus at Independence, Needles, Riverside, and Mount Tamalpais, Cal.; Flagstaff, Ariz., and at Frisco, Utah—to the Committee on Agriculture.

Also, petitions of the Church of Christ and Woman's Christian Temperance Union, of Brooks, Cal., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid the interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. HITT: Resolution of the Hide and Leather Trade of New York, expressing confidence in the President—to the Committee on Foreign Affairs.

Also, resolution of the Illinois Chapter of the American Institute of Architects, favoring the passage of the bill to appropriate funds for the investigation and tests of American timber—to the Committee on Agriculture.

Also, petitions of citizens of Rockford, Freeport, and Amboy, Ill., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal churches of Forreston and Adeline, Ill., for the passage of a bill to prohibit the sale of intoxicating liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Methodist Episcopal churches of Forreston and Adeline, Ill., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal churches of Forreston and Adeline, Ill., for the passage of bills to forbid the transmission of lottery messages by telegraph and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

By Mr. HOPKINS: Papers to accompany House bill for the relief of George H. Astrone—to the Committee on Military Affairs.

Also, papers to accompany bill for the relief of Orville B. Merrill—to the Committee on Military Affairs.

Also, petition of the First Methodist Episcopal Church of Dundee, Ill., praying for the enactment of legislation to protect State anti-cigarette laws, to forbid gambling messages by telegraph, and to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the First Methodist Episcopal Church of Dundee, Ill., and the Woman's Christian Temperance Union of Kingston, Ill., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Woman's Christian Temperance Union of Kingston, Ill., favoring the passage of a Sabbath law for the national capital—to the Committee on the District of Columbia.

By Mr. HURLEY: Petition of the Chamber of Commerce of the State of New York, deprecating war, expressing approval of the policy of President McKinley, and hoping for the settlement of the Cuban question by peaceful means—to the Committee on Foreign Affairs.

Also, petitions of Thomas Newcomb and 5 others and V. P. Chignome and 5 others, citizens of New York and Brooklyn, N. Y. urging the early passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of North Dakota: Petitions of Rev. John G. Dingle, Rev. C. Turner, Rev. E. Loveland, and other citizens of Devils Lake, N. Dak., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of sundry citizens of Devils Lake, N. Dak., for the passage of bills limiting the causes for divorce and to further protect the first day of the week in the District of Columbia—to the Committee on the District of Columbia.

By Mr. KITCHIN: Petitions of citizens of Clarksville and vicinity, Virginia, and Bullock, N. C., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of James W. Poe, chairman of the Monumental and Relief Association, relative to the destruction of the battle ship *Maine*—to the Committee on Foreign Affairs.

By Mr. KLEBERG: Petitions of citizens of Fannin, Louise, and Beeville, Tex., praying for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KNOX: Resolutions of the Peabody (Mass.) Board of Trade, indorsing the principles of currency reform set forth in the report of the Indianapolis monetary convention—to the Committee on Banking and Currency.

By Mr. LANHAM: Petitions of citizens of Arlington, Millsap, Handley, Weatherford, and Midland, Tex., favoring the passage of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. LATIMER: Petition of citizens of Pelzer and vicinity, South Carolina, in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Petition of the National Association of Knit Goods Manufacturers of the United States, in favor of a national exposition of American manufactured goods to be held in Philadelphia in June, 1899, and favoring the passage by Congress of a bill appropriating therefor—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Petition of the Boston Board of Fire Underwriters and the Cambridge Social Union, indorsing the President in his endeavor to prevent war pending an adjustment of peace methods—to the Committee on Foreign Affairs.

Also, petition of the Boston Merchants' Association, favoring the passage of the bill to authorize and encourage the holding of a national exposition of American manufactured goods at Philadelphia in 1899—to the Committee on Interstate and Foreign Commerce.

By Mr. McDONALD: Petitions of citizens of Hagerstown, Md., and J. R. Leaman and 25 citizens of Frederick County, Md., favoring the passage of a law which will exclude from entrance into the United States undesirable immigrants of all classes—to the Committee on Immigration and Naturalization.

Also, petitions of I. N. Hanna, A. Albert, W. E. White, B. F. M. Hurley, L. D. Lyster, George A. Davis, J. W. Adams, H. T. Tice, R. J. Halm, J. C. Strombach, S. M. Comb, F. M. Boyle, W. M. Schneler, W. E. Gravy, H. M. Updegraff, W. C. Newman, and other citizens of the State of Maryland, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. MEEKISON: Petition of Hoaglin Grange, No. 400, Patrons of Husbandry, of Hoaglin, Ohio, asking for the passage of a bill to prevent the adulteration of food—to the Committee on Ways and Means.

Also, petition of Hoaglin Grange, No. 400, Patrons of Husbandry, of Hoaglin, Ohio, in favor of rural free delivery of mails—to the Committee on the Post-Office and Post-Roads.

By Mr. MEYER of Louisiana: Petitions of R. B. Howard, D. L. Gaster, Philip G. Veith, Frank Hote, and others, of New Orleans,

La., in favor of the passage of the so-called anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MIERS of Indiana: Petition of Martha E. McDaniel, dependent sister of Samuel S. McDaniel, of the First Missouri Regiment, for a pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase the pension of Daniel W. Gallup—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolutions of Cigarmakers' Union No. 182, of Madison, Wis., in favor of House bills Nos. 7389, 6092, and 1638 and Senate bills 35 and 95, relating to the interest of labor—to the Committee on Labor.

By Mr. PERKINS: Petition of 13 citizens of Onawa, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. POWERS: Petition of the Young People's Society of Christian Endeavor of Proctor Union Church, Proctor, Vt., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. RICHARDSON: Petition and papers of William M. Beasley, of Giles County, Tenn.—asking reference of his war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROBBINS: Resolutions of New Kensington Lodge, No. 81, of New Kensington, Pa., Knights of Pythias, in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. SAUERHERING: Petition of Capt. W. Hogbin and 68 other citizens of Madison, Wis., asking for the independence of Cuba—to the Committee on Foreign Affairs.

Also, resolutions of the Cigar Makers' International Union and local unions of Madison, Wis., in support of certain bills supposed to be beneficial to labor—to the Committee on Labor.

By Mr. SHERMAN: Petition of E. B. Almon and 32 others, of Tuscumbia, Ala.; E. Lamar and 19 others, of Selma, Ala; W. P. Armstrong and 39 others, of Selma, Ala.; Editor J. S. Merony and 31 others, of Murphy, N. C.; Sheriff B. McGaha and 29 others, of Hendersonville, N. C.; R. A. Mallory and 28 others, of Concord, Ga.; W. S. Cline and 29 others, of Shenandoah, Va.; W. J. Allen, United States judge, and 38 others, of Springfield, Ill.; H. E. Day, railroad commissioner, and 28 other officers and residents of the State of Florida; New England Iron and Hardware Association, of Boston, Mass.; A. B. Hawkins and 21 others, of Raleigh, N. C.; F. Burkhart and 27 others, of Cincinnati, Ohio; W. O. Collins and 32 others, of Lucas, Ohio, in favor of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SHOWALTER: Petition of Petrolia Lodge, No. 498, of Petrolia, Pa., and Rochester Lodge, No. 274, of Rochester, Pa., Knights of Pythias, indorsing House bill No. 6468, for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

Also, petition of Jacob Smith, to accompany House bill to remove the charge of desertion against him—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: Papers to accompany House bill to remove the charge of desertion against Charles T. Jackson—to the Committee on Military Affairs.

By Mr. SNOVER: Resolution of Charter Lodge, No. 18, Knights of Pythias, of Port Huron, Mich., favoring House bill No. 6468, to erect a national Knights of Pythias hospital and sanitarium at Hot Springs, Ark.—to the Committee on the Public Lands.

By Mr. STEVENS of Minnesota: Petitions of William Hennig and other citizens of North St. Paul, Minn., and the St. Paul Fire Department Relief Association, in opposition to Senate bill No. 2736, to establish a division in the Treasury Department for the regulation of insurance, and for other purposes—to the Committee on Interstate and Foreign Commerce,

Also, resolutions of the St. Paul Chamber of Commerce in favor of a national exposition of American manufactured goods to be held in Philadelphia in June, 1899, and favoring the passage by Congress of a bill appropriating therefor—to the Committee on Appropriations.

Also, petition of the wholesale milliners of St. Paul, Minn., protesting against the passage of a certain Senate bill which prohibits the importation of birds and birds' feathers and the carrying of the same from State to State—to the Committee on Ways and Means.

By Mr. CHARLES W. STONE: Petition of citizens of Venango County, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. VEHSLAGE: Resolutions of the New York Board of Trade and Transportation, deprecating war, expressing approval of the policy of President McKinley, and hoping for the settlement of the Cuban question by peaceful means—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Petition of the Woman's Christian Temperance Union of Batavia, N. Y., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petitions of citizens of Albion, Orleans County, N. Y., in favor of House bill No. 7130 and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. WALKER of Massachusetts: Petition of Independence Lodge, No. 300, Independent Order of Good Templars, of Worcester, Mass., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Young People's Christian Union of the First Universalist Church, of Southbridge, Mass., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WARD: Petition of E. F. Riley and 3 other citizens of Yonkers, N. Y., asking for the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of Pennsylvania: Resolutions of the Survivors Association of the Eighty-second Regiment Pennsylvania Volunteers, held March 27, 1898, supporting the policy of President McKinley in relation to Cuba—to the Committee on Foreign Affairs.

Also, resolution of the Oxford Club, of Philadelphia, Pa., favoring vigorous action in the settlement of the Cuban question, to maintain the honor of the nation, and avenge the murder of our brave sailors—to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *April 12, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. HALE, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

LIQUOR TRAFFIC IN ALASKA.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 1st instant, certain information relative to the enforcement of the law to prohibit the importation, manufacture, and sale of intoxicating liquors in the District of Alaska; which, on motion of Mr. HALE, was, with the accompanying papers, referred to the Committee on Territories, and ordered to be printed.

HOUSE BILL REFERRED.

The bill (H. R. 8875) to amend an act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, in Leflore County, in the State of Mississippi," was read twice by its title, and referred to the Committee on Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 8972) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington;" and

A bill (H. R. 9205) to authorize the extension eastwardly of the Columbia Railway.

PETITIONS AND MEMORIALS.

Mr. HOAR presented a petition of Bay State Lodge, No. 73, Brotherhood of Locomotive Firemen, of Worcester, Mass., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. PENROSE presented a petition of the Independent Order of Good Templars of Potter and Tioga counties, in the State of Pennsylvania, praying for the enactment of legislation recognizing the independence of Cuba; which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Oxford Club, of Philadelphia, Pa., favoring the early recognition of the independence of Cuba from Spanish rule and authorizing armed intervention to hasten that result; which were referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the H. R. Wildey Republican Club, of the Thirty-second Ward of Philadelphia, Pa., expressing confidence in the judgment of the President of the United States in dealing with the Spanish question, favoring the

independence of Cuba, and demanding indemnity for the destruction of the U. S. battle ship *Maine* and for the lives of the officers and sailors lost thereon; which were referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Milford, N. H., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Pilgrim Young People's Society of Christian Endeavor of the First Congregational Church of Milford, N. H., and a petition of the congregation of the Methodist Episcopal Church of Whitefield, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Pilgrim Young People's Society of Christian Endeavor of Milford, of the Baptist Young People's Society of Christian Endeavor of Milford, of the Christian Endeavor Society of Sunapee, and of the congregation of the Methodist Episcopal Church of Whitefield, all in the State of New Hampshire, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PLATT of New York presented the petition of Charlotte S. Rhind, of New York City, praying that she be granted a pension; which was referred to the Committee on Pensions.

He also presented the petition of Lorenzo Hulbert, secretary of the Pomona Grange, Steuben County, N. Y., and a petition of the Produce Exchange of Buffalo, N. Y., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Batavia, Five Corners, and Brooklyn, and of the Hanover Center Association, of Silvercreek, all in the State of New York, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Batavia, Five Corners, Theresa, Brooklyn, and Silver Creek, and of the Christian Endeavor Society of Schenectady, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Batavia, Chittenango, Five Corners, Brooklyn, and Silver Creek, all in the State of New York, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Batavia, N. Y., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

Mr. FAIRBANKS presented a petition of the North Indiana Conference of the Methodist Episcopal Church, praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the North Indiana Conference of the Methodist Episcopal Church, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the North Indiana Conference of the Methodist Episcopal Church, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the North Indiana Conference of the Methodist Episcopal Church, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. GEAR presented a memorial of the Tri-City Veteran Shiloh Association, of Davenport, Iowa, remonstrating against the enactment of legislation providing for the erection of a monument to Albert Pike; which was ordered to lie on the table.

He also presented the petition of F. C. P. Pinnell, of Davis County, Iowa, praying that he be granted a pension; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the New England Congregational Church, of Independence, Iowa, and a petition of the official board of the Methodist Episcopal Church of Independence, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry teachers of the public schools of Independence, Iowa, and a petition of the official board of the Methodist Episcopal Church of Independence, Iowa, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. FAULKNER. I present a memorial addressed to the Congress of the United States and adopted by the National Pure Food and Drug Congress assembled in the city of Washington on the 2d of March, 1898, representing 21 national and over 150 State and local organizations, favoring pure food and drugs. I move that the memorial be printed as a document and referred to the Committee on Agriculture and Forestry, to which committee the bill has already gone.

The motion was agreed to.

Mr. FAULKNER presented a petition of Parkersburg Division, No. 369, Order of Railway Conductors, of Parkersburg, W. Va., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. HARRIS presented a petition of sundry citizens of Augusta, Kans., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. McLAURIN presented a memorial of sundry citizens of Orangeburg, S. C., remonstrating against the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. NELSON presented the petition of Thove O. Lund and sundry other residents of the Red Lake Reservation, in the State of Minnesota, praying for the passage of the so-called free-homestead bill; which was referred to the Committee on Public Lands.

He also presented a petition of Arbitration Lodge, No. 320, of St. Paul, Minn., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Stanton, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. THURSTON presented the petition of Alonzo Lewis, of Stockham, Nebr., praying that he be granted an increase of pension; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Oak, Nebr., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

He also presented petitions of the Young People's Society of Christian Endeavor of Carleton, of the congregation of the Methodist Episcopal Church of Belvidere, of the Woman's Christian Temperance Union of Belvidere, of the Christian Endeavor Society of Belvidere, and of the congregation of the Methodist Episcopal Church of Crete, all in the State of Nebraska, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. CHANDLER presented the memorial of Charles C. Hall and 20 other citizens of Orono, Me., remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

Mr. MASON presented a petition of Dunham Post, No. 141, Department of Illinois, Grand Army of the Republic, of Decatur, Ill., praying for the independence of Cuba by peaceful intervention; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Monumental and Relief Association of the City of Washington, praying that Congress recognize the independence of Cuba; which was referred to the Committee on Foreign Relations.

Mr. SPOONER presented the petition of F. S. Veeder and sundry other citizens of Manston, Wis., praying for the passage of the so-called anti-scalping ticket bill; which was referred to the Committee on Interstate Commerce.

Mr. VEST presented a petition of sundry members of the Railroad Trainmen's Association of Sedalia, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Holt Milling Company and sundry citizens of Clay County, Mo., praying for the enactment of legislation to secure protection against the adulteration of pure

wheat flour; which was referred to the Committee on Manufactures.

He also presented the petition of W. L. White and sundry other citizens of Bucklin, Mo., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. HAWLEY presented a memorial of W. N. Pierce and 19 other citizens of Connecticut, remonstrating against the passage of the so-called anti-scalping ticket bill or any similar measure; which was ordered to lie on the table.

He also presented a petition of the union temperance meeting of the Congregational, the Methodist, and the Baptist churches of Moodus, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the union temperance meeting of the Congregational, the Methodist, and the Baptist churches of Moodus, Conn., and a petition of 300 citizens of New Britain, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. PROCTOR presented a petition of the Young People's Society of Christian Endeavor of the Union Church of Proctor, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. ELKINS presented a petition of the congregation of the Twentieth Street Baptist Church, of Huntington, W. Va., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Santa Fe, N. Mex., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. COCKRELL presented a petition of the Commercial Club of Kansas City, Mo., praying for the enactment of legislation to provide for the raising of revenue and the creating of a tariff commission, and for other purposes; for the establishment of a department of commerce and industries; for the passage of the so-called anti-scalping ticket bill; for the incorporation of the international American bank, and for the location of a branch bank at Kansas City; and for the construction and control of the Nicaragua Canal by the Government; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Holt, Mo., praying for the enactment of legislation to secure protection against the adulteration of pure wheat flour; which was referred to the Committee on Manufactures.

Mr. FRYE presented a petition of Pine Tree Lodge, No. 66, of Portland, Me., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Guilford, Me., and a petition of the Woman's Christian Temperance Union, the congregations of the Universalist Church, the Congregational Church, and the Methodist Church of Bridgeton, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Guilford, Me., and a petition of the Woman's Christian Temperance Union of Troy, Me., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Guilford, Me., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. PRITCHARD presented the petition of A. M. Stoner and sundry other citizens of Dillsboro, N. C., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. BACON presented a petition of sundry ministers of the Waycross and Blackshear districts of the Georgia Annual Conference of the African Methodist Episcopal Church, praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. WHITE presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that the Government of British Columbia be induced to permit American wrecking companies to raise and save American vessels driven on the coast of that country; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the immediate removal of Arch and Shag rocks, in the bay of San Francisco; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to improve the facilities of the postal service relating to second-class mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the passage of House bill No. 5854, to modify an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, and for other purposes; which was referred to the Committee on Civil Service and Retrenchment.

Mr. McBRIDE presented petitions of the Woman's Christian Temperance Union of East Portland; of the congregations of the Presbyterian Church of Turner and the Methodist Episcopal Church of Mount Tabor, all in the State of Oregon, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Ladies' Working Society of the Congregational Church of Forest Grove, Oreg., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented petitions of the Epworth League of the Methodist Church of Grants Pass; of the congregations of the Congregational Church, the United Brethren Church, the Methodist Episcopal Church, the Baptist Church, the Methodist Episcopal Sunday school, the Christian Endeavor Society of Turner, the Epworth League of the Methodist Episcopal Church of Stayton, the Methodist Episcopal Church of Pendleton; of the congregations of the Methodist Episcopal churches of Turner, Shaw, and Stayton; of the Woman's Christian Temperance Union, the Young Men's Christian Association, the Baptist Young People's Union, and the Epworth League of Yamhill County, and of the Christian Endeavor Society of the Bethany Presbyterian Church, all in the State of Oregon, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 3523) granting an increase of pension to Andrew Lybold, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4204) to ncrease the pension of Ellen C. Abbott, widow of Bvt. Brig. Gen. Joseph C. Abbott;

A bill (S. 3219) granting an increase of pension to Maurice M. Woodbury;

A bill (H. R. 5245) granting a pension to Florence N. Waldron;

A bill (H. R. 3663) granting a pension to George Barnes; and

A bill (H. R. 2762) granting a pension to Mary C. Case.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with amendments, and submitted reports thereon:

A bill (H. R. 802) granting a pension to Benjamin F. Moulton;

A bill (H. R. 4981) granting an increase of pension to William D. Seamans, late a private, Company L, Fourteenth New York Heavy Artillery; and

A bill (H. R. 1546) granting a pension to Mrs. Annie Wittenmyer.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5105) granting a pension to Margaret H. Townsend;

A bill (H. R. 8770) to repeal chapter 164, laws of 1871, approved March 3, 1871, being an act entitled "An act granting a pension to Hiram R. Rhea;"

A bill (H. R. 93) granting an increased pension to Isaiah F. Force; and

A bill (H. R. 1387) to increase the pension of Victor Beauboucher.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (S. 2541) granting a pension to Clara R. Rodgers, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 983) to grant an increase of pension to Nathaniel Haughton;

A bill (H. R. 3025) increasing the pension of William S. Demott;
A bill (H. R. 7523) granting an increase of pension to Mary Speier; and
A bill (H. R. 3185) granting a pension to Lovezila L. Patterson.

Mr. HANNA, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 2107) granting an increase of pension to Theodore S. Cross; and
A bill (S. 836) granting a pension to Levi C. Mann.

Mr. MITCHELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7628) granting a pension to Catherine Wiltse;
A bill (S. 4298) granting an increase of pension to Edward R. Young;
A bill (H. R. 4469) increasing the pension of Katherine L. Cushing, widow of William B. Cushing, late commander in United States Navy; and
A bill (H. R. 3113) granting an increase of pension to Lucy Ord Mason.

Mr. MITCHELL, from the Committee on Pensions, to whom was referred the bill (H. R. 5809) granting a pension to Charles E. Taylor, reported it with an amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (H. R. 1722) for the relief of Mrs. Ellen O'Rorke, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 4979) granting a pension to Charles A. Foster, reported it without amendment, and submitted a report thereon.

Mr. KYLE, from the Committee on Pensions, to whom was referred the bill (H. R. 6680) granting a pension to Mrs. Janet Wemple, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 371) granting a pension to Sarah E. Campbell; and
A bill (H. R. 1944) to grant a pension to Sarah A. Blazer.

Mr. McENERY, from the Committee on Public Lands, to whom was referred the bill (S. 4010) confirming land title to Leon Godchaux and Arthur Legendre, reported it with an amendment, and submitted a report thereon.

Mr. ROACH, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 3362) granting an increase of pension to Bolivar J. Pridgen;
A bill (H. R. 7165) granting an increase of pension to Alphonso Freeman; and
A bill (H. R. 8834) granting a pension to John B. Hays.

Mr. ROACH, from the Committee on Pensions, to whom was referred the bill (H. R. 6988) for the relief of Emory T. Hipple, reported it with amendments, and submitted a report thereon.

Mr. CANNON, from the Committee on Pensions, to whom was referred the bill (S. 2338) granting an increase of pension to James C. Young, reported it with amendments, and submitted a report thereon.

Mr. LINDSAY, from the Committee on Pensions, to whom was referred the bill (H. R. 1897) granting a pension to Mrs. Susan A. Huber, of Louisville, Ky., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 747) granting an increase of pension to Lovenia Bayles; and
A bill (H. R. 7501) granting a pension to Daniel J. Melvin.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8421) to regulate taxes upon street railroads within the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7783) granting an increase of pension to Elizabeth Rogers;
A bill (H. R. 7952) granting a pension to William C. Ryan; and
A bill (H. R. 7793) to increase the pension of Susan Brownlow Boynton.

Mr. BAKER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4143) granting a pension to Elizabeth Holt; and
A bill (H. R. 2203) granting a pension to George G. Vogel.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 3641) to establish a United States court at Tishomingo, Chickasaw Nation, Ind. T., reported it with amendments.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 9378) making appropriations for the naval service for the fiscal year ending June 30, 1899, and for other purposes, to report it with amendments and submit an accompanying report. I give notice that I shall ask the Senate to take the bill up when the Senate has finished the consideration of the sundry civil appropriation bill.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 8875) to amend an act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, in Leflore County, in the State of Mississippi," reported it with amendments.

Mr. HANSBROUGH, from the committee on Pensions, to whom was referred the bill (H. R. 711) granting a pension to Anna M. Tate, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 864) granting a pension to Maria E. Hess, widow of Florian Hess; and
A bill (S. 1094) granting a pension to Adelaide Sessions.

Mr. PLATT of Connecticut, from the Committee on Patents, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4255) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher; and
A bill (S. 3061) for the relief of William C. Dodge.

Mr. GALLINGER. I am directed by the Committee on Public Health and National Quarantine, to whom was referred the joint resolution (S. R. 140) authorizing the President to use the United States marine hospitals and the hospitals and barracks at the United States quarantine stations in time of war for the care of the sick and wounded soldiers and sailors of the Army and Navy, to report it with amendments.

I ask that the joint resolution be printed and referred to the Committee on Appropriations, and in connection therewith the paper which I present, giving the capacity of the various hospitals and quarantine stations, be printed as a document and referred to the same committee.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Appropriations, in the absence of objection. Is there objection to printing as a document the paper referred to by the Senator from New Hampshire? The Chair hears none, and it is so ordered.

LEWIS KYLE.

Mr. PENROSE. The bill (S. 4248) for the relief of Lewis Kyle, of Milton, Pa., was introduced by me on the 24th of March last and was improperly referred to the Committee on Claims. I ask unanimous consent that that committee be discharged from its further consideration and that it be referred to the Committee on Pensions.

Mr. GALLINGER. In this connection I suggest to Senators that in drafting pension bills it is much better to state that it is a bill for a pension or an increase of pension rather than for the relief of the claimant. The Committee on Pensions is engaged in the work of amending the titles of all such bills. If Senators will remember this, it will save the improper reference of pension bills.

The VICE-PRESIDENT. The Chair hears no objection to the change of reference suggested by the Senator from Pennsylvania, and it is made.

PRINTING OF PRESIDENT'S MESSAGE.

Mr. LODGE, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the immediate use of the Senate 2,000 copies of the message of the President of the United States of April 11, 1898, on the relations of the United States to Spain, and 2,000 copies of the consular correspondence respecting the condition of the reconcentrados in Cuba, the state of war on that island, and the prospects of the projected autonomy, said copies to be delivered to the Senate document room.

Mr. GORMAN subsequently said: I ask that the vote by which the Senate agreed to the resolution ordering the printing of 2,000 copies of the President's message be reconsidered, for the purpose of striking out the words "Senate document room" and inserting "folding room," so that when they are printed each Senator will get his exact quota.

Mr. COCKRELL. He will get them from the document room much easier.

Mr. GORMAN. No.

Mr. COCKRELL. If they are printed for the use of the Senate, they go to the Senate document room and are distributed precisely as they are from the folding room.

Mr. GORMAN. I beg the Senator's pardon about that.

Mr. COCKRELL. I know it. We have had a sample recently with the *Maine* report. Five hundred copies of it were printed and sent to the Senate document room. There they are, twenty-one set aside for each Senator. When you print a document the first print of it is distributed and goes all around, but when you reprint a document for a specific use it is entirely different.

Mr. GORMAN. Then I withdraw the motion, at the suggestion of the Senator from Missouri.

BELT RAILWAY.

Mr. McMILLAN. I move that the bill (H. R. 8541) to define the rights of purchasers of the Belt Railway, and for other purposes, be reprinted with an additional amendment reported from the Committee on the District of Columbia, and that the bill retain its place on the Calendar.

The motion was agreed to.

BILLS INTRODUCED.

Mr. NELSON introduced a bill (S. 4366) granting a pension to Elizabeth M. Mead; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4367) granting a pension to Julius Felix, of Huntington, W. Va.;

A bill (S. 4368) to grant a pension to William W. Freeman, of Zinnia, Doddridge County, W. Va.;

A bill (S. 4369) granting a pension to J. M. Kinder, late of Company B, Seventh West Virginia Cavalry;

A bill (S. 4370) granting a pension to Frances States, of Arnoldsburg, W. Va.;

A bill (S. 4371) for the relief of Catharine L. Chaney (with an accompaning paper); and

A bill (S. 4372) granting a pension to Joseph Robson, of Handley, W. Va.

Mr. ELKINS introduced a bill (S. 4373) for the relief of John O. McGrew; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of New York introduced a bill (S. 4374) to place the name of Nellie M. Guild upon the pension roll; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 4375) granting a pension to Edward C. Spofford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LINDSAY introduced a bill (S. 4376) to define and prescribe the duties of the officers of the Inspector-General's Department of the Army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PROCTOR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4377) to provide a modern organization for the infantry of the Army;

A bill (S. 4378) to reorganize the line of the Army, and so forth; and

A bill (S. 4379) for the better organization of the infantry of the Army of the United States.

Mr. CARTER (for Mr. SEWELL) introduced a bill (S. 4380) to reorganize the line of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MONEY introduced a bill (S. 4381) for the relief of John H. Record; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 4382) granting an increase of pension to Eliza M. Miller; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4383) for the relief of Abram G. Hoyt; which was read twice by its title, and referred to the Committee on Claims.

Mr. THURSTON introduced a bill (S. 4384) for the relief of Alonzo Lewis, of Stockham, Nebr.; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 4385) authorizing the refunding of indebtedness in certain Territories of the United States; which was read twice by its title, and referred to the Committee on Territories.

He also (by request) introduced a bill (S. 4386) to increase the efficiency of the National Guard and the United States Naval Reserve; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PRITCHARD introduced a bill (S. 4387) granting a pension to Nancy Oats; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 4388) to correct the military record of Timothy McKean; and

A bill (S. 4389) for the relief of Adolphus Ervin Wells.

Mr. PRITCHARD introduced a bill (S. 4390) for the relief of the estate of Thomas W. Nicholson, deceased, late of Halifax County, N. C.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 4391) to amend section 4445 of Title LII of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4392) for the relief of Bridget Barry, widow of Daniel Barry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TURLEY introduced a bill (S. 4393) for the relief of the estate of Daniel Lake, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BATE introduced a bill (S. 4394) granting an increase of pension to Alexander Keen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 4395) to remove the charge of desertion standing on the records against the name of Charles Thompson; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4396) for the relief of the heirs of William Pitcher and Axel Hayford, and Samuel Otis and George B. Fergusson; and

A bill (S. 4397) for the relief of the owners of the brig *Abby Ellen*.

Mr. PETTIGREW introduced a bill (S. 4398) to grant a right of way to the village of Flandreau, S. Dak.; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4399) granting a pension to Sarah Jordan (with accompanying papers); and

A bill (S. 4400) granting an increase of pension to Joel Blackman.

Mr. WHITE introduced a bill (S. 4401) for the relief of Sarah A. Cady, widow of Andrew J. Cady; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4402) granting a pension to W. H. Jaspar;

A bill (S. 4403) granting a pension to Mrs. Jennie Woods; and

A bill (S. 4404) granting an increase of pension to Nicholas Ziegler (with accompanying papers).

Mr. MONEY introduced a bill (S. 4405) for the relief of William G. Ford, administrator de bonis non of John G. Robinson, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McBRIDE introduced a bill (S. 4406) for the relief of Harvey W. Gillingham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. LINDSAY. I introduce a joint resolution, which I ask be read at length and lie on the table.

The joint resolution (S. R. 144) to define the mode of proposed military operations in the Island of Cuba, and to secure the independence of the Cuban Republic, was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the contemplated military operations against the Spanish armies on the Island of Cuba should be carried on in concert with the military forces under the command of Gen. Maximo Gomez, such concert to be secured through arrangements between this Government and the Cuban revolutionary authorities recognized by said Gomez, and that any offer looking to such arrangements that may be made by those authorities should be favorably considered, provided it shall concede to the commanding officer of the United States troops the right to control and direct all military operations.

Second. That all such military operations should be carried on to the end that the independence of the Cuban Republic may be secured.

The VICE-PRESIDENT. The joint resolution will lie on the table.

Mr. LINDSAY subsequently said: I wish to give notice that at the close of the morning business to-morrow I shall ask permission of the Senate to submit some remarks on the joint resolution I introduced to-day.

Mr. WILSON. I introduce a joint resolution which I ask be read at length, and referred to the Committee on Foreign Relations.

The joint resolution (S. R. 145) authorizing the President to take such steps as are necessary to put an end to hostilities in Cuba, and to establish a republican form of government on that island, was read the first time by its title and the second time at length, as follows:

Whereas the conditions which for three years past have prevailed, and are now prevailing in the Island of Cuba, have become intolerable to the people of the United States: Therefore,

Be it resolved by the Senate and House of Representatives of the United States in Congress assembled, That the President of the United States is empowered and directed to take at once such steps as may be necessary to put an end to hostilities in the Island of Cuba, and to secure to the inhabitants of that island a stable and independent republican form of government, and the President of the United States is empowered and directed to use, if necessary, the land and naval forces of the United States to make this joint resolution effective.

The VICE-PRESIDENT. The joint resolution will be referred to the Committee on Foreign Relations.

Mr. ALLEN. I introduce a joint resolution which I ask be read at length and lie over under the rule until to-morrow morning.

The joint resolution (S. R. 146) declaring the existence of war between the United States of America and the Kingdom of Spain, and for other purposes, was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a state of war exists between the United States of America and the Kingdom of Spain, and that the political existence and national independence of the Republic of Cuba, now and for some time maintained by force of arms, is hereby recognised; that the President is empowered and directed to at once take such effectual steps as may be necessary to secure an immediate termination of hostilities in Cuba and an independent and stable government by the people thereof, and to enable him to carry out the purposes of this resolution he is hereby empowered and directed to use the land and naval forces of the United States.

The VICE-PRESIDENT. The joint resolution will lie on the table.

Mr. HALE introduced a joint resolution (S. R. 147) providing for the organization and enrollment of the United States auxiliary naval force for coast defense; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PROCTOR introduced a joint resolution (S. R. 148) providing for the printing of House Document 396, for the use of the Department of Agriculture; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Printing.

RELIEF OF DESTITUTE PERSONS FROM CUBA.

Mr. PASCO. I introduce a joint resolution and ask that it be read at length; and when it has been read, I shall ask that it be considered.

The joint resolution (S. R. 143) authorizing the use of a part of the appropriation heretofore made for the relief of the destitute citizens of the United States in the Island of Cuba for the aid of such citizens, refugees, and others who have reached our shores was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized and empowered to expend, at his discretion, part of the sum remaining of the appropriation for the relief of destitute citizens of the United States in the Island of Cuba, made by public resolution No. 11, approved May 24, 1897, not to exceed the sum of $5,000, for the relief of destitute and needy citizens, refugees, and others who have under recent exigencies left that island and reached our shores.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. PASCO. The joint resolution referred to in the pending joint resolution was adopted May 24 of last year. It provided for the relief of destitute American citizens who were then in Cuba. Many of them in consequence of recent events have come over to our shores. I am informed by correspondents and by friends at home that there is a great deal of suffering among them at Tampa, at Key West, at Ocala, and at other points.

The President was only authorized under the joint resolution passed last year to assist those who were in the Island of Cuba. The proposition submitted in this joint resolution is to extend his authority and allow him at his discretion to use a part of the fund, not to exceed the sum of $5,000, for the relief of those who have actually reached our shores and who are in a needy and impoverished condition. Some of them are American citizens. Some of them have announced their intention to become citizens. Others are refugees and are in need of the aid of the Government. The people of Tampa and other cities have helped them to the extent of their ability. They have helped those who have reached different points in Florida, but my information is that the amount of local aid is utterly insufficient to relieve the people who are needy and impoverished.

Mr. ALLEN. Will the Senator state whether the joint resolution proposes to relieve those persons who have come over within the last few days?

Mr. PASCO. They have come over within the last few weeks. Their coming is not limited to any time. The authority is given to the President to use his discretion to aid those who have come over recently and under existing exigencies.

Mr. ALLEN. I understand that a great many have come to this country within the last few days.

Mr. PASCO. A great many have come within the past few days and weeks. The authority is given to extend the helping hand of the Government to those people.

Mr. ALLEN. About how many are in a suffering condition?

Mr. PASCO. I can not tell the Senator from Nebraska the number, but I will read an extract from a letter which was received by Mr. Perry S. Heath, the First Assistant Postmaster-General, upon whom I called yesterday morning, learning that he had received some information which was not at my disposal. This letter is from a very estimable lady who lives at Ocala, Fla. I have not the authority to use her name, but I read from the body of the letter as follows:

The citizens of Tampa have been working like beavers, and all denominations are working shoulder to shoulder—Catholics included. The Cuban bankers gave out hundreds of loaves of bread each day, and soup houses are opened at which 10,000 rations are served weekly at a cost of $450 per week. The mission schools of the Methodist Church South, with over 200 pupils, are assisting all of their patrons, except three, by contributions of food and clothes which our Woman's Parsonage and Home Mission Society have sent from over the State. Children come to school without a mouthful of food, and must be fed before they can be taught.

The needs are being increased by the constant incoming of refugees from Havana. Many families, formerly wealthy, are now entirely dependent. Do you not think this state of affairs should be recognized in the appropriation for aid? There has been some little given by the Junta, but the amount is inadequate to the need.

* * * * * * *

I do not feel that this whole expense should be borne by Florida alone, but that as matters are now I feel it to be a matter of interest to our whole country. Am I right?

I do not suppose this suffering is confined to any particular place, and I propose that the President shall be empowered to use a portion of the fund already in his hands. It requires no reappropriation, but he is to use a portion of the fund in his discretion to aid those people and others in the country who have reached our shores and who need the helping hand of the Government.

Mr. GALLINGER. I should like to inquire of the Senator from Florida if he knows how much of this fund is still in the hands of the authorities of the United States?

Mr. PASCO. I have not been able to get that information, but I was told by a member of the Committee on Appropriations that there is a sufficient amount left to admit of this application of the proposed sum of $5,000. I presume that if a further amount is needed the proper information from official sources will reach the two Houses and that the amount will be added to, if it should become necessary at a later time.

Mr. GALLINGER. One other question. The Senator from Florida will remember that the Senate voted very cordially, and I think unanimously, for the original appropriation of $50,000, but it was to be used to relieve the suffering of American citizens. As I understand the pending joint resolution, it is extended beyond that to include the refugees from another country. Am I correct?

Mr. PASCO. It extends a little further. Many of these persons are refugees, as I have already stated. Some are American citizens. Some of them have declared their intention to become citizens. But it is extended to include refugees who, under similar circumstances, have been compelled to seek our shores.

Mr. GALLINGER. Now, one other question. My sympathies are for these people, and I presume that this appropriation will be voted cordially; but I wish to ask the Senator from Florida under whose direction the fund will be distributed? Will it be distributed by the collector of the port or some such official?

Mr. PASCO. It will be distributed under the direction of the President of the United States, to whom the sum of $50,000 was committed.

Mr. GALLINGER. But the United States had consuls at all the ports in Cuba, and the money was expended officially by those representatives of the United States Government. I ask in good faith through what channel this charity will be dispensed in Florida if it is voted?

Mr. PASCO. There has been no suggestion made. In thinking over that matter myself I thought that as the discretion had been formerly given to the President, and we had abundant reason to think that that discretion had been wisely executed, the necessary sums could properly be distributed by the Executive through the Government officers or through such other sources as he may deem best.

Mr. GALLINGER. Or he could send an agent?

Mr. PASCO. He could send an agent there. There has been no restriction placed upon the hand of the President as to how he

shall make use of these funds, but entire power and authority has been given to him, with confidence that his discretion will be used wisely and well and for the benefit of these suffering people.

Mr. GALLINGER. Is the Senator reasonably sure that this amount of $5,000 is still unappropriated?

Mr. PASCO. I am reasonably sure that that amount still exists unappropriated. If not, and if further money is needed, I think there will be no trouble in getting it when we are informed that more should be applied to this use.

Mr. HOAR. This is an appropriation for the same object and only extends the power of the President?

Mr. PASCO. It only extends the power of the President.

Mr. HOAR. The preceding joint resolution applied only to the cases of American citizens, and now those who have changed their locality by coming to this country are to be the objects of this bounty.

Mr. PASCO. Practically so, though the power of the President is to be somewhat extended. It is not absolutely confined to those who are American citizens, but extends to American citizens, refugees, and others who have come to our shores under recent exigencies.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SPOONER submitted an amendment relative to the reimbursement of E. D. Coe for funds stolen from the post-office at Whitewater, Wis., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. WHITE submitted an amendment relative to the payment of the claim of the Union Iron Works for extra work on the *Monterey*, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. PASCO submitted an amendment relative to the appointment of a board of three officers to determine the desirability of locating and constructing a dry dock at or near Key West, Fla., intended to be proposed to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

FINES FOR VIOLATION OF NAVIGATION LAWS.

Mr. ELKINS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to send to the Senate the following information: A statement of the amount of fines on vessels paid into the Treasury for violation of our navigation laws during each year for the last five years, and a statement of the number and amount of fines remitted during the same period for such violations, setting forth upon the recommendation of what persons or owners of vessels such fines were so remitted.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the following acts:

An act (S. 771) to incorporate the National Florence Crittenton Mission; and

An act (S. 1116) to pay the heirs of the late John Roach, deceased, $330,151.42 for labor and material, dockage and detention, and occupation of yards and shops for the gunboats *Chicago*, *Boston*, and *Atlanta*.

The message also announced that the President of the United States had, on the 11th instant, approved and signed the following acts and joint resolutions:

An act (S. 1320) granting a pension to Sophia J. Chilcott;

An act (S. 1462) granting an increase of pension to Enoch G. Adams;

An act (S. 1521) granting a pension to Sarah M. Spyker;

An act (S. 1837) granting a pension to Sarah E. Cotton;

An act (S. 3056) authorizing the Shreveport and Red River Valley Railway Company to construct and maintain a bridge across the Loggy Bayou, in Louisiana;

A joint resolution (S. R. 28) making an appropriation for the improvement of the Anacostia River and the reclamation of its flats;

A joint resolution (S. R. 105) relative to the appropriation for the Rouge River, Michigan; and

A joint resolution (S. R. 129) relative to suspension of part of section 355 of Revised Statutes, relative to erection of forts, fortifications, and so forth.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 8972) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington;" and

A bill (H. R. 9205) to authorize the extension eastwardly of the Columbia Railway.

DESTRUCTION OF BATTLE SHIP MAINE.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Naval Affairs, and ordered to be printed:

To the Senate of the United States:

In response to a resolution of the Senate of the 4th instant, I inclose herewith a letter from the Secretary of the Navy, inclosing a copy of a report from the Chief of the Bureau of Navigation.

WILLIAM MCKINLEY.

EXECUTIVE MANSION, *April 12, 1898.*

AFFAIRS IN CUBA.

Mr. PETTUS. Mr. President——

Mr. MASON. I trust the Senator from Alabama will pardon me a moment, that we may have an understanding. I gave notice that I would address the Senate following the morning business, but I yield to the Senator from Alabama. I shall seek the floor after the Senator has finished. I am perfectly willing to wait. I think there can be no misunderstanding, Mr. President.

Mr. PETTUS. Mr. President, it is declared in the Great Book, "Remove not the ancient landmark." And it is also declared, "Remove not the landmark which thy father hath left." Then the Great Book reaches the climax—"Cursed be he that removeth the landmark which his father hath set: and all the people shall say, Amen." A landmark was at one time and is now a mark upon the ground to show to whom the property belongs. A landmark is also said to be the law of the land by which a man is to be governed, and by which Senates and Houses of Representatives and Presidents of the United States also are to be governed.

Mr. President, I want to call the attention of the Senate in this critical hour to some of these ancient landmarks. We need to go back in critical times like these and to see the landmarks which our fathers have set.

Mr. President, this is not a monarchy, where the king can use the army and navy to make war or to "intervene" whenever and wherever he desires to do so.

Much has been said of "international law" and of what one nation may or may not do under its provisions. I will not discuss that subject. Senators, I invite your attention to a question of law nearer home, to that law which we are all sworn to support—the Constitution of the United States; that law which gives us all the powers we have, and which gives to the President all the powers he can rightfully exercise.

Before that Constitution created the United States the executive of each nation, with few exceptions, had the power "to declare war." But our Constitution carefully divides the powers of government into the legislative, executive, and judicial. It declares in the first section of the first article:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

And it further declares:

The Congress shall have power * * * to declare war.—*Section 8 of Article I.*

The President, though he is Commander in Chief of the Army and Navy, and of the militia when called into service, can not "declare war." Neither can he make war until "the Congress" has declared war. This is so plainly written in the Constitution that no one has or will contradict it. And the Supreme Court of the United States has many times decided that the Congress alone has power to "declare war."

I desire specially that Senators will notice this proposition:

As the Congress has the power "to declare war," it has the power to limit the war which it declares. It can declare war generally against another nation, or it can declare war against a particular part of the people and property of a nation. In other words, the Congress can declare a general or a special war against another nation.

The Supreme Court of the United States has expressly decided, in Talbot *vs.* The Amelia, 4 Cranch Reports, page 37—

That a war may be limited and at the same time a public war, if declared by Congress.

And the war with France, which the Congress declared about 1809, was in fact a limited war. And the case of Talbot *vs.* The Amelia, which I have quoted from 4 Cranch, grew out of the recapture of the *Amelia*, an American vessel, from the French by another American vessel. And the admiralty court held that plaintiffs were entitled, under our statutes, to one-half the value of the *Amelia* and her cargo as salvage. And the Supreme Court of the United States affirmed that judgment.

That war, declared by Congress, was not against France generally, but it was against the ships of that nation "on the high

seas;" and the declaration authorized our Navy and our privateers to make war on or capture the ships or vessels of the French nation, public or private, on the high seas. And our Supreme Court held that the war was limited to a war against the ships of the French nation and people on the high seas, and that the war could not be carried on on land or on any water which was not "the high seas."

So I have proved that the Congress has the power, under our Constitution, to declare a general or a limited war.

But, though the Congress has the power to declare a general or a limited war, it has no authority to delegate that power to the President or to any other officer.

The Congress, if war is to be declared or made, must itself declare it, and must direct how it shall be carried on, either generally or specially. The Congress must order what the war shall be. And it is the duty of the President, as Commander in Chief, to carry on the war as Congress has declared it, and not otherwise.

Look at the authorities, Senators. Judge Cooley, in his Constitutional Limitations, pages 116 and 117, says:

> One of the settled maxims in constitutional law is that the power conferred upon the legislature to make laws can not be delegated by that department to any other body or authority. Where the sovereign power of the State has located the authority, there it must remain; and by the constitutional agency alone the laws must be made, until the Constitution itself is changed. The power to whose judgment, wisdom, and patriotism this high prerogative has been intrusted can not relieve itself of the responsibility by choosing other agencies upon which the power shall be devolved, nor can it substitute the judgment, wisdom, and patriotism of any other body for those to which alone the people have seen fit to confide this sovereign trust.

And the great writer here cites very many of the decisions of the courts to the same effect.

In Field *vs.* Clarke, 143 United States Reports, page 692, the Supreme Court says:

> That Congress can not confer legislative power on the President is a principal universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution.

These authorities are conclusive. So war can not be waged at the will of the President until declared by Congress; nor can Congress give him discretion to wage war or not, at his discretion. Congress can not authorize the President to make a new law or to change an old law.

A declaration of war against Spain or against any of the people or property of Spain is the enactment of a new law. It changes existing relations of the greatest concern to all the people of both nations.

1. The two nations are now friends; such declaration makes them enemies.

2. There are many treaty obligations between the two countries; such declaration repeals all of them.

3. The people of Spain can now lawfully trade with the people of our country; after such declaration such trading would be a crime and the trades would be void.

4. The willful destruction of a Spanish man-of-war by one of our officers would now be a felony; after such declaration it would be simply a discharge of duty.

And so hundreds of changes in the law could be named, the direct effect of such declaration.

Now, Senators, what are we advised to do?

To declare war? No.

To recognize the Cuban Republic as an independent nation? No.

To recognize the Cubans as belligerents? No.

What are we advised to do? If you will boil the words down to their true meaning, we are advised to delegate to the President the power to intervene between Spain and Cuba for the purpose of putting an end to the war, and to use the Army and Navy at his discretion and force both parties to keep the peace; or, in other words, we are advised to give the President power to intervene and make war, if he sees fit, without declaring war at all.

We are to abandon to the President "this sovereign trust," as Judge Cooley calls this authority given by the people only to the Congress. For one, I will not do it.

Mr. President, war made on our part not strictly defensive, without a declaration of war, would disgrace the nation. We have no power to do it. For God's sake, let us keep inside our constitutional powers; let us not either ourselves violate that sacred instrument or tolerate its violation by another. You have no power yourselves to delegate such awful responsibility to any other officer of this Government; it belongs to you and to the other branch of this great Legislature. You must take the responsibility. If war is to be made, you must not only declare it yourselves generally, but if you make special war, then you must direct how it shall be carried on. You can not turn the President loose on a nation to make war when and as he pleases. You must declare how war shall be made if it is not to be a general war, and you must declare when it is to be made if it is a general war.

Mr. President, the policy of the United States, as shown in its history and in the teachings of its great statesmen, has been, and ought forever to be, to concede to every other nation the full measure of its just rights, to the weak as well as to the strong, and to require of every other nation, of the strong as well as the weak, the full measure of the just rights of the United States. This has been a most glorious policy! It is founded on the "Rock of Ages." It makes patriots of the whole people. It makes heroes of the entire Army and Navy. So long as that policy is faithfully carried out every man in the United States is justly proud to be named "an American citizen."

He glories in the flag of his country because it represents a Government just to others, and he glories in the flag of his country still more (for such is human nature) because it represents a Government ready and able to enforce its own rights and to protect its own citizens. St. Paul claimed to be "a Roman citizen;" and the British flag now protects the subjects of that great Empire from wrongs threatened by other powers on land or on sea in every part of the known world. England may oppress some of its own subjects, but no other power is allowed to wrong any one of them. This glorious policy, to do justice and to require that justice shall be done to our own Government and people, so long as it continues to be our governing principle, will make our country a nation for which every true man will be ready and willing to live, to work, or to die.

This was the grand policy of our country. God, in His mercy, grant that we do not abandon it for the sickening circumlocution of diplomatic negotiations.

MISSOURI RIVER BRIDGE.

Mr. VEST. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for, to report it favorably.

As the same bill has been reported by the same committee to the Senate as a Senate bill, I ask that Senate bill 3654, which is on the Calendar as Order of Business 757, may be indefinitely postponed, and that the bill which I have just reported may take its place on the Calendar.

The VICE-PRESIDENT. That substitution will be made, in the absence of objection.

Mr. ALLEN. What is to take the place of that bill?

The VICE-PRESIDENT. The House bill which has been reported by the Senator from Missouri is to be substituted for the Senate bill, and he asks that the Senate bill be indefinitely postponed.

Mr. VEST. The two bills are identical.

Mr. ALLEN. Does the Senator refer to the bill which passed the House a day or two ago?

Mr. VEST. This bill has passed the House, and this is the House bill which it is proposed to substitute for the Senate bill.

Mr. ALLEN. That is all right, but I should like to have the House bill put on its passage at this time.

The VICE-PRESIDENT. The question is on the indefinite postponement of Senate bill 3654, which is Order of Business 757 on the Calendar. Is there objection? The Chair hears none, and that order will be made.

Mr. ALLEN. If the Senator from Illinois [Mr. MASON] will be kind enough to yield for just a moment for the consideration of the House bill, it will not lead to any debate.

The VICE-PRESIDENT. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. ALLEN. It is a mere formal bill, which will pass, I think, without any objection whatever, and it is very important that it should pass.

Mr. MASON. I prefer to proceed with my remarks, and hope the Senator will excuse me unless it is a matter connected with the subject which has been under discussion and in which we are all interested; at least, I am very much interested in it.

Mr. ALLEN. I did not know but in view of the fact that hostilities will not begin to-day that possibly we might put that bill on its passage.

Mr. MASON. The Senator does not know that. I have not been heard from yet. [Laughter.]

AFFAIRS IN CUBA.

[Mr. MASON addressed the Senate. See Appendix.]

Mr. BUTLER. Mr. President, I do not desire to enter into a discussion of the Cuban situation and the President's message to-day. I prefer to wait until to-morrow, when the Committee on Foreign Relations, it is to be hoped, will bring in its report; but it is probably well that we should have some sort of an understanding now.

I belong to what is called the opposition on this floor. So far we have stood by the President and upheld his hands as loyally as

any Republican on the floor or as any member of his Cabinet. When he asked for $50,000,000 to defend the national honor, there were none in Congress who voted that appropriation more heartily and joined more fully in expressing unlimited confidence, approval, and support of the President than did the Populists, Silver Republicans, and Democrats.

Mr. President, I for one cast that vote with as much pleasure as any that I ever cast. I am ready to continue to uphold the hands of this Administration as long as I can do so and represent the sentiments of my people and respect myself. But inasmuch as the President of the United States has not upheld the national honor and has sent in a message which can not have the approval, I am sorry to say, of the People's Party, and which has not the united support of his own party, I rise to say that I sincerely trust that the Committee on Foreign Relations, in an hour like this, when our national honor is at stake and when humanity and liberty are hanging in the balance, may be able to bring in a resolution that we can stand and vote for unitedly and unanimously as we did upon the appropriation of $50,000,000 to be placed in the President's hands to vindicate and defend the national honor.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from North Carolina will suspend for a moment. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2680) amending an act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service, approved February 15, 1893.

Mr. CANNON. I ask unanimous consent that the unfinished business may be informally laid aside, so that the Senator from North Carolina may conclude his remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The unfinished business will be informally laid aside, and the Senator from North Carolina will proceed.

Mr. BUTLER. Mr. President, I have heard it intimated that there were some members of the opposition, probably referring to either Democrats, Silver Republicans, or Populists, who might find some pleasure and some political satisfaction if the Administration should fail to measure up to what American manhood and patriotism and national honor demand. I do not believe that there is any such sentiment harbored by any man on this floor or in the other branch of Congress who belongs to the opposition.

I for one repudiate such a suggestion. If there is anyone, though, who for political advantage could for a moment take pleasure in seeing the Administration take such a course as would bring humiliation upon our nation, such a course as would be condemned at the polls by an indignant and outraged American people, then I have no more respect for that person than I have for the stock jobbers and bond shylocks who like vultures have been hanging around the White House and who are trying to put their fingers into this grave situation and make merchandise out of the bones of our murdered sailors and the tarnished honor of the nation.

The Senator from Illinois [Mr. MASON] entertained and instructed us by quoting some most important precedents. But, Mr. President, we are dealing with a situation that is unprecedented. The history of the world so far has not been blackened by a crime that parallels the crime of February 15 in Havana Harbor. It was an unparalleled crime in blackness, villainy, and treachery. Every civilized nation and all Christian people would be bound to uphold our hands and approve our conduct if we were to use our Army and Navy to drive every Spanish vessel from the sea and lay waste her towns and cities to avenge that most foul crime.

We have a chance, however, to force atonement for that crime on a plane higher than justifiable revenge. We have an opportunity to avenge it in the interest of humanity and liberty. If there were no Cuba, if Weyler and the cruel Spanish soldiers had never desecrated and polluted the soil of that unhappy island, this country could not face the world and maintain its self-respect without avenging such a crime as the destruction of the *Maine* and the murder of our sailors. Yet here we have a message from our Chief Executive, whom we would all like to follow and support if he had the courage to lead, who refers to this most dastardly and infamous crime against our nation as a trifling incident, who makes no recommendation about it, but suggests that Spain has suggested that we might be able to arbitrate it at some time in the future. It is sickening; it is humiliating!

Mr. President, I am for avenging the *Maine*, and I would be for avenging it if Cuba did not enter into the question. But Cuba is a fellow-sufferer with us. She is being ravished and pillaged by the same devilish cruelty and treachery that blew up the *Maine* and murdered our sailors; therefore let us rise to the plane that the people of the world should expect a great republic to rise to on such an occasion, and not avenge the *Maine* by conquest, not by demanding indemnity or laying waste her towns and cities for revenge, but let us in a dignified way, though in language that can not be misunderstood, say to her and to the world that she must take at once her troops and her flag from Cuban soil; that we will establish a Cuban republic as a monument to our dead sailors; that we will accept that as an atonement for the crime, and nothing less; and if Spain will not accept it peaceably, then let us make it good with our Army and the Navy, and every patriot in the world will applaud. Does this message suggest that we take such a noble and patriotic course? No.

Mr. President, every man with whom I speak on the subject understands this message differently. Unfortunately nobody knows, it seems, what the President means. If I can understand the message, it means that the President is opposed to Cuban independence now or hereafter. He does not even ask us to empower him to intervene that we may establish independence. He carefully uses the language "to establish a stable government." I regret that the President did not say what he meant, for it would have given me the greatest pleasure to have voted for his recommendation, if it had been an honorable one. As it is, I do not know. It may mean that he wants us to vote to authorize him to establish a Spanish dependency, to keep the Spanish flag over the island, and give them a government but very little better than the one they have had so far.

It may mean that he wants me to vote to give him power to establish a monarchy, a dependency of this country, or that he may lease the island out to a syndicate of capitalists and bond sharks. Mr. President, I do not know what he means, but when I vote I shall know what I vote for.

The President asks us further to give him power and authority "to intervene" to "stop war in the island." I know what that means, because we have been informed already that he asked Spain to stop fighting, and she stopped temporarily. Now he asks us to empower him to intervene to stop war. There is nobody now who wants to fight, it seems, but the Cuban patriots, who are fighting for their liberty. Shall I vote to authorize him to stop the Cubans? Shall I vote to authorize him to make war against Gomez and his patriotic followers? I do not know what others will do, but for me, never. Such a proposition ought to make every American blush with shame. To "stop war in the island" without independence for Cuba means to become an ally of perfidious Spain to crush the Cuban patriots and nothing else. What does such an outrageous proposition mean?

The Senator from Illinois this morning, in argument unanswerable, showed that if we honestly favor Cuban independence and do not want to be a party to mortgaging the island to a greedy syndicate of bondholders, the only wise and manly course, the only safe, patriotic course, is first to recognize independence before we intervene. I would like for some person who favors intervention without recognition to give one single, solitary reason for it. If there is any reason, we ought to know it. It has been stated by some of the best lawyers in Congress and in the country that to intervene without first recognizing the independence of the Cuban Republic would make us liable for the Spanish bonds. Certainly that is a doubtful question, if it is not absolutely true. Then pray tell me why we shall take the risk. Give us one reason for doing such a doubtful and foolish thing. There is some dark and secret purpose behind such a monstrous proposition.

Mr. President, I do not like to predict unless I can make pleasant predictions, but I am impelled to make the prediction that if this Government passes a resolution authorizing intervention at the discretion of the President without first recognizing the unqualified independence of the Cuban Republic, either the Cuban Republic will never be recognized and never become a free nation, or else before it is done a mortgage will be placed upon that island and upon its future generation that will make the Cuban patriots more helpless and pitiable than the Egyptian slaves under the lash of the English taskmaster, a mortgage to put millions of profit into the pockets of the same bond syndicate that has been bleeding this country and that is to-day controlling the destinies of Europe. Is it possible that this syndicate's siren song has caught the ear of the Administration? Will Congress surrender to its devilish influence? This syndicate must be grappled with and defeated by Congress before the *Maine* can be avenged and before Cuba can be free.

Mr. President, a number of us are often ridiculed when we speak of this shylock syndicate and its baleful intermeddling in the affairs of nations. I hold in my hand a copy of the Review of Reviews, a magazine that has never been accused of "silver heresy" or of any other lunacy that is usually charged against American patriots, the followers of Jefferson, Jackson, and Lincoln, but yet it contains a statement of facts, a statement that was made two months ago, that has been copied in hundreds of newspapers and republished in other magazines from one end of the country to the other and in many foreign magazines and journals, and no one has attempted to contradict it or refute it. It is a statement of certain recent operations of this gigantic international bond syndicate.

Let us have the description read here, and see if that same syndicate may not be intermeddling now to prevent Cuban independence. I ask the Secretary to read the two paragraphs marked. It is a part of the comments of the editor of the Review of Reviews upon the Chinese loan.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

The financial plan by which it is proposed that England should lend China a great sum of money is interesting on several accounts. The money of course will be supplied primarily by the great international banking houses of Europe, which will take up a new issue of British consols at the ruling low rate of interest, presumably 2½ per cent. England will take the proceeds of this issue of consols and turn the amount over to China at, say, 4 per cent.

With Chinese sources of revenue under the control of English officials like Sir Robert Hart, the regular payment of interest and of installments on the loan will be reasonably certain, and the profit accruing to the British Government from the difference in the rate of interest would in any case form a sinking fund which in the course of a reasonable term of years would pay off the consols and leave the Chinese loan a matter of clear profit. The matter has peculiar interest from the fact that the arrangement is supposed to have been worked out chiefly by the great bankers, who are neither English, French, nor German in their real allegiance, but must be regarded as a law unto themselves and a separate power, gradually but steadily strengthening their grasp upon the destiny of nations.

It was this huge, mysterious money power that enabled the continental governments, led by Russia, to circumvent England and place the Chinese loan at the close of the Japanese war. And now it is the same hidden but potent force that declines to allow the continental powers to make the present Chinese loan, but ordains that England shall make it. The issues of the recent Turco-Greek war were decided, unquestionably, by this coalition of European bankers, who improved the opportunity to gain a better hold upon the revenues both of Turkey and of Greece, and cleared up millions of profit out of the hideous conflict between Moslem and Christian.

Their influence has slaughtered the Armenians and wrought the discomfiture of Greece. The hand of this coalition of European bankers has been constantly felt in the affairs of Spain and Cuba. Their method is to secure control of great issues of public securities at heavy discounts, bearing high rates of interest, and then so to manipulate diplomacy and the course of international politics as ultimately to make certain the payment in full of interest and principal. It is not pleasant to remember that these foreign gentlemen, with their finger in every diplomatic and international affair, were invited to come to the rescue of the United States Treasury under the last Administration.

Mr. BUTLER. Mr. President, there is a cold, bald, straightforward statement of facts, which if true—and there is no reason to doubt the truth of it—is enough to make us hesitate. It is enough to at least require an explanation of why we are called upon to take such a course as would make it possible, if not certain, for this bond syndicate to fatten upon the miseries of Cuba. To declare the independence of the Cuban Republic would force these cold-blooded and heartless money changers to take their fingers out of the question; to recognize the independence of the present Cuban Government will make it impossible for a settlement to be made after intervention by which the liberty of the patriots could be bartered for sordid gold.

If you fail to declare the independence of the island, all of this is possible. There may be some other explanation as to why we are asked not to recognize the independence of the island, but to authorize the President to intervene at his discretion. If there is any other, I hope to hear it. The manipulations of this bond syndicate will certainly stand as a reason unless a better one can be given.

The President has not dealt frankly with Congress and the country. His strange course has justified these conclusions.

Mr. President, why is General Lee coming home? We were told that he had to get out of Cuba before this message was read. We were told the message would be so scathing of Spanish treachery and crime, so charged with genuine American patriotism, so strong and firm for Cuban independence, that war would immediately follow, and that General Lee's life would be in jeopardy if he remained in Cuba. But here is the message—it is in the interest of Spain and not in the interest of Cuba; a message in the interest of the bondholders and not in the interest of liberty; a message that causes rejoicing among the bond dealers and stock gamblers in Wall street; a message that causes every Spanish fiend and devil who has been persecuting Cuba and dishonoring our flag to build bonfires and rejoice.

Necessary for the message to be held back for General Lee to get out of Cuba! I do not know but one set of people in the world who would disturb General Lee in Cuba if he had stayed there and said that he was in favor of the policy set out in that message, and it is not the cruel Spaniards. Probably he was taken out of Cuba to protect him from the insurgents. I do not know anybody else who would have interfered with him if he had indorsed the message.

I had not opened my mouth before yesterday during the whole time this Cuban question has been discussed. I have sat in my seat because there were others who could present the situation and express my sentiments much better than I can express them myself. I have sat day after day and heard eloquent speeches and learned arguments that gave me pleasure and profit. I felt that it was unnecessary for me to speak and express my opinion; but, Mr. President, the time has come when within a few hours I hope we shall be called upon to vote on a definite proposition.

The last one I voted on I voted with pleasure, and felt proud that I was an American citizen. I voted to put $50,000,000 in the hands of the President to defend our national honor. It has not been defended. The President has proven himself incompetent to deal with the situation as liberty, humanity, and national honor demand. The responsibility is now on Congress. We must remove the humiliation that is upon us as a nation. And we will do it if the bond syndicate does not capture us.

Mr. President, I am ready to vote $100,000,000 or $200,000,000 more, if necessary, to avenge the *Maine* and to free Cuba, but I am not ready to vote one dollar more or to vote to sustain a policy one step further that does not look to avenging the *Maine* and freeing Cuba. I shall not vote for any policy which is doubtful, double-faced; I shall not vote for any policy which leaves it open for this Spanish bond deal to be put through to disgrace our country and to enslave Cuba. I shall not vote for a proposition which treats the *Maine* outrage and tragedy as "an incident" and calls upon us to submit to arbitrating our national honor and the lives of our citizens murdered in the dark by treacherous and perfidious enemies.

I speak to-day so that no one may misunderstand me when I speak upon or vote upon the report of the Committee on Foreign Relations. I want to say that I believe I represent every Populist and Silver Republican and Democrat in this sentiment, that if a proposition is brought before the Senate that means the independence of the Cuban Republic and the wiping from our flag of the stain that was put on it in Havana Harbor, it will get the united and enthusiastic and hearty support of every member on this floor and in the other House; and I hope I express the sentiment of every one when I say that if a different proposition comes, such as the Shylocks are working for, it will not get a single one of our votes, and it ought not to.

Mr. President, the *Maine* must be avenged and Cuba must be free!

MISSOURI RIVER BRIDGE.

Mr. ALLEN. I ask unanimous consent for the present consideration of the bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for, which was favorably reported this morning by the Senator from Missouri [Mr. VEST] from the Committee on Commerce and was substituted on the Calendar in place of Senate bill 3654, which is exactly similar.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Senate now to proceed with the consideration of the sundry civil appropriation bill.

Mr. CARTER. If the Senator from Iowa will permit me, I should like unanimous consent for the consideration of a bill which I send to the desk.

The PRESIDING OFFICER. The Chair will first put the request of the Senator from Iowa that unanimous consent be given for the consideration of the sundry civil appropriation bill. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole.

Mr. CARTER. I now ask the Senator from Iowa to yield to me in order that I may ask unanimous consent for the consideration of a bill which I think will not lead to any debate.

Mr. ALLISON. I yield for that purpose.

JOSEPH TOUSAINT.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (S. 3684) for the relief of Joseph Tousaint, alias Touzin.

The PRESIDING OFFICER. The Senator from Montana asks unanimous consent that the sundry civil appropriation bill may be informally laid aside, and that the Senate proceed to the consideration of the bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, in line 8, after the word "hereby," to strike out "authorize to sue and be sued and to recover any and all property and rights of property to which he would have been, or would be, entitled if he had been fully naturalized under the laws of the United States," and to insert "authorized to prosecute Indian depredation claim No. 8699, now pending in the United States Court of Claims, and to receive judgment therein, the same as if he had been naturalized

under the laws of the United States at the date of the loss;" so as to make the bill read:

Be it enacted, etc., That Joseph Tousaint, alias Touzin, having served as a teamster with the United States Army during the war of the rebellion and with the Regular Army before the late war, be, and he is hereby, relieved from any disability under the laws of the United States Army from any defect of naturalization, and is hereby authorized to prosecute Indian depredation claim No. 8899, now pending in the United States Court of Claims, and to receive judgment therein the same as if he had been naturalized under the laws of the United States at the date of the loss.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUNDRY CIVIL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

Mr. PLATT of Connecticut. I inquire if there is a question now pending on any amendment?

Mr. ALLISON. There is a question pending on the amendment offered by the Senator from Idaho [Mr. SHOUP]. I do not see him in the Chamber.

Mr. PLATT of Connecticut. I wish to offer an amendment at this period.

Mr. ALLISON. The amendment offered by the Senator from Idaho is not objected to by the committee, and therefore it may be agreed to now.

The PRESIDING OFFICER. The Secretary will report the pending amendment submitted by the Senator from Idaho [Mr. SHOUP.]

The SECRETARY. It is proposed to insert, after line 11, on page 69, the following:

Maps of public-land States: For the publication of maps of public-land States, to be distributed under the direction of the Commissioner of the General Land Office, $1,000.

The amendment was agreed to.

Mr. PLATT of Connecticut. I propose an amendment which I send to the desk. I supposed it had been agreed to by the Committee on Appropriations. I was before the committee and understood that it had been agreed to. I think it must have been omitted from the bill by mistake.

The PRESIDING OFFICER. The amendment submitted by the Senator from Connecticut [Mr. PLATT] will be stated.

The SECRETARY. On page 101, after line 19, it is proposed to insert:

The provision in the river and harbor act of June 3, 1896, authorizing the expenditure of $10,000 upon Yellow Mill Pond, so called, in Bridgeport Harbor, conditioned upon the construction by the city of Bridgeport of a drawbridge upon plans approved by the Secretary of War, is hereby so amended as to permit the immediate expenditure of said sum in the discretion of the Secretary of War, the plans for said bridge having been approved by him and the sum of $20,000 appropriated therefor by the city of Bridgeport.

Mr. PLATT of Connecticut. I think the amendment is not objected to by the committee.

Mr. ALLISON. As I understand, this is an amendment which merely provides for the manner of expending an appropriation heretofore made, and it is recommended by the Secretary of War.

Mr. PLATT of Connecticut. The amendment does not involve any new appropriation.

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). The question is on the amendment offered by the Senator from Connecticut.

The amendment was agreed to.

Mr. CULLOM. I offer an amendment to be inserted on page 105, line 12, after the word "dollars."

The amendment was read and agreed to, as follows:

Provided, That $25,000 of said sum shall be used under the direction of the Secretary of War for the purpose of constructing a high bridge across Rock River on the line of said canal, in lieu of the one known as the Moline Bridge, in the county of Rock Island.

Mr. GALLINGER. I desire to offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment submitted by the Senator from New Hampshire will be stated.

The SECRETARY. In line 12, on page 27, after the word "retired," it is proposed to insert:

Provided further, That no portion of the sum authorized to be used for plate printing shall be used for any printing of notes, bonds, checks, or internal-revenue stamps other than for printing from hand-roller presses.

Mr. GALLINGER. Mr. President, this is a matter which a large number of Senators have spoken to me about and said that they desired to be here to vote upon. If the amendment is to be contested, I shall feel under obligations to ask that a call of the Senate be made. I should like to know from the chairman of the committee, first, whether it is to be opposed by the committee?

Mr. ALLISON. The Committee on Appropriations considered this subject, and they refused to insert the amendment in the appropriation bill. I think it is unwise to insert it in this bill, and I believe that is the opinion at least of a majority of the committee, if not of the entire committee. Therefore, in that sense it will be contested. Of course I shall be glad to hear from Senators who think that what is proposed by the amendment ought to be done, but I hope the Senator from New Hampshire will waive the amendment for the time being, so that some amendments may be considered which will probably not be objected to, though to whatever course he desires to pursue I shall not object.

Mr. GALLINGER. Mr. President, I have been holding this amendment for a couple of days; in fact for a longer time than that. Senators have been inquiring about it, and saying to me that they would be glad to have it offered when they could be present. I therefore suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Gorman,	Martin,	Spooner,
Allison,	Hale,	Mills,	Thurston,
Bate,	Hansbrough,	Money,	Tillman,
Berry,	Harris,	Morrill,	Turley,
Cannon,	Hawley,	Pasco,	Turner,
Carter,	Heitfeld,	Penrose,	Turpie,
Chandler,	Jones, Nev.	Perkins,	Warren,
Chilton,	Kyle,	Pettigrew,	Wellington,
Cockrell,	Lindsay,	Pettus,	Wetmore,
Cullom,	Lodge,	Platt, Conn.	White,
Daniel,	McBride,	Pritchard,	Wilson,
Deboe,	McEnery,	Quay,	Wolcott.
Fairbanks,	McLaurin,	Roach,	
Frye,	McMillan,	Sewell,	
Gallinger,	Mallory,	Shoup,	

The PRESIDING OFFICER. Fifty-seven Senators have answered to the roll call. A quorum is present. The pending question is on the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

Mr. GALLINGER. Mr. President, in advocacy of the amendment I have proposed, which I regret is antagonized by any Senator, I wish to occupy the attention of the Senate for a very brief time.

Mr. WOLCOTT. If the Senator does not object, I should like to have the amendment again read, as it is short.

Mr. GALLINGER. Certainly.

The PRESIDING OFFICER. The amendment submitted by the Senator from New Hampshire will be again read.

The Secretary again read the amendment.

Mr. GALLINGER. Mr. President, this is not a new question for the Congress of the United States. It has been fought over once or twice before, and some of us at least supposed that it had been definitely and permanently settled, but it seems that that is not the fact. I remember that in the Fiftieth Congress, of which I chanced to be a member, lengthy hearings were had before the House Committee on Expenditures in the Treasury Department, when the whole subject of steam and hand-roller presses had very careful consideration. The use of steam presses was reported against in that Congress, and a bill passed the House of Representatives by an overwhelming majority condemning the use of steam presses for the purpose of printing the money that is to circulate among the people of this great country.

In the second session of that Congress legislation was placed on the sundry civil act which has stood ever since, and which has kept steam presses out of the Bureau of Printing and Engraving.

Mr. ALLISON. Will the Senator read that provision?

Mr. GALLINGER. I do not think I have it at hand.

Mr. HAWLEY. I have it.

Mr. GALLINGER. The Senator from Iowa asks me to read the legislation to which I have referred. I will say to the Senator from Iowa that I do not contend that this is affirmative legislation denying the right to use steam presses in the Bureau of Engraving and Printing. What I did say was that it was legislation which drove from the Bureau of Engraving and Printing steam presses, and from that time to the present they have not been used. There were restrictions in this legislation which compelled their abandonment, as the Senator will remember.

This legislation was made after three committees of the Fiftieth Congress had exhaustively investigated the merits and safety of employing steam presses instead of hand-roller presses, and both Houses almost unanimously declared for the discarding of the steam presses, which instructions the Treasury Department carried out immediately.

Ten years have elapsed since Congress prohibited, practically, the use of steam presses on bank notes, checks, bonds, internal-revenue stamps, etc., and now at the end of ten years it is proposed by an official of the Government to install steam presses once more in the Bureau of Engraving and Printing for the purpose of printing bank notes, checks, etc., in which I say the people of this country are greatly interested.

In the Forty-third Congress the question of printing Government notes and securities was very fully considered by the Committee on Banking and Currency of the House, and I wish to read two extracts from the report made by that committee:

All these circumstances—

Says that great committee—

have satisfied the committee that methods of printing, numbering, sealing, and issuing of the securities of the United States ought to be adopted which will approach the nearest to being absolutely secure against error and fraud, even if such methods should be much more expensive than others having less guaranties of protection.

I will read the additional suggestion made by the Committee on Banking and Currency of the House of Representatives in the Fifty-third Congress:

But the committee can not agree that the mere question of economy in printing the obligations and securities of the Government merits consideration in this connection. In their opinion there is but one point in issue in considering this bill, and that is the duty of the Government to afford the citizen the greatest attainable security against counterfeit notes; and being satisfied that this security can be obtained in greater degree by using the hand-roller press exclusively, they are unanimously of the opinion that the steam presses should be discarded.

The report made was a very elaborate one, and contains a great deal of matter which would be extremely interesting in this discussion if I had time to read it; but I will not do so. I will simply say that the committee argues along these two lines: First, that it is not economical to print money in cheap form, money that can readily be counterfeited, and again, that it is a matter of the largest economy for the Government to spend a sufficient amount of money to print its notes in the best possible manner and in a way which makes it the most difficult for counterfeiters to ply their art at the expense of the people who chance to hold notes issued by the Government.

The committee say:

"Labor-saving devices" are not resorted to primarily with a view to save labor, but to reduce the cost of the article upon which labor is engaged, and printing the paper money for a large and active population is not a subject in connection with which the question of cost can properly be considered.

Admit that it may, will, cost one-fourth, one-third, or even one-half more to print a note which can not be counterfeited than it will to print one which offers few difficulties to the nefarious skill of the manufacturer of spurious money, and who will maintain that the saving of the additional cost is true economy?

One single successful counterfeit may easily cost the people many times the amount that has been saved in printing the inferior note, and where all the work is inferior the possibilities of loss to the people are multiplied indefinitely.

Mr. SEWELL. Will the Senator from New Hampshire allow me to interrupt him?

Mr. GALLINGER. Certainly.

Mr. SEWELL. I understood the Senator from New Hampshire to say that hand work is the best work that can be made.

Mr. GALLINGER. I do, most assuredly. It has been found——

Mr. SEWELL. I take issue——

Mr. GALLINGER. The Senator will permit me to complete my answer. I do, most assuredly. It has been so found by every committee of Congress which has ever investigated the subject. It is the opinion, I think, of almost every expert, whether he is a private citizen or an employee of the Government, as I will show the Senator before I get through, if he will be patient.

Mr. SEWELL. The Senator makes the statement.

Mr. GALLINGER. I do. Does the Senator——

Mr. SEWELL. I see nothing in it except the walking delegate.

Mr. GALLINGER. Very well; the Senator is entitled to his opinion, and he can settle with the walking delegate. I am not speaking either for the Senator or the walking delegate to-day.

In the Fiftieth Congress the subject of inquiry which was presented to the House of Representatives was as to whether or not the securities, bonds, notes, internal-revenue stamps should be printed in the highest style of the art of plate printing upon hand-roller presses. The committee, and they were, I think, as well qualified to judge as the Senator from New Jersey, who seems to settle this question off hand, reached conclusions and Congress accepted those conclusions, and Congress has been bound by those conclusions ever since. For instance, it reached this conclusion:

But the committee can not agree that the mere question of economy in printing the obligations and securities of the Government merits consideration in this connection.

I read that a moment ago, and I desire to read it again:

In their opinion there is but one point in issue in considering this bill, and that is the duty of the Government to afford the citizen the greatest attainable security against counterfeit notes; and being satisfied that this security can be obtained in greater degree by using the hand-roller press exclusively, they are unanimously of the opinion that the steam presses should be discarded.

Mr. President, that great committee did not reach this conclusion without consideration. They had before them expert testimony. They called upon men who served the Government as well as those who were private citizens to give testimony on this point, and their conclusion was reached after the most careful and conscientious consideration.

I have here a memorial from the Plate Printers' Union, No. 7025, to which I desire to call the attention of the Senate, and I ask that it may be printed as a part of my remarks. The Senator from New Jersey may call the gentlemen walking delegates. I prefer to call them honest citizens of a Government that wants to deal fairly with all its people.

MEMORIAL ON BEHALF OF PLATE PRINTERS' UNION, NO. 7025, AMERICAN FEDERATION OF LABOR.

To the Senate and House of Representatives of the United States:

We respectfully ask the adoption of the following amendment to the pending sundry civil appropriation bill:

"*Provided*, That no portion of the sum authorized to be used for plate printing shall be used for any printing of notes, bonds, checks, or internal-revenue stamps, other than for printing from hand-roller presses."

We beg to say that the director of the Bureau of Engraving and Printing is now proposing to install steam plate-printing presses in the Bureau, and the above amendment is absolutely necessary to prevent such action.

The advisability of such installation was reviewed by several committees of the Fiftieth Congress, and such action was taken as at that time prevented this attack upon the integrity of our currency. The attack is now renewed, and should, as before, be repelled by Congress.

It is not at this moment possible to review all the reasons for the adoption of the proviso above given, had we desire to emphasize the fact that plate-printing by steam is an inferior process, and by its peculiarities facilitates the work of the counterfeiter. In the investigations above referred to, absolutely every witness recognized the inferiority of the steam press and many showed the manner in which the steam press rendered counterfeiting easy.

We desire in this connection to submit a few extracts from the record of the former hearings, and also an article recently published in a local paper and respectfully urge in conclusion the adoption of the foregoing proviso.

PLATE PRINTERS' UNION, NO. 7025,
(American Federation of Labor.)

Extracts from testimony—Report on plate printing—Senate Report No. 2004, Fiftieth Congress, second session.

Arthur Small, working steam press:

"I can do much better work on a hand-press." (Page 18.)

Thomas H. Little, formerly steam pressman:

"It [the steam press] will not do as good work as can be done on the hand press." (Page 25.)

Williford E. Nott, formerly steam pressman, testified to steam-press inferiority to the hand work.

John F. Conway, formerly steam pressman:

"My opinion is that you can not produce steam work equal to hand. (Page 33.) I never could produce steam work equal to my hand work. That is impossible." (Page 34.)

Jacob Huck, plate printer:

"I can not do justice toward the face work when done by steam as well as I can when done by hand." (Page 38.)

David Russell, transferrer and engraver:

"The hand-press work is far in advance of the steam-press work; that is, when the hand printing is done properly. If we are going to make a comparison between the best steam-press printing and the poorest hand-press printing there might not be any difference." (Page 41.)

J. W. Osborne, photomechanical expert, on page 60, shows that machine wiping lacks intelligent discrimination of hand worker.

Mary Burke, examiner:

"Q. (By Senator HARRIS.) You have been told to throw out hand-press work that was equally as good as steam-press work that you directed to pass?

"A. Yes, sir." (Page 62.)

And again:

"A. On several occasions I have been told to pass work for the steam press, whereupon I have been told on the hand press to throw the same kind of work out."

Julia Barry, examiner (page 71):

"Q. So that in practice you require the hand-press work to be better than you require the steam-press work to be?

"A. Yes, sir.

"Q. In what particular do you think the hand-press work is the best?

"A. It has more color and a clearer look; more body to it, to me."

Alice Cruit, a press-room employee who had been engaged on both hand and steam work (page 85):

"Q. From your experience in that way can you state to the committee which press does the better work?

"A. The hand press.

* * * * * * * *

"Q. State to the committee whether, from your experience with the work done by the printers for whom you work as to being accepted or rejected, hand-press work which was done no better than the steam-press work which they accepted would have been accepted from the hand press.

"A. No, sir; they would not accept it from the hand press.

"Q. Have you ever called Mr. Morgan's attention to the condition of the steam work, for instance?

"A. I have often spoken to him. He would say, 'Well, Alice, you can't expect this work to look as good as the hand-press work.'"

Edward Shaffer, a transferrer (page 86):

"Q. Does the printing of the plates by a hand-press printer call for the exercise of judgment and intelligence?

"A. I can answer that question better in this way: The most intelligent man will be the most excellent printer. I have found that in the trade. I have been in the business for thirty years, and I have always found that the smartest man in every way is always the smartest printer, and that man that pays the most attention is the man that does the best brain work.

"Q. In what way does he apply his brains and skill to printing?

"A. In his judgment as to wiping the plate; the different parts of it.

* * * * * * * *

"Q. Is there any work in the Bureau that can be done equally as well by steam as by hand?

"A. No, sir.

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Mr. Russell, engraver and transferrer (page 41):

"Q. State which work is the better done, the steam-press work or the hand-press work?

"A. The hand-press work is far in advance of the steam-press work; that is, where the hand printing is done properly. If we are going to make a comparison between the best steam-press printing and the poorest hand-press printing there might not be any difference. The circumstances of the case would alter the result very much.

"Q. Can the finest quality of engraving be printed by a steam press?

"A. Oh, no, sir. I do not think that Mr. Graves or anybody else will claim that a steam printing press will pull a proof of a fine vignette. I don't think anybody will assume that can be done.

"Q. Have you reasons for that?

"A. A good proof impression or a first-class impression off of any engraved work needs to be wiped with a great deal of intelligence to get a perfect impression.

* * * * * * *

"Q. How would it be with a steam press as to wiping in the direction of the lines?

"A. I think it would be impossible to conform to all the requirements of wiping a plate properly with steam machinery, as it must necessarily be mechanical.

"Q. Then intelligence is a necessary ingredient?

"A. Undoubtedly, in the best work."

Mr. Osborne, photo-mechanical expert (page 46):

"Q. Will you please give these notes an examination, with a view of determining which one of the two could most easily and most successfully be reproduced by photo-lithography and its allied sciences?

"A. There is no doubt that the note marked A (the steam-press note) is the easier to counterfeit photographically.

"Q. What are the reasons for that?

"A. Broadly, the reasons are that the work on the other note is better as a printed work of art than on A. The note marked B (the hand-press note) is better work in every respect, but especially as a printed document. The lighter note, A, is a flatter impression than the note marked B. The lighter note is easier to counterfeit, chiefly and essentially for the reason that it is flatter. The difficulty that we meet with in counterfeiting or in copying any engraving printed from an intaglio plate is largely due to the relief which the impression has.

* * * * * * *

"Q. Then reproduction of A would be more deceptive to the general public, aside from the greater facility for reproducing?

"A. I think so. I may safely say that.

"Senator HISCOCK. He covered that point very nicely when he described it before."

Mr. Morgan, superintendent of the Bureau and witness for the steam press, looking at back of note shown him by Mr. Graves, "If I am not mistaken, it seems to me that this back has been printed by a steam press; I may be mistaken."

And again:

"The WITNESS. I would like to make a remark, if I may be allowed to do it, and that is that these specimens of steam backs are the worst specimens that I have ever seen of steam backs.

"Mr. JORDAN. They are taken from circulation."

John P. Swann, superintendent of steam press room:

"Q. You say they are either steam-press backs or blanket impressions?

"A. No, sir; I didn't say that. I said I thought they were steam-press backs, but they might be blanket impressions.

"Q. A blanket impression is a defective impression, is it not?

"A. Yes, sir; it is defective in color.

"Q. It is such an impression as ought not to be allowed to go out of the Bureau?

"A. That is a question that I am not qualified to answer.

"Q. It is, at any rate, defective?

"A. Yes, sir."

* * * * * * * *

John E. Breitmayer, plate printer, on page 346, testified:

"Q. You have had opportunities of comparing the relative excellence of steam and hand press printing?

"A. Yes, sir.

"Q. Give the committee your best judgment on the matter as to which is the more excellent.

"A. I say by all means the hand press; not because I am personally interested."

E. O. Graves, former Chief of the Bureau of Engraving and Printing:

"As to the comparative merits of steam printing and hand printing, it may be said that, speaking in the widest sense, steam printing is not equal to hand printing."

This memorial gives a large number of extracts from the testimony given before that committee on this very question, in which it seemed to be the unanimous conclusion that hand presses did better work and minimized the possibility of counterfeiting our notes, and that it was in the line of true economy for the Government to print its notes and securities on hand presses rather than on steam presses.

Mr. Graves, who is not a walking delegate, who was Chief of the Bureau of Engraving and Printing at one time, and who, I think, for some reason or other at one time advocated the use of steam presses, when he was put upon the stand and asked as to the comparative merits between hand presses and steam presses, gave this testimony:

As to the comparative merits of steam printing and hand printing it may be said that, speaking in the widest sense, steam printing is not equal to hand printing.

That is the opinion of an expert, of a man who has been in the employ of the Government, of a man who has had a responsibility, in whose hands this great question of the character and quality of our currency is not a theory, but a matter of practical, every-day concern.

Mr. President, as I said a moment ago, I am not going to argue this matter at length. I was in one contest when it was considered and when it was argued at great length; and when these conclusions which I have read were reached by a unanimous vote of a committee, and of at least one branch of the National Legislature, I assert that if our money is printed on steam presses, there will be an incalculable loss to the people of this country through counterfeiting, which will be a much easier matter if it is printed on steam presses than it possibly can be when printed on hand presses.

Mr. President, I chance to have a little money here. [Exhibiting.] It is not my own. I borrowed it for this purpose. I want to give very briefly an object lesson in the matter of United States money. Here is a two-dollar note [exhibiting] which is printed by hand and likewise a five-dollar note. They contain on their faces these beautiful vignettes which, as I understand the matter, and I think I am not misinformed, can not be produced by a steam press. It is an utter impossibility to produce one single vignette on a steam press or to produce the beautiful scroll work on the back of the note. That can only be done on a hand press, as I am informed by a gentleman who, I think, understands this matter fully and who would not misrepresent the facts. These notes have never been counterfeited, and in my opinion they never will be counterfeited. Perhaps that is a violent assumption, but certainly the fact remains that they never have been counterfeited.

I have a note here [exhibiting] which is likewise hand work, but the Government thought it would be a little economical in printing this ten-dollar bill; and there are twenty-dollar bills of the same kind. It produced on the face of it a vignette that can not be produced on a steam press, but the Government used lathe work on the back of it. It is hand work, but it is cheap work. They did not produce the vignettes because it costs more to do it than to print the bill in this form, and that is just about the kind of work, only not quite so fine, which we will get if we resort to the steam presses discarded in the Bureau of Engraving and Printing ten years ago. These notes have been counterfeited. I do not know to how great an extent, but they have been counterfeited, and there are counterfeit notes out to-day, especially of the twenty-dollar note, where the lathe work was used on the back of the note.

I submit to the Senate that there is no argument whatever in favor of this great Government of ours, with the vast amount of paper currency that it has in circulation, for the purpose of economy, and economy alone, using an inferior means of making its money by putting on steam presses these securities and these notes and printing them in such a way that the counterfeiter may ply his art and rob the honest people of this country who have come in possession of this money with the understanding that it is the best money that can be produced on paper.

Mr. PASCO. Will the Senator from New Hampshire allow me to interrupt him for a moment?

Mr. GALLINGER. Certainly.

Mr. PASCO. I should like to ask him how long the steam presses have again been in use? I understand they were set aside for some time and not used for a number of years. Can he tell how long they have again been in use?

Mr. GALLINGER. I understand they are not in use at all, but that the present Chief of the Bureau of Engraving and Printing has recently ordered some presses. I have been informed—I do not assert that it is a matter of absolute accuracy—that he has undertaken to print some money and has made a botch of it, and that it has been thrown away. I was told yesterday by a gentleman whose word I implicitly accept in that regard that his first effort to print money was a complete failure to make decent money, but he is determined, unless stopped by Congress, to put in twelve, fifteen, or twenty of these presses—I do not know how many—and turn out these men who are making good money for the Government of the United States and manufacture this money for the people by machinery.

Mr. President, I have said all I care to say.

Mr. PASCO. I did not know how far it had ever advanced, and I thought perhaps the Senator from New Hampshire could give me the information. They were displaced, I understand, some years ago.

Mr. GALLINGER. About ten years ago.

Mr. PASCO. They were displaced on the ground that they did not give the Government the same high class of work that the hand presses did?

Mr. GALLINGER. That was the opinion of Congress.

Mr. PASCO. That was the reason of the action of Congress in displacing them.

Mr. GALLINGER. It was placed precisely upon that ground in the reports made to both the Forty-third and Fiftieth Congresses, made by committees which gave this matter most careful and painstaking investigation.

Mr. President, I understand the Chief of the Bureau of Engraving and Printing has recently purchased (I think I am correct) several of these presses and set them to work; and as I said a moment ago, I have been informed that his first effort has not been a phenomenal success; on the contrary, that it has been a failure. I do not speak for myself in this matter. I do not speak for the walking delegate. I do not speak even for the men who have been given employment by the Government, making for us the best paper money that the world has known. I speak for the people of this country, and I say it is an insult and an outrage upon the people of this country to offer them money that can be counterfeited more readily than other money can be counterfeited simply because the Government saves a few dollars in printing a hundred thousand dollars of its currency.

Mr. President, I say I speak for the entire people, and I regret

exceedingly that any opposition is to be made to this very desirable proposition, and can only express the further hope that the Senate in its wisdom may adhere to the policy which Congress adopted ten years ago and insist that our notes shall be printed in the best possible manner, and that we shall not go into the purchase of steam presses for the purpose of grinding out money more rapidly or more cheaply than it can be manufactured by hand.

Mr. HAWLEY. Mr. President, if Senators care to listen, I think I can show them that this is not a question of the walking delegate. It is a question of the character of our currency. It is a question of true art in the manufacture of paper money.

When the roller passes over the ordinary form in the printing office—take our RECORD for example—it touches a raised surface and deposits some ink upon it. The roller does not work from side to side and attempt to do any fine placing of the ink. It merely brutally rolls over it, and that answers the purpose, because then the paper strikes the raised type. The manufacture of fine engravings of all sorts, whether in our notes or in the exquisite line engravings we hang upon our walls and worship and for which we pay $100 apiece, is an entirely different process. The ink there is not placed upon a raised surface. It is pushed and pressed and rubbed down into these fine lines that you follow on the beautiful vignettes there or in your fine line engravings at home. How is that done?

In the first place, take one of these plates, and you see the exquisite lines in the copper or in the steel laboriously cut in there. The roller is put over that, carrying the finest kind of ink. The roller goes over all this fine cutting and deposits a coat of ink over the whole plate, to some extent getting into the fine lines. Then the printer takes a soft rag, rubs it over carefully, avoiding, if possible, rubbing lengthwise any of these fine lines lest he take the ink out. He knows just where the soft cloth ought to pass. Then he takes the ball of his hand and rubs. Take those fine lines in the face, for example. He rubs very carefully across the lines so as to leave ink in there, and not only leave it there, but be sure to press it into the fine lines. After he has done that, he puts his paper upon it, applies a very powerful hand press, and out comes the beautiful engraving which you can not produce by the steam press to save your life; and you are offering an advantage to the counterfeiter by using any other than the hand process.

Now, I should like to read this. Here is a veteran printer whose testimony is published in a document printed in the Fiftieth Congress, and he describes the process. I will venture to trouble the Senate by reading it:

> Typographic printing and plate printing are based upon two different principles. In typographic printing the part which shows black is the print is the raised part, and the same is true in printing from wood. In printing from wood the raised part strikes against the paper and shows black. In printing from plates, such as are used in internal-revenue stamps and such as are used in the Government currency, the part which shows black or shows in color is the depressed part.
>
> Senator HARRIS. The depressed part of the plate?
>
> Mr. RALSTON. The depressed part of the plate is the part which shows black or color. The way in which the plate printing is done throughout is as follows: The plate is engraved by the engraver; the parts which are to show black are dug out or cut out of the steel or copper plate; the plate is then put on the press for printing; the plate-printer goes all over the plate with his inked roller; after he has done that he takes his rag and wipes all the ink off the surface of the plate. That removes all the ink from the raised parts of the plate and leaves the ink in the depressions. I may now say that a great part of the skill in plate printing, and the taste which is shown by the mechanic in this operation, comes in in the wiping of the plate. Having wiped the plate carefully, he then polishes off the plate with the palm of his hand, using a little whitening. That removes all smut or dirt that may be on the plate. Then the plate is passed under a roller-press, and the paper upon which it is designed to print is pressed by this roller down to the plate, and it absorbs and takes up all the ink there is in the lines which have been engraved.
>
> When the paper is passed under the roller and is removed, these various lines show raised, as it were, above the surface instead of being indented, as in the case of ordinary printing. By running your thumb over the ordinary printing you will be able to discover that the lines are indented, but if you take an engraving and pass your hand over it carefully you will see that the lines are all raised above the surface.
>
> When the hand plate printer goes to work to do his printing, after having thoroughly inked his plate, he takes the rag and goes all over it carefully. He goes over it swiftly but carefully. In using the rag he is careful to wipe across the lines of the plate. If the rag which he uses was to follow the lines of the plate, it would wipe out the ink from the lines and would leave an imperfect impression. He avoids anything of that kind by passing the rag across the plate. Again, different parts of the plate are treated by the hand printer in different ways. If the lines are heavy, he is likely to wipe more from them than when they are light. When the lines are light and fine he wipes them lightly and finely so that every line may receive its due expression. This constant exercise of judgment and discrimination in going over the plate is the substantial reason why we contend that hand printing is superior to steam-press printing.

You have not a fine line engraving in your house printed by a machine. It will not do it. It will make a blotch of it. I do not see how on earth you are to put the ink down in these fine lines and then rub it off by some machine, and do it with the delicacy necessary to high art. Any engraver of first-class work in the world will tell you all this, and with more emphasis than I put upon it. You can not do the best work in any way except by the human hand, which for many things does the finest work. To make a fine box of mahogany or some other delicate wood, a perfect box, you want to give the manufacturer of it full discretion to do as he pleases, and you will find that he will make the only exquisite and perfect finish that can be made by the skin of the human hand. I have seen a man make a little box, to be used in a bank, expending his skill upon it, working, working, working hours upon a comparatively small box to get the fine polish. No rag, no roller, no leather put over it will do it like the ball of the hand.

I say you make it comparatively easy to counterfeit by using a steam press. The rude machine which runs over puts on ink indiscriminately, and then you lay the white paper upon it, and it is pressed. The counterfeiter can do that very easily. You can immediately distinguish, after you have paid the least attention to the matter, between the hand work and the steam press.

I hope that the Senate will do as Congress did six and eight years ago and say that these classes of fine work shall be done in the best style, and in the only good style known to the art.

Mr. KYLE. Mr. President, I wish to add a word to what the Senator from Connecticut has so well stated in his description of the method of hand plate printing. In plate printing they use a plate containing four of these beautiful notes. As the Senator has said, the workman runs the ink roller over the plate by hand and the ink is pressed into all the fine lines. Then he takes a fine cloth and rubs it over the face of the plate, taking off all the surplus ink. After that he takes a little whiting and rubs the plate again with the ball of his hand in this way [indicating], smoothing the surface and pressing the ink into the very finest of the lines.

Mr. HAWLEY. Pardon me—and taking care to rub across the finer lines lest he take out the ink.

Mr. KYLE. That is it. He rubs across the finer lines. Now, let me add to what the Senator from Connecticut has already stated. The machine consists of a disk about 5 feet in diameter, horizontal, with an endless chain. Upon the endless chain four of these plates are placed, following each other in succession under the ink roller and the press. As soon as each plate comes from the ink roller a man stands ready with a rag to wipe off the ink before it passes beneath the press. It passes so rapidly that he can only give the plate a "lick and a promise" at the very best. Where they are able to turn out from 800 to 1,000 of these notes per day by hand press they are turning out from four to five thousand notes by the machine press.

The work is done with great rapidity, and no workman is able to press the ink at all into the small lines or even to wipe off the surplus ink. There is no wiping with the hand, as is done with the hand press. An assistant stands ready upon the other side to take out the notes. It is impossible from the very nature of things that thorough work can be done, and there are often blotches of ink and dark spots on the notes. It is impossible to produce the fine work, such as the vignettes, upon the face of these notes.

This subject has been gone over, as stated by the Senator from New Hampshire, very thoroughly during past years. The Fiftieth Congress reported strongly against the machine press for the reasons just given, and to use them is to place a premium upon counterfeiting.

Now, Mr. Claude M. Johnson, Director of the Bureau, appointed during the past Administration, I believe, has said that he desires the machine press because the hand machines can not turn out the quantity of work necessary. He has given that as his reason; and yet it is stated on good authority that there are more of these notes, bonds, etc., piled in the storehouse than there have been for many years, and the men are not working full time. There are 750 of these fine workmen in the United States and 100 of them are out of employment and can be secured for service in Washington.

A short time ago Mr. Johnson discharged 30 men and gave as a reason that there was a surplus of notes and bonds piled in the storerooms and he did not have need for the extra number of men.

Mr. President, I submit that there is no reason whatever for resorting to the machine presses, and it is plainly a department where economy should not be considered at the expense of efficiency and accurate, careful work.

I hope the amendment will be adopted.

Mr. CANNON. I trust, Mr. President, the amendment will receive the approval of the Senate and go into the bill. I am in favor of progress. I believe in the steam press for ordinary purposes, but its use for this work is a matter of retrogression. As a practical printer I know the steam press can not do this work and do it satisfactorily. I know there is not a Senator on this floor who, if he were transacting a private business in which it was required that such work should be performed, would for one instant place steam presses in his establishment with the expectation of turning out artistic and satisfactory notes, bonds, or bills.

It is more than the demand of organized labor, although that may be involved in it. If there is an effort, as has been suggested, to injure organized labor, it is a most serious reflection upon a department of the Government. But it is a transaction now involving not only the security of the bank notes of the United States, but it is also something involving even more. We are

rapidly losing all the fine arts because of the determination of the world to have everything cheap, to have everything done by the most rapid method imaginable. We are losing the fine arts because we are taking away the occupation of men who perform artistic work. It seems to me that the Government ought to encourage the preservation of fine skill which is necessary in labor of this character.

I repeat, Mr. President, that, as a practical printer, I know, as does every other man who has had any acquaintance intimately with this kind of work, that you can not do by steam presses that which is required and that which is performed and can be performed by the hand presses.

Mr. PASCO. Mr. President, I have given this subject some attention in years gone by. I recollect that it came before the Senate very soon after I became a member here. I thought that the policy of the Government was fully established several years ago upon this subject, and that it was understood that the finer class of work at the Engraving and Printing Bureau should be done on the hand-roller presses. It seems to be generally recognized that the hand work is far superior to the work done by the machines. I have not the expert knowledge of the subject that some Senators have exhibited in discussing it. I was very much interested in what the Senator from Connecticut [Mr. HAWLEY] said. I think it must be evident to those who have given the subject attention that the superior work done on the hand presses is the best preventive against the counterfeiting of our money. My disposition is to favor this amendment. I have favored this course in the past. I see no reason why we should now change the line of action that Congress has deliberately agreed to in the past, and I expect to vote for the amendment offered by the Senator from New Hampshire.

Mr. ALLISON. Mr. President, I have been interested also in the discussion of this question by Senators who have spoken for the amendment, and I shall be glad before discussing it myself to have the amendment read.

The PRESIDING OFFICER. The Secretary will read the amendment of the Senator from New Hampshire.

The SECRETARY. After the word "retired," in line 12, page 27, insert:

Provided further, That no portion of the sum authorized to be used for plate printing shall be used for any printing of notes, bonds, checks, or internal-revenue stamps other than for printing from hand-roller presses.

Mr. HAWLEY. Postage stamps are left out.

Mr. ALLISON. I observe from the amendment as it now appears that postage stamps are not included, although it is perfectly well known to those who are familiar with the Bureau of Engraving and Printing that steam-roller presses are used in the manufacture of postage stamps and that fifteen of them have been in active use since 1894, with no objection coming from those who use hand-roller presses. Therefore it can not be said that the Bureau of Engraving and Printing has not used recently the steam presses.

We have had this question up for many years in both Houses. There was an elaborate report made some years ago as to the character of the work that could be done upon steam-roller presses. I have no doubt that in substance the statement read by the Senator from New Hampshire and the Senator from Connecticut is true as respects the fine work used in the manufacture of circulating notes. But it is not the purpose, I understand, of the Treasury Department to use these steam presses in any way so as to impair the efficiency of those notes as far as they prevent counterfeiting or simulation. It seems to be a curious thing that the Secretary of the Treasury, in whose Department the Bureau of Engraving and Printing is, would direct and authorize the use of presses in his Department which use would result in facilitating counterfeiting.

Mr. HAWLEY. May I ask the Senator from Iowa a question?

Mr. ALLISON. Certainly.

Mr. HAWLEY. Does the Secretary of the Treasury propose, then, not to print the fine currency, and those bonds, by steam presses?

Mr. ALLISON. I so understand; and later on I will have read a letter written by the Chief of the Bureau of Engraving and Printing.

Mr. HAWLEY. He is not good authority on the character of the work.

Mr. ALLISON. He is authority in the sense of knowing what is to be done. I do not, of course, quote him as authority respecting the character of this work? The Chief of the Bureau of Engraving and Printing, or the Director of that Bureau, is under the Secretary of the Treasury; and when Senators assume that the steam presses will be used in order to facilitate counterfeiting they assume that we have a Secretary of the Treasury who is absolutely innocent of the things in his Department and of what he ought to do.

Mr. KYLE. If the Senator from Iowa will allow me, I should like to state that I understand in experimenting in money during the past week whole batches of paper or of the money were spoiled.

Mr. ALLISON. I do not know how that may be. Now, the Secretary of the Treasury has ordered these printing presses for a character of work, I understand, that can be done with perfect safety, where the character of the work will be as complete as is desired. I ask Senators why it is that they exclude postage stamps from these steam presses. They do it simply because they know, or ought to know (I have no doubt they do know, and for that reason they omit the use of postage stamps), that when the steam presses are used in a single color, such as green or carmine, as in postage stamps, they perform the work just as well as hand presses.

Mr. GALLINGER. If the Senator will permit me, may there not be another reason, or two other reasons? First, postage stamps are of comparatively little value, and, next, no man could have a basketful or a pocketful of postage stamps and undertake to pass them upon any community without at once being suspected of having secured them in some dishonest way. It would be a very easy matter to detect any man peddling out postage stamps, but it is not so easy to detect men who are offering counterfeit money to the community.

Mr. ALLISON. I thank the Senator for calling my attention to that reason, which I have no doubt is a very good one, in addition to the reasons which I have stated. But what is true of postage stamps is also true of tobacco stamps and of internal-revenue stamps. It is not the purpose, as I happen to know, of the Bureau of Engraving and Printing to use these steam presses for the manufacture of tobacco stamps, for the reason that they are obliged to print them in such form as to prevent counterfeiting. So far as I am informed, it is the purpose of the Secretary of the Treasury to use only twelve of these presses, and to use them for work that can just as well be done in the old way by hand presses.

Mr. GALLINGER. Mr. President——

Mr. HAWLEY. Will the Senator from Iowa kindly specify——

Mr. GALLINGER. That is what I rose to ask.

Mr. HAWLEY. I wish the Senator would specify on what the steam presses are to be employed.

Mr. ALLISON. They are to be employed in the manufacture of postage stamps and partially employed in the manufacture of internal-revenue stamps, but only for a portion of the printing, I understand. They are also to be used in printing the backs of circulating notes. We had a specimen of those notes presented here by the Senator from New Hampshire, showing simply one color or two, green and white. The steam presses do that work just as well as it can be done on hand presses.

Mr. HAWLEY. Impossible.

Mr. ALLISON. The Senator from Connecticut says it is impossible, but I leave that to be discussed between him and the Secretary of the Treasury, who is responsible for the printing. If he thinks the Secretary of the Treasury will authorize the printing in a way to facilitate counterfeiting, then I shall be very much disappointed, because the amendment is a limitation upon the power of the Secretary of the Treasury. The Secretary of the Treasury is the responsible officer, and we assume here by this limitation that it is his purpose to manufacture the backs of the notes in such way as to encourage counterfeiting. I have had the opinion that we could with safety leave this matter to the Secretary of the Treasury.

Before passing to another phase of this question, I want to call attention to the fact that the condemnation which is spoken of has never reached the extent suggested by the Senators who have spoken upon the subject. There never was a turning out or ceasing to use these presses because they did not perform the work. As Senators who have been here a good many years know, we have had this question up year in and year out, beginning, I believe, in 1880. At that time there was a patent steam press and the then Chief of the Bureau of Engraving and Printing was paying an annual rental of $500 each for the steam presses. That was an element in all the debates and discussions. Finally, after several times authorizing the Secretary of the Treasury especially to purchase steam presses, in 1889 we provided that a royalty not exceeding 1 cent per thousand impressions should be paid to the patentees, thus limiting their royalty to a very small sum. I do not remember how many impressions could be made annually. Then we provided—

That unless the patentees of said steam presses shall accept the $500 already paid as royalty on each press and the rate per thousand sheets herein provided the said presses shall not be used by the Government after the close of the present fiscal year.

I understand that they were used afterwards. The patentees submitted to this payment of royalty. So the matter went on, and the old presses gradually wore out and the Bureau ceased to use them.

In 1894 a steam press was devised without any royalty being paid, I think perhaps in the Bureau itself, or in some way at least so as to avoid the royalty. Those presses were used in the printing of postage stamps, and have been so used and are now being so used.

Now, that is one difficulty. Another difficulty is the one suggested by the Senator from South Dakota [Mr. KYLE], that under existing

conditions, if I may use that term, it is practically impossible for the Government to go on and print the necessary impressions unless they supplement hand printing partially by means of the steam presses. So far from there being a large amount of notes, bills, securities of one kind and another, and stamps on hand, it is estimated that there is not a thirty-days' supply of circulating notes, and that there is not exceeding a thirty-days' supply of postage stamps or of internal-revenue stamps.

The Bureau of Engraving and Printing have asked Congress for two or three years to provide for building an addition to their establishment in order that it might be enlarged so as to secure an additional and a necessary supply of these stamps. We have refused to give them the appropriation for the additional building, so that under existing conditions it is impossible for the Government, with the small room they have in the present building, to carry on the necessary work there by means of hand presses.

Mr. GALLINGER. Will the Senator from Iowa permit me?

Mr. ALLISON. Certainly.

Mr. GALLINGER. I should like to ask the Senator on that point if he can state authoritatively whether the printed statement by Mr. Szegedy, president of the Plate Printers' Union, that there are now forty idle hand-roller presses in the Bureau is correct or not? Mr. Szegedy makes the statement, and he has made it to me personally, that there are at the present time forty idle hand-roller presses in the Bureau, and that they are idle for the very reason that they are about introducing the steam presses, which is a more expeditious way of doing the business.

Mr. ALLISON. I will answer that question as I understand it. I may not have the details as I should have them. But the twelve steam presses are to take the place or rather the space of forty-three or forty-two hand presses, and of course when they take up that space the hand presses will be removed and must find lodgment elsewhere. I asked the Chief of the Bureau of Engraving and Printing what he intended to do with those hand presses. He said the hand presses would go into use; that if they had the room they could use them at any time, but they would gradually come into use as they were needed; that new presses or old presses not in use were constantly needed. That is the information I have from the Chief of the Bureau, and I think it is contained in the letters which I shall presently ask to have read.

Now, that is the present situation. At this time, with all the force and all the room they have in that office—and we do not give them an appropriation for an additional building—there is not a supply of internal-revenue stamps; there is not a supply of postage stamps; there is not a supply of one and two dollar bills or substituted national currency for national currency destroyed.

Mr. PASCO. If the Senator will allow me, it has been stated in this debate that there have recently been some twenty or thirty workmen discharged. I should like to have that explained, if the condition of things which he speaks of as existing is correct, that there is need for an additional building.

Mr. ALLISON. I will answer the Senator. Of course, in answering him I know nothing about it except what was said by the Chief of the Bureau, which was that he had made no discharges of what he considered effective workmen. Where they are good workmen, and they have now, I think, 320 of them employed in the Bureau, certainly over 300 (and all these plate printers are men highly skilled in the art), they earn, as I am told, from $5 to $7 a day each in the Bureau in the work they do. A plate printer is as necessary for a steam-roller press as he is for a hand press. The only difficulty is that a steam-roller press will do the work of five hand presses, and it, of course, needs four men for each roller press. I understand there have been no discharges of effective workmen; and the Chief of the Bureau especially states that none will be discharged; that he had use for all the competent hand-press men who are now in the Bureau.

I have stated the present condition. I do not like myself to anticipate what is to happen, but I can prophesy that in the very near future we shall largely increase the necessity for internal-revenue stamps, and we shall largely increase the necessity for other forms of securities that are to be used in our country; and yet with these new requirements and processes, with which I shall not now deal, we are tying the hands of the Secretary of the Treasury so that it will be impossible for him to do what we may require him to do respecting the great subjects of internal revenue, etc.

Mr. KYLE. Will the Senator allow me?

Mr. ALLISON. In a moment.

So whatever we do, it seems to be that this is a poor time for us to be putting ourselves in a position where it will be absolutely impossible for us to produce a sufficient amount of postage and internal-revenue stamps of the character we may need and such as we ought to have, and possibly, also, the securities that we may need.

Mr. KYLE. If the Senator will allow me, I understood him to state in the beginning of his remarks that it was not the intention to use the machine presses for bonds, notes, checks, and internal-revenue stamps.

Mr. ALLISON. I did not so state.

Mr. KYLE. I understood the Senator to so state.

Mr. ALLISON. I did not so state, nor do I so understand it. It is the intention to use the steam presses, as I understand, for the backs of bank notes and greenbacks, and to use them in part for the manufacture of internal-revenue stamps.

I wish to say that I have no care personally about this matter. I only feel bound, as representing the Committee on Appropriations, to state the truth as I understand it, and to call attention to all the facts as they exist with reference to the subject. I certainly have no desire to interfere with the proper employment and occupation of any of the worthy men who are employed in the Bureau of Engraving and Printing. I do not believe a single one of them will be discharged under any circumstances, and probably there will be a greater number required before long.

I ask that the letters which I send to the Secretary's desk, which were written to me by the Chief of the Bureau of Engraving and Printing, may be read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

TREASURY DEPARTMENT,
BUREAU OF ENGRAVING AND PRINTING,
March 31, 1898.

SIR: I have the honor to acknowledge receipt of your letter of the 30th instant requesting that I prepare in writing a full statement of the situation relative to the use of steam power plate-printing presses in this Bureau.

As you are aware, owing to the restrictions which Congress placed upon the use of the steam power plate-printing presses in this Bureau for the fiscal year ended June 30, 1890, in the act approved March 2, 1889 (Statutes at Large, volume 25, page 939), making appropriations for the sundry civil expenses of the Government for that year, the use of these presses was discontinued June 30, 1890. An examination of this act and the report of the Senate Committee on Finance, made at the time, will show that the restrictions placed upon the use of these presses were not on account of the inferiority of the work produced by them, nor were they directed to the actual discontinuance of the use of the presses, but were aimed at the royalties paid by the Government for their use.

The prohibition was that unless the patentees would accept royalty at the rate of 1 cent per 1,000 impressions, the presses should not be used by the Government. Had, therefore, the parties who owned the patents existing at that date been willing to accept the royalty specified in the act, the use of the presses would have been continued. These restrictions were held to apply only to the fiscal year for which the appropriation to which they were attached was made. They were not inserted by Judge Richardson in the Supplement to the Revised Statutes, embracing statutes general and permanent in their nature, authorized by Congress. (See Supplement Revised Statutes, volume 1, page 698.)

The Senate Finance Committee, which made a thorough investigation of the subject, reported on February 15, 1889 (Senate report, Fiftieth Congress, second session, No. 2994), and reached the following conclusion. I deem it proper to quote extensively from this report, as it fully covers all the questions involved in this controversy:

"Your committee have fully investigated the acceptability to the general public of the certificates, notes, internal-revenue stamps, postage stamps, and postal notes, in the printing of which steam presses are used. No complaint has been made against internal-revenue stamps, postage stamps, or postal notes thus far. The Postmaster-General has cordially approved of this method of printing postage stamps and postal notes. As to the silver certificates, the backs of which are printed by steam presses, the evidence shows that they are circulating not only without complaint from the public, but with the affirmative approval of banks and bankers.

"It has been urged that steam-press prints were the more easily counterfeited. A thorough inspection fails to establish this fact. The records of the secret service division of the Treasury Department certainly disprove it. The concurrent testimony in favor of such prints by the eminent bankers whose letters are incorporated with this report are entitled to the highest consideration upon that point. Steam-press work has certainly been long enough in use and circulation to have aroused complaint of its liability to counterfeiting if any such liability existed.

"A full investigation of the economy effected by the use of the steam press, as compared with the hand press demonstrates that an equal amount of work can be done by steam presses at from 35 to 65 per cent less cost, doubtless averaging 50 per cent. And it is estimated that the increase in the expenses of the Bureau, should the pending bill be adopted, would be nearly $353,000. From a thorough examination of the subject the committee is satisfied that there is more uniformity in the work of the steam presses than in that of the hand presses; that the average product of the steam press is quite equal to the average of the hand-press work, and that it is produced at one-half the cost of the latter.

"It has been urged that the introduction of steam printing presses has resulted in lower and insufficient compensation to those employed in the printing. The evidence is conclusive that such is not the case. There is no doubt, also, that the adoption of the bill would necessitate a considerable expenditure for more ample accommodations for printing, thus further increasing the cost to the Government.

"Another fact was demonstrated upon examination, that, if the bill should become a law, there are not sufficient number of hand plate printers in the country to supply the Government and also provide for the wants of private parties who are engaged in this branch of business.

"The passage of the bill has not been urged in terms as against the use of labor-saving machinery by the Government. On the contrary, one of the most distinguished gentlemen pressing the bill expressly states:

"'It is not opposition to the introduction of labor-saving machinery which prompts the writing of this letter. I am in favor of labor-saving machinery wherever it can do the work as well as by hand. It is my experience that the introduction of a machine gives employment to more workmen, both in the management of the machine and in the construction of them.' (From letter of T. V. Powderly, general master workman, Knights of Labor.)

"The passage of the bill, it is submitted, would be a legislative encroachment upon the executive branch of the Government. Such an attempt on the part of Congress to designate the machines that should be used, the particular workmen who should be employed, and the particular skill they should possess, or the details of methods by which printing should be done, can not, in the judgment of your committee, be defended. It must be assumed that able and expert men will be heads of bureaus, and the Department may well be trusted to judge and determine the character of the work necessary to meet

the requirements of their Departments, respectively, and that they may equally be trusted to protect the interests of the people.

"The committee therefore report back the bill with the recommendation that it do not pass, and submit herewith the testimony taken in connection with the subject."

Upon assuming charge of the Bureau I found the facilities that had been introduced to execute the work after the discontinuance of the steam-power plate-printing presses still in operation, and notwithstanding that Congress had provided for an additional wing for the hand-roller presses, at a cost of $80,000, the space in the building was inadequate to the proper execution of the work and the employees were consequently very much crowded, and it was impossible to increase this force to a sufficient extent to execute the work of the Government within the regular hours.

During the panic of 1893 the plate printers were compelled to work until 6 o'clock each day for a very considerable period. Some method had to be adopted by which the work could be performed, and consequently a considerable quantity of work covering the internal-revenue stamps used on cigarettes, was transferred to typographic presses. At that time it was thought the steam-power plate-printing presses could not be used. Subsequently, I had occasion to submit a proposition to the Postmaster-General for the printing of postage stamps, and at that time the whole question of the use of such presses having been considered, the proposition submitted for the printing of postage stamps contemplated their execution on steam-power plate-printing presses. The proposition of this Bureau was accepted by the Postmaster-General, and immediately thereupon ten of these presses were ordered of a press-building firm, and were, as rapidly as constructed, put in use in printing postage stamps. Subsequently, the demand for postage stamps necessitated an order for three additional presses, making in all thirteen presses of this class in use in this Bureau since 1894 on this work.

The printing produced during these years upon the presses has been entirely satisfactory. In view of the satisfactory results obtained with these presses upon the postage stamps, I deemed it my duty to call the attention of the present Secretary of the Treasury to the fact that a considerable volume of the work on securities, other than postage stamps, could be executed upon such presses with a greater degree of uniformity than on hand presses and at a saving of $90,000. After consideration of the matter, the Secretary authorized the construction of twelve additional steam power plate printing presses for use in printing backs of United States and Treasury notes and silver certificates. These presses are now being placed in position for use in this Bureau, and it is to their introduction that the plate printers are objecting. No objection has been made on their part during the past four years to the use of the thirteen presses upon postage stamps.

One of the elements under consideration between the Secretary and myself when this mattter was first called to his attention was the necessity of placing this Bureau upon a basis where the employees would not be required to work beyond the regular hours; that is, from 8 a. m until 4 p. m. It is impracticable to permit the plate printers to work a continuous eight hours, as that would require the other employees, such as superintendents, helpers, counters, etc., whose services are necessary to enable the printers to obtain their plates, paper, and other material, to render more than eight hours' services, and for all of the time rendered by them beyond eight hours, they claim additional compensation, which the Solicitor of the Treasury has decided they are entitled to and can be paid. The Secretary, as well as myself, desired to stop the payment of this extra compensation, which was a serious drain upon the appropriations made by Congress.

The necessity for the recent discharge of thirty plate printers from the Bureau is explained by the fact that the Commissioner of Internal Revenue recently very largely reduced his orders, and as the Bureau is dependent upon the orders of the officers having charge of the work for authority to print the securities and stamps, it was necessary to reduce the force. In making the selections for this reduction, the least efficient men were chosen. The orders now in hand will, in my judgment, insure that no further reduction of the force of plate printers will be made. This statement, of course, is made in view of the orders now in hand, and the estimates of the various officers having charge of the service for the coming fiscal year. It will depend, however, largely upon the actual necessities of the service.

The adoption of the amendment suggested would not only prevent the placing of this Bureau upon the efficient footing desired, and require the continued payment of $120,000 a year for the performance of this work which could otherwise be done for $90,000, but it would also necessitate the execution of postage stamps on hand-roller presses. As the printing by hand of the immense number of these stamps required would be utterly impracticable, it would be impossible for this Bureau or any other establishment to supply the postage stamps needed. Another serious objection to the adoption of such restrictive legislation is the fact that in the event of any great and unusual demand for notes or bonds, requiring prompt and immediate delivery, this Bureau would be restricted to the use of hand presses. During the last Administration, when bonds were issued, we were required to make prompt delivery of them, and it was found necessary to use typographic presses for parts of printings thereon. Had any restriction been placed upon the use of steam presses it would have seriously interfered with the execution of this work. The present would appear to be a very bad time to adopt any such restrictions.

In conclusion I beg to say that I look upon this question simply as a matter of public business, in which I feel that I, as a public officer, should make such recommendation as will insure the execution of the work under my care in the most perfect, expeditious manner, and I believe that by the use of improved machinery that this can be done in the printing of the backs of notes and certificates of the Government. I beg to send herewith copy of a memorandum on this subject submitted by me to the Secretary of the Treasury.

Respectfully, yours,

CLAUDE M. JOHNSON, *Director.*

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations,
United States Senate, Washington, D. C.

Mr. ALLISON. As the pending bill will probably not be concluded to-night, I ask that the second letter and the memorandum which I have sent to the desk may be printed in the RECORD without reading. I shall not take the time of the Senate to have them read.

The PRESIDING OFFICER. If there be no objection, that will be the order.

The letter and memorandum referred to are as follows:

TREASURY DEPARTMENT,
BUREAU OF ENGRAVING AND PRINTING,
April 2, 1898.

SIR: In answer to your verbal inquiries relative to the use of steam plate-printing presses in this Bureau, I have the honor to say that hand-roller plate-printing presses cost $156.75 each. A stock of these presses is retained on hand constantly over the number in use, to take the place of worn-out and discarded presses.

As to the comparative quality of printing the backs of bank notes upon hand-roller presses and steam plate-printing presses, I beg to say that this is a matter which was very thoroughly considered before action was taken by the Secretary of the Treasury and myself, and that no one could possibly be more interested or careful in the consideration of this question than the Secretary of the Treasury.

The claim made by plate printers that increased danger from counterfeiting will result from the use of steam presses for the printing of the backs of bank notes is raised by them simply by way of argument, without any substantial ground whatever to stand upon. Surely the Secretary of the Treasury and the Director of this Bureau, being directly responsible, are the officers of the Government who feel the deepest concern upon this point, and would naturally exercise the greatest care.

I am also informed that it is further claimed that a great many plate printers are out of employment. I beg to say that this is not the case. I will venture the assertion that there are not to-day ten unoccupied first-class plate printers whose services could be procured for work in this Bureau in the event of any considerable increased demand for its product. There are possibly forty or fifty printers unoccupied. Of that number but very few are good workmen.

As to space for additional hand presses, I desire to say that this office has recommended year after year during my administration, as well as that of my predecessor, and even prior to his incumbency, an appropriation for additional buildings in which to place our ink mill, rag laundry, storeroom, etc., with the expectation that the main building would be relieved, so that more space might be made in that way, but without avail. In rearranging the presses recently, on the completion of the center wing of the building, every foot of space available for presses was occupied; and then, considering the orders for plate-printed work, we did not have sufficient hand presses in position to meet any excessive demand upon this Bureau.

I stated to you orally that no discharge whatever is contemplated on account of the use of these steam presses, and should the orders for work continue to increase as they have in the past, I have no doubt but that the roll of plate printers can be maintained as at present.

I desire to call your attention to the fact that the deliveries made by this Bureau during the month just past were over 9,000,000 sheets, that being the largest aggregate deliveries of finished work ever made in one month by this Bureau, and larger than the estimated monthly average for the year, which has never before occurred. This fact must impress your mind with the absolute necessity of increasing the physical force of this Bureau.

Respectfully, yours,

CLAUDE M. JOHNSON, *Director.*

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations,
United States Senate, Washington, D. C.

MEMORANDUM RELATIVE TO THE USE OF STEAM PRESSES IN PRINTING THE BACKS OF BANK NOTES.

The question of the use of improved machinery in the manufacture of all articles to which it can be adapted by private corporations is one that has been settled by actual experience. No corporation doing business for profit fails to take advantage of the use of machinery in place of hand labor wherever it is possible to derive a benefit thereby, and to give a like benefit to the consumers of its products. The cost of all the necessaries and luxuries of life has been decreased by the use of improved machinery in the past, and unquestionably the cost of manufactured articles of all kinds will continue to decrease until machinery becomes absolutely perfect.

It is not the policy of any private corporation to continue to employ labor when the same result may be attained by the use of machinery. It seems to me, therefore, it is the duty of a public official representing the taxpayers of the country, in the expenditure of money collected for the purpose of maintaining the Government, to conduct the business of the branch over which he presides by the same methods he would if employed by a private corporation. Therefore, in the direction of the business of the Bureau, I have conceived it to be my duty to suggest to the Secretary of the Treasury the introduction of steam-power presses for the purpose of printing the backs of bank notes; because—

First. By their use $60,000 per annum of the public money can be saved.

Second. The physical force of this Bureau is becoming inadequate to meet the requirements of the Government.

Third. The available space in the building is also becoming inadequate to meet the gradual increase of the work.

Although Congress in 1880 appropriated $80,000 for an extension of the building by the construction of a wing on the west, and in 1894 and 1895 appropriated $50,000 for an extension by adding three stories to the center wing, yet the Bureau is now crowded in certain branches of its work, particularly in the plate-printing press rooms. The crowded condition of the main press room on the third floor is a matter of comment by all visitors to the establishment.

Fourth. It has been demonstrated by actual experience in this Bureau that backs of bank notes can be printed upon steam-power presses more uniformly and as perfectly in every other respect as they are now printed by hand presses.

There are not enough first-class plate printers available to-day to do the work of the Government in cases of great emergency, except by working overtime. It would appear, therefore, to be good policy to increase the ability of this Bureau to perform its work under any emergency that might arise. I am of opinion that every first-class plate printer who is a reliable workman can be given employment, and any reduction which may follow the purchase of additional power presses will be made in dropping men who are now employed because it is necessary to retain unreliable printers.

We now have over 300 plate printers upon our rolls. Out of that number there are at least 50 men who can not, or do not, do good work, who will remain absent without leave, thus causing the Bureau the loss of the product of their presses, and who each pay day, if they report for duty, show evidences of excessive drinking and nervousness that virtually incapacitates them for good work.

The purchase of these presses will place the Bureau in a position to be independent of men of this character. It will also enable the Bureau to accumulate a stock of finished work, thus making deliveries of seasoned in place of green printing, which never lasts as well as when it is seasoned. This it has never been able to do because of its want of printing capacity, and should the policy be adopted which, in my opinion, is inevitable, of renewing the currency of the country very much more rapidly than it has been in the past, without these presses this Bureau would not be able to meet the demands made upon it by the Treasurer of the United States. I consider the frequent renewal of the currency one of the greatest safeguards against successful counterfeiting, and a policy will probably be adopted within the near future of keeping a stock of notes at the various subtreasuries, so that the banks can be supplied with new in place of old, worn-out notes, thus saving the cost of transportation and loss of interest by reason of time consumed in transit.

As before stated, in the event of a policy of this kind, these presses would be absolutely essential. It is not intended to discharge at once any great

number of printers. In fact, the natural increase of the business of the country will continue to keep employed about the number of printers that we now have on our rolls, regardless of the use of steam presses. The poor element will be culled out gradually, but all of the worthy men will be kept employed. It has been my policy not to appoint additional apprentices, who overcrowd the printing trade. In fact, there has not been an apprentice appointed for about fifteen months, and during the time that I have been Director of the Bureau there have been more printers employed than ever before in its history, and I believe that this condition will continue, regardless of the use of steam presses for printing the backs of bank notes.

Congress makes appropriations for the purpose of producing Government securities, expecting of the executive officers that they will be executed at the lowest possible cost, attaining at the same time the highest quality of work. It seems to me, therefore, that if the executive officers fail to utilize machinery that will reduce the cost of the work materially, as in this case for the purpose of continuing men at work, that they are without warrant of law, and upon pure executive authority undertaking to give a gratuity to a class of people who have rendered no service that entitles them to such. Under the conditions above stated, I do not believe that any labor organizations can justify a movement to prevent the officers of the Treasury Department from using improved machinery in the production of material which it alone can furnish.

CLAUDE M. JOHNSON,
Director of Bureau.

Mr. GORMAN. I suggest to the Senator in charge of the bill that it is evidently impossible to conclude its consideration this afternoon, and I desire that we may have a short executive session. I also desire to report, from the Committee on Printing, a concurrent resolution, if the Senator from Iowa has no objection.

Mr. ALLISON. I yield for that purpose.

PRINTING OF PRESIDENT'S MESSAGE.

Mr. GORMAN. I am instructed by the Committee on Printing to report a concurrent resolution, for which I ask immediate consideration.

The PRESIDING OFFICER. The Senator from Maryland reports a concurrent resolution, which will be read.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate and House of Representatives 20,000 copies, to be included in one volume, of the message of the President of the United States on the relation of the United States to Spain, and the message of the President of the United States transmitting consular correspondence respecting the condition of the reconcentrados in Cuba, the state of the war in that island, and the prospects of the projected autonomy, 13,500 for the use of the House of Representatives and 6,500 copies for the use of the Senate.

The resolution was considered by unanimous consent, and agreed to.

EXECUTIVE SESSION.

Mr. GORMAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After forty-seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 47 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 13, 1898, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 12, 1898.

APPRAISER OF MERCHANDISE.

Jacob Shaen, of California, to be assistant appraiser of merchandise in the district of San Francisco, in the State of California, to succeed Richard P. Doolan, removed.

APPOINTMENT IN THE NAVY.

Edgar Thompson, a citizen of Missouri, to be an assistant surgeon in the Navy, to fill a vacancy existing in that grade.

PROMOTIONS IN THE ARMY.

Cavalry arm.

First Lieut. James Waterman Watson, Tenth Cavalry, to be captain, January 11, 1898, vice Nordstrom, Tenth Cavalry, deceased.

First Lieut. Percy Edwards Trippe, Tenth Cavalry, to be captain, March 11, 1898, vice Evans, Tenth Cavalry, retired from active service.

Second Lieut. Richard Larremore Livermore, Tenth Cavalry, to be first lieutenant, January 11, 1898, vice Watson, Tenth Cavalry, promoted.

Second Lieut. Thomas Michael Corcoran, Tenth Cavalry, to be first lieutenant, February 26, 1898, vice West, Sixth Cavalry, appointed commissary of subsistence, who resigns his line commission.

Second Lieut. Robert John Fleming, Seventh Cavalry, to be first lieutenant, March 11, 1898, vice Trippe, Tenth Cavalry, promoted.

To be post chaplains.

The Rev. J. H. Sutherland, of West Virginia, April 4, 1898, vice Scott, retired from active service.

The Rev. Dwight Galloupe, of New Jersey, April 4, 1898, vice Hubbard, retired from active service.

Infantry arm.

First Lieut. Charles Richard Tyler, Sixteenth Infantry, to be captain, April 6, 1898, vice Witherell, Nineteenth Infantry, retired from active service.

Second Lieut. William Payne Jackson, Twenty-fourth Infantry, to be first lieutenant, March 29, 1898, vice Niskern, Second Infantry, appointed commissary of subsistence, who resigns his line commission.

Second Lieut. Albert Bernard Donworth, Fourteenth Infantry, to be first lieutenant, April 6, 1898, vice Tyler, Sixteenth Infantry, promoted.

Medical Department.

Maj. Henry Lippincott, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 10, 1898, vice Huntington, retired from active service.

Capt. George McCreery, assistant surgeon, to be surgeon with the rank of major, April 10, 1898, vice Lippincott, promoted.

PROMOTIONS IN THE NAVY.

Lieut. John A. H. Nickels, to be a lieutenant-commander in the Navy, from the 1st day of February, 1898, vice Lieut. Commander Andrew Dunlap, promoted.

Lieut. (Junior Grade) John J. Blandin, to be a lieutenant in the Navy, from the 1st day of February, 1898, vice Lieut. John A. H. Nickels, promoted.

Lieut. Clinton K. Curtis, to be a lieutenant-commander in the Navy, from the 6th day of February, 1898, vice Lieut. Commander Richard Rush, promoted.

Lieut. (Junior Grade) Albert L. Key, to be a lieutenant in the Navy, from the 6th day of February, 1898, vice Lieut. Clinton K. Curtis, promoted.

Lieut. (Junior Grade) William L. Howard, to be a lieutenant in the Navy, from the 10th day of March, 1898 (subject to the examinations required by law), vice Lieut. Oren E. Lasher, retired.

Lieut. Theodric Porter, to be a lieutenant-commander in the Navy, from the 28th day of March, 1898 (subject to the examinations required by law), vice Lieut. Commander Edward H. Gheen, promoted.

Ensign Frank M. Russell, to be a lieutenant (junior grade) in the Navy, from the 17th day of December, 1898, vice Lieut. (Junior Grade) Joseph L. Jayne, promoted.

Ensign Frank Marble, to be a lieutenant (junior grade) in the Navy, from the 25th day of January, 1898, vice Lieut. (Junior Grade) James G. Doyle, promoted.

UNITED STATES ATTORNEYS.

Robert G. Evans, of Minnesota, to be attorney of the United States for the district of Minnesota, vice E. C. Stringer, whose term will expire May 5, 1898.

Patrick H. Rourke, of North Dakota, to be attorney of the United States for the district of North Dakota, vice Tracy R. Bangs, whose term will expire May 9, 1898.

AGENT SALMON FISHERIES.

William S. Ballard, of the District of Columbia, to be assistant agent at the salmon fisheries of Alaska, in place of James C. Boatman, deceased.

POSTMASTER.

James H. Rabbitts, to be postmaster at Springfield, in the county of Clark and State of Ohio, in the place of T. D. Wallace, whose commission expired March 15, 1898.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 12, 1898.

RECEIVER OF PUBLIC MONEYS.

Columbus T. Tyler, of Seattle, Wash., to be receiver of public moneys at Seattle, Wash.

REGISTERS OF THE LAND OFFICE.

William R. Dunbar, of Goldendale, Wash., to be register of the land office at Vancouver, Wash.

James H. Baxter, of Del Norte, Colo., to be register of the land office at Del Norte, Colo.

APPOINTMENT IN THE NAVY.

John W. Morse, a citizen of Massachusetts, to be an assistant paymaster.

PROMOTIONS IN THE NAVY.

P. A. Engineer Franklin J. Schell, to be a chief engineer.
Lieut. Commander Edward H. Gheen, to be a commander.
P. A. Paymaster James S. Phillips, to be a paymaster.
Pay Inspector George A. Lyon, to be a pay director.
Paymaster Charles W. Slamm, to be a pay inspector.
P. A. Paymaster Thomas S. Jewett, to be a paymaster.
P. A. Paymaster Samuel L. Heap, to be a paymaster.
P. A. Paymaster John Q. Lovell, to be a paymaster.
Paymaster Albert W. Bacon, to be a pay inspector.

POSTMASTERS.

R. S. Smith, to be postmaster at St. Elmo, in the county of Hamilton and State of Tennessee.

James Ross, to be postmaster at New Rochelle, in the county of Westchester and State of New York.

Thomas S. Matthews, to be postmaster at Athens, in the county of McMinn and State of Tennessee.

Albert C. Krog, to be postmaster at Washington, in the county of Franklin and State of Missouri.

F. E. Payne, to be postmaster at Clinton, in the county of Oneida and State of New York.

Hiram A. David, to be postmaster at Wolfe City, in the county of Hunt and State of Texas.

Lewis Otto, to be postmaster at Key West, in the county of Monroe and State of Florida.

Stith Bolling, to be postmaster at Petersburg, in the county of Dinwiddie and State of Virginia.

REJECTIONS.

Executive nominations rejected by the Senate April 12, 1898.

REGISTER OF THE LAND OFFICE.

Harvey N. McGrew, of Salt Lake City, Utah, to be register of the land office at Salt Lake City, Utah.

POSTMASTER.

Robert S. Houssels, to be postmaster at Vernon, in the county of Wilbarger and State of Texas.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 12, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

NAVAL BATTALION, DISTRICT OF COLUMBIA.

Mr. HILBORN. Mr. Speaker, I ask unanimous consent to take from the table Senate bill No. 1316, to provide for organizing a naval battalion in the District of Columbia, and ask for its immediate consideration.

Mr. LEWIS of Washington. Mr. Speaker, I have a privileged resolution——

The SPEAKER. The Clerk will proceed with the reading of the bill indicated by the gentleman from California, after which the Chair will ask if there be objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BAILEY. Mr. Speaker, reserving the right to object, I would like an explanation of this bill. But in the first place, I should like to ask the gentleman from California this question: Does this bill propose to permanently increase the naval force of the United States?

Mr. HILBORN. As the bill is reported it does to the extent of these three companies forming this battalion of naval militia in the District. It will increase the general militia force of the District, of course, to that extent.

Mr. BAILEY. If it increases it, I shall object.

There was a bill pending before that committee affecting some organization of a naval battalion here which I agreed I would not object to, provided it was organized as a part of the militia force of the District now allowed by law.

Mr. HILBORN. An amendment of that character would effect the purpose of the gentleman.

Mr. BAILEY. Does the gentleman propose to offer that amendment?

Mr. HILBORN. Of course, if that will remove the gentleman's objection, I shall ask the adoption of such an amendment.

Mr. BAILEY. I have no objection in the world to making it a part of the militia force now allowed by law for the District; but I will object unless the amendment is adopted to conform to that view.

Mr. HILBORN. I did not know that there was any such stipulation, but if the gentleman insists upon that amendment going in——

Mr. BAILEY. Mr. Speaker, there was at least a stipulation on my part. I objected to this proposition once before, in the last Congress, and I agreed that I would not object to it at this time, if it was amended in the way I suggest.

Mr. DINGLEY. I want to ask if this is not a Senate bill, with a House bill similar?

Mr. HILBORN. Yes.

Mr. DALZELL. And this is on the Speaker's table, and privileged.

Mr. BAILEY. It will have to go to the Committee of the Whole, then.

Mr. HILBORN. The Senate bill which is under consideration is identical with House bill 1152, introduced into this House by myself. The same bill was introduced in the Senate by Mr. HALE. The House bill was referred to the Committee on Naval Affairs, and has been reported favorably, and is now on the Calendar. The Senate bill came over here and is on the Speaker's table. Now, I call up the Senate bill.

Mr. BAILEY. I make the point of order that this bill must be first considered in Committee of the Whole, and that it can not be called up as a matter of privilege in this way.

Mr. DINGLEY. Is the House bill on the House Calendar?

Mr. HILBORN. Yes; the bill is on the House Calendar.

The SPEAKER. The House bill is on the House Calendar, but if it is wrongfully there the point of order would be good. The Chair will hear the gentleman from Texas on the point of order.

Mr. BAILEY. Mr. Speaker, it does not appear to me that the point of order need to be more than stated. The bill creates three companies in addition to those now allowed by law. If this kind of a bill could be considered in the House without reference to the Committee of the Whole, then a bill creating any number of offices could be so considered. Yet the practice has been uniform that any bill creating additional offices or providing for the appointment of additional officers or that makes any charge upon the public Treasury, must be first considered in the Committee of the Whole.

Mr. DINGLEY. Mr. Speaker, a parliamentary inquiry. I wish to inquire whether this Senate bill is identical with the House bill?

Mr. HILBORN. It is.

Mr. DINGLEY. Then the question is whether the House bill is on the wrong Calendar.

The SPEAKER. The question is whether this involves an appropriation.

Mr. DINGLEY. I took it for granted, the House bill being on the House Calendar, that it did not involve an appropriation. I did not know what the terms of the bill were.

The SPEAKER. It requires certain officers to be appointed. Whether there is any general law giving them pay or not does not appear.

Mr. DINGLEY. The point of order would be good, then, if that is the case.

Mr. BAILEY. The gentleman concedes that the point of order is well taken.

The SPEAKER. The question, then, is one for unanimous consent.

Mr. BAILEY. I hope the gentleman from California [Mr. HILBORN] will agree to offer the amendment and support it. I will say frankly to the gentleman that I should prefer these companies to be naval, rather than a part of the military establishment of the Government, and I have absolutely no objection to making them naval instead of military companies; but I do object to creating new naval companies and still leaving the military companies to be provided, as the law now allows.

Mr. DINGLEY. Will not the gentleman from Texas consent that this bill may come up, and then that such an amendment may be offered as he suggests? In view of the situation of the country it seems to me that we ought to be considering bills of this kind.

Mr. UNDERWOOD. I should like to ask the gentleman from California——

Mr. BENNETT. Mr. Speaker——

The SPEAKER. The gentleman from New York.

Mr. BENNETT. During the Fifty-fourth Congress I presented a bill for the establishment of a naval militia in the District of Columbia, and I can see no objection to the request of the gentleman from Texas. I hope the gentleman from California will consent to have the amendment offered.

Mr. DINGLEY. Will the gentleman from California ask unanimous consent for the immediate consideration of this bill? Then any amendment can be offered that may be suggested.

Mr. BAILEY. I am willing to have the matter go over until we can have a report from the Committee on Foreign Affairs, and thus determine exactly what is the situation of the country.

Mr. DINGLEY. I think the situation is of a character that we need no report to intensify it.

Mr. BAILEY. Unless there is a better foundation for that opinion than there was for the opinion last Monday that the President's message was likely to create a riot in Havana, I am not willing to accept it. [Applause and laughter on the Democratic side.] It might have created a riot in Cuba, but it would not have been among the Spaniards in the cities. It would have been among the insurgents in the interior. [Applause on the Democratic side.]

Mr. PAYNE. I did not suppose this discussion was in order, but

I have not objected, because it seems to amuse the gentleman from Texas and his friends on the other side.

The SPEAKER. The gentleman from California desires to submit a request for unanimous consent. The gentleman from California asks unanimous consent for the present consideration of the bill S. 1316.

Mr. BAILEY. I object, unless the gentleman agrees to that amendment.

Mr. HILBORN. Very well; I am very anxious to get this bill passed. I consent, then, to the amendment.

Mr. McMILLIN. Mr. Speaker, let us have the bill reported again.

The SPEAKER. The Clerk will again report the bill, if there be no objection.

The bill was again reported.

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. UNDERWOOD. I should like to ask the gentleman from California a question.

Mr. TERRY. Mr. Speaker, what further need have we of an army or navy, anyhow? [Laughter.]

The SPEAKER. That is not a parliamentary inquiry. [Renewed laughter.]

Mr. UNDERWOOD. I would like to ask the gentleman a question. Are the companies now in the District militia not now up to the full force allowed by the law?

Mr. HILBORN. I understand that is not so. There is room for these.

Mr. UNDERWOOD. I did not hear the gentleman.

Mr. HILBORN. I understand that is not so. There is room for these three companies, and they have already been organized, and have been for a year or more.

Mr. SAYERS. Mr. Speaker, before we go to the consideration of this bill, I want to know of the gentleman from California whether or not this measure, if it should become law, would involve an expense upon the District of Columbia; and if so, how much?

Mr. HILBORN. No; if this proposed amendment prevails, it will not be an addition, but would be a part of the regular force of the District of Columbia.

Mr. SAYERS. The gentleman does not answer my question, Mr. Speaker. I want to know from the gentleman from California whether, if this measure should become law, it would involve an expense upon the District of Columbia?

Mr. HILBORN. No additional expense.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RIDGELY. I object, Mr. Speaker.

The SPEAKER. Objection is made by the gentleman from Kansas.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Mr. ADAMS. Mr. Speaker, I am instructed by the Committee on Foreign Affairs to ask permission of the House to sit during sessions.

The SPEAKER. The gentleman from Pennsylvania asks the consent of the House that the Committee on Foreign Affairs may sit during sessions of the House. Is there objection? [After a pause.] The Chair hears none.

BRIDGE ACROSS THE YALOBUSHA RIVER, MISSISSIPPI.

Mr. FOX. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 8569.

The bill was read, as follows:

A bill (H. R. 8569) providing for the construction of a bridge across the Yalobusha River, between Leflore and Carroll counties, in the State of Mississippi.

Be it enacted, etc., That the Yazoo and Mississippi Valley Railroad Company, a corporation created and existing under and by virtue of the laws of the State of Mississippi, be, and is hereby, authorized to construct and maintain a railway bridge across the Yalobusha River at or near the railroad station known as Dodds Ferry, in Carroll County, Miss., the said bridge to be so constructed as not to unreasonably interfere with the navigation of said river and to be provided with a suitable draw: *Provided*, That a bridge constructed under this act and according to its limitations shall be a lawful structure, and shall be known and recognized as a post route, and the same is hereby declared to be a post route; and the United States shall have the right of way for a postal telegraph across said bridge.

SEC. 2. That the bridge authorized to be constructed under this act shall be located and built under and subject to such regulations for the security of the navigation of said river as the Secretary of War shall prescribe; and to secure that object the said company or corporation shall submit to the Secretary of War for his examination and approval a design and drawings of the proposed bridge and a map of the location giving, for the space of 2 miles above and 2 miles below the proposed location, the high and low water lines upon the banks of the river, the direction and strength of the currents at all stages of the water, with the soundings, accurately showing the bed of the stream and the location of any other bridge or bridges, such map to be sufficiently in detail to enable the Secretary of War to judge of the proper location of said bridge, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject, and until the said plan and location of the bridge are approved by the Secretary of War no work upon the bridge shall be commenced; and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.

SEC. 3. That Congress reserves the right to alter or amend this act at any time; and if at any time navigation of the said river shall in any manner be obstructed or impaired by the said bridge, the Secretary of War shall have authority, and it shall be his duty, to require the said bridge company to alter and change the said bridge, at its own expense, in such manner as may be proper to secure free from unreasonable obstructions the navigation of said river, and if, upon reasonable notice to said bridge company to make such change or improvements, the said company fails to do so, the Secretary of War shall have authority to make the same at the expense of said company; and Congress shall have power to do any and all things necessary to secure the free navigation of the river free from unreasonable obstructions.

SEC. 4. That said company shall be permitted to charge and take such rates of toll for crossing said bridge as may be reasonable, subject to the approval of the Secretary of War.

SEC. 5. That the draw provided for the bridge herein authorized to be constructed shall be opened promptly upon reasonable signal for the passing of boats, and said company or corporation shall maintain, at its own expense, from sunset to sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

SEC. 6. That all telephone and telegraph companies shall be granted equal rights and privileges in the construction and operation of their lines across said bridge; and if actual construction of the bridge herein authorized shall not be commenced on or before the 1st day of September, 1898, and be completed by the 31st day of December, 1899, the rights and privileges hereby granted shall cease and be determined.

SEC. 7. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains over the same and over the approaches thereto upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any one of them desiring such use, shall fail to agree upon the sum or sums to be paid and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

SEC. 8. That the said company may associate or join with themselves in the construction, maintenance, and operation of said bridge the Illinois Central Railroad Company, or any other railway company duly incorporated under the laws of the State of Mississippi.

The amendments recommended by the committee were read, as follows:

On page 3, line 4, after the word "alter," insert a comma and strike out the word "or."

On page 3, line 5, after the word "amend," insert a comma and the words "or repeal."

On page 3, line 10, after the word "secure," insert the words "the reasonably."

On page 3, line 11, after the word "free," strike out the words "from unreasonable obstructions, the" and insert the words "and unobstructed."

On page 3, line 12, after the word "river," strike out balance of section 3.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. FOX. I ask for the adoption of the amendments recommended by the committee.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. FOX, a motion to reconsider the vote by which the bill was passed was laid on the table.

SURVEY OF ELK RIVER, IN TENNESSEE AND ALABAMA.

Mr. RICHARDSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7748) to provide for a survey of Elk River, in Tennessee and Alabama.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be authorized and directed to cause a survey to be made of Elk River, in Tennessee and Alabama, and that a report be made as early as practicable showing the probable cost of improving the river so as to make it available for light-draft steamers.

Mr. RICHARDSON. I ask for the consideration of the bill with the further amendment which I have sent up:

Amend by adding the words:

"The Secretary of War is also directed to report to Congress his opinion as to the advisability of the contemplated survey."

Mr. PAYNE. I would like to ask if that bill has been reported by a committee?

Mr. RICHARDSON. It has been reported. The report is in the hands of the Clerk.

The SPEAKER. Is there objection to the present consideration of the bill as amended? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

GAME BIRDS AND OTHER WILD BIRDS.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 3589) to extend the powers and duties of the Commission of Fish and Fisheries to include game birds and other wild birds useful to man.

Be it enacted, etc., That the United States Commission of Fish and Fisheries shall hereafter be known and designated as the United States Commission of Fish, Fisheries, and Birds. The duties and powers of said commission are hereby enlarged so as to include the propagation, distribution, transportation, introduction, and restoration of game birds and other wild birds useful

to man. For such purposes they may purchase, or cause to be captured, such game birds and other wild birds as they may require therefor, subject, however, to the laws of the various States and Territories in which they may conduct such operations.

The object and purpose of this act is to aid in the restoration of such birds in those parts of the United States adapted thereto, where the same have become scarce or extinct, and also to aid in the introduction of new and valuable varieties or species of American or foreign birds in localities where they have not heretofore existed.

Said commission shall from time to time collect and publish useful information as to the propagation, uses, and preservation of such birds.

And the said commission shall make and publish all needful rules and regulations for carrying out the purposes of this act, and shall expend for said purposes such sums as Congress may appropriate therefor.

Mr. McMILLIN. Mr. Speaker, I think that there is something more important in these war times than hatching ducks and goslings; and I therefore object to the consideration of this bill. [Laughter.]

The SPEAKER. Objection is made.

WASHINGTON AND GLEN ECHO RAILROAD COMPANY.

The SPEAKER laid before the House the bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet, with House amendments disagreed to by the Senate.

The bill was read, as follows:

A bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet.

Be it enacted, etc., That the Washington and Glen Echo Railroad Company, a corporation organized under the laws of the State of Maryland and operating a street railway in said State, the eastern terminus being at or near the northern boundary of the District of Columbia in Chevy Chase, be, and said corporation is hereby, authorized and empowered to obtain a right of way and construct its road and lay double tracks thereon into the District of Columbia a distance of 600 feet, and no farther, from the point in the boundary line of the District where said railway extended crosses the boundary line of the District and from said point to a point on the west line of Connecticut avenue extended, on a route to be approved by the Commissioners of the District of Columbia, said corporation to have full power and authority to operate cars upon said road for the purpose of its traffic; said corporation to use electric motive power in propelling its cars: *Provided*, That no fares shall be charged or collected within the District of Columbia: *And provided further*, That unless the extension herein provided for shall be completed within six months from the date of the approval of this act, then this act shall be null and void.

SEC. 2. That Congress reserves the right to alter, amend, or repeal this act.

The House amendments were read, as follows:

SEC. 2. That said railway company shall be constructed in a substantial and durable manner, and all rails, electrical appliances, etc., shall be approved by the Commissioners of the District of Columbia.

SEC. 3. That if the said company in the construction of the extension herein authorized shall cross any public road or highway, the space between its tracks and rails and 2 feet exterior thereto shall be kept by it at all times in proper repair, to the satisfaction of said Commissioners of the District of Columbia. Should the said company fail to keep said space in repair to the satisfaction of said Commissioners, the work will be done by the District, and the cost thereof shall be collected from said company, as provided in section 5 of the act entitled "An act providing a permanent form of government for the District of Columbia," approved June 11, 1878.

SEC. 4. That the said company shall furnish and maintain passenger houses, with suitable conveniences for the public, as required by the Commissioners of the District of Columbia, and shall use first-class cars on said railway, with all modern improvements for the convenience, comfort, and safety of passengers, and shall run cars as often as the public convenience may require, in accordance with a time-table approved by the Commissioners of said District. Every failure to comply with the conditions of this section shall render said company liable to a fine of $50, to be recovered in any court of competent jurisdiction at the suit of the Commissioners of said District.

SEC. 5. That the Commissioners of the District of Columbia shall make such regulations as to rate of speed and mode of use of tracks as in their judgment the interest and convenience of the public may require. Should the servants or agents of said company willfully or negligently violate such an ordinance or regulation, said company shall be liable to the District of Columbia for a penalty not exceeding $500.

SEC. 6. That all articles of value that may be inadvertently left in any of the cars or other vehicles of said company shall be taken to its principal depot and entered in a record book of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

SEC. 7. That such portion of said road as lies within the District of Columbia shall be deemed real estate, and, together with other real property and such personal property as is within the said District, shall be liable to taxation as other real and personal property in the District of Columbia.

Mr. BABCOCK. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of this bill.

The SPEAKER. The gentleman from Wisconsin moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill which has just been reported to the House.

The question was taken; and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. HOPKINS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the present consideration of the House amendments to the bill which has just been reported, disagreed to by the Senate.

Mr. BABCOCK. Mr. Chairman, this bill (S. 924) has been before Congress——

Mr. BARTLETT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Georgia will state it.

Mr. BARTLETT. I desire to know what bill we are considering; the Chair has not stated, and some of us do not know.

The CHAIRMAN. It is Senate bill 924, and the gentleman from Wisconsin [Mr. BABCOCK] has the floor and is about to give the committee full information in regard to it.

Mr. HENDERSON. Mr. Chairman, I would like to have the bill reported again to the Committee of the Whole, so we can know what it contains. There are a good many masked batteries in some of these bills and we want them read.

The CHAIRMAN. Without objection, the Clerk will again read the bill.

The bill was again read.

Mr. HENDERSON. Now, Mr. Chairman, I would like the gentleman in charge of the bill to explain this fully to the committee, and give us a full idea of where this is to operate, and why.

Mr. FOOTE. I should like to inquire how much time the gentleman from Wisconsin has at his disposal?

Mr. PAYNE. An hour.

Mr. BABCOCK. Mr. Chairman, I am willing to agree upon the time for the discussion of the bill in Committee of the Whole.

Mr. PAYNE. Does the gentleman want his time extended beyond the hour? I suppose he has an hour.

Mr. BABCOCK. Mr. Chairman, this is a bill that has been considered not only by the Fifty-fifth, but by the Fifty-fourth Congress. It passed both Houses in the Fifty-fourth Congress, but failed to secure the signature of the President.

Mr. PAYNE. Why?

Mr. BABCOCK. I am informed that the President had not the time to give it consideration. It is a very important matter. It extends 600 feet into the District of Columbia. And further, the committee will observe by a careful consideration of the bill that the railroad company is not allowed to collect any fares. All that ride on this portion of the road ride free.

Mr. HENDERSON. That is a very suspicious circumstance. Why is that? [Laughter.]

Mr. BABCOCK. I ask for order, Mr. Chairman.

The CHAIRMAN. The committee will please be in order.

Mr. BABCOCK. This connection is made at Chevy Chase circle, and this bill permits this road to construct a track 600 feet into the District of Columbia and make a connection with the Capital Traction Company. It also permits them to build depots and other necessary buildings and improvements for the necessary operation of the road. The House Committee on the District of Columbia offered several amendments to the bill.

Mr. HENDERSON. Before the gentleman passes from that point, I would like to ask him a question. Do I understand that it is a new company that is to build this 600 feet of road?

Mr. BABCOCK. No, sir.

Mr. HENDERSON. Suppose I buy a ticket from here to Chevy Chase, does that ticket permit me to ride over this 600 feet?

Mr. BABCOCK. I think not; but the gentleman can ride over the 600 feet without buying any other additional ticket, and can ride over it without paying any fare.

Mr. HENDERSON. Is it a part of the Capital Traction Company system?

Mr. BABCOCK. No.

Mr. HENDERSON. What is it for?

Mr. BABCOCK. It is to make connection with the Glen Echo Railroad. If gentlemen would take time to read the bill, they could see what it is for.

Mr. HENDERSON. I do not see that those who read the bill are able to make it very clear to the committee. [Laughter.]

Mr. HANDY. Will the gentleman allow me a question?

Mr. BABCOCK. Yes.

Mr. HANDY. Does this 600 feet run on a public highway?

Mr. BABCOCK. I believe that it crosses a public highway.

Mr. HANDY. On whose property will it run; is it District of Columbia property now?

Mr. BABCOCK. No; oh, no. I do not think the District of Columbia owns any property out there.

Mr. HANDY. The authorization is to obtain a right of way that would require the railroad to purchase of the owners?

Mr. BABCOCK. Yes; to purchase it. One of the amendments of the House committee was, in relation to crossing highways, that they should protect their tracks, macadamize between the rails and 2 feet outside, and another amendment was offered by the House committee in line with the policy of the committee to protect the public, and to see that the Commissioners of the District have proper supervision over this railway. It also provides for the taxation of any real estate the company may have in the District of Columbia, like depots or other buildings. They are obliged to pay taxes on it, and they are not allowed to collect any fares.

Mr. PAYNE. Does the Senate amendment interfere with the rights of the gentleman from Iowa [Mr. HENDERSON] to ride over the road?

Mr. BABCOCK. I think it would.

Mr. PAYNE. Then it ought to be defeated. [Laughter.]

Mr. BABCOCK. The gentleman from Pennsylvania suggests that the bill be read again.

Mr. RICHARDSON. If the gentleman really desires to have it read, why, of course it ought to be; but it has been read twice.

Mr. BABCOCK. If the gentleman does not understand the bill, why, let it be read.

The CHAIRMAN. Unanimous consent is asked that the bill be read again. Is there objection? [After a pause.] The Chair hears none.

Mr. HENDERSON. I think you can afford to read a bill three times that proposes to allow every fellow to ride free.

The Clerk again read the bill,

Mr. BABCOCK. I yield ten minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON. Mr. Speaker, I appreciate the yielding spirit of the gentleman from Wisconsin. After having heard this bill twice read, I begin to comprehend the situation; but I think the statement in the bill is inaccurate when it says that no fare shall be charged over this extension of 600 feet. As I understand, the road running from Chevy Chase to Glen Echo is building this extension. Is that correct?

Mr. BABCOCK. That is right.

Mr. HENDERSON. Now, if I buy a ticket from Glen Echo to Chevy Chase, that ticket carries me to the terminus of the Glen Echo line, which includes the 600 feet.

Mr. BABCOCK. Yes, sir.

Mr. HENDERSON. And in buying the ticket I pay for my ride on the 600 feet as well as on the other part of the road. So that this statement that there is to be no fare charged is inaccurate. On the other hand, if I get off the Traction Company's road at Chevy Chase and buy a ticket over this liberal line to the end of the route—Cabin John, I believe they call it—I have got to pay my fare over that whole line to Cabin John.

Mr. RICHARDSON. Will the gentleman allow me a moment?

Mr. HENDERSON. I will yield the gentleman the balance of my time if he desires it.

Mr. RICHARDSON. I only want to make an inquiry.

Mr. HENDERSON. Then put your inquiry to the gentleman from Wisconsin in charge of the bill. Do not ask me any questions; I am hunting for light myself.

Mr. RICHARDSON. The gentleman has said that he thinks he would have to pay fare over the road from Glen Echo to its terminus at Chevy Chase, including the 600 feet. Now, I ask him this question: If he should get off at the District line, before reaching Chevy Chase, and then take a ride over those 600 feet in the District of Columbia, does the gentleman think he would be expected to pay for that?

Mr. HENDERSON. I would not be fool enough to get off at the District line. I would ride to the terminus, where I could get into a palatial car of the Traction Company, not into one of the rickety concerns of this Glen Echo road.

Mr. RICHARDSON. The gentleman does not answer my question.

Mr. HENDERSON. I answered the gentleman's question, including several other answers. [Laughter.]

Mr. RICHARDSON. If the gentleman, coming from Glen Echo, should get off at the intersection of the Glen Echo road with the District line, and then should take another car and ride those 600 feet to the terminus, he would not have to pay any fare for that ride. That is what the gentleman from Wisconsin meant.

Mr. HENDERSON. If I got off the cars and on again, I would expect to pay for my second ride as well as for the first.

Mr. RICHARDSON. I was supposing the gentleman would get out of his buggy.

Mr. HENDERSON. I say that this provision about free fares is simply a "blind" to carry through this bill, because this extension of 600 feet would be simply a part of the Glen Echo line, and when you pay your fare from Glen Echo to connect with the Capital Traction Company's line at Chevy Chase you pay for the whole ride on the Glen Echo road, including this 600 feet. There is no use trying to hoodwink us about this matter. If the gentleman from Wisconsin had only read and studied his own bill he would not have stuck a proposition of that kind into the bowels of it.

Mr. BABCOCK. Will the gentleman allow me——

Mr. HENDERSON. I am willing to yield the gentleman the remainder of my ten minutes.

Mr. BABCOCK. I have had this bill read twice for the benefit of the gentleman from Iowa.

Mr. HENDERSON. I have had it read once for the benefit of the gentleman from Wisconsin in charge of the bill, and with little effect, I think. [Laughter.] I begin to fear he is confusing the mind of the "Tall Sycamore" from Tennessee, a member of the committee. I think this bill ought to be recommitted, so that it may be comprehended by the committee reporting it.

Mr. BABCOCK. Did not the gentleman yield to me?

Mr. HENDERSON. I said I would yield you back the remainder of my time, and I will do so cheerfully; I hope you will make good use of it.

Mr. BABCOCK. I suppose the fact that the gentleman can ride 600 feet on a railroad free of charge is something new to him—something that never occurred to him before.

Mr. HENDERSON. I never had the sensation in all my life. [Laughter.]

Mr. BABCOCK. This bill proposes that any citizen of the District of Columbia may go out there at any time when this road is in operation, get on a car and ride those 600 feet, and come back, without paying any fare at all.

Mr. FISCHER. I would like to ask the gentleman a question.

Mr. BABCOCK. I yield to the gentleman.

Mr. FISCHER. I observe in lines 19 and 20, on page 2, the provision that "no fare shall be charged or collected within the District of Columbia." Would it not be possible for this railroad company to charge and collect fare for this distance when outside the District line? Is not the language so intended?

Mr. BABCOCK. I think if the gentleman from New York will retire to the lobby and sit down and read the bill carefully, he will fully understand it. [Laughter.]

Mr. HENDERSON. He will probably understand it more than he can from the explanations given. [Laughter.]

Mr. FISCHER. I do not suppose the gentleman intends to apply this bill, or the motives of the bill, entirely to the "lobby?" [Laughter.]

Mr. BABCOCK. Oh, no; to the whole District.

Mr. FISCHER. Then I hope the gentleman will explain this provision to the House.

Mr. BABCOCK. What provision?

Mr. FISCHER. The one to which I have referred.

I have said that under the language of this provision of the bill which says that no fares shall be charged in the District of Columbia, it will be possible to charge and collect for that same distance beyond the District, beyond the District line; and the gentleman from Iowa understands the bill as I do. That is to say, that it does not provide that they may not charge this extra amount outside of the District.

Mr. BABCOCK. Does the gentleman desire to offer an amendment to make certain the point he has in mind?

Mr. FISCHER. Certainly I do, at the proper time.

Mr. BABCOCK. Very well; present it.

Mr. CANNON. But the bill has not been read for amendment yet.

Mr. FISCHER. I assume that the chairman will not object to the amendment, or insist on consulting the "lobby," at the proper time. [Laughter.]

Mr. UNDERWOOD. I would like to ask the gentleman from Wisconsin a question.

Mr. BABCOCK. Certainly.

Mr. UNDERWOOD. I merely wish to ask whether this railroad is intended to burn coal or time? [Laughter.]

Mr. BABCOCK. I do not think the committee has investigated the motive power of it.

Mr. HENRY of Mississippi. Or the "motives" of the bill, apparently.

Mr. BABCOCK. The gentleman heard the bill read. It is an electric railway, and electricity is generated by coal or wood. Now, I do not know whether they will use the one or the other in this case.

Mr. WALKER of Massachusetts. Oh, well, you had better take a vote on the bill. You will talk it to death.

Mr. BABCOCK. I wish to make, Mr. Chairman, a parliamentary inquiry. I would like to know whether amendments are in order at this time, or not until it shall be read by paragraphs?

Mr. RICHARDSON. No; this is a Senate amendment. The bill does not have to be read by paragraphs.

Mr. BABCOCK. So I understood.

Then I yield thirty minutes to the gentleman from Kansas [Mr. BOTKIN].

Mr. BOTKIN. Mr. Chairman, it occurs to me that the people of this country, as well as the members of this committee, are interested to-day more in another question than this question of street railways. As I have occupied but little of the time of this committee or of the House during this session, I shall be glad to avail myself of the kindness of the gentleman from Wisconsin who has the bill in charge to occupy the attention of the committee for thirty minutes on the question of Cuba.

Mr. Chairman, it is impossible at this late day to add anything new to the discussion of the questions at issue between this Government and Spain. I only desire to record briefly my own convictions, and at the same time voice what I believe to be the sentiments of all patriotic Americans.

In considering the present strained relations between these Governments two distinct problems should be kept in mind, viz, the oppression of Cuban patriots and the destruction of the battle ship *Maine*. The civilized world holds the Spanish Government

responsible for both. Every consideration of humanity requires the United States to issue, without an hour's delay, an imperative command to the oppressors to quit at once and forever the Western Hemisphere, and also to demand of Spain a full and speedy reparation for the loss of our ship and its lamented crew.

From the beginning of the period of Spanish atrocities in Cuba the American people have been wrought up to a high tension of feeling and indignation. During this same period the authorities of this Government have been so dilatory as to exhaust the public patience, to satisfy the most conservative noncombatant, as well as the most craven devotee of a cold-blooded commercialism to be found in this country or in Europe, and, in the judgment of thousands, to humiliate this great Republic in the eyes of Christendom.

Those members of Congress who have criticised the dilatory methods of our Government have been applauded by all the patriotic people of this country. But they have been contemptuously styled "jingoes" by the few who know and care more for the demands of Wall street and the money kings of Europe than for the will of the American people. The latest and most violent effusion of this kind appeared on April 1 in the Hartford (Conn.) Post, a paper owned and presumably controlled by John Addison Porter, private secretary to the President. I quote a few samples of this most vicious attack that has been made upon the American Congress for a generation, simply to show the venom of at least one Spanish sympathizer in this country:

In the whole history of the Congress of the United States that body has never before reached such a depth of degradation as during the present week. Under the guise of a desire to help a people struggling for liberty, it has kept up a constant agitation for some months in favor of intervention by the United States in behalf of the Cuban insurgents. Within the last week, however, it has thrown off its cloak and shown the true character of its conduct. Its motive in agitating the Cuban question has been, not a love of liberty, not sympathy with human suffering, but simply bloodthirstiness of the most savage description. It has been crazy to fight somebody, and Spain happened unfortunately to offer a convenient target.

After a discussion of the *Maine* disaster, in which Congress is condemned without stint for its attitude upon this question, while the Spanish Government is held up as a model of fairness and good faith, this modern apologist for the unspeakable crimes in Cuba says:

It is hard to believe that savages of this sort continue to display themselves in public in this last end of the nineteenth century of Christian civilization!

And why this senseless tirade—this screed so appropriately published on All Fools' Day? Simply that Congress, knowing the record of Spanish cruelties in every country over which her flag has floated for centuries and witnessing the crowning act of her infamies—her very intoxication with the blood of hundreds of thousands of her victims in the Island of Cuba—and moved by the dictates of reason, of justice, of humanity, of Christian civilization, demands that this Government shall terminate these horrors at once, even though it may require the military power to do it. If this constitutes jingoism, then this is a nation of jingoes. If this be savagery, we are savages. If to propose assistance to patriots struggling for independence and freedom from the most fiendish system of oppression and slavery of modern times is bloodthirstiness, we are bloodthirsty.

But this defender of Spanish atrocities threatens us with defeat at the polls. We accept the gage of battle. We are ready to meet him and his few friends, the Spanish bondholders, on the hustings and at the ballot box. The American people propose that Cuba shall be free, and will relegate to eternal oblivion any member of this body who stands in the way of this cause.

In defense of the Administration's dilatory policy, this writer says:

President McKinley, as is known to those who share his counsels, had already laid out his programme, even to the fixing of the final days and dates for each stage, before Congress made the first step toward interfering with its work.

If that is true, and the President knew he should on Monday, April 4, or at the latest on Wednesday, April 6, as was promised the country, send his message to Congress declaring for independence or intervention, or both, why did he not days and weeks ago direct General Lee to remove all Americans from Cuba? This would have prevented the disappointment of, not to say the insult to, the American people by the postponement of the message last week, under the pretext that its promulgation at that time would endanger the lives of Lee and his American associates.

In closing this most un-American editorial, Congress is thus classified:

Benedict Arnold himself was not a viler traitor than these men, and their memory and his should go into history side by side, stamped with the eternal infamy of having made merchandise of their most sacred public trusts.

I hurl the charge of treason back into the teeth of the writer, whoever he is. The Benedict Arnolds of this period are those who, like the author of this insult, would sacrifice national honor, the cause of freedom, and humanity itself upon the altar of a heartless commercialism. It is proper to say that the owner of the paper disclaims all responsibility for the offensive article. In a note published in the Washington Post of April 7 concerning it he says:

So far as the article which has caused criticism is concerned, I did not write it nor see it until two days after its publication, at which time I promptly sent a telegram to the managing editor of the Post, expressing disavowal and regret at the exaggerated tone of the article, and cautioning the editor to be more careful in the future.

And yet his paper of March 30 and of March 31 contained editorials on the same line of denunciation of Congress, and scarcely less bitter than that which he has felt called upon to apologize for. Further still, I am credibly informed that Mr. Porter, in a personal interview with well-known gentlemen, has admitted that while he did not write the offensive editorial, and that it was not diplomatically prepared, he did inspire its spirit.

In an editorial bitterly criticising Congress, Mr. Porter's paper, in its issue of March 30, said:

Our dispatches to-day show the lines on which the negotiations are speeding. It is asserted from Washington that Spain has consented to the following settlement of the troubles in Cuba:

1. Spain to recognize the independence of Cuba.
2. Cuba to pay Spain $200,000,000.
3. An armistice to be declared, during which the Spanish forces are to be withdrawn from Havana.
4. The reconcentrados to be fed, supplied with clothing, farming tools, and seeds by the United States and returned to their farms.

"This," says the writer, "is a consummation to be proud of."

On the contrary, it is a policy that will condemn its advocates to a just political oblivion in any and every State in this glorious Union. But it must be confessed that the people fear this to be the policy determined upon by the present Administration and enshrouded in secrecy to this hour.

In this connection the country should know that Congress has been flooded for several days with telegrams from men representing so-called business interests asking us to support the Administration in its Cuban policy, whatever that is; that these telegrams were inspired by messages sent out from Washington; and that one of the most notable of these inspiring messages was one sent by John Addison Porter.

This is simply a part of the game being played by and for the bond syndicates of the world—men who are determined that the unspeakable murder and misery in Cuba shall not be interfered with by this Government until they have perfected their arrangements for the perpetual bond slavery of that people. To show the death grip which the money power has upon the governments of the world, and how they control and use these governments to further their own mercenary interests, I quote from a letter in the St. Louis Globe-Democrat of March 21, 1898, from its regular Washington correspondent:

"There will be no war," the American representative of the Rothschilds said in New York on Friday. He spoke with confidence which knowledge of the influences at work inspired. For two weeks the moneyed interests of the world have been quietly crowding Spain. They have negatived her appeals for loans. They have closed the ear of European courts to her advances for alliances.

It remains to be seen whether or not this Government, like those of Europe, is to continue under the domination of the Rothschilds and their agents.

Mr. Chairman, the American people well know that for about three years the most brutal warfare that disgraces the annals of time has been waged by Spain against her Cuban subjects. If our forefathers were justifiable in resisting oppressive taxation without representation, the Cuban patriots are engaged in the most holy struggle for freedom the world has ever witnessed. For three long years they have contended against great odds. Their homes have been destroyed; their old men have been wantonly murdered; mere boys have been shot down for utterances of patriotism; prisoners of war have been butchered; fair young women have been ravished by the inhuman Spanish soldiery; mothers and children and others equally helpless and innocent have been herded together by thousands, without food, clothing, or shelter, to die under the slow torture of starvation. And all this at our very door and under our eye.

We have heard much of the "unspeakable Turk" and his atrocities in fair Armenia. But I demand that our authorities shall consider the "unspeakable Spaniard" and his greater atrocities in Cuba, the gem of the southern sea. For three long years these revolting barbarities have been practiced by Spain. And yet this great Republic, the home of freedom and justice, has made no effort to bring them to a conclusion.

Saul of Tarsus stood by and held the garments of the murderers who stoned St. Stephen to death, thereby consenting to the awful crime. This Government is the modern Saul of Tarsus. From the highest official of this nation, and therefore of the world, has come no word of encouragement and assurance to those patriots in their unequal struggle for liberty. On the contrary, while admitting in message and otherwise the inhumanities of the Spanish people and the unparalleled miseries of the Cubans, this same high official has on different occasions spoken soft and honeyed words to and of the Government of Spain, expressive of high regard and confidential relations.

Mr. Chairman, the sympathy of the American people for the Cuban patriots and their horror and indignation toward the Spanish Government for its unutterable cruelties are not of recent

origin. I desire to point out three facts of history that reflected public sentiment upon this question two years ago:

1. The extended and fervent discussion of Spanish atrocities and of Cuban independence by members of both branches of the Fifty-fourth Congress. There were no party lines. Sherman, of Ohio, and MORGAN, of Alabama, and ALLEN, of Nebraska, were among the leaders in the Senate favoring prompt and decisive action on the part of this Government. HITT, of Illinois, and the leading members of the House of all political faiths were no less emphatic for the Cuban cause. PROCTOR, GALLINGER, THURSTON, and other gentlemen whose statements so recently aroused the indignation of this country have added no material facts concerning Spanish cruelties to those that were given to the country two years ago by members of both Houses of Congress.

These later statements of the case were given, it is true, from personal observation, which adds interest and weight. Is it claimed that conditions are improved since Blanco superceded Butcher Weyler, and that this is a reasonable excuse for recent delays on the part of this Government? I reply that the observations of PROCTOR, GALLINGER, and THURSTON were made under Blanco's reign, and not under Weyler's.

I repeat that the speeches in the two Houses in February and March, 1896, that have not since been surpassed in ability and intensity, reflected the almost universal sentiment of Congress and the country at that time.

2. The resolutions adopted by Congress and the votes by which they were adopted reflected the sentiment of the people through their representatives. On February 5, 1896, Senator MORGAN, of Alabama, from the Committee on Foreign Relations, reported the following concurrent resolution:

Resolved by the Senate (the House of Representatives concurring), That, in the opinion of Congress, a condition of public war exists between the Government of Spain and the government proclaimed and for some time maintained by force of arms by the people of Cuba; and that the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

On February 28, 1896, Senator Cameron offered as an addition the following amendment:

Resolved further, That the friendly offices of the United States should be offered by the President to the Spanish Government for the recognition of the independence of Cuba.

Thus amended the resolution passed the Senate on the last-named date by a vote of 64 yeas, 6 nays, 19 not voting.

On March 2, 1896, Mr. HITT, of Illinois, chairman of the House Committee on Foreign Affairs, submitted the following resolution as a substitute for the Senate resolution:

Resolved, That in the opinion of Congress a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

Resolved, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest equally in the interest of Spain, the people of Cuba, and other nations would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

Resolved, That the United States has not intervened in struggles between any European governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of our citizens, by intervention if necessary.

This was adopted by a vote of 262 yeas, 17 nays, 76 not voting. The matter went into conference, and on April 6, 1896, the House agreed to the Senate resolution as adopted by that body on February 28. The final vote in the House stands—yeas 247, nays 27, not voting 80. All these votes were free from party bias, and represented the overwhelming sentiment of Congress and of the country on the Cuban question.

3. Lastly, I desire to introduce the platform utterances of the various political parties in their national conventions of 1896, as reflecting the sentiment of the country at that time. The Republican platform says:

From the hour of achieving their independence the people of the United States have regarded with sympathy the struggles of other American peoples to free themselves from European domination. We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty. The Government of Spain having lost control of Cuba and being unable to protect the property or lives of resident American citizens or to comply with the treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

Mr. BRUCKER. That platform was made to get in on, was it not?

Mr. BOTKIN. Yes; and no party dared go before the country at that time with a milder statement of the Cuban question.

The Democratic platform says:

The Monroe doctrine as originally declared, and as interpreted by our leading Presidents, is a permanent part of the foreign policy of the United States, and must at all times be maintained. We extend our sympathy to the people of Cuba in their heroic struggle for liberty and independence.

The Populist platform says:

We tender to the patriotic people of Cuba our deepest sympathy in their heroic struggle for political freedom and independence, and we believe the time has come when the United States, the great Republic of the world, should recognize that Cuba is, and of right ought to be, a free and independent state.

Thus the three leading parties of the country, representing almost the entire population, are practically a unit in their latest official deliverances upon this most burning question just now before the American people. And yet two years have dragged heavily by since these patriotic utterances were read by a delighted public. They have been two years of blood and carnage; two years of nameless atrocities practiced upon the innocent and helpless portion of the Cuban population; two years of waiting and vacillation on the part of our Government; two years of our quiet consent to these butcheries. And during these awful years two American Presidents have been brought under the grave suspicion of the American people as being under the powerful influence of bond syndicates, and as being controlled more by commercial considerations than by the interests of humanity and the cause of freedom.

The country had a right to believe that the new Administration would, without unnecessary delay, formulate and prosecute a vigorous American policy upon the Spanish-Cuban question. Accordingly, Mr. MORGAN, of Alabama, introduced into the Senate, on the 1st day of April, 1897, the resolution that had passed both Houses by overwhelming majorities—the Senate on February 28, 1896, and the House on April 6, 1896. The final vote was had upon this resolution on May 20, 1897, as follows: Yeas 41, nays 14, not voting 33. Party lines were again ignored, it being a question of patriotism and not of partyism.

During the extraordinary session repeated efforts were made by the minority side of the House to secure a consideration of this resolution, which is confessedly a very mild expression of public sentiment. But some strange spell had fallen upon the majority. Strong men who but one short year before had portrayed upon this floor in glowing colors the awful crimes committed in Cuba by the Spanish armies, and had vehemently advocated Cuban independence, now staggered at belligerency, urged moderation, and pleaded for more time to ascertain the true state of affairs in Cuba. For this purpose the President sent a trusted personal friend as his special agent to make an official investigation, promising, in a semiofficial way at least, that should the report of this gentleman corroborate the published statements of the horrible conditions in Cuba, the Administration would, without unnecessary delay, announce and enforce a vigorous policy, such as would meet the approval of Congress and the country.

The people remember that upon Mr. Calhoun's return he reported conditions even worse than had previously been described. Every man on this side of the Chamber and scores on that side were eager to vote for armed intervention and for Cuban independence. But some mysterious influence, potent until this hour, had fallen upon the Speaker of this House and upon his majority that forced them to turn a deaf ear to the entreaties of the minority, to the demands of the country, and to the piteous wails of starving victims of Spanish cruelty.

In the meantime the awful tragedy continued. Under Spanish authority our Chief Executive was maligned, our flag insulted, and American citizens in Cuba were despoiled of liberty and of life. And finally, as if to crown all their other infamies, the Spanish Government, under the guise of friendship, lured to its place of destruction the noble battle ship *Maine*, which, with 266 of as brave seamen as ever sailed under the Stars and Stripes, went to the bottom of the sea through Spanish treachery and diabolism.

The American people know that our ship and men were destroyed in Spanish waters; that the explosion was external; that the submarine mines and torpedoes belonged to Spain and were placed there under Spanish authority; that none but agents of the Spanish Government could have known the exact location of those engines of death, or the combinations by which they could be exploded. With these facts before them, I believe the American people will repudiate that portion of the President's message relating to the report of the court of inquiry on the *Maine* disaster in which he says:

I do not permit myself to doubt that the sense of justice of the Spanish nation will dictate a course of action suggested by honor and the friendly relations of the two governments.

I also believe they will repudiate the policy of the message delivered yesterday.

Mr. Chairman, the opinion held by the American people a year ago that this Government should at once accord belligerent rights to Cuba has grown into an unyielding conviction that had it done so then, thousands of Cubans now dead would be alive; that the country would now be on the road to a happy and prosperous condition; the battle ship *Maine*, the pride of the nation, with her gallant crew, would now be resting peacefully upon the bosom of the deep; the war clouds now pregnant with wrathful storm would

long since have been dispersed and driven from the sky, and the honor of our flag would have been preserved in the eyes of our own citizens and of all the world. [Applause.]

The American people will brook no further delay in dealing with this question. They demand speedy and adequate reparation for the loss of our battle ship and its crew. They demand absolute freedom and independence for the Cuban people. They demand that a people who have poured out rivers of blood for independence and freedom shall neither be required nor permitted to pay in addition thereto a single dollar in cash, or in bond either, as an indemnity or as an annual tribute to the Spanish Government or to any mercenary bond syndicate on earth. That public servant who consents to any other kind of settlement of this question than the unconditional surrender of Cuba to those suffering patriots must settle with the American people at the polls. [Applause.]

In conclusion, permit me to say that on general principles I am opposed to war; but I am ready and eager to support any measure that may be proposed by the Administration looking to the immediate relief of the Cuban patriots and to a just indemnity for the loss of the *Maine* and her lamented crew. War is a deplorable method of settling national disputes, but we deal with a barbarous nation. I long for the incoming of that era, foretold by the old Hebrew prophet three thousand years ago, when the world's swords shall be beaten into plowshares and its spears into pruning hooks; when nation shall not lift up sword against nation, neither shall they learn war any more.

But the opening day of that glorious period has not yet dawned. The Prince of Peace has not yet established His kingdom in all human hearts. Nor will He, in my judgment, until this cruel nation shall have been blotted off the map. I do not believe a government can commit the crimes that Spain has committed in Cuba and escape just and awful retribution. If it is God's order that retributive justice shall be meted out to her through the instrumentality of this Government, I voice the universal sentiment of Kansas and of the country when I say, All hail the task! [Applause.]

Mr. JENKINS. I yield thirty minutes to the gentleman from Nebraska [Mr. GREENE].

[Mr. GREENE addressed the committee. See Appendix.]

Mr. HARTMAN. Mr. Chairman, a few days ago I commenced the reading of a platform for the Republican party in 1900. [Applause and laughter.] There was a slight indisposition on the part of the House to the completion of the reading of that document. Indeed, it was ruled out of order. I could not understand why, for we had a naval appropriation bill under consideration, and my platform dealt with the great Republican ship. It went to the construction of the vessel. It took its history from the port in which it was originally launched clear through to its ultimate destination, and paid especial attention to the great master of the vessel itself. However, as I always bow to the rules of the House, I acquiesced in that decision, and am now prepared to present the few remaining planks of that platform. On that occasion I presented the following:

Mr. Chairman, it will be observed by every gentleman who does me the honor of listening to my remarks that the platform which I am about to present to be adopted by the Republican party at its convention in 1900 is an exact and accurate reflection of Republican sentiment, Republican thought, and Republican purpose, as evidenced by the Republican papers and by the gentlemen who represent that party upon this floor and elsewhere. This is the platform:

"In obedience to the instructions of those who dictate the policies and control the actions of the Republican party, we, their representatives and delegates in national convention assembled, renew our declared allegiance to their interests, our acquiescence in their wishes, and our eternal fidelity to their commands.

"We cordially indorse the Administration of our great leader, MARCUS AURELIUS HANNA, President de facto of the Republic, which has so sacredly kept faith with the trusts and corporations by generously reimbursing them with legislative and executive favors for the enormous sums so liberally and patriotically contributed by them to the Republican party in the campaign of 1896 to 'preserve the honor and integrity of the nation.'

"We specifically condemn the platform of the Republican national conventions of 1888 and 1892 in opposition to 'all combinations of capital organized in trusts or otherwise to control arbitrarily the condition of trade among our citizens.'

"We heartily commend the Republican national convention which met at St. Louis in 1896 in declining to condemn or criticise trusts, and we hereby declare it to be the present and future policy of the Republican party to foster and encourage trusts, to the end that further and greater contributions may be secured with which to enable us to 'purify the ballot' and 'preserve the honor and integrity of the nation.'

"The Republican party is unreservedly for 'sound money.' We said so in 1896, but most of us did not know what we meant by it then. But the bondholders, creditors, and bankers, who know all about the science of money, have told us that we meant the gold standard, greenback retirement, and bank issue and control of paper money. We therefore, recognizing their intellectual and moral superiority, declare our complete and abiding confidence in their wisdom and unselfish patriotism, and cheerfully obey their orders, announce our perpetual loyalty to the plan of the Secretary of the Treasury to 'commit the country more thoroughly to the gold standard,' retire the greenbacks and Treasury notes, and give to the banks the exclusive right to issue or refuse to issue paper money to enable the people to transact their business; and we further solemnly declare that any man who dares question the infallibility or perfection of this financial policy is an 'anarchist,' a 'repudiationist,' and personally 'dishonest' and 'corrupt.'

"In unmeasured terms we express our utter detestation and disgust with the Republican national conventions of 1888 and 1892 for the 'wild-eyed,' 'long-haired,' 'anarchistic,' 'Populistic,' 'socialistic,' 'communistic' language contained therein, as follows:

"'The Republican party is in favor of the use of both gold and silver as money and condemns the policy of the Democratic Administration in its efforts to demonetize silver.'—*Platform 1888.*

"'The American people from tradition and interest favor bimetallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity of values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold, or paper, shall be at all times equal.'—*Platform 1892.*

"We would use harsher language in denouncing this blatant nonsense of these two Republican conventions were it not that one William McKinley, who is supposed by some ill-informed people to be President of the United States, was chairman of the platform committee of the convention of 1888 and permanent chairman of the convention of 1892, and we do not desire to seriously embarrass him. We further declare that the Republican party has not changed its platform or faith on the financial question, and anybody that says that it has is a 'liar,' a 'footpad,' and a 'border ruffian.'

"With our faces turned toward Wall street, from whence all blessings flow, for support and sustenance, we solemnly declare that when the Republican convention at Minneapolis asserted that 'the American people, from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money,' it meant to declare unequivocally for gold alone as 'standard money,' and any man who does not understand it that way is a 'lunatic and ought to be confined in an asylum.'

"We indorse the lofty and patriotic sentiment expressed so eloquently by our distinguished ally, Hon. John M. Palmer, in the campaign of 1896, to the effect that he would rather live in a monarchy than in a republic where the principles of the Chicago platform prevailed."

I will now complete the reading of that platform:

Following the instructions of those who dictate our policies, control our conventions, and manage our Administration, we bow in worshipful adoration at the feet of Grover the Fat—

[Laughter]—

him who gave us wisdom and an honest financial policy, conservatism, and our foreign policy; who taught us the patriotic and unselfish lesson that the rights of property are more sacred than the rights of men; that "money" ought to be "the master; everything else the servant." As an official evidence of our profound reverence for him, we shall write his name on the roll of honor of our party, second only to our other sainted hero, MARCUS AURELIUS HANNA.

[Laughter on the Democratic side.]

We view with serious apprehension the growing disposition of the American people to investigate public questions for themselves. We believe that every true and loyal Republican will confidingly leave to our wise, prudent, and magnanimous master, the de facto President, and his philanthropic coadjutors, who furnish the party both its money and its money policy, the entire solution of all problems of State. It is our solemn conviction that the people of the United States have not sufficient intelligence to understand the science of money, and in view of the fact that the great bankers, bondholders, and gold brokers of the world have generously, considerately, and patriotically offered to come to our rescue and manage the finances of the Government, and issue or refuse to issue money with which to conduct the business of our citizens, as in their judgment is advisable, we therefore recommend that their offer be accepted, and that the heartfelt thanks of the American people be extended to them as the saviors "of the nation's honor."

[Laughter and applause on the Democratic side.]

The propagation of ideas antagonistic to a constantly appreciating money standard, or any investigation which questions the infallibility of the gold standard by professors of economics in our educational institutions is greatly to be deplored.

Every such professor should be given to understand that his salary is dependent upon his teaching the doctrine of the gold standard, "the standard of the most enlightened nations of the earth."

Such professors should be ordered to inculcate into the minds of their pupils the idea that an "honest dollar is a dollar of the highest purchasing power," a "dear dollar," and that a "dear" dollar means low prices for everything measured by or exchanged against that dollar, and that by receiving low prices for what he has to sell the debtor may more easily discharge his debt and the producer of wealth receive more for his products.

These professors must thoroughly understand that men of fabulous wealth who liberally endow our colleges and universities claim and have the right to have taught within their walls the policies and systems through which they acquired their great riches.

The Republican party is in favor of "dear" dollars and plenty of them. "Scarce" dollars are "dear" dollars. Therefore we are unreservedly in favor of "scarce" dollars and plenty of them.

[Laughter and applause on the Democratic side.]

The Republican party, under the direction of its great commander, while declaring its undying devotion to the personal liberty of the citizen and its determination to accord to the "common people" all rights and privileges with which they may be safely intrusted, hereby announces as a fundamental tenet of its faith that no new States shall be admitted into the Union, except upon the express condition inserted in the act of admission that their Senators and Representatives to the National Congress shall, in addition to the usual oath, "solemnly swear to support the gold standard, greenback retirement, bank issue and control of paper money, all legislation favorable to corporations and trusts, and to vote upon such other measures for the 'preservation of the honor and integrity of the nation' as may come before Congress in the manner directed by our great and good master, MARCUS AURELIUS HANNA, his successors and assigns."

[Laughter on the Democratic side.]

While our great and good commander graciously informs us that we were sorely shocked and grieved at the barbarities perpetrated by the Spanish soldires against the Cuban patriots in their struggle for liberty, resulting in the butchery or starvation of hundreds of thousands of men, women, and children, yet he gives us the comforting assurance by way of complete exoneration of his Administration for permitting the long continuance of these atrocities, that the victims were nearly all from the poorer classes, and it is doubted if this depletion of their ranks is seriously to be regretted.

[Applause on the Democratic side.]

Our affectionate master further comforts us with the knowledge that by refraining from prohibiting the slaughter and starvation of these thousands

of poverty-stricken wretches he preserved from a severe shock the refined and tender sensibilities of the very best and noblest class of the citizens of the world—the holders of the Spanish bonds.

When we contemplate the serious injury which would be sustained by them in the depreciation of their bonds as the result of intervention, our very souls revolt and we count as naught the destruction of a few hundred thousand lives of penniless wretches and the perpetual enslavement of those who survive.

We therefore congratulate our greatly cherished commander upon the wise, generous, and humane policy applied to the Cuban troubles, which found its warrant in the sacred motto of the party, "Money the master; everything else the servant."

The gathered wisdom of the ages having found secure lodgment in the sacred skulls of our dearly beloved leader and his self-anointed cosaviors "of the country's honor," they have discovered and, through us their humble and obedient servants, now announce to the world the important scientific truth that in their deliberate, enlightened, refined, and lofty judgment there are too many people in the world, especially too many poor people.

Mr. LENTZ. An overproduction.

Mr. HARTMAN (reading)—

While this new application of the theory of overproduction to population is not fully understood by the common people, it has stood the test of some of the gigantic intellects of our economists that have been especially employed and liberally paid to teach the doctrine of the gold standard, and we therefore confidently incorporate it in this platform with the following axiomatic utterances of the party:

1. The overproduction of wealth causes poverty.

2. The reason there is hunger and starvation among the people is that there is too much food produced for them to eat.

3. Men, women, and children are naked and ragged because there are too many clothes for them to wear.

4. The extraordinarily large production of coal and other fuel is the cause of so many people suffering from the biting cold of winter. If there were less produced, everybody would have more to burn.

[Laughter on the Democratic side.]

5. The overproduction of people is responsible for the decreased demand for all things used or consumed by man.

We extend our sincere congratulations to William McKinley for his successful deception of the American people, by promising in his letter of acceptance to "keep in circulation and as good as gold all the silver and paper money which are now included in the currency of the country."

The making of this promise by Candidate McKinley undoubtedly was justified by the exigencies of the occasion, for without it and other cunning, deceptive devices and the liberal and judicious expenditure of vast sums of money to "purify the ballot" and "elevate American manhood," the American people would have indorsed the "dishonest," "anarchistic," "communistic," "socialistic," "Populistic," "un-American," "unpatriotic," "revolutionary," and "unholy" Chicago platform, the principles of which, if adopted, would wrest this Government from the control of our great and good master, MARCUS AURELIUS HANNA, and his fellow-guardians of the "nation's honor," and transfer that power to the common people, who are utterly unfit to be trusted with the grave responsibilities of self-government.

We therefore commend in unqualified terms the making of that promise by Mr. McKinley, and we solemnly declare that the deliberate violation of that promise by the man who made it and our unqualified approval of such violation is complete and irrefutable proof—

First. Of the immaculate integrity of the Republican party; and

Second. That the 6,500,000 citizens who voted against Mr. McKinley at the election of 1896 are, as we have often declared before, "anarchists," "repudiationists," "communists," "socialists," "Populists," "agitators," "demagogues," "idiots," "lunatics," "addle-pated fools," "border ruffians," and "common blackguards."

[Laughter and applause on the Democratic side.]

To the end that perfect propriety and consistency may be maintained, we recommend that the votes of William McKinley in favor of bimetallism, when he was a member of the House of Representatives, and his numerous speeches in support thereof, be obliterated from the public records, and that any citizen of the Republic who hereafter reads, recites, or prints any speech or speeches of the aforesaid McKinley favoring bimetallism shall be banished from the realm.

[Laughter on the Democratic side.]

Realizing as we do that in the earlier history of our party the men who shaped, molded, and declared its opinions were usually rough, uncouth, undignified, illiterate, and unrefined we charitably overlook many of their blunders. Could they have had the benefit of association with the superior refinement, intelligence, and patriotism of Wall street and Lombard street, which now dictate the policies of the Republican party, we are confident that no wild-eyed and ridiculous declarations adverse to the gold standard would have found a place in any platform of that party. But while we can excuse some of their blunders, we believe it to be our duty as the self-constituted guardians of the "honor and integrity of the nation" to specifically repudiate and denounce as "anarchistic," as "un-American," as "unpatriotic," and as "destructive of the confidence in the Government" of the men who possess all the wealth, and consequently all the wisdom of the country, the plank in the Republican platform of 1860 against unwarranted Federal interference with State affairs, and the other plank which vulgarly referred to a decision of the Supreme Court as a "perversion of judicial power."

We find similar sentiments to these in the Chicago platform of 1896 and we unhesitatingly assert that no law-abiding, patriotic citizen can be found in the limits or history of the Republic, so lost to all sense of propriety as to indorse these "un-American" and "revolutionary sentiments." If we could think that Abraham Lincoln, who was elected President upon the platform containing these planks, and who specifically indorsed them in his message to Congress, understood their meaning, we would feel it our solemn duty in pursuance of our decision to regulate the morals, the money, and the men of the country, to condemn him; but he was only a "backwoods statesman," and did not know any better.

[Laughter and applause on the Democratic side.]

He had not had the advantage of associations with the superior intelligence, integrity, and patriotism which have controlled the Republican party since 1896, and out of consideration for the fact that there is still some sentiment in the country of a lingering respect for his name we will omit a specific denunciation of him and confine ourselves to branding as "anarchistic," "unpatriotic," "treasonable," and as the vaporings of a diseased mind his public utterances which follow:

* * * "And more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

"'*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend; and we denounce the lawless invasion, by armed force, of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.'

"I now reiterate these sentiments, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible that the property, peace, and security of no section are to be in anywise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given will be cheerfully given to all the States when lawfully demanded, for whatever cause, as cheerfully to one section as to another.

"If a government contracts a debt with a certain amount of money in circulation, and then contracts the volume before the debt is paid, it is the most heinous crime that a government can commit against the people.

"In my present position I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism.

"It is not needed nor fitting here that a general argument should be made in favor of popular institutions, but there is one point, with its connections, not so hackneyed as most others, to which I ask a brief attention. It is the effort to place capital on an equal footing with, if not above, labor in the structure of government. It is assumed that labor is available only in connection with capital; that nobody labors unless somebody else owning capital somehow by the use of it induces him to labor. This assumed, it is next considered whether it is best that capital shall hire laborers, and thus induce them to work by their own consent, or buy them and drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either hired laborers or what we call slaves. And further, it is assumed that whoever is once a hired laborer is fixed in that condition for life.

"Now, there is no such relation between capital and labor as assumed, nor is there any such thing as a freeman being fixed for life in the condition of a hired laborer. Both these assumptions are false and all inferences from them are groundless.

"Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration.

* * * * * * *

"No men living are more worthy to be trusted than those who toil up from poverty; none less inclined to take or touch aught which they have not honestly earned. Let them beware of surrendering a political power which they already possess, and which if surrendered will surely be used to close the door of advancement against such as they and to fix new disabilities and burdens upon them till all of liberty shall be lost."—*Message*, December 3, 1861.

However, the Republican party, in pursuance of its purpose to stamp out all such anarchistic utterances as were pronounced and indorsed by Mr. Lincoln, here and now declares that no American citizen has the right to criticise, question, or attempt to have revised, by motion for a rehearing or otherwise, any decision of the Supreme Court of the United States, and any citizen who attempts to criticise or discuss the infallibility of the Supreme Court decisions will be branded by the gold-standard press of the country, which is under the command of the Republican party, as an anarchist, as a footpad, as a socialist, as a communist, as a robber, and as an enemy of his country; and if this does not cause him to desist, then we will invoke the power of the courts to enjoin him.

[Laughter and applause on the Democratic side.]

We declare as our deliberate judgment that no honest, peaceful, patriotic, law-abiding citizen of the Republic will ever criticise or question the righteousness of a decision of the Supreme Court of the United States.

It is with feelings akin to horror that we read the monstrous Populistic doctrine announced by the Supreme Court of the United States in the Trans-Missouri Traffic Association cases. How it can be possible that men so feeble intellectually and so degraded morally could find their way upon the Supreme Bench, there to tamper with and strike down the sacred rights of property, is a proposition almost beyond our stupendous comprehension. Had this decision been rendered by a lot of blear-eyed Populists or addle-pated silver lunatics, we should not have been surprised; but, coming from the Supreme Court of the United States, there was no justification for it, and we denounce it and the court that rendered it in unmeasured terms.

We express our entire confidence in and our satisfaction with the great tariff bill of the Republican party, known as the Dingley bill. Through its far-reaching effects, amplified by the efficient aid of the gold standard, the crops of India, Argentina, Switzerland, and France were blighted.

[Laughter and applause on the Democratic side.]

Eight million of the ignorant inhabitants of India died from starvation, and as a result of this beneficent legislation the American farmer obtained nearly one-half as much for his crop as he would have received under the bimetallic system.

[Laughter on the Democratic side.]

The mysterious but far-reaching effects of this bill were felt in Australia two years before the bill was passed.

[Laughter.]

The very anticipation of its passage caused a drought in the years 1895 and 1896, and as a result thereof 34,000,000 sheep died or were slaughtered because of the shortage of food, which shortage was directly traceable to the anticipated passage of the Dingley bill. Thirty-four million sheep and the wool sheared from them in Australia taken out of the competitive markets of the world, the American sheep grower received a higher price for his product than at any time since the Republican party helped Grover Cleveland repeal the purchasing clause of the Sherman law and bring prosperity to the land. We therefore confidently claim that the Dingley bill and the gold standard are wholly responsible for the increase in the price of wheat and for the increase in the price of wool.

We are not sure that we are entirely gratified at the rise in price of these two articles, for we solemnly promised the American wage-earner that by the election of McKinley and under the gold standard the price of these articles would come down, so that he could buy more of them with the wages paid him for his day's labor. In view of the fact, however, that we also promised the farmers of the United States that the election of McKinley and the gold standard would make the men who bought their products have to pay a higher price for them, we here and now declare our gratification at the rise in the price of wheat and wool caused by the Dingley bill and the gold standard, and respectfully request that this plank in the platform shall not be read by the wage-earners of the country.

[Laughter and applause on the Democratic side.].

We specifically disavow and disclaim all party responsibility for the following utterances made by the gentleman who now draws the salary of the

Chief Executive of this nation. We do this for the reason that in our solemn, enlightened, patriotic, and sanctified judgment the sentiments therein contained are "anarchistic," "populistic," "socialistic," "communistic," and destructive of the peace of mind of the possessors of wealth, and consequently directly antagonistic to the highest, noblest, and most patriotic class of our citizens. The following is the language condemned. Speaking of Cleveland's policy, Mr. McKinley said:

"During all of his years at the head of the Government he was dishonoring one of our precious metals, one of our own great products, discrediting silver and enhancing the price of gold. He endeavored, even before his inauguration to office, to stop the coinage of silver dollars, and afterwards, and to the end of his Administration, persistently used his power to that end. He was determined to contract the circulating medium and demonetize one of the coins of commerce, limit the volume of money among the people, make money scarce, and therefore dear. He would have increased the value of money and diminished the value of everything else—money the master, everything else the servant. He was not thinking of the 'poor' then. He had left 'their side.' He was not 'standing forth in their defense.' Cheap coats, cheap labor, and dear money; the sponsor and promoter of these professing to stand guard over the poor and lowly. Was there ever more glaring inconsistency or reckless assumption? He believes that poverty is a blessing to be promoted and encouraged, and that a shrinkage in the value of everything but money is a national benediction."—*Speech of William McKinley, Akron, Ohio*, 1891.

It is our deliberate judgment, based upon the opinion of our legal advisers, who have been amply recompensed for their services, that the only constitutional and lawful standard of value is gold; that any attempt to displace that standard and establish a new one is an act of treason to the State, a violation of the sacred honor of the country, and an act of gross repudiation. We recognize that it is true that some irresponsible and unpatriotic citizens in times past have expressed opinions contrary to this. But we know the value of the opinion that we have announced, for our master has bought it and paid for it, and there is but one test of merit in the crucible of our faith—What is the price?

In 1836, one Daniel Webster, a poor poverty-stricken wretch who achieved some little notoriety in the country, gave utterance to this language:

"I am clearly of the opinion that gold and silver, at rates fixed by Congress, constitute the legal standard of value in this country, and that neither Congress nor any State has authority to establish any other standard or to displace this standard."

Everyone who is familiar with the history of Daniel Webster knows that he had no money, and therefore his opinion upon this question is of no value, and any man who quotes it with respect or reverence is a lunatic and a gibbering idiot.

[Laughter and applause on the Democratic side.]

It is with great regret that we, the Republican party, in this year 1900, in national convention assembled, are called upon to purge the pages of history of so many unpatriotic and senseless utterances of men who at one time stood high in the councils of our party; but solemn duty demands heroic action, and we here and now denounce the following language from the lips of James G. Blaine in 1878, as the irresponsible driveling of an imbecile:

"I believe gold and silver coin to be the money of the Constitution. No power was conferred on Congress to declare either metal should not be money. Congress has, in my judgment, no power to demonetize silver any more than to demonetize gold."

[Applause on the Democratic side.]

"I believe the struggle now going on in this country and in other countries for a single gold standard would, if successful, produce disaster in and throughout the commercial world. The destruction of silver as money and the establishment of gold as the sole unit of value must have a ruinous effect on all forms of property except those investments which yield a fixed return in money. These would be enormously enhanced in value, and would gain a disproportionate and therefore unfair advantage over every other species of property. If, as the most reliable statistics affirm, there are nearly seven thousand millions of coin or bullion in the world not very unequally divided between gold and silver, it is impossible to strike silver out of existence as money without results which will prove distressing to millions and utterly disastrous to tens of thousands." (United States Senate, February 7, 1878.)

And we recommend to the Republicans of the United States the obliteration of Mr. Blaine's name from the roll of honor of our party and the substitution in lieu thereof of "our right trusty and well-beloved counselor," John G. Carlisle, who recanted all previous utterances of a similar character, and now, under the inspiration of a liberal salary, is one of our saints, solemnly pledged "to maintain the honor and integrity of the nation."

It was our determined purpose in announcing this code of high principles for the Republican party to specifically repudiate and condemn by name all Republicans who in the past have expressed their opposition to the present policies of the Republican party, which are intended to perpetually maintain the gold standard, favor greenback retirement and bank issue and control of all paper money used by the people, and to foster and sustain trusts. But the task was greater than we anticipated.

We found that their name was legion, and that to carry out that purpose would have involved most of the illustrious names of the party's past history and many of the present. We therefore content ourselves with implicit obedience to the orders of our master and denounce as "un-American," "un-Republican," "unpatriotic," "anarchistic," "populistic," "dishonest," "treasonable to the state," and as a "direct assault upon the national honor" every speech and vote ever uttered or cast by every misguided member of the Republican party against the gold standard or antagonistic to the interests of trusts.

We offer unstinted praise to the managers of the Republican party in the House of Registers of the Fifty-fifth Congress for their active and efficient opposition to the free-home bill specifically indorsed by the Republican national platform of 1896. The repudiation of the party pledges in this regard were both timely and highly honorable, for the probable rapid growth and development of the Western States through the further extension of the free-home policy carries with it a serious menace to the purposes of the Republican party by giving greater power to those sections of the Union so aptly and appropriately designated by Grover Cleveland, the great financial oracle of our party, as "corrupt municipalities" and "undesirable States."

We congratulate our able and cunning master upon the skill with which he has kept our opponents divided. We applaud his wisdom in so artfully expending money as to induce our opponents to slay their leaders one by one as they come to prominence in the ranks of bimetallism, and we laud his determination to keep Democrats, Populists, and Silver Republicans apart so long as there is one man in their ranks who through fear, favor, or avarice can be induced to give the "Judas kiss." And we hail as his best servants those Democrats, Populists, or Silver Republicans who have aided in achieving his highest and holiest purposes by refusing to unite the overwhelming ranks of the opposition against us. We can always defeat the people so long as we can keep the people divided. Let our motto be, "Our disunited opponents are their own executioners."

We extend our heartfelt congratulations to Edward Lauterbach, chairman of the Republican committee of New York, for the patriotic sentiments expressed by him in the campaign of 1896 in the following language:

"You are fighting to-day for just as important a principle as did those brave men in 1861. But it is a bloodless fight. No blood will be shed, at least, not yet; but if they attempt to subvert your Supreme Court, if they should succeed by any chance in foisting upon you those horrible doctrines—anarchistic, socialistic, and communistic—which that platform adopted by this Populistic brood contains, we may not abide by that decision."

These inspired words uttered by the distinguished representative of the gold standard and trusts clearly indicate the right of those who advocate the sacred tenets of our faith to refuse to abide by the rule of the majority when such rule is against them, and this sentiment meets with the unqualified approval of our master.

We commend to the youth of the land, as an example worthy of their emulation, the public character and record of our beloved and honored ruler, MARCUS AURELIUS HANNA. We point with pride and gratification to the generous and unstinted expenditure of the campaign funds patriotically and religiously donated by the eleemosynary and charitable institutions of the country, commonly known as trusts, combinations, and other forms of aggregated wealth. We congratulate the servants of the party that they have so righteous and generous a master.

[Laughter and applause on the Democratic side.]

We unhesitatingly approve the practice so generally employed in the campaign of 1896 to deprive the wage-earners of the country of the right to exercise a free and untrammeled ballot by having notice served upon them that if Mr. McKinley were elected they could come back to work, but that if Mr. Bryan were elected they need not return. We indorse this practice for two reasons: First, we presume that it is in compliance with the oft-repeated declaration of our party that every man should have the right "to cast one free and unrestricted ballot;" second, we know that the wage-earners of the country have not sufficient knowledge to vote intelligently, and in order to keep them from destroying themselves, and at the same time "to preserve the honor and integrity of the nation," we cordially, heartily, and sincerely approve of the practice of intimidation above mentioned in the past and recommend its repetition in the future.

The great heart of the Republican party was made to throb with gratification and with unalloyed joy when it was learned throughout the length and breadth of the land that the national committee, under the management of our most excellent master, were notifying farmers upon whose lands mortgages rested that would soon come due, that if Mr. McKinley were elected their mortgages would be extended, but that if Mr. Bryan should be elected they would be foreclosed. This plan, which operated so effectively to prevent many farmers from voting their own honest convictions, meets with our unqualified approval. It presented to the farmers of the country an argument which it was difficult to withstand.

The agents of the trust companies, who were the emissaries of the national committee, were imbued with the high purpose of guaranteeing to every farmer upon whose place the trust companies held a mortgage the right to vote as he pleased, provided he was pleased to vote as he was told to vote. Otherwise they assured him in the kindest and most Christian spirit that he could only remain on his farm until the mortgage became due.

We indorse this broad, liberal, patriotic, and generous policy toward the mortgaged farmers of the United States, which policy was prompted by the most generous and most virtuous impulses of the human heart, and we recommend a further extension of this highly moral and philanthropic practice in future campaigns.

The experience of the Republican party in the campaign of 1896 and subsequent thereto has demonstrated the wisdom and necessity of placing all power of the party under the supreme control and domination of one strong, pure-minded, and patriotic man. The lodgment of all party power in the person of our dearly beloved master, MARCUS AURELIUS HANNA, was at once an act of childlike confiding simplicity and at the same time an exhibition of the highest order of intellectual and patriotic discrimination. Surrounded at all times as he is by the representatives of the great trusts, the great railroads, and the great banks, and by the agents of the Rothschilds, he at all times has the advantage of the highest order of intelligence, patriotism, morality, and Christian citizenship, which can only be held by the possessors or representatives of great money or property interests. We therefore congratulate the millions of servants of the Republican party that they have transferred their individual sovereignty to the exclusive control of this great and good man.

Our all-wise and all-powerful ruler, MARCUS AURELIUS HANNA, has graciously permitted us to say to the servants of the party that he still retains the most affectionate regard for them, and that he will use his utmost endeavor to again touch the philanthropic hearts of the chiefs of the money centers of the world in the coming campaign to enable him to procure the necessary quantity of noble patriotism for distribution among the people and to assist him in carrying out the work to which his whole life is pledged—of purifying the ballot and rendering sacred the right of American suffrage. Our great master, in furtherance of these highly moral purposes, assures his servants that the fund of $18,000,000 at his command in 1896 was all that was needed to defray the legitimate expenses of the campaign of education which he waged, and by the judicious expenditure of which he was enabled to "cleanse the morals of the people," "preserve the ballot from pollution," "prevent the corrupt use of money," and otherwise sanctify the cause of an honest dollar.

Our good master has instructed us to send special greeting to those Senators and Representatives of the United States Congress, and to leaders of thought in the Middle and Western States, who have reposed implicit confidence in the party under its present management. He desires us to extend to them his sincere thanks for their unselfish fidelity to the interests of himself and his coadjutors, who are the beneficiaries of the policies of the party.

He recognizes that the allegiance of many Senators and Representatives who have in the past been supporters of bimetallism can only be maintained by their surrender of convictions and principles heretofore dearly cherished and openly proclaimed to their constituents; and he instructs us to assure them of his high appreciation of their heroic devotion to the interests of the trusts and the beneficiaries of the gold standard so cheerfully rendered by them at the expense of the willful violation of the pledges made to the people who sent them to Washington and whose sworn representatives they are supposed to be.

He directs this convention to convey to them his profound approbation of this willful deception of their constituents and to assure them that in his code of morals no act of loftier purpose or more sterling integrity can be found. It is our further inestimable pleasure to assure all such loyal and faithful servants of the gold standard that liberal donations will be cheerfully made from the funds subscribed by the trusts and corporations to secure their retention in public office by the usual "business methods" employed by our sainted leader in his earnest efforts to "purify the ballot" and "preserve the honor and integrity of the nation."

As one startling and convincing proof of the beneficial effects of our sacred gold standard we point with gratification and pride to the fact that it "has

enabled 250,000 people to accumulate 80 per cent of all the wealth of the United States, leaving 20 per cent to be divided between 71,750,000 people."

These results indicate conclusively to any fair-minded citizen the wisdom of the existence of the gold standard and the necessity for its continuance. Its original invention and adoption, if not indeed of divine origin, was certainly in response to that inexorable decree of fate that the many should toil while the few reap the rewards of their efforts. This is as it should be. The blatant and demagogical declaration adopted by the illiterate and uncouth body of men who in 1776 declared that "all men are created equal" has long since been abandoned by the higher classes of our citizenship, and we now obediently acquiesce in the inevitable trend of civilization toward the permanent establishment of the rule of the gold standard and trusts, whereby the common people who are engaged in the vulgar vocation of producing wealth shall understand that the fruits of their labor rightfully belong to the money-eyed classes, who are entirely competent to absorb the products of toil and to govern and control the producers of wealth.

The time has come when the great master of the Republican party deems it wise to take his servants into his confidence as to the methods which he will employ in all future campaigns. Henceforth, as in the campaign of 1896 and subsequent one, the unvarying policy of the party shall be, first, to persuade the citizen to support the party. If he refuse to do that, then, second, by all the power of intimidation and coercion so successfully employed in the campaign of 1896 and those which followed it, compel him to support it. If that fail, then, third, to buy him. If that fail, then, fourth, destroy him socially, politically, and financially.

With so simple and effective a rule publicly proclaimed, it is the opinion of our master that the reason, conscience, and patriotism of the citizens will become immediately responsive to the desires of the beneficiaries of trusts and the gold standard, and a great victory for a "free," "unrestricted," and "pure" ballot will have been achieved by our consecrated leader in his relentless efforts to "cleanse the morals of the people," "defend the right of American manhood," "assert the personal freedom of the citizen," and "preserve the honor and integrity of the nation."

The successful achievements which have been attained by the concentration of all party power into the sacred care and keeping of our beloved master justifies us in recommending to the serious consideration of the American people the proposition to surrender the form of republican government adopted in 1789. The fact that the spirit and substance of that Government has been gradually surrendered with such beneficial results to the American people, and particularly to the great moneyed interests and creditor classes, leaves no longer any reason for retaining the empty form.

When our generous master modestly suggested in his telegram of January, 1898, that "God reigns and the Republican party still lives," he but gave utterance to the slumbering but unexpressed opinion in the hearts and minds of the millions of servants of the Republican party, that he alone possessed the wisdom, the power, and the patriotism of that organization. Recognizing this as a self-evident truth and desiring to perpetuate the blessings of his rule, not only for ourselves, but for generations yet unborn, it is our fond hope that at no distant day the farce of republican form of government shall be adandoned, the house of HANNA be established, the rule of royalty inaugurated, and the eternal fitness of things accomplished. When that time comes, the present servants of the Republican party will become the willing slaves of the new monarchy, gladly hailing our great master as their benefactor and openly responding to the duties of loyal subjects by doing appropriate obeisance to MARCUS THE FIRST, and by adopting as the watchwords of their liberties, "Long live the king!"

[Applause on the Democratic side.]

Mr. JENKINS. Mr. Chairman, I want to see if it is not possible to agree upon a time to take a vote on this bill. I want to ask unanimous consent that debate be closed at a quarter to 5, one half of the time to be controlled by the gentleman from Delaware [Mr. HANDY] and the other half by the District Committee.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that debate close at a quarter to 5 o'clock, one half of the time to be controlled by himself and the other half by the gentleman from Delaware. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. JENKINS. I yield five minutes to the gentleman from Iowa [Mr. LACEY].

Mr. HANDY. One moment. There is a misunderstanding. Did the gentleman ask that debate be closed at a quarter to 5 o'clock? Make it 5 o'clock. It is impossible to——

Mr. JENKINS. They will extend the time.

Mr. LACEY. Mr. Chairman, I always listen with a great deal of pleasure to my young friend from Montana. I listened with much greater delight to him three years ago when he was warming the cockles of the hearts of the Republicans, and when he was especially talking to our Populist brethren.

Now, for the benefit of my Populist friends, let me just in a nutshell add a line to the speech which he has just made, and I will quote it substantially from his own speech of three years ago. He said then that out in Montana the Populists were very progressive men. That it was proposed seriously by one shining light of the party to cross the centiped with the Berkshire hog in order that each hog should have a hundred hams. That, he said, was part of the Populist plan to create wealth in Montana. Then he said, further, that they made a further proposition——

Mr. SIMPSON. It was when he was a Republican that he said that.

Mr. LACEY. I can not be interrupted.

Mr. HARTMAN. I shall desire to reply.

Mr. LACEY. He also called attention to the fact that the Populists out in Montana were about to cross the honeybee on the lightning bug, so that they could work at night [laughter]; and he then described the magnificent proposition of another Populist there, who was crossing the milkweed with the strawberry, so as to have strawberries and cream upon the same plant. [Renewed laughter.] Now, I only bring out this little interesting reminiscence in order that my friend might, right in this connection, print it in the RECORD for the general delectation of his Populist constituents in Montana. [Laughter.]

Mr. HARTMAN. Mr. Chairman, I suppose I am entitled to reply. I only ask for three minutes.

Mr. HANDY. I yield the gentleman three minutes.

Mr. HARTMAN. Mr. Chairman, the gentleman from Iowa has called attention to some remarks submitted by me on the 13th day of February, 1896, in the Fifty-fourth Congress. I am grateful to the gentleman for calling my attention to this language in the connection which he does. At this point in my reply to the gentleman I shall print the few lines referred to by him, which were uttered by me at that time. They are as follows:

It is true that the Populist party has had a number of different remedies for the situation, and I am advised that they are about to add three additional planks to their platform. One of them is to make a cross between the lightning bug and the honeybee for the purpose of enabling the bee to work at night. Another one is that of breeding the centiped with the hog for the purpose of having a hundred hams for each animal. And I am also told that they have the further visionary scheme of budding strawberry plants into milkweeds, so that everybody can have strawberries and cream from the same plant.

It is true that at the time and place stated by the gentleman from Iowa the foregoing words were uttered by myself. It may not be uninteresting to the House for me to detail something of the history of that statement. I had been advised that a distinguished citizen of Ohio, at that time a member of the Populist party, Gen. Jacob S. Coxey, had in contemplation the proposal of these planks to the national convention of that party which was to assemble, and did afterwards assemble, in the city of St. Louis. The subsequent history of that convention shows that not only did the convention not adopt this extraordinary code of principles, but instead of such action it promulgated and gave to the country a platform of principles which challenges the admiration of American manhood everywhere.

But the undaunted advocate of these ideas, if indeed he were their advocate, lost no heart in his crusade, but turned his attention in other directions. He was seeking new worlds to conquer. He found the Populist party too conservative to even consider the fantastical ideas which were the subject of my remarks in the Fifty-fourth Congress. He therefore cast about to find some party so utterly devoid of reason as to be willing to accept his theories and their promoter. With an intellectual acumen that none had before accorded to him, he turned to reading the record of the Republican party since 1896, with a view to forming a natural and logical alliance with it. He learned that the Republican party was attempting to make bimetallic posies and gold-standard flowers bloom from the same plant, and he knew of no reason why he could not with equal consistency raise strawberries and cream from the milkweed. [Laughter.]

He discovered that much of the work of the Republican party in the last campaign had been done under the cover of darkness. He naturally thought that there should be thrown on those transactions a little light, and so he thought they ought to have some use for the lightning bug. He ascertained that the Republican party were announcing to the American people that the reason there was so much hunger in the country was that there was too much food with which to feed the starving, and he therefore thought that they would, in pursuance of their ridiculous inconsistency, naturally take to the proposition of breeding the centiped to the hog, with a view to raising a hundred hams to each animal. [Great laughter.] And he was not mistaken.

Moved by these desires, he naturally and logically entered into negotiations with the great master of the Republican party along the line of "business methods" which were so effective in certain portions of the United States in the campaigns of 1896 and 1897. The terms of those negotiations will never be known except to General Coxey and that pure and holy patriot who dispensed the campaign fund of the Republican party in 1896 in the interest of honest elections and to "preserve the honor and integrity of the nation."

The results, however, were apparent to everyone who saw or learned of that great but recent acquisition to the Republican ranks rolling through the State of Ohio in a private car in the interest of the Republican party and for the purpose of dividing the opposition to the election of Mr. HANNA and further perpetuating the policies of the Republican party, and was the final chapter of this brief history, giving the Republican party the honor and making it the possessor of the original inventor of the three great ideas of Coxeyism.

This transfer carried with it the exclusive right to the use of the scheme itself, and therefore MARK HANNA not only became the owner and possessor, for value received, of General Coxey, but also acquired the right to the use of the idea of breeding the honey bee with the lightning bug, so that they could both work at night, and budding of the strawberry plant into the milkweed, so that the Republican party could have strawberries and cream the rest of their days. [Laughter and applause.]

Mr. HANDY. Mr. Chairman, I yield ten minutes to the gentleman from Washington.

Mr. LEWIS of Washington. Does the gentleman from Iowa wish any time to reply?

Mr. LACEY. No, Mr. Chairman, unless there is some other plan of miscegenation to be suggested on the other side. [Laughter.]

Mr. MAHON. Mr. Chairman, what is the matter under consideration by the committee?

The CHAIRMAN (Mr. DALZELL in the chair). It is Senate bill 934, an act to authorize the Washington and Glen Echo Railway Company to extend its tracks into the District of Columbia.

Mr. MAHON. I think, Mr. Chairman, the bill ought to be read for the information of the committee.

The CHAIRMAN. The Chair is under obligation to recognize the gentleman from Washington [Mr. LEWIS].

Mr. LEWIS of Washington. Mr. Chairman, I desire to know if my friend from Pennsylvania [Mr. MAHON] desires some time, and if he has any particular object, I would be glad to make an apportionment of the time yielded to me.

Mr. MAHON. No; I asked what was before the House. I wanted to know upon what subject the gentleman was going to speak.

Mr. LEWIS of Washington. It is not my purpose to address myself to this bill.

Mr. HANDY. General debate is in order, and I yield to the gentleman from Washington.

[Mr. LEWIS of Washington addressed the committee. See Appendix.]

The CHAIRMAN (Mr. DALZELL in the chair). The time of the gentleman has expired.

Mr. LEWIS of Washington. I ask consent that I may be permitted to proceed for five minutes longer.

The CHAIRMAN. The time, as the Chair understands it, is limited.

Mr. HANDY. The time on this side of the House is already disposed of. I should be very glad to give the gentleman the time if I had the privilege of doing so.

Mr. LEWIS of Washington. I ask unanimous consent that I may proceed for five minutes.

Mr. HANDY. That would come out of the time of the other side of the House.

Mr. DINGLEY. Does that extend the time for adjournment?

Mr. BABCOCK. It would necessarily extend the time, for an agreement has been made when the vote shall be taken on this bill.

Mr. DINGLEY. The time is fixed for the vote at a quarter before 5?

Mr. BABCOCK. Yes.

Mr. LEWIS of Washington. My time was taken up by my friend from Iowa to some extent, but was promised back again. I hope I will have the extension.

Mr. LACEY. I ask unanimous consent that the time of the gentleman be extended for five minutes.

Several MEMBERS. Regular order.

Mr. HANDY. I am unable personally to yield further time to the gentleman myself.

The CHAIRMAN. Objection is made.

Mr. LEWIS of Washington. May I be pardoned, then, Mr. Chairman, at this time, to ask to be permitted to extend my remarks, along this line, in the CONGRESSIONAL RECORD, because of the fact that there is a disinclination to an extension of time?

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HILL. Mr. Chairman, I should feel great hesitation at any time to inject a purely academic discussion into the proceedings of this House, but I have before me the announcement that the compaign of education is to be begun by the late Mr. Bryan in my State this week, and I feel that I should like to anticipate it by a day or two. I propose to take the time of the House in a discussion of the gold standard and its effect upon money and wages.

GOLD THE NATURAL STANDARD.

The oldest financial transaction of which I can find any account is recorded in the sixteenth verse of the twenty-third chapter of Genesis, where we are told that, nearly four thousand years ago, Abraham, in buying a burial place, weighed to Ephron in payment "400 shekels of silver, current money with the merchant."

Abraham was a stranger and a sojourner in that land and paid his debt in a money of commerce, an actual weight of silver bullion, for it was a thousand years before governments had learned to coin money or fix by law ratios between silver and gold.

But the Bible throws a curious side light upon this transaction, showing that human nature was the same then as now, and that Abraham did as all mankind have since done, took advantage of the customs of the country and paid out his poorest metal money, for the second verse of the thirteenth chapter tells us that Abraham was very rich in cattle, silver, and gold.

We have no knowledge as to the relative value of the two metals at that time, but the position of the word "gold" in the sentence clearly demonstrates its greater importance, and from that day to this, no matter what the coinage of any nation has prescribed or what change in values may have been attempted by legislation, the world's standard of value has been gold, and gold has been the "1," the unit of value by which all ratios have been fixed.

Not only that, but to this day, whatever the law of any country may declare to be a legal tender, the money of commerce, the money current with the merchant, the money used in adjustment of international balances, is weighed as Abraham weighed his, and quantity and quality alone measure values, without reference to any marks that may be stamped upon it.

A while ago I saw in the Bank of England the judgment day of the coinage of the world.

A half dozen automatic scales were receiving the coins in hoppers, and, sliding down long grooves, each coin rested a moment in a balance.

If light weight, the arm lifted and tossed the coin to the right.

If full weight, the arm dropped and the coin was thrown to the left.

It was justice working automatically.

The intrinsic worth of each piece preserved it as it was or sent it to the melting pot.

Passing down into the vaults of that famous institution, I saw in one room $20,000,000 of American coin that had been run into gold bars.

They looked like copper ingots.

Each one was tagged with the assayer's certificate of weight and fineness and was ready for sale, as iron or coal or copper would be, by weight.

Last year alone more than thirteen millions of foreign gold coin were received by the mint of the United States, and, without reference to the form and stamp upon them, were melted into bars and valued by their weight and fineness only.

Through all recorded time the intelligent choice of all mankind has made pure gold the final measure of values, even though its tools of exchange may have been, from time to time, cattle, corn, metal, paper, or any other of the many things used as currency which temporary convenience may have suggested.

I do not believe that any people ever advanced far enough in the path of civilization to become familiar with metallic money but that, consciously or unconsciously, its coinage or token system bore some recognized relation to gold as the standard of value.

There certainly is no nation in the world to-day which does not thus recognize it.

Why this is so I need not stop to explain, for natural selection needs no argument to justify itself.

It is enough that it is so and that every advocate of silver or any other standard acknowledges it when he urges the use of anything else as money on any other basis than 1 to 1, or an exact equality with gold.

Mr. SIMPSON. I would like to ask the gentleman a question.

Mr. HILL. I prefer not to be interrupted.

The CHAIRMAN (Mr. HOPKINS). The gentleman declines to yield.

Mr. SIMPSON. I just want to ask——

Mr. HILL. I said I should prefer not to yield, as I have not the time to finish what I wish to say.

Mr. SIMPSON. I wish to ask the gentleman if he does not think that, as this bill which is under consideration is to authorize the Washington and Glen Echo Railroad Company——

Mr. HILL. I prefer not to yield. I appreciate the courtesy which the gentleman manifests.

Mr. SIMPSON. I am glad you do.

The CHAIRMAN. One moment. The Chair trusts that no gentleman will interrupt a member who has the floor after he has signified a desire not to be interrupted.

Mr. SIMPSON. I thought the Chairman was making so much noise with the gavel that the gentleman did not hear me.

The CHAIRMAN. That is not the first error into which the gentleman from Kansas has fallen during this session.

Mr. HILL. Mr. Chairman, by the courtesy of the gentleman from Kansas, I will continue.

ARTIFICIAL STANDARDS.

Starting, then, with the assumption that the universal measure of value is and always has been gold, the question naturally arises, Why should anything else be used as money, and why should an artificial standard be set up?

And here the second attribute of money appears as a tool of exchange.

As a standard measure of value quality alone is required, and a unit of its kind would suffice for all the world, but as a tool of exchange a convenient number of units are needed, and, strange

as it may seem, the ruder and less developed society is, the greater the number required to effect exchanges.

Hence it is that, as the nations of the earth have one after another passed from barbarism to civilization, they have left behind them the wampum, the cattle, and the slaves; then the iron, the lead, and the copper, and reached out for the precious metals, silver and gold, as better fitting their changed conditions, always striving for the best that was attainable.

During the past hundred years this process of evolution has gone forward more rapidly than ever before, until practically the whole world, and actually all of the commercial world except Mexico, has suspended the free and unlimited coinage of silver as standard money, and either adopted the single gold standard, or a limited bimetallism such as obtains in the United States, where silver is being coined on Government account, but limited in quantity to our ability to maintain its parity with gold.

The reason for this great and sweeping change in the monetary systems of the world is neither mysterious nor strange.

In my opinion it is simply the enormous increase in the production of gold, the universally accepted measure of values, so that it not only promises to be but actually is now in the possession of mankind in sufficient quantity to become under the more highly organized commercial methods the best tool of exchange of which the world now has any knowledge.

Think for a moment what this increase has been.

INCREASE OF GOLD SUPPLY.

During the three hundred and fifty years from the discovery of America to the opening of the California mines in 1850 the entire world's product of gold had been but little more than three billions of dollars' worth ($3,121,880,000), or an annual average of eight and three-quarter millions ($8,720,200).

It was only just before the beginning of this period that the art of printing had been discovered, and during the greater part of these three and a half centuries the steam engine, the steamship, the railroad, the telegraph, and the telephone were unknown.

None of the means of communication which now bring nations and individuals the world over into daily and hourly touch with each other in their business relations were even thought of.

Checks, notes, drafts, and bills of exchange, by which 90 per cent of the commercial transactions of the nineteenth century have been carried on, had no existence then, and the modern system of banking had not been developed.

Goldsmiths and jewelers were the bankers and brokers of that time, and the actual gold and silver passed from man to man and nation to nation in the settlement of all transactions.

During the same period the world's production of silver was a little over six billions of dollars ($6,196,504,000), or an annual average of seventeen and one-third millions each year, or about double the product of gold.

Both together added but twenty-six millions per year to the world's stock of money, and even from this must be deducted the amount used in the arts, and it is by no means improbable that this amount was greater in proportion to the population than now, when we have the process of electroplating fully developed.

Is it not easy to understand, in view of these facts, how that both metals were a necessity as money, and that the more abundant was accepted as a measure of value and means of exchange?

With both in use domestic trade was largely barter and international trade was greatly hindered.

CHANGE TO GOLD STANDARD BEGUN.

But the gold accumulation of the centuries gradually forced its way into the channels of trade, and in 1798 England stopped the free coinage of silver, and in 1816, in the face of a sharp decline in gold production, adopted the single gold standard, and declared her purpose to thereafter build up her financial system under it.

For forty years she stood alone, but with the best tools of trade in her possession, she could afford to wait, and while she waited she became the leader of commerce and the financial center of the world.

From that day to this the English pound sterling has known no geographical limit, no national boundary lines, but among every people the world around has silently pursued its mission of adding to England's wealth and increasing England's power.

But in 1850 something happened to gold.

Suddenly from the rocks and hills of California and Australia the stores of golden treasure were poured out, and in a single bound the world's average production went from eight to one hundred and twenty-seven millions of dollars, and in the forty-seven years since the aggregate addition to the world's tools of exchange in gold alone has been $6,101,490,600, as against three billions one hundred millions in the entire three and a half centuries preceding.

Is it any wonder that the nations of the earth have fallen into line and one after another, discarding the costly and cumbrous methods of the past, with a world-wide unanimity have chosen gold as their measure of value and tool of exchange?

To me the wonder is that in these closing days of the nineteenth century a great political party in this progressive Republic should stand before the people upon a theory rejected and thrown aside by all the world within the memory of those now living and, ignoring the addition of over three billions of gold to the world's stock since 1873, should now ask us to go back to the double standard and the unlimited coinage of both metals, and thus put ourselves at the mercy of other nations to plunder us of either at their pleasure.

It would seem as though the frozen sands of the Klondike and the quartz reefs of South Africa would melt with indignation at such a proposition.

This nation will go forward, not backward, in the path of progress, and on that march the rightful place of the United States is in the front rank.

THE DOUBLE STANDARD WITH FREE COINAGE IMPOSSIBLE.

A double standard with free coinage of both metals is an impossibility, but the enlarged use of silver as the willing servant of gold is not only possible, but is even demonstrated as an established fact.

Through all recorded time its value has decreased.

History tells us that 4 ounces of silver were once the equal of an ounce of gold.

It was 8 to 1 under Julius Cæsar, 11 to 1 when America was discovered, 15 to 1 when this nation began its coinage, 16 to 1 in 1837, 22 to 1 in 1890, and 40 to 1 in September, 1897.

Its steady course has been downward, unhindered by legislation, influenced in part by its larger production, but far more by the accumulating and annually increasing supply of gold.

The anomaly is in the fact that the lowest price is concurrent with the largest use, for since 1873 there has been an increase in the silver monetary stock of the thirteen principal nations of the world of $670,900,000, and the bulk of this has been full legal-tender coinage.

In fact, the claim that silver has been demonetized, either in the sense that its monetary function or its legal-tender quality has been taken away, is utterly wrong, for this is true of only a total of $163,430,460 sold by Germany, Roumania, and Scandinavia, and probably this silver was recoined into subsidiary money.

Whether it was or not, is of no consequence, for it was less than a year's product, and the aggregate legal-tender coinage has increased as shown.

The only quality that it has lost is that of the standard, and that it was never fit for and never would have received but for the insufficient supply of gold.

Neither is it true, as claimed by some, that depriving silver of its function as a standard has materially helped to reduce its value.

Mr. SHAFROTH. Has not silver been deprived of the redemption quality?

Mr. HILL. I will show you that it has not.

No metal with a production in excess of requirement, or of limited production concurrently with another better fitted for monetary purposes, can have one particle of value given to it by a free and unlimited coinage.

Not an ounce of it is taken from the world's market.

The bullion in the coin and the ingot will be precisely the same in price, and the one adapted to and available for the same uses as the other.

A limited coinage, with the value of the coin maintained at parity with gold by governmental credit, does remove that exact quantity from the general stock, and in proportion to such decreased supply will tend to increase the market price.

All experience proves that fact, and the Mexican dollar is the best possible evidence of it to-day.

Mr. SIMPSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Will the gentleman from Connecticut suspend for a moment?

Mr. HILL. I will not, sir, at the request of the gentleman from Kansas. I appreciate courtesy and would be glad to be courteous to those who are courteous to me.

The CHAIRMAN. The Chair desires to suggest to the gentleman from Connecticut——

Mr. HILL. I will suspend at the request of the Chair.

The CHAIRMAN. The Chair wishes to suggest that the gentleman from Kansas rises to a parliamentary inquiry.

Mr. SIMPSON. The parliamentary inquiry, Mr. Chairman——

Mr. GROSVENOR. I make the point of order that the gentleman has no right, under the guise of parliamentary inquiry, to stop a gentleman who has the floor from proceeding with his argument. At any interval of business or during the progress of action by the House a parliamentary inquiry is proper, but it is wholly improper and impertinent now.

The CHAIRMAN. The Chair will not assume that the gentleman from Kansas—the Chair will hear the gentleman.

Mr. SIMPSON. I will state the parliamentary inquiry, and then the gentleman from Ohio will have better knowledge——

Mr. GROSVENOR. "The gentleman from Ohio" understands perfectly the object of this.

Mr. HILL. Mr. Chairman, I hope this does not come out of my time.

Mr. GROSVENOR. I make the point of order that the gentleman has no right to make a parliamentary inquiry during the remarks of a gentleman who has the floor and is addressing the House.

Mr. SIMPSON. The parliamentary inquiry which I desire to submit is whether it is in order to discuss the gold standard when we have a bill under consideration to authorize the Washington and Glen Echo Railroad Company to gain a right of way and construct tracks into the District of Columbia 600 feet?

The CHAIRMAN. The Chair rules that that is not a proper parliamentary inquiry at this time.

Mr. SIMPSON. Then I make the point of order that the gentleman from Connecticut is out of order in discussing the gold standard or any question of that kind on a bill to authorize a street railroad company to acquire a right of way.

The CHAIRMAN. The gentleman from Connecticut can not be interrupted.

Mr. SIMPSON. Does the Chair overrule my point of order?

The CHAIRMAN. Will the gentleman from Kansas please take his seat? The gentleman from Connecticut will proceed.

Mr. SIMPSON. Now, Mr. Chairman, I ask the Chair, Does he overrule my point of order?

The CHAIRMAN. The Chair stated that he declined to entertain the gentleman's inquiry as not being pertinent at this time.

Mr. SIMPSON. But I made the point of order that the gentleman was out of order.

The CHAIRMAN. The Chair trusts that the gentleman from Kansas will observe the rules of the House.

Mr. SIMPSON. Will the Chair rule on the point of order? Will he hear me on the point of order?

The CHAIRMAN. The Chair declines to hear the gentleman.

Mr. SIMPSON. And declines to rule on the point of order?

The CHAIRMAN. The gentleman from Kansas will please take his seat.

Mr. SIMPSON. Well, I want the Chair to rule on that point of order.

The CHAIRMAN. The Chair will call upon the officer of the House to have the gentleman take his seat, if he declines to do so.

Mr. SIMPSON. I think the Chair ought to be more courteous than that, and ought to rule on the point of order.

The CHAIRMAN. Will the Sergeant-at-Arms please have the gentleman take his seat.

The Sergeant-at-Arms appeared with the mace.

Mr. HANDY. I make the point of order that that has to be done in the House and not in Committee of the Whole.

Mr. SIMPSON. You had better take that back. It is nothing but a buzzard, anyway. [Laughter.]

The CHAIRMAN. The gentleman from Connecticut will proceed.

TWO CLASSES OF FREE-SILVER ADVOCATES.

Mr. HILL. I fully understand that there are two classes of advocates of the free and unlimited coinage of silver.

One class believes, and believes honestly, that by an unlimited demand working upon a limited supply, additional value will be given, which will bring it to an equality with gold.

While I am willing to concede their honesty of purpose, I must totally disagree with their conclusions.

I heard once of a man who, on retiring for the night, found the blankets too short to properly cover his person, with the result that he suffered all night long from cold feet.

The next night, with the enthusiasm born of a new idea, he cut a strip from the upper end of the blanket and pinned it to the lower end and then retired in the firm belief that his troubles were all over.

He was doubtless honest, but had poor judgment.

I would remind these gentlemen who would legislate value into silver of the old conundrum which I used to hear when I was a boy: "If you call a dog's tail a leg, how many legs would a dog have?" and, to save them any waste of gray matter in guessing it, will state that the answer was, "Four; for calling the tail a leg does not make it one."

The second class is made up of those who do not believe that silver can acquire added value from legislation, but who desire free coinage purely as an inflation scheme.

As an illustration of that class, I cite the last Democratic candidate for the Presidency, who some time ago, in a speech in Brooklyn, said: "We do not want to change the ratio. It is not because we produce silver that we want 16 to 1, but because we own property and owe debts."

It is further illustrated by the action of forty-two United States Senators who, when a short time ago the question of paying the Government bonds in silver was under consideration, voted down the Nelson amendment, which declared that—

It is the duty of the Government of the United States, under existing laws, to maintain the parity of its gold and silver money, so that a dollar of the one metal shall for all monetary purposes always be the equal in value to a dollar of the other metal.

And who made a still more specific declaration of their views and purposes by defeating the Caffery amendment, which provided that—

If at the time of payment of the principal and interest on the bonds herein mentioned the market value of silver is not on a par with gold at the ratio of 16 to 1, the principal of said bonds shall be paid in gold or silver at the option of the creditor.

For such declarations and for the principle or lack of principle on which they are based I have neither sympathy nor respect, nor do I believe that any man or party acting in accordance therewith will ever receive the indorsement of the honest people of this country. [Applause on the Republican side.]

VOLUME OF MONEY AND PRICES.

The recent manifestoes issued jointly by the chairmen of the Democratic, the Populist, and the Silver-mine parties declare in effect that the adoption of the gold standard by the principal nations of the world has largely reduced the volume of money, and that as a result prices have declined, development has been checked, and wages have been reduced.

As an unanswerable argument against this, I submit the following table showing the approximate stock of gold, silver, and uncovered paper money in the principal countries of the world in 1873 and in 1897, with the changes between these dates:

Approximate stock of gold, silver, and uncovered paper money in the principal countries of the world in 1873 and 1897 and changes between those dates, expressed in millions.

[Compiled from pages 40, 41, and 42 of the Report of the Director of the Mint for 1897.]

Country.	Gold.			Silver.			Uncovered paper.		
	1873.	1897.	Increase.	1873.	1897.	Increase.	1873.	1897.	Increase.
Great Britain	160	584	424	95	121.7	26.7	59.8	112.1	52.3
France	450	772	322	500	443.9	*56.1	385.3	119.2	*266.1
Germany	160.2	654.5	494.3	306.2	212.8	*93.4	90.8	123.8	33
Russia	149.1	586.9	437.8	18.6	74.2	55.6	618.4	467.2	*151.2
Italy	20	96.9	76.9	23	45.4	22.4	87.8	161	73.2
Belgium	25	35	10	15	57	42	95.1	72.5	37.4
Netherlands	12	21.9	9.9	37.3	56.1	18.8	15.3	37.9	22.6
Austria-Hungary	35	178.5	143.5	40	63.7	23.7	205.8	177.6	*88.2
Australasia	50	132.1	82.1	3	7	4	----------	22.5	22.5
Denmark	4.1	15.4	11.3	7.5	5.4	*2.1	6.5	6.4	*.1
Sweden	1.8	10.6	8.8	4.3	4.9	.6	6	19	13
Norway	7.6	7.5	*.1	1.6	2	.4	2.3	3.8	1.5
United States	135	696.3	561.3	6.2	634.5	628.3	749.4	397	*352.4
Total	1,209.8	3,791.6	2,581.8	1,057.7	1,728.6	670.9	2,322.5	1,720	*602.5

*Decrease.

Net increase, $2,650,200,000.

I would especially call attention to the footings, which show that these nations in 1897 had $2,581,800,000 of gold and $670,900,000 of silver more than they had in 1873, while the uncovered paper money—the demand obligations of these nations—shows a decrease of $602,500,000, making a net increase of currency in twenty-three years of $2,650,200,000.

But not only is it true that the actual monetary stock of the world has been largely increased, but it is also true that this increase has outstripped the increase of population.

Take as an example our own country.

In 1878 we had per capita $3.24 of gold as against $9.55 now, 0.15 of silver as against $8.70 now, and $17.97 of paper as against

$5.45 now, making a total per capita of all forms of money of $21.36 in 1873 against $23.70 now.

England has increased her per capita from $9.90 to $20.65, Germany from $13.59 to $18.95, Belgium from $14.44 to $25.70, Italy from $4.88 to $9.69, the Netherlands from $16.56 to $33.65, Sweden from $2.75 to $6.90, Denmark from $10.05 to $11.83, Australasia from $20.38 to $32.32, and Norway from $6.39 to $6.65, while Russia has decreased 61 cents, Austria 16 cents, and France $2.31.

But not only do these figures show conclusively that there has been no shrinkage in the volume of money, but it is found that the actual increase far exceeds the entire world's production of silver, less the amount used in the arts since 1873.

I am well aware that in response to this showing of the increase of the world's volume of money the advocate of free coinage will still claim that such increase is not in what he calls "money of final redemption."

Mr. SHAFROTH. Not measured by the amount of business.

Mr. HILL. I am coming to that feature right now.

While I deny that there is any such thing as a particular money of final redemption in our system where we have four kinds of legal tender with the right of exchange of one for the other indiscriminately under the parity clause of the act of 1893, yet I am willing to concede that what is meant is "standard" money and will test this claim on that basis only.

In 1873, under the double standard, the United States had:

[See Mint Report, 1897, page 42.]

Gold	$135,000,000
Silver	6,150,000
Total specie	141,150,000
Paper	749,445,610

Taking silver and gold together, the money of final redemption was 18.83 per cent of the money to be redeemed.

In 1897 the United States had:

[See Mint Report, 1897, page 37.]

Gold	$996,300,000
Silver	634,500,000
Paper	731,772,151
Silver and paper	1,366,272,151

So that in gold alone the money of final redemption is now 50.96 per cent of the money to be redeemed.

Mr. SHAFROTH. You count silver as redemption money?

Mr. HILL. No; I am taking your view of the case.

And though counting silver and paper as subject to redemption in standard money, yet we are nearly three times as well prepared for this as we were in 1873, with both metals in use for that purpose.

Again, the loans and discounts of State banks in 1860 were $706,333,272.22; specie held (gold and silver), $82,638,510.00.

Mr. SHAFROTH. Right there, if you will allow me a question.

Mr. HILL. I would if I had time; but I have not now time enough for myself.

There is no better way of testing this question of business requirements than from loans and discounts.

Loans and discounts of national banks February 18, 1898, were $2,138,078,280.43; gold held, $222,855,516.77. So that it appears that, according to the population at each period, the gold held in 1898 was $3.06 per capita, and the specie—gold and silver—held in 1860 was $2.69 per capita.

Not only that, but where, in 1860, the specie holdings of banks were 11.6 per cent of the loans and discounts, in February, 1898, notwithstanding an enormous expansion of the credit system and the use of other legal tender as bank reserves, the gold alone was 10.42 per cent of the loans and discounts.

I have shown—

First. That the actual volume of money has enormously increased under the gold standard.

Second. That this increase has exceeded the increase of population.

Third. That gold alone, or the money of ultimate redemption, now is nearly threefold more abundant compared with other money than gold and silver together were in 1873.

Fourth. That gold alone is as capable now of carrying the credit system of the country as gold and silver were in 1860.

Mr. SHAFROTH. I want to call your attention to the amount of business——

Mr. HILL. I will talk it over with you when the House adjourns. I can not yield to the gentleman.

In view of these facts, what becomes of this triplet proposition that the shrinkage in the volume of the world's money has reduced prices and checked development?

The truth is, and it is coming to be more and more accepted, that it is the quality rather than the quantity of money that influences prices, conditions of supply and demand being unchanged, and that the quantitative theory ignores rapidity of circulation, improved facilities of exchange, and the modern use of credit instruments.

Mr. SIMPSON. Mr. Chairman, I rise to a point of order.

Mr. HILL. I decline to yield.

Mr. SIMPSON. I would like to have order. I can not hear what the gentleman is saying about this bill. [Laughter.]

The CHAIRMAN. The committee will please be in order.

Mr. SIMPSON. I want to know about this railroad, Mr. Chairman, and there is so much confusion I can not hear.

The CHAIRMAN. The committee will be in order.

BANK CREDITS IGNORED.

Mr. HILL. I am quite sure that in considering the subject of the volume of money our free-silver friends forget the bank credits of this and other countries, which amount to more than $16,000,000,000 ($16,051,137,349), consisting of capital, surplus, circulation, and deposits of commercial banks and banks of issue only, all savings banks being excluded both here and abroad.

This enormous sum is to all intents and purposes available as money and performs all of the functions of a tool of exchange.

As against the $23.70 per capita of money here, there is a banking power of $72.61; in Great Britain, $110.66; Australasia, $136; Switzerland, $86.71; Denmark, $67.64; Canada, $57.10; Sweden, $46.95; Straits Settlements, $39.60; Netherlands, $19.22; France, $24.23; Belgium, $19.15; Austria, $13.68; Germany, $8.94; Italy, $8.76; Russia, $6.33; Mexico, $3.88; Turkey, $1.12; Japan, $6.88. (Compiled from the Report of the Comptroller of the Currency for 1897, pages 594, 595, 596.)

Add the deposits of savings banks to the rating of the United States and it will carry us to over a hundred dollars per capita ($102.52).

This is a factor in the financial problem that must be reckoned with.

Compared with the volume of money, it exceeds it fourfold here and fivefold in Great Britain.

It is a structure built up from the bed rock of confidence in a fixed and unchanging unit of value—gold.

Undermine this, cut this in two by legislation for fiat money, and "the subsequent proceedings will interest us no more," for there will not be enough left to worry over. [Loud applause on the Republican side.]

THE REPUBLICAN PARTY AND THE WAGE-EARNER.

There is one claim in this recent manifesto which I confess is a surprise to me.

For the past three years we have been told again and again that in order to meet the competition of the silver-standard nations we must adopt the same policy and pay our labor in depreciated money, and the rapidly increasing dangers of oriental competition have been sounded in our ears as something which could not be overcome by a protective tariff and which would yield to no treatment but the heroic one of free silver coinage.

I had begun to breathe freer and to think that perhaps the danger was over when Japan and India adopted the gold standard and thus voluntarily surrendered all of the advantages of low wages paid in cheap money which they formerly possessed, but I never expected to see our Democratic and silver-mine party friends face squarely about and charge the reduced wages of the past four years, which it was one of their main objects to perpetuate, to the present financial policy of this nation.

For forty years the pride and boast of the Republican party has been that American labor has been the best-paid labor in all the world, and, since the resumption of specie payment in 1879, paid in the best money of the world.

The very inception of that party was as an organized protest against human slavery, and it poured out its blood and treasure in 1861 that labor might be free, for it knew that when the lower stratum was lifted all would rise.

In the providence of God and amid the storm of war slavery died, and from that day this nation marched on and up, till, in 1892, a single day's wages would bring to the home of the American workman more of the comfort and luxuries of life than mankind had ever dreamed of for like service since the fall of Adam; and then, intoxicated by our success and fooled by the very men who now preach the gospel of free silver and fiat money, we opened wide the doors of this great nation to the unrestricted competition of other lands, and in a single day lost all the fruits of a struggle which had lasted thirty years.

But four years of hardship and privation have not blotted from the memory of the toilers of this nation the achievements of the past; and while I can not speak for other portions of the land, I do believe that this fall, as in 1896, the workingmen of New England will march in solid column to the polls to sustain that party which has stood by them.

Mr. Chairman, out of all the misery and wretchedness of that useless sacrifice of four years of American progress one scene comes back to me which I can never forget.

In the town of Torrington, the banner Republican town of my State, a few days after the splendid political victory of '94, a jubilee was being held. The whole town was ablaze with bonfires and illuminations.

As the procession passed down the street between the separate cottages of American workingmen we came to one house lighted from garret to cellar and decorated in every conceivable spot with American flags.

It was the home of a mechanic who, strange to say, had always before voted the Democratic ticket.

The front door stood wide open, and in the bright light which streamed forth the mother stood watching the passing crowd.

Halfway between the door and the street a large box had been placed, and standing on it was a little girl dressed in white and waving the flag as the procession passed.

It was a beautiful sight, but what attracted my attention most was this inscription on the front of the box at her feet:

Papa is in the parade; mamma and I are happy.

It was only the expression of a thought of a child, but it told the glad story that hope had come to them again.

Mr. Chairman, the working men and women of New England are looking forward to the day when the full old-time prosperity shall come again, when every man shall be at work and every child shall be at school and every mother shall be at home singing the song of happiness and content.

When that time does come and protection wages are fully restored, I want them paid in gold or its full equivalent, as they have been for twenty years.

You planters in the South and miners in the West may vote for fiat money and free silver if you will. I want the shining gold, with the highest possible purchasing power, for New England workingmen.

WAGES IN THE UNITED STATES.

Two years ago the Secretary of State sent instructions to our consular officers all over the world to report, among other things, the effect of the then existing currency systems in the countries where they were stationed upon the rates of labor.

Every word of this testimony is from Democratic sources, for they were all appointees of the party then in power.

It is an unanswerable argument from our political opponents in favor of the single gold standard as the one system which will best conserve the welfare of the American workman and establish and maintain a permanent prosperity within our borders.

At the very beginning of these quotations I will place a table showing the relative wages in gold in all occupations in the United States from 1840 to 1891.

The time covered includes every system of finance which the nation has had—first, the double standard nominally; second, the irredeemable paper money of the war time, and third, from resumption in 1879 to 1891.

It is taken from the Senate Finance Committe Report on Prices, Wages, and Transportation, printed in 1893.

It shows two things. First, a slow but steady advance before the war, a sharp decline, but gradual recovery during the paper-money period, and a uniformly upward tendency thereafter.

There are no statistics since 1892, and I am glad of it, for they would have been neither satisfactory nor creditable to the American people for the four years succeeding.

HUMAN LABOR THE BEST MEASURE OF GOLD.

The second point to which I would call attention is, that human labor is the most uniform and most reliable in supply of anything which the Lord has put on this planet.

The chinch bug, the weevil and the potato bug, frost, drought, and storm may all affect the product of the field.

The area of cultivation may be extended or decreased.

Invention, improved machinery, new mines discovered, oil fields exhausted, all these things serve to increase or decrease the products of our farms and shops, and in these modern days the "gold bug" must take all the blame, but human labor in this table measures gold and proves beyond dispute the stability of the existing standard and the wisdom of its continuance.

Relative wages in gold in all occupations, 1840 to 1891, grouped by different methods.

Year.	Simple average.	Average according to importance.	Year.	Simple average.	Average according to importance.
1840	87.7	82.5	1854	95.8	95.8
1841	88	79.9	1855	98	97.5
1842	87.1	84.1	1856	99.2	98
1843	86.6	83	1857	99.9	99.2
1844	86.5	83.2	1858	98.5	97.9
1845	86.8	85.7	1859	99.1	99.7
1846	89.3	89.1	1860	100	100
1847	90.8	91.3	1861	100.8	100.7
1848	91.4	91.6	1862	100.4	101.2
1849	92.5	90.5	1863	76.2	81.9
1850	92.7	90.9	1864	80.8	86.2
1851	90.4	91.1	1865	66.2	69.7
1852	90.8	91.8	1866	106.8	111.1
1853	91.8	93.2	1867	117.1	121.8

Relative wages in gold in all occupations, 1840 to 1891, etc.—Continued.

Year.	Sample average.	Average according to importance.	Year.	Sample average.	Average according to importance.
1868	114.9	119.1	1880	141.5	143
1869	119.5	123.5	1881	146.5	150.7
1870	133.7	136.9	1882	149.9	152.9
1871	147.8	150.3	1883	152.7	150.2
1872	152.2	153.2	1884	152.7	155.1
1873	148.3	147.4	1885	150.7	155.9
1874	145	145.9	1886	150.9	155.8
1875	140.8	140.4	1887	153.7	156.6
1876	135.2	134.2	1888	155.4	157.9
1877	136.4	135.4	1889	156.7	162.9
1878	140.5	139	1890	156.9	168.2
1879	139.9	139.4	1891	160.7	168.6

With this table before him, how any man can claim that there has been any appreciation in the value of gold since 1866 is something I can not understand.

CONSULAR REPORTS ON WAGES.

The reports to follow will generally cover the ten years previous to 1896, and refer to Europe and North America only.

England.—Single gold standard.

The opinion seems rather to be that industry may be impeded by a bad system of money, and great social mischief and confusion produced; but a good monetary system can do no more than let the various forces of industry work unchecked. It is held also that the English monetary system is of this sort. There is no doubt about the standard money; there is an abundant and even indefinite amount of currency for all payments and transactions: credit is vastly developed. But the system has been in existence for generations the same as now, and there could not be any noticeable stimulus due to a monetary cause between the dates mentioned, as there has been no change in the system in the interval.

Rates of wages in the principal occupations were somewhat higher than in 1886, except in agriculture.

The record of changes in wages now made by the labor department from year to year shows that the general wage level changes very slowly.

Canada.—Single gold standard.

In the census taken in 1891, the average wages paid in manufacturing and mechanical industries are shown. These industries were classified as follows:

Industries having an annual output of $25,000 and more:	
Wages per employee, 1881	$296.20
Wages per employee, 1891	346.60
Increase in ten years	50.40
Percentage increase	18.3
Industries having an annual output exceeding $500 and less than $25,000:	
Wages per employee, 1881	216.68
Wages per employee, 1891	244.24
Increase in ten years	27.56
Percentage increase	12.07

Belgium.—Double standard, but no coinage under it for twenty years.

The rates of wages were practically the same in 1886. Since that date wages have not undergone any sensible variation.

Netherlands.—Double standard, but mints open to gold only.

A slight advance in wages.

France.—Double standard, but mints open to gold only.

For the last fifteen years wages, both for skilled and unskilled labor, have slowly but regularly increased in France.

Germany.—Single gold standard.

A general advance. In Rhenish Westphalia textile industries wages increased from about $143 per capita in 1886 to about $163 in 1895.

Day labor shows a general slight advance.

In many trades the advance is marked from 1886 to 1892.

Rates of wages of the workingmen in shops of railroads under Government control.

Year.	Laborers, not including officials.	Annual wages paid or expenses incurred for laborers.		Average wages paid per head.	
		Marks.	United States currency.	Marks.	United States currency.
1884-85	47,048	42,838,066	$10,199,539.15	910.50	$216.78
1885-86	47,402	43,306,825	10,311,148.80	913.60	217.52
1894-95	58,145	59,630,899	14,197,833.09	1,025.50	244.16

Austria.—Gold standard since 1892; formerly silver; free coinage abolished in 1878.

During the period embraced between the years 1886 and 1896 manufacturing industries have been stimulated, owing, it is considered, to the development and improvement of foreign trade. Wages have likewise increased during the above period, as will be seen by the annexed table. The expressed opinion of the leading manufacturers seems to be that the increase in wages is due to political reasons rather than to any changes in the currency. To meet the demand of the labor party for a legal working day of eight hours, a compromise was effected by increasing the rate of wages and making the working day ten hours.

Switzerland.—Double standard; mints open to gold only.

It is universally known and recognized that the wages for all classes of labor have very appreciably increased within the last ten years and the condition of the laboring man greatly improved. This, however, is attributed

almost exclusively to the better organization of labor, their unions enabling them to demand higher wages.

Italy.—Double standard; mints open to gold only.

According to statistics got together and published by the director-general of agriculture, there has been a marked increase in the wages of agricultural laborers. But owing to the minimum wages originally earned in this labor, the increase seemed greater than it has been in fact, if the normal condition of living be considered. A general increase is to be noted, however, and especially in those industries in which inventions have made improvements, yet even this branch has its exceptions, as in the case of silk spinning. At the same time the prices of products in general use have gone down and the hours of labor have generally been lessened.

Mexico.—Nominally, double standard; actually, silver.

As regards wages paid in Mexico, it has been found impossible to obtain any accurate statistics as to the rate which was paid ten years ago. The Government statistics at that time were not very accurate; but from all the obtainable information, derived from hearing the facts and views of well-informed persons cognizant of the conditions existing then and now, it can safely be stated that as regards skilled labor there has been a slight increase, both in the amount paid and in the demand, while as regards unskilled labor the conditions may be said to be substantially the same.

The amount of wages paid varies throughout the Republic, being higher in some sections than in others, and in certain mining districts lower than they were ten to fifteen years ago. This is generally owing to local causes. As a matter of course, owing to the construction and management of 7,000 miles of railroads, the introduction of electricity, and the placing of new and improved machinery in many of the mines and in some of the agricultural districts, there has been an increase in the number of skilled laborers and some increase in the demand for the same; but it is true that, with the great mass of the Mexican laborers, there has been but little if any change in the amount of wages paid.

As might naturally be expected, there are some instances where laborers receive more than ten years ago, but these are the exceptions. There are also many instances where less is received. The daily wage paid to the farm laborer hired by the day does not exceed 30 cents per day, taking into account the whole laboring agricultural population. There are instances where the day laborer receives 50 cents per day; but again there are also instances where he only receives 15 to 20 cents. The secretary of the treasury of Mexico estimates the daily wages of farm laborers at 25 cents.

British Honduras.—Gold standard since 1894; formerly silver.

The laboring man has been materially benefited, beyond the shadow of a doubt, and well he knows it, as against his silver wages, as prior to the gold standard his pay was, in silver, from $10 to $14 a month, and what he had to buy and pay for out of his wages was increased proportionately as silver decreased commercially. Now (at the date of writing) he gets paid in gold what he then got in silver, and what he now buys is not subject to the fluctuation of silver. The price of labor ranged pretty evenly from 1886 up to October, 1894. There may have been some little difference in wages during that period, but not of any moment.

[From the report of the governor.]

The laboring classes, the backbone of the colony, have largely benefited as regards wages, the dollars now earned equaling the number formerly received by them in sols. Savings-bank deposits have increased. Land and house property, whether in town or country, has increased 100 per cent in value, commanding now in gold the same amount received formerly in the money it replaced.

Nicaragua.—Silver standard.

There are few manufacturing industries in Nicaragua, and the existing currency has done nothing to stimulate them. The people prefer agricultural pursuits to manufacturing enterprises. The wages of the working classes occupied in all kinds of labor range from 40 cents to $1.50 silver (18.8 cents to 70¼ cents gold) per day for unskilled or skilled labor. Clerks and the higher classes of laborers receive from $3 to $6 (94 cents to $1.82 gold) per day.

Costa Rica.—Nominally, double standard; actually, silver.

In 1886 prices of labor may be considered to have been one-third less than they are to-day—in Costa Rican currency.

Wages (peons), 1886, $1; 1896, $1.50.

The increase of wages, measured in gold, since 1886 is apparent only. Peons receive now less gold than they did in 1886.

Denmark.—Gold standard.

I have talked with the director-general of foreign affairs and others on the practical effect of the currency on manufacturing and the wages of labor, etc., and have learned in a general way that, though Denmark is not largely a manufacturing country, industrial enterprise is generally increasing, and the wages of labor have increased here, as they have, happily, throughout Europe; but whether this increase is attributable to the currency—with which the people generally seem satisfied, though there is a large party here which favors a double standard of gold and silver—is a matter of conjecture and argument.

Consul Ryder, in 1884, made an exhaustive report specifying the wages of laborers in many lines of industry. I have been informed that wages have advanced, on an average, about 10 per cent since that time.

Portugal.—Gold standard, but specie payments suspended in 1891.

Since the suspension of specie payments there has been certainly some increase in the manufacturing industries, but not sufficiently marked to attract attention. The average rate of wages paid for labor, skilled and unskilled, has remained about the same as it was when the country was on a specie basis.

In a general way, it can only be said that while labor, both skilled and unskilled, has remained at substantially the same wage, the prices of agricultural products, clothing, groceries, boots and shoes, hardware, drugs, etc., have increased about 25 per cent, which is about the premium of gold.

Russia.—Silver standard at time of this report; since changed to single gold standard.

As to the growth of manufactures, it has long been stimulated by a protective tariff as well as by the ability of the manufacturers to pay their workmen approximately the old scale of wages in the cheaper money of the present system [then referring to silver].

An inquiry into wages does not show that the workmen participate appreciably in the benefits bestowed upon these industries. Official statistics showing the condition of agriculture are lacking, except as respects the rates and course of wages in agricultural pursuits, which will be shown in a later part of this report. It suffices to state here, where the general effect is being considered, that I have not read or heard a word favorable to the condition of agriculture; that the universal testimony is of extreme depression, and the wages of the agricultural laborers, as shown by the official table referred to, have had, in the main, a downward tendency.

Spain.—Double standard; mint open to gold only.

All information received from as reliable sources as individual observers can be indicate two things: First, that so far as unskilled labor is concerned, wages have remained stationary; second, that though among skilled laborers for the same amount of skill wages have remained stationary, yet owing to some of the more recent industrial enterprises undertaken in Spain, requiring greater expertness or specialism, the average of wages for skilled laborers, a considerable number of whom are foreigners, has been raised.

During the last ten years, among the higher class of employees in the service of the railways, the wages or salaries have been raised to some extent, as has been done with Government employees, but any connection between this rise and the shrinkage in the value of Spanish currency has been absolutely disclaimed.

Sweden.—Gold standard. From tables given by the American minister a general advance is shown for past ten years.

Norway.—Gold standard.

The existing currency established by law of June 4, 1873, has not had any practical and direct influence on the manufacturing industries and the wages of labor. The latter have increased during the last decade in this country as elsewhere, which will be seen from the subjoined tables taken from the official statistics, but probably from reasons different from the introduction of the gold unit. The last statistics published by the central statistical bureau of Norway do not embrace any later year than 1890, which is compared with the statistics of 1885. But it may be safely said that since the former year the wages of labor have steadily increased, though I am unable to state the actual rates.

No comment upon these quotations is necessary, for the fact is clearly established that under the gold standard business conditions have been settled and a general advance of wages has occurred both in Europe and America; that not only have higher wages been paid, but they have been paid in money of the greatest purchasing power, and that if any decline in wages is found, it is in silver standard countries.

THE GOLD STANDARD THE WORLD'S CHOICE.

Mr. Chairman, within the limit of the century now drawing to a close 855,000,000 of the population of the globe have voluntarily abandoned the free coinage of silver and chosen gold as their standard measure of value.

They comprise the skill, the genius, the intelligence, the culture, the enterprise, the progress, and the wealth of the world.

To every one of the other countries, belated stragglers on the march of time, or not yet emerged from barbarism, we are sending missionaries to-day to lead them up to civilization and a higher life.

The advocate of free silver coinage may turn to such a source for wisdom and counsel on financial methods if he will, but this great Republic will not follow him, for its people have been taught by their own experience that a currency solidly based on gold has not only built up the nation in the days of peace, but is its best defense in time of war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOWLER of New Jersey. I ask unanimous consent that the time of the gentleman may be extended until he finishes his remarks.

Mr. HANDY. That simply cuts off the time of other gentlemen.

The CHAIRMAN. Objection is made.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GIBSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed joint resolution (S. R. 143) authorizing the use of a part of the appropriation heretofore made for the relief of the destitute citizens of the United States in the Island of Cuba for the aid of such citizens, refugees, and others who have reached our shores; in which the concurrence of the House of Representatives was requested.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, informed the House that the President had approved and signed bills and joint resolutions of the following titles:

On April 9, 1898:

H. Res. 178. Joint resolution granting permission for the erection of a monument or statue in Washington City, D. C., in honor of the late Albert Pike.

On April 11, 1898:

H. R. 1034. An act granting a pension to William H. Byrum;
H. R. 7008. An act granting pension to R. G. English;
H. R. 6931. An act granting a pension to James B. Rawlins;
H. R. 4526. An act granting a pension to Mary Vockey;
H. R. 5083. An act granting a pension to Thomas Lane;
H. R. 3661. An act granting a pension to Charles L. Stephens;
H. R. 2349. An act granting a pension to Mrs. Weltha Post-Leggett;
H. R. 3915. An act granting a pension to Delia Elizabeth Woodward;

H. R. 2295. An act granting a pension to Mary J. Hart;
H. R. 7827. An act granting a pension to Elizabeth M. Tumy;
H. R. 2272. An act granting an increase of pension to John N. Bruce:
H. R. 771. An act granting an increase of pension to Bernard Dunn;
H. R. 2275. An act granting an increase of pension to Isaac B. Vail;
H. R. 3798. An act granting an increase of pension to Milton Iserman;
H. R. 2199. An act granting an increase of pension to Henry F. Rice;
H. R. 4624. An act granting an increase of pension to Mary E. Herd;
H. R. 2924. An act granting an increase of pension to R. A. Browning;
H. R. 3212. An act granting an increase of pension to Barbara Miller;
H. R. 3184. An act granting an increase of pension to James H. Blakeman;
H. R. 1381. An act granting an increase of pension to Elisha M. Luckett;
H. R. 345. An act granting an increase of pension to George D. Cook;
H. R. 1306. An act increasing the pension of William Warner;
H. R. 1802. An act increasing the pension of Mary E. Wallick;
H. R. 3802. An act increasing the pension of Francis M. Bruner;
H. R. 290. An act to increase the pension of William H. Webster;
H. R. 1957. An act to increase the pension of William P. Cooper;
H. R. 4116. An act to increase the pension of Charles C. Short;
H. R. 4299. An act for increase of pension of Alexander E. Ingraham;
H. R. 3160. An act to place on the pension roll the name of Minerva Sample;
H. R. 2970. An act to permit an increase of the pension of John A. Anderson;
H. R. 6906. An act to authorize the Shreveport Bridge and Terminal Company to construct and maintain a bridge across Red River, in the State of Louisiana, at or near Shreveport;
H. R. 5489. An act extending the right of commutation to certain homestead settlers on lands in Oklahoma Territory opened to settlement under the provisions of the act entitled "An act to ratify and confirm the agreement with the Kickapoo Indians in Oklahoma Territory, and to make appropriations for carrying the same into effect;" and
H. R. 5030. An act to authorize the construction of a bridge across St. Francis River, in the State of Arkansas.

WASHINGTON AND GLEN ECHO RAILROAD COMPANY.

The committee resumed its session.

Mr. JENKINS. I yield five minutes to the gentleman from South Carolina [Mr. STOKES].

Mr. HILL. I respectfully ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to print the balance of his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. STOKES. Mr. Chairman, much time has been spent, and profitably spent, during this session in discussion of the relative cotton manufacturing interests of the South and of the North. The superiority of the advantages of the South in respect to cotton manufacturing has been conclusively demonstrated by several gentlemen. But the argument of the gentleman from Georgia [Mr. GRIGGS] is in my judgment to be credited with particular merit for its unanswerable arraignment of the national labor law agitation.

The gentleman from Massachusetts [Mr. WALKER] has admitted the advantages possessed by the South in this respect, and with a magnanimity of spirit and nobility of sentiment rarely surpassed upon this floor or elsewhere—has bid us godspeed and largest prosperity. I am not here to disparage the cotton-manufacturing interests of the South or of the North. I am here to aid cotton-manufacturing interests everywhere in every proper way.

LET THE COTTON GROWERS BE HEARD.

But, Mr. Chairman, what I am more concerned about is the cotton-growing interests of the South. The one industry is prosperous to an unusual degree. The other is languishing to an unusual degree. The cry of distress is in the land of the cotton growers of the South, just as it is in the cotton-manufacturing towns of New England. Last fall and winter the most active interest was exhibited all over the South. There were township meetings, county meetings, State meetings, and interstate meetings.

In these meetings met men who had toiled for a year, who had been frugal, prudent, industrious. Yet, in spite of industry, frugality, and prudence; yes, in spite of the copious bounty of Providence, they found themselves empty-handed in the presence of the abundance they had created under the blessing of heaven. They met to consider the problem of 5-cent cotton and seek a solution.

Exhaustive examination was made by the State cotton growers' convention, which met in the capital of my State in November. Causes and remedies were discussed and sent up to the interstate convention in Atlanta December 14. Here again the whole question was reviewed by a representative body of as earnest men as ever grappled with a great and grave problem.

Their findings were transmitted to the American Cotton Growers' Protective Association, which met in Memphis December 21.

This body reviewed the work of the preceding conventions and promulgated its findings. I have copies of all those findings here, but will not consume the time of the House in reading them.

REMEDIES SUGGESTED.

Suffice it to say that the findings of all these bodies agreed in the main. Briefly stated, the remedies suggested comprised (1) a reduction of the product of raw cotton, in deference to the prevalent impression in "best business" circles that there is an overproduction of cotton; (2) increase of all food crops; (3) diversification of crops; (4) curtailment of credit system; (5) reform of the currency system; (6) abolition of gambling in cotton and all agricultural products.

All these remedies, save the last two, relate to the individual and collective action of the cotton growers themselves, and they have inaugurated the proper steps to make them effective. The last two are beyond the reach of individual effort. They are beyond the reach of State legislation. They can be reached only by national legislation. Having done all in their power to accomplish by organization or State legislation, they come to Congress for relief.

The financial question is effectually tied up here now. There is but one avenue for relief left open for Congressional action at this time—the abolition of gambling in cotton—and to that phase of the matter I shall therefore confine myself.

Mr. Chairman, I attended two of those cotton growers' conventions, and I wish to say that I have never attended meetings pervaded by a more intense and sincere desire to arrive at the true solution. In response to the wishes of these bodies, I introduced a bill which is now pending in the Committee on Agriculture. Several other bills are pending, emanating from different sections of the cotton belt.

HAVE A RIGHT TO BE HEARD.

Since my bill was introduced, Mr. Chairman, I have received thousands of letters, many of them pathetic in their appeals to Congress, indorsing its tenor and urging its passage. From my district alone I have, by actual count, received 1,091 petitions, containing 5,135 individual signatures. I have had petitions from other districts and other States, urging me to press this measure upon the attention of Congress. These people have a right to be heard here. They shall be heard. The responsibility shall be fixed where it belongs. [Applause.]

While, for the sake of brevity, I shall confine myself to dealing in "cotton futures," I state broadly that every condition and conclusion and consequence, applicable to gambling in cotton, will apply to similar operations in the great staple cereals which are made subjects of "future" dealings. I wish to state also that in this discussion I shall not go outside of the official reports of testimony taken before several committees of Congress.

THE CASE STATED.

Mr. Chairman, the man who should advisedly bargain away in the beginning of the year, at a clearly ascertained loss to himself, a whole year's product of toil and privation, would everywhere be adjudged a fool in the assizes of common sense. Still the man would simply have done what he had a right to do with his own.

But when that man presumes, unasked, to bargain away the year's product of another in advance, even if at no cost to that other, the natural and proper feeling would be one of resentment toward him as an impertinent meddler.

If, however, it became clear that this meddler bargained the year's product of another in advance, not once, not twice, but bargained it and sold it time and again at an appreciable cost to the producer, I think it quite likely that violent remedies—probably the toe of a boot—would be applied to the intruder, and a self-respecting public opinion would applaud the vigor of the remedy if not the remedy itself.

That is essentially the relation of the "future" operator to the producer of cotton and other agricultural staples, and that is the proposition that I shall first address myself to. The quality of the act is not one whit changed by reason of its wider application or broader scope. If the act is vicious in its narrower scope, in its operation upon the individual producer, it can not be less vicious, certainly, when operating upon the interests of thousands and millions of producers.

IS THE OPTION DEALER A MEDDLER?

It should be sufficient answer to such inquiry that through all the six thousand years and more of the world's history down to 1872, the world had gotten along without the services of the option dealer, and had gotten along fairly well. Not that we should reject or condemn all innovations, or any innovation, because it is innovation; but the fact that he is an innovation, and apparently an injurious meddler, fixes upon the option dealer the burden of proof, to show a valid excuse, if he may, for his continued toleration by a long-suffering people. He owes his birth to a decade of debauch of public conscience during and subsequent to a period of public war and consequent public plunder. The continued toleration of his superfluous and officious presence is due to the grip acquired upon the public throat during the stupor incident to that mammoth debauch.

But how and why did the option dealer come upon the scene in the first instance? Did he come at the solicitation of the producer? No. Did the consumer ask his intervention? No. Whom does he represent? What are his methods? What useful function does he fulfill?

Hear what the Senate committee, presided over by that able jurist, the late Senator George, of Mississippi, says about it. The most elaborate examination was made and fullest testimony from the ablest representatives of the exchanges and others, pro and con, was obtained. That testimony is printed as a public document, together with findings of the committee upon the facts.

Here is what the committee says as to the option system:

In the first place, let it be noted that only in and through and under the regulations of the two cotton exchanges in New York and New Orleans can this business be transacted. The Cotton Exchange in New York is a corporation under the laws of that State. It is composed of less than 500 members, and the number can not be increased beyond that. The initiation fee is $10,000, and the new members are elected by the old. No man can deal directly in futures unless he is a member.

The corporation has absolute power over the dealings. All disputes or controversies are settled by a court established by the corporation itself, in what is called arbitration proceedings. Neither party is allowed to call in a Federal or State court. It fixes the grades of all cotton, designates the warehouses in which it shall be stored, fixes the fees and charges for storage, weighing, and all other work done in relation to cotton. It fixes the quotations of prices which are to be published to the world, and these quotations are thus fixed under its rules for months for which there are no actual sales.

It and its members have such wealth that it is claimed, in a published letter of one of the principal members made in response to argument made on the floor of this body, that the exchange can absolutely dominate and fix prices, as against all others, by flooding the market with offers of an unlimited supply of futures when at other places prices are, in its opinion, too high, and thus break the market; and, on the other hand, when it deems prices too low at other places, may immediately buy all that can be offered.

The New Orleans Cotton Exchange, though located in the largest spot cotton market this side the Atlantic, is a mere annex to and a subordinate of the New York Cotton Exchange, and so need not be described further than by saying if it had the will to do good it has not the power.

Such are the agencies and localities of these dealings, and they are the sole agencies and places for transacting this business.

That recital of cold fact is the strongest possible arraignment of the dealings and the dealers.

I have examined the testimony page by page—nearly 2,000 pages of it, taken first and last by committees of Congress—and I have compared it with the charter, constitution, by-laws, and rules of the cotton exchange, and in my judgment that indictment is a true bill against the dealings and the dealers upon the cotton exchange.

AN OVERSHADOWING MENACE.

Mr. Chairman, note the admission:

The exchange can absolutely dominate and fix prices, as against all others, by flooding the market with offers of an unlimited supply of futures when at other places prices are, in its opinion, too high, and thus break the market; and, on the other hand, when it deems prices too low at other places, may immediately buy all that can be offered.

That alone presents a condition which Congress should deal with.

When would a gambler think prices too high? When would he think prices too low? The bare possession of such power over a product is an overshadowing menace to prices whether that power were actively exercised or not. Not many industries could sit silent under that overshadowing menace and live.

WILL THAT POWER BE EXERCISED?

Having the power to make or break prices, Mr. Chairman, will the exchange use that power? Ah, ask me whether the water will continue to flow to the sea; as well ask whether the apple thrown into the air will return to the earth. So long as human passion for power, human avarice, human greed, live in the human breast, so surely will the possession of power insure the exercise of that power. Not only will it be exercised, not only is it exercised in its fullest sweep, but note how carefully the exchanges have hedged that power in against all possible interference by the producer and the spinner.

Not only is this absolute power over prices exercised to the farthest limit of its tremendous sweep—the unanswerable proof of its exercise appears in the unbroken policy of depressed prices in the fall and higher prices in the spring. By unlimited offerings in advance of October, November, December, and January futures the prices of contracts for those months are forced down, as already shown. The spot cotton market follows the contract market.

During those months the bulk of the crop passes out of the hands of the producer. It has to be so. Few of them are independent; and under the method of the exchange fewer are independent to-day than were so ten years ago. Their obligations must be met. Then, when the bulk of the crop has passed out of the producers' possession, by reversing their tactics the price is raised. This is notorious. It has been burned into the memory of cotton producers every year since the exchange intruded its superfluous presence.

A SELF-CONTINUING MEDDLER.

This body of option dealers is not only a self-constituted but a self-continuing meddler—not only self-constituted and self-continuing, but so limited in membership as to make the cotton exchange the closest corporation on the face of the earth. Membership is so costly, too, that it becomes a close corporation of fabulous wealth.

Rules are so rigid and penalties so severe that the few master spirits practically wield the whole force of this mighty engine in whatever direction the individual or collective interests of the leaders may lie. And from the verdict of this self-constituted, self-continuing, close corporation, as between its members, no court of justice, Federal or State, can be invoked.

A MONSTER MONOPOLY.

None save the members can deal directly in futures on the exchange. Thus the 454 members of the New York Cotton Exchange are enabled to draw a tribute from every other section of the country and levy a tax upon one of its most important industries. Its rules are so framed as practically to shut the spinner or buyer of actual cotton out of the exchange, even through the medium of a member of that close corporation. This is accomplished through a form of contract which permits the seller of a future contract to deliver any one of thirty-odd grades, and allows the buyer no option as to what grade he shall accept.

The buyer can not contract for any specific grade. He must take anything tendered, from "good ordinary" to "fair." It goes without saying that the spinner, when he buys, wants specific grades, and he must get what he wants for the purposes of his particular line of goods.

Again, the form of contract does not admit of purchase or sale of less than 100 bales. This practically shuts out nine-tenths of the producers of cotton from even the poor chance of protecting themselves through the medium of a member of the exchange.

Probably less than one-tenth of the producers of cotton raise as much as 100 bales. And so it turns out, just as was expected and intended, no doubt, that the two parties principally concerned with actual cotton—the producer and the spinner—are entirely excluded as factors on the exchange.

FIXES THE PRICE ABSOLUTELY.

Hence it comes finally and incontestably to this result: The only two parties directly interested in real cotton being shut out, the exchange is left in the exclusive control of the speculative trader. As already seen, the exchange fixes the price absolutely. The spinner buys his cotton throughout the interior markets directly from the producer; but he buys strictly according to exchange quotations.

If a bear raid on the exchange results in a fall of 10 points or any number of points, the fall is immediately reflected in the office of every spinner, and he promptly wires his country buyer, reducing the limit by just so much. This is a matter that comes within the personal observation and experience of every cotton grower every season, and many times in every season. At first glance it might appear singular that the spinner does not kick at his exclusion from the exchange as a factor in determining the price.

The other party principally concerned has been protesting for years and appealing to Congress for relief; but the buyer of actual cotton has not been heard from. The explanation is easy. The spinner thinks his interest lies in the direction of buying cotton as cheap as possible, and the effect of the exchange methods has been to enable him to buy his raw material cheaper from year to year than he thinks he otherwise would.

This is a silent but eloquent indictment of the exchange system that can not be condoned or overcome. Does any sane man believe that the tremendous financial interests engaged in spinning cotton would have been silent this long had they thought the exchange operated against them? Would they not have been knocking at the doors of Congress with unremitting insistence if they had not thought the exchange was furthering their interests?

RAISES AS WELL AS LOWERS PRICES.

It is admitted by the advocates of the system that prices may be temporarily lowered independent of supply and demand, but it is argued as an offset that they are quite as frequently raised above the normal level of supply and demand. Ah, Mr. Chairman, there is the rub. What right have these people to interfere at

all? Is it not clear that they hurt the consumer in the one case as surely as they hurt the producer in the other? The admission and the plea complete the circuit of condemnation from their own mouths. What compensation or comfort is it to us who are forced to sell to-day on a "bear" market, to know that yesterday or to-morrow or next week the "bulls" will be in control? Every seller implies a buyer, does it? Therein lies the culminating iniquity of the thing. They may sell an unlimited quantity; they do sell it; then they move heaven and earth to beat down the price in order that they may buy back their contracts at a profit to themselves—and the price of spot cotton goes down, down with even pace.

No, Mr. Chairman, the people of America, both producers and consumers, are entitled to a free, untrammeled market. Nothing short of that will satisfy them.

PRICES PROGRESSIVELY LOWER.

But we are not left solely to induction or inference. By consulting the table of surplus and prices appended, it is demonstrated that the general trend of prices has been toward a lower level. Not only so, but the price has moved up and down independent of supply and demand. The surplus is used as a basis of comparison here, because, in my judgment, it expresses more accurately the relation between actual supply and actual demand. Here are a few striking contradictions to the law of supply and demand as revealed by these tables.

Of the crop of 1871–72 there remained at the end of the season four months' supply of cotton. The average price was 21.88 cents. At the end of the season of 1887–88 only three weeks' supply of cotton remained on hand. Had the new crop been delayed four weeks the mills must have stopped running. Yet the price was only 5.66 cents. The general decline in all values during this period, due to vicious financial legislation, was about 33½ per cent. Deducting what should be due to the financial factor, we would still have the difference between 14½ cents and 5½ cents to be accounted for by supply and demand. This law would require the higher price with the smaller supply. But the fact is just the reverse.

Note this point carefully—with a surplus equal to four months' supply, the price was 21.88 cents. With a surplus equal to only three weeks' supply the price was forced down to 5½ cents. That is the law of supply and demand, is it? Certainly it is not the law of supply and demand for real cotton. Starting from this same point of time—1871–72—with four months' supply and the price 21.88 cents, compare 1891–92. In the latter year there were less than three months' supply, yet the price was run down to 4.18 cents. If we had to reckon with the financial factor alone, the price of cotton the latter year should have been not less than 12 cents.

At the end of the season of 1889–90, the surplus on hand had increased to five weeks' supply. Did the price decrease correspondingly? Not a bit of it. That is what should have happened if the law of demand and supply had not been interfered with. On the contrary, however, the price, instead of decreasing, increased to 6.18 cents.

Take the current year, if you please. Reckon out the effect of the financial factor; reckon out the effect of the probable surplus; reckon out every other legitimate factor—and what should the price be to-day? Reckoning out all these disturbing factors under well-ascertained laws of economics, cotton should be bringing at least 8½ cents. What is it really bringing? From 5 to 5½ cents. The difference between the actual price and the price as it should be, reckoning out all the factors except the gambling factor, and you must have the effect of the gambling factor. It can't be otherwise. This difference is 3½ cents. If this reasoning be correct (and I challenge refutation), it must be that the farmer is getting 3 to 3½ cents less for cotton to-day by reason of the gambling in cotton futures. How long will the American cotton grower stand it? Only so long as he will organize and demand a remedy.

The tables inserted below are compiled from the statistics of Allison & Co., cotton experts, and contain abundant evidence of the same sort.

NOT DUE TO FOREIGN COMPETITION.

Ah, but they tell us the downward tendency of prices is due to increased competition of other countries that raise cotton more cheaply than we can. The principal trouble with this explanation consists in its stating as a fact what is not a fact. In 1872 the United States produced 55 per cent of the cotton of the world; in 1895 we produced 84½ per cent.

See table appended showing relative cotton production of the United States and other countries from 1865 to 1895.

NOT SO WITH TOBACCO AND WOOL.

In striking contrast with the condition of these products which are subject to option dealings is the range of prices on tobacco, wool, and other products which do not figure on the exchange boards.

The prices of wool are subject to fluctuation from tariff laws and seasons; yet the highest average price of coarse wool since 1878 is 34 cents; the lowest is 29 cents.

The highest average price of tobacco since 1878 is 9.9 cents; the lowest is 7.7 cents. The prices of these commodities being exempt from the officious interference of the exchange gamblers, show nothing like the fluctuations that have confounded the cotton and grain growers, nor do they show the progressive downward trend that threatens the cotton and grain growers with destruction.

WHO FOOTS THE BILLS?

In almost every other industry the initial step in arriving at the selling price of a product is the cost of production, including cost of raw material, labor, insurance, storage, etc. Add to this the cost of transportation to a given point and you obtain the selling price at that point. By the ingenious operations of the cotton exchange and of the grain exchanges this rule is precisely reversed.

In normal conditions all the charges for insurance, commissions, storage, and freight would be carried with the first cost and paid by the consumer. The selling price of cotton, however, being fixed on the New York Cotton Exchange absolutely and exclusively, months in advance, before the product has passed the initial stage of production, without any regard for the cost of production, all the expense is adroitly shifted upon the producer.

This is the way of it: The price fixed by the New York exchange is the price in New York, and that is the standard absolutely followed by spinners, purchasers of actual cotton, as we have already seen. The price in New York being fixed, naturally and necessarily the price at any given interior market is obtained by deducting the cost of transportation, insurance, storage, and commission. Thus the natural and universal course of commerce is nullified, pushed aside, reversed, and the entire cost of handling is saddled upon the back of the producer.

If demonstration were necessary, it could be easily furnished. But it is not necessary to prove that which is admitted by the leading exponent of the system. At page 137 of the hearings before the Hatch committee in the Fifty-second Congress, Mr. Bloss, vice-president of the New York Cotton Exchange, was finally pinned down, after a good deal of sparring, to answering this question: Whether ultimately all these commissions for the wind sales did not come out of the crop? The answer of Mr. Bloss was, "Yes; they are obliged to." And these commissions range from 2 to 12½ cents per bale.

Thus by a system of gratuitous and officious, not to say criminal, interference the entire cost of handling, instead of being carried in the final cost to the consumer or divided between consumer and producer, is shifted wholly upon the producer.

Not only so. This officious intermeddler, by means of ingeniously devised rules, retains absolute control of every item of cost. He fixes the grades and the prices. He prescribes charges for storage and at what warehouses storage shall be permitted. He fixes the rules and the rates of pay for inspection, weighing, and, in short, every detail of every item of cost. Then he sums it all up and saddles it upon the producer. The same is true in every particular of the staple grain-growing industry.

Mr. Chairman, the patience of the American farmer surpasses that of the proverbial Job. It passes belief, if he has fully appreciated his wrongs and his burdens. Imagine the pig-iron interests subjected to such! Would they not be promptly heard here? What interest or industry would be so patient?

Why, Mr. Chairman, the great railroad systems of this country, which maintain costly lobbies here about this Capitol and who yearly pull the leg of the Government to the tune of $35,000,000 for service that they would charge less than $5,000,000 for if performed for any of the big corporations—these railroads are here raising a big howl for relief. They want it bad and want it right away. Relief? From what? Is some big exchange selling contracts for future transportation at ruinous rates to the railroads? Not at all. What then?

Why, Mr. Chairman, a few little pesky ticket brokers are corrupting public morals and tempting the cupidity of dishonest railroad employees by buying and selling actual transportation contracts uttered and sold by the railroads themselves, for which the railroads already have the money. It is claimed that forgery and false impersonation occur, but are the railroads the sole sufferers from forgery? Why should they have special legislation to protect them from perjury and forgery and false personation? What have they done, what great service to the Government, that they should be taken better care of than other people?

If we are to judge of the future by the past, the puny little ticket broker will be wiped out by this House in order that this great moral institution, the railroad, may go forward upon its high moral mission. But the people of nine States who grow cotton, and of the Western States, growing grain, will watch with interest the action of the Congress on that bill to remove an obstacle out of the way of railroad business.

The growers of cotton and growers of grain have been clamoring here for years. There are several bills pending in committees of this House. Every consideration of good morals hypocritically put forward by the railroads to forward their bill, applies in fact a thousandfold to the infamous interference of the exchanges with the cotton and grain growers' interests.

Has not the cotton exchange disturbed the orderly conduct of the business of my people? Has it not cut down their profits? Has it not inflamed the gambling instinct in men, until, infatuated by gains or maddened by losses, they have run the whole gamut of crime, ending with the culminating crime of all—a crashing bullet into a crazed brain by a dishonored hand?

In the name of morals, in the name of fair dealing, in the name of common honesty, the farmers demand this relief. [Applause.]

FRAUD OR GAMBLING—WHICH?

But, Mr. Chairman, it is claimed that these contracts are bona fide: that deliveries may be demanded. The conclusive answer to this is that deliveries are not made, and delivery is not contemplated. As an absolute demonstration of this, compare receipts at New York and New Orleans, respectively, with the operations in futures at those points.

In 1896 the total receipts at New York were 168,000 bales. The sales of "futures" footed up 56,000,000 bales. At New Orleans the same year total receipts were 864,000 bales, and the sales of futures amounted to 15,498,700 bales. The entire crop of that year was only 7,147,000 bales, 4,627,000 of which were exported and 2,505,000 used by domestic mills.

CAN NOT BE DONE.

What do these figures mean? Fifty-six and a half million bales sold against a total receipt of 168,000 in New York! Seventy million bales of recorded contracts (and the Omniscient only knows how many were not recorded) sold against total receipts of less than 1,000,000! How could deliveries of 70,000,000 bales be made with 1,000,000?

It is gigantic fraud or gigantic gambling—gambling beside which the wildest orgies of Monte Carlo are tame. This can mean only one of two things. Either the 69,000,000 bales sold in excess of receipts were gambling contracts pure and simple, or else those receipts were sold over and over again sixty-nine times. Looking at it another way, the whole crop was sold by these intermeddlers in advance, and sold ten times over. For what? For the fun of the thing? Hardly. What for, then? Every time a bale of cotton was sold there was a commission to the broker of from 2 to 12½ cents.

There is the milk in the cocoanut. I am inclined to think, too, that insurance charges, storage charges, inspection and weighing charges, are also carried in each transaction, though, of course, none of them are paid by the broker, and they go to swell his part of the "swag." And mark you, under their method, the expense, whatever it is, comes out of the crop; that is, out of the producer. This is admitted again and again by exchange experts, more or less unwillingly. It needs no proof. It is too plain for argument. Somebody has to pay. It must come out of somebody. Out of whom? Under the system it comes inevitably out of the producer.

Mr. Chairman, if these are gambling contracts, it goes without saying they ought to be suppressed. If they are fraudulent multiplications of wind sales for the purpose of multiplying commissions and other charges, they are an insufferable incubus upon legitimate trade.

WHO ARE BUSINESS MEN?

But they tell us, Mr. Chairman, this system has become so interlocked with the whole commerce of real cotton, interstate and foreign, that the destruction of the system would disorganize and demoralize the business interests of the country. What business interests, Mr. Chairman? Away with this arrogant and unwarranted assumption that the gambling interests are the only, or even the best, business interests in this country.

Are not the farmers business men? Is not their business disorganized and demoralized by the intermeddling operations of the exchanges? Are they not entitled to some protection? Why, according to these people, the men who professionally gamble in a $300,000,000 crop are the "best business" men, while the men who make that crop, who create that value, are not. Arrogance! Rot!

SCOTCH THIS SNAKE.

Finally, it is urged by the advocates of the system that if we legislate them out of existence on this side the Atlantic it will result in transferring the entire trading in futures to the other side.

They darkly hint that we should surely be fleeced in that event. There is absolutely nothing in the history of these human sharks on the New York Cotton Exchange to inspire us with confidence in their fostering care over the cotton growers. Our observation is that gamblers on both sides the water are very much the same. If I am to be sandbagged and robbed, I fail to see any comfort to me in the nationality of the robber who does the job. It is quite clear to me, however, that if the seventy-odd million bales of wind cotton sold in this country could be eliminated there would undoubtedly be that much less burden upon the actual business in actual cotton. We scotch the snake we can not kill.

HAS CONGRESS JURISDICTION?

This seems too elementary for argument. Beyond question the commodities affected by the exchange operations are articles of interstate commerce to a very large extent, and nearly three-fifths of them being exported, relate to foreign commerce. The exchanges assume to fix prices for these products, which are subjects of interstate commerce. They assume to interfere with and regulate interstate and foreign commerce, which, under the Federal Constitution, is the exclusive prerogative of Congress. These intermeddling exchanges arrogate and are exercising a power that is denied to a sovereign State.

But it is not necessary to invoke the interstate-commerce feature of these transactions to determine the right of Congress to interpose.

The Congress has taken cognizance of this matter. Twice such legislation has passed the House, and the legitimacy of such action has been sustained by some of the ablest jurists within and without the Halls of Congress. The moral aspects alone would warrant the interference of Congress.

WHAT ACTION?

Mr. Chairman, I appreciate the difficulties surrounding this phase of the question. I do not hesitate to say, however, that in my judgment any one of the several bills now pending would accomplish the end in view. Naturally I prefer the one introduced by myself, which at some future time I hope to discuss in detail before the House.

As a matter of interest and suggestion, however, I ask leave to print herewith extracts from our consular reports, showing what steps have been taken in some foreign countries to emancipate their agricultural producers from the shackles of this gratuitous and crushing intermeddler. Shall America, with a larger proportion of farming interests and farming population than any European nation, refuse to care for those interests? I trust not. I believe not.

APPENDIX.

EXHIBIT A.

Comparison of sales of spots and futures for eight years at New York and New Orleans, with the total crop and exports.

Year.	New York.		New Orleans.	
	Futures.	Spots.	Futures.	Spots.
	Bales.	*Bales.*	*Bales.*	*Bales.*
1890	21,107,000	271,000	6,782,000	1,094,000
1891	24,433,700	147,000	8,555,300	1,155,000
1892	34,359,800	180,000	12,131,400	1,228,000
1893	53,273,500	189,000	16,516,700	866,000
1894	37,858,300	204,000	12,770,500	927,000
1895	30,377,200	112,000	14,723,400	1,129,000
1896	56,451,000	168,000	15,498,700	864,000
1897	30,113,000	270,000	9,251,700	1,054,000

Year.	Total crop.	Exports.	Home consumption.	
			Northern mills.	Southern mills.
	Bales.	*Bales.*	*Bales.*	*Bales.*
1890	7,297,000	4,906,000	1,780,000	545,000
1891	8,674,000	5,791,000	2,027,000	613,000
1892	9,018,000	5,856,000	2,172,000	684,000
1893	6,664,000	4,390,000	1,652,000	723,000
1894	7,532,000	5,232,000	1,589,000	711,000
1895	9,837,000	6,726,000	2,019,000	852,000
1896	7,147,000	4,627,000	1,605,000	900,000
1897	8,706,000	5,979,000	1,793,000	999,000

EXHIBIT B.

Cotton crop, 1842 to 1893—Stock end of season, and number of weeks' consumption and range of prices.

[In thousands of bales.]

Year.	Stock on hand.			Range of prices.		
	United States.	Europe.		Average.	Lowest.	Highest.
		Total.	Number of weeks' consumption.			
				Cents.	*Cents.*	*Cents.*
1842-43	94	1,280	34	8.99	8.12	10.39
1843-44	160	1,325	33.1	10.27	9.14	11.93
1844-45	94	1,949	27.7	8.54	8.12	8.87
1845-46	107	923	10.4	8.91	3.36	10.66

Cotton crop, 1846 to 1893—Stock end of season, etc.—Continued.

[In thousands of bales.]

Year.	Stock on hand.			Range of prices.		
	United States.	Europe. Total.	Europe. Number of weeks' consumption.	Average.	Lowest.	Highest.
				Cents.	*Cents.*	*Cents.*
1846–47	215	669	17.4	13.09	11.67	14.72
1847–48	171	820	20.3	8.69	7.35	11.67
1848–49	155	906	20.5	8.89	7.11	11.17
1849–50	168	729	14.8	13.76	12.42	15.47
1850–51	128	752	14.8	13.05	9.38	15.73
1851–52	91	769	13.1	10.43	9.38	11.92
1852–53	135	1,144	19.4	11.92	11.62	12.69
1853–54	135	1,112	19.3	11.37	10.27	12.18
1854–55	143	690	10.9	11.42	10.15	13.44
1855–56	64	796	11.5	12.18	11.17	12.93
1856–57	49	527	7.5	15.83	12.93	18.78
1857–58	103	643	10.2	14.49	12.81	18.78
1858–59	149	751	10.5	14.27	13.70	14.96
1859–60	228	1,244	15.1	13.42	11.67	14.96
1860–61	83	1,019	12.1	15.55	13.20	20.54
1861–62	(a)	368	9.6	31.77	20.54	51.26
1862–63	(a)	250	6	46.77	42.63	56.33
1863–64	(a)	563	11.2	57.61	53.80	64.45
1864–65	(a)	347	5.9	41.49	27.41	55.83
1865–66	282	1,143	15.2	35.59	24.87	50.75
1866–67	80	1,092	13.5	26.09	18.27	31.07
1867–68	38	614	6.8	24.40	14.96	26.13
1868–69	12	583	6.6	24.60	21.32	28.42
1869–70	60	749	8.8	22.29	15.73	25.62
1870–71	105	760	7.1	17.40	15.23	19.79
1871–72	55	1,486	15.7	21.88	19.53	23.97
1872–73	91	1,220	11.6	19.59	18.27	21.32
1873–74	108	1,274	11.9	17.30	16.61	19.02
1874–75	66	1,226	11.3	15.98	14.58	16.99
1875–76	120	1,168	10.8	13.44	12.14	14.96
1876–77	120	1,001	9.6	13.20	12.18	14.84
1877–78	43	656	6.5	13.22	12.18	13.95
1878–79	59	480	5	12.71	10.66	14.84
1879–80	137	677	6.5	14.33	13.70	15.47
1880–81	212	978	8.3	13.44	11.79	15.08
1881–82	124	771	6.3	13.95	13.05	14.96
1882–83	237	936	7.3	11.92	11.29	14.45
1883–84	112	1,008	8.1	12.59	11.92	13.32
1884–85	132	772	6.7	11.91	11.24	12.69
1885–86	178	615	5	5.25	4.75	5.62
1886–87	84	812	6.2	5.50	5.19	6
1887–88	182	446	3.3	5.56	5.18	6
1888–89	59	527	3.9	5.93	5.43	6.81
1889–90	62	709	5	6.18	5.62	6.75
1890–91	231	1,024	7	5.06	4.50	5.81
1891–92	427	1,627	11.9	4.18	3.66	5

a No data, owing to the war.

EXHIBIT C.

Prices of tobacco, 1878 to 1896.

Year ending June 30—	Tobacco leaf, per pound.	Year ending June 30—	Tobacco leaf, per pound.
	Cents.		*Cents.*
1878	8.7	1888	8.3
1879	7.8	1889	8.8
1880	7.7	1890	8.6
1881	8.3	1891	8.7
1882	8.5	1892	8.4
1883	8.3	1893	9.0
1884	9.1	1894	8.5
1885	9.9	1895	8.7
1886	9.6	1896	8.5
1887	8.7		

EXHIBIT CC.

Prices of fleece wool (fine, medium, and coarse), 1883 to 1892.

Year.	January.			April.		
	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1883	40	43	33	44	44	37
1884	40	40	34	38	38	34
1885	34	33	29	32	32	28
1886	35	36	32	33	34	30
1887	33	38	34	33	37	33
1888	31	35	33	31	33	34
1889	34	38	33	33	37	31
1890	33	37	29	32	36	29
1891	33	37	31	32	37	31
1892	30	35	31	29	34	31

Prices of fleece wool (fine, medium, and coarse), 1883 to 1892—Continued.

Year.	July.			October.		
	Fine.	Medium.	Coarse.	Fine.	Medium.	Coarse.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1883	39	41	33	39	40	34
1884	35	34	30	35	34	30
1885	32	31	28	33	35	32
1886	33	33	29	35	38	34
1887	34	37	34	32	36	32
1888	29	33	31	31	34	31
1889	35	39	32	33	37	31
1890	33	37	29	33	37	31
1891	31	35	29	31	35	30
1892	28	34	30	29	33	29

EXHIBIT D.

GERMAN LAW AGAINST EXCHANGE SPECULATION.

[Consular Report No. 194, page 447.]

Germany, under the pressure of the Agrarian party, has undertaken what other nations have been desirous of doing, viz, to check speculation on the exchanges, not alone in stocks, but also in food products, principally grain.

(1) No exchange can be established without the consent of the Government, which, through a commissioner, will exercise a continued supervision over its actions and dealings.

(2) A court of honor is created which may exclude persons from the exchange after due trial. Parties who have been judicially declared bankrupt will be excluded for at least six months, and permanently if the bankruptcy was fraudulent.

(3) When the listing of stocks or bonds is applied for at the exchange, a committee will make a thorough investigation of all circumstances affecting their security and desirability, and will then decide whether they can be admitted. Before this is done a prospectus must be published giving all particulars of such securities. Stocks will not be admitted until one year after the entry of the firm name in the commercial register nor before the publication of the balance sheet for the first business year. All parties who have signed the prospectus are legally liable for the correctness of the statements in the same and must make good any loss or damage to the takers of such securities resulting from false, misleading, or omitted statements in the prospectus. Besides, they are liable to be criminally prosecuted if the circumstances warrant such proceedings.

(4) All dealings in futures or on term at the exchange are prohibited, unless the parties to the transaction are entered in the so-called exchange register. The original entry in this register costs 150 marks ($35.70), and an annual fee of 25 marks ($5.95) is exacted to keep the entry alive. The register is public, and can be inspected by any person. The entries are at once published in the Imperial Gazette (Reichsanzeiger) and the local official papers, at the expense of the parties, and a compilation of all names will be published once a year in the Imperial Gazette. The persons omitting to have their names entered in the exchange register have no legal claims against each other by reason of term transactions. Such claims are considered in the light of gambling debts.

(5) The term business of dealing in futures in grain and mill products or stocks of mining and manufacturing establishments on the exchange is entirely forbidden.

(6) Whoever habitually, or for selfish purposes, induces inexperienced persons to speculate on the exchange in such articles as are outside of their sphere of business will be punished by imprisonment and a money fine of 15,000 marks ($3,570).

(7) With the exception of the paragraph referring to the exchange registers, which became operative in November 1, 1896, this law went into effect on January 1, 1897. (For full text of the German statute see Consular Report No. 196, page 296.)

EXHIBIT E.

GRAIN EXCHANGE BROKERS OF RUSSIA.

[Consular Report No. 95, page 609.]

There are fifteen brokers at the grain exchange of St. Peterburg, who are elected by the Grain Exchange Society, and confirmed by the department of trade and manufactures. Of these one is appointed by the exchange committee as a chief broker. The number of the brokers can be increased or decreased by the action of the Grain Exchange Society, with the confirmation of minister of finance. A person wishing to be an exchange broker must file a petition with the grain exchange committee with the following proofs: (1) That he is a Russian subject; (2) that he is not less than 25 years old; (3) that he is a member of the grain exchange; and (4) in case he went through a bankruptcy, to present a certificate that his bankruptcy was acknowledged by the commercial court as justified, i. e., caused by unforeseen misfortune.

The persons elected for exchange brokers are examined by an exchange committee as to their qualifications. The committee then sends all the documents presented and their own conclusions to the department of trade and manufactures. An exchange broker enters upon the duties of his office after his confirmation by the department of trade and manufactures, after taking the oath of his office; but if within thirty days of his qualification, he should fail to present to the committee of the Grain Exchange Society all the documents and books necessary for his duty as broker prescribed by law, his place is declared vacant and given to the next one.

A vacancy occurring in the course of a year is filled, with permission of the department of trade and manufactures, by election held in the general assembly of the Grain Exchange Society. The brokers are appointed for an indefinite period. They must provide themselves with a commercial certificate of second guild; and although they have to pay for the same and all other fees established, they can not engage in any other business outside of that of broker. They must be acquainted with all the rules and regulations concerning commerce and with the prices and qualities of goods. In the discharge of their duties, the following rules must be observed:

(1) Brokers are not allowed to act as commercial attorneys, trustees, or clerks.

(2) They are prohibited from forming associations among themselves or performing the official duties of another, except with the permission of the trustees. They can cooperate for a united mediatorship in carrying out separate orders.

(3) They must attend to their duties personally, and are not allowed to conclude any bargain through an assistant.

(4) They are bound to keep secret all orders, negotiations, and contracts concluded through their agency, except in such cases where it is allowed by their trustees or by the character of the bargain itself.

(5) The brokers in their certificates to parties must designate the bargains in poods (weights) and copecks (values). They issue also brokers' certificates for either sale or purchase of goods, according to orders received by letter or telegram from members of the exchange living in other cities or towns, but they must send such certificates for signatures of the parties.

The brokers must be present at the exchange during business hours and wear a badge with the inscription, "Exchange broker." Each grain-exchange broker receives every year from the department of trade and manufactures a book under seal, in which he must record all bargains made according to the certificate issued by him, with all the particulars and details on the day they were made, and not later than the following morning.

The department of trade and manufactures gives such book only when the broker produces a certificate that he has paid the guild duties for the year, and when he has received the book he must present it to the court of exchequer to have it stamped with revenue stamps. These books and the brokers' certificates issued must be kept in strict conformity with the commercial statute. All bargains being considered secret, the brokers can issue copies of the certificates only to parties interested, and if called on by the courts he is not obliged to produce his book, but a copy under seal is sufficient. At the end of each year, not later than January 20, or when discharged or at the death of a broker, the book is delivered and kept in the safe of the archives in the department of trade and manufactures.

The duty of the chief broker is to see that all the rules and regulations are observed by the exchange brokers; to collect from them information concerning the prices of goods sold and bought at the exchange; to see that all forms under the supervision of the exchange committee are carried out and bulletins published, for the correctness of which he is responsible.

In case of neglect of duty or nonqualification of any broker, the committee of the Grain Exchange Society has the right to ask the minister of finance for the discharge of such broker without petition.

The compensation of the brokers or the brokerage due from the buyer and seller is fixed at the following rate: For the first 10,000 rubles, one-half of 1 per cent, and for amounts above 10,000 rubles, one-fourth of 1 per cent from each party. The brokers are permitted to make reductions of their own accord, if they so desire.

JOHN KAREL, *Consul-General.*

Mr. JENKINS. I ask unanimous consent that the gentleman have leave to extend his remarks in the RECORD.

There was no objection.

Mr. HANDY. I yield ten minutes of my time to the gentleman from Virginia [Mr. OTEY], and the gentleman from Wisconsin [Mr. JENKINS] yields him ten minutes, making twenty minutes.

Mr. JENKINS. That is correct.

Mr. OTEY. Mr. Chairman, I shall endeavor to confine my remarks to the bill now before the House, as no one has referred to it so far. [Laughter.] And so, in considering this railroad bill, I desire to say that this House is practically without any detailed official information which in my opinion enables it at this moment to act promptly and discreetly, decisively and patriotically, on the Cuban question. [Laughter.]

This essential information will not be given us until the Committee on Foreign Affairs sees fit to do so.

In the meantime, Mr. Chairman, that side of the Chamber—the majority of this body—will, in my opinion, do absolutely nothing. [Applause.] What I will do when all the facts are before us—what course I will pursue when we are possessed of the knowledge now in possession of the Foreign Affairs Committee, I can not now say. But I do not believe that there is a member of this body who, when the supreme hour comes, will shirk his duty to his country—aye, to his God. [Applause.]

But, Mr. Chairman, the question then will be, What is his duty? [Laughter.]

In his novel, The Fair God, Gen. Lew Wallace, a gallant Federal officer, puts into the mouth of Itzell, the Tezcucan warrior, the following words, as he addressed Montezuma:

> I intend my words to be respectful, mighty King. A common wisdom teaches us to respect the brave man and dread the coward. * * * A throne may be laid amid hymns and prayers, but to endure it must rest on the allegiance of love.

The scene witnessed on this floor a few days ago, when with unprecedented unanimity this body voted $50,000,000 as an emergency fund, was, to my mind, one that touched the American heart as no other scene has in the last third of a century; and with that fresh in my memory, and in view of the grave and solemn responsibility which we must very soon meet, it is, I hope, not out of place in me to speak, from a Virginian standpoint, as a Southern man, as a former rebel soldier, and to raise my voice in commendation of the brave, to ignore the coward, and to manifest my great joy at the testimony already given by this body that the foundation of our great Republic rests on the allegiance of love. [Loud applause.]

Mr. Chairman—

> The drying up a single tear has more
> Of honest fame, than shedding seas of gore.

And I am sure there is not a patriot on this floor who would not prefer peace to war.

In the language of Tennyson, we would all prefer to extend our dominion of peace—

> Till the war drum throbb'd no longer, and the battle flags were furl'd
> In the parliament of man, the federation of the world.

But, Mr. Chairman, events have been crowded upon us, and I fear that we have exhausted all demands on patriotic patience and forbearance, on justice and on humanity. It appears to me that the time for diplomacy has passed, and that the time for action, as grave and as serious as it is, is upon us [applause], Mr. Chairman.

War is a cruel monster. It is the desolator and destroyer of homes and happiness. Its course is marked by the silent sentinels of devastation, standing amid the sighs of widows and the tears of orphans.

The splendor of our nation may dazzle us, but we have only to look back upon the ruins of Babylon, Carthage, and Rome to show us that war corrupts, enervates, and destroys nations, while peace is the great conservator of power, of happiness, of civil and religious liberty.

My voice and my pen have been for peace, and I am still for peace, if war can be averted with honor. [Applause.]

War is a mad game, at which the rich will play to profit by it. It enriches the few and bleeds the millions. We have forty-five stars, representing forty-five States, each an empire within itself, and within our borders there are others asking to be added to this glorious constellation and appealing in vain, while some look with eagerness to adding the lone star of Cuba.

We have the greatest and most continuous and most unsevered empire of civilized, enlightened, and progressive people on earth, and the real development of our resources has hardly yet begun.

Four-fifths of our arable land are not yet under cultivation and a still larger proportion of our mineral wealth is undeveloped, and there is no limit to our manufactures except the needs of the world. We are untrammeled by the enervating effect of a large standing army.

There is room in one State (Texas) for over 50,000,000 of people, and so far from population being then as dense as it is to-day in England, there would be sufficient fertile land on which to raise all the cotton used in the world and to supply the entire food product necessary for the United States of America. Our streams penetrate all sections of our land, laden with our domestic commerce, giving more miles of navigation than the whole of Europe. We have more railroads than the balance of the world combined, and if projected on a single track would reach from here to the moon.

We of the South know something of the ravages of war; our brethren of the North do not know, for they have never experienced it. And if war come, we of the South know that we have nothing to gain in a commercial way—we have everything to lose. Every man taken from our producing capacity will lessen our material advancement. A generation has passed away since our great struggle, and yet we of the South have not yet recovered from its blighting effects. Our Southland, which to-day should be blossoming like a rose, is yet in the midst of suffering.

No people have ever manifested such manhood and courage in adversity, no people have ever had to fight uphill as they have, and none have ever merited triumph more; and now, as light begins to penetrate the long night of our discomfiture, we ought to hesitate to go to war as long as peace, with honor, is possible. Our martial fervor will be no less emphatic, our patriotic zeal will be no less pronounced, if war must come.

But we will face it as we have always done, yet knowing that it means more taxes, more oppression, more pensions, more privileged classes, more misery and less happiness, more concentration of power in the hands of the few—all for what? To preserve untarnished the honor of our country, to avenge the death of our citizens. [Applause.] Mr. Chairman, the destruction of the battle ship *Maine* has

> Deposited upon the silent shore
> Of memory images and precious thoughts
> That shall not die, and can not be destroyed.

The diplomacy of Spain will now perhaps be in vain. In the future (if war must come) it will be your joy to recall, and your children and your children's children will be proud to read in the history of their country, that you met the issue as Americans. It will be the pride of posterity to know that you promoted and protected the honor of their great country. It will honor you for the step which perhaps you are soon to take. [Applause.]

Mr. Chairman, I may be pardoned for some reflections and observation which may interest the young men who are to fight the battles of our country. The proud and awful names of Grant and Lee may well be coupled together, having been left to us as lights for after times. A third of a century ago, in this very month, after a prolonged and bloody civil strife, we of the South laid down our arms. To have doubted our courage, endurance, prowess, self-abnegation, would have been to belittle these very virtues in the gallant soldiers who overcame us.

Greatness consists in the achievement of great deeds, and who will deny that our brothers in blue achieved them? To underestimate them would be to underrate ourselves. A victory won without struggle is won without merit; then so much the greater honor to the victor who must struggle to accomplish it. No greater tribute can be paid to the military renown of the Northern generals than the admission of great military qualities of those who surrendered to them.

To say that Lee, Jackson, and Stewart were great military leaders and had no superiors adds luster to the American name, and but sheds greater splendor on the renown of Grant, Sherman, and Thomas. To admit that Pickett's charge at Gettysburg was equaled by no charge of modern times, but adds glory to the brave men that withstood and repulsed it. [Applause.]

History records no such defense as that of Fort Sumter, which only adds fame to the navy that reduced it. [Applause.]

Miltiades, freedom's best and bravest friend, was the greatest of generals, and yet he did not disparage the courage and the fame of Datis and his Persian army. Had he done so he would have dimmed his own luster and lessened the splendor of his great achievements and deprived his gallant men of the immortal name justly earned by them on the field of Marathon over two thousand years ago.

If you treat the military renown of Cornwallis and Burgoyne with contempt, you sully the glory of Washington. Wellington would be shorn of his laurels but for the admitted greatness of Napoleon. General Grant might have received the surrender of a million Chinese and it would not have added one-thousandth part of the luster to his name as did the surrender of Robert E. Lee at Appomattox. [Applause.] While St. Helena is a blot on the name and fame of Wellington, Appomattox is the brightest gem in the crown of U. S. Grant. [Applause.]

His great achievement was equaled only by his magnanimity. He spoke of us before the surrender at Appomattox as we are now spoken of by all men. When at Vicksburg, he wrote General Pemberton:

> Men who have shown so much endurance and courage as those under your command in Vicksburg will challenge the respect of any adversary.

He knew them as it was expressed by Charles Francis Adams when he was minister to England, as related by my friend Mr. LACEY of Iowa, in an address made last May, at the encampment of the Grand Army of the Republic at Des Moines. After the first battle of Manassas, Mr. Adams was at a reception when the news of the Confederate victory was first announced. A courtier said tauntingly to Mr. Adams: "These Confederates fight well, at any rate." "Yes," said Mr. Adams, "of course they do, sir; they are my countrymen." [Applause.] Gen. U. S. Grant felt and recognized this. After the fall of Richmond he declined to enter it in triumph or even without pomp and parade, and when asked to do so said:

> No, I do not care to go. These people feel too keenly already the injury of war, and I do not intend, even by my presence, to seem to them as one who finds pleasure in viewing the wreck of their beloved capital and country.

So, too, when he was at Atlanta and was asked to ride over the fields that marked his triumphs, he said:

> I can not bear to go and view these fields where so many heroes on both sides have fallen.

Mr. Speaker, this honored American said, "Let us have peace," and my voice would echo his words to-day if there was such a thing with honor. The clouds of prejudice necessarily engendered by our civil strife have now happily given way to the bright sunshine of magnanimity and good feeling.

In view of the impending war, it is, I hope, not asking too much that I may

> Wet with unseen tears
> Those graves of memory where sleep

those of glorious deeds who fought in 1861–1865, in order that those who are to follow on other fields may be stimulated to emulate their example.

In doing so I shall refer to some records which can not be equaled for heroism and matchless courage and may prove a useful lesson to our young men who to-day are stirred with commendable martial fervor and laudable patriotic zeal.

I want our young men to study the history of the four years, 1861 to 1865. Without being invidious, I shall call attention to some examples of heroism which may be useful lessons to them in this day and generation. History records no such loss as is recorded of the Twenty-sixth North Carolina at Gettysburg of 87 per cent, and the First Minnesota on the same field of 82 per cent, and it is simply one of the many pages emblazoned with American valor, audacity, and courage. [Applause.] When we see the First Texas holding its position at Antietam with a loss of 82 per cent, and the First Massachusetts standing firm under a loss of 68 per cent, no man can doubt how the sons of these men will stand together now.

When the One hundred and first New York at Manassas, in changing its position in good order, sustained a loss of 74 per cent, and the Twenty-first Georgia followed the movement with a depletion of 76 per cent; when at Shiloh the Ninth Illinois was immovable under a fire that placed 63 per cent of its men hors de combat, while only a few hundred feet in its front stood the Sixth Mississippi, sustaining a loss of 70 per cent; when the One hundred and fifty-first Pennsylvania inflicted a loss of 708 on the Twenty-first North Carolina, itself sustaining a loss of 355 of its own men, no one can doubt that immortality is written on the name of the American soldier. No one will doubt that to-day, joined together in the same cause under the same flag, the sons of those who fought for as well as of those who fought against the Stars and Stripes in 1861–1865 will be invincible, whether on land or sea, and Spain would do well to beware of them. [Loud applause.]

Mr. Chairman, your son or your grandson will read or perhaps has read of when you participated in the bloody charge at Cold Harbor; or the heroism you displayed at the bloody angle at Spottsylvania; or how you scaled the rocky cliffs of Lookout Mountain. And yet on the same page he will read how another grandfather (for his mother, perhaps, was the daughter of a rebel like myself) was in the forefront of Pickett's charge at Gettysburg, at which the whole world stood spellbound in admiration; or perhaps he was one of those who made the name of the American soldier immortal by his participation in the defense of Fort Sumter. Will the grandson think less of his grandfather that wore the gray than of the one that wore the blue? [Applause.] Some of you may have daughters who perhaps have married the sons of a gallant rebel (and I like the name rebel, for I was one myself). [Laughter.]

Should the son of the veteran of the First Minnesota marry the daughter of the veteran of the First Texas, or vice versa, their children would boast that they had a grandfather in each regiment, both renowned for their fighting qualities, the one having lost 82 per cent at Gettysburg, and the other 82 per cent at Antietam. The grandson of a veteran of the One hundred and first New York will ever be proud that his paternal grandfather belonged to that splendid regiment, while he would look with equal pride on the page of history that recorded the gallant deeds of the Twenty-first Georgia, in which, perchance, his maternal grandfather fought, each regiment having lost 76 out of every 100 of their men on the historic field of Manassas.

I think it a useful lesson to call attention to these things. Let us look at the losses here tabulated, and then ask if it does not make every American heart throb with pride, and whether these figures of themselves do not give assurance of the invincibility of the American soldier of to-day. Here are a few instances of losses in Confederate and Federal regiments during the war:

FEDERAL.

Name of regiment.	Battle.	Loss.
		Per cent.
First Minnesota	Gettysburg	82
One hundred and forty-first Pennsylvania	do	76
One hundred and first New York	Manassas	74
Twenty-fifth Massachusetts	Cold Harbor	70
Thirty-sixth Wisconsin	Bethesda Church	69
Eighth Vermont	Cedar Creek	68
Twenty-fourth Michigan	Gettysburg	64
Fifth New Hampshire	Fredericksburg	64

CONFEDERATE.

Name of regiment.	Battle.	Loss.
		Per cent.
Twenty-sixth North Carolina	Gettysburg	87
Twenty-first Georgia	Manassas	76
Twenty-sixth North Carolina	Gettysburg	72
Sixth Mississippi	Shiloh	71
Eighth Tennessee	Stone River	68
Palmetto Sharpshooters, South Carolina	Glendale	68
First Alabama Battalion	Chickamauga	65
First Texas	Antietam	82

Posterity will be gladdened when they read that the sons of such heroes joined together to sustain the honor and dignity of their great nation. And to-day as we look at the flag of our common country, and as we recognize that the honor of the nation is threatened, the sons of the boys who wore the blue and those of the boys who wore the gray will salute it and join us as we say to that flag, in the language of Ruth:

> Whither thou goest we will go; where thou lodgest we will lodge; thy people shall be our people, and thy God shall be our God. Where thou diest we will die and there will we be buried.

[Long and continued applause.]

Mr. OTEY. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia? The Chair hears none.

Mr. HANDY. Mr. Chairman, owing to the interruptions of the speakers, the time has been cut short, and I ask unanimous consent that the vote be taken at ten minutes of 5, instead of quarter of 5.

The CHAIRMAN. Is there objection to the request of the gentleman from Delaware? The Chair hears none.

Mr. PAYNE. Mr. Chairman, what is the request?

The CHAIRMAN. That the vote be taken at ten minutes of 5, instead of quarter of 5.

Mr. PAYNE. In view of the fact that objection was made to the extension of the time of the gentleman from Connecticut [Mr. HILL], I think I shall object.

Mr. HANDY. What is the gentleman's objection?

Mr. PAYNE. You objected to the extension of the time of the gentleman from Connecticut.

Mr. HANDY. I beg the gentleman's pardon. I made no objection. The interruptions were taken out of his time. He had the full thirty minutes, and that is where it affects us. Now, this request is only to take the vote five minutes later.

Mr. PAYNE. The gentleman from Connecticut [Mr. HILL] was cut off because the gentleman from Delaware objected.

Mr. HANDY. Oh, no; the RECORD will not show that.

The CHAIRMAN. Objection is made.

Mr. HANDY. Was not the time extended, Mr. Chairman, before the objection was made by the gentleman from New York?

The CHAIRMAN. Perhaps the announcement was made, but the gentleman from New York, as soon as he learned what the request was, made the objection, and the Chair felt it was his duty to recognize the objection.

Mr. WHEELER of Alabama (to Mr. HANDY). Can not you ask now for an extension, and perhaps the gentleman from New York will withdraw his objection.

Mr. HANDY. Well, Mr. Chairman, I yield seventeen minutes to the gentleman from Ohio [Mr. LENTZ].

The CHAIRMAN. The Chair is informed that the gentleman has only thirteen minutes remaining.

Mr. HANDY. Well, I will yield all my time, which is surely fourteen minutes by the clock, to the gentleman from Ohio.

Mr. LENTZ. Mr. Chairman, I desire to correct a mistake that was made here on last Thursday when the statement was made by the gentleman from Ohio [Mr. GROSVENOR] that John J. McCook was a very bad man and was undertaking the negotiation of four hundred millions of bonds of Cuba, and was against the Administration, and so on, and so on. Now, I read in the Washington Post of the 9th a statement made by Treasurer Rubens, of the Cuban junta, that John J. McCook had no connection whatever with the junta, nor had he negotiated any Cuban bonds. He also denied the sale or issue of four hundred millions of bonds, and further stated that only $100,000 of Cuban bonds had been negotiated, and those were sold at 40 cents on the dollar.

Let me call the attention of this House and the country to a startling statement that appeared on the first page of the Washington Post, an Administration paper, in its issue of Sunday morning, the 10th instant:

MINISTER POLO INFORMED—A MIDNIGHT CONFERENCE AT THE HOME OF SENATOR ELKINS.

The President spent last evening discussing with his personal friends the latest development in the Spanish situation. Among those present during the consultation was John J. McCook, of New York, who is largely interested in the Cuban bond and purchase proposition, and who spent several hours in the President's company.

Another visitor was Senator ELKINS, who was summoned to the White House, and who left a dinner party at his own house to be with the President.

After leaving the White House, where the Woodford dispatch was discussed, Senator ELKINS returned to his residence, and was shortly afterwards joined there by Señor Polo y Bernabe, the Spanish minister. Senator ELKINS and his visitor remained in close consultation until nearly midnight.

From this it appears that this same wicked McCook seems to have a closer connection with this Administration than the gentleman from Ohio [Mr. GROSVENOR] who abused McCook and pretended to speak for the Administration last Thursday.

I read again from the Washington Post of Sunday morning, which announced the policy of the Administration to be presented to us on Monday morning in the President's message, and I will read from the message a little later on and in connection with all this that part of the Post's article showing its close connection with the Administration. It says:

The Post can officially announce this morning that the receipt of the information regarding the armistice will not change the President's policy. This fact was stated positively at the White House last night. The message will be transmitted to Congress to-morrow. It will recommend immediate armed intervention.

There were rumors last night that the President would change his message in view of the new developments. The Post has the highest authority—there could be none higher, in fact—for asserting that these rumors affecting the President's stability of purpose and patriotic desire have no foundation in fact.

For this reason no credence is placed in the assertion that the President is willing to accept the Spanish armistice coupled with the much-discussed purchase scheme, or that he has any other idea in view than the withdrawal of the Spanish flag from the Island of Cuba.

It is true that the semiofficial press dispatches from Madrid have all the time insisted that the absolute and complete independence of the Cuban people has never been demanded by the United States of Spain, but these announcements, emanating from Spanish sources, have placed the President in a false and embarrassing position. It is again asserted in the Post, and with ample authority, that the withdrawal of Spain from the island is the main issue upon which the President's policy is based, and he will be satisfied with nothing less.

The Post can officially announce this morning that the receipt of the news regarding the armistice will not change the President's policy. It will recommend immediate armed intervention.

But the Administration took another change overnight. It had an interview with Senator ELKINS and John J. McCook, and at midnight "Senator ELKINS and the Spanish minister were in close consultation;" and then on Monday morning we have a message which omits all reference to "immediate armed intervention."

I have been accused of attacking the President of the United States. I never made a remark about his personality or about him individually, but as President of the United States. I affirm now, as I have repeatedly affirmed, that he has no policy. He does not know now what he wants to do. He does not know how to do what ought to be done in this case. I propose to show him how, before I finish, by reading from a resolution of the largest Grand Army post in the State of New Jersey, which has mapped out the policy that this country ought to pursue. They know what the people of this country want and what the people of this country demand.

We are told by those highest in authority on Sunday morning that we shall have a demand for immediate intervention; and then comes this message on Monday saying:

Yesterday official information was received by me that the latest decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities.

Now they say that hostilities have been suspended; and in the same message the President says:

In view of these facts—

Which he had recited—

I ask Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba and to secure in the island—

What? The independence of the Cuban patriots? No—

Secure in the island—

What? Does the President propose immediate intervention? No—

Secure in the island the establishment of a stable government.

A Spanish government. "A stable government" is not the language that was used in the St. Louis platform in 1896. Criticising the Democratic Administration, the Republican party drafted in 1896 a platform at St. Louis declaring—

The Government of Spain having lost control of Cuba and being unable to protect the property or lives of resident American citizens or to comply with its treaty obligations, we believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island.

Why have you changed your mind in a day and a night? A midnight interview cuts off "immediate intervention." A midnight interview destroys the proposition of independence; and no suggestion of Cuban freedom is found in your President's message of yesterday, although two years have elapsed since you made that criticism on the Cleveland Administration.

"A stable government!" What do you propose now? "Let this Congress give to the President the Army and the Navy," he says, "and I will go over there and force the Cuban patriots, force the Cuban heroes, to submit to a stable government at the hands of Spain, because the Queen Regent has already advised the Administration that she has ordered a suspension of hostilities."

She can not order a suspension as against the insurgents. She has not among all her bull fighters and bullies manhood enough to order a suspension of hostilities on the insurgents' side. This Administration, with all its vacillating policy, which was criticised by the Chicago Tribune, an Administration paper, asks us to put the Army and the Navy in its hands to go over and punish the Cubans after three years of the most heroic fight for liberty that any people ever made on the face of the earth. I say it is an outrage—it is a stench in the nostrils of every decent American—to ask that the Army and the Navy be put into the hands of anybody to subordinate the men who have for three years fought for their liberty. We shall see whether the majority side of this House can be lined up and whipped into such a policy as that.

The resolutions of the Lincoln Post, at Newark, voice the sentiment of the American people. These resolutions were prepared by Dr. Grenville M. Weeks, the last surviving surgeon of the original *Monitor*, and passed, as I said before, by the largest Grand Army post in the State of New Jersey. Copies of the resolutions were sent to every member of this House, from which I read the following:

To the Congress and President of the United States:

Be it hereby resolved by Lincoln Post No. 11, Department of New Jersey, Grand Army of the Republic, that as the first step toward stopping further destruction of defenseless noncombatant patriots, women and children, by their present enforced death by starvation, Congress and the President of the United States be, and are herewith, further urged and encouraged, as they already have been by the unanimous voice of our State legislature, to give the patriot Cubans our nation's recognition of their independence at the earliest possible moment.

[Applause.]

There is a second resolution which I shall read. These resolutions embody all that statesmanship and diplomacy could suggest at this hour. They ought to have been indorsed and adopted by this House the next day after the *Maine* was destroyed:

Resolved, That we see therein no necessary occasion for war between this country and Spain, but only the giving of a long-deserved recognition of Cuba as an independent nation, with whom we would then have rights of trade that Spain thereafter has no more right to forbid than she has to forbid our trade with France or England.

And in a further resolution in substance saying:

If Spain does undertake to interfere with us, then comes the cause of war.

The Chicago Tribune, from which I proposed to read a moment ago, says:

The country has waited through two years of Cleveland and over one of McKinley to see an end put to Spanish misrule and Spanish atrocities in Cuba. During that long period the United States has helped Spain by endeavoring to deprive the insurgents of supplies, and has been abused by Spain for not doing more. The newspaper reports of the horrible sufferings of the Cuban pacificos, sneered at by Spanish sympathizers in and out of Congress, have been confirmed by Senators PROCTOR, GALLINGER, and THURSTON, all strong Administration Senators. A quarter of a million helpless, innocent Cubans have been slowly starved to death while this Government was spending millions to prevent Cubans in this country from sending arms and ammunition to the insurgents.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LENTZ. I ask unanimous consent that I may be permitted to proceed for five minutes longer.

Mr. JENKINS. We would have no objection on our side of the House if it be conceded that ten minutes additional be allowed to this side.

Mr. HANDY. We will be very glad to do that.

The CHAIRMAN. The question is on the request for unanimous consent to allow five minutes additional time to the gentleman from Ohio and ten minutes to the other side. Is there objection?

There was no objection.

Mr. LENTZ. Mr. Chairman, the same article says, continuing:

The policy of action speaks for itself. It requires no explanation. The policy of long-continued and incomprehensible delay requires explanation, especially when there are indications that it may be adhered to still longer.

I say that if the House had declared the independence of Cuba—had declared for Cuban independence—a year ago it would have been even late then, indeed, in doing its duty. I say that every hour we procrastinate, every hour that we postpone that recognition, we are adding to the murder not only of Cuban patriots, but ultimately to the murder of American patriots as well. [Applause.]

We heard a gentleman on the other side of the House say, during this discussion, that the rainy season is coming on in Cuba, and that we ought "to be slow in going to war at this time!" Mr. Chairman, I have never heard anybody say that we ought not to go to war because we are afraid of rain. [Laughter.] The time has come when we ought to take a decisive step, and the time has come, in view of conditions now existing, when we may stop talking of supporting the Administration. "The king can do no wrong" is an old saying. This old adage may serve the purpose of a cringing and cowardly people. It was invented in the early days of history and was a part of the traditions that have come down to us from the Dark Ages. It is reeking with brutality, and has no part in the traditions of a free country and among a free people.

This is a free country, and with the 447 Senators and Congressmen, representatives of a great people, we are better able to decide questions as to the policy of this Government in view of the facts before us, and are better fitted to advise the President, than are those who go at midnight, behind closed doors, to point out the views of the plutocrats and submit them as the voice of the people. This is a Government yet "by the people and for the people," and it will remain so. [Applause.]

And I predict this, that these 266 American brothers shall not forever rest unavenged in the soil of a tyrant. Our American manhood—the youth of this country—will not rest until that matter has been adjusted to their satisfaction, and to the honor of this country. They will be aroused by the language of poets and philosophers, and a popular sentiment will override the hesitating and faltering policy of the money power.

Lee Fairchild's words, published lately in the Washington Times, will put new life in the youth of this country. Young men will begin to feel and think in sympathy with the stricken hearts of the mothers, the widows, and the sisters of this land who have been bereft of loved ones by this horror in Havana Harbor, when they hear his noble words:

We have a thousand guns; what did we make them for,
If not in times like these to speak the speech of war?
Let's fight, or quit our brag, and take our banter back;
Paint white our ships again, and paint our White House black.

[Prolonged applause on the Democratic side.]

Mr. HEPBURN. Mr. Chairman, sometimes misstatement is so gross that it reaches the dignity of falsehood, and falsehood so gross that it becomes mendacity, and mendacity so foul that it becomes scoundrelism.

I say that the President of the United States has never said that he desires the use of the Army and the Navy at the hands of Congress in order to establish Spanish supremacy on the Island of Cuba. [Applause.] It is not true. There is no man who can, with an honest heart and with an honest purpose, read this message of the President and arrive at any conclusion of that character.

The President's whole argument leads up to the proposition that the conduct of Spain on that island during fifty years of misrule, fifty years of outrage, fifty years of tyranny, has brought about a condition that is now intolerable and insupportable and must cease. That is the language of the President of the United States. [Applause.] He asks the use of the Army and the Navy to put an end to that intolerable and insufferable condition. [Applause on the Republican side.] That is the argument of the President.

Mr. LENTZ. Does he not argue against according belligerent rights to the Cubans?

Mr. HEPBURN. I decline to yield to the gentleman.

Mr. LENTZ. I should think you would.

Mr. HEPBURN. The President has made this argument. Every sentence in that message to this House teaches us that that is his purpose, and yet gentlemen say, in view of all the language that he has used and all of the argument that he has made and all of the recital of infamous and despotic conduct that he has called to our attention, that it is the purpose of the President to become the ally of the Spaniards. I say there is no word in that message that justifies any honorable man in making a declaration of that kind upon this floor. We are going there to fight Spain. We are going there, if we go, to establish a stable and a permanent government. What does that mean?

Here we have had fifty years of Spanish government, not stable, not permanent except in the villainy of its outrages. That character of outrage and villainy which has become insufferable, the President says, should be suffered no longer. It has created such an emergency as compels us to violate the otherwise friendly relations that we ought to have and go to the extreme of war in bringing an end to these insufferable conditions produced through the acts of Spain. And yet the gentleman dares to stand here and say that the message advocates the use of the Army and the Navy, the placing of the whole military power of the country in the hands of the President, in order that he may go to Cuba to perpetuate that which he reprobates, and to continue that which he says is now unendurable.

Mr. BALL. Will the gentleman yield for a question?

Mr. HEPBURN. I decline to yield. I can not yield a part of my ten minutes. The gentleman says that we are going there, or that the President desires to go there, for the purpose of maintaining the Spanish Government. Not so. The President says he wants that there should be upon that island the blessings of stable and permanent government. All of the traditions of our nation, all of the insistings of our statesmen have been upon the line that upon this continent there should be republican form of government alone. Is it necessary that in every message the President should reiterate that fact? That is the settled policy of this nation, to secure wherever it may aid that form of government—republican government. He wants a stable and permanent republican government. Does that mean Spanish rule? Has any man the right to make that argument?

Mr. LENTZ. Does he say republican government?

Mr. HEPBURN. No, he does not say that, but he supposed that you knew something about the history of this country. [Applause on the Republican side.]

Mr. LENTZ. I do.

Mr. MAGUIRE. And we know something about the history of this Administration.

Mr. HEPBURN. He supposed that you knew something about the aspirations of American statesmen; that you knew something about the declaration that over and over and over again had been reiterated by every branch of this Government with reference to the character of government that should be formed on this hemisphere. [Applause on the Republican side.]

Now I yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, I shall not reply to the speech made by the gentleman from Ohio [Mr. LENTZ]. I wish to say that I avail myself of the first opportunity that I have had to say that, misled by a series of publications, one of which the gentleman from Ohio [Mr. LENTZ] read in his speech of last Thursday, I located Mr. John J. McCook at a particular point of this transaction which he disclaims all connection with. At the proper time I will put into the RECORD a complete explanation of the whole of that matter.

I am going to refer now to only one thing that the gentleman from Ohio [Mr. LENTZ] has said on this particular occasion, and I do not do it for the purpose of elaborating a speech upon this occasion. The time is coming when gentlemen will have a full opportunity to assail the President of the United States, to send their bitterness and their opposition across the water to our enemies. The gentleman shall have a full opportunity to abuse his own constituents at home for any conservative expressions which they may have made through the telegraph or the mail, and he shall have that opportunity unaffected by any answer of mine. I wish here simply to say that the President of the United States has asked of Congress the power to use the Army and the Navy for the purpose of establishing in the Island of Cuba an independent government.

Mr. LENTZ. Why did he not say so?

Mr. GROSVENOR. Will my friend from Ohio try for a minute to keep his mouth shut?

Mr. CANNON. Oh, that is impossible. [Applause and laughter on the Republican side.]

Mr. GROSVENOR. I state that the President of the United States has asked for the use of the Army and Navy to establish on the Island of Cuba an independent government, and has said so in the plainest kind of English language. [Cries of "Where?" on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSVENOR. I will show you "where." Hold on.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Kentucky. I ask unanimous consent that the time of the gentleman may be extended five minutes.

Mr. SIMPSON. Regular order!

Mr. JENKINS. I move that the committee do now rise.

Mr. GROSVENOR. Oh, let me finish my sentence.

Mr. BALL. I ask unanimous consent that the gentleman from Ohio have five minutes.

Mr. JENKINS. They have objected.

The question was taken on the motion that the committee rise; and the Chairman announced that the ayes seemed to have it.

Mr. LEWIS of Washington. I move that the gentleman have five minutes.

Several MEMBERS. Division!

Mr. LEWIS of Washington. I move that the gentleman have five minutes.

The committee divided; and there were—ayes 20, noes 119.

So the motion that the committee rise was rejected.

Mr. LEWIS of Washington. I move that the gentleman from Ohio be permitted to address the committee for five minutes—ten minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Ohio be permitted to continue his remarks for ten minutes.

Mr. HANDY. And ten minutes on this side to reply.

Mr. GROSVENOR. Five minutes. I only want five minutes.

Mr. HANDY. And five minutes on this side to reply.

Mr. GROSVENOR. I shall not object to that.

Mr. DALZELL. Yes, there is; I object.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington, that the gentleman from Ohio shall have five minutes?

Mr. DALZELL. I object to five minutes more on that side. If the gentleman from Ohio proceeds for five minutes now, we will have had twenty minutes on this side and there will have been thirty minutes consumed on the other side.

Mr. SIMPSON. Unless there is five minutes granted on this side, I shall have to object.

Mr. GROSVENOR. I hope that my ending shall not be cut off in such a way as to make me stultify myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington that the gentleman from Ohio be permitted to have five minutes?

Mr. SIMPSON. I object, Mr. Chairman.

Mr. LEWIS of Washington. There is no objection, provided the amendment of the gentleman from Delaware be put to the House——

Mr. BARTLETT. Regular order!

Mr. GROSVENOR. I would like——

Mr. BARTLETT. I call for the regular order.

Mr. BABCOCK. I desire to submit the following request: That the time be extended ten minutes, five minutes to be used by the gentleman from Ohio [Mr. GROSVENOR] and five minutes to be controlled by the gentleman from Delaware.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that ten minutes' additional time for general debate be granted, five minutes to be given to the gentleman from Ohio and five minutes to be controlled by the gentleman from Delaware.

Mr. DALZELL. I object.

Mr. GROSVENOR. Do not do that; it will put me in a very awkward position; and I am surprised that the gentleman from Pennsylvania does any such unfriendly thing.

Mr. BARTLETT. Regular order, Mr. Chairman!

Mr. GROSVENOR. A parliamentary inquiry. What is the condition of the bill pending before the House?

Mr. DALZELL. The objection is withdrawn, Mr. Chairman.

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes, and the gentleman from Delaware will control five minutes.

Mr. GROSVENOR. Now, Mr. Chairman, after a great deal of tribulation, I am going to give to gentlemen on the other side a demonstration of every statement which I made. Now, if you will turn to page 3702 of the CONGRESSIONAL RECORD, you will find this language used by the President, and I will leave it to the most acute analytical mind on the other side to say if that is not a proposition to establish on the Island of Cuba a government independent of Spain:

> In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations.

Mr. BRUCKER. Is it not a fact that Canada has a stable government under the British flag?

Mr. GROSVENOR. There is so much confusion I can not hear the gentleman's question.

What benefit do I get out of five minutes time if I am to be run over by everybody who thinks he knows something and thinks he is thinking about it? It is an outrage upon every man. Right at the moment a connected idea is attempted to be communicated somebody comes in and bellows in the ear of the speaker something that he can not understand and does not want to understand, either.

Now, I ask any gentleman on the other side to tell me how a government on an island or any country controlled by a foreign country as Cuba is now can have a government capable of discharging its "international obligations?" What are international obligations? Do colonies have international obligations? Did the President understand that there can be a colonial condition in Cuba by which there would be international obligations from that Government?

What representation have we from the Dominion Government? What representation do we send to the Dominion Government? What international power does the Dominion act confer under any kingly power on earth of an international nature? What international act does Canada do? What international act has any of the West India Islands ever done? What representative of this Government goes to Jamaica, Puerto Rico, or any island except those independent, as Haiti.

The very language of the President, as understood by every intelligent man and men of thought, is that the object and purpose of using force is to establish a government with international obligations and with the power to discharge those international obligations. So the whole appeal of the gentleman from Ohio is like the picture of a "painted ship upon a painted ocean." [Laughter on the Republican side.]

Mr. Chairman, I do not care to reply to the gentleman from Ohio. He may not be satisfied with the situation as he left it last Thursday. I am. He may not be satisfied with all he has heard in regard to that matter. I am; and I am content to leave the matter exactly as I left it last Thursday night.

Mr. Chairman, the time is coming very rapidly—it will be here, I trust, to-morrow—when, under the guidance of the Committee on Foreign Affairs, this House will take action; and I will suggest to the gentlemen on the other side that there will be a degree of patriotism, a degree of unanimity of purpose, a degree of oneness in action that will surprise the gentleman when he looks over the vote that will be taken here to-morrow. [Great applause on the Republican side.]

Mr. HANDY. I now yield so much of my time as remains to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY. Mr. Chairman, it is somewhat remarkable that a President of the United States should send to Congress a message upon one of the most important and one of the most exciting questions that has engaged the attention of the country for many years, and that he should conclude with a recommendation so ambiguous as to become the subject of controversy about its meaning.

The President of the United States in other portions of his message shows that he is a master of clear and excellent English, and yet when he reaches that portion of his message which, above all others, ought to have been distinct and unequivocal, he taxes the ingenuity of his friend from Ohio to make it clear to the House and to the country what he meant to say. [Applause on the Democratic side.]

If the President desired authority to use the Army and Navy of the United States to establish an independent government in the Island of Cuba, why did he not ask for it in so many words? [Applause.] I am not willing to believe that he has deliberately veiled his meaning from this House and from the country. I believe—and in saying it I do him higher credit than his personal and political friends—that he meant exactly what he said, and said exactly what he meant. [Applause on the Democratic side.]

Was it not as easy to say "an independent government" as it was to say "a stable government"? Only one word was required to describe either kind, and when the President used the word "stable" he must have meant it, and when he did not use the word "independent" we must assume that he did not mean it. [Applause on the Democratic side.] A stable government and an independent government may be vastly different. Nobody doubts that the Government of Canada is stable, but everybody knows

that it is not independent. I do not doubt that Spain, with our help, can establish a stable government upon the Island of Cuba. I do not doubt that they can make peace there if we will help them; but they must first make it a solitude and then call it peace.

But, Mr. Chairman, in another portion of this message the President has not left us to doubt or conjecture his meaning. He says there are two kinds of intervention. One is an intervention in favor of one of the parties to the conflict, and the other is a neutral intervention, compelling both of them to keep the peace, and he proposes the latter. If Congress gives him the authority which he asks, to send an army and a navy to Cuba, then when his command reaches there and calls upon the people to be at peace, the Spanish general will reply: "We are at peace; our arms are stacked, and if anybody is disturbing the peace of this island, it is the insurgents under General Gomez."

The President's representative will then be compelled to say to the insurgent forces: "Stack your arms; go back to your homes and give up this heroic struggle which you have maintained for three long years against famine and fire and sword." If the insurgents refuse to obey, then the commander whom the President sends to Cuba must issue his order to fire upon those struggling patriots. Mark my words, a President who orders an American army to fire upon those Cuban soldiers will be odious, and his children after him will be odious, so long as the memory of his deed shall last. [Loud applause.]

Mr. HEPBURN. In view of the fact, is it conceivable——

[Loud cries of "Regular order!"]

Several MEMBERS. Let us hear the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. I say, in view of the infamy [cries of "Regular order!"] which would follow that act, is it conceivable that the President of the United States would desire to do it?

Mr. JENKINS. I move that the committee rise.

Mr. BAILEY. I should like to hear the observation of the gentleman from Iowa [Mr. HEPBURN].

The motion of Mr. JENKINS was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HOPKINS reported that the Committee of the Whole on the state of the Union had had under consideration the disagreement of the Senate to the House amendments to Senate bill No. 924, and had come to no resolution thereon.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Joint resolution (S. R. 143) authorizing the use of a part of the appropriation heretofore made for the relief of the destitute citizens of the United States in the Island of Cuba for the aid of such citizens, refugees, and others who have reached our shores—to the Committee on Appropriations.

ORDER OF BUSINESS.

Mr. BABCOCK. I move that the House now adjourn.

Mr. MAGUIRE. Will the gentleman withhold that motion a moment?

Mr. BABCOCK. Very well.

Mr. MAGUIRE. I desire to ask that Mr. Fairchild, who addressed the House yesterday, and was limited to ten minutes, be permitted to print his entire argument in the RECORD.

The SPEAKER. The gentleman from California [Mr. MAGUIRE] asks unanimous consent that Mr. Fairchild, contestant in the case of Fairchild *vs.* Ward, be allowed to extend his remarks in the RECORD. Is there objection?

Mr. PAYNE. I object.

Mr. BABCOCK. I renew the motion to adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 20 minutes p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8063) to amend "An act for the preservation of the public peace and protection of property in the District of Columbia," approved July 29, 1892, reported the same with amendment, accompanied by a report (No. 1050); which said bill and report were referred to the House Calendar.

Mr. STEWART of New Jersey, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8881) to establish a life-saving station on the westerly side of the harbor of Gloucester, Mass., reported the same with amendment, accompanied by a report (No. 1055); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5522) to establish a life-saving station at Charlevoix, Mich., reported the same with amendment, accompanied by a report (No. 1056); which said bill and report were referred to the House Calendar.

Mr. HOOKER, from the Committee on Rivers and Harbors, to which was referred the bill of the Senate (S. 4332) to amend an act "Making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 3, 1896, reported the same without amendment, accompanied by a report (No. 1060); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the concurrent resolution of the House (House Con. Res. No. 26) authorizing the Secretary of War to submit plans for the improvement of Aransas Pass Harbor, State of Texas, reported the same with amendment, accompanied by a report (No. 1061); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the concurrent resolution of the House (House Con. Res. No. 18) directing the Secretary of War to submit estimate of cost of widening and deepening Deep Creek, Virginia, reported the same without amendment, accompanied by a report (No. 1062); which said resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the joint resolution of the House (H. Res. 169) providing for estimate of cost of certain improvements of Portsmouth Harbor, New Hampshire, reported the same without amendment, accompanied by a report (No. 1063); which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 414) for the relief of Mathilda Akerblom Molin, reported the same without amendment, accompanied by a report (No. 1048); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6460) for the relief of Galen C. Green, reported the same with amendment, accompanied by a report (No. 1049); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6625) for the relief of George B. Stone, reported the same with amendment, accompanied by a report (No. 1051); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4977) granting a pension to Mary Hannah Clark, reported the same with amendment, accompanied by a report (No. 1052); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8090) for the relief of the widow of the late Henry W. Peter, late contract surgeon of the United States Army, reported the same with amendment, accompanied by a report (No. 1053); which said bill and report were referred to the Private Calendar.

Mr. NORTON of Ohio, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5762) granting a pension to Joel W. Gibson, reported the same with amendment, accompanied by a report (No. 1054); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6102) removing the charge of desertion from the record of Robert V. Hancock, reported the same with amendment, accompanied by a report (No. 1057); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6718) for the relief of Samuel Racey, reported the same with amendment, accompanied by a report (No. 1058); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4253) granting an honorable discharge to Thomas West, reported the same with amendment, accompanied by a report (No. 1059); which said bill and report were referred to the Private Calendar.

Mr. KERR, from the Committee on Invalid Pensions, to which

was referred the bill of the Senate (S. 1473) granting a pension to Oscar A. Palmer, reported the same with amendment, accompanied by a report (No. 1064); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 3395) to place the name of William Gross on the pension roll; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LATIMER: A bill (H. R. 9814) to abolish the office of the justice of the peace within and for the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. HICKS: A bill (H. R. 9815) appointing commissioners to revise the statutes relating to patents, trade and other marks, and trade and commercial names—to the Committee on Patents.

By Mr. VANDIVER (by request): A bill (H. R. 9816) to construct a bridge over Current River, in Ripley County, Mo.—to the Committee on the Post-Office and Post-Roads.

By Mr. WHEELER of Alabama: A bill (H. R. 9817) to provide for the organization of volunteer reserves to the land and naval forces of the United States of America—to the Committee on the Militia.

By Mr. WM. ALDEN SMITH: A joint resolution (H. Res. 231) directing the President to intervene at once to secure peace and order in Cuba—to the Committee on Foreign Affairs.

By Mr. GIBSON: A joint resolution (H. Res. 232) to terminate hostilities in and secure the independence of the Island of Cuba—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. DOVENER: A bill (H. R. 9818) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased—to the Committee on Claims.

By Mr. FOSS: A bill (H. R. 9819) to increase the pension of Maurice F. Ellsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9820) to remove the charge of desertion now standing against John O'Keefe—to the Committee on Naval Affairs.

By Mr. HINRICHSEN: A bill (H. R. 9821) for the relief of Edward Leahy, late a member Company B, Thirty-sixth Illinois Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9822) for the relief of Patrick Murphy, alias Henry P. Murphy, alias William Hayes, late member Company C, Twenty-eighth Illinois Infantry, and Company A, First Mississippi Mounted Rifles—to the Committee on Military Affairs.

Also, a bill (H. R. 9823) for the relief of William J. Patterson, late a member of Company B, Forty-second Indiana Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 9824) for the relief of Henry Harmon, late a member of Company A, Twenty-sixth Missouri Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 9825) for the relief of Mary Thornbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9826) to place the name of Harry Hooper, imbecile son of Nathan M. Hooper, late member of Company F, One hundred and thirty-seventh Illinois Infantry, on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9827) for the relief of William Moore, late a member of Company F, Fourteenth Regiment Illinois Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9828) for the relief of Luther Cline, late a member of Company G, Seventy-seventh Ohio Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 9829) for the relief of Isaac Allen, alias William Simpson, late a member of Company I, Eleventh Ohio Cavalry—to the Committee on Military Affairs.

By Mr. MILLER: A bill (H. R. 9830) for the relief of the trustees of the Baptist Church, of Guyandotte, W. Va.—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 9831) granting a pension to Harriett S. Cady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9832) granting a pension to Augusta Troland—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: A bill (H. R. 9833) to place the name of Nellie M. Guild upon the pension roll—to the Committee on Invalid Pensions.

By Mr. UPDEGRAFF: A bill (H. R. 9834) to remove the charge of desertion from the military record of Frank Averill—to the Committee on Military Affairs.

By Mr. VANDIVER: A bill (H. R. 9835) to carry out the findings of the Court of Claims in the case of Margaret Rose—to the Committee on War Claims.

By Mr. WALKER of Virginia: A bill (H. R. 9836) for the relief of the estate of Joseph L. Essex, deceased—to the Committee on War Claims.

By Mr. WHEELER of Alabama: A bill (H. R. 9837) for the relief of Thomas H. Walton—to the Committee on War Claims.

Also, a bill (H. R. 9838) for the relief of J. J. Little—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of Success Lodge, No. 275, Knights of Pythias, of Reynoldton, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

By Mr. ALDRICH: Two petitions of citizens of Anniston, Ala., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BOUTELLE of Maine: Petition of the Woman's Christian Temperance Union of Guilford, Me., favoring legislation providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages by telegraph, and to raise the age of protection for girls to 18 years—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Guilford, Me., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. BURTON: Petition of O. Stafford and other citizens of Cleveland, Ohio, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of a mass meeting of Scandinavian-American citizens of Cleveland, Ohio, in favor of forcible intervention in behalf of Cuba—to the Committee on Foreign Affairs.

By Mr. CLARKE of New Hampshire: Petition of the Woman's Christian Temperance Union of Hinsdale, N. H., asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. CONNOLLY: Petitions of T. M. Harris and 20 citizens of Lincoln, Ill., and Frank W. Tracy and 40 citizens of Springfield, Ill., in favor of the passage of the so-called anti-scalpers bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CRUMPACKER: Petitions of Anson Wolcott and others, of Wolcott, Ind.; Rev. H. C. Wickemeyer and others, of Michigan City, and Christ. Kimmel and others, of Crisman, Ind., favoring the passage of the so-called anti-scalping ticket bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DORR: Petition of the heirs of Henry Sanger, deceased, late of Fayette County, W. Va., praying that his war claim be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of W. M. Dempsey, deceased, late of Fayette County, W. Va., requesting reference of his claim to the Court of Claims under act of March 3, 1883—to the Committee on War Claims.

By Mr. DOVENER: Petitions of the Third Presbyterian Congregation of Wheeling, W. Va., favoring the passage of bills providing that cigarettes imported in original packages on entering any State shall become subject to its laws, to forbid interstate transmission of lottery messages, and to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of the Third Presbyterian Congregation of Wheeling, W. Va., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ELLIS: Petitions of the Woman's Christian Temperance Union of East Portland, Oreg., and Methodist Episcopal Church of Mount Tabor, Oreg., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of East Portland, Oreg., for the passage of a bill to forbid interstate

transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of East Portland, Oreg., for the passage of a bill to forbid the sale of alcoholic liquors within 200 feet of a church, school, or charitable institution—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of East Portland, Oreg., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

By Mr. FOSS: Affidavit of Maurice F. Ellsworth to accompany House bill granting him a pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to relieve John J. O'Keefe of the charge of desertion—to the Committee on Naval Affairs.

By Mr. GROUT: Petitions of the Congregational Church, Methodist Episcopal Church, and the Woman's Christian Temperance Union, Mrs. E. L. Corwin, president, all of Chelsea, Vt., in favor of the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Methodist Episcopal Church, W. E. Allen, pastor; Congregational Church, B. B. Sherman, pastor, and Woman's Christian Temperance Union, of Chelsea, Vt., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petitions of the Congregational Church, Methodist Episcopal Church, and Woman's Christian Temperance Union, of Chelsea, Vt., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws, and to forbid the interstate transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. HINRICHSEN: Papers to accompany House bill relating to the record of William Simpson—to the Committee on Military Affairs.

By Mr. KETCHAM: Petitions of Freedom Plains Lodge, No. 191, Independent Order of Good Templars, of Freedom Plains, N. Y., and the Woman's Christian Temperance Union of Lagrange, Dutchess County, N. Y., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Lagrange, N. Y., and Freedom Plains Lodge, No. 191, Independent Order of Good Templars, of Freedom Plains, N. Y., for the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. KULP: Resolutions of the Board of Trade of Shamokin, Pa., favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Wholesale Lumber Dealers' Association, favoring currency reform based on the gold standard—to the Committee on Banking and Currency.

Also, resolutions of the Chamber of Commerce of the State of New York; also resolutions of the New York Board of Transportation, the Trades League of Philadelphia, Pa., and the Scientific Institution, of Boston, Mass., sustaining the President in the crisis between the United States and Spain—to the Committee on Foreign Affairs.

Also, resolutions passed by the Oxford Club, of Philadelphia, Pa., urging that instant steps be taken to maintain the honor of the nation—to the Committee on Foreign Affairs.

Also, petition of the St. James Evangelical Lutheran Church, of Turbotville, Pa., in favor of raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the St. James Evangelical Lutheran Church, of Turbotville, Pa., in favor of the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the St. James Evangelical Lutheran Church, of Turburtville, Pa., for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill No. 8991, to correct the military record of Capt. Augustus H. Rush, of Berwick, Pa.—to the Committee on Military Affairs.

By Mr. LATIMER: Paper to accompany House bill No. 9814, relating to municipal courts—to the Committee on the District of Columbia.

By Mr. LEWIS of Washington: Petition of the Central Woman's Christian Temperance Union, of Tacoma, Wash., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petition of Dauntless Lodge, No. 93, Independent Order of Good Templars, of Tacoma, Wash., for the passage of a bill to prohibit the interstate transmission of gambling matter by telegraph—to the Committee on the Judiciary.

Also, petition of 59 citizens of Tacoma, Wash., favoring the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of Epworth Methodist Episcopal Church, Central Christian Church, and Dauntless Lodge, all of Tacoma, Wash., and two petitions signed by numerous citizens of Tacoma, for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Porter, Wash., in favor of restricting the sale of liquor in the District of Columbia—to the Committee on the District of Columbia.

By Mr. LLOYD: Petition of 32 citizens of Kahoka, Mo., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Resolution of the Trades League of Philadelphia, Pa., asking the cooperation of Congress with the President to avert war—to the Committee on Foreign Affairs.

By Mr. McCALL: Petition of the Elysium Club, of Boston, Mass., commending the policy adopted by President McKinley in his endeavors to maintain peace with honor—to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Four petitions of citizens of New York City, favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: Petitions of the Young Men's Christian Association, Sunday school, and Young People's Society of Christian Endeavor of the Reformed Church; Epworth League and Sunday school of the Methodist Episcopal Church, all of Selinsgrove, Pa., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of certain churches and other religious societies in Selinsgrove, Pa., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. MEYER of Louisiana: Twenty petitions of A. B. Kennedy and others, J. E. Sharp and others, John Snyder and others, A. B. Ayres and others, Frank Ellis and others, C. A. Kriper and others, H. A. Andrews and others, John Behund and others, H. J. Lesher and others, M. H. Humphrey and others, Willis K. Hackett and others, H. McFerroo and others, G. P. Wilson and others, V. E. De Long and others, W. W. Williamson and others, George F. Keinberger and others, H. C. Manning and others, H. A. Branda and others, A. L. Keiffer and others, B. J. Adams and others, John Bartlett and others, all citizens of the State of Louisiana, in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER: Resolution of Parkersburg Division, No. 369, Order of Railway Conductors, of Parkersburg, W. Va., favoring the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, evidence in support of House bill for the relief of the trustees of the Baptist Church of Guyandotte, W. Va.—to the Committee on War Claims.

By Mr. PAYNE: Petitions of the Woman's Christian Temperance Union of Five Corners, N. Y., in favor of the passage of bills to forbid interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Five Corners, N. Y., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. POWERS: Petitions of the Woman's Christian Temperance Union, Women's Home and Foreign Missionary Society, and Methodist Episcopal Church, of Underhill, Vt., favoring the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Women's Home and Foreign Missionary

Society of Underhill, Vt., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. PRINCE: Resolutions of the Tri-City Veteran Shiloh Association, of Davenport, Iowa, protesting against the passage of a bill pending in Congress for the erection of a monument in honor of the memory of the late Albert Pike—to the Committee on the Library.

Also, petition of the First Methodist Episcopal Church of Rock Island, Ill., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. RUSSELL: Paper to accompany House bill granting a pension to Augusta Troland, of Norwich, Conn.—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: Resolutions adopted at a mass meeting of miners and citizens of the Pine Creek mining district, Apex, Colo., favoring vigorous action in the settlement of the Cuban question and tendering their services to the Government in case war is declared—to the Committee on Foreign Affairs.

Also, petition of the Christian Endeavor Society of Wray, Colo., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Christian Endeavor Society of Wray, Colo., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SAMUEL W. SMITH: Three petitions of farmers and produce dealers of the State of Michigan, asking for a specific duty of not less than from 6 to 8 cents per bushel on ruta-bagas—to the Committee on Ways and Means.

By Mr. SPERRY: Petitions of the Congregational, Baptist, and Methodist churches of Moodus, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Baptist, Methodist, and Congregational churches of Moodus, Conn., to forbid the sale of intoxicating beverages in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STARK: Petitions of the Methodist Episcopal churches of Tamora and Utica, Nebr., praying for the enactment of legislation to forbid the transmission of lottery messeges by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Methodist Episcopal churches of Tamora and Utica, Nebr., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal churches of Tamora and Utica, Nebr., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STEWART of Wisconsin: Petitions of the Wisconsin State Federation of Labor and the local unions of the city of Madison, Wis., in favor of (1) the eight-hour law; (2) Senate bill No. 35, relative to use of writ of injunction; (3) Senate bill No. 95; (4) against convict-labor competition—to the Committee on Labor.

By Mr. CHARLES W. STONE: Resolution of Warren Lodge, No. 481, Knights of Pythias, of Warren, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, resolutions of the Central Pennsylvania Conference of the Methodist Episcopal Church, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STRODE of Nebraska: Petitions of the Equal Suffrage Club of Table Rock, Nebr., for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Equal Suffrage Club of Table Rock, Nebr., praying for the enactment of legislation prohibiting in the District of Columbia and the Territories kinetoscope reproductions of pugilistic encounters and also the interstate transportation of materials of the same—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Equal Suffrage Club of Table Rock, Nebr., for the enactment of a Sunday-rest law for the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Equal Suffrage Club of Table Rock, Nebr., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Equal Suffrage Club of Table Rock, Nebr., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes—to the Committee on Labor.

By Mr. SUTHERLAND: Papers to accompany House bill No. 3997, for the relief of Elizabeth V. Wright, widow of Samuel Wright, late of the Third Maryland Infantry—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance unions of Bloomington, Nebr., and Verona, Nebr., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Verona, Nebr., consisting of 31 members, to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. UPDEGRAFF: Petition of J. S. Bradley, Ed. N. Waterbury, and 33 other citizens of Charles City, Iowa, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Pennsylvania: Argument of the Philadelphia Commercial Museum, in support of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Board of Trade and Transportation of New York; also, resolutions of the Chamber of Commerce of New York, commending the policy of the President in his effort to exhaust every reasonable means to maintain peace with honor, and appealing to the representatives in Congress to cooperate with and sustain the President—to the Committee on Foreign Affairs.

Also, resolution of the Pennsylvania Division of the Travelers' Protective Association, and resolution of the Pennsylvania Society for the Advancement of the Deaf, of Germantown, Philadelphia, Pa., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of Pennsylvania: Petition of the Woman's Christian Temperance Union of West Philadelphia, Pa., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

SENATE.

WEDNESDAY, *April 13, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3457) to authorize the construction of a bridge over the Black River, at or near Pocahontas, Ark.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 7748) to provide a survey of Elk River, in Tennessee and Alabama; and

A bill (H. R. 8569) providing for the construction of a bridge across the Yalobusha River, between Leflore and Carroll counties, in the State of Mississippi.

The message further announced that the House had agreed to the concurrent resolution of the Senate to print 20,000 copies of the message of the President of the United States on the relations of the United States to Spain and the message transmitting the consular reports relating to the condition of the reconcentrados in Cuba.

PETITIONS AND MEMORIALS.

Mr. QUAY presented a petition of Colonel John B. Clark Post, No. 162, Grand Army of the Republic, of Allegheny, Pa., praying Congress to enact as a war measure an income-tax law; which was referred to the Committee on Finance.

He also presented petitions of the Woman's Christian Temperance unions of Ercildoun, Brookfield, and Pleasant Mount; of the congregations of the Church of Christ of Canton; the Jefferson United Presbyterian Church, of Baxter; the Evangelical Lutheran Church of Williamsburg; the Presbyterian Church of Williamsburg; the First Baptist Church of Philipsburg; the Trinity Methodist Episcopal Church, of Philipsburg; the St. James Evangelical Lutheran Church, of Turbutville, and the Methodist Episcopal Church of Canton, and of the Young People's Christian Endeavor Union of Baxter, all in the State of Pennsylvania, praying

for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Ercildoun and Pleasant Mount and of the congregations of the Methodist Protestant Church of Dayton; the Evangelical Lutheran Church of Williamsburg; the First Evangelical Lutheran Church of Philipsburg; the Presbyterian Church of Philipsburg; the St. James Evangelical Lutheran Church, of Turbutville, and the First Baptist Church of Philipsburg, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Ercildoun and Jefferson County; of the congregations of the Methodist Episcopal Church of Canton; the Church of Christ of Canton; the Methodist Protestant Church of Dayton; the Evangelical Lutheran Church of Williamsburg; the Presbyterian Church of Philipsburg; the First Baptist Church of Philipsburg; the Trinity Methodist Episcopal Church, of Philipsburg; the Episcopal Church and the Presbyterian Church, of Pleasant Mount; the St. James Evangelical Lutheran Church, of Turbutville; the Christian Endeavor Society of Pleasant Mount, and the Young People's Christian Union of Baxter, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. McMILLAN presented a petition of Central City Lodge, No. 121, Brotherhood of Railroad Trainmen, of Jackson, Mich., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented petitions of the Woman's Christian Temperance Union of Laingsburg, of sundry citizens of Lapeer, and of sundry citizens of Almont, all in the State of Michigan, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Local Union No. 205, Cigar Makers' International Union, of Battle Creek, Mich., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Christian Temperance Union of Laingsburg, Mich., and a petition of the Pioneer Commandery, of Benton Harbor, Mich., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. THURSTON presented a petition of the congregation of the First Congregational Church of Indianola, Nebr., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Tekamah Teachers and Patrons' Association of Burt County, Nebr., praying for the enactment of legislation to protect State anticigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the First Congregational Church of Indianola, Nebr., and a petition of the Verona Woman's Christian Temperance Union, Nebraska, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

Mr. ALLEN presented the petition of S. M. Benedict, of Nebraska, praying for the immediate recognition of the independence of Cuba; which was ordered to lie on the table.

Mr. FRYE presented a petition of the Woman's Christian Temperance Union of West Paris, Me., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Young People's Christian Union of Lewiston, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM presented the memorial of John Boyle and 16 other citizens of Champaign, Ill., and a memorial of sundry members of the fire department of Edwardsville, Ill., remonstrating against the enactment of legislation to establish in the Treasury Department a division to regulate insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Rock Island, Ill., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Local Union No. 1, Coopers' International Union, of Chicago, Ill., praying for the passage of the so-called prison-labor bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Enterprise Lodge, No. 27, Brotherhood of Railroad Trainmen, of Peoria, Ill., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

He also presented a petition of Hibbard, Spencer, Bartlett & Co., of Chicago, Ill., praying for the enactment of legislation to create a uniform classification of freight rates; which was referred to the Committee on Interstate Commerce.

He also presented petitions of R. A. Peake and 60 other citizens of Decatur, Ill.; of W. J. Allen and 30 other citizens of Springfield, Ill.; of Lodge No. 315, Brotherhood of Locomotive Engineers, of Clinton, Ill., and of the New England Iron and Hardware Association, of Boston, Mass., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of the Pomona Grange, of Steuben County, N. Y., praying for the enactment of legislation conferring additional authority on the members of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Business League of Thomasville, Ga., praying for the enactment of legislation fixing the powers of the Interstate Commerce Commission so as to give them the authority to fix rates; which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. TELLER, from the Committee on Claims, to whom was referred the bill (S. 2368) to pay just compensation to William Wheeler Hubbell for his invention of high-power steel guns and improvements in other guns made and adopted by the United States for its military service and Navy at the present time, asked to be discharged from its further consideration and that it be referred to the Committee on Patents; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 4040) for the relief of J. J. L. Peel, asked to be discharged from its further consideration and that it be referred to the Committee on Post-Offices and Post-Roads; which was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4160) granting an increase of pension to George W. Garrison;

A bill (H. R. 2253) granting an increase of pension to Joseph Montieth;

A bill (H. R. 8515) to increase the pension of William H. Savage;

A bill (H. R. 1442) granting an increase of pension to John W. Channing; and

A bill (H. R. 3326) granting a pension to Thomas S. Hancox.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with amendments, and submitted reports thereon:

A bill (H. R. 1295) to increase the pension of Frederick G. Moore, late of Company I, One hundred and fifth Regiment New York Volunteer Infantry; and

A bill (H. R. 6928) granting a pension to Eva Seeley.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 8036) granting an increase of pension to John X. Griffith; and

A bill (H. R. 1855) granting an increase of pension to David C. Waring.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 9206) to incorporate the Washington and University Railroad Company of the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. CARTER, from the Committee on Public Lands, to whom was referred the bill (S. 161) providing for disposal of lands on abandoned portions of the Fort Maginnis Military Reservation, in Montana, and for the relief of certain settlers thereon, reported it with amendments, and submitted a report thereon.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (H. R. 7449) granting a pension to William S.

Adams, late acting assistant surgeon, United States Volunteers, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 8197) for the relief of Mary B. Hulings, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5372) for the relief of Hannah C. Pile, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 2148) for the relief of the legal representatives of Merrick, Merrick & Cope, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2456) for the relief of the Globe Works, of Boston, Mass., reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. ALLEN introduced a bill (S. 4407) to remove the charge of desertion from the military record of Charles W. Noell, of Grand Island, in the State of Nebraska; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4408) granting an increase of pension to William Campbell, of Auburn, in the State of Nebraska; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTIGREW introduced a bill (S. 4409) declaring war between the Kingdom of Spain and the United States of America; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PRITCHARD (by request) introduced a bill (S. 4410) to carry into effect the findings of the Court of Claims in the case of Thomas H. Brinegar; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4411) for the relief of Benjamin F. Buckner and Taylor Buckner; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. ALLEN submitted an amendment relative to the value and use of certain buildings at Fort Crook, Nebr., located on land acquired by the United States by condemnation proceedings, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

DIPLOMATIC CORRESPONDENCE WITH SPAIN.

Mr. DANIEL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President of the United States be, and he is hereby, requested, if compatible with the public interest, to transmit to the Senate all diplomatic correspondence between the Government of the United States and the Government of the Kingdom of Spain respecting affairs in Cuba; and is also requested to inform the Senate whether or not this Government has ever submitted to the Government of Spain the proposition of Cuban independence, and if so, in what form such proposition was made, and under what conditions.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 7748) to provide for a survey of Elk River, in Tennessee and Alabama; and

A bill (H. R. 8569) providing for the construction of a bridge across the Yalobusha River, between Leflore and Carroll counties, in the State of Mississippi.

INTERVENTION IN CUBAN AFFAIRS.

Mr. DAVIS. I am directed by the Committee on Foreign Relations to report a joint resolution and submit an accompanying report thereon. I ask that the joint resolution and report may be read.

The joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect, was read the first time at length, as follows:

Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Mr. WHITE. I desire to inquire whether the joint resolution is accompanied by a report?

The VICE-PRESIDENT. The report is in writing, and will now be read.

Mr. WHITE. I desire to inquire whether it has been printed, so that it may be read by members of the Senate?

Mr. COCKRELL. The chairman of the committee has asked that it be read.

Mr. DAVIS. I ask that the report be read.

The VICE-PRESIDENT. The Secretary will read the report.

The Secretary read the report this day submitted by Mr. DAVIS, as follows:

The Committee on Foreign Relations, to which was referred the following Senate resolutions: Joint resolution No. 2, authorizing and requesting the President of the United States to issue a proclamation recognizing the political independence of the Republic of Cuba; Senate resolution No. 40, instructing the Committee on Foreign Relations to inquire what obligations the United States have assumed toward the people of Cuba by asserting and maintaining the right to prevent the acquisition of that island by any European power and compelling its people to remain subject to the dominion of Spain; Senate resolution No. 185, that it is the sense of the Senate that Congress should, with all due and convenient speed, acknowledge by appropriate act the political independence of the Republic of Cuba; joint resolution No. 132, recognizing the political independence of the Republic of Cuba, and for other purposes; joint resolution No. 133, recognizing the independence of the Republic of Cuba and declaring war against the Kingdom of Spain; joint resolution No. 134, recognizing the independence of the Republic of Cuba and providing for intervention by the United States; joint resolution No. 135, directing and empowering the President, in his discretion, to terminate, by intervention, the hostilities between Spain and the people of Cuba, and in favor of the independence of said people; joint resolution No. 142, for the recognition of the independence of the Republic of Cuba, and joint resolution No. 145, authorizing the President to take such steps as are necessary to put an end to hostilities in Cuba and to establish a republican form of government on that island; and the messages of the President of the United States dated March 28, 1898, and April 11, 1898, having duly considered the same, report as follows:

The destruction of the U. S. battle ship *Maine* and of 2 of her officers and 264 of her crew in the harbor of Havana on the night of February 15, 1898, excited, to an unprecedented degree, the compassion and resentment of the American people.

Manifestations of that resentment were suspended, although the feeling was not allayed, by the self-restraint of our people, who determined to hold their judgment in suspense concerning their ultimate action until an official investigation should disclose the cause of that great disaster and enable them by direct or circumstantial testimony to impute the responsibility therefor.

That investigation has been made. It was conducted with judicial thoroughness and deliberation. The difficulty of demonstrating by conclusive proof the efficient personal cause of that sinister event was the usual one of exposing plotted and mysterious crimes. No such difficulty, however, obscures its official and responsible cause.

The evidence and findings of the court of inquiry were transmitted to the Senate by the President, and, with the message, were duly referred to the Committee on Foreign Relations. That committee has considered them, and also the message of the President of April 11, 1898, with all the careful and anxious deliberation which great duties and responsibility impose upon the judgment and conscience.

The event itself, though in a certain sense a distinct occurrence, was linked with a series of precedent transactions which can not in reason be disconnected from it. It was the catastrophe of a unity of events extending over more than three years of momentous history. Standing by itself it would be, perhaps, merely an ominous calamity. Considered, as it must be, with the events with which reason and common sense must connect it, and with animus by Spain so plainly apparent that no one can even plausibly deny its existence, it is merely one reason for the conclusion to which the investigating mind must come in considering the entire subject of the relations of the United States with that Government. Your committee have also before them several Senate resolutions, which make it their duty to consider all our relations with Spain for the last three years, including the destruction of the *Maine*, as one of the incidents of the history of the war which, during that time, has devastated the Island of Cuba.

So clearly is the destruction of the *Maine* only a single incident in the relations of this Government with Spain that if that calamity had never happened the questions between the United States and that Government would press for immediate solution.

It is the opinion of your committee, having considered the testimony submitted to the board of inquiry, in connection with further testimony taken by the committee and with the relevant and established facts presented by the events of the last three years, that the destruction of the *Maine* was compassed either by the official act of the Spanish authorities or was made possible by a negligence on their part so willing and gross as to be equivalent in culpability to positive criminal action.

The status of the *Maine* while in the harbor of Havana and the duty of Spain toward her are defined in the opinion of Chief Justice Marshall in Schooner *Exchange* vs. McFadden, 7 Cranch, 116, 141:

"If there be no prohibition, the ports of a friendly nation are considered as open to the public ships of all powers with whom it is at peace, and they are supposed to enter such ports and remain in them, while they are allowed to remain, under the protection of the Government of the place."

It is not contended that this duty of protection to which the public ship is thus entitled while allowed to remain in a port of a friendly nation imposes the obligation of an absolute guaranty of her safety. But it is insisted that the existence of the duty creates the obligation to use due diligence in its performance. When property and life are destroyed by an act which the exercise of due diligence by the person whose duty it is to use it could have prevented, the happening of such an event is sufficient proof that such diligence was not employed.

The system of civil and military police and espionage in Havana is all-pervading to an extent probably unequaled in any city in the world. It is not pretended that any employment was made as regards the safety of the

Maine of this instrumentality for the detection or prevention of any attempt against her by private persons.

It is established that the *Maine* was destroyed by the explosion of a submarine mine, in position under her in a Spanish harbor, at a place where she had been moored to a buoy by the express direction and guidance of the Spanish authorities.

Explosive contrivances of this character are almost exclusively government agencies of warfare. There is no operation of a pacific character for which they can be employed, excepting the removal of wrecks or of harbor obstructions. They are not to be had in any place of private sale. Their destructive contents, excepting, perhaps, gunpowder, which undoubtedly was not employed in this instance, can not be easily obtained and are not easily made. The entire contrivance is a mechanism of a somewhat complicated character, not generally understood except by special manufacturers or by military or naval officers who have been instructed how to operate it.

Such mines, when sunk in harbors, are almost invariably discharged by an electric current, conducted over a wire leading from the engine of destruction to some place on the shore where a battery can be housed, guarded, and attended by trained operators. They are now placed, or are made ready to be placed, in all important harbors; it may fairly be presumed that they had been placed in the harbor of Havana, the history of the last three years being considered.

In complaisance to Spanish aversion no public vessel of the United States had visited that port during that period. The coming of the *Maine* had been announced to the Spanish authorities, and the military and naval portion of these did not receive her with the cordiality which such visits usually produce. Many of them expressed resentment at her presence. Certain newspapers in Madrid and Havana commented upon her visit in hostile terms.

There was, especially in Havana, among the officials who had been adherents of Weyler and who resented his recall, an expressed hatred of the United States. The time of the explosion must have been calculated for the moment when the *Maine* should swing within the destructive radius of the mine.

The report of the Spanish board of inquiry, sedulously promulgated in advance of that of the board of the United States, finding, after a hurried and most superficial investigation, that the catastrophe was from an internal and not from an external cause, was manifestly false, and was intended to induce public opinion to prejudge the question.

The duplicity, perfidy, and cruelty of the Spanish character, as they always have been, are demonstrated still to continue by their manifestations during the present war in Cuba. All these circumstances considered cumulatively, together with other considerations which will exactly accord with and add force to them, undenied and unexplained as they are by any authority excepting the baseless report of the Spanish board of inquiry, warrant the conclusion stated hereinbefore that the destruction of the *Maine* was compassed either by the official act of the Spanish authorities (and the ascertainment of the particular person is not material), or was made possible by a negligence on their part so willing and gross as to be equivalent in culpability to positive criminal action.

Upon due consideration of all of the relevant facts of the relations of this Government with Spain, including the destruction of the *Maine*, and of the history of the rebellion, it is the opinion of your committee that the United States ought at once to recognize the independence of the people of Cuba, and also ought to intervene to the end that the war and its unexampled atrocities shall cease, and that such independence shall become a settled political fact at the earliest possible moment, by the establishment by the free action of the people of Cuba when such action can be had, of a government independent in fact and form.

It is believed that recognition of the belligerency of the insurgents in Cuba, if it had been given seasonably, when it was suggested by concurrent resolutions to that effect passed by Congress, would have insured the speedy termination of the war without involving the United States in the contest. Such recognition was not given, and conditions have changed so materially since it was thus proposed that, if given now, it would fall far short of supplying the just requirements of the present situation in the light solely of the interests of the United States.

The recognition of the independence of the people of Cuba is justified and demanded by the highest considerations of duty, right, and policy.

The insurgents hold the eastern portion of the island, to the practical exclusion of Spain. This possession extends over one body of territory comprising fully one-half of the area of Cuba.

The extermination by Spain of the peaceful inhabitants of the western portion of the island has so affected the balance of population between these moieties of Cuba that the insurgents comprise in the eastern half nearly one-third of the population of the island. That third of the population pays taxes to them, serves in their armies, and in every way supports and is loyal to them. This situation has existed ever since the first few months of the war. The armies of Spain under Campos, Weyler, and Blanco, successively, have been repelled in every invasion that they have attempted on the eastern half of the island.

The cause of Spain has continually grown weaker and that of the insurgents has grown stronger. The former is making no substantial effort for the recovery of these lost provinces. Their people are secure from invasion and cruel administration. Spain has never been able to subject them to her unprecedented and murderous policy of concentration and extermination. Her armies have been more than decimated in the attempt to subdue them. Two hundred thousand of her soldiers have failed to reduce the insurgents. The few reenforcements that she is now sending to Cuba do not supply a tithe of her losses caused by battle and disease.

Her control over the western portion of the island is dominance over a desolation which she herself has created. Even there she controls only the territory occupied by her cantonments and camps. Outside these the insurgents are everywhere in presence.

In the population of Cuba the native born preponderate in a very large proportion, probably of 8 to 1. We have been assured by the most unimpeachable authority (we mean Senators PROCTOR, GALLINGER, THURSTON, and MONEY) that the native-born Cubans everywhere, even within the military lines of Spain, are opposed to the parent State and are in sympathy with the insurgents.

We have also been assured by the same authority that the native Cubans, by superiority in education, are better qualified than the Spaniards, and are thoroughly capable to administer the government of the island.

The preceding observations have assumed a certain control and sovereignty by Spain over the western portion of Cuba. We have indicated its character. It is limited to scattered and fortified areas, and it is not a civil sovereignty. It is merely a military occupation of fortified places. Even this dominion has been made possible and continues only by the infliction of a policy for which the history of no people (excepting possibly that of Spain herself) furnishes any example.

The world knows what that policy is, and all civilization execrates it. It consists in compelling, under penalty of death, the rural population of the western part of the island to leave their homes, their fields, their stock, and other chattels, and mass themselves between the outskirts of certain designated towns and a military cordon intercepting their return into the country. As they departed from their homes, their houses were burned; the growth of their fields was trodden down by cavalry; their agricultural implements, furniture, and domestic utensils were destroyed; their cattle and horses were swept away by Spain. Throughout wide areas of a region of unsurpassed fertility, which had been densely populated for more than two centuries, not one living thing, brute or human, not one habitation, not one productive field is to be seen.

For the miserable condition to which an entire population is reduced Spain has afforded no substantial relief, and the evil and distress have become so huge and her financial debility is so extreme that she is now unable to relieve, even if she could be supposed to have the disposition to do so.

The result has been that over 200,000 of the subjects of Spain have been killed by the action of that Government, and 200,000 more are suffering from famine and disease.

There has been no distinction of sex or age in this protracted and torturing massacre. The children of this generation have been starved to death, and the immolation of womanhood has destroyed the possibility of posterity.

There can be no doubt that the contriver of this unexampled scheme of atrocity intended to depopulate, to the full extent of an ability undeniably great in the conception and perpetration of colossal crime, the island of its native people and to repeople it by natives of Spain.

We can not consent upon any conditions that the depopulated portions of Cuba shall be recolonized by Spain any more than she should be allowed to found a new colony in any other part of this hemisphere or island thereof. Either act is regarded by the United States as dangerous to our peace and safety.

That Government has violated the laws of civilized warfare in the conduct of her military operations. Her troops have slaughtered prisoners after their surrender and have massacred the sick and wounded insurgent soldiers and their physicians and nurses in their captured hospitals.

When publicists and jurists speak of the right of sovereignty of a parent state over a people or a colony they mean that divinely delegated supremacy in the exercise of which man should show "likest God." They never mean that a usurpation of diabolism shall be sanctified upon the plea that it is sovereignty none the less than that of a well-ordered and humane government. Against such reasoning the—

"Moral laws
"Of nature and of nations speak aloud;"

and declare that the State which thus perverts and abuses its power thereby forfeits its sovereignty. And this principle has been the foundation of the repeated interventions by the States of Europe in the affairs of Turkey, who, abominable and atrocious as her cruelty has been toward her subjects in Greece and in the northern part of her dominions in Europe, and in Armenia, has not approached the eminence at which Spain stands in solitary and unapproachable infamy.

The recognition of the independence of the people of Cuba would not be a justifiable cause of war by Spain against the United States. Upon this principle the best-esteemed authorities are agreed. Among their opinions the following declaration of Mr. Webster in his letter to Mr. Hülsemann stands preeminent:

"If, therefore, the United States had gone so far as formally to acknowledge the independence of Hungary, although, as the result has proved, it would have been a precipitate step, and one from which no benefit would have resulted to either party, it would not nevertheless have been an act against the law of nations, provided they took no part in her contest with Austria."

If not an act against the law of nations, it, of course, could not be a justifiable ground for war.

The recognition of the independence of the people of Cuba entitles the United States to insist that the war shall be conducted in accordance with those humane laws which have been ordained by the common consent of the civilized world, and which have done so much to mitigate the horrors of warfare. So long as this Government abstains from such recognition Spain is entitled to insist that we agree with her that the insurrection is merely a treasonable riot and not a formal and organized rebellion, and that she is therefore entitled to execute upon the insurgents and upon American citizens, and all persons upon the island, the penalties of a domestic code which is an affront to civilization.

The United States has been in this attitude of concurrence ever since the beginning of the war. It has, as a consequence, in a spirit of forbearance, submitted to many atrocities perpetrated by Spain upon our own citizens which, under recognition, would have had no warrant in international law and would have afforded just grounds of procedure by this Government under its acknowledged principles. Citizens of the United States have been condemned to death by military tribunals in violation of their treaty rights. The expostulations of this Government have been in effect merely petitions for royal clemency.

The *Competitor* prisoners, captured under our flag, were imprisoned nearly seventeen months and were never brought to trial, though they were subjected to many harsh, illegal, and degrading preliminary examinations. The entire proceeding against them was unlawful and in derogation of their rights and of our honor. But as they were technically, in the attitude which the United States had assumed and had placed them in refusing recognition of belligerency or independence, merely ordinary criminals prosecuted by Spain under her domestic penal code, this Government, it was logically insisted by Spain, had no right to make the question one of international obligation. It accepted royal clemency and, in the person of its citizens, received a pardon for a crime instead of demanding reparation for a violated right.

The United States has been compelled by its attitude of nonrecognition to assist Spain by its execution of our neutrality statutes. If there is no war, and the insurgents are merely an unlawful confederacy of common insurrectionists, they can have no legitimate commercial dealings with the citizens of the United States.

Nor can the insurgents object to Spain having such dealings of every character, including the purchase of supplies, which, had recognition been accorded, would be contraband of war, and therefore not to be furnished except through breach of neutrality. The United States has therefore been an assistant of Spain. The supplies for that power have been largely purchased in this country. The unrecognized insurgents have had no right to complain.

On the other hand, they and their adherents have been prohibited from making such purchases and from exporting any supplies, however acquired. There has, therefore, been no real neutrality by this Government throughout the entire business. To the contrary, Spain has been the customer of the people of the United States, who have sold her, with technical lawfulness, everything that she has required to repress by such processes as we have indicated a people struggling against tyranny for their liberties. To prevent the insurgents from buying or exporting at all while Spain has bought and exported to the extent of her requirements, the Navy and revenue vessels of the United States have been diligently and successfully employed. It has been stated, and we believe with entire correctness, that this vigilance and policing of the seas by the United States in favor of Spain and against the insurgents has cost this Government more than $2,000,000.

The conflict of opinion and definition among the jurists upon the subject of intervention is very great. Some of them deny its existence as a right under any circumstances, excepting of self-defense against an imminent

peril, while other writers of equal authority maintain the validity of its assertion as a right for causes which may be inconsistent with that great foundation principle of international law, the equal and inviolable sovereignty of States.

The extremes of these opinions are represented by Guizot and Arntz. The former declares that "no State has the right to intervene in the situation or internal government of another State, except only when the interest of its own safety renders such intervention indispensable."

Arntz maintains that the right of intervention exists:

1. "When the institutions of one state violate or threaten to violate the rights of another state, or when such violation is the necessary consequence of its institutions and the impossibility of an orderly coexistence of states results therefrom."

2. "When a government, acting entirely within the limits of its prerogatives of sovereignty, violates the rights of humanity, whether by measures contrary to the interests of other states or by excess of injustice and cruelty which deeply wounds public morals and civilization.

"The right of intervention is a legitimate one, because, however important may be the rights of sovereignty and independence, there is one thing of still greater importance, and that is the law of humanity and human society, which ought not to be outraged."

Between these extremities of opinion the differences among the publicists are exceedingly various and irreconcilable. Professor Hall, in his work on International Law (3d edition, page 288, note 1), in considering the opinions of modern international jurists who touch upon humanitarian intervention, says that "the treatment which the subject receives from them is merely fragmentary, notice being taken of some only of its grounds, which are usually approved or disapproved without very clear reference to a general principle."

Vattel (liv. 1, chapter iv, section 56) considers it permissible to succor a people oppressed by its sovereign, but does not appear to sanction any of the analogous grounds of intervention. Wheaton (Elem., part II, chapter 1, section 20), Bluntschli (section 478), Mamiani (page 86), give the right of aiding an oppressed race.

Heffter (section 46), while denying the right of intervention to repress tyranny, holds that so soon as a civil war has broken out a foreign state may assist either party engaged in it. Calvo (section 166) and Fiore (1, 446) think that states can intervene to put an end to slaughter.

Vattel says, Book II, Chapter IV, top page 157, "As to those monsters who, under the title of sovereigns, render themselves the scourges and horror of the human race, they are savage beasts, whom every brave man may justly exterminate from the face of the earth.

"All antiquity has praised Hercules for delivering the world from Antæus, a Busiris, and a Diomede."

If these opinions state the correct rule, as we believe they do, the right of intervention by the United States in the present instance is indubitable. They are, however, controverted by other publicists of great eminence. It is possibly correct to say as to this conflict of opinion that this portion of international law is, though operative in certain cases, in that formative and progressive condition of development by which many benign principles, though formerly contested, have at last become firmly established.

The following reflections of Mr. Pomeroy upon this subject (Int. Law, page 242 et seq.) appear to be well considered:

"How far the right of intervention legitimately extends, under what circumstances it may be invoked, to what extent it may be carried, are questions which have given rise to much discussion—questions that have never been authoritatively settled, and perhaps never will be settled.

"Hardly a writer absolutely denies the existence of the right at all; it would seem to be unsafe to go to this length. On the other hand, it seems almost equally unsafe to admit the right to exist at all, for, as it is utterly impossible to place any exact limits upon it, its very admission may open the door to vast and terrible abuses.

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"While the fact is as stated that instances of intervention are and have been constantly occurring, I am of opinion that the whole subject does not so much belong to international law as to politics.

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"In short, I can not think that the subject of intervention has been, or perhaps can be, regulated by the positive international law. It must be relegated to the domain of those high politics, those principles of expediency, which control the conduct, both domestic and foreign, of nations."

The actual conduct and policies of nations give warrant to these observations. To sustain repeated intervention during the present century no law has been invoked. They have been acts of necessity or policy. This statement is corroborated by the creation and existence of two policies, one of Europe, the other of the United States, each of which is based distinctly upon the assertion of an intention to intervene under certain circumstances. We refer to the principle of the balance of power and to the Monroe doctrine. Each is a distinct and arbitrary policy of intervention, to be effected in certain contingencies in furtherance of national policies, and to justify which no canon of international law was ever invoked. The former has profoundly affected the relations of the European States and the independence of many of those sovereignties.

The latter has kept the powers of Europe out of the American continents ever since it was promulgated. It was a distinct announcement that the United States would intervene, under certain expressed circumstances, in the affairs of every Central American and South American State. The United States did intervene by threat and show of force in the affairs of Mexico and France, and compelled the evacuation of that Republic by a European power, whose own prior intervention in Mexican affairs had overthrown a republic and established a monarchy upon its ruins. No publicist has ever asserted that either of these policies is part of the law of nations.

Justification for intervention is strengthened in such cases as the present, where the oppressions by a state of its subjects have been so inveterate, atrocious, and sanguinary as to require intervention by other nations in the interests of humanity and the peace of the world, for the purpose of overthrowing that government and establishing or recognizing another in its place as the only means of extirpating an otherwise incurable and dangerous evil.

The conduct of the European powers respecting Turkey has been pursuant to the policy which impels one nation to intervene in the affairs of another state to stop cruelty and massacre, and, if necessary, to depose it from sovereignty. That State became a member of the commonwealth of European powers by the treaty of Paris of 1856. The integrity and sovereignty of the Ottoman Empire were guaranteed. It has stood ever since upon an equality with Spain in all respects. And yet Turkey has been the subject of repeated interventions since 1856, which have restrained her sovereignty, usurped her domestic administration, repressed her cruelties, and partially dismembered her empire.

The people of her several Danubian provinces, oppressed by her misgovernment, rose in rebellion. A scene of massacre followed, which stood without precedent until it was made to seem merciful by the atrocities perpetrated by Spain upon her subjects in Cuba. Europe protested at the conference of Constantinople and suggested reforms and concessions in favor of the oppressed people, which Turkey promised to grant in part, but vitiated that promise by evasions and subterfuges as to some most material requirements. Upon this Europe ceased to represent, remonstrate, and implore. Russia intervened by force. Her military successes produced the treaty of San Stefano between that power and Turkey, which established the political status of the revolted provinces. But, in the opinion of the other European powers, Russia herself had obtained too much under that treaty.

The consequence was the interposition of the great powers of Europe in the affairs of Russia and Turkey. It was substantially an intervention, though otherwise denominated, which compelled Russia and Turkey to take part in the Congress of Berlin, held in 1878. They did so because they were constrained by the certainty of intervention by force in case they should refuse. The result of that congress was the partial dismemberment of European Turkey and the establishment of new states therein, some partially autonomous, others entirely independent. The cause of these great interventions was the cruelty of Turkey toward her own subjects. The result was that the interventions secured their independence.

The cases of the Danubian provinces are so similar to that of Cuba as to be nearly identical. The fact that the wrongs were inflicted by Mohammedans upon Christians does not mitigate the responsibility of Spain or make intervention as to her any less rightful. Surely Christian Spain, from the fact that she is a Christian state, is not given greater warrant to exterminate her subjects than Mohammedan Turkey possessed to extirpate hers.

Great Britain intervened as to Egypt upon financial grounds, and is now administering the revenues and finances of that province.

The recent interventions of the European powers in favor of Turkey and against Greece in her endeavor to assist the Cretan insurgents is familiar history. So also is the intervention of the same powers which checked the advance of the armies of Turkey into Greece.

The attitude of the United States toward the present question has been based upon the right of intervention and the intention to exercise it in certain contingencies. President Cleveland, in his message of December 7, 1896, declared that—

"Whatever circumstances may arise, our policy and our interests would constrain us to object to the acquisition of the island or an interference with its control by any other power.

"It should be added that it can not be reasonably assumed that the hitherto expectant attitude of the United States will be indefinitely maintained. While we are anxious to accord all due respect to the sovereignty of Spain, we can not view the pending conflict in all its features and properly apprehend our inevitably close relations to it and its possible results without considering that by the course of events we may be drawn into such an unusual and unprecedented condition as will fix a limit to our patient waiting for Spain to end the contest, either alone and in her own way or with our friendly cooperation.

"When the inability of Spain to deal successfully with the insurrection has become manifest, and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge.

"Deferring the choice of ways and methods until the time for action arrives, we should make them depend upon the precise conditions then existing; and they should not be determined upon without giving careful heed to every consideration involving our honor and interest, or the international duty we owe to Spain. Until we face the contingencies suggested, or the situation is by other incidents imperatively changed, we should continue in the line of conduct heretofore pursued, thus in all circumstances exhibiting our obedience to the requirements of public law and our regard for the duty enjoined upon us by the position we occupy in the family of nations.

"A contemplation of emergencies that may arise should plainly lead us to avoid their creation, either through a careless disregard of present duty or even an undue stimulation and ill-timed expression of feeling. But I have deemed it not amiss to remind the Congress that a time may arrive when a correct policy and care for our interests, as well as a regard for the interests of other nations and their citizens, joined by considerations of humanity and a desire to see a rich and fertile country, intimately related to us, saved from complete devastation, will constrain our Government to such action as will subserve the interests thus involved and at the same time promise to Cuba and its inhabitants an opportunity to enjoy the blessings of peace."

President McKinley, in his message of December 6, 1897, said:

"The instructions given to our new minister to Spain before his departure for his post directed him to impress upon that Government the sincere wish of the United States to lend its aid toward the ending of the war in Cuba by reaching a peaceful and lasting result, just and honorable alike to Spain and to the Cuban people. These instructions recited the character and duration of the contest, the widespread losses it entails, the burdens and restraints it imposes upon us, with constant disturbance of national interests, and the injury resulting from an indefinite continuance of this state of things.

"It was stated that at this juncture our Government was constrained to seriously inquire if the time was not ripe when Spain of her own volition, moved by her own interests and every sentiment of humanity, should put a stop to this destructive war and make proposals of settlement honorable to herself and just to her Cuban colony. It was urged that as a neighboring nation, with large interests in Cuba, we could be required to wait only a reasonable time for the mother country to establish its authority and restore peace and order within the borders of the island; that we could not contemplate an indefinite period for the accomplishment of this result.

"No solution was proposed to which the slightest idea of humiliation to Spain could attach, and indeed precise proposals were withheld to avoid embarrassment to that Government. All that was asked or expected was that some safe way might be speedily provided and permanent peace restored.

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"Sure of the right, keeping free from all offense ourselves, actuated only by upright and patriotic considerations, moved neither by passion nor selfishness, the Government will continue its watchful care over the rights and property of American citizens and will abate none of its efforts to bring about by peaceful agencies a peace which shall be honorable and enduring. If it shall hereafter appear to be a duty imposed by our obligations to ourselves, to civilization, and humanity to intervene with force, it shall be without fault on our part and only because the necessity for such action will be so clear as to command the support and approval of the civilized world."

These declarations more than implied that this Government would interpose in the event of failure within a reasonable time to conquer the insurgents or to induce them by concessions of home rule to lay down their arms. They have not been subdued. The autonomy proffered was specious and illusory. It has been rejected by the insurgents not because it was specious and illusory, but because they will accept nothing short of complete national independence. The suggestion of a more complete autonomy has also been rejected by them. They declare to the United States and Spain alike that no terms short of independence, which those powers may attempt to prescribe to them will be accepted. Spain refuses to grant independence.

The war, then, must go on, and the misery which has shocked the civilized world must continue and increase unless it is terminated by the triumph of Cuba or Spain or by the interposition of the United States.

It is the opinion of this committee that the time to interpose has arrived; that intervention which will stop the war and secure the national independence of Cuba should at once take place. If under all the circumstances Spain shall choose to regard such action by this Government as a cause of war, that consequence, however deplorable, will be accepted by the American people with all the fortitude that confidence in the justice of their action can inspire.

Such intervention is justifiable and necessary for the following reasons: The present situation in Cuba has become a menace to the peace of the world, and especially to the peace and safety of the United States. Spain has bid for European intervention, thus far apparently without success, but the conditions which make such intervention possible should be removed at once.

For nearly three years the hostilities in Cuba and the Spanish administration of that island have involved this Government in perilous relations with Spain and raised questions of right and responsibility of which no prospect of settlement is apparent. So long as these conditions are allowed to remain unsettled they will increase an irritation which has already become intolerable, and which will inevitably ultimately require adjustment by measures much more vigorous than now seem adequate to compose existing difficulties.

Spain has failed to perform her treaty obligations and other international duties toward the United States. To give a minute specification of these derelictions would unnecessarily extend this paper. They are the familiar matters of current history. American citizens have been seized and imprisoned without shadow of right, and have been proceeded against by violent and irregular forms, in violation of treaty obligations.

The assassination of Ruiz, an American citizen, was the act of the Spanish officials, who held him in a custody unwarranted by his treaty rights. No reparation has been made for this act, although it has been demanded by this Government.

A justifiable cause for intervention has been afforded by the barbarity with which Spain has conducted her military operations; by her slaughter of captured insurgent soldiers, and by her extermination of not less than 200,000 of her own noncombatant subjects—men, women, and children—by driving them from their homes into places of concentration and there suffering them to die of starvation and disease.

In 1896 there were $50,000,000 of property in the Island of Cuba belonging to the citizens of the United States. Much of this has been destroyed, and much of that destruction has been by the acts of Spain. The destruction of the remainder she has been unable or unwilling to prevent.

The claims on file in the Department of State against Spain for indemnity for this destroyed property are about $16,000,000 in amount.

Her military officers have levied contributions upon American planters as the price for the preservation of their estates and the continuance of their agricultural operations.

In 1893 the commerce of the United States with Cuba had reached the annual sum of nearly $100,000,000. Since that time it has been substantially annihilated by the methods of Spanish military and civil maladministration. Certain sworn statements made before the committee and other documents are herewith submitted as part of this report.

The committee recommend the adoption of the accompanying resolution:

Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Mr. FORAKER. Mr. President——

Mr. TURPIE. Will the Senator from Ohio yield to me for a moment?

The VICE-PRESIDENT. Does the Senator from Ohio yield to the Senator from Indiana?

Mr. FORAKER. I yield.

Mr. TURPIE. I am much obliged for the courtesy of the honorable Senator from Ohio.

Mr. WOLCOTT. Will the Senator from Indiana permit the resolutions reported by the committee to be again read?

Mr. TURPIE. Allow me to say, Mr. President, that I am much obliged for the courtesy of the honorable Senator from Ohio.

Mr. HOAR. Mr. President, I rise to a question of order. I ask what is the pending question before the Senate? If there be a pending question or resolution, I should like to have it reported.

The VICE-PRESIDENT. Does the Senator from Indiana yield, so that the joint resolution reported by the committee may be again read to the Senate?

Mr. TURPIE. The honorable Senator from Ohio [Mr. FORAKER] has the floor, and I am only speaking by his courtesy.

The VICE-PRESIDENT. If there be no objection, the Secretary will read the joint resolution before the Senate accompanying the report of the Committee on Foreign Relations.

Mr. COCKRELL. The second reading of the joint resolution.

The joint resolution was read the second time at length.

Mr. HOAR. Mr. President, I rise to a question of order.

The VICE-PRESIDENT. The Senator from Massachusetts will state his point of order.

Mr. HOAR. I demand that the resolution lie over one day for consideration under the rules.

Mr. COCKRELL. I understand that there is a minority report of the Committee on Foreign Relations. I hope the Senator will allow it to be made, so as to get it before the Senate.

Mr. HOAR. I do not object to that, but I wish to raise my point.

The VICE-PRESIDENT. The Chair will consider the point of order after the report of the minority of the committee shall have been made.

Mr. TURPIE. I submit the report of the minority of the Committee on Foreign Relations, and in behalf of the minority of the committee I also offer an amendment to the first section of the original resolution and ask that the report and the amendment—they are both brief—may be read.

The VICE-PRESIDENT. The Secretary will read the report and the amendment.

The Secretary read as follows:

VIEWS OF MINORITY.

The undersigned members of said committee cordially concur in the report made upon the Cuban resolutions, but we favor the immediate recognition of the Republic of Cuba, as organized in that island, as a free, independent, and sovereign power among the nations of the world.

DAVID TURPIE.
R. Q. MILLS.
JNO. W. DANIEL.
J. B. FORAKER.

The amendment reported by the minority of the committee was to amend the first paragraph by inserting, in line 4, after the word "independent," the following:

And that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

Mr. TURPIE. I ask that the minority report, together with the proposed amendment, be printed.

Mr. COCKRELL. They will all be printed, as a matter of course.

The VICE-PRESIDENT. There being no objection, the order to print will be made as to all the papers submitted by the committee.

Mr. FORAKER. Mr. President——

Mr. HOAR. Mr. President, I ask that the resolution go over one day under the rule.

Mr. FORAKER. I have the floor, Mr. President, I believe.

The VICE-PRESIDENT. The Senator from Ohio.

Mr. HOAR. I rise to a point of order, which is that the resolution lie over one day for consideration.

Mr. FORAKER. The Senator made that point on the other resolution.

Mr. HOAR. Let us have a decision on the point of order. The Senator can make his speech afterwards, of course.

The VICE-PRESIDENT. The Chair understands that the point of order——

Mr. FORAKER. Mr. President, I have the floor, I believe.

Mr. WHITE. Will the Senator from Ohio allow me?

Mr. FORAKER. I yield to the Senator from California.

Mr. WHITE. I merely desire to inquire whether the committee's request with reference to the printing includes the evidence taken by the committee upon the late hearings and also the report of the Spanish board which is referred to in the report of the committee?

Mr. DAVIS. It does all that.

Mr. HOAR. I should like, Mr. President, to have the point of order which I have made ruled upon.

The VICE-PRESIDENT. The Chair is ready to rule upon it.

Mr. HOAR. I think we ought to have the resolution before the Senate in print and the report in print before we act upon them. It is a very grave and serious matter.

Mr. DAVIS. If I may be allowed to make a statement, Mr. President, I do not think the point of order practically material. Let me suggest that the resolutions as reported from the committee are in effect a substitute for a large number of other resolutions recited in the caption of the report, so that the necessary reading of them has taken place, and these resolutions are by way of substitute.

Mr. HOAR. For which of them?

Mr. FORAKER. There have been two readings of both resolutions.

Mr. HOAR. Mr. President, if I may be allowed to make a suggestion——

The VICE-PRESIDENT. The Chair will hear the Senator from Massachusetts upon his point of order.

Mr. HOAR. This resolution was reported by the committee as a new resolution, and not as an amendment to any heretofore introduced. If it has been so reported, then it must attach itself to one particular subject, one particular resolution, which has had its regular reading. I wish to ask the honorable chairman of the Committee on Foreign Relations if he proposes to ask the Senate to consider this matter without having the report in print and without having this resolution in print? Does the Senator propose to make it a five-minute question?

Mr. DAVIS. In answer to the Senator from Massachusetts, I will say that I do not; but I know perfectly well that the speaking which will take place on these resolutions this afternoon makes the point of order utterly immaterial.

Mr. HOAR. That may be or may not be.

The VICE-PRESIDENT. The Chair did not understand the statement of the Senator from Minnesota. Will the Senator repeat it?

Mr. DAVIS. My statement was that there is no disposition unduly to press this measure, but there is the utmost desire to press it with all the diligence that the necessity of the case requires. I stated that the point of order made by my friend the Senator from Massachusetts was, in my opinion, immaterial, because it is a well-known fact that speaking upon this matter this afternoon will practically throw the case over until to-morrow.

Mr. HOAR. Mr. President, I desire to have this grave and serious matter, one of the two or three most serious matters in the history of this Republic, proceed duly and in order. I know very well that after these resolutions have taken their orderly position, if any Senator desires to address the Senate on that subject, or any other, the privilege would be accorded to him, and it would not be necessary even to speak of it as a privilege to be accorded. There are methods enough of accomplishing that under the rules of the Senate. So, if the Senator from Ohio or any other Senator prefers to address the Senate on this grave question to-day, before Senators are possessed, except by one imperfect hearing, of the substance of that report and the resolutions, that is a matter solely for that Senator's discretion and solely within his power. That I do not interfere with.

The VICE-PRESIDENT. The point of order is well taken under Rule XIV and Rule XXVI.

Mr. FORAKER. Mr. President——

Mr. HOAR. Then the matter goes over and will be printed, of course.

Mr. GRAY. It will be printed.

Mr. FORAKER. Mr. President, notwithstanding the fact that the resolutions go over, I prefer to speak now. We shall save some time by doing so, for at some time before these resolutions are acted upon I shall address, or I shall desire at least to address the Senate in support of them.

Mr. President, in his message of the 11th instant the President of the United States has very thoroughly and with striking effect and force reviewed the entire Cuban question. After a thorough discussion of it in all its features and aspects, he announces certain conclusions which he has reached. Among these conclusions is the following. I read from the President's message. Speaking of the long-protracted struggle in Cuba, he says:

> The long trial has proved that the object for which Spain has waged the war can not be attained.

After stating his conclusions, the President then makes certain recommendations, some in a negative and some in an affirmative form. One of the negative recommendations is that notwithstanding he finds and states to us that the effort of Spain to subdue and conquer the insurgents in Cuba has been futile, we shall continue to deny to the people of Cuba and also to the government established by the insurgents of Cuba a recognition of independence.

The President then proceeds to make certain affirmative recommendations. One of these affirmative recommendations is that Congress shall invest him with power—

> To take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the Island the establishment of a stable government, capable of maintaining order and observing its international obligations.

The President makes other recommendations, but I do not care to refer to them in this connection.

This message, with these recommendations, was referred to the Committee on Foreign Relations. I need not say, after the reading of the very elaborate report of the Foreign Relations Committee, that it has given to this subject the most profound, careful, and exhaustive consideration. That report was prepared by our distinguished chairman [Mr. DAVIS]. I may, therefore, with propriety speak of it in words of compliment. It must be manifest to every Senator that it bears the marks of that ability which characterizes all the productions of that distinguished Senator's pen.

Together with this report, the committee has placed before us, with its favorable recommendation for adoption, a set of resolutions. Those resolutions have just been read. They declare, in the first place, that the people of the Island of Cuba are, and of right ought to be, free and independent. In their second proposition they declare that it is the duty of this Government to demand, and that this Government does hereby—demand by the passage of these resolutions—not by the action of somebody else hereafter to be taken—does hereby demand that Spain shall at once withdraw her land and naval forces from Cuba and Cuban waters.

The resolutions then go on to empower the President to employ the Army and the Navy of the United States to carry them into effect.

It will be observed, if you compare the recommendations of the President with the recommendations of the committee, that there are some differences of opinion as to what should be done, although we are in accord as to the main great purpose that is to be accomplished; for it will be observed, Mr. President, that the committee have differed from the President upon the question of recognizing the independence of the people of Cuba, and as the Senate has been advised by the minority, or rather by the supplemental report just made by the Senator from Indiana [Mr. TURPIE], a minority of that committee, consisting of five members out of eleven, have reported that in their judgment there should be added to the resolutions reported by the committee another resolution recognizing the Republic or Cuba as the true and lawful government of that island.

Mr. FRYE. Were there not 4 out of 11?

Mr. GRAY. Yes; 4 out of 11.

Mr. FORAKER. I thought there were 5. I beg your pardon. The report will show.

Mr. FRYE. There were only 4.

Mr. FORAKER. Four, is it? I thought there were 5.

Mr. CULLOM. No; the minority report is signed by the Senator from Indiana [Mr. TURPIE], the Senator from Texas [Mr. MILLS], the Senator from Virginia [Mr. DANIEL], and the Senator from Ohio [Mr. FORAKER].

Mr. FORAKER. No matter how many signed it, the minority report is there. I signed it, and I stand here to speak in behalf of that resolution so recommended by the minority of that committee, as well as to speak in favor of all the resolutions recommended by the committee unanimously.

The committee, Mr. President, in addition to this provision for recognizing the independence of the people of Cuba, have further declared that the time has come not for further negotiations, but for Spain to withdraw her land and naval forces. In other words, they have differed with the President as to the form and character of that intervention.

I shall speak presently with more particularity as to the question of our right at this time to recognize the independence of the people of Cuba and to recognize the independence of that government. I want first to speak briefly of the question of intervention——

Mr. MORGAN. Will the Senator from Ohio allow me?

Mr. FORAKER. Yes.

Mr. MORGAN. I desire to call the attention of the Senator to the fact that the resolution provides that the Government of Spain shall at once relinquish its authority and government in the Island of Cuba and also withdraw its land and naval forces.

Mr. FORAKER. I thank the Senator from Alabama for calling my attention to the text of the resolution. I was not looking at the resolution, although I had it in my hand, and was not endeavoring to quote from it, but only to state the substance of it.

As I was remarking, Mr. President, I desire first to speak of the difference between the Executive and the committee, as shown by these recommendations, as to the form and character of intervention. The committee differed with the President in the first place because, in the judgment of the committee, the time had come when no further negotiations were in order. In the language of the President employed in this message, the time for action, in the judgment of the committee, had come, and the committee felt that while they had the matter under consideration they would provide for action, immediate and specific, and, as they believed, in character and keeping with the desires of the American people in respect to this matter.

In the second place, Mr. President, the committee, or at least some members of the committee, had grave doubts as to the right of Congress to confer upon the Chief Executive of the nation the conditional exercise of the war-making power. Congress alone is invested with the war-making power. The proposition of the President was that he should take effective steps, such of course as he might deem effective, and that if he should fail to secure a cessation of hostilities in Cuba, then and in that event he was authorized to employ the Army and the Navy of the United States. In other words, make war in the condition or contingency that his negotiations should fail. I for one at least think the committee generally doubted the legality of that proposition.

Then, Mr. President, as to the establishment of a stable government by the President of the United States in the Island of Cuba, the committee were of the opinion that there might possibly be grave doubt as to the right of Congress to empower the President of the United States or for the Congress itself to create and establish a stable government in the Island of Cuba for the benefit of the Cuban people.

However that may be, after the committee had declared that the

people of the Island of Cuba are and of right ought to be free and independent, the proposition that the President of the United States or the Congress of the United States or any other exterior power should establish for that independent people a government stable or otherwise was inconsistent.

If a people be free and independent, as we have in this first proposition declared that the people of the Island of Cuba are, they, and they alone, have power to establish their government. Independence and sovereignty go hand in hand, and any people who have independence have the capacity and the right to exercise sovereignty, and it is a denial of independence to say in the next breath after you have declared it that we will undertake, or we do hereby reserve the right and power, to establish for that independent people a government such as in our judgment and opinion may be stable.

I mention these points of difference only because it is absolutely essential to an intelligent discussion that we should know what are the issues which have been joined. Without knowing what are the questions of difference we are groping in the dark.

As I said a moment ago, I do not propose, beyond the mere statement of these grounds of differences with the Executive as to intervention, to discuss that proposition. I return therefore at once to a discussion of the question whether or not the committee is justified in recommending the recognition at this time of the independence of the people of Cuba.

Whether or not a people who have revolted and rebelled against a sovereign power and are striving for independence are entitled to be recognized as an independent state is always a question of fact as well as a question of law. Before you can tell what law is applicable to any particular case you must ascertain what the facts are. What are the facts with respect to Cuba? Fortunately in answering that question I need not long or tediously detain the Senate. Not only from the newspapers and other sources of information, but from Presidential messages, from the last one received, and especially and particularly from the very able report of the chairman of the Committee on Foreign Relations, we have been fully advised.

Moreover, the whole country and the whole world are familiar with the Cuban question. All who know the facts know that for more than three years now war has been in progress in that island—bloody, fierce, cruel, destructive war; destructive in an unusual degree both to life and property; and all the world knows, too, that from the very beginning of that struggle down to the present time Spain has been, as to all essential and important matters, uniformly unsuccessful. The President was justified when he said, in the sentence I read from his message a moment ago, that it is now manifest to all the world that the purpose of Spain to recover her lost sovereignty can never be attained.

She started out with the idea that she would crush that rebellion with a blow. In that behalf she concentrated in that devoted island practically the entire military power of the Kingdom. She had there at one time and for months more than 200,000 of her most capable soldiers, commanded by her generals who have been most successful in other fields; but it was all in vain. That tremendous army proved absolutely insufficient to conquer and subdue the insurgents and restore peace. Finding how unavailing that kind of effort was, she then resorted to persuasion—to diplomacy.

She tendered autonomy, a new scheme of government—home rule—a scheme with respect to which the senior Senator from Maine [Mr. HALE], speaking on this floor a few weeks ago, said it was the broadest, the most liberal, the most generous charter of liberty ever tendered by any sovereignty to a dependency. Whether it was or not is immaterial; it so impressed him. But however it may be, assuming that it was so, the people of Cuba who have risen in rebellion against the sovereign power indignantly spurned and refused it. That effort to conquer them was unavailing.

Another policy has been resorted to of which I should speak—the policy of extermination, extermination by starvation, a policy so cruel, so unmerciful, so barbarous in its practices and in its results as absolutely to shock and horrify all Christendom. More than 200,000 lives have perished in Cuba as victims of that policy alone. While we sit here this afternoon deliberating, 200,000 other lives are perishing from it.

Mr. President, notwithstanding the hurling of all this great force against the insurgents in Cuba, notwithstanding this effort of diplomacy and statecraft, this promise of reforms in government, notwithstanding the murder, for it is nothing else, of hundreds of thousands of men, women, and children in that island, to which I have referred, the insurgents stand to-day more defiant, more powerful, more assured of ultimate success and more determined to do, and dare, and die, if need be, in behalf of independence than ever before since this struggle commenced. They were never so strong as now. They control absolutely more than one-half of that territory. More than 400,000 of the population of the island recognize no government except only their civil government. They have an army in the field, trained veterans they have become, numbering thirty-five or forty thousand men, well armed and well equipped, more invincible than at any time heretofore; and as an offset to that success on the part of the Cubans that which the President indicates has been occurring with respect to Spain.

Her army of more than 200,000 men has dwindled to from fifty to sixty thousand effectives, poorly disciplined and poorly drilled, and that army of aggression and offensive operations has ceased to be an offensive and aggressive army. For months it has been only an army of occupation, holding on to the fortified cities, controlling nothing in the island beyond the range of their guns, not daring to venture out beyond the walls of those cities and remain there over night for fear old Gomez would capture them and take them off into his camp.

Mr. President, in other words, it is now plain to all the world, plain to Spain herself, for she has been for months, and is now by every steamer, recalling her troops from there, that she is no longer attended in her efforts to subdue that island by any reasonable expectation or hope of ultimate success. That being the case, such being the facts, what is the law of the case? I read from Hall on International Law. It is a standard and a modern authority. It has been written in the light not only of ancient, but of modern precedents. I shall not stop to read all of the text.

Mr. STEWART. From what page does the Senator from Ohio intend to read?

Mr. FORAKER. Page 92. He tells us that whenever the struggle on the part of the former sovereign becomes "so inadequate as to offer no reasonable ground for supposing that success may ultimately be obtained, it is not enough to keep alive the rights of the state, and so to prevent foreign countries from falling under an obligation to recognize as a state the community claiming to have become one."

I need not read other authorities, but I challenge any Senator who may enter into this discussion to find an authority inconsistent with the declaration which I have read, who is accepted as a standard authority among those who are competent to judge of international-law writers.

That is the rule; whenever the struggle on the part of the sovereign to recover lost authority, lost sovereignty, has ceased to be attended with a reasonable hope or expectation of success, then other countries have a right to recognize the independence of the opposing people. If I have been talking to any purpose, I have made it plain by the statement of facts I have given that no longer are the struggles of Spain in the Island of Cuba attended with any reasonable hope or expectation of success. That being true, Mr. President, according to the principles of international law we have a right, as the committee have reported, and it is our duty to recognize the independence of the people of Cuba.

But suppose something is lacking in the Cuban case to justify us in claiming that they are absolutely free and independent, will not that which may be lacking, whatever it may be, be supplied when the United States of America intervenes, as we propose to do by this same resolution? Intervention goes here, according to this resolution, as it does naturally, hand in hand with independence. When this demand which we all agree is to be made, that Spain shall withdraw, is made upon her, that minute she must either abdicate, which would leave the island free and independent to the satisfaction, I imagine, of the most hostile mind to the recognition of independence, or else, if she does not abdicate, she must then give battle—declare war; and what American can doubt, or does doubt, the ultimate result of war, if we are so unfortunate as to have war?

Will it not result in the absolute freedom and independence of the people of the Island of Cuba? Unquestionably so; for we expect to prosecute a war to triumphant success, if we are driven into one.

So, therefore, I say, upon authority, in strict consonance with the rules and principles of international law, it is the duty of the Government of the United States, as well as the right and privilege of this Government, now, at this very moment, when we pass a resolution to intervene, to recognize the independence of the people of that island.

Mr. President, I now wish to speak of the resolution which the minority of the committee favor. The minority of the committee are not satisfied simply to recognize the independence of the people of that island. We want to recognize also, and we appeal to Senators in this Chamber to stand by us in that proposition, the government set up by the insurgents, referred to by the President in his message as the "so-called" Cuban Republic.

We think this government ought to be recognized in the first place because if the people of Cuba are free and independent, as we have agreed unanimously in the committee they are, who made them free and independent? Did they become free and independent acting as a mob? exerting themselves in a state of anarchy? without any political organization? No! Such wonderful achievements as stand to their credit we all know could not have been

accomplished without concert of action, without political organization, and they had it in the Republic of Cuba. That was their civil government, to which the military force commanded by Gomez is subordinate.

Mr. President, there are a great many other reasons why we should recognize that government. I hope I shall be able to mention a number of them.

We ought to be willing to recognize it because of its form and character. It is a republican form of government. It is a government based on a written constitution, in which the several departments of the government are established and the powers of the various departments and officials are prescribed. It has a legislative, an executive, and a judicial department. The legislative branch of the government is elected by popular vote. In Cuba, under this constitution, they have universal suffrage. Every man or woman who owes allegiance to the Cuban Government has a right to go to the ballot box and be heard in determining what the government shall be as to the personnel of its officials. The house of representatives, elected by the people in this manner, selects the President and vice-president and the cabinet; and what character of government have they selected? Let me call your attention for a moment to the character of these officials.

I have heard that government referred to here as though it were made up of a lot of inconsequential nobodies. I say, without attempting to disparage anybody, the President and vice-president of the Cuban Republic, for intellectual strength and power and vigor, for high character, for unquestioned ability, for statesmanship, will compare favorably with the President and Vice-President of the United States of America. Than Bartolome Masó there is no more accomplished gentleman, probably, on the Western Hemisphere; a man of large means, a man of large experience in public affairs, a man who—and I mention this to show his character—when the war broke out called in all his creditors and paid every one of them in cash the full sum owing, then turned over the keys to his tenants and departed for the field. He is now President of that Republic, after having served two years as vice-president under Cisneros, recently elected as such by the general assembly chosen by popular vote.

With this distinguished President is associated in office as vice-president Dr. Domingo Mendez Capote, who was professor of law in the Havana University for years before called to this position. I have taken pains to find out about these people. They are men of distinguished reputation, men of high character, men of great learning and ability; and the secretaries, if it was worth while to take the time to pass them in review, would be shown to be men of the same general class and reputation and character. So much for the personnel of the Cuban Republic.

Mr. President, what has this Government done? I said a while ago if the people of Cuba are free and independent it is because this Government has acted as their political agency in guiding and directing them to that freedom and independence. It has been stated here that it is a paper government. That is true; but it is a most excellent paper government; it is a most excellent actual government as well. Not only are all the officers elected in the manner I have indicated, but they are all in office and all serving acceptably and efficiently in the discharge of their duties. We have taken a great deal of testimony before our committee in regard to this matter, but all we have taken in that way has been spread before the public, and it should be known to Senators.

It is shown by that testimony that they have in the Island of Cuba, instituted by this paper government, a postal system which is carrying the mails to-day throughout the island into every fortified city, as well as throughout the territorial parts of the island. You can go to New York and deposit with the junta a letter addressed to anybody, in any place in Cuba, with a Cuban postage stamp attached, and it will find its destination just as surely as a letter deposited in a United States post-office will reach its destination within our territory. They not only have a postal system, but they have a fiscal system—a fiscal system which has provided tax collectors for the government throughout all that island.

The island is divided into districts and subdistricts, with a collector in each, who is authorized to collect not indiscriminately, as the enemies of the Republic of Cuba would have you believe, but according to law duly enacted, in accordance with a uniform system prescribed for all who live in that island. Each and every man is required to pay precisely alike, and when the subtreasurer of that government appointed at New York was before the committee a few days ago he showed us in his books where more than $470,000 collected by these tax collectors throughout that island had been transmitted to him as revenues of that government, every dollar of which had been collected by the officials of the Republic of Cuba, and for every dollar of which an official receipt had been given.

They have, in addition to their postal and fiscal system, a school system more creditable than any established by Spain in any place in the world. They have a compulsory system of education. Every child between certain ages is required to attend school. They have a public printing press at their capital (of which I will speak in a moment), where, by the government, school books are printed, and by the government distributed to the scholars throughout the island. All are educated according to a system of the government, a system established and conducted by the government and the representatives of the government.

Ah, but, some one says, it has no fixed capital and no seaport. There are a great many countries that have no seaports. That is of no consequence. Switzerland has not any seaport, and one or two of the South American Republics, I believe, have no seaports. Other countries have been recognized as independent states when they had no seaports. That is immaterial.

The Cubans do have a fixed capital. It is located at Cubitas. It has to be at times somewhat peripatetic, going from this to that place, but never removing any very great distance. They have stayed all the while within that one territorial subdistrict where the capital is, at Agramonte, in Cubitas, where it is located now and has been for some considerable time. They have public offices, the Presidential office, the office for each of the secretaries of state, as they are called there. Although there is a secretary of the treasury and a secretary of agriculture, etc., they are all called secretaries of state, each for his own particular department.

They have these offices, which are occupied only for official purposes. In those offices the business of the Republic is conducted. There, in those offices, the archives of the nation are preserved, and I can say here, in passing, that although they have never been made public, some day when they will be made public, when Cuba has been made free, you will find in the archives of our country, in the office of our own Secretary of State, are the official communications of the officials of the Republic of Cuba, and they are as creditable as any that have come from any country on the globe—communications of marked ability.

But, Mr. President, there are other reasons why that government, which I have undertaken to show does in fact exist, should be recognized. We should recognize it, if for nothing else, as a war measure. I do not doubt that intervention by the United States will mean war with Spain. We are bound to assume that it will. That being the case, we should, hand in hand with intervention, adopt this other resolution, recognizing not only the people, but the government also as independent, to the end that we may strengthen those who are our natural allies and who can do more for us than anybody else.

Gomez has now in the field, as I said a while ago, some 35,000 or 40,000 men. He would have many thousands more if he had guns and ammunition for them. The very moment the United States intervenes and recognizes the independence of that Republic Gomez can swell that army from 35,000 or 40,000 to 50,000, 60,000, 80,000, 100,000 men, and all we will have to do is to put guns and ammunition in their hands and they will speedily evict the Spanish battalions from the Island of Cuba. If we will only with our Navy blockade the harbors, so that they can take no more provisions in, the Cubans will speedily put an end to the war, and there will be no necessity for this Government to expose our troops to the ravages of yellow fever and the other difficulties and disadvantages that would attend a campaign in that island in the rainy season.

But, Mr. President, there is another reason still why this proposition should be incorporated into these resolutions. It is the reason why, in the original draft of the resolutions, I incorporated it. I put in there, and propose to put it back in there if I can, a declaration that the Republic of Cuba should be at once recognized by the Government of the United States because of the legal effect that would result if we did not do that. I hold that it is well settled as a principle of international law that if one country absorb another it takes not only the legal rights and advantages of that country, but it takes also the obligations of that country. We have all been told by the newspapers and otherwise—I have never seen any contradiction of it, and therefore I have assumed that it is true—that the revenues of Cuba have been, by solemn enactment of the Spanish Government, pledged to the payment of the principal and interest of $400,000,000 of Spanish-Cuban 4 per cent bonds.

Mr. President, what will be the consequence to this Government if we go down into that island treating them as in a state of anarchy, turning our back on Gomez and his government, denying that there is any government, banishing Spain from the island, taking possession of the territory, and appropriating the revenues either to ourselves or to "a stable" government that the United States of America through the President is to establish in that island? What would be the consequence? We would take the rights and privileges and advantages attaching to the territory and we would take the debts fastened on it also, just as if you buy a piece of property that is mortgaged, you take it subject to the mortgage and must pay the mortgage or lose your property. That is the legal proposition that I assert. I am not going to stop here to read authorities, but I will do so, if it should be challenged.

Mr. ELKINS. Will the Senator from Ohio allow a question?

Mr. FORAKER. Certainly.

Mr. ELKINS. If Gomez takes the island, what will become of the mortgage?

Mr. FORAKER. It does not make any difference to us what happens if Gomez takes it; but I will tell you what will happen. If Gomez takes the island by revolution, the whole obligation is wiped out, for those who successfully revolutionize start anew, as revolutionists have started anew from the beginning of the world, except only as to obligations which they themselves might create.

Mr. ELKINS. Let me ask the Senator one further question. If we should take the island by war, would not those obligations be wiped out as well?

Mr. FORAKER. Do you want to take the island by war?

Mr. ELKINS. That is not the question.

Mr. FORAKER. It is the question that I put. Why do you ask me to discuss propositions not involved in this debate? It is because, in my judgment, this intervention is to be deliberately turned from intervention on the ground of humanity into an aggressive conquest of territory.

Mr. ELKINS. That does not answer the question.

Mr. FORAKER. I do not care. I am not going to answer it now. I am not going to answer it because it does not belong in this case. I can not discuss every kind of a question that a Senator by an interrogatory may seek to put before me, especially not when in the very next breath he will refuse or at least evade to say whether he wants this Government to acquire that island by conquest or not.

I say here, as a principle of international law, if the United States Government goes down there and drives Spain out and puts somebody else in, forming "a stable government" of her making, that "stable government" will become responsible, and the United States of America will become responsible. I will answer you further now. You would not answer me. I thought probably if I dallied with you a while you would. If the United States of America takes that island by intermeddling, as writers on international law call it, with the affairs of another, she, too, will become responsible, and what is the consequence? The United States of America steps in behind four hundred million of Spanish-Cuban 4 per cent bonds. You do not admit the proposition. It is possible that it is open to some debate. I will concede for the sake of the argument it is. But who holds these $400,000,000 of bonds? I understand they are held largely in Germany, largely in France, and largely in the United States.

Does anybody imagine, Mr. President, if we should go into Cuba and there establish a stable government for which we would be responsible, that the present Emperor of Germany would hesitate one moment to say to the people of the United States, "You have taken by conquest the revenues that Spain had a right to pledge and did pledge to pay the principal and interest of bonds due to my subjects, and I will now look to you?" Does anybody doubt that he would do it? No; nobody does who judges without bias, I feel free to assert. And if Spain and France would make such a demand on the United States, the distinguished Senator from West Virginia, I imagine, would be one of the first to say, "We ought to pay up rather than have any fighting."

Mr. ELKINS. I do not think it is fair to put a question to me and not allow me to answer it.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FORAKER. Certainly.

Mr. ELKINS. I say to the Senator that I would not. There is no soundness in his proposition. There is no authority in the world, and I challenge the Senator to show anything that gives authority, to support his proposition in law—any legal authority.

Mr. FORAKER. I have a very good one right here.

Mr. ELKINS. Read it.

Mr. FORAKER. And I can give you a great many other authorities as they have been given by writers on the subject of international law, for there is not one, from Grotius down to Lawrence, who does not assert that doctrine. Hall says, at page 105:

> When a state ceases to exist by absorption in another state, the latter in the same way is the inheritor of all local rights, obligations, and property.

The whole state is not here absorbed, but that which is to be absorbed is that which is subject to the lien.

I might cite you many more authorities if I had thought it worth while to bring them here and tax the patience of the Senate with them.

Mr. ELKINS. That does not answer the question.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FORAKER. I am always glad to hear from the Senator from West Virginia, for he is so very good-natured. But, Mr. President, to go back to what I was discussing, I was just about saying, suppose, for the sake of the argument, the Senator from West Virginia is right to the extent that it is a debatable proposition, we must consider this as a practical as well as a theoretical question. Treating it as a practical question, do you suppose that the rulers of Germany, France, and other countries whose subjects are interested as holders of these bonds would hesitate to call us to account? I do not hesitate to say they would. I do not hesitate to believe they would; and then we would have other and far more serious complications. I want to avoid them.

If we recognize the independence of the Republic of Cuba, that liability is avoided. We absolutely estop everybody from making such a demand upon us; we take no responsibility. Those people, according to our resolutions, have already accomplished their independence without any help from this country, but rather in spite of all this country has done to patrol our coasts in the interests of Spain. They are already in a situation where they can set up their government, and all we do in going there is to recognize the existence of that government and act with our natural allies.

Ah, but says somebody, when you go there, if you recognize the existence of that government, you are compelled to report to Gomez, and there will be a question at once between General Miles and General Gomez as to who should command. If there be any government in the Island of Cuba to-day, it is either the Spanish Government or it is the Republic of Cuba, and when General Miles goes to Cuba I would rather have him report to General Gomez than to General Blanco.

Mr. President, for all these reasons, which I am conscious I have most imperfectly advanced, I believe that it is the duty of the United States Government this very day, not only to intervene, but at the same time to recognize the independence of the people of that island and the independence of the government which the Cubans have established.

I for one say to you frankly I would be ashamed to see the United States recognizing the independence of the people of Cuba and in the same resolution turning their backs upon heroic, grand old Gomez and his compatriots. For my part my voice is against any such proposition.

Mr. President, I have not at any time had any trouble in my mind about independence and intervention, but I have had this kind of a trouble in my mind: The trouble has been whether it should be independence and intervention or independence and a declaration of war outright. I think, logically speaking, it ought to be a declaration of war, and I would be standing here arguing for such a declaration if I were not of the opinion that armed intervention will give us an opportunity to suitably punish Spain for the destruction of the *Maine* and 266 of our officers and sailors. [Applause in the galleries.]

The PRESIDING OFFICER. Order must be observed in the galleries or they will be cleared.

Mr. FORAKER. We have been told, Mr. President, that the board of inquiry appointed by our Government by its report has estopped us from such a declaration. I dispute it. It is true that the board of inquiry found that they could not tell what person or persons were responsible for that disaster, but the context shows that in that connection they had reference only to the question what person or persons pressed the button that sent the electric current on its fateful mission; and that, Mr. President, is immaterial in the light of the other facts unequivocally found by that board of inquiry.

That board of inquiry has officially found—and it is a most conservative report throughout; as the President well says in his message, all Americans have absolute confidence in the truthfulness of it—that board of inquiry found that our ship went into that harbor on a friendly mission; that the Spanish authorities were advised in advance of her coming; that she was coming not for warlike purposes, but only on a mission of peace, to cultivate better relations with Spain—a courteous visit in recognition of the friendly relations, of which we have heard so much, between Spain and this country. The court further find that when our ship reached the entrance to the harbor she was taken in charge by a Spanish official—the harbor pilot—and by him towed to buoy No. 4 and there made fast, and there stationed during her stay in that harbor, and that while she was there stationed she was destroyed by a submarine mine. That is the finding.

What, Mr. President, is a submarine mine? Did any Senator ever hear of any private individual having submarine mines on sale, or of any private individual handling submarine mines, especially in a territory where war is present? And does not every Senator know that under the laws then in force in Havana, by the edict of Weyler issued on the 16th day of February, 1896, no private individual could have in his possession any kind of an explosive, not even a pound of gunpowder, without being liable to the death penalty? Do you imagine that any private individuals, with that kind of a law in force there, were engaged in handling submarine mines?

No, it is an absolute absurdity, it seems to me, for us to imagine that the submarine mine that destroyed the battle ship *Maine* was anything else than a governmental implement and agency of war.

Suppose, for illustration, instead of that ship being destroyed by a submarine mine, as she was, she had been sunk by a shot fired from Morro Castle, under the guns of which she was buoyed. Would any Senator in such instance imagine that there could be any question about that piece of artillery being a governmental agency and implement of war? Would anybody stand up and question that it was a governmental agency under the control of Government officials, and that the Spanish Government could be held liable by us for the result of the discharge of that gun as a hostile act of war?

Mr. President, the gun was not any more a governmental agency than this mine was. The gun was not any more under the control of the Government than this mine was. The gun was not any more subject to governmental control and to be discharged by governmental agencies than was this mine.

But if it had been the case of a discharge from a gun, what would Spain have done? Why, the whole world would have recognized that we were bound to assume that it was an act of war. Spain would have recognized it. How could she have escaped from the consequences? Only in one way, and then she would have remained liable for all damages that occurred. She could have escaped from the conclusion that it was an act of war by immediately disavowing and immediately establishing by incontrovertible proof that it was an accident, if such a thing were possible.

Mr. President, the same rule that would apply in the case of the gun does apply, and did apply, in this instance. And, Mr. President, the significant thing is that Spain admitted by her conduct that it applied. What did Spain do? Instantly she disavowed, just as she would have done in the case of the gun, and instantly sought to establish her innocence by proving that it was an accident.

No wonder, Mr. President, that she seized upon the theory that it was an accident when our own Government was everywhere proclaiming that it was an accident. She sought to establish that it was an accident; she pitched her defense on that proposition; she took her testimony; she made an official report. It is before the Senate. She finds in that report that the *Maine* was destroyed, not by an external agency, but by an accident, by the explosion of one of her magazines.

Mr. President, that report is a lie to the living and a libel upon the dead. It is on its face absolutely and conclusively false. There is one circumstance that will forever keep it branded as such, as it now is, and that is the fact that the keel plates of that ship after the explosion were found 34 feet above where they should have been found as the ship rests on the bottom of that harbor if there had been no explosion, and the bottom plates of the ship are bent upward like an inverted V, like my hand is [illustrating]. Do you think an explosion from within would have bent the keel plates upward, would have drawn them up through the decks on that ship a distance of 34 feet, and would have bent them in that manner? No; you can not think that until the laws of nature have been changed. They have not been changed yet. They were still in operation then.

Now, what is the effect of this fact? Spain recognized that she must make a defense. She chose to call it an accident; she so reported. This one fact—the present condition of the keel plates—absolutely wrecks and destroys her whole defense as completely as the *Maine* was destroyed by her submarine mine. What is the result? The result of it is that Spain stands to-day convicted by her own effort at defense, convicted in the presence of the nations of the earth, of that hideous and cowardly crime.

What is our duty in view of it? Mr. President, we owe it to the brave men dead to vindicate their reputations from the brutal charge that they died of their own negligence. We owe it, Mr. President, to the splendid record of the American Navy to preserve it from the tarnish that is sought to be put upon it. We owe it, Mr. President, to our own good name among the nations of the earth that the perpetrators of such a cruel outrage shall not go unwhipped of justice.

No nation can afford to pass by such an affront as that in silence. This is not a case for the application of the Scriptural injunction about the turning of the other cheek, but it is a case, Mr. President, for the application of that other Scriptural injunction, "An eye for an eye, and a tooth for a tooth."

It is not morality, it is not Christianity, it is not religion, it is not common decency, it is not common sense, but only a mandlin sentimentality to talk in the presence of such circumstances and facts about the horrors of war. War is horrible, always to be deplored, and ever to be avoided if it can be avoided consistently with the dignity and the honor and the good name of the nation. But, Mr. President, much as war is to be deplored, it is a thousand times better to have it in a case like this than to be written down before all the nations of the earth as pusillanimous—as wanting in pluck and courage.

Yes, Mr. President, business interests may be interfered with, loss of life may occur, all apprehended evils may result, but no matter what the cost, in the presence of this great commanding duty we must go forward. The time, I repeat, for diplomacy has passed. The time for action has come. Let the doubting, the hesitating, the opposing, go to the rear, while the virile, strong-minded, patriotic, liberty-loving masses of the American people, coming from all the sections and all pursuits and avocations of life, rally as one man around our gallant Army and Navy, and taking the flag of our country carry it on to triumphant victory. [Applause in the galleries.]

A victory, Mr. President, for civilization over barbarism; a victory for the right and capacity of man to govern himself; a victory for the Western Hemisphere; a victory for Cuba; a victory for freedom and liberty and independence; a victory worthy of the descendants of the heroic men who achieved our own independence, and worthy of the successors of those heroic men who have since preserved and perpetuated our priceless heritage. [Applause in the galleries.]

Mr. LODGE obtained the floor.

Mr. HALE. I offer as a substitute for the pending resolution what I send to the desk, which I ask may be printed and go over with the joint resolution.

Mr. CARTER and Mr. COCKRELL. Let it be read.

Mr. HALE. Let the substitute be read.

The SECRETARY. It is proposed to strike out all after the resolving clause and insert:

The President is authorized, directed, and empowered to intervene at once to restore peace on the Island of Cuba, and secure to the people thereof a firm, stable, and independent government of their own, and is authorized to use the Army and naval forces of the United States to secure this end.

Mr. ALDRICH. I ask that the Order of Business, whatever it may be, be laid before the Senate. We are proceeding without any order at all, and I suggest to the Presiding Officer that it is well for us to know what the business before the Senate is.

The VICE-PRESIDENT. The unfinished business before the Senate at the hour of 2 o'clock is the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Mr. GALLINGER. I ask unanimous consent that that matter be laid over informally, that the Senator from Massachusetts may proceed with his remarks.

The VICE-PRESIDENT. Is there any objection to laying aside Senate bill 2680? Unanimous consent appears to be given. It is given, and the Senator from Massachusetts will proceed.

Mr. LODGE. Mr. President, during the entire session, since the first of December, and more especially since the destruction of the *Maine* fell with a great shock upon the people of the United States, I have felt it my duty as a member of the Committee on Foreign Relations, to which I have the honor to belong, to maintain an absolute silence on all matters connected with the questions pending between this country and Spain. I have broken through that rule on but one occasion, and that was when I counseled in this Chamber silence and patience until we could hear the report of the court of inquiry. Neither by speech here nor by interview or publication elsewhere have I broken the rule which I imposed upon myself.

But, Mr. President, the moment has now come when the committee to which I belong has made its report, and I feel it to be my duty to state the reasons which govern me and control my vote at this great crisis, and to try to make them plain to the people whom I have the very great and high honor to represent.

Mr. President, I think there is one point on which all men in this country are agreed to-day, no matter how they may differ on one proposition or another, and that agreement is that this situation must end. We can not go on indefinitely with this strain, this suspense, and this uncertainty, this tottering upon the verge of war. It is killing to business.

It is ruinous to our people in a thousand ways. It is discreditable to our Government and our country. If we are not to take action in regard to Cuba in order to bring this situation to an end, then let us stand up in the face of the world and say that we wash our hands of the whole affair; let us say that we will not intervene to save the starving, to put an end to hostilities, and that we will turn the case of the *Maine* over to a referee. If we are not prepared to do that, then let us act the other way. But whatever happens, let us end this state of unendurable suspense. That, I believe, Mr. President, is the one great desire of the entire country.

The President has submitted this momentous question to the Congress of the United States. In his hands are placed by the Constitution all the diplomatic functions of the Government. He alone can address foreign powers; he alone can carry on correspondence through his ministers and officers. Congress has no diplomatic functions whatever. The President has told us that diplomacy is exhausted, and he has handed the case over to us. What power have we got? We have but one, Mr. President. The Constitution gives to Congress—I mean to both Houses constituting the entire Congress—but one power in relation to foreign

countries—the last great weapon in the armory of nations—the war power.

When a President of the United States says to Congress, as President McKinley has said, that he can go no further with diplomacy in a controversy with a foreign nation, and remits that question to the Congress of the United States, he invites them to use the only weapon they possess. The mere fact of remitting the question to Congress is invoking Congress to use the most awful power which the Constitution has conferred upon it.

That is the situation in which we stand to-day, Mr. President. We here can open no new negotiations with Madrid; we can enter on no correspondence with any other nation on the face of the earth. All that we can do is to exercise the one great power of peace or war. The President has asked us to exert that power, and in a certain way. He has invited us to exercise it by clothing him with the power to intervene by force of arms in order to produce certain results.

My deep desire, Mr. President, and all the small influence that I may possess, has been given throughout to the one object of sustaining the President of the United States and seeking in every possible way to preserve unity between the Congress and the Executive, for I believe, when we are face to face with a foreign power, that there is one duty that overrides all others, higher than politics and higher than everything else, and that is that the Congress and the people and the Executive of the United States should stand absolutely together. And now, Mr. President, when the President comes to Congress and invokes our aid in a controversy with a foreign country and asks us to give him power to intervene, I desire that that great power of war should be given to him in that way.

I am against a declaration of war, but I favor giving the President the power to intervene. I am against recognizing the government of the insurgent republic because the President of the United States, in his high responsibility, has advised Congress strongly against it. I will not myself part from that unity which I consider so much more important than aught else, and differ on that point.

I do not care to argue here the question of recognizing or not recognizing the government of the insurgents. Powerful arguments can be made both ways. We have heard one in the message of the President; we have heard another to-day from the Senator from Ohio [Mr. FORAKER] on the other side. We heard but yesterday in the Foreign Relations Committee the advice of General Lee, who has conferred such honor upon the United States by the manner in which he has represented this country at Havana, and his advice is that we should not recognize the insurgent government.

Therefore, Mr. President, without arguing that point further, I beg to say that I stand with the majority of the committee and with the President of the United States in opposing the recognition of the insurgent government at this time. It can be done, if necessary, at any moment. The President has nothing to do but to ask Mr. Palma to the White House, and the Cuban Republic stands up erect and recognized. We may safely trust that power to the President.

I said, sir, that the President has asked us for intervention. The committee have given it to him. It was not the form of resolution which I personally preferred. I voted for another in the committee. But, Mr. President, what I desired more than any special form of resolution was the unity of action of the Government of the United States in the crisis to which we have arrived. Therefore I voted to bring these resolutions into the Senate; voted to do it with all the other members of the committee. Nor do I think, Mr. President, that there is much use in differing about the words in which we order intervention. We have been wandering too long as a country amid the delusions and snares of diplomacy. Let us now come out into the clear light of day and look facts squarely in the face.

When we authorize the President to intervene and use the Army and Navy of the United States, whether we do it in the language of the message, or in the language of the House of Representatives or in the language of the Senate resolution, we create a state of war. Let us not deceive ourselves at this solemn hour. Forms of words are of but little moment in a crisis like this. It is the great central fact that concerns the people to-day. The President has asked us to mail his arm to strike with the Army and the Navy of the United States; to authorize him to go down into Cuba and enforce the pacification of the island. He has asked us to authorize him to set up a government there which shall be a stable government, and a government "capable of observing international obligations." I quote the President's own words.

What kind of government can alone observe international obligations? Only an independent government, Mr. President. Therefore the President of the United States asks us to authorize him to use the Army and the Navy to stop the fighting in Cuba and establish an independent government in that island. How can there be an independent government in Cuba while Spain is there? It is an impossibility. The recommendations of the message mean that Spain must leave that island, and I for one think that if that is the purpose of the message, as it clearly is, there is no harm and much good in telling the truth. If we intervene, we do not go there to take Gomez by the throat and make him stop fighting. We go there to put Spain out of that island, for in no other way can we create a government capable of observing its international obligations.

The President has asked Congress to sustain him in that policy in its broad general lines. As I have sustained him hitherto in every step that he has taken, so far as my very humble influence went, I sustain him now when he asks us to give him this last great power of the Constitution. Therefore, Mr. President, when we vote to give the President of the United States power to intervene in the affairs of another country with the Army and Navy of the United States, we clothe him with the war power, and we had better face that great responsibility and look it in the eye like men and not attempt to shrink from what it means and try feebly to pretend that it is not there.

No man can be more averse to war than I, no one can dread more than I any act which will plunge the country into war. Mr. President, such measures as I have voted for in past years in the Senate since the Cuban crisis has been upon the country I have supported not merely because I thought they made for the interests of the insurgents, with whom I sympathize in the strongest possible manner, because they are fighting for freedom, but because I thought then, as I think now, that they were the true road to the preservation of peace.

If two years ago we had recognized the belligerency of the Cuban insurgents they would have been able to raise money, to hoist a flag at sea, and open a port; they would then have won their independence, in my judgment, and we never should have been involved. If one year ago last January we had recognized their independence, again they would have been able to raise money, to open a port, and to have established their independence themselves. I so believed then; I so believe now. Both those propositions passed by the Senate of the United States were smothered elsewhere by a wisdom which I shall not question; but I think that each of those refusals to act kept alive the Cuban difficulty, and the longer it was kept alive the nearer and the surer war came to us.

I have also for many years advocated a powerful Navy and strong coast defenses. I have advocated them because I believed that in them was the great guaranty of peace. Mr. President, if we had to-day, as we ought to have, twenty battle ships and a hundred torpedo boats, there never would have been a Cuban question; we should have been so ready and so strong that we could have laid our hands on the shoulder of Spain and said, "You must stop;" and the contest would have been so hopeless that it never would have been entered upon. Thousands of men who fill graves in Cuba to-day, tortured into them by starvation, would be alive, and the *Maine* would still ride the seas. But, Mr. President, more conservative principles prevailed and we have not the large Navy we ought to have.

I believe in preparation for war as Washington advocated it; I believe in a rigid exclusion from America of any European extension, which was the great doctrine of the generation which followed Washington. These principles have been scoffed at as the doctrine of "jingoes." Ah, Mr. President, as Coleridge says, "Old faiths often become new heresies." If we had clung to the old faiths, if we had kept our Navy and our defenses as Washington advised, if we had looked a little further ahead into what the Monroe doctrine meant, we should not be standing on the verge of war to-day. We failed, as I believe, in certain obvious duties, and the inexorable law of compensation has brought the inevitable penalty to our doors.

Mr. President, we are not in this crisis by an accident. We have not been brought here by chance or by clamorous politicians or by yellow journals. We are face to face with Spain to-day in the fulfillment of a great movement which has run through the centuries. Out of the war which Spain wages and the manner in which she wages it have come starvation and the destruction of the *Maine*. The war comes out of Spanish misgovernment and Spanish corruption. That corruption is not of yesterday. It is very, very old. It has cost Spain all her continental colonies. It existed two hundred years ago. You can see it all portrayed in that beautiful picture of character and manners which Le Sage drew in the history of Gil Blas of Santillane. Spain was corrupt then; it was misgoverned then; and out of it has come to-day the Cuban war.

Even at this moment the corruption which Le Sage described is worse than ever. Spain is on her deathbed, buried in debt, bleeding at every vein from the revolutions in her colonies, and her officers and officials rob her, dying, as she is, in the eyes of the world. We asked General Lee yesterday when he was before us if the $600,000 said to have been appropriated by Spain for the relief of the reconcentrados would reach them or would be spent on the Spanish soldiers—for they are starving, too—and his reply

was, "It will never reach either of them; the officials will take it all on the way." That is what is going on in Spain, just as it was when Gil Blas had his adventures. That is why Cuba has rebelled.

Mr. President, this long process of Spanish decay began far back, three hundred years ago, and the vast empire of Charles V has been dying through all these centuries. The men who first struck at it, even in its pitch of pride, were the men of the dikes and the marshes of Holland. The men who next struck it and brought it down were the men of English blood, the English seamen of the sixteenth century. They fought it by an instinct, because it stood for all that meant oppression, bigotry, cruelty, and terror. Those men of Holland and England fought it because they stood for the principles of liberty and of free government.

In our veins runs the blood of Holland and the blood of England. If after all the centuries it comes to us, much as we pray to avert it, to meet Spain face to face in war, it is because we are there in obedience to a greater movement than any man can hope to control. We are there because we represent the spirit of liberty and the spirit of the new time, and Spain is over against us because she is mediæval, cruel, dying. We are not there by chance. We are there because we stand now for just the same principles for which the men stood who followed William the Silent and sailed with Drake; and if this terrible thing—this awful curse of war—must come upon us, then we can only repeat with Lincoln the words of the second inaugural, "The judgments of the Lord are true and righteous altogether."

Mr. President, we have exhausted the resources of diplomacy; we have made every effort that could be made. The President has been patient, more than patient. He has used every possible effort to secure a settlement at once honorable to the country and in the interest of freedom and humanity. Every effort that he has made has failed, and, saying so, he has committed the question to us.

We are told that Spain has recalled the concentration edict. We were told that last November, and yet the people have been in the pens dying ever since. We were told that Weyler's edict had been revoked then, and yet starvation has gone on. We hear of another proclamation for another revocation of that same edict which had been already revoked, and the people are dying in Havana now and in other towns, and the President himself concludes his message with a request for money to feed the starving.

What does the Spanish order of $600,000 amount to? It is a fraud—an absolute fraud. It is a fraud like their armistice, which invites the insurgents to come in and lay down their arms. There is nothing in it at all but baffling snares, and every man who has been in the Island of Cuba and comes before the Committee on Foreign Relations swears to the same thing.

Mr. President, we can not, in my opinion, allow that fire to burn longer at our doors. We can no longer permit those people to starve to death, brought to that hideous torture by a war measure of Spain. We can not longer suffer our commerce to be ruined, our property destroyed, our business to be darkened and depressed. Spain has refused every valid suggestion that would bring any solution, and she has given us a stone where we have asked for bread.

We can not accept, Mr. President, conditions of peace which would degrade us in the eyes of the world, and, what is infinitely more important, in our own eyes. If we were to do so, we should bring evils in the train of such a yielding which no man can estimate. We should heap wars upon the generations yet unborn which no man can contemplate without a shudder, for we should give to the world an invitation to step into the Western Hemisphere and do anything they please to the people of the United States.

There are some things, Mr. President, horrible as war is, worse than war and better than money. A nation's honor is one thing, and her duty to humanity is another.

They say that they are not our own people. They are just outside the walls of the house we call our own. Ah, Mr. President, when they say to me, "Are you your brother's keeper?" I respond, "Yes; we are the keeper of those people in Cuba," for we announced fifty years ago to the whole world that the Cuban question was an American question. We drew a ring fence around that island, and we told the people of the earth that no one should interfere there except ourselves. Here we stand, shutting out every other nation and allowing Spain to butcher those people after her own fashion. There is a great responsibility. We can not escape it, and if we fail to meet it we shall pay the awful price for our failure, as nations always do.

The sentiment of the American people in my judgment is for peace. We are essentially a peace-loving, peace-cherishing people. But there is a sentiment in the American people that is above and beyond their love of peace. I mean among the great mass of our people whose eyes are not blinded by the glitter of too much wealth. Among those people there is a strong sentiment for peace always, but it can only be peace with honor. They cherish very deeply the honor of their country all the more, perhaps, if they have not many other possessions to cherish—the pride in being an American is very dear to them—and they do not want to see that name tarnished or brought to ignominy or dishonor.

The sentiment of my own State and my own people I have known and know now is for peace. They do not wish to see this country plunged into an unnecessary war, but neither would they see the country degraded. They would not see it dragged in the dust before the eyes of the world. If they can not have peace with honor, then they will meet war in a brave and noble spirit, as Massachusetts always has met her trials, from Concord to Baltimore.

If war must be—I hope and pray that it may yet be avoided—no nation ever went to war on higher grounds or from nobler or more disinterested motives. War is here, if it is here, by the act of Spain. We have grasped no man's territory. We have taken no man's property. We have invaded no man's rights. We do not ask their lands. We do not ask their money. We ask peace in that unhappy island—peace and freedom, not for ourselves, but for others. It is an unselfish, a pure, a noble demand; and if war does come, then, Mr. President, we do not fear to meet it. We will meet it so that the curse of Spain shall never rest again on any part of the Western Hemisphere. We do not want war; we would do anything in honor to avoid it; but if it must come, it will be a war that will prevent Spain from ever bringing misery, death, and ruin to Cuba, and agitation, unhappiness, loss, and war to the United States.

And now, Mr. President, what of the *Maine*? I suppose a good argument can be made that that is a legal question; that there are disputed facts; that it does not do to get too excited about it; but I am so sentimental, I am so merely human, that that ship is nearer my heart than anything else. Suppose she had gone down to her death in an English harbor, blown up as she was, carrying her men with her; what do you think would have been the voice of England—the land of Nelson? I believe if it had happened in an English port England would have said, in a great and generous spirit, "We regard this with horror; we believe that it must have been an accident, but it happened in our harbor under our flag. If you think otherwise, name the reparation that you want." Such, Mr. President, I believe would have been the reply of England; such I believe would have been our reply or that of any of the great powers.

Look now at Spain. She has done nothing but slander officers and sailors of the *Maine*, dead and living. Her ambassador to Rome said but a week ago to all Europe, in a published interview, that that ship went down because her captain neglected her and was not on board. Notorious as the sinking of the ship is the fact that Captain Sigsbee was there, and was the last man to leave is equally well known, and yet the Spanish ambassador to Rome tells that lying story to the world. Last Sunday the Spanish ambassador in London announced also to all the world through the columns of the press that the *Maine* was blown up from inside because our officers neglected their duty, feasting on shore when they should have died at their posts. That is typical of the Spanish answer, and it is a coarse insult.

They agreed on their story that the ship was blown up by accident before they even looked at her hull. We have the evidence of Captain Sigsbee before our committee as to the character of the examination which the Spaniards made—trivial, slight, careless, done for a form, to back up a story which they had already made up their minds to stand by and put forth. They have never even tried to prove that there were no mines in the harbor, and an accused man or nation who refuses to offer exculpatory evidence convicts himself. That has been the attitude of Spain—indifferent, insulting, ignoble—toward an awful disaster happening in her own harbor.

Mr. FRYE. Mr. President——

The VICE-PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Maine?

Mr. LODGE. Certainly.

Mr. FRYE. Will the Senator from Massachusetts please add right here that the death of our sailors and the destruction of our ship, according to General Lee's testimony, was celebrated with banquets and champagne by the Spanish officers in Cuba?

Mr. LODGE. Mr. President, I thank the Senator from Maine for recalling to me the testimony of General Lee on that point yesterday. Where so much has been told it is impossible to remember all. They rejoiced in Havana, and they explained the explosion by throwing it upon our officers, slandering their character and denying their words.

I have examined that testimony from beginning to end; I have heard the evidence of Captain Sigsbee, of the torpedo experts of the Navy Department, and yesterday of the consul-general, Fitzhugh Lee. We know that that ship was anchored at a buoy never used for public ships of war, certainly not for many years; we know that she was anchored there by a Spanish official pilot; we know that the night she was blown up she had swung into a position where she had never ridden before and the only position

where her broadside commanded the fort; we have the statement of General Lee and of Captain Sigsbee as to their profound belief; we can not put our hand upon the man who pressed the button, but we know that it was a submarine mine either put there for that special purpose or to defend the fortress, and Spain has never attempted to show that no mine was there.

On those unquestioned facts every man has the right to make up his own mind. Every man is entitled to his own belief, and I state mine after fifty days of careful study and a consideration of every fact. I have no more doubt about it than that I am now standing in the Senate of the United States—that that ship was blown up by a Government mine, fired by, or with the connivance of, Spanish officials. I do not say it was done by General Blanco. I exonerate him fully on the statement of General Lee. I do not say that it was done by the Government itself, but it could have been done only by experts, only by men in control of Government mines, only by men who had their hands upon the Government machinery. Others may reason from those facts as they please. To me they bear but one interpretation, and that is that the *Maine* went to her death by Spanish treachery in the harbor of Havana and Spaniards exulted and feasted when the black deed was done.

Mr. President, I suppose it may be urged that it is proper that we should negotiate and arbitrate, but whenever I think of that solution there comes to my mind the lines of Lowell, written at another period, a very dark time in this country—written in the homely New England dialect:

> Ef I turn mad dogs loose, John,
> On your front-parlor stairs,
> Would it jest meet your views, John,
> To wait an' sue their heirs?

Ah, Mr. President, it does not seem to me that this is a case for negotiation. It would have been the case for a generous opponent to have put himself greatly in the right by his treatment of it, but it seems to me we can not any more negotiate about it than a man can negotiate about an insult to his mother. What could we take if we did arbitrate? Are we going to take money for those dead men of ours?

I suppose again that I am very impracticable and very sentimental, but the idea revolts me. At the close of the civil war the great war governor of Massachusetts found his practice scattered, his small accumulations and savings gone, because he had given his time, as, indeed, he gave his life, to the service of the State and the country. It was known how much he had suffered in his practice and his purse, and there was a story circulated in the papers that his friends intended to make him collector of the port, the most highly paid office in the State of Massachusetts. The day that item of news appeared a friend of Governor Andrew met him and said to him, "Well, Governor, are you going to take the collectorship?" He paused a moment, then looked up suddenly and said, "I have stood for four years as high priest between the horns of the altar; I have poured out upon it the best blood of Massachusetts; I can not take money for that."

Mr. President, we can not take money for the dead men of the *Maine*. There is only one reparation. There is only one monument to raise over that grave, and that is free Cuba and peace in that island. That is a worthy monument, worthy of men who died under the flag they loved, died, in the cold language of the law, "in the line of duty."

They say we can not go to war about the *Maine*. Perhaps not. We are told that it is an incident. So be it. It is the outgrowth of the conditions in Cuba; it is the outgrowth of that Spanish rule; it is the outcome of that Spanish war, and it calls upon us to end the causes that made it possible. The men who were hurled from the sleep of life into the sleep of death call upon us from their graves to root out forever the causes which made their slaughter possible.

We are told that we must not go to war on the narrow ground of revenge. Revenge is an ugly word, although Bacon tells us that it is nothing but wild justice. No, not revenge; but we must have reparation for the *Maine*. We can not as a nation belittle that case or refuse to demand a great and shining atonement for our dead sailors. If we allow that to drop aside, to pass away into an endless tangle of negotiation and law and discussion, we are lost to all sense of brotherhood; we are lost to all love of kith and kin; our uniform will no longer be an honor and a protection; it will be a disgrace and danger to wear it.

Your men on your ships are sullen to-day because they think that the Government is not behind them. There are mutterings among the men who wear your uniform because they think you have not striven to redress the awful slaughter of their comrades. You must maintain the honor of the uniform and of the flag under which the men died. Surely, there never was a more righteous cause than this for any nation to ask for justice. That gigantic murder, the last spasm of a corrupt and dying society, which carried down our ship and our men, cries aloud for justice.

Mr. President, I care but little what form of words we adopt. I am ready to yield my opinions to those about me in Congress. Still more ready am I to defer to the wishes of the Executive, who stands and must stand at our head; but I want now to arm that Executive with powers which shall enable him in the good providence of God to bring peace to Cuba and exact justice for the *Maine*. [Applause in the galleries.]

Mr. LINDSAY. Mr. President——

The VICE-PRESIDENT. The Chair again lays before the Senate the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Mr. ALLEN. I ask unanimous consent that the unfinished business may be temporarily laid aside to enable the Senator from Kentucky to address the Senate.

The VICE-PRESIDENT. The Senator from Nebraska asks unanimous consent that the unfinished business may be temporarily laid aside to enable the Senator from Kentucky to address the Senate. Is there objection? The Chair hears none. The Senator from Kentucky will proceed.

Mr. LINDSAY. Mr. President, like the Senator from Massachusetts [Mr. LODGE] I felt it to be my duty during the past two months to take no step and to give out no utterance calculated to embarrass the Executive in dealing with the difficult situation presented by our relations with Spain on account of events transpiring in Cuba; but when the message came the other day to the Congress, I felt I was relieved from all obligation to further silence. The President has justly said, "This question is now with Congress," and "the responsibility is a solemn one." I feel I ought to meet that responsibility as I understand it, and to discharge my duty in accordance with my convictions upon this most important occasion.

There has been a disposition to speak of the President's message as looking to the ends of peace, but that message and the report of the Committee on Foreign Affairs strike me as making recommendations which must necessarily lead to war. The message asks the Congress of the United States—

> To authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

The President understood, as the country understands, that to use the Army and Navy for such a purpose is war. To grant his request, whether in the language of the joint resolution or in any language that may be selected, will be equivalent to a declaration of war against Spain. The President understood, and all of us understand, that we can not abdicate the war-making power to the President, and that to comply with his request will be to authorize him, in the execution of a war power, to do those things which he may deem necessary to attain the end sought to be accomplished.

The joint resolution reported this morning will be a declaration of war as soon as it shall receive legislative and Executive sanction. We can not expect Spain to yield to the demand we propose to make. That demand, with the direction to the President to enforce it with the Army and Navy, falls short in no respect of a declaration of war.

The joint resolution declares that the people of Cuba are and of right ought to be a free and independent people, and to that extent I agree with the committee. But, Mr. President, how are the people of Cuba to utilize their independence and freedom except through some authorized and organized agency? When we take our Army and Navy to Cuba, when we drive the Spaniards from the island and establish the independence, so far as Spain is concerned, of the people of Cuba, what is the next step we are to take? Driving out the Spaniards and refusing to recognize any other authority, we will hold Cuba, for the time being, under the war power, and if the Cuban people shall ever come together for the purpose of exercising their right of self-government they will come under our sanction at our behest, and under our direction, and not as a free people, acting through their own agencies.

We are told that this is not the time to deal with the revolutionary government now in existence in the Island of Cuba; that the time may come when that government ought to be recognized as a belligerent; that the time may come when the independence of that government ought to be recognized; but that its recognition at this time would involve us in complications and difficulties from which it might be difficult to escape in the future. The refusal to recognize the belligerency of that government at this time will most indubitably bring about difficulties of the most serious character and with which we may not be able successfully to deal in the future.

We make war to liberate Cuba, we make war upon the Spanish Government, and we drive the Spanish from the island, and the question then arises, How are we to treat, what disposition is to be made of the revolutionary Republic of Cuba, which has been

maintaining itself during the last three years? Will our armies go to Cuba not only to fight the Spaniards, but to fight every class of people who assume the right to govern Cuba?

If that be the case, why not say so? If that be not the case, why leave in doubt that which ought to be made clear?

Mr. President, forcible intervention means what? The President of the United States says:

> The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds.

And so say we all.

> It involves, however—

Says the President—

> hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

"Hostile constraint upon both the parties!" Does the resolution reported by the committee mean that the President may, in his discretion, put hostile constraint upon the Cuban Government in order that the will of the Cuban people may only manifest itself through the action of the American Government? With hostile constraint upon the Cuban Republic, and with the Spanish soldiers and authority expelled, will we not hold the island as a conquered province, and, whatever government it may establish, will it not receive such government at our hands and through our grace?

We are told that we can not acknowledge the independence of the Cuban Republic, because independence is a fact, and that that republic has not established itself as an independent government actually controlling the people of the Island of Cuba; that we can not recognize its belligerency, because it has not acquired that degree of consistency and power which would entitle it by the rules of international law to recognition as a belligerent. The President quotes from the messages of Presidents Grant and Jackson and Cleveland to show that the Cuban Republic is not entitled under international law to recognition either as an independent state or as a belligerent power.

Mr. President, having reached the point at which we declare war against Spain, has Spain the right—has the world the right—to indicate to this Government how that war shall be prosecuted? When President Jackson was stating the conservative rules which governed him in dealing with the question of Texan independence, he contemplated continued relations of peace and amity with the Republic of Mexico.

When President Grant was laying down the rules which governed his Administration during the former revolution in Cuba, he contemplated that we would remain friends with Spain, and therefore should refrain from putting obstacles in the way of her success. But for causes sufficient to satisfy the Committee on Foreign Relations, for causes deemed sufficient by the President, Spain is now to be declared a public enemy, and we are met with the question, whether these international rules which apply in times of profound peace are to govern us now that war is about to be made.

Who has the right to say that we shall not fight Spain through the insurrectionary government now existing in the Island of Cuba? Who has the right to say we shall not acknowledge that government as a belligerent power and treat with it for the prosecution of the war? What canon of morality or of international law will be violated if in furtherance of the war we propose to wage against Spain we shall acknowledge, and thereby guarantee, the independence of the Cuban Republic?

To meet the very question that we have before us I introduced a series of resolutions yesterday, which I ask now to have read from the desk.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The Secretary will read as requested.

The Secretary read as follows:

> A joint resolution (S. R. 144) to define the mode of proposed military operations in the Island of Cuba, and to secure the independence of the Cuban Republic.
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, First. That the contemplated military operations against the Spanish armies on the Island of Cuba should be carried on in concert with the military forces under the command of Gen. Maximo Gomez, such concert to be secured through arrangements between this Government and the Cuban revolutionary authorities recognized by said Gomez, and that any offer looking to such arrangements that may be made by those authorities should be favorably considered, provided it shall concede to the commanding officer of the United States troops the right to control and direct all military operations.
>
> Second. That all such military operations should be carried on to the end that the independence of the Cuban Republic may be secured.

Mr. LINDSAY. Now, Mr. President, when war has been declared against Spain, when the joint resolution reported by the Committee on Foreign Relations shall have been adopted by the two Houses and signed by the President, where is the objection in an international point of view against forming relations with the Cuban Government and utilizing the troops it has under its control to the end that we may the more successfully carry on the war?

The resolutions reported this morning declare that certain ends shall be accomplished against the Kingdom of Spain through our Army and Navy, and yet upon some supersensitive objection to violating international law we are utterly silent as to whether we will avail ourselves of an advantage that naturally presents itself to us. We have 26,000 regular soldiers altogether.

The joint resolution does not provide that men may be enlisted to carry on a foreign war. It merely provides that the militia of the United States may be called out for the accomplishment of the purposes proposed. But there is a grave constitutional question as to whether militia called out as provided by the resolution can be sent from our shores to prosecute an aggressive war in a foreign country. The resolution contemplates that we shall commence the war with an army of 26,000 men with full knowledge of the fact that there are over 60,000 Spaniards in arms in the Island of Cuba. If we shall make any pretense to manning our coast defense with educated soldiers we can not spare more than one-half that 26,000 men to make up an army of invasion.

Mr. President, if the Spanish forces in Cuba were to surrender to us without firing a shot we have not men enough to send to Cuba to take them into custody and to preserve law and order while we are setting up the new and stable government for the people of Cuba.

I ask, where is the policy, where is the good sense, where lies the statesmanship in refusing to recognize the men who have carried on war for more than three years, in order that we may by our own unaided efforts accomplish this great good for the Cuban people?

The joint resolution contemplates immediate action. It does not propose that we shall wait six months or four months, but that the President, within a reasonable time after it becomes effective, shall proceed to expel the Spanish armies from the Island of Cuba. We will send to Cuba at the beginning of the sickly season unacclimated Americans—those now in the Army or those young men who, out of patriotic ardor, may volunteer for this coming war—we will send these young men down to meet disease and death rather than avail ourselves of a force amply able and ready and eager to take care of the Island of Cuba without an American soldier ever setting his foot upon it.

When France concluded to intervene in the struggle between Great Britain and her American colonies, France took no such course as that. France, without having directly recognized our belligerency, at the end of a three years' struggle on our part, acknowledged our independence by entering into a treaty with us based upon the idea that the French and American soldiers, side by side, should work out the salvation of the great cause then pending.

Shall we not imitate the example of France? Shall republican America show herself less generous than monarchic France showed herself one hundred and twenty years ago? Shall we say to the struggling patriots, "You are but a band of highwaymen, of outlaws, of disturbers of the public peace, and that this Government will not degrade itself and sully its honor by making you its allies, although you have sacrificed all the world holds precious, although you have maintained a most unequal and unfriended contest for three years in behalf of Cuban independence?" Shall we say to them they do not deserve now to be recognized by their American friends, and that they must dissolve their government and put themselves upon the footing of Spanish subjects overcome by American arms?

I do not pretend to say the resolution is expected to accomplish these ends, but I do say it makes no provision whereby anybody shall be under obligation to receive proposals from these people to join with us to fight our battles while they are fighting their own.

The resolution I have offered, if adopted (and it will be a fitting supplement to the resolution reported by the Committee on Foreign Relations), is to the effect that, war having been commenced, the military operations of our Government against the Spanish armies on the Island of Cuba shall be carried on in concert with the Cuban army under the command of Gomez, subject only to the condition, which France generously waived when she came to our assistance, that the commanding officer of the American troops shall control and direct all military operations.

Why not make these people our allies? There can be no objection unless we intend, through the process of intervention, to put them under military constraint while we usurp the function of setting up a government for the Island of Cuba.

There is another objection, well stated by the distinguished Senator from Ohio [Mr. FORAKER], but disputed flatly by Senators on the other side of the Chamber, and that is that as the conquerors of Cuba, as the disposers of Cuban independence, we encounter the danger of making ourselves responsible in the estimation of the world and under the rules of international law for the payment of Spanish debts for which the revenues of Cuba may be pledged.

When Texas was annexed and the revenues of that Republic turned into the Federal Treasury, British creditors, through the British Government, complained. Our answer was that under our treaty with Texas certain public lands had been set aside for the payment of the Texas indebtedness, and I suppose they afterwards paid it all, but the British Government promptly replied, "That was an arrangement which might bind us. It was an arrangement which might bind Texas, but that as we had taken the domain, as we had converted the revenues of Texas into our coffers, they would look to us for the payment of all their demands or claims;" and we would have paid them if the State of Texas had proved unable to do so.

Recognizing this rule and to protect the United States against claims like those under discussion Congress, out of the $10,000,000 agreed to be paid to Texas upon the adjustment of her boundaries, retained one-half that sum, "until the creditors of the State holding bonds and certificates of the stock for which duties on imports were speially pledged shall first file at the Treasury of the United States releases of all claims against the United States for or on account of said bonds or certificates."

When Chile, after the war with Bolivia, took possession of the guano beds against which American citizens had claims, this Government took the ground, and properly so, that whatever liens existed in favor of American citizens against those islands which Chile had taken by conquest were as good against the conqueror as they had been good against Bolivia.

Mr. HOAR. May I ask the Senator from Kentucky a question?

Mr. LINDSAY. Certainly.

Mr. HOAR. I should like to know if the Senator knows of any person, in the Congress or out of it, representing any considerable American sentiment, who desires either to conquer Cuba or annex Cuba?

Mr. LINDSAY. Mr. President, when we put the Spanish armies off the Island of Cuba with our Army and Navy and put the revolutionary forces under military restraint, we will have conquered the Island of Cuba.

Mr. HOAR. I desire to ask the Senator if he knows anybody who proposes to put the revolutionary forces in Cuba under our military constraint?

Mr. LINDSAY. The President, in his message sent here on the 11th, speaking of the intervention he proposes, says:

> It involves, however, hostile constraint upon both the parties to the contest, as well to enforce a truce as to guide the eventual settlement.

Mr. HOAR. On what page of the message is that found?

Mr. LINDSAY. It commences on the tenth page, with the last paragraph, and ends at the top of the eleventh page. It is against the doing of that particular thing I most earnestly protest, and I complain that the resolution reported this morning does not guard against it, but impliedly gives assent to the proposition.

Mr. HOAR. If the Senator will pardon me——

Mr. LINDSAY. Certainly.

Mr. HOAR. I will not undertake to detain the Senate further than to say, with his leave, that I do not believe the President of the United States or any ten men out of our 70,000,000 of population understand that the constraint which is spoken of is expected to be carried to the degree of assuming the government or control of that island. We, as it seems to me, can no more be chargeable with the debts of Cuba or with the debts of Spain, secured upon Cuba, if they are secured, than a fireman who puts out a fire in a house is liable for a mortgage on the house or a policeman who stops a row in a house and turns out an intruder is liable for the debts of the owner.

Mr. LINDSAY. Mr. President, I do not think that an act of war upon the part of one great nation against another for the avowed purpose of dispossessing that nation of a valuable island like Cuba can be properly compared to a policeman who suppresses a disturbance in a citizen's house or a fireman who breaks the furniture in attempting to extinguish a fire.

I take the President's message for what it says. I argue that doing that which the President recommends shall be done, that which the committee's report proposes shall be done, will be the conquest of the Island of Cuba as against the Kingdom of Spain. When our ships knock down Morro Castle, when our troops land upon the Island of Cuba and force the surrender of the Spanish troops and send them to Spain as prisoners of war, when we say to Gomez and to his government that "for the accomplishment of the purposes we have in view, we put you under military constraint," I ask the Senator, I ask any man who looks at the question from a common-sense standpoint, whether we will not stand that day the conquerors of the Island of Cuba, there being no power on earth, foreign or domestic, to resist our will or to call it in question?

It may be that we intend to use our conquest for a beneficent purpose. It may be that in the estimation of the civilized world we can justify this assault upon the Kingdom of Spain by saying in advance that we intend to take the Island of Cuba from under the hand of the despoiler and give its people the right to govern themselves; that we intend to establish a stable government capable of maintaining order and performing its obligations and duties, all of which the world will no doubt commend. But we will be none the less the conqueror during the period between the time the Spaniards are expelled and the revolutionists put under military constraint, and the establishment of the government to which we propose finally to turn over the control of the island.

Mr. CAFFERY. Will the Senator permit me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. LINDSAY. Certainly.

Mr. CAFFERY. If, as the Senator says, we intervene with arms, drive out the Spaniards, and conquer the country from the Spaniards, and then establish a government of the people of the Island of Cuba, can we in any sense be said to have conquered Cuba?

Mr. LINDSAY. Mr. President, you do not conquer land as land, nor do you conquer a people as individuals. You conquer a country by overthrowing the government of the country and establishing yourselves as the governing authority in that country; and when we shall overthrow Spanish domination, when we shall put the insurrectionary people under constraint, there will be no law in Cuba except the law we declare and administer, and that will be the law which comes from our will and not from the will of the people of Cuba.

Mr. CAFFERY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky still further yield?

Mr. LINDSAY. Certainly.

Mr. CAFFERY. This question has reference to another I had in mind.

Mr. LINDSAY. Do not lay traps for me; if you have a question to ask, come out squarely and ask it.

Mr. CAFFERY. I am not digging any pitfalls for the Senator.

Mr. LINDSAY. I have known it to be done.

Mr. CAFFERY. I am asking for information. The Senator propounded the doctrine that in the event of the United States intervening in the affairs between Spain and the insurgents and setting up a government in that country such as the Senator says the United States contemplates—that is, a government of the people of Cuba—in that contingency the United States would be bound for the obligations that Spain had incurred by mortgage upon the Island of Cuba. Now, I should like to know whether the United States or the government which the United States would install would be liable, if anybody were liable?

Mr. LINDSAY. I will come to that question presently. The first thing I wish to do is to establish the proposition that when we shall have overthrown the Spanish Government, and when we shall have put the revolutionary government under military constraint, then we will be the governing authority on that island. There must be an appreciable length of time between the overthrow of one government and the putting the other under constraint, and the setting up of the new government to be eventually controlled by the people of Cuba.

During that interval suppose something arises that gives Great Britain a claim against the authority in control of Cuba. Would it lie in our mouths to say, when Great Britain should make a demand, that we were not there in our own right, that we were there as benefactors of the human race, overthrowing a tyrannical government for the purpose of establishing human liberty and stable government, and therefore we can not be made to answer? Such a reply would not be made, and such a reply, if made, would subject us to ridicule throughout the civilized world.

If it be true, as to the period between the time we shall establish our Government to the exclusion of everybody else and the time when we shall surrender authority to the new government, we will hold the Island of Cuba as a conqueror, then we will bring ourselves under all the obligations a conqueror ever brings himself under.

Mr. HOAR. May I ask the Senator one other question?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Massachusetts?

Mr. LINDSAY. Certainly.

Mr. HOAR. Does the Senator hold that the Government of the United States when it put down the civil war in this country and for a time took charge of the government of every Southern State became responsible for the State debts to foreign creditors?

Mr. LINDSAY. Mr. President, that brings up a question about which there might be a very wide difference of opinion expressed.

Mr. HOAR. I think so.

Mr. LINDSAY. And that is, whether the Southern States were held as foreign territory, and reduced to subjection by the United States as conquered provinces.

Mr. HOAR. But if they were held as domestic territory reduced to subjection, the United States taking possession of their governments for the time being, and dispossessing the State governments, would they not a fortiori be liable?

Mr. LINDSAY. The United States claimed, whether properly or not, that in all it did in the way of suppressing the insurrectionary States and reconstructing their governments it acted under authority conferred by the Federal Constitution, of the existence of which every creditor of those States had notice at the time his contracts were entered into.

Mr. STEWART. Will the Senator allow me?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Nevada?

Mr. LINDSAY. Certainly.

Mr. STEWART. The United States never recognized the right of any of the Confederate States to deal with foreign nations.

Mr. LINDSAY. Of course not.

Mr. DANIEL. They were not recognized as independent governments.

Mr. STEWART. But disputed it all the while, and we never have denied the right of Spain to contract as she pleases. We never acknowledged the right of the Confederate States to make contracts that would bind that section of the country in their political capacity, or to contract a national debt; but we have never denied the right of Spain to do that very thing.

Mr. LINDSAY. Mr. President, the United States never admitted the right of any State in the Union, as a member of the Confederacy, to exercise any power contrary to the limitations of the Federal Constitution.

Mr. GALLINGER. Will the Senator permit me?

Mr. LINDSAY. Certainly.

Mr. GALLINGER. Did not the United States constantly insist that no State could constitutionally secede from the Union?

Mr. LINDSAY. Oh, yes; and prosecuted a war for four years to demonstrate that its interpretation of the Federal Constitution was right, and the arbitrament of arms proved it, so far as any question in dispute can be proved by superior force.

Mr. HOAR. Will the Senator allow me to make one observation there?

Mr. LINDSAY. Certainly.

Mr. HOAR. What was said by the Senator from Kentucky [Mr. LINDSAY], the Senator from New Hampshire [Mr. GALLINGER], and the Senator from Nevada [Mr. STEWART] is all true, but it does not touch this proposition. The Senator's proposition is that if a government have made a lawful contract with individuals abroad, like that which the Government of Spain is said to have made with individual creditors belonging to various European countries, and we overthrow and take possession of that Government, even for a time, for the purpose of pacification, not intending to hold it permanently, we become liable to its obligations.

If that proposition be true—and the question is whether it is true—then it is true that the United States Government overthrew certain State governments for a time—not permanently, but for a time—and assumed to exercise the powers of government itself, those State governments having made lawful contracts with foreign creditors, as they had a right to do.

If the Senator's proposition be true, it seems to me, with great deference to him, that it is true that we became liable for those State debts. It does not distinguish the case I put from the case he is arguing to say that in certain other particulars there was a great difference between denying the right of the States to secede and saying that the State governments could not make contracts with foreign governments by treaty or otherwise, but that that must be done by the United States. That is my proposition.

Mr. LINDSAY. I think I will meet that proposition. It does not lie in my mouth nor in the mouth of my friend who sits beside me [Mr. DANIEL] to say that the Constitution, as interpreted by all the Departments of the United States, is not the true law of the Union, because when we accepted our parole as prisoners of war, we agreed that we would go home and live as law-abiding citizens, and we agreed that the United States should determine what the law was. The Federal Government never did admit that any State government had taken its State out of the Union. It never did claim that it overturned any constitutional or legal State government.

The claim of the United States from the outset was that the officers of the various States abdicated their functions under the Constitution of the United States and became heads of the members of a rebellious conspiracy, seeking to set aside and to overturn lawful Federal authority; and when the Federal arms prevailed and the revolutionary governments were dissolved, the Federal Government took possession upon the idea that there were no existing State governments, and therefore it was incumbent upon Congress and the Executive to reconstruct the governments of those States, so that they might resume their places in the Federal Union and exercise their functions as legal State governments.

These principles can not be applied to the Spanish debt. Spain was the monarch, Spain's authority was supreme, Spain had the right to issue its obligations and to put them into the hands of the men who would buy them, and Spain had the right to pledge the revenues of Cuba to the payment of those claims.

My contention is that whoever conquers Spain and takes Cuba away from Spain takes the title from Spain, and, in the estimation of international law, must perform the obligations in relation to Cuba which Spain has undertaken to perform. It is said that this is a doubtful proposition, and I do not claim that it is closed against all question.

Mr. CAFFERY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. LINDSAY. Certainly.

Mr. CAFFERY. Will the Senator answer this question: Whether the obligations of Spain in the case supposed by him would be transferred from Spain to the United States, to the country conquering a province or a part of the dominions of Spain? Spain has issued certain bonds. They are called the Cuban-Spanish bonds. Spain is the obligor of those bonds; she is the party primarily and solely responsible; she secures the payment of those bonds by a pledge, I am told, of a part or the whole of the customs duties arising from the Island of Cuba.

Now, I propound this question: Whether, in the event of liability either upon the part of the United States or on the part of the government in the Island of Cuba which will succeed the Spanish Government, there would be any other than the mortgage liability, than the hypothecated liability, than the liability springing from the obligation to devote so much of those customs to the payment of the bonds?

Mr. SPOONER. There could not be a mortgage liability.

Mr. LINDSAY. The obligations of Spain are direct, and the revenues collected in Cuba are specifically pledged. Then we take the corpus and we hold it as conquerors. Certainly to the extent we convert those revenues we become answerable to creditors, but there is no principle under which we can escape liability by voluntarily and without consideration setting up a successor to take the country we have conquered without regard to the ability or disposition of that successor to pay.

I do not argue that this proposition is clear beyond cavil; I do not contend that the opposite doctrine has not been held; but I do say that the United States Government is the last Government which in conscience or morality can dispute the proposition.

Mr. CARTER. Will the Senator yield for a question?

Mr. LINDSAY. Certainly.

Mr. CARTER. Do I understand the Senator to insist that if the independence of the so-called Cuban Republic should be recognized and the Spanish arms should be expelled from Cuba under the auspices of the Cuban Republic, thereupon the Cuban Republic would become responsible for Spanish bonds to the extent that the revenues had been pledged for their payment?

Mr. LINDSAY. Mr. President, I do not think for the purposes of my argument I need to answer that question. I will say this, however, that as those bonds were issued for the purpose of raising money to keep the Cuban people in subjection to Spain, there would be no moral obligation upon the Cuban Republic to make provision for the payment of those bonds.

Mr. CARTER. How, then, would a moral or legal responsibility attach to the United States for driving the oppressor from Cuban soil?

Mr. LINDSAY. We are not about to make war on that ground alone. If you will read the message of the President and if you will read the report of the Committee on Foreign Relations, you will find that we have set up separate and distinct grounds for war against Spain, wholly independent of her treatment of the people of Cuba. We do not claim that we shall go to war actuated merely by humanitarian views.

We put all the stress upon humanitarian considerations we can, and thus fortify our position in the estimation of the civilized world; but we speak about our own trade; we speak about our own commerce; we speak about the destruction of the property of our own citizens; we speak about the blowing up of one of our battle ships under circumstances of the most suspicious character, and for which Spain has made neither reparation nor sufficient apology.

I say when you read the grounds of intervention set up by the President, all except the one ground of humanity, which has been practically taken from under our feet by the offer of Spain to feed and to permit us to feed the starving Cubans, that every ground for intervention is a ground which we could justly make a cause of war without intervening in behalf of Cuba at all.

Our proposition is not wholly unselfish; our proposition is not wholly humanitarian; our proposition is to get indemnity for the past and security for the future. The freeing of the Island of Cuba is but an incident to our war, and it comes not because we love Cuba, but because we can not protect our material interests unless we shall set up in Cuba a stable government capable of maintaining order and performing its obligations to private citizens and its international obligations to other States. When we

take possession of Cuba, expel the Spaniards, and put the insurgents under military constraint, we will hold the island as conquerors.

Let us see what the American rule in a case like that is. I do not care to go to an author who writes upon international law in the abstract. I propose to turn to a letter written by a most distinguished statesman from New England, a man who stood preeminent as a constitutional and international lawyer, a man whose fame will last as long as this Government lasts. Acting as our representative, as our Secretary of State, Mr. John Quincy Adams said in an official letter to Mr. Everett, another distinguished citizen of Massachusetts and of New England:

No principle of international law can be more clearly established than this, that the rights and the obligations of a nation in regard to other States are independent of its internal revolutions of government.

That is the first proposition.

It extends even to the case of conquest. The conqueror who reduces a nation to his subjection receives it subject to all its engagements—

Not merely to the liens; not merely to the collaterals pledged, but—

receives it subject to all its engagements and duties toward others, the fulfillment of which then becomes his own duty.

That is not alone where you acquire sovereignty by purchase; not alone where you acquire sovereignty by treaty; not alone where you acquire sovereignty by the joint action of two governments which consolidate themselves into one; but this rule—this honest, this equitable rule—extends to a case of conquest, and the conqueror who substitutes his authority for that of the conquered, who takes all the benefits of the conquest; who takes all the rights of the conquered, also incurs all the obligations and duties of the conquered, and in the estimation of morality, as well as under the American interpretation of international law, those obligations he must perform.

Mr. CAFFERY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. LINDSAY. Certainly.

Mr. CAFFERY. Suppose the Cuban insurgents conquer and drive out the Spaniards from Cuba, are the Spanish obligations resting upon Cuba valid and obligatory against the conquering Cubans?

Mr. LINDSAY. That is a question in which, under present circumstances, we have not the slightest interest. If the Cubans conquer their own independence, drive the Spaniards out of Cuba, and set up Cuban authority in the place of Spanish authority, what interest have we got in the manner in which they may settle with Spanish bondholders?

Mr. CARTER. Will the Senator from Kentucky allow me?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Montana?

Mr. LINDSAY. Yes, sir.

Mr. CARTER. Would the Senator from Kentucky shirk a liability by falling in behind the Gomez government for the purpose of avoiding the legitimate consequences of war?

Mr. LINDSAY. Mr. President, I have not that high order of philanthropy, that delicate sensibility, which seems to afflict my friend. If we wish to make war against Spain, and make a successful war, and we find a government engaged in the business of conquering Cuba, why should we set that government aside in order that we may step in and make ourselves responsible for the Spanish indebtedness chargeable to that island?

Mr. President, Mr. Adams said in this connection not that this obligation was always recognized, not that these duties were always performed, but that—

However frequent the instances of departure from this principle may be in point of fact, it can not, with any color of reason, be contested on the ground of right.

However often the principle may be disregarded, however frequently the conqueror may refuse to carry out the obligations imposed upon him by equitable considerations and by the rules of international law, still the obligation exists, and we will not be able to escape the performance of those duties by pleading the example of some other nation which refused to perform them.

Mr. GRAY. From what authority was the Senator reading just now?

Mr. LINDSAY. I was reading from a letter written by John Quincy Adams, Secretary of State, in 1818, to Mr. Everett, then having under discussion the question that now arises, because the revolutions in South America were then in full progress. I do not say that that letter is conclusive, but I do say that when the Frenchmen, and the Germans, and the Englishmen, and the Americans come and set up their claims against us they will come, not under the mere dicta of an international-law writer, but will come confirmed by an official document, written by a representative of our own Government under similar circumstances and conditions to those with which we will have to deal when we drive the Spaniards out of Cuba and put the revolutionary forces under military constraint.

There is another view of this case. Why should we be so sensitive about acknowledging the belligerency of the Cuban Republic and treating with it as a belligerent power, looking to the ultimate independence of Cuba, and providing in the treaty arranging for our concerted action what the duties of that republic shall be after it becomes in fact the dominant power in the Island of Cuba? Both Houses of Congress declared two years ago that this republic was entitled to be treated as a belligerent power. The Senate made the same declaration one year ago. Why shall we refuse to assert that fact to-day?

It is said, and not without force; it is claimed, and I am affected by the claim, that by reason of the bitter feelings engendered by the long contest between the Cuban and Spanish authorities that when the Cubans come to govern the island Spanish life will not be safe and Spanish property will be ruthlessly confiscated. I can understand this fear when I look at the history of my own country.

I can not shut my eyes to the fact that after our independence had been achieved we treated the loyalists with singular rigor, driving many of them out of our country. I can understand how the Cubans will be controlled by similar feelings, and therefore, instead of putting their organized forces under military constraint, I think it our duty to make an arrangement with them while they are willing to treat, providing that when their independence shall have been secured through our assistance no man shall be unjustly dealt with and no man's property unjustly confiscated.

I desire to take this great question up now when we can deal with it successfully and without difficulty, and not only insure independence to Cuba, but secure protection to those people who have adhered to the Spanish Crown and who may choose to keep their homes in the Island of Cuba. All this it is now in our power to do; but if this resolution be adopted without amendment, if those people be kept at arm's length, then we take the chance of being compelled to put the government which we shall set up under constraint to prevent it from disregarding our ideas of justice and propriety in regard to a large and wealthy portion of the people of Cuba.

I am not altogether satisfied with the grounds upon which we propose to base our intervention; but they are sufficient for war, and at the end of a successful war we may dictate the terms of peace, and in doing so accomplish all the ends of a justifiable intervention.

Whatever may be ultimately developed in regard to the destruction of the battle ship *Maine*, and whatever may be the liability of the Spanish Government to answer for that most appalling calamity, it is not my intention to consider that question as bearing upon the argument I propose to submit in support of the proposition that we have the right, under the rules of international law, and that it is a duty we owe to ourselves and to humanity, to intervene, by force, if necessary, to terminate Spanish control in the Island of Cuba and to afford to the people of that country the opportunity for self-government.

I do not claim that this country would be justified in undertaking a moral or political supervision over the affairs of its neighbors, or in correcting, by armed intervention or otherwise, the faults of their institutions or the mistakes or abuses of their administration. I freely concede that, generally speaking, a nation can justify itself in forcible interference in the affairs of another country only for the necessary self-defense of its material interest or for the protection of its national honor, which has been said to be its highest interest.

To intervene by force after all propositions for friendly mediation have been refused may or may not be an offense against international morality. Conditions and circumstances must determine the moral quality of such action, and no unqualified statement of a general rule of international law can be accepted as conclusive of such a question one way or the other.

Considerations of humanity rarely justify intervention, but international law does recognize the existence of such a right, when, to prevent unjustifiable slaughter and outrage, it has become absolutely necessary to intervene, and this even in cases of armed rebellion against a government by its own citizens or subjects.

The great powers of Europe have asserted and exercised the right of intervention to protect the subjects of the Sultan of Turkey from what they deemed unjustifiable slaughter and outrage.

The United States bear the same or at least as dominant a relation to American countries as the great powers of Europe bear to the European and Asiatic dominions of the Sultan.

Independent of the general power and duty of the United States to intervene in cases of extremity in behalf of American rights and interests, the geographical situation has been deemed a sufficient reason why that power and duty applies with exceptional force to the Island of Cuba.

We have always claimed the right to control the destiny of that island in the event Spain should lose the power to govern it.

Its commanding position with reference to the Gulf of Mexico and the West India seas; the character of its population; its situation midway between our southern coasts and the Island of Domingo; its safe and capacious harbor at Havana, fronting a long line of our shores destitute of the same advantage; the nature of its productions and of its wants, furnishing the

supplies and needing the returns of a commerce immensely profitable and mutually beneficial, give it an importance in the sum of our national interests with which that of no other foreign territory can be compared and little inferior to that which binds the different members of the Union together.

This was the language of John Quincy Adams, Secretary of State in 1823, who, for the reasons thus lucidly stated, and in the same connection, laid it down as a proposition of which the world must take notice that while the United States were willing that the connection between Cuba and Spain should continue as it then existed, the transfer of that island to any other European power would not be tolerated, and that its transfer to Great Britain would probably be resisted by force.

In 1825, Mr. Adams then being the President, through his Secretary of State, Mr. Clay, instructed our ministers to the leading European governments to announce "that the United States, for themselves, desired no change in the political condition of Cuba. That they were satisfied that it should remain open, as it now is, to their commerce, and that they could not with indifference see it passing from Spain to any (other) European power" in any contingency whatever.

In 1840 Mr. Forsythe, our Secretary of State, authorized our minister at Madrid to—

Assure the Spanish Government that in case of any attempt, from whatever quarter, to wrest from her this portion of her territory, she might surely depend upon the military and naval resources of the United States to aid her in preserving or recovering it.

Mr. Webster, Secretary of State, in a communication to Mr. Campbell of date January 14, 1843, said that—

The Spanish Government has long been in possession of the policy and wishes of this Government in regard to Cuba, which have never changed, and has repeatedly been told that the United States never would permit the occupation of that island by British agents or forces upon any pretext whatever, and that in the event of any attempt to wrest it from her she might securely rely upon the whole naval and military resources of this country to aid her in preserving or recovering it.

In October, 1851, Mr. Webster, in a letter to President Fillmore, summed up the situation thus:

In General Jackson's time it was intimated to Spain by our Government that if she would not cede Cuba to any European power, we would assist her in maintaining possession of it. A lively fear existed at that time that England had designs upon the island. The same intimation was given to Spain, through Mr. Irving, when I was formerly in the State Department.

This Government has not only asserted the right to prevent the transfer of the island to any European power and its intention to protect the Spanish possession against attempts to wrest it from her, but has uniformly refused to join in or recognize the validity of proposed agreements between European powers to guarantee Spain's title and possession.

In 1852 Mr. Everett, Secretary of State, in addressing Mr. Crampton concerning a proposed compact of this nature, felt constrained to say:

The Island of Cuba lies at our doors. It commands the approach to the Gulf of Mexico, which washes the shores of five of our States. It bars the entrance to that great river which drains half the American continent and, with its tributaries, forms the largest system of internal water connection in the world. It keeps watch at the doorway of our intercourse with California by the Isthmus route. If an island like Cuba belonging to the Spanish Crown guarded the entrance to the Thames or the Seine and the United States should propose a convention like this to France and England, these powers would assuredly feel that the disability assumed by ourselves was far less serious than that which we asked them to assume.

A few days afterwards, when again writing to Mr. Crampton, Mr. Everett said:

To enter into a compact with European powers to the effect that the United States, as well as other contracting powers, would disclaim an intention, now or hereafter, to obtain possession of Cuba, would be inconsistent with the principles and policy and traditions of the United States.

During the Cuban insurrection which began in 1868 Mr. Fish, in a communication to our minister, Mr. Cushing, declared that—

Civil dissensions in Cuba, and especially sanguinary hostilities such as are now raging there, produce effects in the United States second only to those which they produce in Spain.

For three-fourths of a century this Government has persistently asserted its right to control the ultimate destiny of Cuba. Its denial of the right of European intervention for the protection of Spain, even with the consent of that nation, has been acquiesced in by the leading European governments since 1852. The Spanish Crown has never intimated that it considered our offers to guarantee Spanish domination in Cuba against any other European power as either officious or unwarranted.

The fundamental principle upon which the United States may take an active interest in Cuban affairs, even to the extent of armed intervention in extreme cases like the present, has been established by the concurrence of Spain and all the leading commercial powers of Europe in the well-grounded, deliberate, and open assertion of that right by our Government.

Having assumed and maintained the right to decide that the Cuban people, so long as they remain the subjects of a Europern power, shall be governed by Spain, and that they shall not secure free institutions and liberal government at the hands of Great Britain, France, Germany, Holland, or any other progressive country, it would be a crime against humanity and a breach of faith for this country now to take the ground so strenuously insisted upon in some quarters, that we can not intervene by force to protect these people against the horrors of a cruel and hopeless struggle by Spain to maintain an ascendency, the right to which she has forfeited by persistent misgovernment, because to do so would be undertaking a moral or political supervision over the affairs of a neighboring state for the correction of the faults of its institutions or of the mistakes of its administration.

The time has come when we can not with honor say to the world that Cuba shall continue a Spanish province until, by her own unaided exertions, she can drive the Spanish soldiers off the island and expel the Spanish ships from its ports, no matter what the consequences to the Cuban people may be.

Over three years of sanguinary war have demonstrated the inability of Spain to suppress the insurrection. The fixed determination of the Cuban people to win their independence at any sacrifice, even to the extremity of practical extermination, the events of current history abundantly establish.

The case, therefore, is one in which forcible intervention would be justified by the obligations arising out of common humanity for the prevention of unjustifiable slaughter and outrage.

With our Government it is a case demanding intervention, not only upon humane considerations and for the defense of her material interests, but in view of our ultimate authority over Cuba, long ago assumed and always strenuously insisted upon, we are bound to intervene for the preservation of our good faith and national honor.

To denominate the Cuban revolutionists guerrillas and bandits engaged in the commission of crimes not recognized as war in any civilized country, and to say that the Cuban army is made up of Cubans, negroes, renegades, and adventurers of all sorts, is to give the lie to that which all fair-minded and well-informed men know to be true, and the claim has been more than sufficiently answered by the report this day made by the Committee on Foreign Relations.

The Senator from Vermont [Mr. PROCTOR], speaking partly from personal observation and partly from information received from most trustworthy sources, has told us that in Cuba—

The dividing lines between parties are the most straight and clear-cut that have ever come to his knowledge. The division in our war was by no means so clearly defined. It is Cuban against Spaniard. It is the entire Cuban population on the one side, and the Spanish army and citizens on the other.

At the beginning of the present revolution the Cubans constituted seven-eighths of the entire population, and the race division with the natives was, approximately, 1,000,000 whites and 400,000 negroes. The courageous resistance, the extraordinary sacrifices, the unparalleled suffering these people have made and endured and continue to make and endure, prove them to be worthy of the name of Americans and capable of giving to the land of their nativity better government than it has ever received or ever can receive at the hands of Spain.

The independence of Cuba has been looked to with expectancy and favor by American statesmen for many years. Independence has been regarded as the manifest exigency of the political interests of the Cuban people and all other Americans. It has been said that—

If there be one lesson in history more cogent in its teachings than any other, it is that no part of America large enough to establish a self-sustaining state can be permanently held in forced subjection to Europe. Complete separation between the metropolis and the colony may be postponed by the former conceding to the latter a greater or less degree of local autonomy nearly approaching to independence.

But in all cases where positive antagonism has come to exist between the mother country and its colonial subjects, where the sense of oppression is strongly felt by the latter, and especially where relentless warfare has alienated the parties one from the other more completely than they are sundered by the ocean itself, their political separation is inevitable. It is one of those conclusions which have been aptly called the inexorable logic of events.

These words, penned by Mr. Fish in 1874, apply with peculiar force to the condition of affairs in Cuba in 1898. Every prerequisite to the inevitable conclusion that there must be a complete separation between the European metropolis and the American colony confessedly exists, and the duty of the United States, as the sovereign power on this side of the Atlantic, to interpose its fiat as the law of the occasion in favor of Cuban independence, is as clear to the minds of the peace-loving American people as the duty to manifest our sympathy for countries contending for popular institutions, and to extend aid to any American colony struggling to free itself from European oppression whenever it may be legitimately extended.

The policy of Mr. Cleveland's Administration, announced in his message in December, 1896, that—

when the inability of Spain to deal with the insurrection has become manifest and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject of the conflict, the situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations which we can hardly hesitate to recognize and discharge—

met with universal approval at home and general commendation abroad.

The inability of Spain to suppress the revolution has passed beyond the region of doubt. Her sovereignty is extinct for all the purposes of its rightful existence, and the struggle has long since degenerated into a strife which means only the criminal sacrifice of life and the useless destruction of property.

Intervention, under such circumstances, to secure from Spain the recognition of an accomplished fact, will not necessarily mean war, and will afford no just cause to Spain for the manifestation of such resentment as may lead to war.

Why shall not Spain recognize an accomplished fact? Why shall the abandonment of the attempt to regain her lost property be deemed such an act of humiliation upon her part that she can not submit to it? Great Britain sacrificed neither dignity nor honor in treating with the American States upon the basis of independence when she became convinced that military success was more than doubtful, and that even if present disaster could be converted into ultimate victory, those relations of trust and confidence between the British Crown and the American people, without which good government was impossible, could under no circumstances be reestablished.

Spain has time and again bowed to the inevitable, as one after another of her American dependencies succeeded, by force, in establishing the right to a separate national existence. It is a false pride that stands in the way of peace when war has become hopeless and the sacrifice of human life has degenerated into organized murder.

If intervention shall result in war it will be because Spain prefers war with the United States to the voluntary relinquishment of the impossible attempt to reestablish her lost authority in the Island of Cuba, and this will be the verdict of the civilized world.

It is possibly all the better that Spain may compel the American Government to resort to force in the discharge of the imperative duty it owes to humanity, to free institutions, and to its own interest and dignity. Perhaps there could not be a juster cause nor a more appropriate occasion than the present for this Government to make good, in the most emphatic way, the claim asserted by the last Administration, and indorsed by Congress and by the American people, that "the United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition."

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, being Senate bill 2680.

Mr. TURNER. Mr. President——

Mr. PETTUS. I ask unanimous consent that the unfinished business may be temporarily laid aside in order to enable the Senator from Washington to address the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. CHANDLER. I understand that the joint resolution reported by the Senator from Minnesota from the Committee on Foreign Relations having been objected to by the Senator from Massachusetts, it will necessarily go over until to-morrow. I take it for granted that the Senator from Minnesota will then bring it before the Senate, and I desire to state that after it is before the Senate I shall object to the consideration of any business except the joint resolution, and if any other business is transacted it will have to be done by a majority vote of the Senate to give that business the preference over the joint resolution reported by the Committee on Foreign Relations.

Mr. GORMAN. I understand it will be entirely convenient to the Senator from Washington to go on to-morrow.

Mr. TURNER. I was about to state that if I could have the floor so as to proceed in the morning I would prefer it.

Mr. CULLOM. The Senator from Washington will have the floor.

Mr. TURNER. Very well; then I shall not proceed now.

Mr. CHANDLER. I hope the Senator from Maryland will not make a motion to adjourn at this time. There is an hour and a half between now and 6 o'clock and the Senator from Washington is ready to go on.

Mr. CULLOM. No; he says not.

Mr. GORMAN. The Senator from Washington states that he prefers to go on to-morrow morning.

Mr. CHANDLER. He did, naturally, after the Senator from Maryland invited him to say it, but the Senator was on the floor ready to proceed, and it does seem to me that in an emergency of this kind, when certainly important business is before the Senate, to adjourn at half past 4 o'clock is not proper. I do not wish to use any stronger language than that, because the Senator from Maryland always has a good reason for what he does, but I appeal to him not to make a motion to adjourn at this time, but to let us go on with the public business.

Mr. GORMAN. If the Senate has any public business to transact, so that the Senator from Washington can have the floor to-morrow morning, I have not the slightest objection to going on. If the Senator from New Hampshire desires to bring any motion before the body or to make a speech himself, I shall be delighted to remain here several hours.

Mr. CHANDLER. If the Senator from Maryland will allow me, he is on a very important committee, the Appropriations Committee, and it has two or three bills before this body. It has before the Senate now the sundry civil appropriation bill and the naval appropriation bill, and there is no reason why we should not spend an hour and a half at this time, if the Senator from Washington is not willing to go on and discuss the Cuban question and no other Senator wishes to discuss it, in considering one of the appropriation bills.

Mr. CULLOM. I think the chairman of the Committee on Appropriations, the Senator from Iowa, left the Chamber, supposing this discussion would go on until the usual time for adjournment, and he is not now here.

Mr. TURNER. While I should prefer to go on to-morrow morning, I am entirely willing to yield to the wish of the Senate, and I am prepared now to make such remarks as I desire to submit, although I do not wish to constrain any Senators to remain on my account.

Mr. GORMAN. If the Senator from Washington desires to go on to-night, I shall not move to adjourn, but if he prefers to proceed to-morrow morning, and there is no other matter to be brought before the Senate, I shall move that the Senate adjourn.

Mr. TURNER. I prefer to go on in the morning.

Mr. CHANDLER. As the joint resolution of the committee has been objected to and goes over until to-morrow, I shall not interpose in the desire for delay which is expressed by the Senator from Maryland, but I do give notice that to-morrow I shall object to all other business except the main question before the Senate.

CONSIDERATION OF PENSION BILLS.

Mr. GALLINGER. I appeal to the Senator from Maryland not to move to adjourn, but to permit us to remain here one hour for the consideration of unobjected pension cases on the Calendar.

Mr. COCKRELL. Not an hour.

Mr. GORMAN. I have not the slightest objection to that course if the Senator from Washington will retain the floor for to-morrow morning.

Mr. GALLINGER. I make that request.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Hampshire? The Chair hears none.

C. B. BRYAN & CO.

Mr. PASCO. The Committee on Claims, to whom was referred the bill (H. R. 1246) for the relief of C. B. Bryan & Co., instruct me to report it favorably. I wish to state that a similar bill has already passed the Senate and gone to the House, and the House passed a bill of its own. Bills for this purpose have been through the committee a number of times, and I ask that the House bill may now be put upon its passage.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to C. B. Bryan & Co., of Memphis, Tenn., $3,643.60 for the value of a coal barge and 16,968 bushels of Pittsburg coal, as found by the Court of Claims.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

YAZOO RIVER BRIDGE.

Mr. MONEY. I ask unanimous consent for the present consideration of the bill (H. R. 8875) to amend an act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, Leflore County, in the State of Mississippi."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with amendments, in line 7, after the word "that," to strike out the word "if;" in line 9, after the word "date," to strike out "hereof" and insert "of the approval of this act;" in line 10, after the word "and," to strike out "if the same;" in line 11, after the word "after," to strike out "the" and insert "said;" in the same line, after the word "date," to strike out "hereof" and the comma and insert "and;" so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, in Leflore County, in the State of Mississippi," approved March 3, 1897, be, and the same is, so amended that the actual construction of the bridge therein authorized to be constructed shall be commenced within one year after the date of the approval of this act, and shall be completed within three years after said date; and the provisions of the act hereby amended shall remain in full force and effect, to all intents and purposes, just as though the construction of said bridge had been commenced and the same had been completed within the dates prescribed in said act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AFFAIRS IN CUBA.

Mr. GALLINGER. I desire to inquire whether the unanimous consent was granted to consider pension bills. If it was not granted, I want to renew it at the proper time.

The PRESIDING OFFICER (Mr. GRAY in the chair). The Chair will state to the Senator from New Hampshire that the request was granted.

Mr. GALLINGER. I yield to the Senator from Maine [Mr. FRYE].

Mr. FRYE. I present a resolution. It was supported by some members of the Senate Committee on Foreign Relations on the ground that it was as efficient as the resolution finally reported by the committee, and that it was in harmony and responsive to the message of the President of the United States; and those members of the committee believed that that harmony was of grave importance. I present the resolution in order that the Senate may have an opportunity to determine whether or not it ought to be substituted for the resolution which was finally reported.

The PRESIDING OFFICER. The resolution will be printed and lie on the table.

Mr. GORMAN. Let it be read.

The resolution submitted by Mr. FRYE is as follows:

Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby directed and empowered to take at once effective steps to bring about the immediate termination of hostilities in the Island of Cuba, to secure a stable and independent government for and by the people thereof; and the President is hereby directed and empowered to use the land and naval forces of the United States, and to call into active service the militia of the several States, for the purpose of carrying this resolution into effect.

Mr. BATE. With the permission of the Senator from New Hampshire [Mr. GALLINGER], I ask to call up House bill 7943, about which there is no contest.

Mr. CHANDLER. Before the Senator from Tennessee proceeds, I should like to ask the status of the resolution which the Senator from Maine [Mr. FRYE] has reported. Is it a report from the Committee on Foreign Relations or is it a part of a speech or remarks of the Senator from Maine?

The PRESIDING OFFICER. The Chair understood the Senator from Maine to offer a resolution which was approved by certain members of the Committee on Foreign Relations, and he desired to have it presented to the Senate that it might be printed and lie on the table for the consideration of the Senate.

Mr. CHANDLER. Then the Chair understood the Senator to present it himself as an individual Senator?

The PRESIDING OFFICER. On behalf of himself and certain members of the Committee on Foreign Relations. He so stated.

Mr. CHANDLER. The Chair will allow me. Certain members of the Committee on Foreign Relations can not join any one Senator in presenting resolutions. If it is a report—a supplementary report—from the committee, I understand what that is. If it is the action of the Senator from Maine alone, I understand what that is. But I do not understand that the resolution has any parliamentary status here unless it is offered by the Senator from Maine himself.

The PRESIDING OFFICER. The Chair, in replying to the question of the Senator from New Hampshire, merely stated the language of the Senator from Maine as he recollected it, and the fact that the resolution was reported by him and asked to be printed, and that it might lie on the table for the consideration of the Senate.

Mr. CHANDLER. Does the Chair understand it to be a report from the Committee on Foreign Relations?

The PRESIDING OFFICER. The Chair understood the Senator from Maine to report the resolution for himself and as being approved by certain other members of the Committee on Foreign Relations.

Mr. FRYE entered the Chamber.

Mr. CHANDLER. The Senator from Maine is now in the Chamber. I will state that my inquiry as to the resolution was whether it was offered by the Senator from Maine himself, to go upon the table, or whether it is in any sense a report from the Committee on Foreign Relations.

Mr. FRYE. It is not a report from the Committee on Foreign Relations. The committee were unanimous in the report which was made to the Senate, but the resolution received the support of three or four members of that committee, and at the request of some of them, and on my own motion, too, it was presented in order that the Senate may have an opportunity to vote on it as a substitute, if they please, for the resolution reported.

Mr. CHANDLER. And the resolution is presented by the Senator as an individual Senator, as I understand it. I thank the Chair for giving me an opportunity to ascertain the exact status of the resolution.

Mr. BACON. May I inquire of the Senator from Maine how many of the members of the Committee on Foreign Relations were considered as favoring the joint resolution which has been submitted as the report of the committee?

Mr. FRYE. As at present advised I think the Senator from Maine will not reply.

Mr. BACON. I will state the reason why I ask the question, and I trust I may not be considered as out of order. I am sorry that my inquiry should have met with such a response from the Senator from Maine.

Certain resolutions were reported here as the action of the committee. The committee consists of eleven members. Then a portion of the committee, consisting of four members, signed a minority report, in which they advocated other resolutions. In other words, they did not agree to the joint resolution alone. Now I understand from the colloquy which has been had that there are still other members of that committee who do not give their unqualified support to the joint resolution, and therefore I think when a set of resolutions is reported to the Senate as the action of the committee, we have a right to know whether it is the action of the majority of the committee in presenting those particular resolutions.

Mr. COCKRELL. Is that a report or not?

Mr. FRYE. It is a simple resolution.

Mr. CHANDLER. The Senator from Maine states that he reports it individually. Individually he presents the resolution and it goes upon the Calendar, and there is no objection.

Mr. COCKRELL. Then it is not a majority report.

Mr. CHANDLER. It is not a report at all.

Mr. FRYE. It is not a report at all. It is a simple resolution which was before the Committee on Foreign Relations, and which received the support of certain members of that committee, believing that it was just as effectual as the one which was finally reported; that it was responsive to the message of the President, and that harmony between the Chief Executive and Congress was of very great value on an occasion like the one before us.

It was rejected by the committee, and the recognition of the independence of the present Cuban party was rejected by the committee. Then certain members of the committee reserved the right to make a minority report on that particular subject, and when that was done I reserved the right also to bring before the Senate the proposition which is presented by this resolution. But, as I understand it, the report of the committee on the joint resolution as it was presented to the Senate to-day was a unanimous report.

Mr. MORGAN. Every member of the committee voted for it.

Mr. FRYE. Every member, I think, voted for it. At the same time, I suppose, under the reserves made, any member of the committee might vote for the resolution which I have laid before the Senate to-day. But so far as I am concerned, if that was rejected by the Senate, I should certainly support the report of the committee and the resolution which is before the Senate from the committee.

Mr. BACON. Then I understand that the Senator has now very kindly answered the question which he very promptly, to use the mildest phrase, declined to answer when I asked it.

Mr. FRYE. I did not mean to be brusque to the Senator from Georgia; not a bit.

Mr. TELLER. I want to make an inquiry.

Mr. CHANDLER. One inquiry more of the Senator from Maine. We are to understand, then, that this resolution represents his proposition for dealing with the pending subject?

Mr. MORGAN. That is all.

The PRESIDING OFFICER. Yes.

Mr. TELLER. I want to understand it.

Mr. FRYE. I decline to answer that question.

Mr. CHANDLER. Very good. Now, we have the Senator from Maine presenting a resolution supported by certain members of the committee—he declines to say whom—and when asked whether he supports it himself, he declines to say whether he does so or not.

Mr. FRYE. As he has an undoubted right to do.

Mr. CHANDLER. Certainly. He has a perfect right to do it. I am not questioning that. The only criticism to be made of the Senator from Maine is that he has not been quite willing good-naturedly to tell us what he was about; that is all.

Mr. TELLER. I want to ask the Senator from Maine a question. I understood him to say that the resolution reported by the

committee (which we would call a majority report, I suppose, because a minority report came in) received the support of all the members of the Committee on Foreign Relations.

Mr. MORGAN. Of every one.

Mr. FRYE. Yes; I think so.

Mr. TELLER. All voted for it?

Mr. MORGAN. Every one.

Mr. TELLER. How does it happen, then, that we have a minority report?

Mr. MORGAN. It is not a minority report, it is a supplementary report presenting a new matter which Senators who signed the report desired to incorporate with it. The committee were not willing to do that. Those Senators did not antagonize anything in the report, but wanted to add something to it.

Mr. TELLER. They simply thought the report did not go far enough?

Mr. MORGAN. That is all.

Mr. TELLER. That seems to me to be a very irregular way of making a report.

Mr. BACON. Now, if I am not out of order, as the question is fairly before the Senate, what I desire to know is this, and if it is not a proper question I will certainly withdraw it at the suggestion of the Senator from Maine. It seems that there has been a unanimous agreement on the part of the Committee on Foreign Relations to the resolutions which were reported, but that a certain number of that committee desire still other resolutions in connection therewith.

Mr. MORGAN. An amendment of the joint resolution.

Mr. BACON. What I desire to know is this, if it is proper that I should make the inquiry: What number of the members of the Committee on Foreign Relations were content with the resolutions as they have been reported and did not desire that there should be any change in the same by addition or otherwise?

Mr. MORGAN. All but four.

Mr. BACON. The Senator from Maine himself has introduced one.

Mr. MORGAN. You ask what number were satisfied. They all concurred.

Mr. TELLER. The Senator from Maine does not seem to be satisfied.

Mr. MORGAN. Every member of that committee voted for the joint resolution reported this morning.

Mr. BACON. I understand that, and I endeavored to so state my understanding.

Mr. MORGAN. There were four gentlemen who expressed in writing and brought before the Senate, having notified the committee that they intended to do so, an additional proposition involving the recognition of the independence of the Republic of Cuba. There was no other proposition submitted to the committee in the nature of an adverse report, or a minority report, or a supplementary report, or any other kind of a report.

Mr. FRYE. Except, if the Senator remembers, that the Senator from Maine—I do not know about stating these committee proceedings, but as we are going into this, as the Senator from Georgia would say, somewhat brusquely——

Mr. BACON. No; I did not use that phrase.

Mr. FRYE. When those Senators said they were going to make this reservation, I said immediately that I would reserve the right to put this in.

Mr. MORGAN. The other Senators, though, instead of merely indicating what they intended to reserve and bring into the Senate, presented it and had it signed. But the Senator from Maine seems to have reserved something. I do not think there is anything in the shape of a report in a mere reservation. It is in the mind of the Senator. He did not make it known to the committee as an adverse report or a minority report.

Mr. TILLMAN. Or as a supplementary report.

Mr. MORGAN. Or as a supplementary report or any other kind of a report.

Mr. TELLER. It is not a report at all.

Mr. MORGAN. It is not a report.

Mr. FRYE. It was not intended to be a report at all.

Mr. CHANDLER. Does the Senator from Alabama who was formerly the distinguished chairman of that committee know any Senator who is in favor of the resolution which the Senator from Maine has just presented?

Mr. MORGAN. I know that some Senators voted for it there.

Mr. CHANDLER. Are we at liberty to know the name of any Senator who is in favor of that resolution?

Mr. MORGAN. I am not able to tell you. You can hire one of the gentlemen in the gallery to find out. They find out everything else.

Mr. GALLINGER. I call for the regular order.

Mr. FAULKNER. I rise to a question of order. I do not think this debate is in order at all.

Mr. FRYE. I do not think it is in order at all.

Mr. FAULKNER. It is not in order to investigate what has occurred privately in a committee room. It is an executive session of the committee.

The PRESIDING OFFICER. The point is well taken and is sustained by the Chair.

Mr. GALLINGER. It is not in order for another reason.

Mr. QUAY. I call for the regular order.

Mr. GALLINGER. I ask that the special order be executed. In the meantime I yield to the Senator from Tennessee [Mr. BATE], to ask unanimous consent for the consideration of a bill, and if there is no objection to the passage of the bill I will allow it to be considered, after which I shall ask the Senate to proceed with the pension bills.

Mr. BATE. There will be no trouble about it.

Mr. GALLINGER. Very well.

KNOXVILLE, TENN., A PORT OF DELIVERY.

Mr. BATE. I ask unanimous consent to consider the bill (H. R. 7943) to make Knoxville, Tenn., a port of delivery, and to create the office of surveyor of customs.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF JAMES W. SCHAUMBURG.

Mr. TELLER. I ask the Senator from New Hampshire if he will allow me to withdraw the motion I made the other day to reconsider the vote by which Senate bill 1268 was passed.

Mr. GALLINGER. I yield for that purpose, Mr. President.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent to withdraw a motion to reconsider. Is there objection? The Chair hears none, and the motion is withdrawn.

Mr. CHANDLER. I ask that the title of the bill be read.

The SECRETARY. A bill (S. 1268) for the relief of the legal representatives and devisees of James W. Schaumburg.

Mr. TELLER. I thought the bill needed an amendment, but I found afterwards it did not. I therefore withdraw the motion.

CONSIDERATION OF PENSION BILLS.

Mr. PASCO. I ask that it may be understood that after the special order is entered upon no other business except pension bills shall be considered during the remainder of the session.

Mr. GALLINGER. That is agreeable to me, Mr. President.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. CHILTON. Will the Senator from New Hampshire permit me to call up a bill which has been here for some time. It is very short.

Mr. GALLINGER. I have yielded half an hour of my time, and I think the Senator from Texas will not ask me to yield any more. Yes, I will yield for that bill. The Senator is always courteous. After it is disposed of, I shall insist upon the special order.

GAINESVILLE, M'ALESTER AND ST. LOUIS RAILWAY.

Mr. CHILTON. I ask unanimous consent for the present consideration of the bill (S. 3707) to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. Now let the first bill on the Pension Calendar be read.

Mr. CHANDLER. Was the order made which the Senator from Florida [Mr. PASCO] asked for, that there should be no other business transacted to-day?

The PRESIDENT pro tempore. It was.

JOHN C. WAGONER.

The bill (H. R. 4300) to increase the pension of John C. Wagoner was considered as in Committee of the Whole. It proposes to place the name of John C. Wagoner, late chief packer, Custer's expedition against the Indians, on the pension roll, and to pay said John C. Wagoner a pension of $12 per month, in lieu of the pension now received by him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. HOWLAND.

The bill (H. R. 1322) granting a pension to Benjamin F. Howland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Howland,

late of the whale ship *Edward*, Mexican war, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH A. LANDRAM.

The bill (H. R. 4247) granting a pension to Sarah A. Landram was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Sarah A. Landram, widow of the late William J. Landram, colonel of the Nineteenth Kentucky Volunteer Infantry, and to pay her a pension of $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. WILLIAMS.

The bill (S. 3722) granting a pension to William J. Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Delaware," to strike out "First" and insert "Sixth;" and in line 8, before the word "dollars," to strike out "twenty" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Williams, late a private in Company G, Sixth Delaware Infantry Volunteers, and pay him a pension of $8 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting a pension to William J. Williams."

CATHERINE CHILDERS.

The bill (S. 3705) granting a pension to Catherine Chalders was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, after the name "Catherine," to strike out "Chalders" and insert "Childers;" in the same line, after the letter "A.," to strike out "Chalders" and insert "Childers;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Catherine Childers, widow of Samuel A. Childers, late second lieutenant Company M, Third Regiment West Virginia Volunteer Cavalry, at the rate of $8 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Catherine Childers."

HELEN LARNED.

The bill (H. R. 2426) granting an increase of pension to Helen Larned was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen Larned, widow of the late Frank H. Larned, major, First Regiment United States Artillery, and to pay her a pension of $25 per month on and after the passage of this act, the same to be in lieu of her present pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGERETT FERRITER.

The bill (S. 4269) granting a pension to Margerett Ferriter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margerett Ferriter, widow of Patrick Ferriter, late private of Company F, Twenty-fourth Wisconsin Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MORITZ TSCHOEPE.

The bill (H. R. 4314) to increase the pension of Moritz Tschoepe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Moritz Tschoepe, late of Company C, Twenty-fourth Regiment of Wisconsin Volunteers, and to pay him a pension of $24 per month, in lieu of the pension now being paid him.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB G. FRICK.

The bill (H. R. 4206) granting an increase of pension to Jacob G. Frick was considered as in Committee of the Whole. It proposes to place the name of Jacob G. Frick, late lieutenant-colonel Ninety-sixth Regiment Pennsylvania Volunteer Infantry, colonel One hundred and twenty-ninth Regiment Pennsylvania Volunteer Infantry, and colonel Twenty-seventh Regiment Pennsylvania Militia, on the pension roll of the United States, and to pay him a pension of $50 per month, in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN THURSTON.

The bill (H. R. 2629) to grant a pension to John Thurston was considered as in Committee of the Whole. It proposes to place upon the pension roll, at $8 per month, the name of John Thurston, of Island Pond, Vt., for service done by him as steward on board the U. S. revenue cutter *Morris* during the Mexican war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill to grant a pension to John Thurston."

EUNICE TAYLOR.

The bill (H. R. 90) granting a pension to Eunice Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eunice Taylor, a hospital nurse during the civil war, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTE WHITMER.

The bill (H. R. 92) granting a pension to Auguste Whitmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Auguste Whitmer, the widow of Henry Whitmer, late a private in Company B, Ninth New York Heavy Artillery, and Company B, Tenth Veteran Reserve Corps, and to pay her a pension of $12 per month, in lieu of that which she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLOTTE L. WALKER.

The bill (H. R. 368) for the relief of Charlotte L. Walker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charlotte L. Walker, formerly Charlotte L. Marshall, widow of George C. Marshall, late major of the Second Regiment Missouri Volunteer Cavalry, and to pay her a pension of $25 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHEW B. NALE.

The bill (H. R. 4548) granting a pension to Matthew B. Nale was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Matthew B. Nale, who served in the Sabine disturbances in the Indian wars, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BVT. LIEUT. COL. AMOS WEBSTER.

The bill (S. 3553) granting a pension to Bvt. Lieut. Col. Amos Webster was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bvt. Lieut. Col. Amos Webster, late of the First Massachusetts Infantry Volunteers, and of the staff of Lieut. Gen. U. S. Grant, United States Army, at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PLUM P. MINER.

The bill (H. R. 3132) for the relief of P. P. Miner, Company B, Twelfth Indiana Infantry, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 4, before the word "to," to strike out "instructed" and insert "directed;" and in the same line, after the

word "of," to strike out the letter "P." and insert "Plum;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Plum P. Miner, late of Company B, Twelfth Indiana Infantry, on the pension roll, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Plum P. Miner."

EPHRAIM C. BALDWIN.

The bill (S. 3668) granting an increase of pension to Ephriam C. Baldwin was considered as in Committee of the Whole. The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "fifty" and insert "thirty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ephriam C. Baldwin, late second lieutenant Company D, First California Cavalry, at the rate of $35 per month in lieu of the pension he is now receiving.

The amendment was agreed to.

Mr. GALLINGER. I move, in line 6, to change the word "Ephriam" to "Ephraim."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting an increase of pension to Ephraim C. Baldwin."

CHARLES B. EADES.

The bill (H. R. 639) increasing the pension of Charles B. Eades, Hopkinsville, Ky., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles B. Eades, late private, Company K, Eleventh Kentucky Infantry Volunteers, and to pay him a pension of $24 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill increasing the pension of Charles B. Eades."

M. LOUISE ANDERSON.

The bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of M. Louise Anderson, widow of John B. Anderson, late of Company K, Seventeenth Regiment Michigan Infantry, at $24 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill to grant a pension to M. Louise Anderson."

WILLIAM RUSSELL.

The bill (S. 3002) to pension William Russell for services in Oregon Indian wars was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 10, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension roll the name of William Russell, of Capt. Samuel Gordon's Company H, Oregon Volunteers, also of Capt. Edward Sheffield's Company A, of said volunteers, for meritorious service and for wounds received in August, 1856, by hostile Indians in Oregon, then a Territory, and allow him a pension at the rate of $8 per month.

Mr. McBRIDE. I suggest to the Senator from New Hampshire, the chairman of the Committee on Pensions, that that amendment is not shown to have been adopted by the committee or to have been suggested by the Senator who reported the bill. I think it is a misprint.

Mr. GALLINGER. I will say to the Senator that it is not a misprint, although it does not appear in the report of the committee. The pension allowed to soldiers of Indian wars who have proved their claims in the Pension Bureau is $8 a month, and the committee does not see any reason, when they waive the question as to the proof of their claims, for making the pension more than $8 a month by special act. I will say to the Senator that we have amended all similar bills on these lines, and I hope he will not object to the adoption of the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM P. ARBLE.

The bill (S. 3724) granting a pension to William P. Arble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Arble, a Mexican war veteran, at $12 per month.

Mr. GALLINGER. The words "and to pay him a pension" do not appear in that bill. I ask that they may be inserted. The other House insists upon that. In line 6, after the word "veteran," I move to insert "and pay him a pension;" so as to read:

And pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN D. COULIE.

The bill (S. 1537) granting a pension to John D. Coulie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "eighteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John D. Coulie, late of Company H, First Regiment Massachusetts Volunteer Heavy Artillery, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JANE H. SANDBORN.

The bill (H. R. 2074) granting a pension to Jane H. Sandborn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane H. Sandborn, dependent daughter of Gilman J. Sandborn, late a private in Company K, Third Regiment Minnesota Volunteers, and to pay her a pension of $12 a month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID N. THOMPSON.

The bill (H. R. 777) to increase the pension of David N. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David N. Thompson, late a private of Company C, Thirty-fourth Regiment Illinois Infantry Volunteers, and to pay him a pension of $35 per month in lieu of the pension he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID HUNTER.

The bill (S. 895) granting a pension to David Hunter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "and pay him a pension at the rate of $30 per month in lieu of the rate he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Hunter, late first lieutenant and adjutant of the Thirty-fifth Regiment of Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month, in lieu of the rate he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAUL CARR.

The bill (S. 1539) granting a pension to Paul Carr was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Paul Carr, late of the U. S. S. *Princeton* and of the *New Ironsides*, and to pay him the sum of $30 a month from and after the passage of this act.

The amendment was agreed to.

Mr. GALLINGER. I move to further amend the bill, in line 7, before the word "thirty," by striking out "the sum of" and inserting "a pension at the rate of;" so as to read:

And to pay him a pension at the rate of $30 a month from and after the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JANE A. WILKINSON.

The bill (H. R. 7536) granting a pension to Jane A. Wilkinson was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Jane A. Wilkinson, who was the widow of Martin L. Stone, late a captain in Company I, Second Pennsylvania Cavalry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELISABETH LANE.

The bill (H. R. 2015) granting a pension to Elisabeth Lane was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elisabeth Lane, widow of Joseph Lane, captain Company F, Forty-third Regiment Indiana Volunteer Infantry, and to pay her a pension of $40 per month in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PETTUS. I move that the Senate do now adjourn.

Mr. TURPIE. I hope the Senator will not insist upon that motion. There are several bills yet to be considered in which Senators are interested.

Mr. GALLINGER. Unanimous consent was given, I will say to the Senator from Alabama, that we should spend an hour in the consideration of pension bills.

Mr. PETTUS. Very well. Then I will withdraw the motion.

The PRESIDENT pro tempore. The motion to adjourn is withdrawn.

ROSA KARGER.

The bill (H. R. 239) granting an increase of pension to Rosa Karger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rosa Karger, widow of William Karger, late a landsman on the ships *North Carolina*, *Susquehanna*, and *Vermont*, in the United States Navy, and to pay her a pension of $12 per month in lieu of any which she may be now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CORNELIA M. MASON.

The bill (S. 3111) granting a pension to Cornelia M. Mason was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-five" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia M. Mason, widow of John S. Mason, late brevet brigadier-general, United States Army, at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BETTIE HORD BROWN.

The bill (S. 1472) granting an increase of pension to Mrs. Bettie Hord Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mrs. Bettie Hord Brown, widow of Orlando Brown, late lieutenant-colonel of the Fourteenth Kentucky Infantry Volunteers, United States Army, and to allow her a pension of $30 a month, the same to be in lieu of the pension now being paid her as widow as aforesaid.

Mr. GALLINGER. I move to amend the bill, in line 5, by striking out the word "Mrs." before the name "Bettie Hord Brown;" and in line 8, after the word "month," by striking out "the same to be in lieu of the pension now being paid her as widow as aforesaid" and to insert "in lieu of that which she is now receiving."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Bettie Hord Brown."

MARY E. LAW.

The bill (S. 140) granting an increase of pension to Mary E. Law was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Law, widow of Capt. Richard Law, United States Navy, at $50 per month, in lieu of the pension she is now receiving.

Mr. GALLINGER. In line 7, after the word "Navy," I move to insert "and pay her a pension;" so as to read:

And pay her a pension at the rate of $50 per month, in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES M'ALLISTER.

The bill (H. R. 298) granting an increase of pension to Charles McAllister was considered as in Committee of the Whole. It proposes to grant to Charles McAllister, late a private in Company K, One hundred and nineteenth Pennsylvania Volunteers, and to pay him a pension of $24 per month, in lieu of the pension which he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOAH PILLSBURY.

The bill (S. 1031) granting a pension to Noah Pillsbury was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 5, after the words "subject to the," to strike out "general pension laws and regulations" and insert "provisions and limitations of the pension laws;" and in line 8, after the word "Infantry," to insert ", and pay him a pension at the rate of $12 per month, no deduction to be made for payments heretofore allowed to the soldier;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Noah Pillsbury, late private of Company E, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month, no deduction to be made for payments heretofore allowed to the soldier.

Mr. COCKRELL. Why is the provision inserted, "no deduction to be made for payments heretofore allowed to the soldier?" Is it intended to give him arrears?

Mr. GALLINGER. Not at all. Those words were inserted for the reason that the soldier was on the pension roll and was afterwards dropped, and I understand the Pension Bureau is now ruling that when we pass a private pension bill restoring a soldier to the pension roll, they will deduct the payments given to him while he was on the roll—an utterly unjust thing, it seems to me.

Mr. COCKRELL. How is that?

Mr. GALLINGER. They simply deduct from his future payments. They will not pay him any pension until the payments they had made are canceled; and this simply provides that he shall be paid a pension under the provisions of this law without making such deduction.

Mr. COCKRELL. I do not understand that. That would be a remarkable construction of law.

Mr. GALLINGER. That is what is being done.

Mr. COCKRELL. Then the bill should read, "and pay him a pension at the rate of $12 a month from this date."

Mr. GALLINGER. I think, unless the words "no deduction to be made for payments heretofore allowed to the soldier" are inserted, that the Pension Bureau would insist upon making the deduction. I would say that I received this suggestion from an officer of the Bureau—that they did make these deductions. If the Senator can use any better language—I wrote the amendment in the bill very hurriedly—I am willing to accept it. What we want to do is to avoid such deductions. In my opinion the man never ought to have been dropped from the pension roll, but he was dropped.

Mr. COCKRELL. That is a very serious question. There are a great many of these cases coming up, and the question is whether the Pension Office is going to boldly strike out and say that if they drop a man from the pension rolls and we subsequently restore him, they will deduct all that has been paid him. It would simply be infamous to make such a decision as that.

Mr. GALLINGER. That is precisely the position they have taken.

Mr. COCKRELL. I have no tolerance for it at all.

Mr. GALLINGER. Neither have I.

Mr. COCKRELL. Then I would insert "at the rate of $12 per month from this date, without any deduction."

Mr. GALLINGER. That is right.

Mr. COCKRELL. Striking out "no deduction to be made,"

and let the bill read: "pay him a pension at the rate of $12 per month from this date, without any deduction."

Mr. GALLINGER. That is right. I have no objection to the change of phraseology.

The PRESIDENT pro tempore. The amendment suggested by the Senator from Missouri [Mr. COCKRELL] to the amendment of the committee will be stated.

The SECRETARY. It is proposed to amend the amendment reported by the committee so as to read:

And pay him a pension at the rate of $12 per month from this date, without any deduction.

Mr. PLATT of Connecticut. I can hardly think that the Pension Office, or whoever is in charge of the payment of pensions, has made any ruling which goes to the extent which is supposed. It seems impossible that they should do so.

Mr. COCKRELL. It struck me that way, also.

Mr. GALLINGER. We will be frank about this matter. I did not get this information from the Commissioner of Pensions or the Deputy Commissioner of Pensions, but the Commissioner of Pensions has detailed a very competent man to examine pension bills in the other House. I sent this bill to him for a brief, which he very kindly submitted to me, and made a suggestion in his letter to me that unless a provision of this kind was inserted in the bill a deduction would be made at the Pension Bureau. That is all I know about it.

Mr. COCKRELL. I have no objection to the amendment of the committee; but I want to put it in such a form that it will not carry the idea that we are to take anything back.

Mr. GALLINGER. Of course we would not allow that.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Missouri [Mr. COCKRELL] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA M. M'CALL.

The bill (H. R. 7539) granting an increase of pension to Mrs. Martha M. McCall, was considered as in Committee of the Whole. It proposes to increase the pension of Martha M. McCall, widow of William Wallace McCall, a soldier of the Mexican war, to $15 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

On motion of Mr. GALLINGER, the title was amended so as to read: "A bill granting an increase of pension to Martha M. McCall."

Mr. COCKRELL. That includes all the bills which have been reported except those reported yesterday, and we have not copies of the bills or reports in those cases.

Mr. GALLINGER. They are all printed.

Mr. COCKRELL. I know, but they have not been placed on our desks. I suggest that the remainder of the pension bills go over for to-day, and we can take them up hereafter.

Mr. GALLINGER. I have no objection to that; but I should like, if the Senator would permit, to have the bill to increase the pension of the widow of Brig. Gen. Joseph C. Abbott taken up. It passed at the last session and ought to have been reported in the beginning of this Congress. I hope the Senator will permit that bill to be considered.

Mr. COCKRELL. That is all right.

ELLEN C. ABBOTT.

The bill (S. 4204) to increase the pension of Ellen C. Abbott, widow of Bvt. Brig. Gen. Joseph C. Abbott, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen C. Abbott, widow of Joseph C. Abbott, late colonel of the Seventh Regiment New Hampshire Volunteer Infantry and brevet brigadier-general United States Volunteers, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to increase the pension of Ellen C. Abbott."

Mr. GALLINGER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 21 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 14, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 13, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and resolution of the following titles; in which the concurrence of the House was requested:

Concurrent resolution.

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate and House of Representatives 20,000 copies, to be included in one volume, of the message of the President of the United States on the relation of the United States to Spain, and the message of the President of the United States transmitting consular correspondence respecting the condition of the reconcentrados in Cuba, the state of the war in that island, and the prospects of the projected autonomy, 13,500 for the use of the House of Representatives and 6,500 copies for the use of the Senate.

S. 3684. An act for the relief of Joseph Tousaint, alias Touzen;

The message also announced that the Senate had passed without amendment the bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for.

PRINTING OF PRESIDENT'S MESSAGE ON CUBA, ETC.

Mr. PERKINS. I ask consent to call up, on behalf of the Committee on Printing, the resolution received from the Senate.

The SPEAKER. The gentleman from Iowa [Mr. PERKINS] asks unanimous consent to call up the resolution which will be read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate and House of Representatives 20,000 copies, to be included in one volume, of the message of the President of the United States on the relation of the United States to Spain, and the message of the President of the United States transmitting consular correspondence respecting the condition of the reconcentrados in Cuba, the state of the war in that island, and the prospects of the projected autonomy, 13,500 for the use of the House of Representatives and 6,500 copies for the use of the Senate.

There being no objection, the House proceeded to the consideration of the resolution; which was adopted.

FREE ZONE OF MEXICO.

Mr. GROSVENOR. I have been directed by the Committee on Ways and Means to call up for passage joint resolution No. 27; and I now give notice that at the first opportunity after to-day, it being a privileged matter, I will call it up for the action of the House. It relates to the Free Zone of Mexico.

A MEMBER. I object to it.

Mr. GROSVENOR. You can not object, because it is a privileged matter and an objection will not avail. We will call it up and see what disposition may be made of it. I will not call it up now.

TENNESSEE ELECTION CONTEST—PATTERSON VS. CARMACK.

Mr. KIRKPATRICK. I desire to give notice, on behalf of the Committee on Elections No. 3, that the contested-election case of Patterson *vs.* Carmack will be called up on Monday next for the action of the House.

IMPROVING NEW BEDFORD HARBOR, MASSACHUSETTS.

Mr. BARRETT. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (S. 4127) to provide for dredging the channel in the harbor of New Bedford, Mass., was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BAILEY. I reserve the right to object. I want to hear some explanation.

Mr. DAVEY. I object to the consideration of the bill.

Mr. BARRETT. If the gentleman from Louisiana [Mr. DAVEY] understood this matter, I think he would not object. I ask him to hear a statement of the case, reserving the right to object.

Mr. DAVEY. Very well; I will reserve the right to object.

Mr. BARRETT. Mr. Speaker, I trust that gentlemen who may entertain any objection to this measure will be allowed by the silence of the House to hear a statement which I think will overcome any such objection.

I wish to state in advance, before making any comments or explanation with reference to the matter, that the disposition of the question does not concern my own district, but concerns a district not now represented on the floor of the House by reason of the recent death of the member from that district.

This bill proposes to appropriate the sum of $34,000 to dredge a channel, a new bridge over which is now almost completed, to connect the city of New Bedford and the town of Fairhaven,

Mass. The peculiar condition which makes it necessary to ask the appropriation at this time I desire briefly to explain to the House. When it is understood, I think there can be no objection to the appropriation.

A new bridge is now almost completed across the river between New Bedford and Fairhaven, built by order of the legislature of the State of Massachusetts. On the construction more than a half million of dollars has been expended. The old bridge had a draw over the channel of the river to provide for the upper navigation of the river. When the new bridge was authorized to be constructed to take the place of the old one, before the construction was begun the General Government required that the draw should be changed and placed some 900 feet farther east than the location of the old draw.

In compliance with that order of the War Department, the county of Bristol located the new draw 900 feet east of the old location. Now the bridge is almost ready to be opened, and the General Government, although it ordered the placing of this draw at the point I have indicated, has not constructed or dredged the new channel to accommodate traffic on the river so as to enter the new draw located by order of the War Department. It is impossible for the bridge to be finished until the channel is opened by this appropriation.

It is simply, therefore, a matter of agreement or implied contract. The Government ordered the county of Bristol to do one thing, which was done; and the matter now rests with the Government to perform its share of the agreement. It is, therefore, a simple matter of right and justice that requires the carrying out of the implied contract of the Government; and therefore we ask the appropriation embodied in this bill.

I will say to the House that it has been fully considered by the Committee on Rivers and Harbors and reported by them unanimously. It was the unanimous vote of the committee, notwithstanding the fact that many members of the committee believed that on general principles no appropriation for isolated improvements should be made in this session of Congress. But realizing that this was a case in the interest of the Government, a case in which the Government itself was largely involved, the committee, as I have said, unanimously agreed to the report.

Mr. BRUMM. Will the gentleman allow me to ask him a question?

Mr. BARRETT. Certainly.

Mr. BRUMM. I understand this bill carries an appropriation?

Mr. BARRETT. Yes, sir; it does—$34,000.

Mr. BRUMM. And an appropriation for the liquidation of an implied contract?

Mr. BAILEY. Mr. Speaker, I would like to ask if this would not go properly into the river and harbor bill?

Mr. BARRETT. I will state to the gentleman from Texas that this item would go properly into any river and harbor bill, as it carries out an implied agreement made by the Government, under which the county of Bristol, Mass., made the appropriation for this work.

Mr. BAILEY. It would not necessarily go into any appropriation bill, such as the Post-Office appropriation bill or the Indian appropriation bill; but if the House was given an opportunity to pass a river and harbor bill, this item would have appeared there.

Mr. BARRETT. Yes.

Mr. BAILEY. It seems to me that it is a proper item, and yet it is no more proper than a hundred others which will have no day in the House at this session of Congress.

However, because the committee has seen fit to deny to the other members the opportunity of presenting for consideration items of appropriation equally as worthy, I am not going to make any personal objection to this item. But it does seem wrong that a hundred and fifty or two hundred members, with appropriations as meritorious as this, shall be denied any opportunity of consideration while a few favored measures are permitted to pass through by unanimous consent.

Mr. BARRETT. There is not a man here upon this floor, let me say to the gentleman, who has worked harder than I, during this session, to secure the consideration of a river and harbor bill. I supported it in committee, and I believe in it now. But that has nothing to do with this matter. This is a peculiar case. Nothing like this has been brought to the attention of the House heretofore. It involves the good faith of the Government. There is no disputing the facts. I hope, therefore, no gentleman will object to the consideration of this meritorious measure at this time.

Mr. BRUMM. Now, Mr. Speaker, I should like to have the gentleman answer my question. The gentleman says this bill carries an appropriation, and that that is based upon an implied contract on the part of the Government to do a certain thing. Would it not properly belong to the Committee on Claims? If so, I shall object.

Mr. BARRETT. I do not think it belongs to the Committee on Claims, because there has been no claim put in here.

Mr. BRUMM. You say it is on an implied contract?

Mr. BARRETT. It is. The Government told these people to do a certain thing, and thereby agreed itself to do another thing in the event of the first thing being done. The first thing has been done, and now let the Government do its part.

Mr. BRUMM. You make that assertion. I claim it should go to the proper committee for the purpose of investigating these facts.

Mr. BARRETT. It is not a claim. It is a request that the Government do what it said it would do.

Mr. BRUMM. That is your assertion.

Mr. BARRETT. Nobody disputes that assertion.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BRUMM. I think I shall object, Mr. Speaker.

The SPEAKER. Objection is made.

A MEMBER. Oh, do not do that.

Mr. BRUMM. I will, until I get some better understanding of it.

BRIDGE OVER BLACK RIVER, POCAHONTAS, ARK.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3457) to authorize the construction of a bridge over the Black River, at or near Pocahontas, Ark.

The bill was read. It provides that it shall be lawful for the Pocahontas Bridge Company, a corporation duly and legally incorporated under the laws of the State of Arkansas, its successors or assigns, to construct and maintain a bridge over the Black River, at or near Pocahontas, in Randolph County, Ark. Said bridge shall be constructed to provide for the passage of railway trains, and, at the option of the persons by whom it may be built, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals, and for foot passengers, for such reasonable rates of toll as may be approved from time to time by the Secretary of War.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. McCULLOCH, a motion to reconsider the last vote was laid on the table.

JOHN F. STEWART.

Mr. LINNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5070) for the relief of the widow of Lieut. John F. Stewart.

The bill was read, as follows:

Whereas Lieut. John F. Stewart, late of Company A, Fourth Regiment United States Infantry, in active line of service, was promoted and appointed and did serve faithfully and acceptably as a second lieutenant of said company from July 22, 1865, until June 19, 1866; and

Whereas the company having been so far from headquarters during its entire period of service in the Northwestern Territories that he failed to receive his commission as second lieutenant, to which he was equitably entitled, and failed also to receive the pay and emoluments due him for his services as second lieutenant: Therefore

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the widow of Lieut. John F. Stewart, out of any money in the Treasury not otherwise appropriated, such sum or sums as the accounting officer of the Treasury shall find to be due Lieut. John F. Stewart as pay and emoluments for his services in the United States Army prior to his death in the late war, and that his widow is hereby entitled to and shall receive the same benefits as if said Stewart had received his commission at the time he was appointed a second lieutenant.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. I should like to hear the report read.

Mr. LINNEY. I call for the reading of the report of the Committee on War Claims.

Mr. LOUD. If the man is entitled to anything under the law, he can surely get it. It seems to me we ought not to anticipate the action of the Department.

Mr. LINNEY. One trouble is his commission was never issued. If the gentleman will listen to the reading of the report, he will find that it will explain the whole thing.

The report (by Mr. DAVIDSON of Wisconsin) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 5070) for the relief of the widow of Lieut. John F. Stewart, deceased, submit the following report:

John F. Stewart was first sergeant in Company A, Fourth United States Volunteer Infantry. On the 29th day of July, 1865, while his company was stopping at St. Louis, Mo., while en route to Dakota, his said company was without a second lieutenant, and the said John F. Stewart was promoted to that rank with the understanding that he should receive his commission as such. He served faithfully and in a very acceptable manner in that capacity during the entire service of the company in the Northwest, and until its final discharge at Fort Leavenworth, Kans., on June 19, 1866.

His captain, Samuel G. Sewall, makes affidavit that it was his understanding that Lieut. John F. Stewart was to be commissioned as such, and that he did all in his power to have his commission made out, but being so far from headquarters he failed to accomplish it. Captain Sewall further states that

Lieut. John F. Stewart performed all the duties of the office of second lieutenant faithfully and satisfactorily, and was fully entitled to the commission which was promised him. The said John F. Stewart has since died.

Your committee recommend the passage of the bill, and attach hereto affidavit of Capt. Samuel G. Sewall and a letter from the Secretary of War, inclosing a report from the Adjutant-General, and ask that it be printed as a part of this report.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. Mr. Speaker, there is almost too much confusion, I suppose, to get any explanation; but I want to say to the gentleman in perfect good faith that the only effect this bill can have—and I question whether it can even have any effect of a beneficial character—is perhaps this, that by Congress saying that this man is a lieutenant he might be entitled to this pay.

I can not say as to whether that would be the effect or not, but that is the only effect this bill can have. If this man was a lieutenant and entitled to his pay as such, and never received it, then his widow can go to the accounting officer of the War Department and get that money. The records of the War Department show that this man was not a lieutenant, and if it is proposed to have this bill say that he was a lieutenant, and you hope to get the money for this widow on that account, why I shall most assuredly object. I should like some explanation from the gentleman as to the meaning and intent of the bill.

Mr. LINNEY. Mr. Speaker, the report of the committee shows that he was a lieutenant, that he performed all the services of a lieutenant. There is the report of the captain in whose company he acted, and there is also the report of the Adjutant-General. Then there is the report of William C. Endicott, Secretary of War, all to that effect. He was really appointed, but for some cause or other, stated in the report, the commission never issued. So that the only trouble in the way at all is that the records of the War Department do not show that a commission was issued, whereas the testimony of the captain, the testimony of the Adjutant-General, and the testimony of the Secretary of War all agree that he was really a lieutenant, but that the commission failed to issue. This is recommended by all of them, and has been passed upon by the Committee on War Claims, and they have favorably reported it.

Mr. LOUD. I do not believe that bill will give this widow anything.

Mr. LINNEY. If it does not, then no harm will come of it.

Mr. CONNOLLY. Will the gentleman allow me to ask him a question?

Mr. LINNEY. Yes; and I will answer it if I can.

Mr. CONNOLLY. Was not the reason that he was not mustered in the fact that his company was reduced below the minimum, and therefore under the law was not entitled to have three officers—a condition similar to that in which many other officers were?

Mr. LINNEY. I think not, sir. The report does not show that. The testimony of the captain of whose company he was a member and also of other officers is to the effect that he was really a lieutenant.

Mr. CONNOLLY. He was a lieutenant; but under the law the company was not entitled to have three officers in the company as being below the minimum.

Mr. STEELE. Under the act of March, 1863.

Mr. CONNOLLY. That applies to nearly every company in the Army, certainly to every regiment.

Mr. LINNEY. That does not appear from the report, and it has been very carefully investigated by the Committee on War Claims.

Mr. CONNOLLY. That may be true; and if he was detailed as lieutenant and the appointment certified to the proper authority, he would have been commissioned if the company had been entitled to three officers.

Mr. LINNEY. He only gets, however, under the resolution, such sum as found due by the accounting officers of the War Department.

Mr. CONNOLLY. But this recognizes him as mustered in as a second lieutenant when he was not, and the company was not entitled to it. That would make this officer an exception to every officer of the Army in precisely the same condition.

Mr. LINNEY. With all due respect to the gentleman, I will state that those who ought to know best state the facts just as they are set out in the report.

Mr. CONNOLLY. But they do not state the company was entitled to the third commissioned officer. At that period of the war nearly all the companies were reduced below a minimum, and whenever a vacancy occurred the vacancy was not filled.

Mr. LINNEY. It does state, with all due deference to the gentleman, that he was appointed a lieutenant.

Mr. CONNOLLY. I understand he was appointed, but the company was not entitled to a lieutenant.

Mr. LINNEY. He was appointed and the commission never issued, but he performed the services.

Mr. CONNOLLY. Plenty of men did that, for the same reason that the company was not entitled to have that vacancy filled.

Mr. LINNEY. This resolution proposes to pay him such amount as is found due him as such lieutenant by the accounting officers of the Treasury.

Mr. CONNOLLY. Is there anything due him as sergeant?

Mr. LINNEY. There may be.

Mr. LOUD. Why not strike out the word "lieutenant?"

Mr. LINNEY. It is a very small matter.

Mr. LOUD. Well, there is no doubt, let me say to the gentleman, that if this man was a lieutenant he either got his money or the money can be gotten, if it is due to him. These are two plain, apparent facts to anyone that has anything to do with the Treasury Department.

Mr. LINNEY. But he has never gotten anything.

Mr. LOUD. Why not strike out the word "lieutenant," and if anything is due to John F. Stewart, late of Company A, Fourth Regiment United States Infantry, let him go and get it?

Mr. LINNEY. I would state to the gentleman that the War Department says that this is the proper and fair way to do it.

Mr. LOUD. But this makes him a lieutenant, while he may not have been.

Mr. LINNEY. I only know what the report shows, and if you will read the report you will see it.

Mr. LOUD. I know if he was an officer he must have been regularly appointed and regularly commissioned.

Mr. LINNEY. I know that that would usually follow; but here is an extraordinary case, where from some cause he was not commissioned, and he simply asks this if it appears to them it is due to him by the facts as stated.

Mr. LOUD. Why not strike out the word "lieutenant?"

Mr. LINNEY. I prefer not doing it. They say these are the facts and findings by these various officers.

Mr. LOUD. Does it appear that he performed the duties of lieutenant?

Mr. LINNEY. He acted as such for some time, and was requested to act as such. He was de facto lieutenant, as I understand.

Mr. McINTIRE. Did he receive the pay?

Mr. LINNEY. He never received anything for it.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and, being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LINNEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARTICLES IMPORTED FOR TEXAS STATE FAIR AND EXPOSITION FREE OF DUTY.

Mr. BURKE. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. Res. 14).

The joint resolution was read, as follows:

A joint resolution (H. Res. 14) authorizing articles imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Exposition, to be held at Dallas, Tex., in 1897, to be imported free of duty, under regulations prescribed by the Secretary of the Treasury.

Resolved, etc., That all articles which shall be imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Exposition, to be held at Dallas, Tex., in October, 1897, upon which there shall be a tariff or customs duty shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury may prescribe; but it shall be lawful at any time during the exhibition to sell, for delivery at the close of said fair and exposition, any goods or property imported for and actually on exhibition in the fair and exposition buildings or on their grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such article by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against such articles and against the persons who may be guilty of any illegal sale or withdrawal.

SEC. 2. That for the purposes of the execution of this act, Dallas, Tex., may, in the discretion of the Secretary of the Treasury, be a port of delivery in the customs collection district in which it is situated.

The SPEAKER. Is there objection to the present consideration of the joint resolution? [After a pause.] The Chair hears no objection.

Mr. DINGLEY. Mr. Speaker, before this bill, reported from the Committee on Ways and Means without objection at the time, is passed, it is proper that the House should be informed of the precedent that it sets. This is a bill which authorizes the free importation of articles for exhibition at the Texas State Fair, to be held at Dallas in October next, such articles to pay the usual duty in case they are subsequently sold in this country. It provides that all the expenses in connection with the protection of the revenue in view of these importations for exhibition shall be paid by the State fair. Therefore there is no expense for the Government in connection with the matter.

Mr. BURKE. Not one dollar.

Mr. DINGLEY. This is the first time this privilege has been

given to any State fair of the country, and of course it is a precedent that may be extended to other State fairs. But as the State fair of Texas, in order to avail itself of this privilege, must pay all the expense incident to it, that will undoubtedly deter most other State exhibitions from ever availing themselves of the privilege. It is but just that the House should understand the character of this proposed legislation and what it may lead up to.

Mr. BURKE. I will state that the Texas State Fair is not only abundantly able, but willing to pay all the expenses.

Mr. DINGLEY. And it ought to be said, Mr. Speaker, that the State fair in Texas is peculiarly situated, because Texas is adjacent to Mexico, and it is expected that most of these articles that will be imported for exhibition at the Texas State Fair will come from Mexico.

Mr. BURKE. Exclusively from the Republic of Mexico.

Mr. PAYNE. Mr. Speaker, I shall not object to the consideration of this bill, although I voted against it in committee and I shall vote against it in the House. I do not believe in going into a policy of extending this to State, county, or town fairs. This practice has come upon the country since the international exposition had this privilege granted to it. Then they extended it to the local cities, Nashville and Omaha, and now comes in requests from every State fair. We have other requests from other State affairs in the country. I for one want to make my positive protest as well as cast my vote against the policy of going into any such legislation as this.

Mr. CANNON. Why not amend the bill and make it apply to all State fairs?

Mr. DALZELL. Mr. Chairman, I want to join with the gentleman from New York [Mr. PAYNE] who has just sat down in a protest against this bill. I think it is a piece of vicious legislation. No good reason can be adduced for extending this advantage to the Texas State Fair that can not be adduced in favor of any county or city fair, for that matter. There is a permanent exhibition in my own city of Pittsburg, and there is no more reason why this advantage should be given to the Texas State Fair than there would be to give the same advantage to the city of Pittsburg, a thing for which I would never dream of asking.

Mr. JOHNSON of North Dakota. Mr. Speaker, that is all very well for gentlemen who live in the interior, who have no appreciation of the situation near the border. For instance, I should be very glad to have the same opportunity extended to our State fair, and I should ask for it with no feeling of apology, because our nearest neighbors very largely contribute to the success of these fairs. Here is the great State of Texas that for ten years was a republic, a neighbor of Mexico, and their communication is much freer with that Republic than it is with Pennsylvania. What hurt does it do? They pay all the expenses; they add to the commerce and to the glory of the State of Texas and of the Republic by inviting and encouraging these exhibitions.

Mr. HENDERSON. I would like to ask the gentleman from Texas [Mr. BURKE] whether this bill is accompanied by a report?

Mr. BURKE. It is accompanied by a report from the Committee on Ways and Means.

Mr. HENDERSON. A unanimous report?

Mr. BURKE. There is no minority report. I do not know how the vote was in the committee.

Mr. DALZELL. There is no minority report, but it was not passed in committee by a unanimous vote.

Mr. HENDERSON. It occurred to me that if there were objections to it, they ought to be put in some form. Let me ask the gentleman from Texas another question, for there was so much noise I could not hear the bill read. Is the proposition to send exhibits from the Government here to the fair?

Mr. BURKE. No, sir; nothing of the sort.

Mr. HENDERSON. What is it?

Mr. BURKE. The Texas State Fair has been in successful operation for thirteen years. It has contributed more to the development and upbuilding of that State than any other one agency. The management of the Texas State Fair has received the assurance of at least three States across the Rio Grande, in our sister Republic of Mexico—not only that, but the quasi assurance of Mexico itself—that they will send to our next State fair, to be held the coming October, a considerable number of exhibits. Now, this bill simply provides that these articles can be imported across the Rio Grande—in substance, not in words—imported into this country, and that so far as the watching, keeping, guarding, and in fact all expenses connected with these exhibits, are to be paid for by the Texas State Fair and the Dallas Exposition.

Mr. HENDERSON. It is to allow these exhibits to come in duty free?

Mr. BURKE. Yes.

Mr. HENDERSON. Is the bill sufficiently guarded so that no swindling can be done and no frauds perpetrated on the Government?

Mr. BURKE. Yes. I may state that this bill received the approval of the Treasury Department in this country, and that the very proviso that the committee added to it was drafted and prepared by the Assistant Secretary of the Treasury.

Mr. PAYNE. Mr. Speaker, no bill has ever been drawn that guarded against fraud effectually. There is always some leak. The Treasury Department did object to this bill, but finally yielded, and consented to its passage only on condition that all expenses should be paid for by the association, but they never have recommended the bill.

Mr. DINGLEY. Furthermore, Mr. Speaker, there is a provision in the bill to the effect that if there shall be a desire to sell any goods imported into this country they shall pay the same duty as other goods. Of course that is entirely proper.

Mr. BURKE. That is incorporated in the bill.

Mr. DINGLEY. So that so far as the Treasury is concerned, that is entirely protected. The view which many members of the committee took was that this privilege, even if so extended as to become quite general, would never be availed of by ordinary State fairs on account of the large expense which would necessarily be incurred in protecting the imports. It is understood that in this case the Texas State Fair must pay the cost of guarding these goods during the exhibition. This is quite an expensive proceeding. The only objection that the Treasury Department has made was that there might be established a precedent calculated to cause a great deal of difficulty to the Treasury in the future. When it was agreed that the expenses should in every case be paid by the State fair, the Treasury officials made no further objection, although, as the gentleman from New York has well said, they did not recommend the measure.

Mr. BURKE. The Texas State Fair proposes to pay all expenses. The Government will not be out a nickel.

The question being taken, the amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BURKE, a motion to reconsider the last vote was laid on the table.

The SPEAKER. In the absence of objection, the title will be amended in accordance with the amendment reported by the Clerk.

There was no objection.

IMPROVING NEW BEDFORD HARBOR, MASSACHUSETTS.

Mr. BARRETT. I desire once more to ask unanimous consent for the consideration of the bill (S. 4127) to provide for dredging the channel in the harbor of New Bedford, Mass.

Mr. SMITH of Kentucky. I object.

MEDAL OF HONOR, UNITED STATES NAVY.

Mr. CUMMINGS. I ask unanimous consent for the consideration of the joint resolution which I send to the desk.

The joint resolution was read, as follows:

Joint resolution (H. Res. 24) relative to the medal of honor authorized by the acts of December 21, 1861, and July 16, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to issue to any person to whom a medal of honor has been awarded, or may hereafter be awarded, under the provisions of the acts approved December 21, 1861, and July 16, 1862, a rosette or knot to be worn in lieu of the medal, and a ribbon to be worn with the medal; said rosette or knot and ribbon to be each of a pattern to be prescribed and established by the President of the United States, and any appropriation that may hereafter be available for the contingent expenses of the Navy Department is hereby made available for the purposes of this act: *Provided*, That whenever a ribbon issued under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was issued, the Secretary of the Navy shall cause a new ribbon to be issued to such person without charge therefor.

There being no objection, the House proceeded to the consideration of the joint resolution; which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CUMMINGS, a motion to reconsider the last vote was laid on the table.

THEODORE F. SWAYZE.

Mr. CHARLES W. STONE. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 1004) for the relief of Theodore F. Swayze, administrator de bonis non of the estate of John S. P. Wheeler, deceased.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and instructed to issue duplicates in the name of Theodore F. Swayze, administrator de bonis non of the estate of John S. P. Wheeler, deceased, in lieu of United States 4 per cent registered bonds issued under the acts of July 14, 1870, and January 20, 1871, No. 30854, for $50; Nos. 174652, 175652, 175653, 176085, 176086, 176740, for $100 each; inscribed in the name of John S. P. Wheeler, and alleged to have been lost: *Provided*, That the said Theodore F. Swayze shall first file in the Treasury a bond in a penal sum equal to the amount of said missing bonds and the interest which would accrue thereon until the principal becomes due and payable, with two good and sufficient sureties, residents of the United States, to be approved by the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any claim because of the lost bonds.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EULOGIES ON THE LATE SENATOR EARLE.

Mr. ELLIOTT. I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That Saturday, April 25, 1908, beginning at 2 o'clock p. m., be set apart for eulogies on the life and services of Hon. JOSEPH H. EARLE, late a Senator from the State of South Carolina.

Mr. COX. I wish to inquire whether the day named in this resolution is not the day already set apart for eulogies on the late Senator Harris of Tennessee?

The SPEAKER. The Chair understands that this resolution does not conflict with any existing order.

There being no objection, the House proceeded to the consideration of the resolution; and it was adopted.

WEST FORK RIVER, WEST VIRGINIA.

Mr. DOVENER. I ask unanimous consent for the present consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. Res. 116) authorizing the Secretary of War to make a preliminary survey of the West Fork River, West Virginia, and prepare estimates of the cost thereof.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby directed to cause a survey and submit an estimate for the improvement of the West Fork River, West Virginia, from its mouth to the city of Clarksburg, W. Va., by a system of locks and dams, the proper location of necessary dams, as well as probable cost thereof.

The amendment reported by the Committee on Rivers and Harbors was read, as follows:

Amend the title so as to read: "Joint resolution authorizing the Secretary of War to make a survey of the West Fork River, West Virginia, and prepare estimates of the cost thereof."

Mr. DINGLEY. I wish to suggest that there should be incorporated in this joint resolution the usual amendment—that the Secretary of War be further requested to inform the House whether this improvement should be undertaken at the expense of the Government.

Mr. DOVENER. I assent to that amendment.

Mr. BAILEY. I wish to know whether this is not another of those items which ought to be included in a river and harbor bill?

Mr. DOVENER. This is a joint resolution providing merely for a preliminary survey and estimate. Provisions of this kind are adopted from time to time by joint resolution.

Mr. BAILEY. If I have any knowledge of river and harbor bills—and I am free to say I have no very great knowledge of them—they provide for these preliminary surveys.

Mr. DOVENER. Yes, sir. But this has not been provided for in any river and harbor bill; and propositions of this kind have been passed from time to time in the form of joint resolutions during the whole term of my service here.

Mr. BAILEY. Is not the gentleman from West Virginia a member of the Committee on Rivers and Harbors?

Mr. DOVENER. I am.

Mr. BAILEY. Then, if he is not divulging any of the secrets of the committee, was the gentleman in favor of a river and harbor bill at this session?

Mr. DOVENER. I was.

Mr. BAILEY. Then I will not make any objection. [Laughter.]

The SPEAKER. Is there further objection?

There was no objection.

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The title of the joint resolution was amended to conform to the amendment.

On motion of Mr. DOVENER, a motion to reconsider the last vote was laid on the table.

CONTESTED ELECTION—BROWN VS. SWANSON.

Mr. CRUMPACKER. Mr. Speaker, by order of the Committee on Elections No. 3, I submit the report signed by four members of that committee, and ask that it be printed, and that the dissenting members have until ten days from now to file their report or views. This report refers to the case of Brown *vs.* Swanson.

Mr. BARTLETT. Mr. Speaker, I submit that a report by four members is not a report of the committee.

The SPEAKER. But the gentleman from Indiana suggests that this is submitted as a report by the order of the committee.

Mr. BARTLETT. I submit that it is not a report of the committee, in view of the fact, as the gentleman states himself, that less than a majority of the committee have signed the report.

The SPEAKER. But the gentleman states that he was directed by the committee to make the report.

Mr. BARTLETT. I make the point of order, Mr. Speaker, that the House should not, and I hope will not, accept as the report of a committee a report which is signed by a minority of the members of the committee. Four members do not constitute a majority of the Committee on Elections, and the House should not accept such a report as a report of the committee.

Mr. WALKER of Virginia. Mr. Speaker, the report is made by the order of the Committee on Elections, unanimously. This order was taken in committee, and whether the report be signed by a majority or a minority of the members is not a question to be now considered. Whether this be a minority or majority report will depend on the report to be hereafter submitted, if there shall be others submitted. There may be two or perhaps three other reports made. I have no knowledge of that fact. But this report is made by four members of the committee, and by the direction of the committee the gentleman from Indiana has been instructed to make the report to the House.

Mr. CRUMPACKER. It was made by order of the committee.

Mr. MIERS of Indiana. It has been done by the direction of a majority of the committee. The four members were permitted to file the views as submitted by Mr. CRUMPACKER. Hence this is the order of the committee.

Mr. LOUD. A majority of a quorum of the committee signed it?

Mr. MIERS of Indiana. It is true that this is signed by a minority of the committee; but it has been done by the order of the committee.

Mr. SETTLE. That is to say, the committee directed the filing of the views of the four members?

Mr. MIERS of Indiana. Yes.

The SPEAKER. It does not seem that there is any particular question here involved affecting this contest, although the course of the committee is somewhat unusual.

Mr. BARTLETT. Mr. Speaker, I do not desire to intrude on the rights of the committee or infringe on its privileges in any way—neither the committee nor its purposes. Nor do I desire to run counter to the wishes of a majority of the committee. But I desire that the House shall not establish a precedent by the action proposed here that a minority of a committee can file a report as a "report of the committee." I think I can in a few moments turn to the precedents upon this point. The House has already, on two occasions, at least, determined that the minority of a committee can not file such a report.

I do this on my own suggestion, and without conference with anyone, but simply that the precedents of the House and the rules of the House may not be violated, but that they shall be observed and enforced.

I state now that there can not be found an instance on the records of this House, in contested-election cases or in any other matter, where a minority of a committee when objection is made has been permitted to file a report of the committee.

Now, sir, a report of a committee is necessarily a report of a majority of the committee. The House permits the views of the minority to be filed not as the views of the committee, not as a report of the committee, but simply as the dissenting voice of the minority, who may differ with the majority of the committee; and if they do not at the time the report of the majority is submitted hand in their views, why then it requires unanimous consent afterwards.

Mr. Speaker, I say when the objection has been made, a minority of a committee upon elections or upon any other committee have never been allowed to file a report in this House. Why, Mr. Speaker, should a minority of a committee on elections, or a committee on any other subject, be permitted to bring into this House and file their views for its consideration until a majority of that committee have made a report? Why should a minority of a committee on elections be permitted to bring in here a resolution suggesting, as doubtless the views of this minority of this committee do suggest, that the contestee be unseated—a resolution which can be brought up at any time, when the majority of that committee are not of the opinion, I take it, that the contestee should be unseated?

I am not particular what report shall be made, but I am concerned that this House shall not depart from the long-established and well-recognized rules of the House, and that a minority of a committee shall not be permitted to suggest to the House what it shall do in any particular case. The question is not simply who shall occupy this seat. The question is one which it would be well for this House to consider, whether a minority of a committee, who have been unable to secure the votes of a majority to unseat a member, shall be permitted to come in and file a report and a resolution for the unseating of a member.

I read upon this subject from page 337 of the Manual, as decided in the Journal of the first session of the Twenty-fourth Congress, and also of the first session of the Fifty-first Congress, the following:

Authority to make a motion in behalf of a committee must be given by the committee. It is not sufficient that members of the committee have individually consented.

A minority of a committee can not make a report, a minority not being the committee.

Now, I maintain that it requires unanimous consent for anything to come in here from the minority until the majority have

filed a report. I ask the ruling of the Speaker upon that. I read further from the Manual, on the same page:

The common practice, however, is to permit the minority to submit their views in writing, which are usually printed and considered with the majority report.

So I say, Mr. Speaker, I do not know of any rule of the House that permits a minority of a committee to file a report.

The SPEAKER. Let the Chair suggest to the gentleman from Georgia that what is stated to us is that the committee—not the four members, but the committee—have directed those four members to present their views, and the gentleman presenting them to ask consent of the House for ten days in which to file the views of the other members.

Mr. MIERS of Indiana. Just a word——

Mr. BARTLETT. Certainly.

Mr. MIERS of Indiana. The statement of the Chair is correct. There are only four members of the committee who have agreed to this report. There are five other members. It is not quite sure that they will be able to agree on the same report. If the gentleman's position is tenable, then if the five disagreed and brought in two or more reports, a report could not be filed at all; but, in order to avoid that, the committee directed the four who had agreed to make this report.

The SPEAKER. As their views.

Mr. MIERS of Indiana. Yes; as their views, giving the other five ten days in which to prepare a unanimous report of the five or of such members joining as may agree upon it.

Mr. BARTLETT. Mr. Speaker, I am not a member of that committee, and I did not know anything about it, but I am not yet prepared to yield my views upon that subject. I do not think that a minority of a committee can be authorized by a vote of that committee to present to this House a report, and I deny the right of the committee or of any committee to present to this House the views of a minority suggesting to the House the unseating of a member or the passage of a resolution or the passage of a bill.

It has never been done except in one case in this House, which was overlooked. In that case four members presented their views, and the Speaker, when the point was raised, stated, if my recollection is correct, in the case of Aldrich *vs.* Underwood, that it was too late to make the point, and that the point ought to have been made at the time that the report was filed. We had here, Mr. Speaker, the spectacle of a report made by four members of a committee, suggesting their views to the House unseating a member, when a majority of that committee were not in favor of it and had not authorized their report.

Mr. LACEY. Will the gentleman allow me to ask him a question?

Mr. BARTLETT. Most assuredly.

Mr. LACEY. Suppose the committee were unable to agree at all. Would that deprive the contestee or the contestant of the right to have this House determine which one of them is entitled to the seat? Would that deprive the House of an opportunity for action?

Mr. BARTLETT. I am only proposing that they shall come in here with a report, or at least I am not disposed, even if we could, to delay it from doing so. But I say it is a higher right than the suggestion the gentleman has made as to the proposition of any report, it is the right of the House to maintain its rules. These rules say that the minority of the committee can not come into the House and suggest that action should be taken. These are the rules I read to the House. There are two instances in which it has been held that it can not be done. But suppose the committee can not agree? The Committee on Foreign Affairs has not at this time been able to agree upon anything. Would it be suggested that the Democratic members could file their views and demand action at the hands of the House?

I apprehend if any such suggestion as that kind should be made every member on that side would antagonize it and insist on the point that the rules of the House provided that a minority can not make a report and ask consideration of the House upon it. Now, Mr. Speaker, if the majority of that committee desire to make a report, why, then, let them do it. If they do not desire to make a report at this time, let them wait until they can agree upon a report, or if they do not desire to do that, let them report this case to the House without action.

My friend from Iowa has asked that question. Let the committee report the case to the House, stating that it does not know who is entitled to the seat, and then let the House, as it must do at last, determine the matter. It does not follow that the House can not get control of an election case because the committee can not agree about it. The House can call up this case as one of highest privilege and pass upon it. The committee can report that they are unable to agree upon it, and let the House determine the question as to who is entitled to the seat. There is no fear that the House will be deprived of the right to pass upon this case. The House can have it.

But, Mr. Speaker, I submit that when six Republicans and three Democrats can not agree upon an election case that the House ought not to permit four men, who are in the minority, to come before the House and suggest their views, and to request that the House turn one man out and admit the other. It may be still, Mr. Speaker, that that shall be done now, but if it is done now, the rules established for the proper guidance of the House, for the proper report of committees, the rules establishing as to what constitutes the report of a committee, will be overriden, and it will be a precedent in after years, and a precedent that will bring harm to the orderly and legal method of making reports and considering them.

I submit, Mr. Speaker, that the views of the minority shall be filed at the same time that the report of the committee is filed; and if they are filed at any other time than at the time the majority files the report of the committee, it takes unanimous consent. I ask the Chair if that is not a correct statement?

Mr. LOUD. I would suggest to the gentleman, from the remarks of the gentleman from Indiana, it seems that we are likely to have this state of facts: The gentleman from Indiana says that the majority of this committee may yet agree—that they have not yet determined. Now, then, if that be the fact, Mr. Speaker, may we not ultimately find ourselves in the condition of the minority of a committee coming in here and making a report and asking that the majority of the committee may ultimately have the right to file the report?

Mr. BARTLETT. To file their views.

Mr. LOUD. Would it not be well for this committee to wait and determine what report it desires to present to this House in order to prevent some complications?

Mr. BARTLETT. I agree with the gentleman from California.

Mr. LOUD. I make that statement from the fact that the gentleman from Indiana says that they may yet agree upon a report.

Mr. BARTLETT. I thank the gentleman from California for the suggestion.

Mr. LOUD. It is an anomalous condition.

Mr. BARTLETT. I ask the distinguished gentleman from California, who has had experience as to filing reports, if he ever heard of a report of a committee being offered not as a report of the committee, but filed by the minority?

Mr. LOUD. I can quite understand how a majority of the committee may direct a report to be made. Five members of a committee may agree on a certain state of facts and one, two, or three members may make one report, and one or two may present views of the committee, and I can understand how final action may be demanded. I can understand why a report may be presented to this House; but in this case the majority of the committee has not yet determined——

Mr. BARTLETT. That is right.

Mr. LOUD. As stated by the gentleman from Indiana; and they may to-morrow or the next day be prepared to present a report to this House in this case.

Mr. BARTLETT. I perfectly agree with the gentleman from California that if four were a majority of this committee and they had presented that report as the report of the committee only signed by four, where a committee is composed of nine, of which five would constitute a majority, and if the majority has not agreed as to what shall be the report of the committee to the House, that it is unheard of, and it is a violation of the rules of the House for the minority of the committee to make a report as the report of the committee.

I say, Mr. Speaker, to repeat, that the minority views of four members of a committee of nine can not be received and printed except at the time the majority report is received, unless by unanimous consent. I say it is unusual and an unheard-of thing for a committee to make a report when it is shown on its face that it is a minority report and the majority report has not been filed.

Mr. WALKER of Virginia. Will the gentleman from Georgia allow me to interrupt him?

Mr. BARTLETT. Certainly.

Mr. WALKER of Virginia. The gentleman does not understand it. This is not offered as a report of the committee. It is so stated in the caption of the report. It is filed as the report of members who agree, and is the report of their views, filed by the direction of the committee—a unanimous direction of the committee.

Mr. BARTLETT. I say the minority has no right to file their views as a report of anything. Under the rules it can not be accepted as the views of the minority of the committee, nor as a report of the committee or any portion of it. I submit further that it can not be done except by unanimous consent of the House.

Mr. LACEY. Six of the committee constitute a quorum.

Mr. BARTLETT. Five constitute a quorum.

Mr. LACEY. Yes; five constitute a quorum. Now, if four of a quorum make a report, that is the report of the committee. The fact that the other gentlemen who were not present desire further time to file their report would not invalidate the report, would it?

Mr. BARTLETT. Not at all; but we have here the statement that this is not the views of six, but the views of four of the committee.

Mr. LACEY. Well, four is a majority of six.

Mr. SETTLE. Suppose it should eventuate that there were two views of four of the committee and another of one member. Do you mean to insist that none of them could be filed without unanimous consent?

Mr. BARTLETT. I say that the views of the minority of the committee can not be filed by that minority.

Mr. SETTLE. If there is no majority, then the committee could never file a report except by unanimous consent.

Mr. BARTLETT. Yes, we can.

Mr. BAIRD. The House by a vote could relieve the committee of consideration of the case.

Mr. BARTLETT. Yes; the House could take charge of the case. Suppose there are the views of four, the views of three, and the views of two, and they all come to the House and state that they are not able to agree, the House can take charge of it and adopt the views of either one they see fit. The House has the power to do it, but under the rules the House has no right to accept the views of the minority of it, admitted to be the minority, against the views of five, a majority. The minority can not bring those views into the House and ask them to be printed and put upon the Calendar to be considered hereafter.

Mr. ROBINSON of Indiana. I want to suggest to the gentleman from Georgia that four members assume to be the committee, and five members dissent.

Mr. BARTLETT. Yes; we have on the face of the report four men agreeing to it and saying that here are five that are not able to agree. I submit that until we have some report of the committee, these views of the minority, under the precedents that I have read to the House, can not be permitted to be filed.

Mr. GROW. Mr. Speaker, I take it there is no question that a majority of a committee can direct the chairman or any member to make a report upon any subject submitted to it. In the first session of the Thirty-seventh Congress, a session more important than any other session of Congress ever held, its Judiciary Committee never made a report, if I recollect aright, on a measure before them that a majority of the committee signed. The only way they got anything before the House was to direct the chairman to make a report, and he would report asking permission for the members of the committee, within a certain time, to file their views upon the question.

Now, there is no question that a majority can direct their chairman to make such a report. It is not a minority report on the subject-matter before them. The views would be the views of the minority if the majority do not agree, but the subject can be brought before the House by the direction of a majority of the committee, no matter how much they disagree, even if there were seven or nine different views on the question.

I call attention to the precedent that for two Congresses the Judiciary Committee of the House never did agree and a majority never signed any proposition that they reported to the House. It was new legislation. We were making new laws, and, as I have said a number of times, with my experience, if I had to make up a judiciary committee for legislation, there should not be more than three lawyers on it—just enough to give construction to adjudicated phrases by the courts, and the rest should be composed of good common-sense members. [Laughter and applause.]

Now, that Congress—the first session of the Thirty-seventh Congress—disposed of more legislation in twenty-seven days than was ever disposed of in any session of Congress since the Republic began. But the Judiciary Committee, selected from the most able lawyers of the House, from their reputation and by the positions they held at home, were not able to agree much of the time. The questions were new ones, like the confiscation of rebel property.

It was to carry on internecine war which we then had, for the first time, and its lawyers, able judges, coming from the highest courts of their States, in many cases, like lawyers in all cases, must adhere to precedent. They said no such thing was ever heard of as such and such proposed laws, and hence their disagreements. But they brought the business before the House, and the House disposed of it. There is no use of talking about a minority of the committee making a report. If, however, the majority agree on a report, no matter what the report is, the chairman, or a member instructed by a majority, is bound to bring it before the House; and there is no rule which would exclude it. The views of different members of the committee can all be filed, no matter if there are nine separate views on the question. [Applause.]

Mr. CRUMPACKER. Mr. Speaker, this report comes here by order of the Committee on Elections No. 3. It has the sanction of that committee, and for the purposes of the present question it is the report of the committee. It is a matter of no importance if even a majority of the committee might later file dissenting views. This report on its face assumes to be the views of four members of the committee, but when the committee orders it to be submitted to the House, it makes it conclusively the report of the committee. Whenever the majority of a committee instruct any member of that committee to submit a paper to the House from the committee as a report, it then becomes for all purposes the report of the committee; and a majority of the members are not precluded by that fact from joining afterward in dissenting views.

This committee has ordered this particular report to be submitted to the House. It is not the work simply of a minority. It is here by the order of the committee. It has the dignity and standing that belong to the report of a committee regularly submitted.

The committee instructs the member who presents the report to request time for the filing of the views of the other members. When those views are filed, the Speaker or the House will then determine, perhaps, any questions that may arise respecting the right to open and close the debate and other matters of that kind.

But for the present—for the purposes of the question as it now arises—I submit that the Speaker must take this document as the report of the committee. It is nothing else, because it is presented by the order of the committee. If a single member should declare his own individual views respecting the subject-matter before a committee and over which it properly had jurisdiction, and if the committee should instruct any one of its members to present that document as a report to the House, it would then become in effect the report of the committee and should be so treated for all purposes at all stages of its consideration. Such a proceeding gives the House jurisdiction of the subject-matter, and it might act efficiently upon it. Whatever papers may be presented subsequently under the request for unanimous consent will, I believe, occupy the position of the dissenting views of the members of the committee.

Mr. HAY. I should like to ask the chairman of the committee whether, when this report was agreed upon, or is said to have been agreed upon, all the members of the committee were present?

Mr. CRUMPACKER. Seven out of nine were present, and one member who was absent has signed the report.

Mr. HAY. It strikes me that this is not so much a question of parliamentary law as a question of fact. Now, if a majority of the members of that committee who were then present and acting directed that this be presented as the report of the committee, they can make the report; but if this is not a report of the committee as then constituted, they can not do so.

The SPEAKER. Can not the committee act by those who are present?

Mr. HAY. Yes, sir; I presume.

Mr. BURKE rose.

Mr. HAY. I yield to the gentleman from Texas [Mr. BURKE].

Mr. BURKE. A majority of the members present in the committee room this morning did not concur in the report offered by the gentleman from Indiana.

Mr. HAY. That is what I wanted to get at.

Mr. BURKE. There can be no question about that at all. The gentleman from Indiana knows it is true.

Mr. MIERS of Indiana. They simply agreed that it should be filed as the views of the minority.

Mr. BURKE. That was all, sir. Furthermore, I see no impropriety in stating that it was the unanimous wish of the committee this morning that this report should simply be filed as presenting the views of those four gentlemen, not of the majority of the committee at all. It is preposterous to talk about four members being a majority of a committee when that committee is constituted of nine members.

The SPEAKER. Would not the committee be entitled to act by a majority of those present?

Mr. RICHARDSON. If there was a quorum present.

Mr. BURKE. But a majority of those present this morning did not concur in this report.

Mr. HAY. As I understand the facts in this case, this paper can not be filed as the report of the majority of the committee. The gentleman from Texas [Mr. BURKE] has stated—and it is not denied—that the paper now presented represents the action of a minority of the members who were present, and the gentleman from Indiana [Mr. CRUMPACKER] has stated that since that committee met this morning one of the four gentlemen whose names are attached to the report signed it—not while the committee was having its meeting, but since.

Mr. WALKER of Virginia. No; the gentleman is mistaken.

Mr. HAY. I understood the gentleman from Indiana to so state.

Mr. WALKER of Virginia. The gentleman referred to signed the report two or three days ago—at a former meeting of the committee.

Mr. HAY. I understood the gentleman from Indiana [Mr. CRUMPACKER] to state that one of the four members signed the report to-day.

Mr. WALKER of Virginia. Oh, no. It was signed by him some days ago.

Mr. HAY. Then one of the four gentlemen who signed the report was not present at the meeting of the committee this morning?

Mr. CRUMPACKER. Let me state to the gentleman that one of the gentlemen was not present at the meeting this morning who signed the report. That is correct.

Mr. HAY. Then I understand that seven members were present, and four were opposed to this report—because one of the members who signed it was absent—and three only favored it. Now, if that is true, it can not be a report of the majority of the committee at all. The other report, if another report should come, may be a majority report.

Mr. STEELE. But this was a report made by order of the committee. It was directed by them.

Mr. HAY. Oh, no; they simply authorized it to be presented.

Mr. STEELE. They directed it to be done.

Mr. HAY. I understand not.

Mr. WALKER of Virginia. The gentleman is mistaken. Let us have a clear understanding of the matter. This was ordered to be reported by the committee.

Mr. HAY. That is as the views of the four members. Not as the views of the committee.

Mr. MIERS of Indiana. Only as the views of the minority of the committee—those signing it.

Mr. WALKER of Virginia. The gentleman is mistaken in that. Now, my colleague from Virginia is talking of something that possibly I understand better than he does. Allow me to make this statement of my idea, which I think will make it clear to him. This report was submitted on motion of one of the members of the committee who did not sign the report at all, and it was unanimously the order of the committee that this should be submitted, as signed by the four members, and the other members should have ten days in which to file their views.

Mr. MIERS of Indiana. But it was filed simply as the views of the four members.

Mr. WALKER of Virginia. Not at all. I do not so understand it.

Mr. LOUD. Why, of course. The four members could not make a report for the committee. It is simply a submission of their views.

Mr. HAY. The point I make has nothing to do with what passed in committee to-day, except that this is not the report of the committee at all. It is simply a leave by the committee to file the views of the minority.

The SPEAKER. Does the gentleman take the position that the committee might not report to the House the views of the various members of the committee—the individual views?

Mr. HAY. I do not, Mr. Speaker. But I say that that would not be the report of the committee.

The SPEAKER. It would not be the report of the committee recommending action, it is true; but for all that it might be the report of the committee.

Mr. HAY. Yes, of course; as filing the views of the minority.

The SPEAKER. As representing the views of all who assented to such a report.

Mr. HAY. Certainly; but it could be presented, I presume, Mr. Speaker, as the views only of those signing it.

The SPEAKER. It is not a report of the committee for action. It does not recommend action; but this report to the House of the four members—submitted as per manuscript—is a presentation of their views; and the other five members who may desire to express theirs ask unanimous consent that ten days be allowed them from this time for that purpose.

Mr. HAY. That is precisely the point, Mr. Speaker; and the Chair has stated what I was trying to state so much better than I could do that I am willing to submit the matter there.

The SPEAKER. If there be no objection, the committee report can be received and unanimous consent given for ten days to submit the views of the other members of the committee.

Mr. BARTLETT. Do I understand that the Chair has ruled upon this question?

The SPEAKER. Only a suggestion that inasmuch as the committee make the report of the opinions of some of its members, time be allowed for other members to submit their views also.

Mr. BARTLETT. I understand the Chair to suggest that the proper way and the only way in which this can be done is that the minority of the committee can present their views now and the other members can present theirs only by unanimous consent, unless filed at the time the views of the committee are filed; in other words, that it takes unanimous consent now for the paper presented by the four members to be filed?

The SPEAKER. The Chair thinks that is not quite so clear a question. The committee are supposed to understand the rule, and if they propose to make a report unconditionally as to the opinion of four of their members, and then ask unanimous consent that the others may present their views, why, they must take their chance of the House granting it, and it may not interfere with their right to make a report of the views of four of their number. Still the Chair would rather this question would be settled by unanimous consent, because that will save any question of precedent in the matter.

Mr. RICHARDSON. I do not wish to take the gentleman from Georgia [Mr. BARTLETT] off the floor, but from what has been said it seems to me——

Mr. BARTLETT. I yield to the gentleman.

Mr. RICHARDSON. Just for a moment—it seems to me there is no difficulty in reaching a unanimous-consent agreement. The facts all appear from what has been said, namely, that the committee agreed this morning that there might be a report to the House, not a formal report of the committee, but a report made to the House of certain facts, and those facts are that certain members of that committee agreed to certain conclusions, which are set forth in this paper; and at the same time they report that there are five other members of the committee who do not agree to the conclusions which they have reached. Now, I submit that if the paper which the gentleman from Indiana [Mr. CRUMPACKER] purposes submitting sets out the facts in that way, there ought to be no objection to unanimous consent; but if the paper on its face assumes to be the report of this committee, then there would be objection to the unanimous consent.

The SPEAKER. The Chair understands that it is only a report of the committee sub modo.

Mr. RICHARDSON. Just setting forth the facts as they appear; there can be no objection.

Mr. BARTLETT. I have here the reporter's notes showing the statement of the gentleman from Indiana.

Mr. RICHARDSON. Will the gentleman read it?

Mr. BARTLETT. The gentleman from Indiana [Mr. CRUMPACKER] made this statement:

Mr. Speaker, by order of the Committee on Elections No. 3, I submit the report signed by four members of that committee, and ask that it be printed and that the dissenting members have until ten days from now to file their report or views. This report refers to the case of Brown vs. Swanson.

Mr. BABCOCK. That states the facts.

Mr. RICHARDSON. The remarks which have been made indicate exactly what the agreement is, namely, that four gentlemen have been ordered by the committee to submit their findings in this case, reserving the right to the other five gentlemen to submit their findings in the case. Now, if these gentlemen agree to that——

Mr. COX. But that purports to be a report of the committee.

Several MEMBERS. Oh, no.

Mr. RICHARDSON. No; it does not purport to be that. I understand the gentleman from Indiana [Mr. CRUMPACKER] to say it is not the report of the committee in this case, except as explained.

Mr. CRUMPACKER. Mr. Speaker, a word on this question. I submit that for the purposes of this case it must be considered as the report of the committee. Let me illustrate. Suppose now that the majority could not agree upon any report, and suppose four members of the committee should favor the seating of the contestant, that three members should favor the seating of the contestee, and two members should favor the unseating of both parties to the contest. The committee then could agree upon no report. Under that state of facts it would be entirely proper for the committee to request any set of its members to present their views to the House, and that report should stand as the report of the committee for all practical purposes, and then the other five or the other seven could file their dissenting views, all together if they could unite, or separately if they could not unite.

It could not affect the merits of the case, but it would give the House jurisdiction of the subject and give somebody control of the matter in order that it might be called up and submitted. That would be the only purpose of it. I say it is not irregular or anomalous for the committee to order a report, even where only a minority concur in it. But now this report on its face purports to express the views of only four members, and it assumes or contemplates that the other five may dissent. They may unite in their dissension, or they may file separate dissenting views. It occurs to me that this is entirely regular, particularly since it is ordered by the unanimous vote of the committee.

Mr. RICHARDSON. Mr. Speaker, in reply to what the gentleman says, there would be no difficulty in what the gentleman suggests, there being seven members of the committee present this morning, if four of them had united in this report. There being a quorum present, there would be no difficulty if four of those present had ordered a report to be made——

Mr. BARTLETT. But I understand the statement was made upon the floor of the House by a member of the committee that only three of those present agreed to this.

Mr. RICHARDSON. I am coming to that. There was no such agreement, however, as I was about to remark. There were seven

present, and four of them did not unite in this report, and therefore it is not the report of the committee, except in the qualified sense which has been explained; and that is that they all agreed that they might submit to the House this statement in writing, showing the views of four members of the committee, three of whom were then present and one of whom was not present. Now, there should be no trouble about this; that they report the views of these four, it being understood that the other five shall be entitled to file their views.

Mr. BARTLETT. That is, a joint report of the committee, if they so desire.

Mr. RICHARDSON. I think there would be some difficulty about submitting a report of the committee.

The SPEAKER. The Chair suggests that the committee be allowed to present the opinion of four of its members, and that the rest of the members be allowed—how much time?

Mr. CRUMPACKER. Ten days.

The SPEAKER. Ten days to present their opinion.

Mr. RICHARDSON. And if all agree in their opinions, Mr. Speaker, the gentleman is contending that that would be a report of the committee. That would be a material point.

The SPEAKER. It is not a report of the committee, but four members express their views—express their own views.

Mr. BARTLETT. Exactly. I am not going to object to the suggestion of the Chair. I think it is a very wise solution of this question; and, so far as I am concerned, I shall content myself with having made the point and with having cited, as I did hastily and on the spur of the moment, the precedents in the case. I ask to be permitted to incorporate in the remarks that I shall make upon this point the citation from the Journal of the first session of the Twenty-fourth Congress, page 561; also from the Congressional Globe of July 10, 1850, page 85, and the references to the Manual under which I take the position that the minority, composed of these four gentlemen, are now coming up and asking as a matter of privilege to file their views as the report of the committee, as it is only the committee which has the privilege to make a report at any time.

Mr. WALKER of Virginia. The committee directed this to be reported, and therefore it is the privilege of the committee and the privilege of the whole committee that is involved.

The SPEAKER. If there be no objection, the other gentlemen will be allowed ten days in which to prepare their views. [After a pause.] The Chair hears no objection.

The matter referred to by Mr. BARTLETT is as follows:

[First session, Twenty-fourth Congress, Journal, page 561.]

On March 25, 1836, Mr. Hall (Vermont), a member of the Committee on Post-Office and Post-Roads, to which was referred so much of the message of the President of the United States, at the commencement of the session, as relates "to the report of the Postmaster-General, the condition and operation of the Post-Office Department, and everything connected therewith," offered to submit to the House a paper, in the form of a report, which, he stated, contained the views of the minority of the committee on that part of the said message which suggests "propriety of passing such a law as will prohibit, under severe penalties, the circulation, in the Southern States, through the mail, of incendiary publications, intended to instigate the slaves to insurrection."

The Speaker decided that when reports of the committee are called for a report can not be made from a minority of a committee, as a minority is not a committee; that the paper offered was not a report authorized to be made to the House by authority of the committee and could not be received as a report from the minority; and that, consequently, it was not in order to offer the same.

The Globe (page 281) does not give any further light.

[Congressional Globe, July 10, 1850, page 85.]

Mr. DISNEY. I desire to call the attention of the Chair to the resolutions reported by that portion of the committee to which I belong. If I understand the matter correctly, the report of a minority of a committee which concludes with resolutions, being in effect a recommendation that the resolutions be adopted, is a motion to amend the resolutions of the majority. That, I apprehend, is the principle very well established by parliamentary law; and I submit that the resolutions reported by that portion of the committee with whom I had the honor to act come up of themselves as an amendment to the resolutions of the majority.

The SPEAKER. The Chair does not concur with the gentleman from Ohio in this position. The parliamentary law, as he understands it, does not recognize the report of a minority of a committee as a report. It contains the views of the minority, and whenever they report resolutions or a bill they are not before the House for its action until they are submitted by some member, either of that minority or by some other member. The report of the minority of itself does not bring the question before the House for its action. The Chair would state to the gentleman from Ohio that, so far as he is informed, such has been the uniform practice of the House. Whatever may be the practice of other parliamentary bodies the Chair is not prepared to say.

[Page 337 of the Manual.]

Authority to make a motion in behalf of a committee must be given by the committee. It is not sufficient that members of the committee have individually consented.

[Page 447—Minority, views of the.]

All reports of committees, except as provided in clause 57 of Rule XI, together with the views of the minority, shall be delivered to the Clerk for printing and reference to the proper Calendar, under the direction of the Speaker, in accordance with the foregoing clause, and the titles or subjects thereof shall be entered on the Journal and printed in the RECORD.—Rule XIII, clause 2.

A minority can not make a report.

When a report is presented by a committee, a minority may be permitted to present their views, which is usually allowed as a matter of course.

A minority can not originate or report a bill or other proposition, and when the committee in their report do not recommend any legislative proposition, it is not in order to place on the Calendar a proposition recommended by a minority. (See Journals, 1, 24, page 561; 1, 47, page 1709; Globes, 2, 27, page 248; 1, 31, page 1345; 2, 41, page 954.)

SANITARIUM AND BATH HOUSE ON GOVERNMENT RESERVATION AT HOT SPRINGS, ARK.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6468) authorizing the Supreme Lodge of the Knights of Pythias to erect and maintain a sanitarium and bath house on the Government reservation at the city of Hot Springs, Ark.

The bill was read, as follows:

Be it enacted, etc., That the exclusive right to use, occupy, and enjoy the possession of the following-described lot of land, being a part of the Government reservation at the city of Hot Springs, Ark., to wit, commencing on the north line of Reserve avenue at the southeast corner of the Army and Navy Hospital grounds; thence running eastward along the north line of Reserve avenue 405 feet, more or less, to United States monument No. 27; thence north 6½° west 470 feet; thence west on a direct line 453 feet, more or less, to the northeast corner of the Army and Navy Hospital grounds; thence southward along the east boundary of said Army and Navy Hospital grounds 525 feet to place of beginning, is by this act granted to the Supreme Lodge of the Knights of Pythias for the purpose of erecting, equipping, and maintaining a national sanitarium and bath house for the accommodation of the Knights of Pythias of the United States of America. The rights and privileges granted under this act shall continue as long as the property is used and occupied for the purposes mentioned in this act, subject, however, to the following conditions and limitations, namely: That unless said supreme lodge shall, within ten years after the passage of this act, erect and equip a sanitarium and bath house for the purposes above mentioned, at a cost of not less than $250,000, or if said supreme lodge shall at any time hereafter use or permit said premises to be used for any other purpose than that herein granted, then, and in either event, all the rights, privileges, and powers by this act granted and conferred upon said supreme lodge shall be forfeited to the United States.

SEC. 2. That upon compliance with the conditions and requirements of section 1 of this act by said supreme lodge, the Secretary of the Interior shall be authorized and required to lease to said supreme lodge a sufficient quantity of hot water to accommodate said sanitarium for all drinking purposes and to supply at least five bath tubs, under such rules and regulations as he may prescribe; and all improvements made upon said property shall be subject to the approval of the Secretary of the Interior.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. LOUD. I would like to know, as there have been several of these grants, if there is land enough there?

Mr. LITTLE. There is abundant territory. There is no trouble about the land.

Mr. LOUD. We have been making these grants for a number of years, and I did not know whether there was land enough left there. One other question. I will ask the gentleman if he does not regard the period of ten years as a rather long time for the completion of this work?

Mr. LITTLE. It was suggested that that was a long time, and I would have no serious objection to reducing the amount of time. My understanding is that they propose to enter upon the construction of this institution at an early day.

And, Mr. Speaker, I desire to say that the order of the Knights of Pythias is one of the noblest and grandest institutions in this country—benevolent and social in its purposes; and its membership are inspired by the noblest sentiments of fraternal love in undertaking this noble work. And if this permission is given it will, as I believe, establish, erect, and maintain an institution that will add new luster to its already glorious record in its efforts to better the condition of its membership and mankind.

The purpose of the bill is to enable the Knights of Pythias of the United States to erect and maintain a sanitarium and bath house upon the permanent reservation at Hot Springs, Ark., for the use and benefit of the sick and afflicted of its membership and their families, at a cost of not less than $250,000. This order was organized in the city of Washington in the year 1864 with 78 members, and it now numbers more than 500,000. It has a uniform rank of about 50,000, and carries insurance in favor of its membership of more than $90,000,000. It is a social, fraternal, and benevolent institution, and asks this privilege for the benefit of the poor and afflicted of its large membership, extending, as it does, into almost every county in the United States.

The passage of this bill is urged by the supreme lodge of the United States to enable it to erect and maintain such an institution as will be an honor to the Government and a credit to the order, and a blessing to the poor and afflicted having claims upon its benevolence.

Your committee find that the granting of this privilege at the point upon the reservation described in the bill will in no wise interfere with the present or contemplated improvements by the Government, or with its control of the hot waters, and that upon the large reservation under the control of the Government there is ample room for any improvements that the Government may desire to make or permit to be made in the future.

All improvements permitted by the bill can only be made with the approval of the Secretary of the Interior, and all the rights and privileges granted under the bill become forfeited if the grant is used for any other purpose than that permitted by the bill; and

your committee believe that, with these strict limitations, no harm can come from the passage of the bill, but that, on the contrary, much good will result both to this order and to the Government. It will give an opportunity to the large membership of this order to secure the benefits of the curative properties of the hot waters of these famous springs, which are owned and controlled by the Government; add greatly to the value of the property owned by the Government, and utilize a portion of the hot waters that now go to waste, and create a revenue to the Government therefrom.

Mr. LOUD. Do you not think it would be well to limit it to five years?

Mr. LITTLE. Say six years, and I will agree to it.

Mr. LOUD. I suggest that amendment.

Mr. LITTLE. I agree to the amendment offered, to limit the time to six years.

Mr. LACEY. Will the gentleman state how much area there is in these mountains proposed to be utilized in this way?

Mr. LITTLE. There are several thousand acres of land.

Mr. SHAFROTH. How much of it has been granted?

Mr. LITTLE. No amount has ever been granted for this purpose except along the main avenue.

Mr. SHAFROTH. Which comprises about how many acres?

Mr. LITTLE. About 2,400 acres.

Mr. LOUD. I should think it was 10,000,000 or 15,000,000 by the number of times the gentleman has been coming up here.

Mr. LITTLE. Well, Mr. Speaker, the gentleman from California [Mr. LOUD] suggests that the time be limited to five years, and I am willing to agree to that amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, in line 26, page 2, the word "ten" and insert the word "five."

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. LITTLE, a motion to reconsider the vote whereby the bill was passed was laid on the table.

NEW BEDFORD HARBOR, MASSACHUSETTS.

Mr. BARRETT. Mr. Speaker, I wish to say that after consultation with the gentlemen on the other side and removing their objections, I now ask unanimous consent for the consideration of Senate bill 4127.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent for the present consideration of Senate bill 4127, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the sum of $34,122 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to dredge the channel in the harbor of New Bedford, Mass., leading to the bridge between that city and Fairhaven.

Mr. BARRETT. Mr. Speaker, I wish to say——

Mr. LOUD. Mr. Speaker, I would like some explanation of this bill.

Mr. BARRETT. Mr. Speaker, I would be glad to give the explanation if I can have silence.

The SPEAKER. Gentlemen will please be in order.

Mr. BARRETT. For the third time this morning, Mr. Speaker, I ask unanimous consent for the consideration of this bill. In the cases where objection was made before, on a full statement of facts the gentlemen were satisfied to withdraw their objections.

A drawbridge has for one hundred years existed over the Acushnet River, in New Bedford, a river upon which there is considerable commerce. In 1893 the legislature of Massachusetts directed a new bridge should be built at that point. The War Department interfered and directed that the draw in the new bridge should be 900 feet to the east of where the old draw was located. The county of Bristol has built it according to the directions of the War Department; but where the new draw is ordered to be located there is less water and a more shoal channel than where the old draw existed. In order to make the new channel as deep as the one ordered to be closed, an appropriation of $34,000 is necessary.

The county has built the bridge, and more than $500,000 has been spent. The time for its completion is at an end, and the Government has not dredged out the river at the point where the new draw is built. Until that dredging is done the new bridge can not be completed, and the people of that county having spent a half a million dollars, of which $200,000 is extra on account of the order of the War Department, it now asks that the Government give them as good a channel as they had before the old one was closed up by the direction of the Government. This appropriation merely gives the same depth of channel that they always had, and puts this one in the place of the one that the War Department ordered closed up when the new draw was built.

I want the House to understand that the draw never would have been changed except by the order of the War Department, because being removed from where the old one existed the county has been put to the expense of $200,000. The materials for finishing the bridge are all there, the machinery is all in place, but the thing can not be carried out until this channel is dredged out, so that the commerce which frequents that river can find its way to the new draw, and in that way pass up to the great industries which are established above.

Mr. LOUD. Why can not the bridge be completed now?

Mr. BARRETT. Because to complete the bridge necessitates filling up the old channel where the old draw was; and inasmuch as the new draw already finished can not be reached because the Government has not dredged out the channel, you are leaving a great number of large establishments, using thousands of tons of coal every year, without the opportunity to have their material brought to them that has always been brought there since the beginning of things. The Government has taken away that which we have always possessed, and we simply ask the Government to give back the depth of water which it has deprived us of.

Mr. LOUD. How has the Government taken away the depth of water?

Mr. BARRETT. Because they have ordered the draw to be put in a new place, where there is less depth of water than there was in the old channel.

Mr. LOUD. Was not that a very strange transaction?

Mr. BARRETT. It was one of the strangest transactions that ever took place.

Mr. LOUD. Can you not fix it by going to the War Department?

Mr. BARRETT. No. Every member of the committee of the House and every member of the committee of the Senate, both Republicans and Democrats, tried it; and every member of the Senate and every member of this House, when the facts are fully understood, will agree that this remedy should be extended.

Mr. LOUD. Could not we direct the War Department to place the draw where there is plenty of water?

Mr. BARRETT. The county has already expended $200,000 under this order as it is.

Mr. LOUD. You say that if the draw were put in the proper place you would not have to do any dredging. It is a very strange transaction that the War Department should insist on the construction of a new draw in a place where there is not sufficient water and the removal of an old draw from a point where there is plenty of water.

Mr. BARRETT. The War Department took the plans for this bridge (which must be approved by that Department before the bridge can be constructed) and ordered that the work should not be proceeded with until the draw had been located in the new place. Under those orders the county of Bristol proceeded in good faith to construct this draw. And now they ask the Government to carry into effect its side of the transaction—to give them the water to float their vessels up past this bridge, as has always been done.

Mr. LOUD. I must insist again that this is one of the most peculiar conditions that I have ever seen presented. The gentleman from Massachusetts says to this House that if the War Department would permit the construction of this draw where there is plenty of water, this expenditure of money would not be necessary. But the War Department, according to the gentleman's statement, is insisting upon the placing of a draw where there is no water, when it could just as well insist upon the construction of a draw where there is plenty of water, and thus save an expenditure of $34,000. It is certainly a peculiar case.

Mr. BARRETT. I will say to the gentleman that the War Department may have its own reasons for the action it has taken. I think one reason is that by locating the draw as it has decided it should be located a straighter channel can be obtained. The county of Bristol had nothing to do with that. The action of that county was interfered with by the order of the War Department. The county acted in accordance with the order; and it now asks that this navigable stream, over which a drawbridge has existed for more than a century, be so opened that commerce may go up there as it has always done heretofore, delivering the necessary materials of those great manufacturing establishments at their wharves.

Mr. LOUD. Has the War Department been corresponded with on this question, and has it submitted anything in writing to the committee?

Mr. BARRETT. Why, Mr. Speaker, we have all the correspondence with the Department; we have the report of the local engineer to the War Department; we have the order of the Department to the county of Bristol instructing them to build this bridge as it has been built. The bridge is constructed; it is there; the draw is there. Now all that the people want is a channel leading up to the draw so that vessels may pass through and back as they always have done.

Mr. LOUD. Would it not be well to get from the War Department some expression of its views as to why it will not permit the construction of this draw where there is plenty of water, when it could just as well be done as not?

Mr. BARRETT. I yield to the gentleman from Ohio [Mr. BURTON].

Mr. BURTON. Mr. Speaker, I think there is some misapprehension here.

Mr. LOUD. I think there is, too. There can be no doubt about that. I can not believe that the condition exists as the gentleman from Massachusetts has presented it. If it does, then the War Department should be severely censured for its course.

Mr. BURTON. The War Department is not deserving of censure. The gentleman from California [Mr. LOUD] will concede that there may be a choice between two channels——

Mr. LOUD. Oh, yes.

Mr. BURTON. That although one channel has been used, another may be better. There is a certain amount of expense necessary for maintaining the present channel. The channel in the other place would be not only deeper, but more convenient and more easily maintained. The situation is clear enough from the standpoint of the people of New Bedford. They are forced to make this change. And I think I express the unanimous sentiment of the Committee on Rivers and Harbors when I say that this measure is of exceptional merit and ought to pass. There is precedent for it. A little over a year ago the House voted $250,000 by unanimous consent for the repair of a crevasse in the South East Pass of the Mississippi.

Mr. LOUD. Right there. In regard to this "unanimous sentiment" of the Committee on Rivers and Harbors, is it not generally extended by the members of that committee to help one another out on any proposition that any member may want? [Laughter.]

Mr. BURTON. I do not know that that is the case. We endeavor to consider fairly all the propositions brought before us. We hear the reports of the War Department and the Engineer Department. We must take their judgment in matters of engineering.

Mr. LOUD. What is the commerce of this stream?

Mr. BURTON. I am not informed as to that; but I understand that it is very considerable. The gentleman from Massachusetts [Mr. BARRETT] can answer more definitely as to that.

Mr. BARRETT. I can answer that question, but not officially, because all the commerce is rated as belonging to the port of New Bedford, which lies both above and below the bridge. But there are a great many very large manufacturing establishments on this stream above the bridge which consume thousands of tons of coal and large quantities of other products, which are all brought by water and carried through this bridge to their wharves.

Mr. LOUD. I do not think I shall object to this bill, but I wish to make one suggestion. The House, I think, is now brought to the condition which necessarily results from the resolution of the Committee on Rivers and Harbors to bring before this body at the present session no river and harbor bill. The Speaker and the House well know that prior to this year no man ever had the boldness to come before this House and ask by unanimous consent to get an order for a survey for work on a river or harbor.

That work heretofore has been included in the river and harbor bill; but this year the committee have reported bill after bill for the survey of new work in order that it may bring that work in such a position that it can go into the river and harbor bill quicker than if compelled to take its regular course.

Six years, Mr. Speaker, I have been pleading and working along in my humble way in this House to have some work done in the great harbor of San Francisco. I have pursued a proper and legitimate course, going to the Committee on Rivers and Harbors and getting the matter in proper shape and in legitimate form; getting through that committee the right for a preliminary examination, which took two years; going again and getting a survey, which takes two years more, and now, when this work has been reported favorably and is ready to be done—for a harbor which never yet had any money from this Government—the River and Harbor Committee decide that they will bring in no river and harbor bill; and yet, I repeat, day after day the members of that committee come before the House and ask us to grant such privileges as they will not give to any other members.

Now, having said that much, I will be content to let the House deal with this matter as it pleases, and let it go through if it so desires.

Mr. BURTON. Let me state to the gentleman that he seems to be laboring under a misapprehension in reference to this matter also. This harbor is not in the district of any member of the River and Harbor Committee. It is in Massachusetts, it is true, but in the district represented by the late Representative Simpkins.

Mr. LOUD. That is all very true, but it is presented by a gentleman who is much interested in the State of Massachusetts. And let me say to the gentleman that there may be things in California not directly in my district in which I am just as much interested as a member who represents the district in which the work is progressing. Do not let us quibble about a trifle like that. I know the condition of things in many parts of the country with reference to this river and harbor work, and I know that in some of them many districts are directly interested.

Mr. FITZGERALD. Mr. Speaker, I certainly hope that there will be no objection on this side of the House to the unanimous consent asked for by my colleague from Massachusetts to the consideration of this proposition. I do not know that I can add anything to the forcible and clear statement of my colleague from Massachusetts that will influence the action of the House in dealing with this matter; but let me say for the information of those who may not have heard his statement that the county commissioners of Massachusetts have been put to an expense of more than $250,000 in the relocation of the bridge to which my colleague has referred, under orders of the War Department. If any river and harbor bill had been reported this year, this measure would certainly have received the unanimous indorsement of the committee, and there would have been no necessity for asking unanimous consent now for its consideration.

The county commissioners of the county in which this bridge is located have gone to great expense under orders of the War Department, and it is only fair that this House should deal fairly with them and appropriate the amount called for by this bill. The commerce and industry of the large manufacturing city of New Bedford will be greatly injured if this improvement is not made, and I hope this House will do justice in this matter and vote for that appropriation.

Mr. CANNON. I would like to ask my friend from Massachusetts what is the commerce now on that river?

Mr. FITZGERALD. Well, I should judge it would amount to a million of dollars annually, more or less.

Mr. CANNON. That may be. But what is the tonnage? Now, the report of the engineers should show the tonnage; what is it?

Mr. FITZGERALD. If the gentleman will allow me, I should say that the city of New Bedford is about the largest cotton manufacturing city in this country; that thousands upon thousands of tons of coal must go up the river annually to that great city, as well as thousands of bales of cotton. I will state further that the United States Government decreed that this improvement must be made, and it is in a position to-day to stop the industry and the manufacturing prosperity of this great city by not complying with its manifest obligations.

Mr. CANNON. How many railroads center there?

Mr. FITZGERALD. One or two.

Mr. CANNON. How far is it from Boston?

Mr. FITZGERALD. About 50 or 60 miles.

Mr. CANNON. Well, does all the freight that goes there go up and down the river?

Mr. FITZGERALD. The gentleman knows, of course, that it is very much cheaper to ship by water than by land.

Mr. CANNON. Of course; I understand that. But I am asking the gentleman the question.

Mr. FITZGERALD. I understand that a great deal of the freight goes by water.

Mr. CANNON. And is required to pass the draw of this bridge?

Mr. FITZGERALD. Yes, sir.

Mr. CANNON. How long has it been since this channel has been established—the new channel?

Mr. FITZGERALD. My colleague from Massachusetts [Mr. BARRETT], of the River and Harbor Committee, can answer that question much better than I. I merely rose to appeal to my Democratic colleagues, knowing that the county commission in Massachusetts had spent large sums of money by order of the War Department, and I felt that the National Government should do its share.

Mr. CANNON. I thought the gentleman had full information on the subject.

Mr. FITZGERALD. I gave the information as far as I could. My colleague will answer the gentleman's question further, as he is on the committee and can give full particulars.

Mr. CANNON. The gentleman was so zealous about it that I supposed he had knowledge of the tonnage.

Mr. FITZGERALD. I am giving information to the best of my knowledge, and if any further information is desired my colleague [Mr. BARRETT], who is on the River and Harbor Committee, will be very glad to inform the gentleman from Illinois. The question of the exact tonnage is immaterial. The gentleman from Illinois knows full well that New Bedford is a large manufacturing city, and that its commerce will be very much injured, and unjustly so, if this bill is not passed.

Mr. BARRETT. Mr. Speaker, do I understand that consent is granted for the consideration of the bill?

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SHUFORD. I object.

Mr. CANNON. I will ask the gentleman from Massachusetts [Mr. BARRETT] if he can tell me what the tonnage is to New Bedford up this river?

The SPEAKER. Objection is made.

W. H. BARNARD AND ROBERT THOMAS.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3391) for the relief of W. H. Barnard and Robert Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $123.47 to W. H. Barnard and Robert Thomas, for money collected from them inadvertently by the United States marshal for the northern district of Alabama as sureties on an appearance bond of one John Reynolds, which bond was forfeited, but said forfeiture being afterwards set aside.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the last vote was laid on the table.

HILLSBORO BAY, FLORIDA.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 149, directing the Secretary of War to submit plans and estimates for the proposed improvement of Hillsboro Bay, Florida, from its confluence with Tampa Bay, through Hillsboro Bay and River, to the city of Tampa.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to submit plans and estimates for the improvement of Hillsboro Bay, Florida, from its confluence with Tampa Bay, through Hillsboro Bay and River, to the city of Tampa, to carry out the recommendations of the engineers of the War Department already made.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. LOUD. I think you ought to have the regular proviso on there which is on every bill.

Mr. SPARKMAN. What proviso is that?

Mr. LOUD. I can not remember the wording of it.

Mr. DOCKERY. It is the usual provision calling on the Secretary of War for his opinion as to the advisability of the work.

Mr. SPARKMAN. That has already been had.

Mr. LOUD. There is no objection to having it again, if you have had it once.

Mr. SPARKMAN. Mr. Speaker, I can explain this matter. The last river and harbor bill provided for a preliminary survey and a report as to the advisability of this work. This report was had, or rather it had been had many years before, and a report was made on this old survey. The report was favorable to the project, and the Government was advised that it was a proper measure for the Government to undertake. I understand from the Chief of Engineers that he has already the necessary data for making a final report, and that it will not be necessary hereafter to make any new survey. So that the report we are calling for here now will need no appropriation and no expenditure of even a dollar to have it made to this body. Inasmuch as it will entail no additional expense, and inasmuch as the Chief of Engineers has the data which will enable him to make the report, I hope that there will be no objection to the adoption of the resolution.

Mr. LOUD. Mr. Speaker, I should like to ask the gentleman if he does not think it would be much more advisable to instruct the River and Harbor Committee to bring so much of a river and harbor bill as will permit surveys or as relates to surveys?

Mr. SPARKMAN. I have no objection to that.

Mr. LOUD. Day after day the River and Harbor Committee are reporting to this Congress resolutions which are expediting river and harbor work from two to four years.

Mr. SPARKMAN. So far as I am concerned, I should have no objection to the River and Harbor Committee reporting all of them which are deserving of report.

Mr. LOUD. I shall insist that the gentleman put the usual proviso on his resolution. If an opinion has been given already upon the advisability of this work it can not do any harm to get it again. It has been placed upon every resolution that has passed so far.

Mr. SPARKMAN. I think the gentleman is mistaken, for I am sure this resolution is similar to those resolutions.

Mr. LOUD. The River and Harbor Committee have reported every resolution in that shape. I am willing to admit that, but I do not think one of them has passed this House without the proviso being added, and this one shall not pass this House, if it requires unanimous consent, unless it is added.

Mr. SPARKMAN. Will the gentleman state what his proviso is.

Mr. LOUD. The Clerk can state it. It is the usual proviso which is added to every similar resolution.

The SPEAKER. The Clerk will report the proviso desired by the gentleman from California.

The Clerk read as follows:

Add at the end of line 8 the words:

"And that the Secretary of War be requested to report to Congress whether or not it is advisable for the Government to undertake such improvement."

Mr. SPARKMAN. I have no objection to that. I accept the amendment.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SPARKMAN, a motion to reconsider the last vote was laid on the table.

JOHN R. HALL.

Mr. EVANS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1287) for the relief of Dr. John R. Hall, of Louisville, Ky.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is directed to pay, and for that purpose there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $80 to Dr. John R. Hall, of Louisville, Ky., in full payment and satisfaction of his account against the United States for special medical services rendered to soldiers of the United States at Georgetown, Ky., during the late war, at the request of the officer in command at that time and place.

Mr. DOCKERY. It seems to me that we ought to have the report read on that claim for medical services.

Mr. STURTEVANT. Mr. Speaker, I would like to hear the report of that bill read.

The report (by Mr. WEAVER) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 1287) for the relief of Dr. John R. Hall, submit the following report:

This is a claim for medical services rendered United States troops stationed at Georgetown, Ky., during the year 1864. Claim stated at $80.

The proof shows that at the time claimant rendered said services the officer in command at Georgetown gave him the proper vouchers and certificates, showing that said services had been rendered; that claimant sent said vouchers to the War Department for settlement and the same were returned to him by said Department with directions and instructions that the same be sent to the medical director at Memphis, Tenn., for his indorsement and approval; that in obedience to said instructions from the War Department, the claimant mailed at Georgetown, Ky., said vouchers, together with the letter and instructions received from said Department, and directed to the medical director at Memphis, Tenn. No reply was received nor were said vouchers ever returned to him.

Claimant filed his claim in the Surgeon-General's Office. The Surgeon-General referred the case to the Second Auditor of the Treasury Department with the following indorsement:

"Respectfully forwarded to the Second Auditor for the action of the accounting officers of the Treasury, with the information that a careful search of the records fails to furnish any information in this case, except that inquiry was made in May, 1869, and no record was then found. The vouchers which the claimant alleges were furnished to him by the officers in command of the troops to whom the services were rendered were never received at this office. One of the witnesses, S. F. Gano, M. D., was surgeon of the board of enrollment, seventh district of Kentucky, from May 8, 1863, to June 15, 1865, when he was honorably discharged. His signatures are undoubtedly genuine, and his testimony is entitled to full credence.

"It is believed that the claimant rendered service for which he should have been paid, but the evidence is not regarded as sufficiently definite as to the extent of the services rendered and the troops attended to warrant a recommendation for the allowance of a fixed amount. Approval is therefore withheld. If, however, the evidence adduced by the claimant and obtained from official sources shall be regarded by the accounting officers as sufficient to warrant payment of the claim, no objection is made by this office, and such amount as may be found due would, it is presumed, be properly chargeable to the appropriation 'medical and hospital, 1883 and prior years.'

"By order of the Surgeon-General:

"J. H. BAXTER,

"*Chief Medical Purveyor, United States Army.*"

The claim was disallowed by the accounting officers after admitting that the services were rendered.

Your committee hold that the claimant should be paid, that the original vouchers were lost or mislaid through no fault of Dr. Hall, and report the bill back and recommend its passage.

The committee attach to their report information relating to claims of contract surgeons and claims for medical services, medical and hospital supplies, and care of wounded and sick soldiers, and ask that it be printed as an appendix to the report.

APPENDIX.

CONTRACT SURGEONS.

It can not be ascertained that any specific law upon the subject ever warranted the appointment of contract or acting assistant surgeons; their employment and compensation were provided for from time to time in the annual appropriation bills passed by Congress, allowing a gross amount to be expended for such purpose, and usually specifying or restricting their number.

Monthly compensation ranged from $100 to $113.83; $100 for hospital service and $113.83 for field service; and $25 per month in addition where they furnished medicines. The Surgeon-General has exercised the right to fix the pay, both generally and in specific cases, and although particular law and regulation can not be quoted therefor, this action has been uniformly acquiesced in by the Secretary of War and the accounting officers of the Treasury for many years. The right to fix the pay of acting assistant surgeons was finally formally vested in the Surgeon-General by the Secretary of War November 17, 1880.

None have been employed since July 16, 1892, Congress having declined to make any appropriation for their payment after that date.

Notes of decisions by Supreme Court of the United States.

A contract surgeon in the Army is not an officer, and an officer is not to be credited with such service in the computation of his longevity pay (James C. Byrnes *vs.* The United States, 26 C. Cls. R., page 302).

CLAIMS FOR MEDICAL SERVICES, MEDICAL AND HOSPITAL SUPPLIES, AND CARE OF SICK AND WOUNDED SOLDIERS.

The authority for filing these claims rests on the fact that Congress annually makes an appropriation for the purchase of medical and hospital supplies and for the medical care and treatment of officers and enlisted men on duty at posts and stations for which no other provision is made, and on the further fact that the time for presenting such claims is not barred by any statute of limitations.

Claims of this character come under the jurisdiction of the Auditor for the War Department.

Mr. STURTEVANT. Mr. Speaker, I would like to hear some explanation of that bill. I would like to know what committee reported it.

Mr. DOCKERY. And when reported.

The SPEAKER. It is reported by the Committee on War Claims.

Mr. STURTEVANT. What is the date of the report?

The SPEAKER. January 25.

Mr. LOUD. What year?

Mr. EVANS. This is a very poor and needy old man, living in the city of Louisville, who has had this claim for the small sum of $80 pending for a number of years. He was a contract surgeon at Georgetown, Ky., during the war, and rendered this service, as proved by the vouchers given to him for it at the time of the war, but which have been lost in transmission to the proper Department here. That is the whole claim. It is just $80. The man needs the money.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. EVANS, a motion to reconsider the vote by which the bill was passed was laid on the table.

CHATTANOOGA RAPID TRANSIT COMPANY.

Mr. MOON. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill.

The Clerk read as follows:

A bill (H. R. 5511) granting to the Chattanooga Rapid Transit Company the right to cross with its track the Dry Valley road to the Chickamauga and Chattanooga National Park.

Be it enacted, etc., That the Secretary of War is hereby authorized, at his discretion, upon the favorable recommendation of the Chickamauga and Chattanooga National Park Commission, to grant a right of way to the Chattanooga Rapid Transit Company to lay a single track across the Dry Valley road; and such other concessions as may be necessary to permit the said Chattanooga Rapid Transit Company to extend its lines to the Chickamauga and Chattanooga National Park.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of War is hereby authorized, at his discretion, and upon the favorable recommendation of the Chickamauga and Chattanooga National Park Commission, to grant a right of way to the Chattanooga Rapid Transit Company to lay a single track across the Dry Valley road at such point or place thereon as said commission may determine upon; and also, upon like recommendation of said commission, may grant such other concessions as may be necessary to permit the said Chattanooga Rapid Transit Company to extend its lines to the Chickamauga and Chattanooga National Park: *Provided*, That such grant or grants shall only become or be operative on the condition that the track and tracks and roadbed of said company, and the right of way for any and all extensions of its road to said park from the point of crossing said Dry Valley road shall first be definitely fixed and located upon a line or lines which shall be satisfactory to and approved by said commission; and no part of said line or lines of road, after being so located, established, built, or constructed, shall be changed, moved, or extended without the consent in writing of said commission thereto being first had and obtained, and upon the further condition that an agreement satisfactory to said commission and approved by it shall be entered into on the part of said company for the proper maintenance of the crossing of said Dry Valley road, and at all times keeping the same in proper repair and condition."

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MOON, a motion to reconsider the vote by which the bill was passed was laid on the table.

DAM ACROSS RAINY LAKE RIVER.

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9552) permitting the building of a dam across Rainy Lake River.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Koochiching Company, its successors and assigns, to construct across the Rainy Lake River, at any part of the rapids in section 27, township 71 north range 24 west of the fourth principal meridian, in the State of Minnesota, a dam, canal, and works necessarily incident thereto, for water-power purposes. The said dam shall be so constructed that there can at any time be constructed in connection therewith a suitable lock for navigation purposes: *Provided*, That the Government of the United States may at any time take possession of said dam and appurtenant works and control the same for purposes of navigation by paying the said company the actual cost of the same, but shall not do so to the destruction of the water power created by said dam to any greater extent than may be necessary to provide proper facilities for navigation: *Provided further*, That the works shall be constructed so as to provide for the free passage of saw logs. The said Koochiching Company, its successors and assigns, shall make such change and modification in the works as the Secretary of War may from time to time deem necessary in the interests of navigation, at its own cost and expense: *Provided further*, That in case any litigation arises from the obstruction of the channel by the dam, canal, or other works erected in connection therewith, the case may be tried in the proper court of the United States in the district in which the works are situated.

SEC. 2. That the right to amend, alter, or repeal this act is hereby expressly reserved.

SEC. 3. That this act shall be null and void unless the dam herein authorized be commenced within one year and completed within three years from the date hereof.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. CANNON. I would like to know what it is about.

Mr. FLETCHER. I think if the Clerk will read the report the gentleman will get all the information he desires.

Mr. CANNON. If it is not too long.

Mr. FLETCHER. This is simply a bill for the construction of a dam across a river in the northern part of Minnesota. The bill has been considered by the Committee on Interstate and Foreign Commerce, and it has all the usual regulations. It has gone through the committees in the usual form.

Mr. CANNON. What is the object of it?

Mr. FLETCHER. To permit the construction of a dam over a river in the northern part of Minnesota.

Mr. CANNON. To allow a private individual to build a dam?

Mr. FLETCHER. Yes.

Mr. CANNON. Without any expense to the Government?

Mr. FLETCHER. Not any, sir.

Mr. CANNON. If I had known it was the gentleman's bill, I do not know that I should have made the inqury.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. LACEY. Mr. Speaker, I think that all these dam bills, or bills providing for the construction of dams across rivers, if the use of the expression may be excused [laughter], should have a suitable provision as to fish. In some instances that has been neglected, to the utter destruction of fish propagation farther up the stream; and I think a provision of that kind should be inserted here.

Mr. MORRIS. Mr. Speaker, I think the object sought by the gentleman from Iowa can be accomplished by inserting, in line 5, page 2 of the bill, after the word "logs," the words "and fish." I suggest that amendment to meet the requirements of the gentleman from Iowa.

Mr. LACEY. I think that will cover the case fully.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 2, line 5, after the word "logs," insert "and fish."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr FLETCHER, a motion to reconsider the vote by which the bill was passed, was laid on the table.

IMPROVEMENT OF BIG SANDY, AND TUG AND LOUISA FORKS OF SAME, IN KENTUCKY AND WEST VIRGINIA.

Mr. BERRY. Mr. Speaker, I ask unanimous consent for the present consideration of the concurrent resolution which I send to the desk.

The Clerk read as follows:

Concurrent resolution.

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and directed to prepare and submit more complete plans and estimates for the improvement of the Big Sandy, and the Tug and Louisa forks of same, in Kentucky and West Virginia, with probable cost of same if placed under the continuing-contract system.

The SPEAKER. Is there objection to the consideration of the concurrent resolution?

Mr. LOUD. Before consent is given I would like to ask the gentleman how many of these he has got in?

Mr. BERRY. Not one, and the money is already to the credit of the stream.

Mr. LOUD. How about this provision here?

Mr. BERRY. That is cut out by amendment in the report. The report cuts "under the contract system" out.

Mr. LOUD. How about this provision: "If in the opinion of the Secretary of War the work should be considered advisable," etc.?

Mr. BERRY. There has been a survey of the stream heretofore, more or less imperfect, and the resolutions ask that the survey be made out of the money to the credit of the river. That is all.

Mr. LOUD. The usual amendment ought to be added.

Mr. BERRY. There is an amendment to strike out "if placed under the continuing-contract system."

The SPEAKER. The Clerk will read the amendment that is proposed. The Chair understands the bill has come to the House amended.

The Clerk read as follows:

In line 6 strike out the words "if placed under the continuing-contract system."

Mr. BERRY. It means simply to survey the river, and this sum of money is now to the credit of the stream in the War Department.

Mr. CANNON. I want to give notice, Mr. Speaker, that from this time on I shall object to these bills for surveys of branches, rivers, creeks, harbors, and oceans.

Mr. LOUD. I want to say that if the gentleman from Illinois will take one half of them I will agree to take the other half.

The SPEAKER. In the meantime is there objection to this bill?

Mr. LOUD. If this is all we have got to do, Mr. Speaker, would it not be well to take a recess and rest ourselves? Nobody knows what is going on here.

Mr. DINGLEY. Mr. Speaker, there is so much confusion that we can not hear what is going on.

Mr. LOUD. I am not one of the leaders, or I would move that we take a recess.

Mr. DINGLEY. I would like to have the bill read. There was so much confusion we could not hear what its provisions were.

Mr. BERRY. The gentleman from Maine asks for the reading of the report.

Mr. DINGLEY. No; I ask for the reading of the bill. We were not able to hear its provisions on account of the confusion.

The SPEAKER. Without objection, the Clerk will again read the bill.

The bill was again read.

Mr. DINGLEY. Now I suggest the usual amendment be added to that, whether the proposed extended improvement in the opinion of the War Department should be made.

Mr. BERRY. There was a survey made eight or ten years ago to the dividing line between Virginia and Kentucky, and the Government had to erect a dam at a cost of $350,000. Beyond that the survey was general, and now we want to make it more specific.

Mr. DINGLEY. And in proposing to make it more specific you propose that these extended improvements shall be made.

Mr. BERRY. No; only if the Committee on Rivers and Harbors in the future see fit to do it, we want to know whether it will pay to do it or not.

Mr. DINGLEY. We want the opinion of the War Department whether the proposed extended improvement ought to be made.

Mr. BERRY. Well, let that amendment be added; I have no objection.

The amendment recommended by the committee was agreed to.

Mr. DINGLEY. I offer the following amendment.

The Clerk read as follows:

Add at the end of the resolution the following:
"; and also to submit to Congress information as to whether this proposed extended improvement should be made."

The amendment recommended by Mr. DINGLEY was agreed to.

The concurrent resolution was agreed to.

Mr. COLSON. Mr. Speaker, I ask unanimous consent to print some remarks on the resolution in the RECORD.

The request was agreed to.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to print some remarks in the RECORD on the same subject.

There was no objection.

Mr. LOUD. I move that the House take a recess for thirty minutes.

Mr. FITZPATRICK. Mr. Speaker, before that is done, I would like to have unanimous consent to print some remarks in the RECORD upon this resolution just passed.

The request was agreed to.

The SPEAKER. The gentleman from California moves that the House take a recess for thirty minutes.

The motion was disagreed to.

Mr. DOCKERY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOCKERY. If the regular order were demanded, would the call of committees be in order?

The SPEAKER. The call of committees would be in order unless it should be proposed to take up the bill in relation to immigration.

LIFE-SAVING STATION, CHARLEVOIX, MICH.

Mr. MESICK. Mr. Speaker, I ask unanimous consent for the consideration of House bill 5522, to establish a life-saving station at Charlevoix, Mich.

Mr. LOUD. I give notice that I shall object to the consideration of any bills.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the present consideration of House bill 5522, and the Clerk will report the bill.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to establish a life saving station at Charlevoix, Mich., in such locality as the General Superintendent of the Life-Saving Service may recommend.

SEC. 2. That the character of the equipments and appliances of the station, the number of men constituting its crew, and the portion of the year during which it shall be manned shall be determined by the General Superintendent of the Life-Saving Service.

Amend the title so as to read: "A bill to authorize the establishment of a life-saving station at or near Charlevoix, Mich."

Mr. LOUD. I object, Mr. Speaker, and I shall object to any bill that is presented here. I am fair to all of you.

Mr. COLSON. I do not think the gentleman from California has any right to make a blanket objection.

ORDER OF BUSINESS.

Mr. ROBINSON of Indiana. Mr. Speaker, I call for the regular order.

Mr. LACEY. Mr. Speaker, the last time that there was a call of committees the Committee on Public Lands had the floor and disposed of a number of bills. What is known as the Arkansas settlement bill was called, and after it had been placed before the House it went over for further consideration when the call of committees should have again become the regular order.

The SPEAKER. Then that committee should have the floor with that bill.

Mr. LACEY. Now, I have no objection, the bill being an important one, and would take some time to discuss, that it should be passed by under unanimous consent until the Judiciary Committee has disposed of their business, if the House will consent to that. Otherwise we are ready to go on with the Arkansas bill.

The SPEAKER. Will the gentleman from Iowa state what bill it is, so that it can be reported to the House?

Mr. LACEY. It is Senate bill No. 3.

Mr. DINGLEY. There was a point of order reserved.

Mr. LACEY. I do not think that point of order will be made and urged. It was only reserved against the bill.

Mr. Speaker, this Arkansas bill, if it is presented to the House in the state of expectancy that exists at this time, I am afraid might not receive that full consideration that its importance demands, and therefore I suggest the propriety of allowing the Judiciary Committee to be called without prejudice to the Public Lands Committee and let this bill go over.

Mr. WALKER of Massachusetts. Mr. Speaker, I understand the Chair has difficulty in hearing the gentleman from Iowa. Is there any objection to his standing on the reporter's desk?

Mr. LACEY. I will bow in submission to the gentleman from Massachusetts, and I will get a little nearer him.

Mr. SIMPSON. "Nearer, my God, to Thee." [Laughter.]

Mr. LACEY. I would like to have my proposition for unanimous consent, Mr. Speaker, submitted to the House. I will restate it, as, owing to the great confusion, my friend from Massachusetts [Mr. WALKER] did not hear it. I always want him to hear me. When the last call of committees occurred, the Public Lands Committee had the floor and disposed of a number of bills. What is known as the Arkansas compromise bill was called up, and after it had been placed before the House an adjournment occurred and the resolution went over for further consideration when the call of committees should become the regular order again. Now, that bill is an important one. It is one that the committee has spent a great deal of time upon and one the House ought to fully understand and ought not to be required to act upon at a time when we are about to consider another matter of such infinite importance to the country.

Therefore I suggested the propriety of allowing the Committee on Public Lands to retain its present privileged position as to this particular bill, allowing the call to return to the Judiciary Committee, which committee was passed the other day without prejudice; and after the business of the Judiciary Committee shall have been completed, the Public Lands Committee to have the same rights with respect to this bill that it would have if the consideration of the bill were proceeded with at this time.

The SPEAKER pro tempore (Mr. PAYNE). The gentleman from Iowa [Mr. LACEY] asks unanimous consent that the Committee on Public Lands be passed without prejudice.

Mr. DINGLEY. I desire to call attention to the fact that a point of order has been reserved against the bill.

Mr. LACEY. Let that reservation continue. Of course my proposition is that the status of the bill continue as it is at this moment.

The SPEAKER pro tempore. This arrangement will not make any difference as to the point or order.

Mr. LOUD. I should like to ask the gentlemen from Iowa in all sincerity whether there is any business, except such as the House is waiting for, which it can transact now with any discretion whatever any better than it can attend to the business now regularly in order. What are we going to do if we pass this bill over?

Mr. LACEY. This business can not be disposed of in the next ten minutes. We might proceed to its consideration, but could not complete it before the Cuban resolutions come up.

Mr. LOUD. What is the use of passing it over? What are you going to do?

Mr. LACEY. I understand the gentleman substantially to object. Then let the bill be read.

Mr. LOUD. We might just as well fool away time on this as on anything else.

Mr. LACEY. We do not want to fool away time on anything.

Mr. LOUD. The House seems to want to do so.

Mr. CANNON. I move that the House take a recess for ten minutes.

The question being taken, there were on a division—ayes 150, noes 68.

Mr. RICHARDSON and others called for tellers.

Tellers were ordered; and Mr. CANNON and Mr. RICHARDSON were appointed.

The tellers proceeded with the count, but before a report of the result had been made,

Mr. CANNON said: With the assent of the gentleman from Tennessee [Mr. RICHARDSON], I withdraw the motion for a recess.

The SPEAKER pro tempore. Without objection, the motion for a recess will be considered as withdrawn.

There was no objection.

The SPEAKER resumed the chair.

CUBA.

Mr. ADAMS. Mr. Speaker, I am instructed by the Committee on Foreign Affairs to present the following resolution, and to ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Pennsylvania, on behalf of the Committee on Foreign Affairs, asks unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

The Committee on Foreign Affairs, to whom were referred House joint resolutions Nos. 54, 58, 86, 94, 173, 186, 193, 200, 201, 204, 205, 206, 207, 208, 209, 210, 211, 212, 217, 219, 220, 224, and 231, and House resolutions Nos. 250 and 279, and House concurrent resolutions Nos. 5 and 28, and Senate joint resolution No. 26, having fully considered the same and the numerous petitions relating to the same subject, report the following joint resolution as a substitute for the said several resolutions and recommend its adoption. The committee refer to the facts set forth in the message of the President to Congress, dated April 11, 1898, to the consular reports accompanying it and to the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine* in Havana Harbor February 15, 1898, in support of the joint resolution herewith reported.

ROBT. ADAMS, JR.,
Chairman pro tempore.

Whereas the Government of Spain for three years past has been waging war on the Island of Cuba against a revolution by the inhabitants thereof, without making any substantial progress toward the suppression of said revolution, and has conducted the warfare in a manner contrary to the laws of nations, by methods inhuman and uncivilized, causing the death by starvation of more than 200,000 innocent noncombatants, the victims being for the most part helpless women and children, inflicting intolerable injury to the commercial interests of the United States, involving the destruction of the lives and property of many of our citizens, entailing the expenditure of millions of money in patrolling our coasts and policing the high seas in order to maintain our neutrality; and

Whereas this long series of losses, injuries, and burdens for which Spain is responsible has culminated in the destruction of the United States battle ship *Maine* in the harbor of Havana and in the death of 260 of our seamen:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end and with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba. And the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

[Loud applause.]

The SPEAKER. Is there objection?

Mr. BAILEY. Reserving the right to object, I will ask that the views of the minority go with this report.

Mr. BERRY. Pending the motion——

Mr. ADAMS. I yield to the gentleman from Kentucky [Mr. BERRY] for the purpose of offering the minority resolution and report, reserving my parliamentary rights.

The SPEAKER. The Chair understands there is no objection to consideration.

Mr. BAILEY. I reserve the right to object, because whether we shall object or not will depend in some measure upon whether a fair understanding about the debate can be arrived at. Before we proceed to that, I desire both propositions to be before the House.

Mr. QUIGG. I ask for the regular order.

Mr. BAILEY. Which is an objection.

The SPEAKER. The gentleman objects.

Mr. BAILEY. The gentleman from New York [Mr. QUIGG] objected.

The SPEAKER. The gentleman from Texas objects.

Mr. BAILEY. "The gentleman from Texas" did not object. "The gentleman from Texas" reserved his right to object.

The SPEAKER. Is there objection?

Mr. BAILEY. "The gentleman from Texas" reserves his right to object.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BAILEY. I ask permission that the gentleman from Kentucky——

The SPEAKER. The Chair will announce whether there is objection or not.

Mr. BAILEY. The Chair is determined to try to force the minority—— [Cries of "Regular order!"]

The SPEAKER. Is there objection?

Mr. BAILEY. I object.

The SPEAKER. Objection is made by the gentleman from Texas.

Mr. RICHARDSON. They are simply playing for a mean political advantage, and the people of the country ought to know it.

Mr. HENDERSON. There was a perfect understanding with the Democratic members of the Foreign Affairs Committee on this point.

Mr. RICHARDSON. That is not true, if we are to understand that any such arrangement as this was agreed to.

[At this point a personal colloquy occurred between several members, the remarks not being addressed to the Chair, amid great confusion, to quell which the Speaker directed the Sergeant-at-Arms to proceed with the mace and require members to take their seats.]

Mr. DOCKERY. Mr. Speaker, I ask that gentlemen be required to take their seats.

Mr. WHEELER of Alabama. I ask to have the words of gentlemen taken down.

The SPEAKER. No business of any kind will be transacted until gentlemen have resumed their seats and order is restored upon the floor.

Mr. MCMILLIN. Mr. Speaker, I ask to make a single statement looking to the orderly conduct of the business of the House.

The SPEAKER. The Chair thinks there will be no objection to that.

Mr. MCMILLIN. I think the House knows me well enough to know that I have no desire other than to proceed in an orderly way with the business of this body.

An effort has been made by the gentleman from Pennsylvania [Mr. ADAMS] to present for consideration a resolution looking to the settlement of some grave and important complications in which the United States has been involved. I think I can truly say that there is not one member on the floor of this House who does not desire the early consideration of that important matter. I understand that the majority of the Committee on Foreign Affairs have a report to make, and that the minority have views to submit, and that if there can be an understanding, fixing the time for debate and the method of procedure, there is no objection on this side of the House, certainly, but, on the contrary, a very great anxiety to dispose of the entire matter at this time.

And I repeat, Mr. Speaker—and I think that characterizes not only the views of gentlemen on this side of the House, but I think it characterizes just as well the views of gentlemen on the other side—that there is every desire for prompt action.

The SPEAKER. There has been some misunderstanding. The Chair supposed that that question had been settled.

Mr. MCMILLIN. I suggest this: This side of the House does not want to be cut off from the right to amend the proposition that may be made, or to be cut off from the right to debate, for a reasonable time, a proposition that affects the whole people not only of this country, but other countries as well.

I hope, therefore, we can come to some understanding as to the method of dealing with the question by proceeding in a fair and orderly way in the consideration of the matter, which could not have been done under the request for unanimous consent, because motions could have been interposed to cut off all debate or opportunity of amendment.

Mr. QUIGG. Will the gentleman allow me a question before he takes his seat? I wish to ask if he does not know it to be a fact that there is no objection on this side of the House to the reception of any minority report or any report that gentlemen on the other side of the House desired to present?

Mr. BAILEY. It must be understood——

Mr. QUIGG. My question was addressed to the gentleman from Tennessee [Mr. MCMILLIN].

Mr. BAILEY. I am entirely willing that the member from New York shall not address any questions to me.

Several MEMBERS. Regular order!

Mr. BAILEY. I will answer any question that any decent man on that side may ask.

Mr. BOUTELLE of Maine. I call for the regular order and for decent proceedings on the floor of the House.

The SPEAKER. The gentleman from Tennessee will undoubtedly answer any question the gentleman from New York has asked him.

Mr. GROSVENOR. Mr. Speaker, I rise to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSVENOR. Is it not a fact that the joint resolution reported by the gentleman from Pennsylvania is not now before the House, having met an objection from the gentleman from Texas, whereby it was withdrawn from the action of the House at this time?

The SPEAKER. That is the parliamentary situation, and the gentleman from Tennessee [Mr. McMillin] desired to address the House, which he did by the consent of the House, upon the question of what amount of debate should be had or what action should be taken. Such discussion or statement is, of course, by unanimous consent. It can not be persisted in against the request of any member.

Mr. ADAMS. Now, Mr. Speaker, I should like to make a statement.

Mr. BAILEY. Mr. Speaker, the regular order has been demanded, but I am entirely willing that the gentleman from Pennsylvania shall be permitted to make his statement; but to that——

The SPEAKER. The House will please be in order.

Mr. BAILEY. But to that statement I myself shall desire the privilege of making a reply, because the objection which the Chair——

Mr. STEELE. I call for the regular order again.

The SPEAKER. The regular order is called for.

Mr. BAILEY. By the gentleman from Indiana, I hope the Chair will state.

The SPEAKER. The regular order is called for by the gentleman from Indiana.

Mr. CLARK of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The regular order has been called for.

Mr. CLARK of Missouri. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Is there any parliamentary rule of procedure that prevents the minority of the Committee on Foreign Affairs from filing its report here and having it read?

The SPEAKER. There is.

Mr. QUIGG. There will be no objection to that.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Berry] may be permitted——

Mr. RHEA of Kentucky. Permitted! He has the right.

Mr. PEARCE of Missouri. Regular order!

Mr. WILLIAMS of Mississippi. Gentlemen, are you going to call the regular order before I make my statement? I ask unanimous consent that the gentleman from Kentucky [Mr. Berry] may be permitted to hand to the Clerk and have read the resolution and report of the minority, and that questions as to the limitation of debate may be held in abeyance until after that is done.

Mr. CANNON. That is right; go ahead.

Mr. WHEELER of Alabama. Mr. Speaker, I demanded that the words of the gentleman be taken down.

Mr. DINGLEY. I hope that the request for unanimous consent that the gentleman from Kentucky [Mr. Berry], who represents the minority of the committee, may have read at the desk the minority resolution, to be presented as an amendment, may be granted. [Applause.]

Mr. BERRY. I submit to the Speaker, is not that the right of the minority?

Mr. DINGLEY. Let it be read for information. The other has been read for information. Now, let this be read. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. If there be no objection, then, the minority proposition will be read.

Mr. ADAMS. Mr. Speaker——

Mr. WILLIAMS of Mississippi. I only wanted it read for information.

Mr. DINGLEY. Let it be read for information.

Mr. ADAMS. Reserving my objection, I wish to say that this agreement was made which is now asked for by unanimous consent between Mr. Dinsmore, the ranking member of the Foreign Affairs Committee, Mr. Berry, and myself. What is now asked for had already been agreed upon, until this unwarranted interruption broke in. Despite the complaints that have been made, it had all been arranged with gentlemen on the other side. Therefore I wish to state that, having made the statement, I have no objection to the reading of this.

Mr. DINSMORE. If I may be permitted to make a statement——

The SPEAKER. One moment. The House will please be in order.

Mr. ADAMS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ADAMS. I understand that the resolutions of the majority are before the House.

The SPEAKER. They are not.

Mr. ADAMS. Then I must offer them again, sir.

The SPEAKER. They are not before the House, and they have been objected to, and can not be offered.

Mr. ADAMS. Then I ask unanimous consent.

Mr. HENDERSON. I hope the gentleman will let this report be read first.

Mr. BERRY. I rise to a question of parliamentary law.

The SPEAKER. The gentleman from Maine has asked unanimous consent that the proposition of the gentleman from Kentucky be read for the information of the House.

Mr. DINGLEY. That is, the substitute resolution.

The SPEAKER. The substitute resolution. Is there objection?

Mr. BERRY. I wish to make a parliamentary inquiry. Is it not the right of the minority to submit their report without that unanimous consent?

The SPEAKER. It is not their right to submit it in this way. It can be submitted through the Clerk, and can be printed in due course, but the question before the House is, Will it grant consent to have it read for information?

Mr. QUIGG. This is not a submission of the report.

The SPEAKER. It is not a reporting of the substitute.

Mr. QUIGG. It is not a submission of the substitute resolution.

The SPEAKER. It is not a submission of the substitute resolution, but simply to be read for the information of the House, and requires the unanimous consent of the House, and if there be no objection it will be read.

Mr. McEWAN. For information.

The SPEAKER. For information only.

Mr. BERRY. I desire to present the views of the minority of the Committee on Foreign Affairs.

Mr. DALZELL. Mr. Speaker, I want to know is this resolution the substitute resolution, or is it the report of the minority?

The SPEAKER. Consent has been given for the reading of the substitute resolution only.

Mr. DALZELL. I did not understand that consent had been given to the reading of the views of the minority.

Mr. DINSMORE. Mr. Speaker, was not consent given to the reading of the views presenting the resolution?

Mr. DINGLEY. My request was that the substitute resolution proposed should be read to the House by general agreement, the majority resolution having been read by common agreement, and that being done I asked that the minority resolution be read.

Mr. BERRY. There is no report submitted by the majority except the statement in connection with the resolutions. [Cries of "Read!"]

Mr. DINSMORE. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. DINSMORE. I just want to know, Mr. Speaker, if the procedure demands that the views of the minority be read after the reading of the resolution.

Mr. BOUTELLE of Maine. No.

Mr. DINSMORE (continuing). Before a vote is to be taken by the House?

Mr. BOUTELLE of Maine. No.

Mr. DINGLEY. I suggest that the resolution be read first and let the other go over for the present.

Mr. BERRY. Gentlemen on that side would like to have some light on the subject, and if they will have it read, they will get it.

Mr. PITNEY. Regular order!

The SPEAKER. The Clerk will read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled—

Section 1. That the United States Government hereby recognizes the independence of the Republic of Cuba.

[Loud applause on the Democratic side.]

Sec. 2. That, moved thereto by many considerations of humanity, of interest, and of provocation, among which are the deliberate mooring of our battle ship, the *Maine*, over a submarine mine and its destruction in the harbor of Havana, the President of the United States be, and he is hereby, directed to employ immediately the land and naval forces of the United States in aiding the Republic of Cuba to maintain the independence hereby recognized.

[Loud applause on the Democratic side.]

Sec. 3. That the President of the United States is hereby authorized and directed to extend immediate relief to the starving people of Cuba.

Mr. ADAMS. I now renew my request for unanimous consent for the immediate consideration of the joint resolution.

Mr. BAILEY. Pending that, Mr. Speaker——

Mr. JOHNSON of Indiana. I desire to ask the gentleman a question. I want to know whether he is attempting to force this resolution through, momentous as it is, without opportunity for fair debate? [Loud applause on the Democratic side.]

Mr. ADAMS. I will answer that that is a question that lies entirely within the purview of this House.

Mr. JOHNSON of Indiana. I ask the gentleman, as acting chairman of the Committee on Foreign Affairs and as the spokesman of that committee, what his intention is in this particular?

Mr. ADAMS. I simply repeat my statement that that is entirely in the hands of this House.

Mr. JOHNSON of Indiana. The gentleman's answer is an evasion and does not answer my question. I object. [Applause on the Democratic side and hisses on the Republican side.]

A MEMBER. Bring in the rule. [Cries of "Rule!"]

Mr. JOHNSON of Indiana. I object until there is an opportunity for proper debate upon a question so momentous. Why, the proposition is monstrous. [Hisses on the Republican side and applause on the Democratic side. Cries of "Regular order!"]

Mr. ADAMS. Mr. Speaker, I move that the House take a recess for twenty minutes.

The SPEAKER. The gentleman from Pennsylvania moves that the House take a recess for twenty minutes.

Mr. GROSVENOR. I hope the gentleman will withdraw that.

Mr. ADAMS. I withdraw that motion, Mr. Speaker.

Mr. LENTZ. Mr. Speaker, there is such confusion that we can not hear anything that is taking place.

Mr. MAHON. Regular order!

The SPEAKER. The motion has been withdrawn.

COMPROMISE, ETC., BETWEEN UNITED STATES AND ARKANSAS.

The SPEAKER. The business in order is the consideration of Senate bill No. 3, entitled "A bill to approve a compromise and settlement between the United States and the State of Arkansas."

Mr. LACEY. Mr. Speaker, I think this will be an opportune time to pass this measure, and if I can obtain the attention of the House I will endeavor to soothe their nerves somewhat by taking up something easier than the question we have thus far been unable to consider.

Mr. CLAYTON. Can we not have order, Mr. Speaker?

The SPEAKER. The Chair must insist on order, and gentlemen must resume their seats.

Mr. COX. Mr. Speaker, I rise to a point of order. What is the gentleman addressing himself to?

The SPEAKER. The Chair understands that the bill has not been read. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the compromise and settlement effected February 23, 1895, between the United States and the State of Arkansas by John G. Carlisle, Secretary of the Treasury, and Hoke Smith, Secretary of the Interior, on behalf of the United States, and James P. Clarke, governor of Arkansas, on behalf of that State, which was made under and by virtue of the authority conferred by an act of Congress approved August 4, 1894, entitled "An act to authorize a compromise and settlement with the State of Arkansas," and the act of the general assembly of Arkansas, approved April 8, 1869, authorizing the governor to act for that State, be, and the same is hereby, approved and given the full force and effect of law.

The committee amendment was read, as follows:

Add to the bill the following:

"SEC. 2. That the amount of $662,971.35, with which the State is credited in said compromise and settlement for 132,594.27 acres of indemnity land, at the price of $5 an acre, be, and the same is hereby, reduced to the amount of $331,485.63, the value of said indemnity land at $2.50 an acre, the double minimum price of Government land; and the State of Arkansas is hereby credited with the sum of $331,485.68 for 265,188.54 acres of additional selected unadjusted swamp land at $1.25 per acre, the minimum price of Government land, leaving the balance to be paid by the State of Arkansas to the United States under said compromise and settlement $160,572.

"SEC. 3. That the title of all persons who have purchased from the State of Arkansas any unconfirmed swamp land and hold deeds for the same be, and the same is hereby, confirmed and made valid as against any claim or right of the United States, and without the payment of said persons, their heirs or assigns, of any sum whatever to the United States or to the State of Arkansas.

"SEC. 4. That the State of Arkansas does hereby relinquish and quitclaim to the United States all lands heretofore confirmed, certified, or patented to the State which have been entered under the public-land laws; and does hereby cede, relinquish, and quitclaim to the United States all right, title, and interest under the acts of September 28, 1850, March 2, 1855, and March 3, 1857, in and to all lands in the State which have been heretofore granted, confirmed, certified, or patented by the United States under any other acts, and the title to such lands is hereby confirmed in the grantees, their heirs, successors, or assigns, anything in this act or any other act to the contrary notwithstanding: *Provided*, That this act shall be of no force or effect until the State of Arkansas shall have accepted and approved the conditions, limitations, and provisions herein contained by an act of the general assembly or by an instrument in writing duly executed by the governor under the authority conferred upon him by the legislature of said State, and filed with the Secretary of the Treasury and the Secretary of the Interior within one year from the approval of this act: *Provided further*, That whereas the general assembly of the State of Arkansas did, on the 10th day of March, 1897, accept and approve the conditions, limitations, and provisions herein contained before the passage of this act, making the same effective and conclusive; therefore, this act shall be in full force and effect from and after its passage."

The SPEAKER pro tempore (Mr. PAYNE in the chair). The gentleman from Iowa [Mr. HEPBURN] makes the point of order against the bill that it should be considered in Committee of the Whole. The Chair will hear the gentleman from Iowa [Mr. LACEY] on that point of order.

Mr. LACEY. Mr. Speaker, I understand that my colleague does not wish to press the point of order.

Mr. DINGLEY. Mr. Speaker, I reserve the point of order.

Mr. LEWIS of Washington. Mr. Speaker, I make the point of order that the bill should be considered in Committee of the Whole.

Mr. COX. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. COX. I understood that a motion was made that the House take a recess for twenty minutes.

The SPEAKER pro tempore. That motion was withdrawn by unanimous consent.

Mr. COX. I never heard that unanimous consent. [Laughter.]

The SPEAKER pro tempore. The Chair will hear the gentleman from Iowa on the point of order.

Mr. LACEY. I am afraid the Chair will not hear me unless there is better order than we have had for a while. I will endeavor to make myself heard, however. Gentlemen will observe the number of members present, and I have no doubt they all came here to hear the Arkansas bill disposed of to-day. There seems to be a large audience in the galleries, and the regular order has been demanded a number of times, so that it really seems that this is the burning question of the hour. [Laughter.]

But this matter is really quite old. The settlement that is before the House in this Senate bill arose because of transactions away back in 1837. Before the war the people of Arkansas were caught with the then common idea of printing a large amount of paper money and turning it loose on an unsuspecting public, and they organized what was known as the Real Estate Bank down there and issued State bonds in aid of the bank, in order that it might use the bonds as a basis of circulation and make money plenty. They had their good time with this wild-cat money about sixty years ago, with the usual result that the bank failed and the paper was lost by the holders and the money went out of circulation. Now, during this time——

Mr. NORTON of Ohio. Mr. Speaker, I rise to a point of order. We can not tell whether the gentleman is calling us liars or making a speech on the Arkansas bill.

Mr. LACEY. The din of expectation on the Cuban resolutions can not be stifled. You can read the report of my remarks in the morning. I have no doubt the stenographers will get it all in. I will try at least to make them hear.

Now, Mr. Speaker, this matter arose in this way: These bonds were turned over to the Government of the United States as an investment for the Smithsonian Institution. Subsequently the war came on and the bonds had not been paid. The Government made good the bonds to the Smithsonian Institution, and the State bonds have remained in the custody and control of the United States Government ever since.

The State of Arkansas, on the other hand, has some old claims against the Government of the United States growing out of land matters. The questions have been the subject of controversy between the United States Government and the State of Arkansas for nearly half a century, and it is of the utmost importance that these questions should be settled before we get into hostility with any foreign powers, because we want the assistance of the State of Arkansas in the approaching difficulty, and I fear that we should not have that hearty sympathy that we ought to have if we do not make an adjustment of this before it is too late.

This proposition of settlement has come up time and again for a good many years, and was referred by the Fifty-third Congress to the Secretary of the Treasury and the Secretary of the Interior, and they were directed to enter upon negotiation for a settlement of all these old controversies for the surrender of the bonds of the State of Arkansas on the one hand, and for the relinquishment of the claims against the Government of the United States held by the State of Arkansas on the other, the settlement to be subject to the approval of Congress.

The Secretary of the Interior and the Secretary of the Treasury have made a compromise settlement and reported the same to Congress, and the question arises as to whether the agreement shall be confirmed by Congress.

The Senate has passed the bill, and it is now before this House for consideration. This settlement, by the terms of the statute under which the settlement was made——

The SPEAKER pro tempore. The House will come to order. Gentlemen will be seated.

Mr. LACEY. Mr. Speaker, I am advised that the Committee on Rules desires to make report of the Cuban resolutions; and that being the case, I do not wish to delay action by further discussion of the Arkansas bill, and I would like to make some arrangement for the withdrawal of this bill for the present without prejudice till the next regular call of committees. I ask unanimous consent that the bill be laid aside now without prejudice, to be called up on the next call of committees, being the regular order on that call.

The SPEAKER. It will be the regular order as unfinished business.

CUBA.

Mr. HENDERSON. I present a privileged report from the Committee on Rules.

The Clerk read as follows:

The Committee on Rules, having had under consideration House resolution No. 284, as to consideration of report of Committee on Foreign Affairs, recommend that the following be adopted as a substitute:

"*Resolved*, That upon the adoption of this resolution the House shall proceed to the consideration of the resolution of the Committee on Foreign Affairs upon the President's message with respect to conditions in Cuba."

Mr. HENDERSON. Mr. Speaker, it will be observed that this proposed rule, if adopted, only brings the matter before the House for consideration; and it will be within the power of the House itself at any time to close debate.

The rule contains no proposition for closing debate. The sentiment on this side of the House is almost overwhelmingly in favor of action, not of talk. [Applause on the Republican side.]

The resolution reported but a brief time ago from the Committee on Foreign Affairs by the gentleman from Pennsylvania [Mr. ADAMS] is stamped with the unanimous judgment of the Republican members of that committee. The time has come, in the opinion of this country, for action on this great question. It has been discussed by the public press; it has been discussed in the pulpit; it has been discussed in the House and in the Senate; it has been discussed at every fireside in the American Republic, and we believe, Mr. Speaker, that the time has come, sad as it is that I must express it, that this country can no longer delay acting in the Cuban situation. Everything has been done by our Chief Executive to secure peace on that island without arms, but in vain; and the time has come when arms, the last resort, must be appealed to by our country. I have been and am for peace, but not at the expense of my country's peace and honor. Spain must leave the western seas, and forever. [Applause on the Republican side.]

I yield to the gentleman from Texas, reserving my time.

Mr. BAILEY. Mr. Speaker, myself and my colleague, the gentleman from Tennessee [Mr. MCMILLIN], heartily agreed to the rule which provides for the immediate consideration of this important resolution. It would not have been necessary to hold a session of the Committee on Rules if the gentlemen on that side of the House had been patient enough to allow those of us on this side to propose an understanding with the acting chairman of the Committee on Foreign Affairs in regard to debate.

The House will remember that I simply reserved the right to object in order to ascertain if it were possible to reach an agreement about the time to be occupied in debate, and while the gentleman representing the minority of that committee was attempting to present a resolution which has the indorsement of himself and his associates, I was required either to consent to the immediate consideration of the proposition presented by the chairman of the committee or to deny to my own side the right to present its views to the House and to the country.

That I asked only what was reasonable will be testified to by the gentleman from Maine [Mr. DINGLEY], because, after the unseemly occurrence which came more nearly disgracing the House of Representatives than any other act which has occurred during my membership of this body, the gentleman's own sense of fairness compelled him to ask the House to do precisely and only what I had asked for in the beginning. I only asked that the question of unanimous consent might be suspended until those who spoke for this side of the House could present their resolutions, so that the whole question could be decided and decided at one time. If I had consented, then it would have been within the power of any member on that side of the House to prevent our side from presenting its resolution. The gentleman from Pennsylvania, holding the floor, could have demanded the previous question on his resolution, and the minority not only would have been prevented from presenting theirs, but the matter would have been disposed of without the expression of a single sentiment on this side of the House.

Mr. CANNON. Will the gentleman allow me to ask him a question?

Mr. BAILEY. Certainly.

Mr. CANNON. If the rule presented here now is adopted, and the majority sees proper—I do not know that it will—but if it sees proper to sustain a demand for the previous question, could they not accomplish exactly the same thing as that to which the gentleman has been referring?

Mr. BAILEY. Undoubtedly. But we can present our resolution under this rule; and if the gentleman from Pennsylvania [Mr. ADAMS] had declined to come to a reasonable understanding for debate, I still did not intend to interfere with the immediate consideration of this resolution; but I wanted the country to understand that—— [Derisive laughter and jeers on the Republican side.]

A MEMBER. Do not pay any attention to them.

Mr. BAILEY. Mr. Speaker, I believe I will not disgrace myself by commenting on such behavior as that. [Applause on the Democratic side.]

The SPEAKER. The Chair hopes the House will not allow itself to express its dissent or approval——

Mr. BAILEY. I did not hear the Speaker.

The SPEAKER. The Chair was suggesting that it has been the custom of the House heretofore, and the Chair believes it would be better if it were adhered to, not to express either approval or disapproval of remarks made on the floor.

Mr. BAILEY. That is one decision in which I most thoroughly and heartily concur. [Applause and laughter on the Democratic side.]

The SPEAKER. It is not a decision, but merely a suggestion.

Mr. BAILEY. Mr. Speaker, I am gratified to know that after fifteen months of delay and suspense, it has at last dawned upon the Republican majority of this House that the time for action has arrived. [Applause on the Democratic side.] For more than a year we have been entreating you to take some action. During the whole of this session we have appealed to you to act. And it is at least some satisfaction that you have resolved at last, not to heed our appeal, but to heed your angry constituents at home. [Applause on the Democratic side.] But true to your policy and your traditions, you have resolved that when at last you are compelled to act you will deny to members of this body the opportunity to discuss your conduct.

There is a radical difference between the resolutions reported by the majority and those reported by the minority. There ought to be time and opportunity allowed for those of us who think the minority resolutions the wiser to point out to the House and to the country the reasons for our belief. And yet I know as well as the members on that side that these resolutions that involve the question of peace or war are to be rushed through this body with a short and insufficient debate, and that, too, when every man in the country knows that nothing can be done until the Senate acts, and you know that the Senate will act with proper deliberation.

But, Mr. Speaker, we would rather have action at last without discussion than to have the practice of the last twelve months—allowing ample discussion and no decision. [Applause.] The true rule ought to be that questions of this kind can be fairly discussed and finally decided; but the rule which now prevails is that when the House finally determines to decide a question that is the very time the House refuses to allow debate upon it. You will suffer debate to proceed day after day.

I have seen it proceed more than a week upon a question which you had no purpose of deciding. I have heard this very question discussed in a general way twenty times within the present session, and yet, having allowed the debate while you did not intend to decide, now that you are going to decide you deny debate. But, sir, we are as ready to meet the question, we are as ready to decide it, we are as ready to take our responsibility, as gentlemen on the other side, and we invite you to call the roll. [Applause and cries of "Vote!" "Vote!"]

Mr. MCMILLIN rose.

Mr. JOHNSON of Indiana. Mr. Speaker——

Mr. HENDERSON. Mr. Speaker, does the gentleman from Tennessee, a member of the Committee on Rules, desire to make some remarks?

Mr. MCMILLIN. For a few minutes only. What time is there remaining to our side, Mr. Speaker?

The SPEAKER. Eleven minutes on that side.

Mr. JOHNSON of Indiana. Mr. Speaker, a parliamentary inquiry. I desire to ask whether there is anything in the rules of the House that would limit the discussion of the matter now under consideration to members of the Committee on Rules after they have first had an opportunity to be heard?

The SPEAKER. The Chair recognizes——

Mr. JOHNSON of Indiana. In other words, have certain gentlemen a monopoly of the floor on this important proposition?

The SPEAKER. The Chair recognizes the gentleman from Iowa [Mr. HENDERSON], who is a member of the Committee on Rules, as in charge of the proposition.

Mr. JOHNSON of Indiana. I am not reflecting on the Chair. The Chair probably did right to recognize the gentleman from Iowa; but I make a sincere parliamentary inquiry, whether there is to be any opportunity, whether there can be under the rules any opportunity, for those not members of the Committee on Rules to be heard on the proposition now being discussed, which involves the question of the limitation of debate.

The SPEAKER. The Chair understands that the previous question was not asked for; but when the gentleman from Iowa [Mr. HENDERSON] intends to do it, or whether he will do it at all, is something the Chair can not say.

Mr. JOHNSON of Indiana. I hope the gentleman, after having voiced his sentiments, having undertaken to speak for the Republican side of the House, will not be ungenerous enough to move

the previous question until other gentlemen who dissent from his views have had the right to be heard.

Mr. McMILLIN. Mr. Speaker, I will yield a portion of my time—what time is remaining to our side, Mr. Speaker?

The SPEAKER. Does the gentleman from Iowa yield some time to the gentleman from Tennessee?

Mr. HENDERSON. I yielded none of my time to anybody. I reserved it. They are speaking and consuming their twenty minutes on the other side of the House.

The SPEAKER. The twenty minutes would follow the ordering of the previous question.

Mr. HENDERSON. But we propose to debate it a few minutes.

Mr. McMILLIN. Then I will proceed in my own time. Mr. Speaker.

Mr. HENDERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HENDERSON. I reserved the balance of my time after a brief explanation of the resolution.

Mr. DINGLEY. That gives an hour.

Mr. HENDERSON. The gentleman from Texas, when we were in committee preparing this resolution, said he wanted to use two or three minutes, and that was all, as we preferred to let the time be used for the general discussion of the resolution of the Committee on Foreign Affairs.

Now, it is my intention as soon as I assume the floor to ask the previous question, so that that would end the forty minutes.

The SPEAKER. The gentleman, then, yields how much time to the gentleman from Tennessee?

Mr. HENDERSON. If we could have order around here, we could get along.

Mr. RICHARDSON. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McMILLIN. I thought I was recognized in my own right.

The SPEAKER. The Chair thinks the gentleman from Iowa intended to yield time, remaining in control of the measure.

Mr. RICHARDSON. There is no twenty or forty minutes.

The SPEAKER. There is no thirty or forty minutes. The gentleman from Iowa has an hour, and he yields how much time to the gentleman from Tennessee?

Mr. HENDERSON. How much time does the gentleman desire?

Mr. McMILLIN. I had taken the floor in my own right.

Mr. HENDERSON. I can not yield for that purpose, I will state to my friend.

Mr. McMILLIN. I would not be uncandid with the gentleman.

Mr. HENDERSON. You are always fair, and that is the only way to get along. How much time does the gentleman want?

Mr. McMILLIN. I will take only five minutes.

Mr. HENDERSON. I yield the gentleman five minutes out of my time.

Mr. McMILLIN. Mr. Speaker, the most momentous question that has confronted the American people since the close of the great civil war confronts us to-day. For once in few times in our history we are about to launch out in what amounts inevitably to a conflict of arms with another country.

I sympathize with the expressions that have thus far fallen on both sides, from the gentleman from Iowa and the gentleman from Texas, as to the propriety of early action; but I do not agree with the gentleman from Iowa and with the sentiment which seems to be strong on the other side of the House, that there ought not to be a candid and ample presentation of this great question to the representatives of the American people and through them to the American people. [Applause on the Democratic side.]

There is, Mr. Speaker, a great difference between these two resolutions. It is known that a year ago, or nearly a year ago, there came from the Senate a resolution recognizing the belligerent rights of Cuba. I, on behalf of gentlemen on this side, moved to suspend the rules and pass it.

That side of the House fled from it by forcing an adjournment of the House and preventing consideration. It is the most unfortunate day that this Congress has experienced when that sad action was taken; for if that day we had simply recognized the rights of Cuba and given her a chance to win her independence—if we had taken our revenue cutters from around her borders and given the patriotic people of this country a chance to send them supplies, and for them to buy supplies, without armies that will perish from yellow fever, and without foreign complications, Cuba would have been free to-day, and we would have been free from obligations. [Applause on the Democratic side.]

Mr. CLAYTON. And the *Maine* would have been afloat.

Mr. McMILLIN. And to-day 266 gallant American sailors, whose glory will not fade until that flag fades on account of their sacrifice for their country, would have been living American sailors.

Now, Mr. Speaker, what excuse are we going to give the American people for hasty action in this matter? The resolution of the majority does not propose to recognize the Republic of Cuba, and the resolution of the minority does. The resolution of the majority does not force the President to send our Army and our Navy to back up this action immediately; the resolution of the minority does. They differ as the poles differ, and their differences ought to be shown and the Representatives here given an opportunity to show which one of the resolutions best accomplishes the work to be performed.

You heard the President's message. You know the spirit that it breathed. You know the indecision that characterized it. You know there was no free Cuba in it; and yet you propose to turn over to him the Army, you propose to turn over to him the Navy, and turn back to him the Treasury and give him discretion to fight or not to fight, as he pleases. So far as I am concerned, and I believe I represent the members on this side of the House, we are not only in favor of free Cuba, but we intend that the President of the United States shall not stand in the way of that freedom. [Loud applause on the Democratic side.]

Let us have ample discussion; let us have deliberate action. When we shall send the Army there; how much we shall send is important; how we shall raise revenues is important. We are taking a step that is of the utmost importance, and yet we are about to tell the American people that in this momentous question there shall not be calm deliberation. It does us injustice to legislate in such a way.

Let us adopt this resolution; it is right, for it gives early consideration, but let the House not then flee from a careful and painstaking discussion of the question that affects for weal or woe not only the people of this country, but of all other countries. [Loud applause on the Democratic side.]

Mr. HENDERSON. My friend from Texas is entirely at liberty to justify his remarks and proceed at once to the consideration of the bill. With that I have no controversy, but he has presented a singular spectacle here to-day. He has attempted again and again to force action in this House, on his own statement, under any circumstances, on any bill, and at any time. And now he pleads for time, because the Senate is going to deliberate, and urges that as an argument, and winds up by wanting us to call the roll now. I want to say to the gentleman and to the House that I regard the attempts to make partisanship out of this great national question [cries of "Oh!" on the Democratic side]—I regard any effort of that kind from any gentleman as unwise.

I have made no such effort; but I want to say here and now that when he attacks the Chief Executive and the Republican party for the deliberation, the care, that has been taken in making contracts with every powder manufactory in the country, preparing shot and shell to overcome the difficulties that have been forced upon the country in the past by false policies, he is unjust to himself, the party, and to the President. We have looked with care at all the great dangers that confronted us.

We have weighed, as has the President, with brain and heart, the whole question and all that confronts the country in settling this great problem. That has been done wisely, and if done wisely and well, it was quickly done. Now, we are here for action, and I want to say to the gentleman from Texas that with scarcely a dissenting voice we are ready for the roll call in this House. [Applause on the Republican side.]

Mr. JOHNSON of Indiana. Mr. Speaker, I challenge that statement. There are men on this side of the Chamber who are not ready for a roll call.

Mr. HENDERSON. I made one exception——

Mr. JOHNSON of Indiana. The gentleman is mistaken. I challenge his statement. We are not ready for the roll call. We desire to discuss the serious question involved in the resolution before a vote is had.

The SPEAKER. Does the gentleman from Iowa yield?

Mr. HENDERSON. No.

The SPEAKER. The gentleman from Indiana must take his seat. The gentleman from Iowa declines to yield.

[Mr. JOHNSON continued speaking.]

The SPEAKER. The Sergeant-at-Arms will proceed unless the gentleman resumes his seat; and the House will please be in order.

The Sergeant-at-Arms appeared with the mace.

Mr. POWERS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. POWERS. The gentleman from Indiana——

Mr. HENDERSON. I do not yield the floor. I do not know what the purpose of the gentleman is.

Mr. POWERS. It is to have the words of the gentleman from Indiana [Mr. JOHNSON] taken down.

Mr. HENDERSON. He did not have the floor, and I would not have them taken down.

Mr. JOHNSON of Indiana. I have no objection to my words being taken down. I can repeat them.

The SPEAKER. The gentleman from Indiana is not in order.

Mr. HENDERSON. Mr. Speaker, I have only one word to say

in closing, and that is—and I want the attention of my good friend from Texas—this side of the House, and I do not include exceptions [laughter], and all that they represent, are ready here and now to answer to the roll call of country and honor on this floor or on the plains of Cuba. [Applause on the Republican side.] Now, Mr. Speaker, I demand the previous question on this rule. That does not apply to the main question, only to the rule.

The question was taken; and on a division there were—ayes 290, noes none.

So the previous question was ordered.

Mr. LEWIS of Washington. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana have ten minutes.

The SPEAKER. The House has just ordered the previous question.

Mr. LEWIS of Washington. A request for unanimous consent subsequent to that is not affected by that order. I ask unanimous consent that the gentleman from Indiana have ten minutes on the floor. [Cries of "Regular order!"]

The SPEAKER. Objection is made. The question is on agreeing to the resolution.

The question being put, the resolution reported by the Committee on Rules was agreed to.

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. ADAMS] upon the resolution which will be read.

The Clerk read as follows:

Resolved, That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end and with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba; and the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

Mr. ADAMS. For the purpose of permitting the gentleman from Kentucky [Mr. BERRY] to offer the minority resolution, I yield to him, reserving my rights.

Mr. BERRY. I offer as a substitute the minority report of the Committee on Foreign Affairs.

The SPEAKER. The gentleman from Kentucky [Mr. BERRY] offers as a substitute the resolution which will be read.

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States Government hereby recognizes the independence of the Republic of Cuba.

SEC. 2. That, moved thereto by many considerations of humanity, of interest, and of provocation, among which are the deliberate mooring of our battle ship, the *Maine*, over a submarine mine and its destruction in the harbor of Havana, the President of the United States be, and he is hereby, directed to employ immediately the land and naval forces of the United States in aiding the Republic of Cuba to maintain the independence hereby recognized.

SEC. 3. That the President of the United States is hereby authorized and directed to extend immediate relief to the starving people of Cuba.

Mr. ADAMS. I now move the previous question on the resolution and substitute to final passage.

Mr. BAILEY. I rise to a parliamentary inquiry. If that motion prevails, will there be forty minutes allowed for debate on the question?

The SPEAKER. If the motion for the previous question prevails, that will be the case.

Mr. ADAMS. I call for a vote on my motion.

Mr. WILLIAMS of Mississippi. I rise to ask a question of the Chair.

Mr. ADAMS. I yield to the gentleman.

Mr. WILLIAMS of Mississippi. If this motion is carried, would it be in order later on, if the substitute should be voted down, to offer an amendment to the pending resolution of the majority of the committee?

The SPEAKER. It would not be.

Mr. WILLIAMS of Mississippi. I ask the attention of the gentleman from Pennsylvania [Mr. ADAMS]. The Speaker has just said that if the previous question should prevail, it will not be in order, if the substitute should be voted down, to offer an amendment to the original resolution. Now, we would like to have an opportunity for such amendment; and I ask the gentleman to frame his motion in such a way that there may be that opportunity.

Mr. ADAMS. We will meet that question when we come to it. I can make no agreement now.

Mr. WILLIAMS of Mississippi. But the Chair says that if we do not make the agreement now we shall be cut off from making it afterwards.

Mr. ADAMS. I can make no agreement now. I have moved the previous question.

Mr. QUIGG. I ask for the regular order.

The SPEAKER. The regular order is demanded. The gentleman from Pennsylvania [Mr. ADAMS] has moved the previous question.

The question being taken on ordering the previous question, it was agreed to; there being on a division (called for by Mr. BAILEY)—ayes 183, noes 129.

Mr. ADAMS. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania is recognized for twenty minutes.

Mr. ADAMS. Mr. Speaker, I desire to occupy the attention of the House for a few moments in order to state in as proper a way as I can and in a manner becoming the dignity of the question now confronting us some of the reasons which actuated the Committee on Foreign Affairs in submitting this resolution to the House. But in deference to the universally expressed opinion on our side of the Chamber, I will refrain from doing so at this time and will give gentlemen on the other side of the Chamber an opportunity to express their views; and I will close in answer to their positions. I reserve the balance of my time.

Mr. DINSMORE. Mr. Speaker, as there seems to be no other method of getting the views of the minority before the House in the report submitted by them, I desire to read for the information of this body, in my own time, what they have presented on this occasion.

REPORT.

We, the undersigned members of the Committee on Foreign Affairs of the House of Representatives, having considered the message of the President of the United States, which was transmitted to Congress on Monday, April 11, 1898, and referred to said committee, submit the following report to the House of Representatives:

We recommend the following resolutions as a substitute for the resolutions submitted by the majority of the Committee on Foreign Affairs:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the United States Government hereby recognizes the independence of the Republic of Cuba.

"SEC. 2. That, moved thereto by many considerations of humanity, of interest, and of provocation, among which are the deliberate mooring of our battle ship, the *Maine*, over a submarine mine and its destruction in the harbor of Havana, the President of the United States be, and he is hereby, directed to employ immediately the land and naval forces of the United States in aiding the Republic of Cuba to maintain the independence hereby recognized.

"SEC. 3. That the President of the United States is hereby authorized and directed to extend immediate relief to the starving people of Cuba."

In support of the first resolution, guided by motives of humanity and of interest, influenced by divers provocations, among which are the deliberate mooring of our battle ship, the *Maine*, over a submarine mine, its ruthless destruction in the harbor of Havana, and the death of 266 seamen, we submit the facts to the House, to our countrymen, and to the world.

For more than a quarter of a century, with short intervals, a revolution has been in progress in Cuba, destroying our commerce and causing great financial loss to our citizens and unprecedented mortality among the contending factions.

For more than three years the Cuban patriots have struggled for freedom with courage, fortitude, and self-abnegation unexcelled in the annals of the human race. These people are our near neighbors, closely connected with us by ties of business and of friendship. In their aspirations for liberty they have been animated by our example and have modeled their form of government upon ours.

During these three years the Spaniards have butchered these people, starved helpless women, children, and old men by hundreds of thousands, and have wasted the island by fire and sword in violation of all the rules of civilized warfare. These acts of barbarous cruelty have filled the American people with horror, and they are practically unanimous in favor of recognizing the independence of the government established by that brave and heroic people by the expenditure of so much treasure and so much blood, and our people will be satisfied with nothing less.

The government which the Cubans have established has all the forms of a republic, and is a republic in fact, based on manhood suffrage, with legislative and executive departments in full operation, and with a judicial department so far perfect as the exigencies of the situation permit.

They levy and collect taxes, disburse large sums of money, conduct a postal system, maintain an army of 30,000 men in the field, have defended themselves successfully against 225,000 Spanish soldiers, 135,000 of whom are in hospitals or in their graves, and are now in undisputed possession of three-fourths of the island. Outside her picket lines Spain possesses not one foot of Cuban soil. Within her picket lines three-fourths of the population are insurgents at heart, who will cordially participate in the republican government as soon as the Spaniards evacuate the island.

With these facts staring us in the face, we must realize that Spain can never conquer Cuba, and that ultimately we must recognize the independence of the Cuban Republic. This being the case, the sooner we act the better for all concerned, thereby putting an end to the sacrifice of human life and the destruction of property.

We urge the unequivocal recognition of the independence of the Cuban Republic, because the Cuban patriots merit such recognition by their valor and prowess in arms; because recognition is the plain, honest, courageous, manly course, and will remove from the minds of all men any suspicion that we are preparing to wage a war of conquest and to annex the island from motives of sordid greed, or as the beginning of a policy of imperial aggrandizement. We urge the recognition of the existing republic, because, under international law, only an existing government can be recognized, and because by recognizing the present republic we lift from the minds of the Cuban patriots the fear that we will force upon them a government which they do not want; we urge it because without such recognition, in the event of war between Spain and the American Republic, it would be a war against Cuba also, for until the recognition of her independence she is, in the contemplation of international law, still a part of Spain.

Recognizing the independence of their republic will give the Cubans credit among the nations of the earth, thereby enabling them to use all their resources to the utmost, and will influence men of other countries to reenforce the Cubans with the assurance that they will be treated as soldiers and will not be hanged as traitors, filibusters, or pirates in the event of capture.

We urge the passage of the second resolution, providing for armed intervention, as a necessary and logical sequence to the recognition of the independence of the Cuban Republic.

Facts must be considered as they actually exist, not as we would have them, and one of the most potent and patent facts of the situation is that Spain refuses to realize what all the rest of the world knows to be true, that Cuba has passed from her control forever. This being the case, she will hold on with the strength of despair to fragments of the island as long as possible, thereby perpetuating the process of starvation, arson, and extermination wherever she can, and by occasional forays ravaging the country adjacent to her garrisons and stockades. We have no doubt that our simple recognition

of the Republic of Cuba would enable the Cubans themselves to ultimately expel the Spaniards from every portion of the island.

Armed intervention on our part would end the agony of this brave people, save thousands of them from death, and speedily close the most disgraceful chapter in the history of the Western Hemisphere. We owe this duty to ourselves no less than to the Cubans.

We recommend the adoption of the third resolution, to feed the famished Cubans, as an act of mercy and humanity.

HUGH A. DINSMORE.
FRANCIS G. NEWLANDS.
CHAMP CLARK.
JOHN S. WILLIAMS.
A. S. BERRY.
WM. M. HOWARD.

Mr. Speaker, I regret as much as any gentleman on this floor can regret the manifestation of partisanship that has transpired here this afternoon during these proceedings. It appears to me, sir, that if there was ever a period in the history of this Government that calls for statesmanship, when patriotic dignity should have characterized our conduct, and partisanship should have been subordinated to statesmanship, that period is now. [Prolonged applause on the Democratic side.]

We are confronted by the most critical situation witnessed in in very many years by the people of the United States. Our people have long recognized that this point would ultimately be reached, unless those who represented the people in the Congress of the United States performed their full duty and took the courageous stand dictated by prudence and statesmanship and common sense. [Applause.]

As has been well said by my friend from Tennessee [Mr. MCMILLIN], it has been and is now my conviction that if we had done our duty, if we had taken this position a year ago, this matter would have been settled, Cuba would have been free, and the sailors of the *Maine*, who sleep now in a watery grave, would have been alive to bear their arms and carry to victory the flag of our country. [Applause.] Throughout all of the history of the Government Spanish civilization on the American continent has been a menace to us and to our institutions. Throughout the whole history of our past it has presented to us great embarrassment and difficult problems with which we had to deal.

In all the various Spanish settlements and colonies on this continent we have had the same perplexing problems that we have met with and are meeting now. We have taken those colonies by the hand in the past and inducted them into the glorious field of statehood. And so again to-day, after all of these years of Spain's government of Cuba, with the patriots struggling for liberty and to protect themselves from oppression, with courage and heroic devotion to the cause of liberty, we extend our hands to them who for thirty years have fought Spanish oppression, Spanish brutality, Spanish butchery, and Spanish wrong. [Prolonged applause.]

Now, Mr. Speaker, we do not say to them to-day—I speak now for my colleagues on this side of the House—we do not say to the people who for years past in an unequal fight, have been compelled to see their wives and children suffer and starve in the cause of liberty, we do not say we are coming with an army into your territory to establish a government which in our judgment will be a "stable government," which will be a possible government and a peaceful government. "We shall give you permanent peace, but we must judge of the permanency of that peace ourselves, and we must judge of the stability of that government."

We say not that to them. But we present a very different proposal in the views submitted by my colleagues and myself. We say to them we recognize the fact that you have an organized government, a constitution, a cabinet, officers duly appointed, the revenues being collected in the territory that you occupy, and we are not going to force upon you a government that may be a "carpet-bag" government, run by somebody else outside of your own dominion. [Applause.] But we propose to give you a representative government of your own people, by yourselves, by officials chosen in your own way. [Prolonged applause.]

There are many reasons, Mr. Speaker, why we should do so. You can not recognize a people. A people, except in an organized capacity, is not recognizable in an international way, but when organized into a government we may rationally and properly acknowledge them as a free and independent government. But, sir, the people of Cuba, when we do recognize them in that way, acquire some benefits to themselves, and the government which they represent, and they will not of necessity be considered as enemies of the United States in case war shall be declared by the United States against Spain.

What are they now? Are they Cuban belligerents? Have you ever acknowledged that they were? What are they now? Are they citizens of a republic? By what action of the American Government have they ever been recognized as such? To-day in international view they can only be considered as Spanish subjects, and when the armies of the United States go down to Cuba to meet the Spanish forces, they go there to war upon Spain as represented by her soldiers there and her subjects in Cuba, who are the Cubans themselves.

This, Mr. Speaker, is cruel. This is not in accordance with the sentiments which have characterized the expressions of gentlemen in this House for so many days, so many weeks, and so many months that we have been here. We talk about liberty. Then, let us give to the Cubans liberty. [Applause on the Democratic side.] We talk about freedom. Let us give to themthe right to establish a government which they think will be a free government, and which does not reserve to us, the Government of the United States, the right to say, after it is established, "Ah, this is not a 'stable' government; we can not turn it over to you yet; we must look after this thing."

And, again, Mr. Speaker, there are questions of debt to be considered. There are questions of bonds. I do not accuse the gentlemen opposing me of having this in view and of desiring to make our Government liable for those bonds. I only mention this as a possibility.

I understand it was stated by Senator FORAKER in the Senate to-day, asserted as a fact, of international law, and I have thought myself all along that there were substantial grounds on which to base such an opinion, that in case we intervene in Cuba, without giving recognition to the government which there exists, we thereby become responsible for the payment of the Spanish bonds which have been floated on the credit of the revenues of Cuba and which are hypothecated upon those revenues. Shall we do this? Gentlemen of the majority, meet us upon the grounds contained in our resolution!

We heard the gentleman from Ohio [Mr. GROSVENOR] say the other day that Cuban independence was going to be recognized. Cuban independence! There can be no Cuban independence except in the independence of its government in the hands of its own officials. [Applause on the Democratic side.]

But the gentleman from Ohio [Mr. GROSVENOR], being the friend of the President and supposed to voice his sentiments, says that the President of the United States is in favor of the independence of Cuba. Did he demand of Spain the independence of Cuba? Oh, no; we were made to believe so, but he did not. His minister told the Spanish cabinet that the President did not demand independence. His Attorney-General, it seems, thought that "stable" was the diplomatic word for independence, and in his message to Congress the President, to be consistent with his demands upon Spain, only asks that a stable government be given to the Cubans. Oh, the pity of it! Oh, the humiliation to all true Americans! Long and anxiously in this House have we waited for some message or expression from the President of the United States conveying to our anxious ears the glad news that he believed in the independence of Cuba. When did it come? He sent us the message which was read in the hearing of all the members of this House. Notwithstanding the statements which have been made in trying to bolster up that document since, you all know how it fell like a wet blanket upon that side of the House, upon the patriotic men over there whose hearts bled for the suffering Cubans, struggling for the liberties that every American believes every God-born individual has a right to possess.

Mr. Speaker, I for one have become convinced by deliberate consideration of the testimony brought before a legally constituted naval court, composed of officers who have honored commissions, who have been honored by commissions of the United States Government—without going into details, for that time is not permitted to me—I believe that the *Maine* disaster was the result of deliberate official action of the Spaniards. [Applause.]

Not that Blanco knew it, not that he ordered it, but that it must of necessity inevitably have been done by some official of the Spanish Government familiar with and having the secrets of the submarine mines deposited there for the protection of that harbor.

Now, Sir, in conclusion, the grave responsibilities of this situation are to be discharged by every member in the House in accordance with the allegiance and the duty which he owes to his own country and his own flag. We ought to do that which would be an honor to the American colors, because if we impose a wrong on Cuba it redounds to the dishonor of our own Republic. Our people have become irresistible in their demands for the action of this body, else we all know that this action could never have been brought about.

We offer to you and to the country our substitute for your resolution, and appeal to the wisdom, patriotism, and judgment of our fellow-citizens, and for the rectitude of our intentions, the integrity of our purpose, the justice of our position, to that higher court which must pass upon the actions of all men and all nations,

Our fathers' God, from out whose hand
The centuries fall like grains of sand

[Loud applause.]

Mr. Speaker, how much time is remaining?

The SPEAKER. The gentleman has three minutes.

Mr. DINSMORE. I reserve the remainder of my time.

Mr. ADAMS. Mr. Speaker, I must ask the other side to consume the balance of their time, and then this side will close.

The SPEAKER. The question is on agreeing to the substitute.

Mr. ADAMS. Mr. Speaker, I ask the other side to use their time before I reply.

The SPEAKER. Does the gentleman from Arkansas desire to use the remainder of his time?

Mr. RICHARDSON. He reserved it until they use some on the other side.

The SPEAKER. The gentleman on the other side desires to close.

Mr. RICHARDSON. We have used all except three minutes and the majority have not used any scarcely.

Mr. ADAMS. I propose to use the balance of the time in closing.

Mr. RICHARDSON. It is very unusual to compel the minority to take eighteen minutes of the time and not use any on their side.

Mr. WHEELER of Kentucky. He proposes to use it all himself.

Mr. RICHARDSON. Of course you have the right to close debate.

Mr. ADAMS. I will call for a vote at the close of my remarks if the other side do not conclude their time.

Mr. BAILEY. I would ask the gentleman from Pennsylvania if it is his purpose that all the remaining time be consumed by one gentleman?

Mr. ADAMS. It is, certainly.

Mr. BAILEY. Then, that being true, of course, having the right to conclude, he has the right to insist that this side use all their time.

The SPEAKER. Does the gentleman from Arkansas desire to use his remaining time?

Mr. BAILEY. If the gentleman from Pennsylvania is ready for a vote, we are.

Mr. WILLIAMS of Mississippi. All right. [Cries of "Vote!"]

Mr. ADAMS. Mr. Speaker, I ask the attention of the House——

Mr. BAILEY. The gentleman will excuse me; did I understand the gentleman to say that at the conclusion of what we had to say on this side the gentleman from Pennsylvania was going to call for a vote?

Mr. ADAMS. No, sir.

Mr. BAILEY. Then I misunderstood the gentleman.

Mr. ADAMS. I said I asked you to use the balance of your time because at the close of my remarks I would call for a vote.

Mr. BAILEY. I concede that right. I simply misunderstood that you were going to call for a vote now.

Mr. ADAMS. If you will use the remaining three minutes I will close. [Cries of "Vote!" and "Go on!"] Mr. Speaker, I will ask——

The SPEAKER. Does the gentleman from Arkansas desire to use his remaining three minutes?

Mr. DINSMORE. We are ready for a vote.

The SPEAKER. The gentleman from Arkansas does not desire to use the remainder of his time.

Mr. ADAMS. Mr. Speaker, I ask the attention of the House but for a few moments while I shall endeavor to present in a very calm way the views of the majority of the Committee on Foreign Affairs in support of the resolutions which have been submitted.

For a period of thirty years the political and financial interests of the United States have been unsettled by the misrule of Spain in the island of Cuba and the consequent protest, to the extent of armed resistance on the part of its people, against injustice. This state of things has been the cause of protest on the part of our Government through the Administrations of Presidents Grant, Arthur, Cleveland, and McKinley. President Grant, in a special message, June 13, 1870, said:

> The properties of many of our citizens have been destroyed or embargoed, the lives of several have been sacrificed, the liberties of others have been restrained. In every case that has come to the knowledge of the Government an earnest and early demand for reparation and indemnity has been made, and emphatic remonstrances have been made against the manner in which the strife has been conducted, the wanton destruction of material wealth, and the cruel slaughter of civilized warfare.
>
> We are under the necessity of interposing continually for the protection of our citizens against wrongful acts of the local authorities of Spain and Cuba, and the public peace is every moment subject to be interrupted by some unforeseen event. In short, the State of Cuba is the one great cause of perpetual solicitude in the foreign relations of the United States.

In the sixth annual message of President Grant, 1874, he recites:

> The attention of this Government has been frequently called by the citizens of the United States to the wrong done them by the embargo of their property by the colonial authorities of Cuba for alleged disloyalty. In virtue of a decree of April 20, 1866, their properties have been seized by arbitrary act without judicial judgment or hearing, and in manifest violation of the treaty of 1795. In many instances the seizure has been made with such improvidence that the property of one person has been seized for the alleged offense of another.

In his seventh annual message he states:

> The protracted continuance of this strife seriously affects the interests of all commercial nations, but those of the United States more than others by reason of its close proximity, its larger trade and intercourse with Cuba, and the friendly and intimate personal and social relations which have grown up between its citizens and those of the island, and the absence of any reasonable assurance of the near termination of the conflict must of necessity soon compel the States thus suffering to consider what the interests of their own people and their duties toward themselves may demand.

President Cleveland, in his message to the Fifty-fourth Congress, said:

> Spain's sovereignty over Cuba is extinct for all purposes of its rightful existence; the hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict itself.

President McKinley, in his message to the Fifty-fifth Congress, second session, said:

> The existing conditions [in Cuba] can not but fill this Government and the American people with the gravest apprehension. We have only the desire to see the Cubans prosperous and contented, enjoying that measure of self-control which is the inalienable right of man.
>
> The cruel policy of concentration was initiated February 16, 1896. The productive districts controlled by the Spanish armies were depopulated. The agricultural inhabitants were herded in and about the garrison towns, their lands laid waste, and their dwellings destroyed.
>
> This policy has utterly failed as a measure of war. It was not civilized warfare. It was extermination. The near future will demonstrate whether the indispensable condition of a righteous peace, just alike to the Cubans and to Spain, as well as equitable to all our interests, is likely to be attained. If it shall hereafter appear to be a duty imposed by our obligations to ourselves, to civilization, and humanity to intervene with force, it shall be with out fault on our part and only because the necessity for such action will be so clear as to command the support of the civilized world.

These protests of our Executives were not without good grounds of complaint. Our citizens had during both wars been imprisoned and refused trial in accordance with the stipulations of the treaty of 1795 and of the Cushing protocol. Their property was unprotected, and in consequence laid waste to the extent of $20,000,000—claims which remain unsettled to this day to the extent of $16,000,000. These losses are composed of sugar and tobacco plantations and some $8,500,000 invested in iron mines, and the necessary machinery employed on both. Our commerce, at the beginning of this war amounting to $76,000,000 of imports and $17,000,000, of exports, has been nearly wiped out.

The present stagnation of trade has seriously affected the material interests and welfare of our country. The loss in investments in mortgages, railroad securities, and mercantile accounts in Cuba has been estimated at $25,000,000. Our Government reports an expenditure by the Department of Justice and the Navy of $2,500,000 in patrolling our coast to prevent the departure of military expeditions, and their prosecution when caught in the endeavor, to preserve our neutrality obligations.

Our country was on the eve of a great era of prosperity—confidence was restored, internal traffic was growing, new enterprises projected. The disturbed state of the Island of Cuba and the overshadowing necessity of our intervention have, according to our trade reports, greatly retarded this improvement, and in many cases caused its cessation. These facts, so detrimental to our welfare, justify our intervention to restore peace on that unhappy island.

The convention at London, October 31, 1861, between Great Britain, France, and Spain was defined to be "to demand more efficacious protection for the persons and property of their subjects, as well as a fulfillment of the obligation contracted toward their majesties."

> The convention contemplated an armed occupation of Mexico until the people should have adopted such a government as in the opinion of the allies would be responsible and stable. (Wheaton, page 126.)

Phillimore holds:

> The right of self-defense incident to every state may, in certain circumstances, carry with it the necessity of intervening in the relations and to a certain extent of controlling the conduct of another state, and this when the interest of the intervener is not immediately and directly, but mediately and indirectly, affected. (Volume I, page 554.)

Hall (section 91, page 299):

> Interventions for the purpose of self-preservation naturally include all those which are grounded upon danger to the institutions, to the good order, or the external safety of the intervening state. To some of these no objection can be offered. If a government is too weak to prevent actual attacks upon a neighbor by its subjects, if it foments revolution abroad, or if it threatens hostilities which may be averted by its overthrow, a menaced state may adopt such measures as are necessary to obtain substantial guaranties for its own security.
>
> The state which is subjected to intervention has either failed to satisfy its international duties or has intentionally violated them. It has done or permitted a wrong, to obtain redress for which the intervening state may make war if it choose. If war occurs, it may exact as one of the conditions of peace at the end that a government shall be installed which is able and willing to observe its international obligations, and if the intervening state may make war, a fortiori it may gain the same result in a milder way.

On February 15 the United States battle ship was destroyed by an explosion while lying in the harbor of Havana, on a friendly visit. This fact is emphasized, as our Government had previously asked if such visit would be acceptable to the Spanish Government. By this explosion the ship was destroyed and the lives of 2 officers and 264 American seamen were sacrificed. A court of inquiry was at once appointed, composed of naval officers of unusual ability and experience, and after a most thorough and careful investigation reported that the battle ship *Maine* was destroyed by an outside explosion from a sunken or floating mine.

While this court failed to report the actual responsibility, the facts show that Spain is respensible either directly or by criminal negligence for the loss of the ship. A vessel entering the harbor of Havana is under control of the authorities. An official pilot

takes charge and anchors the ship at the place designated by the officer of the port. The *Maine* was attached to a buoy not accustomed to be used, as set forth in the testimony. It is beyond credence that a private individual could obtain the material, construct a mine, or place it beneath a ship of war and explode it without the connivance of the Spanish authorities or such negligence of the usual vigilance of those in authority as to make them responsible to the Government to which said ship belonged for its loss.

The utter lack of zeal on the part of the authorities of Havana, with all the means at their command to ferret out and prosecute the perpetrators—the extraordinary fact remains that no effort was made, which indicated a conscious guilt on their part. Thus it stands, that our ship was in a harbor under the control of Spain. A war ship, next to an ambassador, is entitled to especial protection under international law, and the exclusive right to govern implies the responsibility to protect. Spain disclaims responsibility. It is our right to enforce it, by force of arms if necessary.

The relations of merchant vessels and ships of war with the "exterritoriality" of the latter are well defined by writers on international law, but no case of a treacherous attack on a ship of war in a friendly port has ever occurred, and such a probability was so far beyond the ken of possibility that no authority on the subject can be found. Of course, positive proof of hostile intent would be a casus belli, but lacking such the principle above stated must hold good.

Mr. Speaker, the gallant men who perished on the *Maine* did not die in vain. The same spark that lit the torpedo that sent those American seamen to the great hereafter lit the flame on the torch of Liberty for the Island of Cuba. That flame has cast its benignant rays across that benighted island. Those of the 260 that lie in peace in the cemetery of Havana will ever be a monument to those people for all ages to come of the glorious rights of self-government.

Those who were carried with friendly hands to rest in their native soil will forever stand as an example for our people of men who know how to do their duty and die in the service of the country, and those who sank beneath the waters of that supposed friendly harbor, though their graves will be unmarked, their names will ever live in the hearts and memories of their countrymen as examples of a sacrifice in order that human liberty may live.

The inhuman conduct on the part of Spain in subjugating Cuba during the insurrection from 1868 to 1878 is a matter of history, culminating, so far as our relations were concerned, in the illegal execution of fifty-three of the passengers and crew of the *Virginius*, some of which were American citizens, the method of execution of these latter being in contravention of the treaty of 1795 and of the Cushing protocol.

This is but another instance in the long catalogue of the defiance of the home Government by those intrusted with authority in Cuba, and adds another page to the dark history of bloody vengeance and cruel disregard of the rules of civilized war and of common humanity which the military and other officials in Cuba have but too frequently made part of the history of Spain's government of its colony.—*Secretary Fish to Minister Sickles*, November 12, 1873.

The course of Spain in her endeavor to suppress the present insurrection has been even more cruel, culminating in the terrible military order of General Weyler, driving the noncombatants from their homes in the country to the cities and there leaving them to starve until over 200,000 have died for want of food, as has been well authenticated by both Cuban and American testimony, including that of our own Senators and Representatives. This fact alone would justify our own or other civilized countries in intervention to stop such cruel warfare.

Calvo quotes Arntz:

When a government, acting entirely within the limit of its own sovereign rights, violates the rights of humanity, whether by measures contrary to the interests of other states or by an excess of injustice and cruelty which deeply wounds our customs and our civilization—

Arntz goes on to say—

the right of intervention is legitimate, because, however inviolable may be the rights of sovereignty and the independence of states, there is something more inviolable still, and that is the right of human society, which is not to be outraged. (Calvo, ed. 1896, pages 274, 275.)

Wheaton cites with approval the intervention of the Christian powers on behalf of Greece as—

A further illustration of the principles of international law authorizing such an interference, not only where the interests and safety of other powers are immediately affected by the internal transactions of a particular state, but where the general interests of humanity are infringed by the excesses of a barbarous and despotic government. These principles are fully recognized in the treaty for the pacification of Greece, concluded at London July 6, 1827, between France, Great Britain, and Russia. (Davis's Wheaton, page 113.)

Heffter gives as a third reason for intervention:

For the suppression of a civil war threatening the existence of one or more countries, or treasonable to the common interests and outraging the principles of humanity. (Le Droit In de l'Europe, Bergson, 1883, pages 108-114.)

Mr. Speaker, I desire to say a word now in direct answer to some of the propositions advanced by gentlemen on the other side. The gentleman from Texas says that he was glad that the Republican party was ready to act at last. I would have him know that more than two years ago a Republican Congress passed resolutions of belligerency and sent them to the Executive, a Democratic President, and he, spurning the expression of the American people, cast those resolutions into the wastebasket.

Mr. SULZER. Why did you not pass them over his veto?

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from New York?

Mr. ADAMS. No, sir; I have not time.

Mr. Speaker, I wish to reply to the remarks of the gentleman from Arkansas as to why we do not recognize the present legislative government of Cuba. Mr. Speaker, our country must proceed in order, under the rules of international law, if we wish to preserve our standing among the nations of the earth. Our President has pursued a consistent course. As soon as he entered the Executive chair he made propositions to Spain, all of which have been granted. He had not been in office sixty days until every American citizen, native born, or those bearing the official stamp of our courts, was set free to breathe that air of freedom which God meant we should enjoy.

The alleged Republic of Cuba has my sympathy. I believe that the men who have struggled so long to obtain their freedom are entitled to our sympathy, and, if possible, to our recognition. But they must first have a standing, such standing under international law as will justify the executive department of our Government in giving such recognition. The conditions now do not fulfill those obligations. It would be impossible for our Government to recognize the insurgents in Cuba. The very fact, if you wish to send an envoy there, you would have to send him by force through the Spanish lines, or you would have to land him on a beach, the same as the insurgents and filibusterers have to land their munitions in that country, is enough to show that they have not standing for recognition.

They have not that stable government which is entitled to recognition. They have not power to carry on civil government. They have no capital or permanently located seat of government. They have not a single port in their possession. They have not a single ship on the high seas. They have not a government under civil authority that can enforce its laws.

They are surrounded entirely by the Spanish army. And it is a principle of international law which will not be disputed by any man who knows anything on that subject that until the parent country has practically ceased to enforce its government against the rebellious subjects, no other nation can give the insurgents recognition as a government, because they do not have it as a matter of fact. No man can question that principle of international law. We have fully committed ourselves to it as a nation. No South American republic was recognized by us until years after Spain had yielded all active effort to put it down.

What is the condition in the Island of Cuba to-day? Spain has a large army there. She occupies every seaport. She is still endeavoring to enforce her authority over that island. For this reason the Executive of this country and the Republican members of the Foreign Affairs Committee can not bring themselves to falsify the diplomatic history of our country and place themselves in a position antagonistic to the recognized principles of international law, for the country that dares to do this puts itself beyond the pale of the great family of civilized nations.

Mr. Speaker, having thus stated some of the reasons which actuated the majority of the Foreign Affairs Committee in adopting the action embodied in the pending resolution, let me say a word in conclusion. We stand, as I believe, in one of the greatest and most momentous eras in the history of our country; and as an American Representative I want to make a strong appeal to the men of this House without respect to party. When the roll is called and the demand is made upon them to defend American honor and American rights, which have been assailed by the Spanish nation, I ask that one and all rise in their places and cast their votes to show the world, as we did a few weeks ago, that however we may differ upon matters of detail, we are Americans one and all and that politics cease at the seacoast. [Loud applause.]

The SPEAKER. The question is on the substitution of the resolution offered by the gentleman from Kentucky [Mr. BERRY] for the resolution reported by the Committee on Foreign Affairs.

Mr. BOUTELLE of Maine. I desire to ask the Chair whether it is in order now to present an amendment to the substitute?

The SPEAKER. It is not.

Mr. BOUTELLE of Maine. I desire to offer as an amendment—— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded. The question is on agreeing to the substitute.

Mr. BOUTELLE of Maine. I ask that I may have this proposed amendment reported to the House.

The SPEAKER proceeded to put the question on agreeing to the substitute.

Mr. BERRY and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 150, nays 190, answered "present" 2, not voting 13; as follows:

YEAS—150.

Adamson,	De Armond,	Lentz,	Robinson, Ind.
Allen,	De Graffenreid,	Lester,	Sayers,
Bailey,	De Vries,	Lewis, Ga.	Settle,
Baird,	Dinsmore,	Lewis, Wash.	Shafroth,
Ball,	Dockery,	Little,	Shuford,
Bankhead,	Dorr,	Lloyd,	Simpson,
Barlow,	Driggs,	Love,	Sims,
Bartlett,	Elliott,	McAleer,	Skinner,
Beach,	Ermentrout,	McClellan,	Slayden,
Bell,	Fitzgerald,	McCormick,	Smith, Ky.
Benner, Pa.	Fitzpatrick,	McCulloch,	Sparkman,
Benton,	Fleming,	McDowell,	Stallings,
Bland,	Fowler, N. C.	McMillin,	Stark,
Bodine,	Fox,	McRae,	Stephens, Tex.
Botkin,	Gaines,	Maddox,	Stokes,
Bradley,	Griffith,	Maguire,	Strait,
Brantley,	Griggs,	Mann,	Strowd, N. C.
Brenner, Ohio	Gunn,	Marshall,	Sullivan,
Broussard,	Handy,	Martin,	Sulzer,
Brucker,	Hartman,	Maxwell,	Sutherland,
Brundidge,	Hay,	Meekison,	Swanson,
Burke,	Henry, Miss.	Meyer, La.	Talbert,
Campbell,	Henry, Tex.	Miers, Ind.	Tate,
Carmack,	Hinrichsen,	Moon,	Taylor, Ala.
Castle,	Howard, Ala.	Newlands,	Terry,
Catchings,	Howard, Ga.	Norton, Ohio	Todd,
Clardy,	Hunter,	Norton, S. C.	Underwood,
Clark, Mo.	Jett,	Ogden,	Vandiver,
Clayton,	Jones, Va.	Osborne,	Vehslage,
Cochran, Mo.	Jones, Wash.	Otey,	Vincent,
Cooney,	Kelley,	Peters,	Wheeler, Ala.
Cooper, Tex.	King,	Pierce, Tenn.	Wheeler, Ky.
Cowherd,	Kitchin,	Rhea,	Williams, Miss.
Cox,	Kleberg,	Richardson,	Wilson,
Cranford,	Knowles,	Ridgely,	Young, Va.
Cummings,	Lamb,	Rixey,	Zenor.
Davey,	Lanham,	Robb,	
Davis,	Latimer,	Robertson, La.	

NAYS—190.

Acheson,	Davenport,	Joy,	Quigg,
Adams,	Davidson, Wis.	Kerr,	Ray,
Aldrich,	Davison, Ky.	Ketcham,	Reeves,
Alexander,	Dayton,	Kirkpatrick,	Robbins,
Arnold,	Dingley,	Knox,	Royse,
Babcock,	Dolliver,	Kulp,	Russell,
Baker, Md.	Dovener,	Lacey,	Sauerhering,
Barber,	Eddy,	Landis,	Shannon,
Barham,	Ellis,	Lawrence,	Shattuc,
Barney,	Evans,	Linney,	Shelden,
Barrett,	Faris,	Littauer,	Sherman,
Barrows,	Fenton,	Lorimer,	Showalter,
Bartholdt,	Fischer,	Loud,	Smith, Ill.
Belden,	Fletcher,	Loudenslager,	Smith, S. W.
Belford,	Foote,	Lovering,	Smith, Wm. Alden
Belknap,	Foss,	Low,	Snover,
Bennett,	Fowler, N. J.	Lybrand,	Southard,
Bingham,	Gardner,	McCall,	Southwick,
Bishop,	Gibson,	McDonald,	Spalding,
Booze,	Gillet, N. Y.	McEwan,	Sperry,
Boutell, Ill.	Gillett, Mass.	McIntire,	Sprague,
Boutelle, Me.	Graff,	Mahany,	Steele,
Brewster,	Griffin,	Mahon,	Stevens, Minn.
Bromwell,	Grosvenor,	Marsh,	Stewart, N. J.
Brown,	Grout,	Mercer,	Stewart, Wis.
Brownlow,	Grow,	Mesick,	Stone, C. W.
Brumm,	Hager,	Miller,	Strode, Nebr.
Bull,	Hamilton,	Mills,	Sturtevant,
Burleigh,	Harmer,	Minor,	Tawney,
Burton,	Hawley,	Mitchell,	Tayler, Ohio
Butler,	Heatwole,	Moody,	Thorp,
Cannon,	Hemenway,	Morris,	Tongue,
Capron,	Henderson,	Mudd,	Updegraff,
Chickering,	Henry, Conn.	Northway,	Van Voorhis,
Clark, Iowa	Henry, Ind.	Odell,	Wadsworth,
Clarke, N. H.	Hepburn,	Olmsted,	Walker, Mass.
Cochrane, N. Y.	Hicks,	Otjen,	Walker, Va.
Connell,	Hilborn,	Overstreet,	Wanger,
Connolly,	Hill,	Packer, Pa.	Ward,
Cooper, Wis.	Hooker,	Parker, N. J.	Warner,
Corliss,	Hopkins,	Payne,	Weaver,
Cousins,	Howe,	Pearce, Mo.	Weymouth,
Crump,	Howell,	Pearson,	White, Ill.
Crumpacker,	Hull,	Perkins,	Williams, Pa.
Curtis, Iowa	Hurley,	Pitney,	Yost,
Curtis, Kans.	Jenkins,	Powers,	Young, Pa.
Dalzell,	Johnson, Ind.	Prince,	
Danford,	Johnson, N. Dak.	Pugh,	

ANSWERED "PRESENT"—2.

Berry,	Brewer.

NOT VOTING—13.

Baker, Ill.	Colson,	McCleary	Wilber.
Broderick,	Greene,	Stone, W. A.	
Brosius,	Hitt,	Sulloway,	
Codding,	Livingston,	White, N. C.	

The SPEAKER directed the Clerk to recapitulate the vote, and it was accordingly recapitulated.

The following pairs were announced:

Mr. WILLIAM A. STONE with Mr. BAKER of Illinois.

Mr. HITT with Mr. BERRY.

Mr. CODDING with Mr. LIVINGSTON.

Mr. BERRY. Mr. Speaker, I voted "aye" on this question, but I am paired with the gentleman from Illinois [Mr. HITT] and will withdraw my vote and ask to be recorded as present.

The result of the vote was then announced as above recorded.

Mr. DINSMORE. Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DINSMORE. I would like to know if it would be in order now to move to recommit the resolution of the majority with instructions?

The SPEAKER. The Chair thinks it should come after the resolution is ordered to a third reading.

The question is on ordering the resolution to be engrossed and read a third time.

The resolution was ordered to be engrossed and read a third time.

Mr. DINSMORE. I desire to be recognized at the proper time for that motion.

The SPEAKER. The Chair would suggest to the gentleman from Pennsylvania that there is no title to the resolution. It is difficult to read by title when there is no title appended.

Mr. MCMILLIN. It is very hard to name it, Mr. Speaker. [Laughter.]

The SPEAKER. If the House will consider the third reading of the resolution as having been proceeded with, it can be offered at any time.

There was no objection.

Mr. DINSMORE. Now, Mr. Speaker, if in order, I desire to submit a motion to recommit with an amendment.

The SPEAKER. The Clerk will report the resolution proposed by the gentleman from Arkansas.

The Clerk read as follows:

Resolved, That the resolution reported from the Committee on Foreign Affairs be now recommitted to the Committee on Foreign Affairs with instructions to report the same back with the following amendment:

"*And be it resolved*, That the United States do hereby recognize the independence of the Cuban Republic."

[Applause on the Democratic side.]

Mr. BOUTELLE of Maine. I desire to amend the motion.

Mr. ADAMS. I move to lay that motion on the table.

Several MEMBERS. Oh, no! Let us have a vote on it.

Mr. ADAMS. I will withdraw that motion, Mr. Speaker, and ask the previous question on the motion to recommit.

Mr. CANNON. One moment. It seems to me that this may be subject to a point of order.

The SPEAKER. The gentleman from Pennsylvania demands the previous question.

Mr. BOUTELLE of Maine. I desire to amend the instructions.

Mr. QUIGG. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. QUIGG. Is it competent to move now to recommit with instructions, the instructions being precisely what the House has just voted down?

Mr. DINSMORE. It is not the same.

Mr. QUIGG. I submit that parliamentary inquiry and raise the question of order. This is a motion that the House has just disposed of.

Mr. RICHARDSON. The resolutions voted upon contain more than is embodied in this motion to recommit with instructions. Being less than the former, it is in order.

Mr. QUIGG. I ask a ruling of the Chair.

The SPEAKER. The Chair thinks that such a motion would be in order, because after the engrossment of the bill the House has a right to recommit with certain instructions, if it sees fit to do so.

Mr. BOUTELLE of Maine. Is it in order to move to amend the instructions?

The SPEAKER. Not unless the motion of the gentleman from Pennsylvania for the previous question is voted down.

The previous question was ordered.

The question recurred on the motion of Mr. DINSMORE to recommit the resolution to the Committee on Foreign Affairs with instructions.

Mr. DINSMORE. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 148, nays 191, answered "present" 1, not voting 15; as follows:

YEAS—148.

Adamson,	Bland,	Carmack,	Cranford,
Allen,	Bodine,	Castle,	Cummings,
Bailey,	Botkin,	Clardy,	Danford,
Baird,	Bradley,	Clark, Mo.	Davey,
Ball,	Brantley,	Clayton,	Davis,
Bankhead,	Brenner, Ohio	Cochran, Mo.	De Armond,
Barlow,	Brewer,	Connolly,	De Graffenreid,
Bartlett,	Broussard,	Cooney,	De Vries,
Beach,	Brucker,	Cooper, Tex.	Dinsmore,
Bell,	Brundidge,	Cooper, Wis.	Dockery,
Benner, Pa.	Burke,	Cowherd,	Driggs,
Benton,	Campbell,	Cox,	Elliott,

Ermentrout,	Knowles,	Newlands,	Stallings,
Fitzgerald,	Lamb,	Norton, Ohio	Stark,
Fitzpatrick,	Lanham,	Norton, S. C.	Stephens, Tex.
Fleming,	Lentz,	Ogden,	Stokes,
Fowler, N. C.	Lester,	Osborne,	Strait,
Fox,	Lewis, Ga.	Otey,	Strowd, N. C.
Gaines,	Lewis, Wash.	Peters,	Sullivan,
Griffith,	Little,	Pierce, Tenn.	Sulzer,
Griggs,	Lloyd,	Rhea,	Sutherland,
Gunn,	Love,	Richardson,	Swanson,
Handy,	McClellan,	Ridgely,	Talbert,
Hartman,	McCormick,	Rixey,	Tate,
Hay,	McCulloch,	Robb,	Taylor, Ala.
Henry, Miss.	McDowell,	Robertson, La.	Terry,
Henry, Tex.	McMillin,	Robinson, Ind.	Todd,
Hinrichsen,	McRae,	Sayers,	Underwood,
Howard, Ga.	Maddox,	Settle,	Vandiver,
Hunter,	Maguire,	Shafroth,	Vehslage,
Jett,	Marshall,	Shuford,	Vincent,
Jones, Va.	Martin,	Simpson,	Wheeler, Ala.
Jones, Wash.	Maxwell,	Sims,	Wheeler, Ky.
Kelley,	Meekison,	Skinner,	Williams, Miss.
King,	Meyer, La.	Slayden,	Wilson,
Kitchin,	Miers, Ind.	Smith, Ky.	Young, Va.
Kleberg,	Moon,	Sparkman,	Zenor.

NAYS—101.

Acheson,	Davison, Ky.	Ketcham,	Quigg,
Adams,	Dayton,	Kirkpatrick,	Ray,
Aldrich,	Dingley,	Knox,	Reeves,
Alexander,	Dolliver,	Kulp,	Robbins,
Arnold,	Dovener,	Lacey,	Royse,
Babcock,	Eddy,	Landis,	Russell,
Baker, Md.	Ellis,	Lawrence,	Sauerhering,
Barber,	Evans,	Linney,	Shannon,
Barham,	Faris,	Littauer,	Shattuc,
Barney,	Fenton,	Lorimer,	Shelden,
Barrows,	Fischer,	Loud,	Sherman,
Bartholdt,	Fletcher,	Loudenslager,	Showalter,
Belden,	Foote,	Lovering,	Smith, Ill.
Belford,	Foss,	Low,	Smith, S. W.
Belknap,	Fowler, N. J.	Lybrand,	Smith, Wm. Alden
Bennett,	Gardner,	McCall,	Snover,
Bingham,	Gibson,	McCleary,	Southard,
Bishop,	Gillet, N. Y.	McDonald,	Southwick,
Booze,	Gillett, Mass.	McEwan,	Spalding,
Boutell, Ill.	Graff,	McIntire,	Sperry.
Boutelle, Me.	Griffin,	Mahany,	Spragué,
Brewster,	Grout,	Mahon,	Steele,
Broderick,	Grosvenor,	Mann,	Stevens, Minn.
Bromwell,	Grow,	Marsh,	Stewart, N. J.
Brown,	Hager,	Mercer,	Stewart, Wis.
Brownlow,	Hamilton,	Mesick,	Stone, C. W.
Brumm,	Harmer,	Miller,	Strode, Nebr.
Bull,	Hawley,	Mills,	Sturtevant,
Burleigh,	Heatwole,	Minor,	Sulloway,
Burton,	Hemenway,	Mitchell,	Tawney,
Butler,	Henderson,	Moody,	Tayler, Ohio
Cannon,	Henry, Conn.	Morris,	Thorp,
Capron,	Henry, Ind.	Mudd,	Tongue,
Chickering,	Hepburn,	Northway,	Updegraff,
Clark, Iowa	Hicks,	Odell,	Van Voorhis,
Clarke, N. H.	Hilborn,	Olmsted,	Wadsworth,
Cochrane, N. Y.	Hill,	Otjen,	Walker, Mass.
Colson,	Hooker,	Overstreet,	Walker, Va.
Connell,	Hopkins,	Packer, Pa.	Wanger,
Corliss,	Howe,	Parker, N. J.	Ward,
Cousins,	Howell,	Payne,	Warner,
Crump,	Hull,	Pearce, Mo.	Weaver,
Crumpacker,	Hurley,	Pearson,	Weymouth,
Curtis, Iowa	Jenkins,	Perkins,	White, Ill.
Curtis, Kans.	Johnson, Ind.	Pitney,	Williams, Pa.
Dalzell,	Johnson, N. Dak	Powers,	Yost,
Davenport,	Joy,	Prince,	Young, Pa.
Davidson, Wis.	Kerr,	Pugh,	

ANSWERED "PRESENT"—1.

Berry.

NOT VOTING—15.

Baker, Ill.	Codding,	Howard, Ala.	Stone, W. A.
Barrett,	Dorr,	Latimer,	White, N. C.
Brosius,	Greene,	Livingston,	Wilber.
Catchings,	Hitt,	McAleer,	

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Mr. ADAMS. Mr. Speaker, I move the previous question on the adoption of the preamble.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the preamble.

Mr. McMILLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McMILLIN. Has the title, as prepared by the gentleman, been read?

The SPEAKER. It has not yet been read. It will be read in a moment.

Mr. McMILLIN. I demand the reading of the title.

The SPEAKER. If there be no objection the preamble will be agreed to, and the third reading of the joint resolution will now take place.

There was no objection.

The joint resolution was accordingly ordered to be engrossed and read a third time; and was read the third time, as follows:

Joint resolution authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein.

The SPEAKER. The question is on the passage.

Mr. HENDERSON. Mr. Speaker, on that I demand the yeas and nays.

Mr. ADAMS. I demand the yeas and nays on that.

Mr. McRAE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise.

Mr. McRAE. I want to suggest that the word "free" is used in the resolution and that that be substituted for the word "stable" in the title.

Mr. QUIGG. The word does not appear in that connection.

Mr. McRAE. It does in the body of the resolution.

Mr. HENDERSON. Is this on the preamble, Mr. Speaker?

The SPEAKER. Debate is not in order. The question is on the passage, and on this the gentleman from Pennsylvania demands the yeas and nays.

Mr. McMILLIN. Is this on the passage of the resolution or on the preamble?

Mr. ADAMS. On the resolution.

The SPEAKER. It is on the passage of the resolution and preamble. On this the gentleman from Pennsylvania demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 325, nays 19, answered "present" 1, not voting 12; as follows:

YEAS—325.

Acheson,	Davis,	Knox,	Robb,
Adams,	Davison, Ky.	Kulp,	Robbins,
Aldrich,	Dayton,	Lacey,	Robertson, La.
Alexander,	De Armond,	Lamb,	Robinson, Ind.
Allen,	De Graffenreid,	Landis,	Royse,
Arnold,	De Vries,	Lanham,	Russell,
Babcock,	Dingley,	Lawrence,	Sauerhering,
Bailey,	Dinsmore,	Lentz,	Sayers,
Baker, Md.	Dockery,	Lewis, Wash.	Settle,
Ball,	Dolliver,	Linney,	Shafroth,
Barber,	Dorr,	Littauer,	Shannon,
Barham,	Dovener,	Little,	Shattuc,
Barlow,	Driggs,	Lloyd,	Shelden,
Barney,	Eddy,	Lorimer,	Sherman,
Barrett,	Ellis,	Loudenslager,	Showalter,
Barrows,	Ermentrout,	Love,	Shuford,
Bartholdt,	Evans,	Lovering,	Sims,
Bartlett,	Faris,	Low,	Skinner,
Beach,	Fenton,	Lybrand,	Slayden,
Belden,	Fischer,	McAleer,	Smith, Ill.
Belford,	Fitzgerald,	McCall,	Smith, Ky.
Belknap,	Fitzpatrick,	McCleary,	Smith, S. W.
Bell,	Fleming,	McClellan,	Smith, Wm. Alden
Benner, Pa.	Fletcher,	McCormick,	Snover,
Bennett,	Foote,	McCulloch,	Southard,
Benton,	Foss,	McDonald,	Southwick,
Bingham,	Fowler, N. C.	McDowell,	Spalding,
Bishop,	Fowler, N. J.	McEwan,	Sparkman,
Bland,	Fox,	McIntire,	Sperry,
Bodine,	Gaines,	McMillin,	Sprague,
Booze,	Gardner,	McRae,	Stallings,
Botkin,	Gibson,	Maguire,	Stark,
Boutell, Ill.	Gillet, N. Y.	Mahany,	Steele,
Bradley,	Gillett, Mass.	Mahon,	Stephens, Tex.
Brenner, Ohio	Graff,	Mann,	Stevens, Minn.
Brewster,	Griffin,	Marsh,	Stewart, N. J.
Broderick,	Griffith,	Marshall,	Stewart, Wis.
Bromwell,	Grosvenor,	Martin,	Stokes,
Broussard,	Grout,	Maxwell,	Stone, C. W.
Brown,	Grow,	Meekison,	Strode, Nebr.
Brownlow,	Gunn,	Mercer,	Strowd, N. C.
Brucker,	Hager,	Mesick,	Sturtevant,
Brumm,	Hamilton,	Meyer, La.	Sullivan,
Brundidge,	Handy,	Miers, Ind.	Sulloway,
Bull,	Harmer,	Miller,	Sulzer,
Burke,	Hartman,	Mills,	Sutherland,
Burleigh,	Hawley,	Minor,	Swanson,
Burton,	Hay,	Mitchell,	Talbert,
Butler,	Heatwole,	Moody,	Tawney,
Campbell,	Hemenway,	Moon,	Tayler, Ohio
Cannon,	Henderson,	Morris,	Terry,
Capron,	Henry, Conn.	Mudd,	Thorp,
Carmack,	Henry, Ind.	Newlands,	Todd,
Castle,	Henry, Miss.	Northway,	Tongue,
Catchings,	Henry, Tex.	Norton, Ohio.	Underwood,
Chickering,	Hepburn,	Norton, S. C.	Updegraff,
Clardy,	Hicks,	Odell,	Vandiver,
Clark, Iowa	Hilborn,	Ogden,	Van Voorhis,
Clark, Mo.	Hill,	Olmsted,	Vehslage,
Clarke, N. H.	Hinrichsen,	Osborne,	Vincent,
Cochran, Mo.	Hooker,	Otey,	Wadsworth,
Cochrane, N. Y.	Hopkins,	Otjen,	Walker, Mass.
Colson,	Howard, Ala.	Overstreet,	Walker, Va.
Connell,	Howe,	Packer, Pa.	Wanger,
Connolly,	Howell,	Parker, N. J.	Ward,
Cooney,	Hull,	Payne,	Warner,
Cooper, Tex.	Hunter,	Pearce, Mo.	Weaver,
Cooper, Wis.	Hurley,	Pearson,	Weymouth,
Corliss,	Jenkins,	Perkins,	Wheeler, Ala.
Cousins,	Jett,	Peters,	Wheeler, Ky.
Cowherd,	Johnson, N. Dak.	Pierce, Tenn.	White, Ill.
Cranford,	Jones, Va.	Pitney,	Williams, Miss.
Crump,	Jones, Wash.	Powers,	Williams, Pa.
Crumpacker,	Joy,	Prince,	Wilson,
Cummings,	Kelley,	Pugh,	Yost,
Curtis, Iowa	Kerr,	Quigg,	Young, Pa.
Curtis, Kans.	Ketcham,	Ray,	Young, Va.
Dalzell,	King,	Reeves,	Zenor,
Danford,	Kirkpatrick,	Rhea,	The Speaker.
Davenport,	Kitchin,	Richardson,	
Davey,	Kleberg,	Ridgely,	
Davidson, Wis.	Knowles.	Rixey,	

NAYS—19.

Adamson,	Clayton,	Johnson, Ind.	Simpson,
Bankhead,	Cox,	Lester,	Strait,
Boutelle, Me.	Elliott,	Lewis, Ga.	Tate,
Brantley,	Griggs,	Loud,	Taylor, Ala.
Brewer,	Howard, Ga.	Maddox,	

ANSWERED "PRESENT"—1.

Berry.

NOT VOTING—11.

Baird,	Codding,	Latimer,	White, N. C.
Baker, Ill.	Greene,	Livingston,	Wilber.
Brosius,	Hitt,	Stone, W. A.	

So the joint resolution was passed.

Mr. ADAMS. Mr. Speaker, I wish to state that the gentleman from Illinois [Mr. HITT], chairman of the Committee on Foreign Affairs, is absent owing to sickness.

Mr. VANDIVER. Mr. Speaker, may I ask how I am recorded?

The SPEAKER. The gentleman is not recorded.

Mr. VANDIVER. I voted "yea."

The SPEAKER. The Clerk will call the name of the gentleman.

The name of Mr. VANDIVER was called, and he voted "yea."

The result of the vote was then announced as above recorded.

[Loud applause.]

Mr. ADAMS. I move to reconsider the vote by which the joint resolution was passed, and also move that that motion be laid on the table.

The SPEAKER. Without objection, the title will be considered as amended.

There was no objection.

Mr. HENDERSON. I move that the House do now adjourn.

Mr. ADAMS. I move that the House adjourn.

Mr. OGDEN. Mr. Speaker, I want to introduce some resolutions of thanks to General Lee and the consular force.

The SPEAKER. The gentleman from Pennsylvania moves that the House do now adjourn.

Mr. ADAMS. Before the announcement I will withhold the motion for a minute.

The SPEAKER. Pending the announcement, the gentleman yields to the gentleman from Indiana.

Mr. JOHNSON of Indiana. Mr. Speaker, I was very much surprised a bit ago to hear that it had been reported among gentlemen in the press gallery that in the course of my colloquy with the gentleman from Iowa [Mr. HENDERSON] this afternoon I had said that he was a moral and physical coward. I did not say anything of this kind to the gentleman from Iowa, nor had I any such thought in my breast. The facts are that while I was talking to him some individuals upon the right hissed me, and I turned to them and declared that they were physical and moral cowards.

I suppose in the confusion that prevailed my language was not properly caught by the gentlemen of the press. My colleagues who sat near me at the time will all attest that I am stating the incident exactly as it occurred. While I am perfectly willing to stand by what I did say, and have nothing whatever to retract, I do not wish it to go out that this denunciation of mine was directed at the gentleman from Iowa. It was not he who gave me the provocation, for he did not hiss me, and I would not have addressed such language to him for the world.

Mr. BAILEY. We were unable to hear what has been transpiring.

The SPEAKER. The gentleman from Indiana made a correction of something which he supposed had been heard amiss, misunderstood.

Mr. MCMILLIN. A parliamentary inquiry. There are two reports accompanying these resolutions. They will be printed, I presume?

The SPEAKER. They will be printed as a part of the RECORD, necessarily, as they were both read—one of them was read.

The Chair will lay before the House the following personal requests:

The Clerk read as follows:

Mr. DOCKERY asks leave to print remarks upon the joint resolution reported from the Committee on Foreign Affairs.

Mr. WHITE of North Carolina requests leave of absence for five days, on account of important business.

Mr. CURTIS of Iowa asks leave of absence for one week.

Mr. MCMILLIN. Mr. Speaker, I ask consent that all gentlemen be permitted to print remarks upon the resolutions passed.

The SPEAKER. Pending the request of Mr. DOCKERY, the gentleman from Tennessee asks unanimous consent that all gentlemen be permitted to print remarks.

Mr. HENDERSON. For five days.

Mr. MCMILLIN. For five days.

Mr. QUIGG. Mr. Speaker, I object. [Cries of "Oh, no!"]

The SPEAKER. The other requests will be considered as granted.

There was no objection.

Mr. WILLIAMS of Mississippi. What were the other requests?

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, a Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3684. An act for the relief of Joseph Tousaint, alias Touzen—to the Committee on Claims.

The motion to adjourn was then agreed to.

And accordingly (at 6 o'clock and 33 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred, as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for the navy-yard, Mare Island, for repairing and reconstructing buildings—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Navy submitting an estimate of deficiency in appropriation for printing and binding for the Navy Department—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XXIII, Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. Res. 230) authorizing the Librarian of Congress to accept the collection of engravings proposed to be donated to the Library of Congress by Mrs. Gertrude M. Hubbard, reported the same without amendment, accompanied by a report (No. 1068); which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HICKS, from the Committee on Patents, to which was referred the bill of the House (H. R. 6512) granting an extension of letters patent No. 20694 to Mary J. Day, inventor, reported the same without amendment, accompanied by a report (No. 1065); which said bill and report were referred to the Private Calendar.

Mr. MCEWAN, from the Committee on Claims, to which was referred the bill of the House (H. R. 1574) for the relief of the estate of Abel Adams, deceased, reported the same without amendment, accompanied by a report (No. 1066); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Claims, to which was referred the bill of the House (H. R. 887) for the relief of Nancy Susan Thompson, reported the same without amendment, accompanied by a report (No. 1067); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9831) granting a pension to Harriett S. Cady; and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BAKER of Maryland: A bill (H. R. 9839) for the establishment of Government protection over homing pigeons—to the Committee on Naval Affairs.

By Mr. BARRETT: A bill (H. R. 9840) to authorize the Secretary of the Navy to grant permission to the city of Chelsea, Mass., to erect a wall for the purpose of building a marine park—to the Committee on Naval Affairs.

By Mr. SULLIVAN: A bill (H. R. 9841) to prevent sleeping-car companies from letting down the upper berth when not in actual use—to the Committee on Railways and Canals.

By Mr. KNOX: A bill (H. R. 9842) prohibiting the legislatures of the Territories of the United States from creating new counties by special act, and for other purposes—to the Committee on the Territories.

By Mr. OGDEN: A concurrent resolution (House Con. Res. No. 29) thanking Gen. Fitzhugh Lee for his conduct as consul-general to Cuba—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BELKNAP: A bill (H. R. 9843) granting a pension to America Easton—to the Committee on Invalid Pensions.

By Mr. BROMWELL: A bill (H. R. 9844) granting a pension to Mary Brecount—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9845) granting a pension to Mary L. Kurtzer—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 9846) for the relief of John White—to the Committee on Invalid Pensions.

By Mr. DAVISON of Kentucky: A bill (H. R. 9847) for the benefit of Harrodsburg Presbyterian Church—to the Committee on War Claims.

By Mr. FITZPATRICK: A bill (H. R. 9848) for the relief of Andrew J. Stump—to the Committee on Military Affairs.

By Mr. GRIFFIN: A bill (H. R. 9849) to enable the President to restore Second Lieut. Henry Ossian Flipper, United States Army, to duty, his former rank, and status in the United States Army—to the Committee on Military Affairs.

By Mr. HOOKER: A bill (H. R. 9850) granting an increase of pension to Leander D. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9851) to remove the charge of desertion from the military record of Halsey Lindsey—to the Committee on Military Affairs.

Also, a bill (H. R. 9852) to remove the charge of desertion from the military record of George Maurer—to the Committee on Military Affairs.

Also, a bill (H. R. 9853) to remove the findings of a court-martial by which John B. Hare was discharged from the military service of the United States—to the Committee on Military Affairs.

By Mr. KULP: A bill (H. R. 9854) for the relief of John F. Campbell, of Shamokin, Pa.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9855) granting a pension to William Beckman, of Mount Carmel, Pa.—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 9856) for the relief of Anna Merkel—to the Committee on the District of Columbia.

By Mr. LENTZ: A bill (H. R. 9857) to increase the pension of Mrs. Martha A. Scureman—to the Committee on Invalid Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 9858) for the relief of Augustine Seizan, daughter of Pierre Seizan—to the Committee on War Claims.

By Mr. CHARLES W. STONE: A bill (H. R. 9859) granting a pension to Melissa A. McKissick—to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 9860) for the relief of William Campbell—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAIRD: Resolutions of the Sixteenth Annual Encampment of the Grand Army of the Republic, Department of Louisiana and Mississippi, favoring a national military park at Vicksburg, Miss.—to the Committee on Military Affairs.

Also, petition of 12 citizens of Melville, La., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT: Petition of the Woman's Club of Chelsea, Mass., in favor of raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

By Mr. BELL: Petition of the Congregational and Methodist Episcopal churches and Woman's Christian Temperance Union, of Fruita, Colo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Gunnison, Colo., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance unions of Gunnison and Fruita and Congregational and Methodist Episcopal churches of Fruita, Colo., for the passage of a bill forbidding the sale of liquor in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BROMWELL: Two petitions of citizens of Cincinnati, Ohio, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce of Cincinnati, Ohio, favoring vigorous action in the settlement of the Cuban question—to the Committee on Foreign Affairs.

By Mr. BURLEIGH: Petition of Evergreen Lodge, Independent Order of Good Templars, of Ripley, Me., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of Evergreen Lodge, Independent Order of Good Templars, of Ripley, Me., in favor of a bill prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CANNON: Petitions of the Woman's Christian Temperance Union of Clifton, Ill., for the passage of bills to protect State anti-cigarette laws, to forbid the interstate transmission of gambling matter by telegraph, and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Clifton, Ill., favoring the passage of a bill prohibiting the sale of intoxicating liquors in the Capitol building and grounds—to the Committee on Public Buildings and Grounds.

By Mr. CAPRON: Petition of the Congregational Church of Kingston, R. I., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Congregational Church of Kingston, R. I., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CARMACK: Petition of 11 citizens of Rossville, Tenn., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CRUMP: Petition of the Bay County Baptist Ministerial Association of Bay City, Mich., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, three petitions of citizens of Goodland, Imlay City, and Almont, Mich., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS of Kansas: Petitions of the Commercial Club, of Topeka, Kans., citizens of Burlingame, Scranton, and Augusta, Kans., in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Resolutions of the Monongahela Valley Ministerial Association of the African Methodist Episcopal Church, State of Pennsylvania, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. DAVEY: Resolutions of the Sixteenth Annual Encampment of the Grand Army of the Republic, Department of Louisiana and Mississippi, favoring the establishment of a national military park at Vicksburg, Miss.—to the Committee on Military Affairs.

By Mr. DINGLEY: Petition of the Woman's Christian Temperance Union of West Paris, Me., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. DOLLIVER: Petition of citizens of Fort Dodge, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. FISCHER: Three petitions of citizens of Brooklyn, N. Y., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany House bill No. 9524, for the relief of Thomas Fagan—to the Committee on Naval Affairs.

By Mr. FITZPATRICK: Paper to accompany House bill for correction of the military record of Harrison Robinson—to the Committee on Military Affairs.

Also, paper to accompany House bill in support of the claim of James Mitchell—to the Committee on Military Affairs.

Also, paper to accompany House bill relating to the military record of Andrew J. Stump—to the Committee on Military Affairs.

By Mr. FOSS: Papers to accompany House bill No. 9777, to increase the pension of Darwin Steen—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of F. A. Laidley, general manager Louisville and Cincinnati Packet Company, in support of House bill No. 9476, requiring owners of vessels to give bonds in certain cases—to the Committee on the Judiciary.

By Mr. GROUT: Petition of the Baptist Young People's Union of Wilmington, Vt., for the passage of a bill to prohibit the sale

of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance Union of Wilmington, Vt., Mrs. Mary S. Morgan, president, praying for the enactment of legislation to forbid the transmission of lottery messages by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. HOOKER: Petitions of the Methodist, Presbyterian, and Baptist churches of Angelica, Woman's Christian Temperance Union of South Dayton, and Young People's Society of Christian Endeavor of the Seventh-Day Baptist Church of Nile, in the State of New York, favoring the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Methodist, Baptist, and Presbyterian churches of Angelica, Young People's Society of Christian Endeavor of the Seventh-Day Baptist Church of Nile, Woman's Christian Temperance Union of South Dayton, and citizens of Portville, N. Y., against the sale of intoxicants in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. KULP: Letter of the commissioner of forestry of Pennsylvania, against House bill No. 8428, in reference to Executive order of February 22, 1897—to the Committee on Appropriations.

By Mr. LACEY: Memorial of the American Forestry Association, opposing the vacation of forest reservations—to the Committee on the Public Lands.

By Mr. LENTZ: Resolutions of Ben Butterfield Post, No. 77; John Rowler Post, No. 411; Ed Crouse Post, No. 737; Henry C. Burr Post, No. 711, and J. Kate Ruffner Post, No. 256, Department of Ohio, Grand Army of the Republic, favoring the establishment of a national military park at Vicksburg, Miss.—to the Committee on Military Affairs.

Also, paper to accompany House bill to increase the pension of Martha A. Scureman—to the Committee on Invalid Pensions.

By Mr. LOUD: Resolution of the Chamber of Commerce of San Francisco, Cal., sustaining the President in the Cuban policy—to the Committee on Foreign Affairs.

By Mr. LOVERING: Petitions of Old North Church and Young People's Society of Christian Endeavor, of Weymouth Heights, Mass., and Woman's Christian Temperance unions of Hull and Weymouth Heights, Mass., in favor of the passage of a bill to prohibit the sale of liquor in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Hull and Weymouth Heights, Mass., and Old North Church and Young People's Society of Christian Endeavor, of Weymouth Heights, in favor of the passage of bills to forbid the interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

By Mr. MERCER: Petitions of the Equal Suffrage Club of Table Rock, Nebr., for the passage of bills to protect State anti-cigarette laws, protesting against the interstate and mail circulation of descriptions of prize fights, against the reproduction of prize fights in the kinetoscope, etc., and to substitute voluntary arbitration for railway strikes—to the Committee on Interstate and Foreign Commerce.

By Mr. MEYER of Louisiana: Petition of owners, captains, and engineers of steamboats, tugs, barges, and sailing vessels navigating Lake Pontchartrain, Lake Maurepas, and Pass Manchac, Louisiana, for the removal of obstructions in the channel of each end of Pass Manchac and for the improvement of the channel—to the Committee on Rivers and Harbors.

By Mr. MOODY: Petition of the Christian Endeavor Society of the First Congregational Church of Rockport, Mass., for the passage of a bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. OTJEN: Petitions of the Pilgrim Congregational Church, Oakland Avenue Methodist Episcopal Church, Christian Endeavor Society, and Woman's Christian Temperance Union, of Milwaukee, Wis., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Oakland Avenue Methodist Episcopal Church and Pilgrim Congregational Church, of Milwaukee, Wis., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. REED: Petition of the Woman's Christian Temperance Union, the Universalist, Congregational, and Methodist churches, of Bridgton, Me., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. ROBBINS: Petitions of the First Presbyterian Church of Kittanning, Pa., and the Woman's Christian Temperance Union of Armstrong County, Pa., asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia, to protect State anti-cigarette laws, and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the First Presbyterian Church of Kittanning, Pa., and the Woman's Christian Temperance Union of Armstrong County, Pa., for the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. RUSSELL: Petitions of the First Church of Christ, of Groton, Conn., and Second Baptist Church of Woodstock, Conn., to forbid the transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the First Church of Christ, of Groton, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH: Petitions of citizens of Georgetown, Idaho Springs, and Black Hawk, Colo., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petitions of F. N. Haines and 31 others, Upland, Ind.; T. F. Riley and 9 others, Greenwood, S. C.; Thomas Bibb and 14 others, Seneca, S. C.; B. I. Woodside and 25 others, Pelzer, S. C.; W. P. Anderson and 18 others, Westminster, S. C.; E. C. Candler, sr., and 32 others, Iuka, Miss.; B. F. Batts and 4 others, Stoneville, Miss.; F. J. Mancill and 21 others, Maben, Miss.; J. W. Williams and 24 others, Iuka, Miss.; ex-Senator B. H. Brown and 9 others, Forsyth, Ga.; Mayor W. D. Hawkins and 10 others, Flowery Branch, Ga.; B. F. Mason and 39 others, McRae, Ga.; James H. Ruff and 9 others, Nickajack, Ga.; W. M. Tolley and 11 others, Villa Rica, Ga.; Mayor E. I. Smith and 14 others, Athens, Ga.; L. P. Patello and 7 others, Buford, Ga.; W. L. Tucker and 13 others, Tinneywood, Va.; J. W. Roberts and 7 others, Newmarket, Va.; L. D. Winston and 17 others, Winston, Va.; J. E. Redd and 9 others, Sutherlin, Va.; G. S. Hodnett and 25 others, Whittles, Va.; Westwood Hutchinson and 19 others, Manassas, Va.; S. S. Bradford and 5 others, Inlet, Va.; E. H. Coleman and 6 others, Amelia, Va.; Wood Stockton and 11 others, Rio, Va.; Henry Wood, jr., and 32 others, Clarksville, Va.; D. D. Roszell, Marshall, Va.; J. F. Smith and 9 others, Ooltewah, Tenn.; A. W. Marshall and 29 others, Apison Tenn.; M. F. McGuire and 32 others, Whitepine, Tenn.; F. M. Jones and 9 others, Tyner, Tenn.; W. D. Post and 7 others, Newcomb, Tenn.; J. F. Day and 19 others, Russellville, Tenn.; J. B. Hunsman and 8 others, Mohawk, Tenn.; Ben Lindauer and 75 others, Nashville, Tenn.; John E. Cozins and 40 others, Lexington, Ky.; F. R. Feland and 9 others, Lawrenceburg, Ky.; George W. Rucker and 23 others, Hempridge, Ky.; J. H. McCampbell and 14 others, Waddy, Ky.; S. Smith and 151 others, Mansfield, Ky.; J. H. Shallenberger and 21 others, Collinsville, Ohio; J. R. Pratt and 9 others, Calera, Ala.; W. A. Given and 31 others, Gurley, Ala.; J. H. Jones and 44 others, Irondale, Ala.; J. H. Wheeler and 35 others, Patton Junction, Ala.; Robert Williamson and 7 others, Cardiff, Ala.; Mayor J. M. Lowe and 14 others, Paintrock, Ala.; J. E. Barnes and 15 others, Plantersville, Ala.; Robert C. Robertson and 20 others, Fayette, Ala.; Judge J. E. Camp and 13 others, Talladega, Ala.; W. A. Davis and 9 others, Anniston, Ala.; Boyce Broadus and 34 others, Tuscumbia, Ala.; J. B. Elliott and 39 others, Leeds, Ala.; C. P. Evens and 20 others, Iron City, Ala.; William Clubb and 13 others, Sandy Bottom, N. C.; L. L. Jenkins and 31 others, Gastonia, N. C.; Maj. D. A. Blackwell and 11 others, Alexander, N. C.; J. A. Kelly and 10 others, Mocksville, N. C.; S. R. Horne and 31 others, Morrisville, N. C.; S. M. King, jr., and 11 others, Flatrock, N. C.; H. C. Cowan and 16 others, Jackson, N. C.; A. M. Stoner and 12 others, Dillsboro, N. C.; C. W. Reech and 19 others, Newells, N. C.; W. B. Fortune and 9 others, Swannanoa, N. C.; J. W. C. Long and 17 others, Statesville, N. C.; Rev. J. P. Miller and 43 others, China Grove, N. C.; Sheriff W. C. Robertson and 22 others, Saluda, N. C.; W. H. Morrow and 12 others, Claremont, N. C.; Thomas L. Green and 11 others, Waynesville, N. C.; John E. Hurst & Co. and 31 others Baltimore, Md., favoring the passage of House bill 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SLAYDEN: Petition of E. B. Stroud and 5 citizens of Langtry, Tex., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SNOVER: Petition of the Woman's Christian Temperance Union of Ubly, Mich., in favor of the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STARK: Petitions of the Methodist Episcopal Church of Pleasant Dale, Nebr., praying for the enactment of legislation to forbid the transmission of lottery messages by telegraph and to

protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Pleasant Dale, Nebr., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Pleasant Dale, Nebr., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: Six petitions of citizens of Abilene, Santo, Strawn, Putnam, Allamoore, and Vanhorn, Texas, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SUTHERLAND: Papers to accompany House bill for the relief of William Campbell—to the Committee on Invalid Pensions.

Also, petitions of the First Congregational Church of Indianola, Nebr., for the passage of bills to forbid the interstate transmission of gambling matter by telegraph and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petition of the First Congregational Church of Indianola, Nebr., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. VEHSLAGE: Three petitions of 18 citizens of New York City, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: Petitions of the Woman's Christian Temperance Union of Carversville, Bucks County, Pa., praying for the enactment of legislation to forbid the transmission of lottery messages by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Carversville, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

SENATE.

THURSDAY, *April 14, 1898.*

The Chaplain, Rev. W. H. MILBURN, D. D., offered the following prayer:

O Lord God, we come into Thy presence with a hymn of thanksgiving, while we celebrate the eighty-eighth birthday of our patriarch, the father of both ends of the Capitol, beloved and revered by all his colleagues, and throughout his native State and our whole country. We praise Thee for this noble life, a life of honorable devotion to the interests of the country through more than forty years, a life of patriotic and patriarchal devotion, simplicity, and nobleness.

We also bless Thee for the recovery to health of his beloved wife, and devoutly pray that they may be spared to us through yet other years to celebrate this natal day. God bless, comfort, cheer, and uphold them, keeping them as an example to us all.

We pray, O Lord, that Thou wilt likewise bless Thy servants, the President and Vice-President of the United States, the members of both Houses of Congress, our Army and Navy, and the whole land. Let the blessing of the Lord God rest upon us, and may Thy providence be our guide and our defense. We humbly ask, through Jesus Christ our Saviour. Amen.

Mr. GALLINGER. Mr. President, I ask unanimous consent that the prayer of the Chaplain this morning be inserted in the RECORD.

The VICE-PRESIDENT. Is there any objection? The Chair hears none, and the order will be made. The Secretary will read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

NAVAL HOSPITAL, MARE ISLAND.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting an estimate of appropriation, $100,000, for the naval hospital, Mare Island, Cal., recently destroyed by the earthquake of March 30, 1898; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 1004) for the relief of Theodore F. Swayze, administrator de bonis non of the estate of John S. P. Wheeler, deceased;

A bill (H. R. 1287) for the relief of Dr. John R. Hall, of Louisville, Ky.;

A bill (H. R. 5070) for the relief of the widow of Lieut. John F. Stewart;

A bill (H. R. 9552) permitting the building of a dam across Rainy Lake River;

A joint resolution (H, Res. 116) authorizing the Secretary of War to make a survey of the West Fork River, West Virginia, and prepare estimates of the cost thereof;

A joint resolution (H. Res. 149) directing the Secretary of War to submit plans and estimates for the proposed improvement of Hillsboro Bay, Florida, from its confluence with Tampa Bay, through Hillsboro Bay and River, to the city of Tampa; and

A joint resolution (H. Res. 233) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein.

The message also announced that the House had passed a concurrent resolution directing the Secretary of War to prepare and submit more complete plans and estimates for the improvement of the Big Sandy and the Tug and Louisa forks of the same, in Kentucky and West Virginia, etc.; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the legislature of the State of Ohio, praying for the enactment of legislation to prevent the use of the national flag by private enterprises for advertising purposes; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

House joint resolution No. 42.

Joint resolution memorializing the Congress of the United States to enact laws to prevent the use of the flag by private enterprises for advertising purposes.

Whereas it is a fact notoriously patent to every patriotic observer that the flag of the Union is employed as a means of attracting attention to private enterprises by using it in connection with advertisements of various articles of merchandise, and for other purposes inconsistent with the spirit which prompted the adoption of our national emblem, and believing that such base uses have a tendency to destroy the respect and veneration in which the Stars and Stripes should be held by all loyal citizens: Therefore be it

Resolved by the general assembly of the State of Ohio, That the Congress of the United States be, and hereby is, memorialized to enact such laws as will effectually prevent the use of the flag for advertising private enterprises, or to further the selfish interests of any class of citizens as against the interests of the whole people; and be it further

Resolved, That the governor is hereby requested to forward to both branches of Congress certified copies of this resolution.

HARRY C. MASON,
Speaker of the House of Representatives.
THADDEUS E. CROMLEY,
President pro tempore of the Senate.

Adopted April 8, 1898.

UNITED STATES OF AMERICA, OHIO,
Office of the Secretary of State.

I, Charles Kinney, secretary of state of the State of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original rolls now on file in this office, and in my official custody as secretary of state, as required by the laws of the State of Ohio, of an act passed by the general assembly of the State of Ohio on the 8th day of April, A. D. 1898.

In testimony whereof I have hereunto subscribed my name and affixed my official seal, at Columbus, this 11th day of April, A. D. 1898.

[SEAL.] CHARLES KINNEY,
Secretary of State.

Pursuant to the request of the general assembly of Ohio, I herewith transmit the accompanying resolution for the consideration of Congress.

ASA S. BUSHNELL,
Governor of Ohio.

Mr. LODGE presented a petition of the Woman's Christian Temperance Union of Dorchester, Mass., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Dorchester, Mass., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of Tri-Mountain Lodge, No. 486, Brotherhood of Railroad Trainmen, of Boston, Mass., praying for the passage of the so-called eight-hour bill, the prison-labor bill, the anti-injunction bill, and the bill for the relief of American seamen; which was referred to the Committee on Education and Labor.

He also presented petitions of the Woman's Christian Temperance unions of Dorchester and Fall River and of the congregations of St. Paul's Methodist Episcopal Church, the Quarry Street Methodist Episcopal Church, the First Christian Church, the Second Primitive Methodist Church, the Third Primitive Methodist Church, the Advent Christian Church, and the Preparative Meeting of Friends, all of Fall River, in the State of Massachusetts, praying for the enactment of legislation to protect State

anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. GEAR presented a petition of the congregation of the Methodist Episcopal Church of Fairfax, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Methodist Episcopal Church of Fairfax, Iowa, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Wisner Post, No. 127, Department of Iowa, Grand Army of the Republic, approving the action of the President in regard to the trouble with Spain and requesting the Senators and Representatives from that State to give him all the aid in their power; which were ordered to lie on the table.

Mr. MILLS presented a petition of sundry citizens of Village Mills, Tex., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. PENROSE. I present a telegram in the nature of a petition addressed to me in regard to the Cuban situation, which I ask to have read. It is only two lines long.

There being no objection, the petition was read, and ordered to lie on the table, as follows:

[Telegram.]

PHILADELPHIA, PA., *April 11, 1898.*

BOIES PENROSE, *Senate:*

House resolution dishwater; Davis resolution satisfactory; remember the *Maine.*

T. JAY TOMLINSON.

Mr. PENROSE presented a resolution adopted by the Northeast Representatives' Association, Junior Order United American Mechanics, of Philadelphia, Pa., favoring the recognition of the independence of Cuba, demanding from Spain such reparation as is proper to atone for the insult to our honor and murder of our fellow-citizens and the destruction of our property, and pledging their support to the President and Congress in any action they may take for the freedom of Cuba and the preservation of our national honor; which was ordered to lie on the table.

Mr. TURPIE presented resolutions adopted by the Board of Trade of Indianapolis, Ind., favoring the patriotic and conservative course of the Administration in dealing with the Cuban question and the affairs resulting from the destruction of the battle ship *Maine;* which were ordered to lie on the table.

He also presented a petition of sundry citizens of Millville, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. SMITH presented resolutions adopted by the board of directors of the Prudential Insurance Company of America, of Newark, N. J., favoring the attitude of the President in regard to the trouble with Spain and pledging their support in the event of war with that country; which were ordered to lie on the table.

Mr. MORRILL presented a petition of the Woman's Christian Temperance Union of Irasburg, Vt., and a petition of the congregation of the Center Methodist Episcopal Church of Underhill, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Irasburg, Vt., and a petition of the Center Methodist Episcopal Church of Underhill, Vt., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Irasburg, Vt., and a petition of the Center Methodist Episcopal Church of Underhill, Vt., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. PETTIGREW presented a petition of the Young People's Society of Christian Endeavor of Clinton, Mich., and a petition of the Epworth League, the congregations of the Methodist Episcopal Church, the Baptist Church, and the Congregational Church, the Baptist Young People's Union, and the Anti-Saloon League, of Clinton, Mich., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. BATE presented sundry petitions of citizens of Nashville, Tenn., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

Mr. HOAR presented a petition of Taunton Lodge, No. 474, of Taunton, Mass., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. WARREN presented petitions of the Grand Lodge of Wyoming, Knights of Pythias, of Buffalo; of Rawlins Lodge, No. 4, Knights of Pythias, of Rawlins; of Lander Lodge, No. 10, Knights of Pythias, of Lander; of Cheyenne Lodge, No. 2, Knights of Pythias, of Cheyenne, and of Sweet Water Lodge, No. 6, Knights of Pythias, of Rock Springs, all in the State of Wyoming, praying for the enactment of legislation authorizing the Supreme Lodge of the Knights of Pythias to erect and maintain a sanitarium and bath house on the Government reservation at the city of Hot Springs, Ark.; which were ordered to lie on the table.

He also presented a petition of Cheyenne Division, No. 128, Order of Railway Conductors, of Cheyenne, Wyo., and a petition of Black Hills Lodge, No. 86, Brotherhood of Locomotive Firemen, of Laramie, Wyo., praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented a petition of R. W. Baxter, jr., Lodge, No. 67, Brotherhood of Railroad Trainmen, of Laramie, Wyo., praying for the enactment of legislation to substitute voluntary arbitration for railway strikes; which was referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented a petition of the Grace Methodist Episcopal Church, of Hartford City, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bedford, Ind., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Methodist Episcopal Church of Bedford, Ind., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. HAWLEY presented a petition of the congregation of the Second Baptist Church of Danbury, Conn., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which was ordered to lie on the table.

He also presented a petition of the congregation of the Second Baptist Church of Danbury, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the congregation of the Second Baptist Church of Danbury, Conn., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. CHANDLER presented a petition of the Woman's Christian Temperance Union of Hinsdale, N. H., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Hinsdale, N. H., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Hinsdale, N. H., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

WILKINSON CALL.

Mr. CHANDLER. The memorial of Wilkinson Call, for eighteen years a Senator from the State of Florida, and of some members of the Florida legislature, relating to the election of a Senator for the term commencing March 4, 1897, which was laid before the Senate by the Vice-President on the 7th of March, was referred to the Committee on Privileges and Elections, and it has not been printed. I move that the memorial be printed for the use of the Senate, together with a letter of Wilkinson Call to the people of Florida.

The motion was agreed to.

GOVERNMENT OF THE DISTRICT OF COLUMBIA.

Mr. McMILLAN. I present certain papers relating to the various forms of local government in the District of Columbia, which I move be printed as a document. I also move that 500 copies in addition to the usual number be printed and bound in paper for the use of the committee.

The motion was agreed to.

THE NAVIGATION LAWS.

Mr. HALE. I present a statement, in the nature of a memorial, from the National Civic Club, calling attention to the necessity of an amendment or repeal of the navigation laws in case of war. I ask that it be read.

The VICE-PRESIDENT. In the absence of objection, the Secretary will read the memorial.

The Secretary read as follows:

The National Civic Club of Brooklyn, N. Y., respectfully calls the attention of the Administration to one phase of the Cuban situation which has apparently been forgotten in the event of war with Spain. The United States may capture Cuba and annihilate the sea forces of the enemy, but that will not prevent Spain from harassing our coasting vessels for years to come. The moment war is declared every merchant vessel of Spain will be placed under the French flag and will remain secure from attack. Nothing but the repeal of the present navigation laws can place us upon an equal footing. This club therefore respectfully represents that Congress should not adjourn without repealing the laws that would prevent our ships from sailing under a foreign flag during the pending war.

THE NATIONAL CIVIC CLUB,
F. W. HINRICHS, *President*.

Mr. HALE. Mr. President, the memorial raises a very serious question, which should be carefully considered by a competent committee. Whether the remedy suggested is the true one the committee can judge upon and decide. That it would be mortifying and humiliating that every American merchant ship upon the ocean should be obliged to strike its flag and go under the flag of a foreign nation no one can dispute, but that grave danger would beset every ship of ours upon the sea in case of war no one can deny. It is one of the lamentable conditions which war brings. I ask that the memorial be referred to the Committee on Commerce, and I hope that committee will give it most careful and prudent consideration.

The VICE-PRESIDENT. The memorial will be referred to the Committee on Commerce and printed as a document.

REPORTS OF COMMITTEES.

Mr. CARTER, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 70) authorizing the Secretary of War to exchange Springfield breech-loading rifles, caliber .45, of late model, now stored in any of the United States arsenals, for the Springfield breech-loading rifles, calibers .45 and .50, now in possession of the State of Illinois, submitted an adverse report thereon, which was agreed to; and the joint resolution was postponed indefinitely.

Mr. McLAURIN, from the Committee on Claims, to whom was referred the bill (S. 3187) for the relief of the widow and heirs of Samuel Kramer, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Military Affairs, to whom was referred the bill (S. 3323) to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell on the retired list of enlisted men of the Army, reported it with amendments, and submitted a report thereon.

AFFAIRS IN CUBA.

Mr. LODGE, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Ordered, That 2,000 additional copies of Senate Report No. 885, relating to affairs in Cuba, be printed for the use of the Senate.

STATISTICS OF LAKE COMMERCE.

Mr. LODGE, from the Committee on Printing, to whom was referred the following resolution of the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed by the Public Printer 10,000 copies of House Document No. 277, Fifty-fifth Congress, second session, entitled Statistics of Lake Commerce; 4,000 copies for the use of the House, 2,000 copies for the Senate, and 4,000 copies for the use of the Treasury Department.

BEET-SUGAR INDUSTRY.

Mr. LODGE. From the Committee on Printing I report back with an amendment the joint resolution (S. R. 148) providing for the printing of House Document No. 396, for the use of the Department of Agriculture. I ask for its present consideration.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. GEAR. I do not object, but I wish to suggest an amendment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. GEAR. I move to amend the joint resolution by providing that there shall be 40,000 additional copies printed for the use of the House and Senate. It is a very valuable document.

Mr. COCKRELL. I should like to ask the Senator who reported the joint resolution if the printing is asked for by the Secretary of Agriculture?

Mr. LODGE. It is. I have his letter here. If the Senator from Missouri desires to have it read, I will have it read.

Mr. COCKRELL. Let the letter be read.

Mr. LODGE. I send the letter from the Secretary of Agriculture to the desk and ask that it be read.

The Secretary read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., April 11, 1898.

SIR: There is now being printed under an order of March 31 ultimo, as House Document 396, a special report on the beet-sugar industry in the United States. This order, I understand, carries only the usual number. I beg to call your attention to the urgent necessity which exists for a supply of this report adequate to meet the extraordinary demand therefor which its publication is sure to create. In fact, since the same was ordered printed I am in receipt daily of earnest applications for copies from parties to whom it is extremely desirable, in the interest of this great industry, that the information contained in this report be communicated.

The resumption by this Department of active efforts for the development of this industry in the United States has been universally commended, and I am extremely desirous that no suspension of these active efforts, such as would be entailed by my inability to supply this report to the proper parties, should occur. Under the embarrassing restrictions as to size of editions of certain publications under the law of January 12, 1895, my requisition upon the Public Printer for copies of this report could not carry over a thousand copies. I must, therefore, apply to your committee for authorization by joint resolution for the publication and assignment to this Department for distribution of not less than 20,000 copies, an edition which I believe to be amply justified by the extreme importance of the subject-matter.

I have addressed a communication similar to this to the chairman of the House Committee on Agriculture.

Very respectfully,
JAMES WILSON,
Secretary.

Hon. REDFIELD PROCTOR,
Chairman Committee on Agriculture, United States Senate.

Mr. LODGE. There is an amendment reported from the committee.

The VICE-PRESIDENT. The Secretary will read the amendment.

The SECRETARY. In line 3 strike out "40,000" and insert in lieu thereof "60,000;" and after the words "United States," in line 6, insert "27,000 copies for the use of the House of Representatives, 13,000 copies for the use of the Senate, and 20,000 copies;" so as to make the joint resolution read:

Resolved by the Senate and House of Representatives, etc., That there be printed 60,000 copies of House Document No. 396, Fifty-fifth Congress, being a special report on the beet-sugar industry in the United States, 27,000 copies for the use of the House of Representatives, 13,000 copies for the use of the Senate, and 20,000 copies for the use of the Department of Agriculture.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Committee on Printing.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution providing for the printing of House Document No. 396, relating to the beet-sugar industry in the United States."

BILLS INTRODUCED.

Mr. PRITCHARD introduced a bill (S. 4412) to correct the military record of Thomas O. Pritchard; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CHANDLER introduced a bill (S. 4413) for the proper control and regulation of corporations engaged in the transportation of persons and property by railroads between the several States, and for establishing just and reasonable prices for such transportation; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CULLOM introduced a bill (S. 4414) granting a pension to Georgia H. Berry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 4415) to incorporate the Society of American Florists and Ornamental Horticulturists; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. CHANDLER submitted an amendment relative to the purchase of a limited number of copies of General Orders and Circulars of the Navy Department, 1887–1897, inclusive, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

BIG SANDY RIVER, IN KENTUCKY AND WEST VIRGINIA.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was read:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and directed to prepare and submit more complete plans and estimates for the improvement of the Big Sandy, and the Tug and Louisa forks of same, in Kentucky and West Virginia, with probable cost of same if placed under the continuing-contract system.

Mr. LINDSAY. I ask unanimous consent for the present consideration of the concurrent resolution.

The concurrent resolution was considered by unanimous consent, and agreed to.

HOUSE BILLS REFERRED.

The following bill and joint resolutions were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 9552) permitting the building of a dam across Rainy Lake River;

A joint resolution (H. Res. 116) authorizing the Secretary of War to make a survey of the West Fork River, West Virginia, and prepare estimates of the cost thereof; and

A joint resolution (H. Res. 149) directing the Secretary of War to submit plans and estimates for the proposed improvement of Hillsboro Bay, Florida, from its confluence with Tampa Bay, through Hillsboro Bay and River to the city of Tampa.

The bill (H. R. 1004) for the relief of Theodore F. Swayze, administrator de bonis non of the estate of John S. P. Wheeler, deceased, was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 1287) for the relief of Dr. John R. Hall, of Louisville, Ky., was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 5070) for the relief of the widow of Lieut. John F. Stewart was read twice by its title, and referred to the Committee on Military Affairs.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had, on the 13th instant, approved and signed the following acts:

An act (S. 73) granting a pension to William L. Grigsby, of Belvidere, in the county of Thayer, Nebr.;

An act (S. 178) granting a pension to Susan A. Paddock;

An act (S. 431) granting a pension to Ann M. Madden;

An act (S. 655) granting a pension to Harriet R. Matlack;

An act (S. 1181) to increase the pension of Anna E. Botsford, widow of Eli W. Botsford, late major of Sixteenth Regiment Ohio Volunteers;

An act (S. 1825) granting an increase of pension to Robert P. Wild;

An act (S. 2299) granting a pension to Caroline A. Slocum; and

An act (S. 3178) granting a pension to Olevia S. Washburn.

INTERVENTION IN CUBAN AFFAIRS.

The VICE-PRESIDENT. The morning business appears to be closed.

Mr. DAVIS. I move that the Senate proceed to the consideration of Senate joint resolution 149.

The VICE-PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Mr. HOAR. Mr. President——

Mr. WILSON. Mr. President, I rise to a question of order. We are exceedingly anxious to hear the honorable Senator from Massachusetts, and I should like to have order enforced in the rear of the Chamber. It is next to impossible to hear anything at this distance from the Chair.

Mr. TURNER. Mr. President——

Mr. HOAR. If the Senator from Washington will be kind enough to allow me to make a statement, I desire to take the floor upon the pending resolution and to speak to it. The discussion so far has been by unanimous consent, without anything before the Senate. I am told that in my absence last night the Senator from Washington [Mr. TURNER] rose and addressed the Chair, there then being nothing before the Senate, and being inquired of whether he would prefer to go on last night or to-day, he answered that he would prefer to go on to-day.

Under those circumstances, if the Senator from Washington wishes to go on now, I do not desire to interfere with him and will give way, with the understanding that I can be recognized when he is finished. If that is the desire of the Senator from Washington, I will yield to it.

Mr. GRAY. I was present last night at the adjournment. When we adjourned, the Senator from Washington had the floor, and by the universal custom of the Senate when the same order of business comes up again to-day, he still has the floor. I do not believe that it is within the power of the Senator from Massachusetts and the Senator from Washington to make an agreement as to the Senator who shall have the floor at the conclusion of the speech of the Senator from Washington.

Mr. HOAR. There was no order of business at all then before the Senate. But I wish to do exactly what the Senator from Washington desires. If he desires to go on, I do not desire to do so. If he desires not to go on, I desire to go on.

The VICE-PRESIDENT. The Senator from Washington can answer the Senator from Massachusetts.

Mr. TURNER. It would be my disposition to yield in any mere question of precedence between the Senator from Massachusetts and myself to that Senator because of his eminence and his long and distinguished career in the Senate.

Mr. HOAR. I beg the Senator to understand that there is no such question involved. If the Senator desires to go on, I do not desire to go on.

Mr. TURNER. I desire to go on at the appropriate time.

Mr. HOAR. Very well, then; that is all.

The VICE-PRESIDENT. The Senator from Washington will proceed.

Mr. TURNER. Mr. President, I shall give my support to the resolutions reported by the Committee on Foreign Relations, but with the amendment, I hope, if the Senate shall see fit to vote it, offered by the minority of that committee, and I need no further justification for my action, nor does any Senator, than the magnificent state paper prepared by the committee and presented by it to the Senate along with its resolution. That paper meets in admirable temper and style every argument and suggestion and recommendation contained in the President's message of the 11th instant, looking to further irresolution and indecision, and overrules them all.

But there are certain phases of that message and of the remarkable series of incidents leading up to it, all of them connected with it and throwing light on it, which the committee as an official organ of this body could not, if it would, present to the country, and which other Senators who may address themselves to the resolutions under consideration may not feel disposed to present, to which I propose principally to address myself on this occasion.

I think it is important that some one should do so because the same malevolent influences which have hitherto and for so long paralyzed the arm of the Government, bringing to it a condition of impotence requiring Congressional action to relieve, and harassing the patriotic spirit of the people almost beyond the point of endurance, and which all had hoped was at last ended, is still alive and active and striving to minimize the action of Congress to a point which shall emasculate it of all force and effect and bring it at least in apparent accord with the lame, halting, and impotent course which has heretofore governed the action of the executive department of the Government. If that attempt shall succeed, then I for one desire, and so far as my poor abilities will permit, intend that the people of this country shall know and understand the entire situation.

Mr. President, the Executive in his message blazes out a course of procedure for Congress and urges its adoption which is in contravention of the Constitution of the United States, is an anomaly in international relations, and is shocking to the sense of right and justice of the great mass of the liberty-loving people of the United States. I say that that course of procedure is in contravention of the Constitution of the United States, because it involves the delegation by Congress on the Executive of the power of making war at his pleasure, and necessarily thereby the power of declaring war. That power is reposed by the Constitution exclusively in the Congress of the United States.

Section 8 of Article I of that instrument declares "that the Congress shall have power to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." The power is nowhere else declared in that instrument nor is the right in Congress to shift that power on another department of the Government anywhere declared.

That the Executive makes this untenable suggestion, and that his policy with reference to the Cuban problem depends wholly and entirely for its efficacy upon that suggestion, is shown by the paragraph of his message which contains his recommendations to Congress. That paragraph is as follows:

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

Mr. President, how is it possible for the President to employ the naval and military forces of the United States for the purpose and in the manner indicated without making war, and how is it possible for Congress to delegate to the President the power to do so in his discretion without at the same time and by the same act delegating to him the power to make war at his discretion?

There are two reasons which influence my mind against the recommendations of the President, either of which would compel my vote against those recommendations. My oath of office compels me to support and sustain and defend the Constitution of the United States. Since that instrument devolves upon Congress exclusively the war power, I can not, without violating my oath of office, vote to devolve that power upon another department of the Government.

But, Mr. President, if the question were free from constitutional difficulties, I should still decline to give my own adherence to the Presidential recommendation. The Congress of the United States is the organized conscience of the people of this nation, and the only department of the Government capable of dealing with the awful question of peace and war. That department partakes alike of the weakness and the strength of the people of the nation.

If their weakness be a too ready and generous sympathy with suffering and distress, with struggling humanity aspiring for liberty, a too inflammable disposition under wrong and insult, under the cruel and wanton murder of sons and brothers, their strength, grand, glorious, and godlike, consists in the fact that their eyes are not blinded nor their consciences seared by sordid, selfish, cold calculation; that they refuse to measure tears and blood against dollars and cents; wrong, aggression, and murder against the rise and fall of stocks, or the imperiled interests of trade and commerce, or the jeopardizing of money invested in international securities.

Mr. President, I will not say that there are others moved by such considerations to brook national insults, to overlook international murder, to shut their eyes to the wrongs of humanity, to push down aspiring patriotism struggling for liberty, because to say all that might be said on that subject might savor of a want of courtesy to another department of this Government, and that courtesy, so sorely strained during the last few weeks, I would not be the first one to break. But I will say that the Congress of the United States, coming from the people, and representing the people, and standing for the people, both in their weakness and their strength, will never be moved by such considerations to adopt a course so cowardly, so contemptible, and so pusillanimous. Hence, Mr. President, I prefer to trust to the Congress of the United States to say when and where and how and under what provocation the people of the United States shall draw the sword in defense of imperiled honor, in reparation for cruel aggression, and in aid of a brave and aspiring and deserving people struggling for liberty and independence.

Mr. President, I presume that one may still, in these latter days and in a becoming spirit of humility, question the wisdom of the Executive and his advisers without being guilty of the crime of lese majeste. If so, I want to say, and I say it regretfully, as another reason for withholding the power which is sought by the Executive, that the developments of the last few weeks have shaken my confidence in the wisdom of those who have the Executive ear and upon whose advice the Executive appears to be disposed to act on all public questions.

Mr. President, it has been now about two months since the relations of this country with Spain became acute. At that time the position of this country in the eyes of the world was impregnable. The revelation of the horrors practiced upon the devoted people of Cuba by Spain was then fresh in the mind of the world, and that revelation was so shocking to humanity and vouched for by authority so incontestible that the voice of the world with one accord would have stood by the United States in any action which she might feel disposed to take to abate those horrors.

On top of that feeling came the destruction of the *Maine* and the gross, cruel, wanton murder of our brave sailors in the harbor of Havana. The people of the world stood aghast at that atrocious act, waiting for us to strike, and ready to applaud the blow. But instead of striking as a courageous man and a bold man would have done, instead of striking as a patriotic man must have done, a course of conduct was entered on by the Executive and his advisers which, but for my respect for the Executive office, I would say was marked by evasion and equivocation and subterfuge, having for its primary purpose the blinding of the American people and the muzzling of the American Congress, and having for its secondary purpose delay, a delay that in view of the known and moving and urging facts of that time was dishonorable to this nation, and that weakened it in the eyes of the world no less than it dishonored it.

We were told that we must wait for the result of the deliberations of the naval court of inquiry into the subject of the destruction of the *Maine*, and we were led to believe that the direction of those inquiries was for the purpose of determining who was responsible for the destruction of the *Maine*. When that report finally came to hand it was found that it had been directed to the inquiry who was not responsible for the destruction of the *Maine*. In other words, it was simply a court of inquiry into the responsibility of the officers of the *Maine* for the destruction of that vessel.

Mr. President, who that has read that report and the testimony taken by that naval court of inquiry but now knows that its deliberations were delayed for an ulterior purpose by superior orders, and does not feel indignation at the subterfuge practiced thereby on the American people and the American Congress? And who, moreover, that has read that report and seen how close and compact the few facts were necessary to determine how and by what agency the *Maine* was destroyed but knows that any intelligent court in this land or any committee of any legislative body in this land could have found all of those facts within ten days after having entered upon the inquiry?

Well, the report of the court of inquiry, after every delay that red tape and official etiquette could demand had been exhausted, finally come to hand, and was sent to Congress with an impotent and colorless message which indicated that the Executive intellect had been unable to digest plain facts, because to suppose anything else would be an impeachment of the heart and the conscience of the President. Congress at the same time was given to understand that the President would speedily communicate to it other facts in his possession necessary to a full and complete understanding of our relations with Spain and our situation with respect to the Island of Cuba. The time for this other and further and fuller communication was informally fixed for the ensuing Wednesday. When Wednesday came the prospects of a speedy and brilliant diplomatic triumph, which should secure ample reparation for the past and ample guaranty for the future, and at the same time assure independence to struggling Cuba, were so bright and promising that a delay until the ensuing Monday was determined on by the Executive.

And then came the hegira to the White House by invitation and appointment. Senators and Members were buttonholed and cajoled and worked on by irridescent and evanescent promises and assurances of what the future should bring forth to induce them to acquiesce in the delay.

The appeals were so direct, the assurances so positive, and accompanied with a mysterious reserve that was so profound and awe-inspiring that no man, however heartsick and tired, and disgusted and humiliated, wanted to take on himself the responsibility of forcing the Presidential hand. Time with slow but inexorable steps went on until the next Saturday, when the President found that he needed rest. On Sunday he was very weary.

By Monday he had a well-developed case of brain fag, which necessarily prevented the completion of his message. This last development was noted in the European capitals, as we saw by the dispatches, and was considered a most proper and justifiable exhibition of diplomatic finesse to hold in check an unruly Congress. And it was, because the courtesy of Congress to its disabled Executive again tided things over until Wednesday.

On Wednesday came the coup de théâtre. The message which we now have before us, and which, it transpires, had been communicated in substance to Spain long before, was to stir the blood of the Spaniard to the boiling point and make unsafe the lives of our consuls and citizens in the Island of Cuba, and hence it was necessary to further delay its delivery to Congress until the ensuing Monday, in order to bring back our imperiled citizens.

But coincidently with this information came the further information from Rome that Archbishop Ireland had cabled the Holy Father that the President had consented to withhold action until the ensuing Monday, to enable the Holy Father to bring his powerful influence to bear in further aid of the President's diplomacy. Just how far the Holy Father was aiding the President we gather from the following dispatch from Rome in last Monday morning's paper:

The Rome correspondent of the Daily News, telegraphing Sunday, says:
"The Pope telegraphed personally to the Queen Regent and Señor Sagasta to-day (Sunday), to convince them that it was Spain's interest to concede the armistice without delay and without conditions, in order to put President McKinley in such a position as to make it difficult for him to decide what course to take."

Now, Mr. President, while all this was going on, we have had from day to day, almost from hour to hour, assurances that diplomatic negotiations were proceeding prosperously, looking to the withdrawal of Spain from the Island of Cuba, to the complete independence of the Cuban people, and to the most complete reparation, however that might be made, for the loss of the *Maine* and the murder of our sailors. Nothing less would have justified an otherwise shameful procrastination or met for a moment the impatient demand of the people of this country that Congress and the President should take vigorous, determined, and patriotic action. It was with the utmost astonishment, then, that I heard read the portion of the President's message which describes the

extent of our diplomatic demands on Spain. The paragraph relating to that is as follows:

Realizing this, it appeared to be my duty, in a spirit of true friendliness no less to Spain than to the Cubans, who have so much to lose by the prolongation of the struggle, to seek to bring about an immediate termination of the war. To this end I submitted, on the 27th ultimo, as a result of much representation and correspondence, through the United States minister at Madrid, propositions to the Spanish Government looking to an armistice until October 1 for the negotiation of peace with the good offices of the President.

In addition, I asked the immediate revocation of the order of reconcentration, so as to permit the people to return to their farms and the needy to be relieved with provisions and supplies from the United States, cooperating with the Spanish authorities, so as to afford full relief.

Mr. President, without enlarging on the discrepancy between that which we were led to believe was the end and that which we now know to have been the end of the President's diplomacy, it is pertinent to inquire, Where has that diplomacy landed him?

What has he been able to accomplish with the aid of the Pope? The Pope answers the question in the telegram which I have before read. The President, in the language of the Holy Father, is now in "a position to make it difficult for him to decide what course to take."

According to his own statement, the only thing which the President has demanded of Spain throughout all this diplomatic negotiation, during which the impatient spirit of the people and the impatient demands of Congress were being subdued and put aside, was an armistice in the Island of Cuba and the privilege upon the part of the United States to feed the starving poor of Spain in that island.

Both of those demands of the President have now been granted by Spain and it is strictly in order to ask, "Mr. President, where are we at?" It is likewise in order to consider seriously whether we want any more diplomacy of the kind I have been describing. If so, we should grant the President's request for discretionary power, which means more diplomacy, and then adjourn and go home. With a State Department at this end of the diplomatic line somewhat weak in the use of diplomatic terms, even when aided by the Department of Justice, as we saw in a semiofficial statement in the papers yesterday, with a diplomatic representative at the other end so anxious to preserve peace that he will not even obey instructions of his superiors for fear of offending Spain, as we likewise saw in a semiofficial communication in the papers yesterday, and with the Pope to assist with his good offices, Spain, no doubt, in time and for a proper indemnity, will absolve us from responsibility for blocking the harbor at Havana with the shattered hull of the sunken *Maine*.

I can not conceive of any other result likely to be accomplished should our diplomacy progress backward as rapidly in the future as it has in the past. The trouble with it has been that it was without shape and form, and, like the world at the beginning, void. It asked nothing which we had a right to ask or which would materially benefit us in the receiving or which would seriously hurt Spain in the giving, and it was deplorably and disgracefully silent on the things which were bringing flame to the hearts and minds of the American people, and which alone Spain feared and could not satisfactorily adjust.

The little comedy that was played with us from Sunday to Sunday, with Spain in the rôle of the bullying and bloody villain, the six great powers as the respectable and prosperous but fearful citizens, the Holy Father as the mediator, and America as the hero, standing resolutely for wounded honor and outraged humanity, ended on last Sunday where it was designed that it should, with all parties but America in their everyday clothes, smiling, placid, and content, and with the latter, still strident of voice and heroic in attitude, but without ground to stand on, and, in the language of the Holy Father, "in a position to make it difficult to decide what course to take."

Mr. President, this is true if the American nation is bound by the results of our diplomacy; but, fortunately, we are not so bound. The foreign nations knew when they commenced their diplomatic juggle that they were dealing with an agent of limited authority and that the most they could hope to accomplish was to prejudice and embarrass our position in the sight of mankind.

The only power that has ever had the right to commit the country to any policy is now dealing with the subject, and it may brush away the cobwebs of diplomatic intrigue which bind and enthrall another department, and without dishonor and without the reproach of bad faith at last take that vigorous and decided action which the people of this country expect, and which is demanded alike by every sentiment of humanity and by every dictate of national honor. A declaration of war, pure and simple, would be most consonant with my idea of that action. But believing that a declaration of independence in favor of the Cuban Republic, and armed intervention in aid of that declaration, would amount to the same thing, I am prepared for one to accept that as a satisfactory solution of our duty to ourselves and to the world. Spain has made war on humanity by her cruelties and barbarities in the Island of Cuba. She has made specific war on us by her cowardly and perfidious attack on our ship and our unsuspecting sailors. Since she has made war, I say let us give her war.

The sword that has been sheathed so long is still bright and flashing and keen, and the arm that wields it is stronger than ever before. When we draw that sword to defend our national honor, so seriously attacked; to avenge our honored dead, so cruelly slaughtered, we will keep it uplifted until we have won a reparation worthy our dignity as a nation and worthy the memory of those whose loss we so deeply deplore. We will keep it uplifted until we have driven the cowardly and brutal Spanish nation from this hemisphere at the muzzle of our guns, thereby honoring ourselves, honoring our dead, and giving to struggling Cuba, after four hundred years of living hell, and after a succession of heroic struggles which have moved the world to sympathy and admiration, peace and happiness under free and glorious republican institutions.

Mr. President, to pursue the course suggested by the President would be an anomaly in international relations. That course involves, first, a threat of armed intervention to force diplomatic concessions; and second, failing such concessions, possible intervention to expel Spain from the Island of Cuba. It does not involve the independence of Cuba, because that is only suggested in the President's message for the purpose of making an argument against its present recognition.

Such a thing, I believe, as is proposed was never heard of in the history of nations. Nations intervene to secure tranquillity, to preserve order, to stop outrage and murder, but never to themselves usurp sovereignty, nor ever to subvert sovereignty, except in the interest of some other nation or in the interest of a subject people struggling for independence. If we intervene in the affairs of Cuba for either one of the three causes first named, we will have accomplished our purpose when Spain has given proper guaranties of better future conduct.

To propose to expel her from the island after that, or before giving her opportunity to afford such guaranty, would be unheard of and would justly arouse the opposition and protest of other nations. Mr. President, armed intervention involves the use of force and is, in essence, war. It is only less than war by the acquiescence of the power against which it is employed. When writers speak of it as an international right, they speak of it in the same sense that they speak of the right to make war. That right belongs to any nation at any time and for any cause it may esteem sufficient. Both rights spring from the same source, and are held in check by the same sanction, namely, the reprobation of mankind if improvidently exercised. Hence, if we would avoid that reprobation in our intervention in Cuba, it must be either for the purpose of simply restoring order and tranquillity and stable government under the sovereignty of Spain, or it must be in aid of the struggling insurgents who have already so largely overturned the power of Spain.

The first purpose the President disclaims and the last one he refuses to permit Congress to proclaim or to himself proclaim, and therefore I say his course is an anomaly. But we have a perfect right to intervene in Cuba, in the sense that the right is spoken of, if the sovereignty of Spain has been superseded there by another and superior power, or if her aggressions against us have been such as to justify us in making war on her and in aiding another power to supplant her. There would be no anomaly about that.

If we do intervene there, the right to do so and the disposition to do so will be predicated, as everybody knows, on both the grounds I have stated. I am opposed, therefore, to further shuffling or evasion. I think we ought now to declare that which it is our purpose to effectuate. Any other self-respecting nation would do so, and for one I want my country to stand in the front rank of all the nations of the world in the matter of dignified and fearless self-respect.

To stop short now will be to commit this country to a war of conquest. The conclusion is inevitable. To drive Spain out of Cuba without recognizing the independence of the Cuban Republic will be to conquer that island by force of arms and to establish our own sovereignty over it. We may hold our conquest for a short time or a long time. We may treat with the insurgents and turn it over to them on such terms as will suit the "business interests," or we may, failing such terms, deliver the island back to Spain; but whatever we do eventually, we will in the first instance have waged a war of conquest. As such it will be justly regarded by all the people of the world, and as such it will be justly resented by all the people of the world.

The historical references in the message of the President for the purpose of showing that the condition of affairs in Cuba do not now justify recognition of independence are failures. Why stand on the message of Andrew Jackson concerning the independence of Texas, a message, moreover, which was ignored and overridden by the action of Congress, when we have before our eyes the generous and glorious example of France in our own revolutionary struggle?

That country did not wait until we had overcome all hostile

efforts to subdue our arms before recognizing our independence, but under the promptings of that liberty which was so soon to burst into flame in her own country, France gave us both the moral and the material support of her great national power. She did so in virtue of that principle of international law, then and now in force, that the question of independence is not so much one of fact as it is one of sympathy and interest, and one which every nation may properly judge for itself.

Mr. President, the view urged by the Executive in this matter is both anomalous and unnatural, and, in the results which may flow from it, is so little to be desired in comparison with almost any other possible action, that one is led to doubt whether the President, in his own mind, contemplates the necessity of ever putting it in force. I do not believe that he does, but think he is still relying on the force of our splendid diplomacy to answer the demands of an eager and expectant and insistent public opinion.

Why we should take the risk of financial obligations of large amount, now specifically saddled on Cuba, and which there is grave reason to believe will legally devolve on the successor of Spain in that island, no matter how short the sovereignty of that successor, is one of the puzzling things which the puzzling conditions of the last few weeks has brought forth. Why we should assume the additional and indisputable liability for all that may occur between the expulsion of the Spanish power and the setting up of some other power in the island of Cuba, a liability against which we can not hedge, and which may be onerous in the extreme, is one of the things concerning which we are left in the dark.

There is only one of two explanations possible of this remarkable position of the Executive. He either does not expect to ever act on the power which he invokes, or, if he acts, he expects to make the government which shall succeed that of the United States in the island assume and pay that which the United States might otherwise be compelled to pay, namely, the Spanish debt. This last alternative is so monstrous, not only in its injustice to Cuba, but in the sordid and dishonest intrigue at home which it would imply, that I do not hestitate to reject it. I am again brought back thereby to my original conclusion, namely, that the Executive does not ever expect to intervene, but is still relying on American diplomacy to fulfill the glowing declarations of the last Republican national platform and to meet the impatient demands of the people of the nation.

In view of the net results of that diplomacy, as we now, for the first time, see it in its entirety, another and most cogent reason is shown for withholding from the Executive the unconstitutional power which he seeks at our hands and for taking prompt and decisive action ourselves.

And lastly, Mr. President, I say that such action as that which the President invokes would be shocking to the sense of right and justice of the great mass of liberty-loving American citizens. I have received evidences of this in telegrams which I have been receiving from my constituents in my own State and in other telegrams which I have seen in the hands of other Senators from their States. I propose now to read three or four of the later telegrams which have come to me on this subject from my State. The first one is from the governor of the State:

OLYMPIA, WASH., *April 13, 1898.*

Hon. GEORGE TURNER,
United States Senate, Washington:
Public opinion here unanimous; favor the independence of Cuba. It is opposed to intervention without Cuban independence.

J. R. ROGERS, *Governor.*

Another telegram from the capital of my State reads:

OLYMPIA, WASH., *April 13, 1898.*

Senator TURNER, *Washington, D. C.:*
Our people urge recognition Cuban Republic. No recognition, no intervention. Stand by Democratic resolutions against bondholders' intervention.

THOS. MALONEY.	L. P. OUELLETTE.
ROBERT BRIDGES.	JAS. B. REAVIS.
WILL D. JENKINS.	F. J. BROWNE.
H. ALLING.	C. W. YOUNG.
C. G. HEIFNER.	C. F. BOWNE.
JOHN CRYDERMAN.	D. B. MORRISON.

Among the signers are one judge of the supreme court of the State and four of the State officials.

Another telegram received from my own home reads:

SPOKANE, WASH., *April 12, 1898.*

Hon. GEORGE TURNER:
People enraged at President's message. All demand recognition and war. Republicans wiring WILSON *Maine* disaster sufficient casus belli.

R. B. BLAKE.
F. H. GRAVES.

Those are two of the ablest lawyers in that city or in the State of Washington.

Another dispatch which I have received reads:

SPOKANE, WASH., *April 12, 1898.*

GEORGE TURNER, *United States Senate, Washington:*
Second Regiment Uniform Rank Knights of Pythias recently tendered their services in case of war. Please inform President McKinley our offer is suspended until it is known whether this Government intends to fight Spaniards or Cubans.

W. H. PLUMMER,
Colonel Second Regiment.

Colonel Plummer is a prominent member of the bar of Spokane and a member of the State senate.

His telegram was called out, no doubt, by the paragraph of the message of the President which I shall now proceed to read. It is short. Speaking about the policy of forcible intervention, which he had recommended to Congress, he says:

It—

The policy—

involves, however, hostile restraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

Mr. President, since it is evident that the President has never broached the independence of the Cubans to Spain, but has listened with a willing ear to the soft and insinuating tales of an accommodation of the insurgents with the mother country on the basis of a large autonomy, and since the meaning is now made plain to us, of the assurances of his friends a few weeks ago, that the result of his negotiations would be to secure almost as good as Cuban independence, we now see the deplorable direction toward which his policy leads him, and, from his own declaration, the extent to which he is prepared to go.

He proposes to leave the flag of Spain flying over the Island of Cuba. That is bad enough. But worse still, he proposes to use the power of this Republic to compel the people of Cuba to submit to that bloody flag.

Mr. President, it seems to me both monstrous and shocking that such an idea could find lodgment in the mind of an American President. It is monstrous in view of the solemn pledge by all political parties in this country, and by none more strongly than by the Republican party, to promote by every possible means the freedom and independence of Cuba.

It is shocking in view of the heroic struggle made by that brave people for liberty, of their suffering and martyrdom and death, of the confidence with which they look to us, not for aid, but for sympathy, and in view of the active feelings of sympathy with which it is to be supposed we would, and with which we do in fact, look on such a people in such a struggle and for such a cause.

Mr. President, the power of this people may be put forth at some time to strike down aspiring liberty in a neighboring people and to impose on them a government which they repudiate and reject and will not have, but it will be when, and only when, our own liberty shall have been destroyed; when, and only when, a despotism shall have reared itself on the ruins of our now glorious Republic.

That day, thank God, will never come. That infamy, thank God, will never be perpetrated, to stain and tarnish the otherwise glorious record of a glorious people.

Mr. HOAR. Mr. President, the function of diplomacy in regard to this grave crisis in the history of this matter seems to have ended. The President tells us in his message that he has exhausted every effort to relieve the intolerable condition of affairs which is at our doors, and for the first time, by the consent of everybody, the matter rests with the American Congress for decision. It has seemed to me to be my duty, while the Government was engaged in diplomatic efforts, to abstain from public discussion. The Constitution having committed to the President from the beginning the conduct of our relations with foreign governments, I do not think that expressions of dissent or criticism are quite in accordance with the duty either of American citizens or American Senators while he is acting. The duty of action and determining the policy of this people now rests with us and our associates in the legislative functions of the Government.

I wish to make a few observations which I fear and believe will be somewhat dull in the ears of my listeners, quietly, rather in the manner of a court dealing with a great question of constitutional law involving in its results liberty and life and public welfare and public honor. It seems to me to be no time for impassioned rhetoric, for the clapping of hands, the stamping of feet, and shouting. I do not in saying that forget that the expressions of deep emotion which we have heard in this Chamber, which we read in the press, which we have heard all over the country, are neither to be condemned or to be slighted.

I am not one of those persons who find in them occasion either for sneers or for jesting. They are the utterances of good men, of American citizens, of the emotion which is felt and which all good men must feel when they witness great cruelty, great wrong, and when they are contemplating a great outrage to their flag. So, whether I differ or whether I agree with the conclusions, or some of them, to which these gentlemen have come, I have nothing but the profoundest respect for the motive which has brought them forth.

I, however, Mr. President, bred and born in a cold latitude, would rather approach this grave occasion in the spirit of that captain who led the company of the people of my own birthplace to the bridge in the morning of the Revolution, when he said, "I went into that battle with the same seriousness and the same sense of

responsibility to God with which I am accustomed to go to church." If in the providence of God this country is called upon to do a great act of international justice, let us do it in the spirit of justice, and not in the spirit of vengeance.

The other day one Senator cited us, as if he liked it, the utterance of the Scripture, an eye for an eye and a tooth for a tooth. The Saviour cited it only to disapprove it and to give us a new commandment and a better doctrine.

I am not one of those, either, if any there be, who would seek to divide and not to unite the people of this country. If we are to enter upon a course of action where we receive the sympathy of the civilized world, let us not begin by reviling each other.

Mr. President, I regret, speaking for myself, that any Senator feels it to be his duty to indulge in harsh criticism of the President of the United States. What the President of the United States does in diplomacy the people of the United States do. There is no other means of knowing the opinion, purpose, conduct, character of the American people under our Constitution, so far as that is expressed in our diplomatic and international action, than by studying and seeing what the accredited agent of the American people, the Executive, has done, just as there is no mode of determining what the American people do or mean to do or desire to do in legislation but by the legislative enactments passed through their constitutional agencies.

What the President of the United States did the United States did in the face of mankind, and what the President of the United States refrained from doing the American people refrained from doing in the face of all mankind. For one I approve him alike in what he has done and said and in what he has refrained from doing and saying. I like the President's holding back and striving with all his power for a peaceful solution of this business. I like his holding out for peace so long as there was a hope that peace could be had with honor.

Mr. President, do gentlemen, when they criticise this brave American soldier's love of peace—and every brave American soldier from the beginning of our history has been a lover of peace—reflect what war is and who it is that suffers by it? The persons who suffer by modern wars are not the men who provoke them or the men who are guilty of the causes to which they owe their origin. Every modern war is an additional burden on the poor man, the laboring man, the plain man, while the glory is reaped by a few officers and the profits by a few stock jobbers and contractors.

It is not even the guilty Spaniard who is primarily to suffer by the terrible punishment which we are expected to inflict upon Spain. It is not the Weylers or even the Sagastas or the Blancos. It is the poor peasant whose first-born is to be drafted into the military service, never to return or to return a wreck. It is the widow whose stay is to be taken from her, who is to get no share of the glory, but only the full of the suffering. This war, if it be to come upon us, is to add a new and terrible burden, even if it be confined within the limits to which we hope it may be confined, to the already overburdened and suffering peasantry of Europe. The results of a great war are due to the policy of the king and the noble and the tyrant, not the policy of the people.

Every child upon the Continent of Europe to-day was born with a mortgage of $350 about his little neck and an armed soldier riding upon his back. So while I agree, as will be seen before I finish, that war may be necessary, and it may be necessary now, yet I can not myself agree with my honorable friend the Senator from Mississippi [Mr. MONEY] when he said so lightly that he thought it was a good plan to have a war once in a while, that it prevented the dry rot of prolonged peace. A nation is made up of human homes, and the glory of a nation and the value of its possessions are in its humble homes. I do not agree with the Senator who thinks that a home is made better by the loss of its boys or the crippling for life of its head.

I do not like what follows war. I do not like the piling up in this country of thousands upon thousands of millions more of our public debt. I have not read history like the Senator from Mississippi in a way to lead me to think that war is ever a purifying process. The seasons which follow great wars, either in this country or elsewhere, are times of debts and jobs and disordered currency and popular discontent. The periods that have followed the great wars are the worst periods in history. If we enter upon this war, we are to subject our ships to many disasters like that of the *Maine* and our soldiers to pestilence and yellow fever. The destruction in the soldier who survives of the capacity for the rest of his life for the works of peace is a not insignificant result even of the best and most necessary war, to say nothing of the increase of the debt and of the pension list.

On the other hand, I have no patience and I have no respect for those critics who find in the conduct and action of many of my associates and friends on this floor what they are pleased to term a spirit of jingoism. The spirit which has inspired, without an exception, the impassioned and zealous speeches to which we have listened is the spirit of an honorable indignation at a great wrong and an honorable resentment for a great insult, and I believe these gentlemen who think as I do that the time has come when the armed forces of this nation are to be summoned to assert themselves have been guided certainly by quite as patriotic a spirit as I claim to be guided by myself, whether I agree with them in all their conclusions as to the detail of action or not.

But I was saying, Mr. President, that I like and thank President McKinley that he has as far as he could and as long as he could held back the impatience of the American people. President McKinley and those who love him and stand by him need not be at all disturbed lest his fame may suffer in the eyes of humanity and the eyes of posterity by the caution and wisdom with which he has proceeded. The great events in our civic history and the great names in our civic history are those which are connected with the sublime self-restraint with which the American people has contained itself in the presence of great wrongs and of great provocations. It is true, also, that these civic glories have more than once crowned the brows of great soldiers and warriors.

Have we forgotten that the same kind of speeches which the Senator from Washington permitted himself to utter, who seemed to think that he who represents half the State of Washington had a better right to speak for the American people than William McKinley, who represents forty-five States and 70,000,000 people—have we forgotten that the same kind of objurgation and contumely was hurled at the head of George Washington at the time of Jay's treaty, when he held back the indignant people of the Republic from entering upon another war with England? The fame of Washington is represented and typified by the loftiest of monumental structures as it rises in its severe and stainless beauty over the streets of the capital. Where, Mr. President, are the graves of his critics?

Has my honorable friend from Washington forgotten John Adams's experience when the people were clamorous for a war with France, and Washington was summoned from his retirement to take the head of the armies again, and our ministers had been dismissed with insult and contempt by the French Directory, when he sent Oliver Ellsworth and Davie and Vans Murray to reopen the negotiation? That act cost John Adams the support of the Federal party and it cost John Adams his reelection. But it left him his fame and the love and honor of his countrymen.

Andrew Jackson, in the great desire of the Southern people and of the majority of the American people to acquire Texas, and in the midst of our great sympathy with that people, struggling then against the despotism of a people of Spanish blood, held this nation strictly in the narrow yet honorable path of international law. Now, everybody honors Andrew Jackson and the only thing that our friends have to say about it is to pervert the transaction and say that the General really did not do it.

Mr. President, I am old enough to remember some of the tempests of popular excitement in Congress and out. I think there are Senators here who remember the cry of "On to Richmond! On to Richmond! On to Richmond!" and the denunciation by honorable and zealous patriots of what they described as the cowardice and treachery of Abraham Lincoln. I think people like to remember Abraham Lincoln's counsels in those days, and those of us who sit on this side of the Chamber wish we could forget Bull Run.

You remember, Mr. President, the sublime patience with which we waited after the French invasion of Mexico until the time at last came, and Mr. Seward spake and the Frenchman got out. You remember, my colleague cited it yesterday, the impatience of some good men at our dealing with the Trent affair, and my colleague cited the lines of Mr. James Russell Lowell:

> Ef I turn mad dogs loose, John,
> On your front-parlor stairs,
> Would it jest meet your views, John,
> To wait an' sue their heirs?

I wish to remind my honorable colleague, with whom I suppose I am so fortunate as to agree as to everything of substance relating to this political crisis, that we did not take the advice of Mr. James Russell Lowell on that occasion. We took the advice of Abraham Lincoln, and William H. Seward, and Charles Sumner, and John Andrew, and on the whole we came out about as well.

Mr. President, some of us remember President Grant's dealings with the same sort of conditions that we have had to deal with in the Island of Cuba in the last two years. I came first into public life just as that matter was going on. We did not throw law books at each other's heads in those days in the House of Representatives, but there was quite as much angry speech for the President as we have heard in either House of Congress within a few days. But the great fame of Ulysses Grant shines in the sky like a star, and the conduct of that affair is one of the brightest and strongest of his claims to the gratitude and affection of the American people.

I think it is perhaps because I am getting old and thin blooded and losing my pluck in these matters. But, somehow or other, I like, when I read the history of the Republic, to read the story of

these sublime self-restraints, for which those men who hate popular government think a great and free people are incapable.

Do you remember how we submitted year after year to the fitting out in England of the war ships which drove our commerce from the seas till at last one morning, Mr. Adams, having discovered that the rams were about to go out from Laird's shipyard, wrote a letter to Lord John Russell expostulating? Lord Russell replied that he had consulted Her Majesty's ministers and really they did not think they could do anything about it. Mr. Adams, when the time came, replied in a single sentence, which to my taste is the most sublime utterance in American literature: "It is superfluous to observe to your lordship that this is war." And the rams were stopped in an hour.

I also agree with the President of the United States in his refusal to recognize belligerency up to this time. I do not agree with my honorable friend from Ohio [Mr. FORAKER], who thought the result of that was that we policed our shores in the interest of Spain. That recognition of belligerency, in my opinion, would have simply given Spain the right to search our ships; would have released her from responsibility for actions like the destruction of the *Maine*, unless they could be traced affirmatively and clearly to her, and would have done the insurgents no sort of good whatever.

Mr. President, what has been the result, what is the result today, of the conduct of this matter by President McKinley so far? I have not time to go, as I should like, into a full discussion of this matter, but I wish to read one testimonial only. I do not often read newspapers in the Senate, and ordinarily we all agree that it is not a very good practice, but I wish to read the testimony of the ablest, most consistent, most thoroughgoing advocate of an instant and an extreme dealing with Spain in this emergency in regard to what has been the effect of the policy which the present Executive has pursued thus far.

The VICE-PRESIDENT. The Senator from Massachusetts will suspend a moment. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 2680.

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. Is there any objection to the request? The Chair hears none, and unanimous consent is given. The Senator from Massachusetts will proceed.

Mr. HOAR. I read, Mr. President, from the New York Sun of April 5, and not much has happened to excite my honorable friend from Washington since then, with the exception which I shall speak of presently.

> The delay thus far—
>
> Says this organ of the cause of liberty in Cuba—
>
> has served the cause of the right. It has given time for military and naval preparation for decisive action. It has consolidated public opinion and put the nation behind the President in his constitutional capacity of Commander in Chief of the land and sea forces of the United States. It has permitted the escape of some of the vapor that precedes deliberate and calm action in an affair of momentous importance. It has likewise enabled the President to exhaust, as it was his duty to employ and exhaust, the resources of diplomacy in order to bring about, if possible, an honorable and satisfactory settlement without resort to arms.

Now, I would like to ask these gentlemen who are so anxious to find treachery and cowardice and want of patriotism and want of honor in the President of the United States, the President of their own party, whether in the face of such a testimonial as that it is not just barely possible that President McKinley may have been right and that they may have been wrong.

There is another result which has come from this diplomatic action and this striving to keep in the paths of peace. We have, what we never have had in any international conflict before, largely the sympathy of all foreign nations and almost wholly the sympathy of that nation on earth which is alike the freest, the most powerful, and the most nearly allied to us by language, history, and blood.

I would like to have read as a part of my remarks an extract from the London Times. Mr. President, these gentlemen may, if they choose and if they are so disposed, undervalue in this great crisis the sympathy of the most powerful nation on the face of the earth. I think we may perhaps like to have it before we get through. The sympathy of that country on the other side prolonged what would have been a one or two years' war to a four years or five years' war within the memory of most of us. I will ask the Secretary to read what I have marked. Undoubtedly this paper expresses the sentiment of the entire people of Great Britain.

The Secretary read as follows:

> We can not refuse our sympathy to the people of the United States in circumstances which would have made it difficult even for our own countrymen to preserve their boasted calm. We should have needed all our self-command to combine dignity with equity in such a trying position. It is bare justice to say that however inexcusable the language of some of the newspapers of the United States may have been, the attitude of President McKinley is equally dignified and fair.
>
> In this matter, whatever disagreements we may have had from time to time with our trans-Atlantic kinsmen, our sympathies are on their side. We share their grief at he loss under such cruel conditions of a noble vessel of war and a gallant crew. We admire the patience and the reserve of a democratic government in circumstances of provocation, in the presence of public excitement which it would only have been too easy to fan into a flame of war. The sentiments with which the majority of the people of the United Kingdom regard the people of the United States, and which we trust, in spite of passing gusts of temper, are reciprocated at heart on the other side of the Atlantic, are expressed in the cordial verses of the poet laureate, which we print in another column.

Mr. HOAR. Now, Mr. President, I affirm, and I challenge contradiction, that that sympathy and that expression of respect has been won for us largely, if not wholly, by the diplomatic bearing and conduct of the President of the United States in this emergency.

I also desire to express my full and hearty concurrence with the President of the United States when he advises against the recognition of the insurgent government, if it be a government, now. Consul-General Lee says he has never thought the insurgents had anything but the skeleton of a government. I will not repeat the citations from international law and from the utterances of our statesmen and department of foreign affairs throughout the whole of the other Spanish conflicts in the Spanish-American countries which I have had occasion long ago to cite.

I affirm that to recognize that people now can not be done without disowning our whole history, without declaring that England was right and that we were wrong in the great controversy as to her conduct in the time of the rebellion, where there were eleven States, with a constitution, with courts, confederated into a republic; and yet we claimed, and England yielded, that she had no right to recognize their independency. We can not recognize that independency, as I say, without flying in the face of our whole diplomatic history. Before this discussion is over it may be desirable to return to that particular point again.

Gentlemen cite the precedent of France in the time of our Revolution. France did not pretend or claim that that recognition of the independence of the United States was anything but an act of war. She was hardly at peace with England. Before she had been driven off the continent of North America by the genius of Chatham and the military prowess of James Wolfe, and she had sat, sulky and angry, biding her time during twelve years of hollow and treacherous truce, and when the time came France hastened to throw her weight into our scale.

It is not true, however, as I understood my honorable friend to imply the other day, as I read the history of the country, that we should not have won our independence without the assistance of France. Before the French alliance our Navy, which never has had its due share of the credit of the Revolutionary war, had driven the rate of marine insurance in the Mediterranean Sea on English vessels and cargo up to 28 per cent. England could have maintained the land war, France or no France, for a hundred years but for that; and it was that which induced the merchants of Liverpool and London to compel George III and Lord North to make peace.

Our Navy in the time of the Revolution, as I said, never has had its due credit. Why, Mr. President, the State of Massachusetts alone had at sea in the Revolutionary war more men in ships of war and in privateers than the whole of all the rest of the States of the Union put together had on land, in addition to furnishing largely more than her quota of the land forces.

Mr. President, we want to gain and we want to keep in this struggle into which we are about to enter the sympathy of the civilized world, and we can only keep it by maintaining the pathway marked out for us by the law of nations. If we depart in dealing with Spain from the accepted traditions and rules of international law, especially if we depart from those rules which we have affirmed over and over again during our own history, we can not blame them if they shall sympathize with Spain for departing from them also. If we put the issue on any doubtful ground, we make the cause of Spain the cause of every European Government that has got a colony in another continent or in an island adjacent to another continent. We do not need to be departing from the rules of international law. What we have in hand we shall know how to do lawfully and effectively.

Another thing. Senators talk about recognizing the insurgent republic. Is that insurgent republic the people of Cuba? The Senator from Ohio [Mr. FORAKER] and, I believe, the committee in their report both state the number of the people of Cuba who sympathize with the insurgent government. The committee states it as a third of the people of the island, and the Senator from Ohio stated it at 400,000. Now, although we may all sympathize, as we all do sympathize, with the gallantry of those insurgents, with the courage and leadership of Gomez, with the endurance and the devotion which is willing to give life and everything which makes life dear for the liberty of Cuba, by what right can you stand in the face of the nations of the earth and say that you will recognize as the lawful government of Cuba a community which the Senator from Ohio, in some sense the organ of the committee, and the chairman of the committee in his report tell us amounts to but a third of the inhabitants of that island?

Mr. STEWART. The Senator from Ohio [Mr. FORAKER] is not here, but I did not understand him to make that statement.

Mr. HOAR. I will look in his speech and find if he did not.

Mr. STEWART. I understood the Senator from Ohio to say that there were only 400,000 within the military lines.

Mr. HOAR. That is not what he said at all.

Mr. STEWART. I do not think the Senator from Ohio said that of those who sympathized with the insurgents there were but 400,000.

Mr. HOAR. Perhaps we had better find what the Senator from Ohio said. I had somewhere marked what he said about the 400,000.

Mr. HAWLEY. Here it is.

Mr. HOAR. The Senator from Ohio said:

> They control absolutely more than one-half of that territory. More than 400,000—

That is it—

> More than 400,000 of the population of the island recognize no government except only their civil government.

Now, what has become of the other 1,100,000?

Mr. STEWART. If the Senator will take the context, he will find the Senator from Ohio spoke of those in the walled cities.

Mr. HOAR. The Senator from Ohio said a great many other things with which I am not dealing now. I am dealing with the estimate which that Senator gave of the number of Cubans, the 1,500,000 people, who recognize that government themselves. Where are the other 1,100,000? The Senator said nothing about walled cities. He was speaking of the number of Cubans who recognize no government but the civil government of the insurgents.

Mr. DANIEL. Mr. President——

Mr. CHANDLER. Will the Senator from Massachusetts allow me to read from the testimony of General Lee?

Mr. GALLINGER. I will say to the Senator from Massachusetts that a very large part of the people sympathize with the Cuban cause even in that part of the island where the insurgents do not hold the territory.

Mr. TILLMAN. Over 200,000 of them are dead.

Mr. CHANDLER. Will the Senator from Massachusetts allow me to say one word? I wish to read from Gen. Fitzhugh Lee's testimony before the Committee on Foreign Relations, which will give the Senator the information he wants. Will the Senator allow me to do that?

Mr. HOAR. Certainly.

Mr. CHANDLER. General Lee was asked by Senator FORAKER:

> What percentage of the population of the island is Cuban?
>
> Consul-General LEE. About one million five or six hundred thousand people. About one-third of those are negroes. Take off 500,000 and that will leave 1,000,000, the Cubans being out of that 1,000,000, all except about 300,000.
>
> Senator FORAKER. About 70 per cent?
>
> Consul-General LEE. Yes; I think all but about 300,000.
>
> Senator FORAKER. Are all the Cubans friendly to the insurgents?
>
> Consul-General LEE. I never saw one who was not.
>
> Senator FORAKER. They are all friendly to them?
>
> Consul-General LEE. Yes.

Mr. HOAR. Mr. President, I know Cubans myself who are thoroughly friendly to the cause of the insurgents, but who do not desire their government to be established.

Mr. FRYE. Will the Senator from Massachusetts allow me to interrupt him?

Mr. HOAR. Certainly.

Mr. FRYE. The Senator from Massachusetts alludes to the Senator from Ohio as to a certain extent being the organ of the committee. He is in no sense the organ of the committee on the question of the recognition of the Cubans as a republic.

Mr. HOAR. I had somewhere marked the statement about the proportion of people in Cuba who favor the recognition of the insurgents' government made by the committee, which I shall ask leave to quote in the RECORD. It is this:

> The insurgents hold the eastern portion of the island to the practical exclusion of Spain. This possession extends over one body of territory comprising fully one-half of the area of Cuba.
>
> The extermination by Spain of the peaceful inhabitants of the western portion of the island has so affected the balance of the population between these moieties of Cuba that the insurgents comprise in the eastern half nearly one-third of the population of the island. That third of the population pays taxes to them, serves in their armies, and in every way supports and is loyal to them. This situation has existed ever since the first few months of the war.

Mr. President, I was about to say, however, that this does not seem to me to be practically so important as it seems to some gentlemen who have dealt with it, because the moment we are at war, the moment we choose to exercise armed force and constraint upon the people of Spain, we are then, by every rule of international or moral law, at liberty to ally ourselves with any instrumentality we choose to use. So, after all, it is a question of what is to happen twenty-four hours beforehand or twenty-four hours afterwards.

You have the opportunity to keep within the acknowledged principles of international law, the precedents of your own history, and have unity in dealing with this matter, or, for the sake of casting an imputation upon the President of the United States largely, to adopt a different policy; and the moment this process of intervention begins and war follows, if it do follow, we shall then have the right by every rule of law to ally ourselves with any instrumentality. If the people of Ireland, if the people of Sussex, if the people of the Isle of Man, or of Guernsey were in rebellion against England, and we went to war with her, we should, of course, extend the hand to them as allies and cooperators.

Mr. President, there is another matter in which I do not agree with the honorable Senator from Ohio [Mr. FORAKER] or the honorable Senator from Kentucky [Mr. LINDSAY], and with great respect to both those Senators—and no man values more highly their ability or their patriotism—I am sorry they said it. I do not believe that the man who enters a house to put out a fire becomes legally responsible for every mortgage on the house, and I do not believe that a policeman who enters a disorderly house to subdue a riot or a fight, even if he has to take the proprietor into custody, becomes liable for every debt which the proprietor may have incurred. I do not think if we take Spain into custody, if we put her off the Island of Cuba neck and heels, that we are in the least responsible for any mortgages she may have undertaken to put on the island.

Mr. MASON. Will the Senator from Massachusetts allow me to make a suggestion?

Mr. HOAR. I will yield to the Senator.

Mr. MASON. I do not care to interrupt the Senator, but I thought the illustration which he has made as to one entering a burning house should in all fairness have been carried to its legitimate conclusion.

Mr. HOAR. I beg that the Senator will not interrupt me to do so.

Mr. MASON. I wish to ask the Senator, after a man who enters a burning house has extinguished the fire, if he sets up ownership and says he will decide who shall run the house thereafter, whether he does not then incur responsibility?

Mr. HOAR. Nobody proposes to set up ownership and to prescribe who shall run that house hereafter. I have not heard such a proposition, certainly not from my honorable friend from Illinois [Mr. MASON], and, as I said, I think the only effect of that utterance of those two eminent Senators to whom I have referred will be to give to some foreign government, or some foreign banker, or broker, or stock jobber a chance to make a claim against this Government. Mr. President, it is a pretty fine distinction between our liability if we go in there and turn Spain out without first recognizing the insurgent government, and our liability in case we go in there and turn Spain out and do first recognize the insurgent government.

I do not think the hairsplitting metaphysics of my honorable friend from Kentucky or the exuberant eloquence of my honorable friend from Ohio will ever make the publicists or the investors of mankind to see the distinction between those two cases. What they state will be held and will amount in the eyes of mankind to throwing the great authority of those two Senators on the side of a claim to be made hereafter if we do anything in Cuba by way of intervention; and an utterance of that kind in debate is another argument for the opinion of those who think such discussions should be in executive session and not in open session.

Mr. President, there is another thing. As I said, the insurgents have many titles to our sympathy, and they have it. I do not suppose there is a man within the sound of my voice whose heart has not been stirred by the noble and gallant story of this struggle for freedom. They are struggling for freedom. They are brave and unyielding. There is another thing I like in them, and I presume the Senator from Kentucky likes it also: It is well understood that the aspiration of Gomez is for a black republic in the West Indies. If he should get control of Cuba, and if Haiti and San Domingo join him, and perhaps Puerto Rico, he aspires to give an example to mankind where the men of the colored race may rule themselves as equals socially and politically, and in all other ways in freedom and in honor; and for one, I say, and I hope my friend from Kentucky will say, Amen. I bless him and I honor him for that aspiration.

But, Mr. President, the insurgents are not without fault in regard to the terrible condition of affairs which has grown up in Cuba. They began that system of warfare. Among their first acts, long before the reconcentrado orders, was the destruction of every cane field and of every farm where anything could be raised for which even the owners should pay a tax to the Spanish Government. I would not speak severely of them for it in their desperate struggle, but it was an introduction into the usages of war of a practice unknown to the present time. Mr. President, they have not abandoned that system in warfare.

I should like to have the Secretary read one testimony upon this subject, the testimony of a person for whose wisdom, honor, and integrity—if it were not ridiculous for anybody to impugn

it—I would pledge every title of my own to the respect and confidence of my countrymen. I speak of Clara Barton. I spoke of her years ago as the most illustrious citizen of Massachusetts. Whoever else may be in doubt, she has won all the laurels of this epoch—that noble, beautiful woman who leaves her comfortable and delightful home, where she enjoyed the society of kindred, the affection of friends, and the admiration of all her fellow-citizens, to go, with the Red Cross in her hand, wherever there is fever or sickness or suffering, penetrating the barbarism of Turkey when the missionaries failed to do so, and making her way into Cuba even past the cruel and bloody knives of the Spanish soldiery.

The American people have had, in every generation since the landing at Jamestown and at Plymouth, brave soldiers and sailors. There has never been a war from the beginning in which the American flag has suffered dishonor or the glory of the American name been tarnished. But in this field other nations also have been our competitors. Military character, courage in war, have been found in human annals from the beginning of time; but the mission of the Red Cross, with its message of peace and humanity, is wholly and altogether of American origin. It is ours almost exclusively. I think we may trust Clara Barton and may accept her evidence without hesitation. I ask the Secretary to read what is marked.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Secretary will read as requested, if there be no objection.

The Secretary read as follows:

It is hardly possible, even with General Blanco's latest permission, for Spain to give all the protection she would even within her trochas. Although the Spanish soldier might be controlled and might not touch the reconcentrados who are attempting to cultivate the land, there is always the native guerrillas to be feared. There is where the danger lies; it is not so much from the Spanish soldier. The Spanish can generally control their soldiers. All the reconcentrados could cultivate much land still left to them inside of the trochas and inside of the forts, but as soon as they have got something raised, in comes the lawless guerrilla and takes it. Great destruction has also come from the insurgents. Their policy in regard to that is about as strange and as unnatural as was the cruel policy of Spain in driving the reconcentrados away from their farms.

Mr. HOAR. Mr. President, we have the testimony of this benevolent lady to this effect. But I do not wish to be misunderstood. The fact that both parties are in some degree to blame for these horrors does not in the least affect our right and our duty to stop them. They exist in an island over which Spain claims authority, and by her own logic she must admit either that she herself is guilty of them or that her subjects, as she calls them, are guilty of them, she being unable to prevent them. So that I conceive it makes no difference in the right or the duty of the American people to deal with this transaction, and I only cite this evidence of Miss Barton as showing the reason why we should hesitate just now at the recognition of the insurgent government.

What should we do, Mr. President? I think we should not begin by quarreling amongst ourselves and by slapping the President of the United States in the face. I think we should not begin by aiming to make party capital out of this transaction. I agree entirely with my honorable friend the Senator from Minnesota [Mr. DAVIS] in his admirable and powerful statement of international law as to the right of intervention. He has summed up the authorities on one side, and to some extent on both sides, and he has come to the conclusion—and I will ask leave to make an extract or two from it—that the writers on international law who declare that there is a lawful international right of intervention to stop horrors of this kind have the better reason on their side. In that opinion I entirely concur with him. The chairman says in his report:

The conflict of opinion and definition among the jurists upon the subject of intervention is very great. Some of them deny its existence as a right under any circumstances, excepting of self-defense against an imminent peril, while other writers of equal authority maintain the validity of its assertion as a right for causes which may be inconsistent with that great foundation principle of international law, the equal and inviolable sovereignty of states.

The extremes of these opinions are represented by Guizot and Arntz. The former declares that "no state has the right to intervene in the situation or internal government of another state, except only when the interest of its own safety renders such intervention indispensable."

Arntz maintains that the right of intervention exists:

1. "When the institutions of one state violate or threaten to violate the rights of another state, or when such violation is the necessary consequence of its institutions and the impossibility of an orderly coexistence of states results therefrom."

2. "When a government, acting entirely within the limits of its prerogatives of sovereignty, violates the rights of humanity, whether by measures contrary to the interests of other states or by excess of injustice and cruelty which deeply wounds public morals and civilization.

"The right of intervention is a legitimate one, because, however important may be the rights of sovereignty and independence, there is one thing of still greater importance, and that is the law of humanity and human society, which ought not to be outraged."

Between these extremities of opinion the differences among the publicists are exceedingly various and irreconcilable. Professor Hall, in his work on International Law (3d edition, page 288, note 1), in considering the opinions of modern international jurists who touch upon humanitarian intervention, says that "the treatment which the subject receives from them is merely fragmentary, notice being taken of some only of its grounds, which are usually approved or disapproved without very clear reference to a general principle."

Vattel (liv. 1, chapter iv, section 56) considers it permissible to succor a people oppressed by its sovereign, but does not appear to sanction any of the analogous grounds of intervention. Wheaton (Elem., part II, chapter 1, section 93), Bluntschli (section 478), Mamiani (page 86), give the right of aiding an oppressed race.

Heffter (section 46), while denying the right of intervention to repress tyranny, holds that so soon as a civil war has broken out a foreign state may assist either party engaged in it. Calvo (section 166) and Fiore (I, 446) think that states can intervene to put an end to slaughter.

Vattel says, Book II, Chapter IV, top page 157, "As to those monsters who, under the title of sovereigns, render themselves the scourges and horror of the human race, they are savage beasts, whom every brave man may justly exterminate from the face of the earth.

"All antiquity has praised Hercules for delivering the world from Antæus, a Busiris, and a Diomede."

If these opinions state the correct rule, as we believe they do, the right of intervention by the United States in the present instance is indubitable. They are, however, controverted by other publicists of great eminence. It is possibly correct to say as to this conflict of opinion that this portion of international law is, though operative in certain cases, in that formative and progressive condition of development by which many benign principles, though formerly contested, have at last become firmly established.

I shall not undertake to detain the Senate by reciting the familiar, yet terrible, story which is told in the consular reports. If there be no objection, I will also include as a part of my remarks a few extracts from the reports of our different consuls which have been communicated to the Senate and printed. [See Appendix.]

The PRESIDING OFFICER. That order will be made, if there be no objection. The Chair hears none.

Mr. HOAR. I agree further with the President of the United States when he says in a sentence brief and compact, as becomes the head of a great nation making a great statement to the world, but which can not be misunderstood—

This long trial has proved that the object for which Spain has waged the war can not be attained.

Mr. President, that means, as I understand it, that in order to restore peace in that island, the continuance of the flag of Spain over the Island of Cuba is an object impossible of attainment. If that be true, then any intervention on our part conducted by the President, if it is to accomplish the object at which we aim, must directly, and as soon as may be, expel the authority of Spain from that island, and in that belief I have no doubt we are all agreed. It is in view of that fact that the President goes on to ask leave to use the forces of the Navy and Army to restore peace. It is a peace, in other words, which can only exist and be consistent with the expulsion of the Spanish flag from Cuba. So our intervention can only accomplish its end by compelling the entire withdrawal of Spain from the island. So far as Spain has made this necessary, she is responsible for it; so far as the insurgents have made it necessary, they are, or they were, Spanish subjects, whom she can not control, and Spain, so long as she is there, can not prevent it, and we who can prevent it must prevent it.

Mr. President, I find no difficulty where my honorable friend the Senator from Kentucky [Mr. LINDSAY] and my honorable friend the Senator from Washington [Mr. TURNER] find difficulty, and where my honorable friend the Senator from Ohio [Mr. FORAKER] finds a doubt, in authorizing the President to do a particular act of international force unless that be preceded by a declaration of war. Take a familiar case in our history, that of the Algerian captives, where so many of our merchantmen and sailors were taken by Algiers, during Mr. Madison's Administration I think it was.

Does anybody here doubt that Congress might have authorized President Madison to dispatch a naval force to Algiers and rescue those captives and compel their delivery up, and stop there? I imagine that proposition will not be controverted. It depends on the other side, then, whether they will take that as an act of war. If we authorize the President to put Spain out and restore peace to that island and Spain shall get out, there will be no war, and it is not necessary to declare war; or if he puts her out and she concludes that she can not help herself and does nothing further, there will be no further war, and it is not necessary to declare war.

Mr. President, the Executive of the United States has frequent occasion to do acts of this kind when Congress is not in session. How many instances of international force have been necessary in the ordinary protection of American citizenship abroad or on the high seas which the other party may take as an act of war if it chooses, but which the President has a constitutional right and duty to do whether or not war has been previously declared? Suppose Austria had gone a little further and Commodore Ingraham had resisted the attempt to retake Martin Koszta by force and the President of the United States had sustained him in it. Does anybody claim that is a declaration of war, or will any American claim that it is not within the lawful and constitutional power of the President to do it? Austria might have treated it as an act of war.

Take the very familiar power committed to the President, that of the recognition of the independence of a foreign government, which he does in time of peace, so far as this country is concerned, or he does when Congress is not in session. The other side may

take that as war or not, as they see fit. It is very often one of the most hostile of acts. So I find no difficulty there.

Mr. President, I am therefore prepared to support the resolutions of the House, if I have correctly interpreted them. I should like a little better the form which has been drawn up, I understand, by the honorable Senator from Colorado [Mr. TELLER]. It appeared in the papers, and I suppose I violate no propriety in saying that it appeared with his consent or his authority. I like that, which I think is a perfect expression of the limits and the extent to which it is necessary for us to go, and I think when we go that far all other things will be added to us and all other things will be added by the inevitable and inexorable logic of events that are desired by the friends of freedom in Cuba. I have spent this time because I thought it was due to a brave soldier, to an honorable American patriot, and to a great President that the angry attacks upon him which have been heard in this Chamber should not go without at least one voice being raised in his behalf.

I also agree with the President and with the committee in treating the outrage upon the *Maine* for our present and immediate purpose only as an instance and proof of Spain's incapacity to preserve order and civilization in the island. It will have its own consideration, and they misunderstand the American people who think that the consideration of any public transaction by the people of the United States leads to cowardice, dishonor, or weakness. It will have its own consideration, and unless the entire history of this country is to be forgotten the result of that consideration will be such as is creditable and honorable to American manhood and to American good faith.

I believe it was a meditated act of which Spanish officials were probably guilty. I do not overlook Consul-General Lee's suggestion as to the possibility of bringing a torpedo in the neighborhood of the ship in a boat by one or two or three men and the ship swinging against it. That is not the consul-general's opinion, but his suggestion, and I should like to put it in the language in which he gave it:

> Consul-General LEE. I never have been certain that the submarine mine was placed there prior to the entrance of the *Maine* into the harbor. It might have been done afterwards. The *Maine* was anchored to a buoy by some little chain. A vessel swinging around that way sometimes gets at various places all around the circle. When she would swing off that way, with the bow next to the buoy, and these boats plying about the harbor all the time, anybody could go pretty well in front of her on a dark night and drop one of these submarine mines of 500 pounds. They have fingers, as it were, and as the boat goes around it would touch the finger, which makes contact and explodes the mine. That might have been done after the *Maine* got in there.
>
> Senator CULLOM. And not be discovered?
>
> Consul-General LEE. Yes, sir; one or two men rowing quietly in a boat could drop it off the stern of the boat on a dark night, though Sigsbee had his patrols out—I do not know what they call them on men-of-war; sentinels. Still, it might not have been discovered. A boat would not have been noticed, because boats go there always.
>
> Senator CULLOM. Day and night?
>
> Consul-General LEE. Yes, sir; to a late hour of the night. The harbor is full of these little boats. A mine weighs about 500 pounds, and I suppose it would take two or three men—one man to row and probably three or four to handle the mine.
>
> Senator CULLOM. Containing 500 pounds of gun cotton?
>
> Senator LODGE. And the casing.
>
> Senator CULLOM. And the casing, which weighs something more.

But the committee say with great force that such things are not found in private hands, especially in a community like that of Havana, and that it is almost impossible to escape the conclusion that no person could have had in his possession a mine or torpedo capable of working that destruction without the connivance of Spanish officials, or without gross negligence, which, under the circumstances, was equal to connivance. I further agree and believe and maintain that that being true, the Spanish Government is responsible for that loss and should be held responsible.

But everybody—the President, the consul-general, the Committee on Foreign Relations, if I am not mistaken—acquits Blanco. The chairman of the committee, the Senator from Minnesota [Mr. DAVIS], nods his head in assent. General Lee says he found Blanco in tears when he hastened himself to the scene of the occurrence. This is Blanco's dispatch:

> [Inclosure in No. 777.]
>
> HAVANA, *February 18, 1898.*
>
> MR. CONSUL: It becomes my painful duty to express to you my profound sorrow for the misfortune which occurred yesterday on board the American ship *Maine*. I associate myself with all my heart to the grief of the nation and of the families who have lost some of their members; and upon so doing I do not only express my personal sentiments, but I speak in the name of all the inhabitants of Havana—witnesses of the catastrophe which has afflicted so many homes.
>
> God guard you many years.
>
> RAMON BLANCO.
>
> The CONSUL-GENERAL OF THE UNITED STATES.

Now, to acquit Blanco—do not let me be misunderstood—is to acquit Spain of direct purpose, intentional guilt, in that transaction, because he was the only medium through which the orders of the Government of Spain could have gone to any subordinate official. I do not mean that to acquit Blanco is to acquit Spain of neglect. I do not mean that to acquit Blanco is to acquit her of having treacherous and wicked officials, and still less do I mean that to acquit Blanco is to acquit her of full responsibility; but what I say is that if we acquit Spain of having directly, with malice aforethought, of diabolical intent and purpose, set off that mine, then the setting off of it is not an affirmative act of war, but is one of those acts which warrant us in seeking reparation, if necessary, by warlike means and instrumentalities. It does not create a state of war unless we choose to make war for that cause in and of itself; and so the committee treat it.

If the *Maine* stood alone, we could, I hope and believe, under these circumstances secure an honorable reparation for her loss without war. Spain has opened the door. She has declared her willingness to submit, not her liability, not what reparation she shall make, but simply the fact how it happened under circumstances which imply that if it be ascertained that it happened from an external cause, she of course expects to make due reparation and to agree, as she says in advance, to accept the result.

Mr. President, I do not agree with those gentlemen, amiable, honest, zealous, and patriotic as they are, who find fault with our honorable committee and our President for not bringing in a declaration of war on the instant in consequence of the destruction of the *Maine*. It is said—although on this I do not place so much stress, but as gentlemen are reviewing the past and finding fault with some of us, we may, perhaps, allude to it—that there is no other country in the world that would allow the *Maine* incident to go three weeks without redress. That may be true, but there is no other country in the world which would allow itself to go unarmed and would maintain, with wealth and resources like ours, a policy for all these years which enables a fifth-rate, weak power, a relic of the Dark Ages, to be on an equality almost with the people of the United States for the first few weeks of a naval war.

I should think my honorable and amiable friend the Senator from New Hampshire [Mr. CHANDLER], who does me the honor to listen to me, and, I am afraid from the expression on his countenance, has done me the honor to disagree with me a good deal, would be rather amused when he reads the utterances and the votes of some of his bellicose associates and remembers how he was baffled, disappointed, and blocked in his honorable and praiseworthy attempts, which are the glory and crown or among the various glories and crowns of his honorable and useful life, by the very men who are now so warlike.

I will not undertake to give names or to allude to persons, but I will undertake to say that if any Senator of the State of Massachusetts be charged with overcaution in hesitating to get this country into a naval war before she is ready, at least no Senator of Massachusetts ever failed to vote for the largest amount of money and the largest number of ships whenever the question of an honorable and decent Navy was at stake or whenever the question of proposed fortifications was up.

Mr. President, Spain ought to be as powerless in the grasp of the United States as a 3-year-old infant in the grasp of his father.

Mr. President, I expect to vote for the House resolutions, unless I should have an opportunity to vote for the resolution of the honorable Senator from Colorado. That leads to war. There is no doubt about it. It will lead to the most honorable single war in all history, unless we except wars entered upon by brave people in the assertion of their own liberty. It leads to war. It is a war in which there does not enter the slightest thought or desire of foreign conquest or of national gain or advantage.

I have not heard throughout this whole discussion in Senate or House an expression of a desire to subjugate and occupy Cuba for the purposes of our own country. There is nothing of that kind suggested. It is disclaimed by the President, disclaimed by the committee, disclaimed by everybody, so far as I am aware. It is entered into for the single and sole reason that three or four hundred thousand human beings, within 90 miles of our shores, have been subjected to the policy intended, or at any rate having the effect, deliberately to starve them to death—men, women, and children, old men, mothers, and infants.

If there have been any hasty or unwise utterances of impatience in such a cause as that, and I think there have been, they have been honest, brave, humane utterances. But when I enter upon this war, I want to enter upon it with a united American people—President and Senate and House, and Navy and Army, and Democrat and Republican, all joining hands and all marching one way. I want to enter upon it with the sanction of international law, with the sympathy of all humane and liberty-loving nations, with the approval of our own consciences, and with a certainty of the applauding judgment of history.

I confess I do not like to think of the genius of America angry, snarling, shouting, screaming, kicking, clawing with her nails. I like rather to think of her in her august and serene beauty, inspired by a sentiment even toward her enemies not of hate, but of love, perhaps a little pale in the cheek and a dangerous light in her eye, but with a smile on her lips, as sure, determined, unerring, invincible as was the Archangel Michael when he struck down and trampled upon the Demon of Darkness. [Applause in the galleries.]

APPENDIX.

Mr. Lee to Mr. Day.

No. 710.] UNITED STATES CONSULATE-GENERAL,
Havana, November 23, 1897.

* * * * * * *

Fourth. The insurgents' leaders have given instructions to prevent grinding wherever it can be done, because by diminishing the export of sugar the Spanish Government revenues are decreased. It will be very difficult for the Spanish authorities to prevent cane burning, because one man at night can start a fire which will burn hundreds of acres, just as a single individual could ignite a prairie by throwing a match into the dry grass.

I have read letters stating that charitable persons in the United States will send clothing, food, and some money to these unfortunate people, and I have arranged with the Ward Line of steamers to provide free transportation from New York. I hope to secure the permission of the Spanish authorities here for such things to be entered free of duty. I am told, however, that they must come consigned to the bishop of Havana. The sufferings of the reconcentrado class have been terrible beyond description, but in Havana less than in other places on the island; yet Dr. Brunner, acting United States sanitary inspector here, informed me this morning that the death rate of the reconcentrados in this city was about 50 per cent that in other places of the island, and when it is remembered that there have been several hundred thousands of these noncombatants or pacificos, mainly women and children, who are concentrated under General Weyler's order, some idea can be formed of the mortality among them.

In this city matters are assuming better shape. Under charitable committees large numbers of them have been gathered together in houses, and are now fed and cared for by private subscriptions. I visited them yesterday and found their condition comparatively good, and there will be a daily improvement among them, though the lives of all can not be saved. I witnessed many terrible scenes and saw some die while I was present. I am told General Blanco will give $100,000 to the relief fund.

I am, etc.,

FITZHUGH LEE, *Consul-General.*

[Inclosure with dispatch No. 712.]

SIR: The public rumor of the horrible state in which the reconcentrados of the municipal council of Havana were found in the fosos having reached us, we resolved to pay a visit there, and we will relate to you what we saw with our own eyes:

Four hundred and sixty women and children thrown on the ground, heaped pellmell as animals, some in a dying condition, others sick, and others dead, without the slightest cleanliness nor the least help, not even to give water to the thirsty, with neither religious nor social help, each one dying wherever chance laid them, and for this limited number of reconcentrados the deaths ranged between forty and fifty daily, giving relatively ten days of life for each person, with great joy to the authorities who seconded fatidically the politics of General Weyler to exterminate the Cuban people, for these unhappy creatures received food only after having been for eight days in the fosos, if during this time they could feed themselves with the bad food that the dying refused.

On this first visit we were present at the death of an old man who died through thirst. When we arrived he begged us, for God's sake, to give him a drink. We looked for it and gave it to him, and fifteen minutes afterwards he breathed his last, not having had even a drink of water for three days before. Among the many deaths we witnessed there was one scene impossible to forget. There is still alive the only living witness, a young girl of 18 years, whom we found seemingly lifeless on the ground; on her right-hand side was the body of a young mother, cold and rigid, but with her young child still alive clinging to her dead breast; on her left-hand side was also the corpse of a dead woman holding her son in a dead embrace; a little farther on a poor, dying woman, having in her arms a daughter of 14, crazy with pain, who after five or six days also died, in spite of the care she received.

In one corner a poor woman was dying, surrounded by her children, who contemplated her in silence, without a lament or shedding a tear, they themselves being real specters of hunger, emaciated in a horrible manner. This poor woman augments the catalogue already large of the victims of the reconcentration in the fosos.

The relation of the pictures of misery and horror which we have witnessed would be never ending were we to narrate them all.

It is difficult and almost impossible to express by writing the general aspect of the inmates of the fosos, because it is entirely beyond the line of what civilized humanity is accustomed to see; therefore no language can describe it.

The circumstances which the municipal authorities could reunite there are the following: Complete accumulation of bodies dead and alive, so that it was impossible to take one step without walking over them; the greatest want of cleanliness, want of light, air, and water; the food lacking in quality and quantity what was necessary to sustain life, thus sooner putting an end to these already broken-down systems; complete absence of medical assistance; and what is more terrible than all, no consolation whatever, religious or moral.

If any young girl came in any way nice looking, she was infallibly condemned to the most abominable of traffics.

At the sight of such horrible pictures the two gentlemen who went there resolved in spite of the ferocious Weyler, who was still Captain-General of the island, to omit nothing to remedy a deed so dishonorable to humanity, and so contrary to all Christianity. They did not fail to find persons animated with like sentiments, who, putting aside all fear of the present situation, organized a private committee with the exclusive end of aiding materially and morally the reconcentrados. This neither has been nor is at present an easy task. The great number of the poor and scarcity of means make us encounter constant conflicts. This conflict is more terrible with the official elements, and in a special manner with the mayor of the city and the civil authorities, who try by all means to annihilate this good work. The result of the collections are very insignificant if we bear in mind the thousands of people who suffer from the reconcentrations; but it serves for some consolation to see that in Havana some 159 children and 84 women are well cared for in the asylum erected in Cadiz street, No. 82, and 93 women and children are equally well located in a large saloon erected for them in the second story of the fosos, with good food and proper medical assistance, as also everything indispensable to civilized life.

According to the information which we have been able to acquire since August until the present day, 1,700 persons have entered the fosos proceeding from Jaruco, Campo Florido, Guanabo, and Tapaste, in the Province of Havana. Of these, only 243 are living now and are to be found in Cadiz street—82 in the saloon already mentioned and 61 in the Quinta del Rey and the Hospital Mercedes, the whole amounting to about 307, and of these a great many will die on account of the great sufferings and hunger they have gone through.

From all this we deduct that the number of deaths among the reconcentrados has amounted to 77 per cent.

Mr. Lee to Mr. Day.

No. 723.] UNITED STATES CONSULATE-GENERAL,
Havana, December 7, 1897.

* * * * * * *

I am informed an order has been issued in some parts of the island suspending the distribution of rations to reconcentrados. * * * The condition of these people is simply terrible.

I inclose herewith an official copy of the comparative mortality in Havana for the six months ending November 30. It will be perceived that there has been a great increase in the death rate, and without adequate means in the future to prevent it the mortality will increase. I hear of much suffering in the Spanish hospitals for want of food and among the Spanish soldiers. * * * I hear also that the Spanish merchants in some parts of the island are placing their establishments in the names of foreigners in order to avoid their provisions being purchased on credit by the military administration, and that the Spanish army is suffering much from sickness and famine, and that a great deal of money is needed at once to relieve their condition. In some parts of the island, I am told, there is scarcely any food for soldiers or citizens, and that even cats are used for food purposes, selling at 30 cents apiece.

It is a fair inference, therefore, to draw from the existing conditions that it is not possible for the Governor-General of this island to relieve the present situation with the means at his disposal. * * *

Mr. Lee to Mr. Day.

No. 727.] UNITED STATES CONSULATE-GENERAL,
Havana, December 14, 1897.

SIR: I have the honor to report that I have received information that in the province of Havana reports show that there have been 101,000 "reconcentrados," and that out of that 52,000 have died. Of the said 101,000, 32,000 were children. This excludes the city of Havana and seven other towns from which reports have not yet been made up. It is thought that the total number of reconcentrados in Havana province will amount to 150,000, nearly all women and children, and that the death rate among their whole number from starvation alone will be over 50 per cent.

For the above number of reconcentrados $12,500, Spanish silver, was set aside out of the $100,000 appropriated for the purpose of relieving all the reconcentrados on the island. Seventy-five thousand of the 150,000 may be still living, so if every dollar appropriated of the $12,500 reaches them the distribution will average about 17 cents to a person, which, of course, will be rapidly exhausted, and as I can hear of no further succor being afforded, it is easy to perceive what little practical relief has taken place in the condition of those poor people.

Mr. Lee to Mr. Day.

No. 742.] UNITED STATES CONSULATE-GENERAL,
Havana, January 3, 1898.

SIR: I have the honor to state, as a matter of public interest, that the "reconcentrado order" of General Weyler, formerly Governor-General of this island, transferred about 400,000 self-supporting people, principally women and children, into a multitude, to be sustained by the contributions of others or die of starvation or of fevers, resulting from a low physical condition and being massed in large bodies without change of clothing and without food.

Their houses were burned, their fields and plant beds destroyed, and their live stock driven away or killed.

I estimate that probably 200,000 of the rural population in the Provinces of Pinar del Rio, Havana, Matanzas, and Santa Clara have died of starvation or from resultant causes, and the deaths of whole families almost simultaneously or within a few days of each other, and of mothers praying for their children to be relieved of their horrible sufferings by death, are not the least of the many pitiable scenes which were ever present. In the Provinces of Puerto Principe and Santiago de Cuba, where the "reconcentrado order" could not be enforced, the great mass of the people are self-sustaining.

* * * * * * *

Mr. Lee to Mr. Day.

No. 746.] UNITED STATES CONSULATE GENERAL,
Havana, January 15, 1898.

SIR: I have the honor to transmit herewith some statistics sent me about the mortality in the town of Santa Clara, the capital of Santa Clara Province, situated about 33 miles south of Sagua, which numbers some 14,000 inhabitants. It will be noticed that there were 5,489 deaths in that town in the seven years previous to 1897, which included 1,417 in one year, from an epidemic of yellow fever, while in 1897, owing to the concentration order, there were 6,981; the concentration order went into effect in February.

In that year, 1897, the month's death rate for January was 73, but in February, the first month of reconcentration, there were 114, and there has been a gradual increase since, as you will see, until in December, 1897, the number of deaths was 1,011. I refer to this as a specimen of the mortality on this island in consequence of the "reconcentrado order" of the late Captain and Governor General, Weyler.

I am, etc.,

FITZHUGH LEE, *Consul-General.*

[Inclosure in No. 746.]

STATISTICS OF DEATH RATE IN SANTA CLARA.

(A town of 14,000 inhabitants.)

1890	578	1896 (epidemic of yellow fever among army and Cubans)	1,417
1891	720		
1892	606		5,489
1893	619		
1894	667	1897 (no epidemic)	6,981
1895	672		

(1,492 more than in seven previous years.)

Concentration order in February, 1897—Monthly death rate.

January	73	August	645
February (concentration)	114	September	650
March	333	October	884
April	524	November	1,037
May	530	December	1,011
June	531		
July	655	Total	6,981

Sample month, December, 1897.

	Number of deaths.	Number of patients.
Civil Hospital	143	170
Military Hospital	23	700
San Lazarus Hospital	2	10
Buried in poor carts	228	
Buried by family	553	
Prison	2	
Total	951	

Mr. Brice to Mr. Day.

No. 95.] CONSULATE OF THE UNITED STATES,
Matanzas, November 17, 1897.

* * * * * * *

Starvation.—No relief as yet afforded the starving thousands in this province. Several days ago an order from Captain Gin was given municipal authorities to issue rations and clothing, but no attention is paid the order.

* * * * * * *

Death rate in this city over 80 persons daily, and nearly all from want of food, medicines, and clothing. As I write this a dead negro woman lies in the street within 200 yards of this consulate, starved to death; died some time this morning, and will lie there, maybe, for days. The misery and destitution in this city and other towns in the interior are beyond description.

A general order has been issued allowing reconcentrados to return to the country, but the restrictions placed in order are such as to practically prohibit. If they went, what can they do without money, food, or shelter? Only those who can obtain employment on sugar plantations can live. Insurgents say no one will be allowed to grind in Province of Matanzas. The situation is indeed deplorable, and I am free to say no real help can be expected from Spanish Government, and the fate of the remaining reconcentrados is slow, lingering death from starvation.

Mr. Brice to Mr. Day.

No. 97.] CONSULATE OF THE UNITED STATES,
Matanzas, December 17, 1897.

* * * * * * *

Concentrados.—Relief offered these and other poor people by Spanish authorities is only in name. I have personally visited (on several occasions) head masters of distributing stations. Two thousand rations were given out, for a few days only, to 8,000 persons. * * * There are more than 12,000 starving people in this city to-day. One out of 4 (or 6) received the following ration: 2 ounces rice, 1½ ounces tassajo (jerked beef), and sometimes a small piece of bread, per diem. Imagine starving people being relieved by such rations! Even this ration of food has been discontinued since 11th instant. Death rate has diminished somewhat; now about 63 daily. There are less people to die.

The scenes of misery and distress daily observed are beyond belief. Here is one out of hundreds: In a family of seventeen living in an old limekiln, upper part of city limits, all were found dead except three, and they barely alive. * * * A few of the strongest of these people have been sent out to sugar plantations, which expect to grind. They get 30 cents per day and board themselves. General Blanco's order allowing reconcentrados, owners of plantations and farms, to return and cultivate crops, etc., is inoperative and of no avail. Several of our American citizens, owners of land, have repeatedly asked the civil governor of this province for permission to return to their homes, and in every case refused or restrictions imposed making it impossible to comply with.

* * * * * * *

I am, etc., A. C. BRICE, *United States Consul.*

Mr. Brice to Mr. Day.

No. 99.] CONSULATE OF THE UNITED STATES,
Matanzas, January 13, 1898.

SIR: I have the honor to report the following concerning destitute American citizens, Matanzas Province:

* * * * * * *

Up to Sunday, January 9, 1898, weekly rations of food have been regularly issued, also medicines for sick, and although there has been more or less hardships and suffering for want of clothing, shelter, etc. (which we were not allowed to supply), none of our people have suffered for food or medicine.

* * * * * * *

In behalf of these people I earnestly ask the Department that some prompt measures be taken to further relieve them. They are absolutely helpless—no work, shut up in cities and towns like rats in a trap to starve. We have fifteen or eighteen families (American reconcentrados) who own property in the country, and were they allowed to go to their homes, could make a good living. All these have begged and pleaded with authorities (under Blanco's order) to go, and in every case refused.

Since the 24th of May, 1897, to December 26, 1897, seven months, we have given food and medicines and relief to an average of 305 persons. American citizens, at a cost of $8,175.48 Spanish gold. This amount received from Havana on account of Cuban relief fund to date. We require a little over $900 (bills not rendered) to settle last two weeks' ration bills and three weeks' medicine.

* * * * * * *

I am, etc., A. C. BRICE, *United States Consul.*

Mr. Hyatt to Mr. Day.

No. 413.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, December 15, 1897.

* * * * * * *

As I write a man is dying on the street in front of my door, the third in a comparatively short time.

Very respectfully, PULASKI F. HYATT,
United States Consul.

Mr. Hyatt to Mr. Day.

No. 415.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, December 21, 1897.

SIR: I respectfully report that sickness and the death rate on this island is appalling. Statistics make a grievous showing, but come far short of the truth.

The principal disease is known by various names. Calentura, baludol fever, la grippe, etc., is thought by physicians to be brought on by insufficient food. I know some that are attacked that have plenty. These, however, usually make a good recovery, while the others die or make very slow recovery.

The three Rivery brothers, American citizens and owners of coffee, cocoa, and orange groves, are about to return to their places. They are absolutely penniless, and say they would have surely starved but for the food issued from this consulate. I shall continue to supply them with food, and issue a month's rations of such food as rice, beans, codfish, crackers, etc., as their homes are over 30 miles away. I have made myself, personally (not my Government), responsible for the transportation of themselves, their families, and goods, as it seemed desirable to get them on their estates as soon as possible.

Dr. Henry S. Caminero, United States sanitary inspector, has just informed me that there are in this city over 12,000 persons sick in bed, not counting those in military hospitals. This is at least 35 per cent of the present population. Quinine, the only remedy of avail, is sold ten times higher than in the States.

Mr. Jova to Mr. Day.

No. 261.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, November 11, 1897.

In the meantime the reconcentrados, the majority innocent beings, who have had, and even now have, no notion of the cause of this revolution, who had no more aspiration than to till their little farms, continue perishing. It is difficult, it may be said almost impossible, to be able to describe the extension and intensity of such tremendous suffering, of such iniquitous, unjust, and sinful imposition, to annihilate thousands of women and children. If this Godless combination should be accurately represented, it would seem an exaggeration induced by stirred fellow-feeling.

With sensibility in the heart moving among them, the unceasing crowd of famished beggars, one can scarcely do more than commiserate the undeserved misfortune. To express, to delineate the afflictions, the anguishes witnessed at every step, would require much to write, and no lavish of colors could approach the reality to fiction. No history in the world, ancient or modern, can be compared an instant to this frightful, dreadful suffering. Perhaps civilization has not seen the like of it.

I have, etc., JOHN F. JOVA, *Vice-Consul.*

Mr. Barker to Mr. Day.

No. 264.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, November 20, 1897.

* * * * * * *

The guerrillas have already started their merciless warfare, having within the past week killed two "presentados" who had in good faith surrendered and gone to work on the American-owned estate "Victoria," repeating the act upon three insurgents who had surrendered to the local guerrillas of Sagua.

Mr. Barker to Mr. Day.

No. 266.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, November 25, 1897.

SIR: With reference to the distress and deaths in this island, I beg to submit the following relative to this—Santa Clara—province.

As has been my custom for the past five months, I have just made the monthly trip of investigation in this consular district, embracing a large part of the territory of the province. Appended is the official mortality list of each of the judicial districts comprising the province known as "Cinco Villas" (five towns) from January 1 to November 15, 1897, inclusive, viz:

Santa Clara	27,900	Sancti Espiritus	5,483
Sagua	16,583	Trinidad	4,946
Cienfuegos	14,263		
Remedios	11,415	Total	80,589

Add to this 25 per cent for the number of which no record has been kept. * * * I deem a conservative estimate would make the grand total 100,736 deaths.

In truth, after talking with both military and judicial officers, I regard this rather under than above the actual deaths for the period stated. Undoubtedly one-half of the concentrated people have died; and to-day Spanish soldiers are companion victims to the surviving noncombatants.

The inclosed slip (inclosure No. 1), showing the number of deaths, official, in the small municipal district of San Juan de la Yeras, will give some idea of the rapid increase from month to month, as will also the clippings (inclosure No. 2), cut from the local papers, show that the authorities no longer conceal these facts, as was done under the retired Captain-General. This appalling death roll is mute yet convincing proof of the terrible destruction of life under the main policy pursued in attempting to subjugate the island. The heavens, it would appear, weep for despoiled, distressed Cuba, for during the present month the fall of rain has been almost phenomenal. I have to reiterate, the authorities, however great the desire to do so, are utterly helpless to ameliorate the dire distress that must continue to increase. * * *

Relative to furnishing protection to the mills to grind, how is it possible in view of the fact that the safeguard extended planters in making the previous crop enabled them to grind less than one-third of the usual yield, while the military force available to-day is not half in numbers as at that time?

With me the conviction is firmly rooted that within sixty days 90 per cent of the populace will reach a state of craving hunger, without outside aid, nor do I feel that I am speaking chimerically when I include the rank and file of the Spanish army.

The true status, as viewed at present, will bear out this opinion. The suffering among the troops, as well as the reconcentrados, simply beggars portrayal, while discontent ripens daily.

I am, etc., WALTER B. BARKER, *Consul.*

Mr. Barker to Mr. Day.

No. 270.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, December 13, 1897.

* * * * * * *

All efforts so far to obtain relief by popular subscription have met with signal failure. The Cubans are too poverty stricken, while the Spaniards, who own the wealth, will contribute nothing.

In my recent trip I found that the Spanish soldiers are not only suffering for necessary food, but I was often appealed to by these pitiable creatures for medicine. One has only to look upon them to be assured of the needs complained of.

[Confidential.]

Mr. Barker to Mr. Day.

CONSULATE OF THE UNITED STATES,
Sagua la Grande, December 23, 1897.

* * * * * * *

How could the situation be otherwise, since the island is producing absolutely nothing, save some growing cane, and at the same time completely exhausted of all food? Relief alone can be obtained from the outer world in the way of charitable contributions.

This—Santa Clara—province is capable this season of producing perhaps two-thirds of whatever cane might be made in the entire island.

To grind this cane without interruption would be the means of saving the lives of thousands who, without this or outside aid within the next thirty to fifty days, must die of actual hunger. Over a month since the planters were officially advised of Spain's inability to provide protection in order to operate their mills. This leaves the sugar growers entirely in the hands of the Cubans in revolt as to whether they will be allowed to grind without hindrance or fear of total destruction of their property. I know that strict orders have been given to subordinate commanders under no circumstances must mills be permitted to grind, under penalty of violation of the order destruction of property.

* * * * * * *

[Inclosure 1 in No. 273.—Telegram.]

Mr. Barker to Mr. Day.

SAGUA, *December 8, 1897.*

States that food, medicine, and clothing are required by more than 50,000 persons in his consular district, and that a reliable estimate of the number of starving in the Sagua province is 100,000. Advises the immediate need of relief by supplies through Consul-General Lee at Havana, or directly by the Munson Line. Says that some money will be needed, and that municipal authorities will aid in distributing supplies sent.

BARKER, *Consul.*

Mr. Barker to Judge Day.

No. 278.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, January 15, 1898.

SIR: I beg to submit the following: In this consular district a reign of terror and anarchy prevails which the authorities, be they so disposed, are utterly powerless to control or in any measure subdue.

Aside from the suffering and desperation caused by the unparalleled destitution, I regard the situation as rapidly assuming a critical stage: and to add that, as stated repeatedly heretofore, in no way have the authorities departed in fact from the policy pursued by the late (but not lamented) General Weyler.

Spanish troops as well as the guerrillas, under the cruel chiefs Carreras, Olavarrita, and Lazo, continue to despoil the country and drench it with the blood of noncombatants. Although the "bando" of the Captain-General provides that laborers may return to estates having a garrison, last week a number belonging on the "Sta. Ana," located within a league of Sagua, and owned by Mr. George Thorndike, of Newport, R. I., were driven off after returning, and refused permit as a protection by the military commander, Mayor Lomo, one of the trusted officers under the Weyler régime.

I am, etc.,

WALTER B. BARKER.

Mr. Barker to Mr. Day.

No. 284.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, January 27, 1898.

SIR: I beg to inform the Department that smallpox, referred to in my No. 279 of the 18th instant, has increased to an alarming extent.

The number of cases and mortality among the "reconcentrados" is unprecedented throughout this consular district.

I am, etc.,

WALTER B. BARKER, *Consul.*

Mr. Barker to Mr. Day.

No. 286.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, January 31, 1898.

* * * * * * *

Over two months since two of our citizens notified me they had discovered in possession of the local guerrillas 10 or 12 head of their horses, seized by said guerrillas. I addressed the military commander of Sagua, * * * asking, upon proof of ownership, their stock to be restored. Nothing has been done; while these American citizens—both in affluence at the breaking out of the rebellion—are to-day dependent on charity.

One sugar mill is running, not without interruption, with chances of making one-fourth of a crop. Another—just started up—was attacked yesterday by a band of insurgents, killing 14 and wounding 5 of the guerrillas paid by the estate to protect the operatives. Seven laborers were killed, the insurgents leaving two of their dead.

An adjoining estate, the property of the British consul, was also attacked, the growing cane burned. This precludes further attempts to grind, as men can not be induced to work while the insurgents roam at will over the country.

I am, etc.,

WALTER B. BARKER, *Consul.*

Mr. Barker to Mr. Day.

No. 288.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, February 17, 1898.

SIR: I beg to submit the following:

It is proper that I inform the Department that the ravage of smallpox has reached a point where the physicians, few in number, without proper means of treating, as well as no nurses, can not cope with it. I have cabled our dispatch agent in New York for an additional supply of virus.

I was informed by the mayor of this city only yesterday that he was just in receipt of a communication from the government of the province stating no funds to feed the starving were obtainable. In reply to my query why he did not send a number of them to the country, he stated that the military commander refused to grant this permission.

I am, etc.,

WALTER B. BARKER, *Consul.*

Mr. Barker to Mr. Day.

No. 294.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, March 12, 1898.

* * * * * * *

From the 15th of last month, through cash donations made to this consulate direct, through personal appeal, I cared for 1,200 persons. By the 1st instant these contributions increased so as to enable the committee to increase the relief list to 2,000. This has been maintained until now; but as the *Fern*, with 35 tons, should arrive to-morrow, the Sagua relief can be continued.

Mr. Barker to Mr. Day.

No. 295.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, March 14, 1898.

SIR: The inclosed letter from Mr. Valle,* of Sancti Espiritus, whom I have every reason to believe will not misrepresent the case, together with the fact that in other places I find I have underestimated the number in my jurisdiction in need of relief. It is therefore that I beg to increase the amount required, as stated in my No. 294, of the 12th instant, from 80 to 100 tons per month.

I am, etc.,

WALTER B. BARKER, *Consul.*

[Telegram.]

Mr. Barker to Mr. Day.

SAGUA LA GRANDE, *March 24, 1898.*

DAY, *Washington:*

Closer investigation disclose larger number destitute than estimates sent. Fifty tons needful now. Distress far greater than my reports show.

BARKER, *Consul.*

Mr. Barker to Mr. Day.

No. 297.] CONSULATE OF THE UNITED STATES,
Sagua la Grande, March 21, 1898. (Received March 30.)

SIR: I have the honor to say that since forwarding my No. 294 of the 12th instant, wherein I gave the Department approximately the amount of food required for my zone per month, I find many outlying—interior—villages, of which I had no account, neglected and in great want. To this very class, located in the interior towns, I have given special attention, but it has been impossible to care for all immediately. For instance, the relief committee to whom supplies were sent in Santa Clara, seat of government of the province, inform me to-day that in a small town near there are 300 persons in pressing need.

To-day I wired Mr. Louis Klopsch, of the Christian Herald and Central Cuban Relief Committee, who is now in Havana, that 20 tons additional required till 1st proximo, and to know if he could supply this. As yet no reply has been received. A very large proportion of these poor creatures being actually ill, other medicine than quinine is required, as also medicinal wines and nourishing food for them.

I beg to inclose herewith a list of towns to which I have and am sending supplies. There are perhaps six to eight more requiring relief.

Mr. Barker to Mr. Day.

No. 299.] CONSULATE OF UNITED STATES,
Sagua la Grande, March 24, 1898.

SIR: I visited seat of government of this Province, Santa Clara, where I learned, not alone from trustworthy persons sent out by me for the purpose, but also the civil governor, that the number of persons in actual want exceeds any estimate I have sent the Department. The distress is simply heartrending. Whole families without clothing to hide nakedness, sleeping on the bare ground, without bedding of any kind, without food, save to such as we have been able to reach with provisions sent by our noble people; and the most distressing feature is that fully 50 per cent are ill, without medical attention or medicine.

GENERAL GOVERNMENT OF THE ISLAND OF CUBA,
Havana, February 16, 1898.

MR. CONSUL: It becomes my painful duty to express to you my profound sorrow for the misfortune which occurred yesterday on board the American ship *Maine*. I associate myself with all my heart to the grief of the nation and of the families who have lost some of their members; and upon so doing I do not only express my personal sentiments, but I speak in the name of all the inhabitants of Havana—witnesses of the catastrophe which has afflicted so many homes.

God guard you many years.

RAMON BLANCO.

THE CONSUL-GENERAL OF THE UNITED STATES.

Mr. TURPIE. Mr. President, I rise to speak in behalf of the immediate recognition of the independence of the Cuban Republic. I do not see how we can rightly intervene by arms or how we can declare war against Spain without making this recognition. If we go to war or intervene by arms, not recognizing the independence of the Cuban Republic, we miss one great element in the cause which will make our quarrel just. We shall lay ourselves open to a great variety of complicated questions and conditions. The open, free path is to make the recognition before we land upon the shores of that island at all.

The Cuban Republic, sir, is the great, overshadowing, outlying fact in this whole transaction. The war waged by the Cuban Republic, its army and navy—I am speaking advisedly—has made the Cuban question. Without its endurance and success thus far there would have been nothing here for our deliberation. The existence and the recognition of that republic are so related to the question as the soul to the body to make a living man. We can not be blind to it. We can not fail to see it. It is the first fact to be noticed and it is the first fact to be recognized—the existence of a republic upon the Island of Cuba.

It may be asked, Who are the government of the Republic of Cuba? I answer that question by one statement: The Government of Cuba is composed of men at the head of affairs with a constituency behind them who have maintained successful war for thirteen years against the Spanish Monarchy. That is the Government of the Republic of Cuba, and no colonial government in the history of the world has waged war for such a period without earning and receiving recognition as a nationality, and especially

*Letter referred to implores medicines and provisions.

recognition from the Government of the United States. I therefore prefer, greatly prefer, that we shall acknowledge and recognize the existence and authority of the Cuban Republic, so that when we have intervened by arms, if it become necessary, that shall be the government of the island, and it shall be left free in its career, unfettered in its course, as the United States were left by France at the time when she withdrew her forces at the close of our Revolutionary war.

I am especially in love, sir, with the idea of Cuban nationality, and I am attached to it for the reason of the capacity which nationality has to deal with debt, with foreign debt, with domestic debt. A sovereign nationality deals absolutely with debt. It may incur debt. It may assume a debt, part of a debt, portion of an indebtedness, or it may entirely obliterate it, and refuse to be liable for any part or portion of it. That is one of the functions of nationality. It is not a function of mere autonomy. It is not a function of a free and independent people like the Commonwealth of Massachusetts, like the Commonwealth of Indiana, the colony of New Zealand, or the Dominion of Canada. None of these have nationality, and they can not therefore deal thus with debt. Nobody can question the action of the sovereign in the disposition he makes of debt.

What, then, has been the practice—the universal practice—in disposing of debt, such as the one said to be now confronting us in this condition? The universal practice is this: Where a nation merely changes its form of government, there is no change in the status of the debt, notwithstanding that change may be effected by war, by revolution. We have, within the last one hundred years, recognized four or five different governments in France—first the old republic, then the first empire, then the kingdom, then the second republic, then the second empire, lastly the third republic. None of these changes, most of which were effected by war, affected the status of the French national debt.

So I might speak of the revolution in Brazil. That was a mere change in the form of government. The Republic of Brazil carries with it the debt of the former empire. So I might speak of the revolution in the Republic of Hawaii. That was where one form of government supplanted another utterly in the administration of government, but did not change the nationality, did not change the status of the debt; and the Republic of Hawaii is bound by the debt of the monarchy.

I might cite many other parallels—there have been many others. Such has been the universal practice. But where a part of an old-established government asserts its right to be independent, asserts and successfully asserts its right to be a national sovereignty, that part of the government so revolting has never bound itself to pay any debt of the mother country; it is not either morally or legally liable for the payment of any debt of the mother country, and can only become bound and liable for the payment of such debt by a treaty, by covenant, or by agreement.

Now, sir, we know what the status of the Republic of Cuba is with respect to the payment of the Spanish war debt incurred in an unsuccessful attempt to suppress revolution in that island. We know that that debt amounts to $300,000,000, or very near that sum.

Not long ago there were various overtures made in the newspapers, not official, I grant you. They were scouts, spies, thrown out to sound public opinion as to whether the Cuban Republic would purchase Cuba; whether it would pay $200,000,000; whether it would pay $100,000,000; whether it would pay $100,000,000 guaranteed by the United States; whether it would pay $200,000,000 guaranteed by a wealthy syndicate. We know what the reply of the Cuban Republic was to those propositions. We know that Gomez stated, after consulting the civil authorities of his government, that the Cuban Republic would not be liable and would never recognize its liability to pay one dollar of the Spanish war debt. That is the position of the Cuban Republic. It will not agree to pay, it will not make any covenant to pay one dollar of the Spanish debt. If it had done so there would be no question now about its independence and recognition.

What has hindered the declaration of belligerency? The existence of the immense Spanish war debt. The mere recognition by this Government of Cuban belligerency would have been an acknowledgment of the fact that a government de facto was in that island; and upon that government de facto would have rested the function of either ignoring or paying the Spanish war debt, and because the government de facto was known to be opposed to assuming any portion of it, belligerency was as bitterly opposed then, and is to-day, as the absolute recognition of independence.

It is from this concealed disappearing battery of the Spanish war bonds that all the rumors have arisen with respect to the disparagement of the character and claims of the Cuban Republic.

Latterly they put into circulation a report that the Cuban Republic was hopelessly insolvent; that it had sold its bonds for sixpence, for nothing; that a large amount of its bonds were in the hands of speculators—all attempting to mislead Congress with respect to the pecuniary condition of the republic, and to ask the American Congress why will you recognize a nation so hopelessly insolvent, as if insolvency were a crime, that freedom and liberty should not be preferred even where a people were insolvent. Now, we know that all this was false; we know that it was all unfounded; we know that there is not much more than $100,000 of Cuban bonds in the hands of bona fide holders. They have lacked every element of credit. They have had no market. They have had no recognition; none of belligerency, none of independence. They have had no commerce. They have had no means of pledging or of binding to secure the payment of these bonds—none in the world.

The fact is the Cuban Republic is comparatively without debt; it is a government without debt. It has not had the credit to maintain and establish or to procure that national blessing, as it is sometimes called, of a national debt. It is free of debt; and it is without liabilty except what it may have incurred in the prosecution of the war for independence; and even those liabilities are very small.

The army of Cuba, sir, serves without pay. Not an officer or soldier of the republic receives any pay. The civil government of Cuba, President Masso and all of his assistants, serve without salary. They serve for the love of the country and its cause. Where has there been a higher, nobler service? Where is there a parallel to this unpaid service in the cause of liberty except in the case of George Washington, who served also without pay, without salary, and without remuneration as the Commander in Chief of the Army of the United States? It is because the Cuban Republic established upon the Island of Cuba, it is because the Cuban Republic recognized by the American people, would be free of debt, perfectly solvent, able to pay the Spanish war bonds—it is because of that, sir, that independence is deferred. It is because of that that belligerency is postponed. The very reason that it will be rich and wealthy and not in debt is the reason why through some diplomacy a covenant and agreement must be made to make it liable for the payment of the war debt.

Senators express themselves in the most patriotic terms as willing to go to war and shed the blood of the people of the United States, her gallant sailors and soldiers, for the purpose of extinguishing the divine right of kings to reign in the Island of Cuba or in any other free country on this continent. I say we ought to extinguish the divine right of the bondholders at the same time; and neither intervention nor war ought to be made except with the condition that no part of the Spanish war debt shall be entailed upon the Cuban people. The only way to make that condition possible and operative, the only way to make that covenant binding beyond all contradiction, is to recognize the independence of the Cuban Republic. That would be the end of the Spanish war debt except as to Spain.

How did the holders of these bonds procure them? They were a part of the war credit voted by the Spanish Cortes. The holders of these bonds had ample notice of their character. Every holder of these bonds made his bet against liberty and lost. I say, Let them lose the whole amount; let them look only to old Spain for any retrieval of such loss.

I ask with great regret, sir, what is the meaning in a recent state paper read to the Senate about the force of the Army and the Navy transferred by us to the Island of Cuba which shall establish a government free and independent, which shall observe its international obligations and which shall guide to a settlement?

I am not certain, sir, that my construction of this language is correct. It may be wholly wrong. If the words had been "international powers and function," if the words had been "international rights and powers," the phrase would be plain; but the words "international obligation," it seems to me, define precisely a Spanish war bond held by the citizen of a foreign country against Spain. International obligation may include that settlement which is spoken of. It may comprise under this construction the establishment of a government in Cuba which shall acknowledge in some way its liability for the payment of these bonds.

Now, I wish to make a recognition that shall make that liability impossible, that shall banish from the minds of all men everywhere the right or duty of the Cuban revolutionists to pay taxes for the payment of the bonds which were issued for their own conquest and subjugation. I do not think there is any other safe way of doing this. There is no other prudent way of effecting it. There is no other international course open to us that is so perfect in all its parts as the immediate recognition of the Cuban Republic.

Belligerency, it is said, is not even to be granted. Why? Because the Spanish war bonds would be discarded by such acknowledgment, because it would imply some power in the Cuban people to make a disposition of this debt. That is the real reason. The other reasons assigned are all unworthy and unfounded.

It is said that our recognition of belligerency or of independence would be contrary to tradition. We recognized seven republics in South America in the third year of the war, without navies on the sea, when they were confronting Spanish armies three times their number, without seaports except those in the possession of the

enemy, where it was difficult to find the capital, shifted from place to place by the exigencies of the campaign. Mr. Monroe insisted that his ministers should find the capital, if it were in the camp of Bolivar, and should make the recognition of independence. This is a part of our tradition. Would it be contradicted if we to-day recognized Cuban independence?

We recognized the independence of Texas as a sovereign nationality when it had no navy and never expected to have any, when it had only 800 men under arms, when it had only 30,000 population. We recognized the independence and nationality of the Republic of Texas. In very recent times we recognized, twenty-four hours after its declaration, the independence and nationality of the Republic of Hawaii, having a population of not 100,000 and an army not to exceed 1,200 men.

Here is a power, here is a government, here is a nationality—for I will call it such—a Cuban nationality, with 400,000 of population within the States of Oriente and Camaguey, absolutely under republican control, and with 300,000 other population in the debatable ground adhering to it, who have pledged their lives, their fortunes, and their sacred honor for the maintenance of the independence of the Cuban Republic.

I know it is said the Cuban Republic has no navy. That is a great mistake, sir. It has a very efficient navy. It has the same navy that Toussaint l'Ouverture had when he drove the French from Haiti—skiffs and canoes innumerable; a navy which goes by sea around the end of the trocha near the shore, which supplies its forces in the same manner with ammunition and provisions; a navy which acts as lighters to the blockade runners who occasionally make a landing in that island. It has a navy as much as any South American or West India republic that we now acknowledge had at the time of its first declaration of independence. The army and the navy of Cuba have supported the government, and they have earned recognition by deeds of valor equal to Spartan bravery and by endurance equal to Roman perseverance, and by prudence and caution which have never, in the history of the world, been excelled.

I wish this recognition, Mr. President, to be made now as a part of the resolutions reported by the committee, so as to put beyond all doubt that the Cuban Republic shall not only be free from Spanish usurpation, but it shall be free from Spanish debt and bondage. If we do not make this recognition now, I fear it never will be made. I know it is said the President can recognize at any time. So he can. Why did he not recognize yesterday? Why does he not recognize to-day? If he has the power to recognize now, when will he be prepared? When this war is fought, as I believe it will be, to a successful conclusion, it will come within the field of negotiation as to what status the Republic of Cuba shall have in that island.

That is manifestly predicted in the President's message as the time when military constraint will have to be put on both forces in order to make the pacification of the island. Who would have dared to put military constraint, at the close of the war of the Revolution, upon Washington, upon Lafayette, upon Steuben, upon De Kalb, upon those immortal adventurers who secured to this nation its life and its existence?

Where in the history of the world has there been an instance when a free de facto government in arms had been suppressed by a friend and ally for any cause, had been supplanted by a friend and ally for any other form of government?

What if France had said at the close of our Revolution, "The British have gone; they have evacuated the country; we are here; we do not like the Continental Congress; we do not like the Articles of Confederation; we do not like the system of government; we distrust your method of dealing with the loyalists; we are opposed to your legislation upon many subjects; we will stay here until we have established a government in the United States which shall secure peace and order and preserve all its international obligations"? What would have been the reply of Washington to that? What would have been the reply of Hancock, the president of the Congress, to that? They would have fought the Revolutionary war for seven years longer before they would have received such an intimation, before they would have assumed the liability of one penny of the debt of Great Britain incurred in the unsuccessful attempt to suppress the Revolution.

No, sir; the same influences which have heretofore prevented the declaration of belligerency, the same sinister influences which have heretofore prevented the recognition of Cuban independence, that same disappearing battery of the Spanish war bonds, that same last gun of the Spanish war debt will enter into our negotiations with respect to the settlement of affairs on that island; and they will insist that if a free republic is established in Cuba, it shall be established only on one condition—that the Spanish war debt be paid or secured; and they will insist that if any government be established by the United States on the island which shall not recognize the validity and legitimacy of the the Spanish-Cuban bonds, we ourselves shall be liable to pay them.

These are possibilities. They are very grave possibilities, because of the $300,000,000 of bonds, at least $200,000,000 of them, perhaps more than that, perhaps $250,000,000, are held by subjects of the most powerful countries in Europe. They are grave questions; they are grave responsibilities; they raise serious complications. How shall we be rid of them? There is only one way, pure, straight as the path of rectitude, unclouded, without question. It is to acknowledge now the independence of the Cuban Republic and let that government deal with it as it deems it proper to do.

Mr. President, even in the case of the defeat of the amendment of the minority, I am in favor of the resolutions of intervention reported by the majority of the committee. Any change in the present condition of Cuba must be for the better, if not for the best. Nothing can exceed in horror and iniquity the present tyranny of Spain on that island; nothing can exceed the patriotism, the endurance, the unselfish devotion of the Cuban Republic to the cause of liberty. The reward of the one and the punishment of the other rest in the single phrase: "The recognition of the independence of the Cuban Republic."

I would not reach out my left hand to Cuba Libre, bringing her in by the back door. I would stretch out both hands to the Cuban Republic, welcoming her at the front door as the latest born sister into the family of the nations of the world; and even if our armed intervention bring at present invisible, inaudible, and inexplicable conditions—for I do not understand the silence of the committee on that subject; I do not understand the greater silence of the President's message—I shall put my trust in going with the majority. I shall have confidence that God in His providence will overrule these gigantic evils for the good of liberty and the welfare of mankind. Even through the chapter of accidents which are to succeed present action I will trust that the Cuban Republic at present in existence shall continue to live as free from Spanish debt as it will be from the ruthless and blood-stained ruin of the Spanish throne.

Mr. PETTIGREW. I wish to offer an amendment, which I should like to have read, printed, and lie upon the table.

The VICE-PRESIDENT. The amendment intended to be proposed by the Senator from South Dakota will be read.

The SECRETARY. It is proposed to strike out all after the resolving clause of the joint resolution and insert:

First. That the people of the Island of Cuba are, and of right ought to be, free and independent, and the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of the island.

Second. That war be, and the same is hereby, declared to exist between the Kingdom of Spain and the United States of America, and that the President of the United States is hereby authorized to use the whole land and naval force of the United States to carry the same into effect.

The VICE-PRESIDENT. The proposed amendment will be printed and lie upon the table.

Mr. GRAY. Mr. President, if it were not for the fact that I am a member of the committeewhich has reported the resolutions that are now before the Senate, I would at this solemn and fateful moment in the history of my country remain silent and content myself by my vote in vindicating the position which I think my country should occupy in asserting her cause before the civilized world. In the few moments that I shall occupy I shall not concern myself with any such—and I say it with all respect—inconceivably, in the presence of such a crisis, low and contemptible considerations as to who may or who may not hold the bonds of Spain or of the Cuban Republic.

I am not here, sir, to govern my public action in the face of the world in this grave crisis by mere suspicion as to what may or may not be the motives of others. I was not born with suspicion in my blood; but I was born, I hope, sir, with that in my blood that will make me always stand erect, until I am stricken down, for the honor of my country and the glory of her flag.

Mr. President, it is a hackneyed saying, I know, that partisan politics halt at the shore line; but, hackneyed as it is, it is pregnant with meaning. We are here to-day—and I attribute to no Senator upon this floor any feeling less patriotic than my own—we are here to-day as Americans all. Patriotism, and not partisanship, is the spring and motive, as it should be, of our action, whatever form it may take. I do not believe that anyone here will gain his own consent to maneuver for a partisan advantage at a time like this. I am here, sir, to support, not a Republican President, not to say that I range myself behind a partisan leader, but, in my humble way, to support an American President, the leader of 70,000,000 of people, inducted into his high office by their will and by the laws of his country.

Mr. DANIEL. Will my friend allow me to ask him if he considers these resolutions in line with the President's message?

Mr. GRAY. I will come to that and answer if my friend will indulge me for a moment.

Mr. President, I am here, in case we can not do what I think better, to support the resolutions which came from the committee of which I have the honor to be a member. I believe, however, sir, that the resolution that was introduced yesterday by the

Senator from Maine [Mr. FRYE] is wiser and a better expression of the feeling of the country. It was considered by the Committee on Foreign Relations and received the support in that committee, as was said yesterday—and I am not disclosing, certainly, at first hand the secrets of that committee or its proceedings—received the support of four—I do not remember, but five, certainly of four—members of that committee, and I believe, as I said, it better represents the feeling of this country and the attitude that the good people of the United States would assume if they had a fair expression of their own will and of their own desire in that regard.

Mr. DANIEL. Mr. President, my honorable friend is using language which is vital to this case and rather seems to imply that those who differ with him are not in so loyal and high an attitude toward the President as he is.

Mr. GRAY. I disclaim it if I have said anything which would give the Senator ground for such a statement.

Mr. DANIEL. The Senator puts an interpretation upon these resolutions——

Mr. GRAY. I have not discussed the resolutions. I have not come to them yet. I am going to speak of them.

Mr. DANIEL. I thought you said you would speak to these resolutions in support of the President of the United States.

Mr. GRAY. No, sir; I did not use that language.

Mr. DANIEL. What I wish to know is whether the Senator, when he recommends these resolutions to us, considers that they embody the views of the President of the United States?

Mr. GRAY. Mr. President, with all respect for my very good friend the Senator from Virginia I do think that he is a little previous in asking the question.

Mr. DANIEL. I beg pardon of the Senator.

Mr. GRAY. I know there is no intention on his part to unduly interrupt me, but I had not spoken to the resolutions, although I intended to discuss them in my own way as well as I could and very briefly. I will come to them in a moment.

Mr. President, I did say with some emphasis, because it came from my heart, that I was here, as I conceive my duty as an American Senator to be, to support in this grave crisis of our country's history an American President, chosen by the American people for the very purpose that he is now seeking to carry out and achieve.

Mr. President, there is no need that I should occupy the time of this Senate in making, or in attempting to make, a speech, if I were capable of it, that would merely have a tendency to excite the feelings of the American people or my colleagues here if they needed such excitement. We do not need to lash running horses. We all agree—of course I know we all agree—in the patriotic intent and purpose to support our country and stand loyally by it in this hour of trial, but I want to put, in these few brief hours before final action is taken, for myself and for others who may think that what I say is worthy of attention, the case of my country upon grounds so high, as I conceive them, that all the world must approve them.

Mr. President, why have we waited all these long years while suffering humanity has been crying out across the narrow strait that divides Cuba from the territory of the United States? Why, during all these months of patient waiting and anxious longing, have we been performing our international duty that we owe to a power with whom we are at peace? Why have we patrolled our coast and spent millions of the public money in order that international duty might be kept and performed to the letter? It is because the American people, as represented by the American Government, have a conscience. It is because no war or armed collision, with all its frightful sequences, would be tolerated by the civilization of America unless its conscience was satisfied that such collision and such war was righteous altogether. We have no dynastic wars; we have no wars of conquest or aggression; we have marked out in our diplomacy for a hundred years a new pathway, which has led the nations upward to a higher plane, and that is our glory and our pride. It is because the conscience of America is satisfied to-day that we stand here and feel that we are reflecting their will when we vote for any of the resolutions which are now before the Senate.

What has made the case that has thus affected so deeply the heart and conscience of the American people? Exceptional circumstances, circumstances that we had no hand in creating, and out of those circumstances duties have arisen that we can not evade or ignore. Time and propinquity are of the essence of the situation. Cuba is right at our door, and that colors and qualifies the duty we owe and the attitude we occupy toward her. If she were on the other side of the ocean, moored off the coast of Africa or Portugal, while our interest might be excited and our feelings stirred, our duty might be different. But there she is where God placed her. There, during all these three years, we have waited while the drama of blood has been enacted under our eyes, and we have stood as a people strong and conscientious, with a religious and holy hope that humanity at last would assert itself there without our intervention and right those wrongs; and we have waited and waited until, in the language of the President, we can endure it no longer and the situation has become intolerable.

Time then enters into it. Time has elapsed sufficient to make our duty clear and plain. God knows that I, with others in this body and outside of it, would have had this occasion pass away, would have avoided all necessity for unrolling the purple testament of bloody war and sought some peaceful solution, as I believe that the President of the United States has, conscientiously and in accordance with the best feelings and aspirations and desires of the American people, sought a peaceful solution of this difficulty. Mr. President, I applaud every effort that he has made to secure peace with honor to this peace-loving country. We are to-day stronger morally and materially for those efforts. And he would not have fairly met the high responsibility of his station had he failed to make them. The American people will not fail to do justice to their President.

But, as the Senator from Massachusetts [Mr. HOAR] said, it is apparent from the President's message that the function of diplomacy is exhausted and the matter is submitted to the Congress of the United States.

Now, what are the grounds upon which we are to take the grave step which we are about to take? To recognize merely the struggling Republic of Cuba in its contest against the parent country? No. Suppose that contest had been waged in such fashion that the rules of civilized war had not been violated; we would not have been justified merely on that account in recognizing this republic as independent from the mother country—we would not have been performing our international duty if we had—but it is because in the course of that contest humanity has been outraged, the conscience of the American people has been stirred, and a state of things has been produced which no man with a human heart in his breast can look upon calmly and with quiet pulse.

Mr. President, the case has been made up. The President has recited the pitiful story in the message which he has sent us. It has been reenforced by the sober, calm, almost colorless statement of our own colleague, the Senator from Vermont [Mr. PROCTOR]. The consular reports make that statement a moderate one and under, rather than beyond, the truth. We have those reports on our desks. I do not want to read from them; we have it all with us; the world will have it all. I do not want to take up your time to tell you that in January of this year Consul-General Fitzhugh Lee, writing to the Government, says:

> I have the honor to transmit herewith some statistics sent me about the mortality in the town of Santa Clara, the capital of Santa Clara Province, situated about 35 miles south of Sagua, which numbers some 14,000 inhabitants. It will be noticed that there were 5,439 deaths in that town in the seven years previous to 1897, which included 1,417 in one year, from an epidemic of yellow fever, while in 1897, owing to the concentration order, there were 6,981; the concentration order went into effect in February.
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> In that year, 1897, the month's death rate for January was 78, but in February, the first month of reconcentration, there were 114, and there has been a gradual increase since, as you will see, until in December, 1897, the number of deaths was 1,011.

Or that Mr. Brice, in a letter dated November 17 last, said:

> Death rate in this city over 80 persons daily, and nearly all from want of food, medicines, and clothing. As I write this a dead negro woman lies in the street, within 200 yards of this consulate, starved to death; died some time this morning, and will lie there, maybe, for days. The misery and destitution in this city and other towns in the interior are beyond description.

Mr. BACON. What is the date of that letter?

Mr. GRAY. November 17, 1897. I take these reports at haphazard. There are many other things more harrowing still, but I am not here to harrow your feelings, but to state the basis of our action. That is well stated in the preamble to the resolution reported from the Committee on Foreign Relations, which reads as follows:

> Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,
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> *Resolved by the Senate and House of Representatives, etc.*

I want to call the attention of the Senate to the ground upon which this committee has placed the action which they invite in this body, not that the Republic of Cuba has sustained a gallant contest for these three years past—and I know that in every fiber of my being I sympathize with those gallant men—not on that account, but on account of the violated womanhood and childhood and motherhood and manhood that has been perpetrated right at our own doors. That is the morality of the situation.

I liken the action which is proposed to be taken in this country now, Mr. President, so far as its moral aspect is concerned as a member of the family of nations, to that of a man in a civilized community who is a law-abiding citizen, who has next door to him a villainous and cruel neighbor who every day chokes his wife and starves and maltreats his children, and because he is a

law-abiding citizen he bears it and bears it and bears it for days and weeks, until at last he can bear it no longer, and, law or no law, he enters the residence of his neighbor, takes him by the throat, and says, "Take your hand off of that woman and let these children go;" and all his neighbors applaud. That is what we propose to do, and all our neighbors of the family of nations will applaud our action in so doing. If they do not, God help them and the civilization they represent.

Mr. President, interference in the government of another country is nowhere countenanced by specific rule or canon of international law. It can not be. You could not formulate a rule of international law to say that under certain circumstances one nation may invade the territory of another if the purpose is so and so and so and so; but international law stands mute and holds that nation blameless that in the cause of humanity interferes to bring about a cessation of outrageous cruelty, to lift up the falling cause of humanity, and to let the oppressed go free. Every case must stand upon its own merits, and when the case of a civilized Christian country commends itself to the moral judgment of its citizens, then it is sanctioned, then it is justified, in the interference it proposes.

The writers on international law have not been entirely silent upon this subject. Professor Lawrence, of England, in a recent publication in 1895, called Principles of International Law, after stating the general rule that international law does not countenance or sanction the interference or invasion of one nation in the affairs or in the territory of another, states this principle thus:

At the same time, it—

That is, international law—

At the same time, it will not condemn such interventions if they are undertaken with a single eye to the object in view and without ulterior considerations of self-interest and ambition.

Have we not, Senators, in our conduct purged our action and our intent of every possible selfish consideration? Where, Mr. President, have you ever heard, either on the floor of the Senate or the House of Representatives, in public utterance or private deliverance, one suggestion that we should interfere for the sake of aggrandizing the territory of the United States or bringing about the annexation of Cuba as a star to be added to the galaxy of the States of this Union? Never, I will warrant. I never have.

Should the cruelty—

Now, mark you—

Should the cruelty be so long continued and so revolting that the best instincts of human nature are outraged by it, and should an opportunity arise for bringing it to an end and removing its cause without adding fuel to the flame of the contest, there is nothing in the law of nations which will condemn as a wrongdoer the state which steps forward and undertakes the necessary intervention. Each case must be judged on its own merits. There is a great difference between declaring a national act to be legal, and therefore part of the order under which states have consented to live, and allowing it to be morally blameless as an exception to ordinary rules. I have no right to enter my neighbor's garden without his consent; but if I saw a child of his robbed and ill-treated in it by a tramp, I should throw ceremony to the winds and rush to the rescue without waiting to ask for permission. In the same way, a state may, in a great emergency, set aside everyday restraints, and neither in its case nor in the corresponding case of the individual will blame be incurred.

Mr. President, upon that high ground I wish to place the cause of my country, now about to take this important step which may set the world aflame. I desire that statement to go before the forum of nations to justify the course we are about to pursue. Nothing here less high, less holy, less sacred, could impel the great American people thus to stand erect and demand that this cruelty, outrage, and oppression shall cease, and cease at once upon our demand, and if not upon our demand, then by force of American arms.

We have nothing here to do with the Monroe doctrine. It plays no part in this contest. The circumstances by which we are surrounded are exceptional. The case is out of any ordinary rule—the propinquity of Cuba, the tyranny they have endured, the outrages, and the character of them, as my friend the Senator from Alabama [Mr. MORGAN] says. No, Mr. President, it is because outraged nature can not longer stand what we have been compelled to endure. We can not forever keep our place and say we are not our brother's keeper. God himself will hold us to responsibility if we continue to plead thus.

Mr. President, there are some lines of a New England poet on another occasion, to express the deep feeling of a strong and righteous American welling up from an honest heart, that seem to me to apply to the situation that is forced upon our observation, where he exclaims:

Look on who will in apathy,
  And stifle ye who can
The sympathies, the hopes, the fears,
  That make man truly man.

I first drew in New England's air,
  And from her hardy breast
Sucked in the tyrant-hating milk
  That will not let me rest.

Mr. President, a word or two more as to the report of the minority of the committee in regard to the recognition of Cuba. I have already touched upon it. The Senator from Indiana [Mr. TURPIE] who has just taken his seat, in the eloquent address which he has made—and no one listens to him more gladly and delightedly than I always do—used an illustration which it seems to me ought to control the situation. He said suppose France at the end of our Revolutionary struggle, with her armed forces on our shores, had attempted to dictate to the United States as to what form of government they should have and how they should administer that which they already had. The answer, of course, could be only in one vein.

Is that to be the attitude of the United States on the Island of Cuba when this war shall happily come to end, that we are to stand mute in the presence of this republican government, and no matter what policy is pursued, no matter what form of government they set up, that we are to retire without influence, without voice, as to the future of the people of that island? Suppose, for instance—and I am making a violent assumption, because from what I know of the people who make that republic and are its leaders I have only admiration for them—that at the end of that struggle Gomez and his followers should seek to wreak vengeance as the result of the not unnatural resentment which he and his followers have against the 200,000 Spanish subjects who still remain upon that island. Are we to have no voice? Is our protest to be of no avail, and is the analogy put by the Senator from Indiana in the case of France and the United States at the end of the Revolutionary struggle to hold? No; it can not.

No, Mr. President, we are intervening not to recognize a revolutionary government, but we are interfering in the sacred cause of humanity; and if it comes, as surely it will—the independence of the people of that island—due respect and due influence and due weight and consideration will surely be given to the gallant men who have made this struggle and have erected the framework of government of which we hear so much; but we will hold their future in our hands, and I am not afraid of any bondholding attack upon the United States on the ground that we have for a single moment controlled the destinies of that island. We do not, in the language of the books, absorb her territory. We do not as we enter into this great drama declare that we wish to absorb the territory. We declare something entirely different. And if you are to take our conduct measured and characterized by our declarations, then we are absolved and free from the conditions upon which any power on earth could claim that we were responsible for the incomes which have been mortgaged to pay Spanish bonds.

Mr. LINDSAY. If it will not interrupt the Senator from Delaware, I should like to make an inquiry. Suppose when we take possession of the Island of Cuba and make the people of Cuba independent they form a government which, in our estimation, operates unjustly toward a portion of the people of that island who adhered to the Spanish Crown, are we to refuse to recognize the government; and if so, to what means are we to resort to cause a government to be erected that comes within our approval?

Mr. GRAY. We can not guard against every human eventuality, but we can take care that a government formed under our supervision and care and tutelage shall be such a government as will be just not only to this country, but to those for whom we have concern on the score of humanity in the territory over which that government extends. I do not believe that there is any thought now or that there ever has been any thought that we are forever, after this matter shall be accomplished, to exercise a protectorate or suzerainty over that island or any government which may be set up there under our auspices.

Mr. LINDSAY. Then, if the Senator will permit, I will ask another question. If we are to retain control until a government is formed which meets with our approval, will that government be the act of the people or the act of the United States?

Mr. GRAY. We are crossing a great many bridges before we get to them, but I believe that when that happy consummation of American arms shall come we shall say to all the world, and illustrate what we say by our acts, that no selfish consideration has actuated us; that we spoke the truth when we said we intervene in the cause of humanity, and that we have aided the people of that island in setting up a republican government, and we will retire and leave them to conduct better housekeeping than was ever conducted under Spanish rule or Spanish protectorate. Now, I leave the subject.

Mr. CAFFERY. Will the Senator permit me to ask him whether or not, after we intervene, the making of such a government as we approve of by the United States does not of itself constitute a protectorate?

Mr. GRAY. Oh, Mr. President, I am not here to answer metaphysical conundrums like that. I am here, sir, in the face of this——

Mr. CAFFERY. Will the Senator pardon me? Does the Senator decline to answer my question?

Mr. GRAY.. I decline to answer it now, because it has nothing to do with my argument.

Mr. CAFFERY. I beg pardon of the Senator for interrupting him.

Mr. GRAY. I always listen to my friend with pleasure, but I am about to close.

Mr. CAFFERY. I am so opaque-minded that I do not see any metaphysics in the question.

Mr. GRAY. That may be.

Mr. BACON. Will the Senator from Delaware permit me to ask him a question, as a member of the Committee on Foreign Relations? I ask it because I desire the information. Do I understand the Senator to favor the first resolution reported by the committee?

Mr. GRAY. I favor those resolutions if I can not get what I consider better. I do not think they are the best possible outcome.

Mr. BACON. The Senator does not favor it?

Mr. GRAY. I favor the resolutions in one contingency—when the others are voted down. I am going to vote, if I have the opportunity, for another set.

Mr. BACON. That is a preliminary question which I wanted to ask the Senator. Probably he may not be in a position to reply to what I am about to ask, as he does not give his unqualified consent to the first resolution. I ask it in good faith, in order that I may get the opinion of the Senator, and through him the opinions of his colleagues upon the committee. I ask the Senator to state to the Senate what he means by the term in the resolution, the independence of the people of Cuba?

Mr. GRAY. I will reply to the Senator. The first resolution reads thus:

First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

I agree that the people of the Island of Cuba of right ought to be free and independent. I wish to God that I could say that they are. I do not believe it.

Mr. BACON. The Senator, as I understand it, does not agree to that word "are?"

Mr. GRAY. I do not.

Mr. BACON. Then the inquiry which I wish to make must be addressed to some other Senator. I want to know, and I ask the other members of the committee to bear it in mind when they come to address the Senate, what is the meaning of that resolution when it says that the people are independent.

Mr. MORGAN. May I interrupt for a minute?

Mr. GRAY. Certainly.

Mr. MORGAN. I will ask the Senator from Georgia what is the meaning of the very identical language in the Declaration of Independence of the United States in 1776, when the world knows that historically we were not then independent?

Mr. BACON. I think the answer is a very plain one. We are speaking of another people. We are speaking of the conditions there existing. We say that we recognize that they are independent.

Mr. MORGAN. Historically——

Mr. BACON. One moment, if you please. I want to know what you mean when you say it. I am not saying it.

Mr. GRAY (to Mr. BACON). Ask him in your own time, if you please.

Mr. BACON. Let me finish the answer. I am not responsible for the interjection of the Senator from Alabama. It was he who asked the question. We, in the case of the Declaration of Independence in 1776, were speaking of ourselves, which is a vast difference.

Mr. GRAY. That is the true distinction. I agree with the Senator from Georgia entirely. In 1776 we declared before the world that we were free and independent.

Mr. MORGAN. Was that the truth?

Mr. GRAY. We are now called upon to state as a fact in regard to another people that which is notoriously not true.

Mr. MORGAN. Will the Senator allow me?

Mr. GRAY. I was about to close.

Mr. MORGAN. When we made the declaration in 1776 that the people of the United States are and of right ought to be free and independent, we certainly were not speaking of history. We were simply uttering a grand political decree which was the basis of our political union at that time, and that was the meaning of that decree at that time, and it is the meaning, as I understand it, of this resolution.

Mr. GRAY. The President of the United States in his late message, besides reciting the pitiful tale of sufferings and outrage in the Island of Cuba, has told us, and we are bound to take his official declaration as the basis of our action, and the rightful and competent basis of our action, that—

The long trial has proved that the object for which Spain has waged the war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

And so say the American people, unless I mishear their voice entirely. This war must stop in the interests spoken of by the President, and for that we intervene, and for that cause we will rally the manhood of America, which will go to the seacoast with an erect and defiant front, ready to die for the honor of their country and in the cause of outraged humanity which we attempt to succor. [Applause in the galleries.]

Mr. FAIRBANKS obtained the floor.

Mr. DANIEL. The Senator from Delaware did not answer the question.

Mr. DAVIS. Mr. President——

The VICE-PRESIDENT. The Senator from Indiana has been recognized. Does he yield to the Senator from Minnesota?

Mr. FAIRBANKS. Certainly.

Mr. DAVIS. I have no intention or desire to speak upon the topics involved in this very momentous discussion, and I shall not do so, but I think the time has now come for me to make an appeal to the Senate, in the interest of the exigency of this cause and of those who are dying in the Island of Cuba while we are speaking, to fix a time for the close of a debate which with the exception of some features is a repetition of discussions we have heard here for the past three years. I now ask unanimous consent that when the Senate adjourn to-day it be until to-morrow at 11 o'clock, and that a vote be taken upon the joint resolutions of the House and the Senate at the hour of 5 o'clock to-morrow afternoon.

Mr. ALLEN. The Senator from Minnesota says he wants an early time fixed for a vote. Let us not debate it. Why not vote now?

Mr. DAVIS. I should be delighted if that could be done.

Mr. CARTER. I ask unanimous consent that we vote now.

Several SENATORS. Vote! Vote!

Mr. ALLEN. I am as well prepared to vote now as I ever will be.

Mr. DAVIS. I accept that suggestion, and ask unanimous consent that the vote be taken now.

The VICE-PRESIDENT. Is there objection made to the request of the Senator from Minnesota?

Mr. WHITE. I wish to state that there are some Senators here who would like the privilege of saying a few words. I am one of those Senators, and I therefore object.

Mr. DAVIS. I renew the request just made.

Mr. ALLEN. I object to that. Let us proceed with a session to-night.

The VICE-PRESIDENT. Objection is made to the request.

Mr. TELLER. I suggest to the chairman of the committee that perhaps there might be a limit to the length of speeches.

Mr. DANIEL. I object.

Mr. TELLER. It seems to me we might facilitate coming to a vote in that way.

Mr. DAVIS. I will ask that debate be limited to fifteen minutes to each speaker.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Minnesota?

Mr. CAFFERY. I object.

Mr. DAVIS. I renew the request in its original form.

Mr. DANIEL. I object.

Mr. PASCO. I suggest to the Senator from Minnesota to ask that the last two or three hours be consumed in limited speeches, and that there be no limit prior to that time. Perhaps that proposition will be acceptable.

Mr. DAVIS. Do I understand the Senator from Virginia to object to my entire request?

Mr. DANIEL. Yes, sir; I object.

Mr. DAVIS. Then I ask unanimous consent that the final vote upon the Senate joint resolution and the House joint resolution and all amendments be taken at 9 o'clock to-morrow night.

Mr. MORGAN. To-night.

Mr. DANIEL. I object.

Mr. ALLISON. I ask the Senator from Minnesota to embody in his request that four hours of the time shall be allowed for debate upon the suggested amendments and propositions, limited to fifteen minutes to each speaker.

Mr. DANIEL. I object.

Mr. DAVIS. Let that suggestion be incorporated in my request.

The VICE-PRESIDENT. Is there objection to the request that the vote be taken on the House joint resolution and the Senate joint resolution and the amendments to-morrow night at 9 o'clock, and that the last four hours of the debate be under the fifteen-minute rule?

Mr. DANIEL. I object.

Mr. HAWLEY. There is no use saying anything, objection having been made. I am perfectly willing to give a reasonable

time. I want to speak for ten minutes some time or other during the debate.

Mr. DANIEL. May I be allowed to say a word in explanation? I dislike to object to any request of my honorable friend the Senator from Minnesota, but I know there are ten or eleven gentlemen here who wish to express their opinions on a question that involves peace or war. I wish to have an opportunity to express my own views as one of the minority to oppose the very elaborate and able report which has been made by the accomplished chairman of the committee; and so desiring myself, I do not wish to be put in the attitude of excluding any other Senator from the exercise of the same rightful and solemn privilege on this occasion.

Mr. DAVIS. I now ask unanimous consent that the vote be taken upon the Senate joint resolution, the House joint resolution, and all pending resolutions before the Senate adjourns to-morrow.

Mr. CAFFERY. I object, Mr. President.

Mr. CHANDLER. I desire to ask the Senator from Minnesota whether if consent is not given to fix a time for voting, it is his intention to ask the Senate to remain in continuous session?

Mr. DAVIS. Undoubtedly it is.

Mr. CAFFERY. I desire to say that I have no disposition to prolong this debate. I consider it a question of the greatest moment to the people of the United States. The opponents of the Senate joint resolution, even the minority of the committee, have not had an opportunity to be heard. It is but a small matter to crave a few moments' deliberation in the discussion of this momentous question of peace or war. The Senator from Minnesota says that while we are deliberating the reconcentrados are starving.

Mr. MORGAN. A thousand a day.

Mr. CAFFERY. When the United States fulminates its fiat of war I should like to know of that Senator if it will save the life of the reconcentrados? I should like to know whether that will not shut out the hand of mercy that is now feeding them and create a condition of nonintercourse between the United States and the Island of Cuba? I can see no interest to be subserved, no legitimate end to be gained, by any hasty action in a matter that will involve this great Republic in war.

The VICE-PRESIDENT. The Chair desires to state that there is no request for unanimous consent before the Senate.

Mr. FRYE. Will the Senator from Louisiana allow me to answer his question?

The VICE-PRESIDENT. The Senator from Indiana is recognized.

Mr. FRYE. I understood the Senator from Louisiana to ask whether or not there would be any relief to the reconcentrados if there was war.

Mr. CAFFERY. Yes; and the Senator may answer the question, if he please.

Mr. FRYE. I say if there was war the pathways to the island would be opened by our ships of war, and the ships of peace would enter at once into those pathways loaded with food for the starving people of Cuba. [Applause on the floor and in the galleries.]

Mr. FAIRBANKS. Mr. President, I shall detain the Senate but briefly in the consideration of the great question that is pending before us. I would, indeed, be quite content to leave it where it has been left by the splendid addresses of the Senator from Massachusetts [Mr. HOAR] and the Senator from Delaware [Mr. GRAY]. I am slow to add any word at this moment lest it be discordant with the patriotic and splendid sentiments uttered by those distinguished Senators—sentiments clothed in classic diction and fervid with exalted patriotism.

Mr. President, I have come to the Senate as I would seek a sanctuary in the contemplation of this great issue. I, sir, have not been for either peace at any price or war at any cost. I have been steadfastly for peace if it could be maintained honorably, and for war if the national dignity and honor required it.

The problem which is presented to us is one of the greatest gravity, one which invokes our most deliberate, patriotic judgment. Many times during the last three-quarters of a century our relations with Spain have been the subject of deep concern and profound embarrassment. The proximity of the Island of Cuba to our shores, our intimate commercial relations with it, are such that we are instantly and sensibly affected in a greater or less degree by its misgovernment.

The island stands sentinel over the Gulf of Mexico, the entrance to the Mississippi River, and lies in the direct course of our commerce via the Isthmus of Panama. We have been and shall always continue to be concerned in the character of the government which maintains in it. No other nation can have an interest in the maintenance of peace and in the existence of stable and just government in it equal to ours. Turbulence and revolution there involve our peace, embarrass our commerce, and entail upon us heavy expense in the observance and enforcement of our neutrality laws.

During the last thirty years insurrections have occurred in the island which the Spanish Government has been impotent to suppress, and devastating warfare has existed for many years. Each recurring insurrection apparently has been more determined and successful than the preceding one, and the Spanish authority has continued to diminish until it seems that the Crown is incapable of successfully reestablishing it in the island.

The war that has been waged has been in disregard of the universally recognized principles of modern warfare. The torch has laid waste the homes and property of innocent people not engaged in the struggle, and barbarities have been practiced which disgraced savagery. A fruitful island, susceptible of high development and the support of a prosperous nation, has been reduced in many places to a dreary waste; commerce has been destroyed, and the people driven from their homes to starvation and death. The world has witnessed a warfare without a counterpart in its brutalities and its destructiveness; and the moral sense of the civilized nations has been shocked and aroused as never before.

Our Government has neither coveted the island nor sought by force to control its administration. It has been our settled policy from an early period to permit no foreign interference with the Spanish authority over it. Our imperative demand has been that Cuba should fall under the sovereignty of no power other than Spain. We have repeatedly declared that we would not, without interference, see it pass to any other European power. This was clearly the policy embraced in the Monroe doctrine; and it was pointedly urged by Mr. Clay in 1825, in his note to Mr. Brown, when he said:

> You will now add that we could not consent to the occupation of these islands (Cuba and Puerto Rico) by any other European power than Spanish under any contingency whatever.

This doctrine has never been modified; it has been repeatedly reiterated and reaffirmed. But for our opposition, England would undoubtedly have acquired the island when she desired to do so in 1823 and thereafter have established a government which would have relieved us from the disquiet that has prevailed, and the world would not have witnessed the horrors of Spanish rule at our very doors. Indeed, but for our attitude, other powers might have succeeded to the Spanish control and have established stable government in the Island of Cuba.

In view of our relations to the island and of our policy of opposition to foreign interference with Spanish control, we are morally bound to put an end to the wrongs, the outrages, the evils which flow from Spanish misrule.

We have repeatedly tendered to the Spanish cabinet our friendly offices to end the wars in Cuba and to restore peace. Our offers uniformly have been rejected. Many of the concessions we have demanded, however, have been granted to the insurgents. During the ten-years war slavery was abolished at our demand; autonomous government was proposed, in name, however, rather than in reality. The autonomy offered was in fact a sham, a delusion, for the grasp of Spain was in no essential degree relaxed.

This Government has at all times been scrupulously observant of her duties toward Spain, yet Spain has been either unwilling or unable to properly protect the rights of our citizens or to make adequate reparation for the wrongs committed against them. They have been imprisoned without cause and tardily released without just reparation for the indignities and wrongs committed. The story is an old one, is already familiar as a thrice-told tale. History is but repeating itself.

When the present Administration succeeded to power, war existed in Cuba. An insurrection had broken out some time previously, which the Spanish authority was unable to subdue. Many American citizens were imprisoned and our commerce with the island was seriously embarrassed. Our authorities were vigilant in the apprehension and suppression of filibustering expeditions which were being organized on our shores.

Weyler was Captain-General of the island, and in the name of war had entered upon a system of extermination, had violated every recognized code of civilized warfare, and was fast bringing the island and its people to destruction.

Although confronted with questions of grave and serious moment at home, the Administration speedily addressed itself to the Cuban problem which has vexed our diplomacy and disturbed our tranquillity for so many years.

For many months the Chief Executive, upon whom rests, under the Constitution, the conduct of our foreign affairs, has been attempting to solve the Cuban problem peacefully and honorably. He has proceeded to its consideration with a broad and sympathetic statesmanship, and with a determination to enforce all the just demands we could make upon the Spanish authority, and with a purpose of defending, in the fullest degree, the national honor. The task imposed has been a grave and difficult one, and he has discharged it in a manner to challenge the admiration of his contemporaries and, in my opinion, to win the approval of dispassionate history.

His policy was an open one known to the world; it was peace with honor above and beyond all else, and war with honor only

as the last dread emergency. If war was to come, it must come at such time as we would be able to meet it and in such manner as the whole world would approve. He truly comprehended the resources and patriotism of our people, and well knew that but one result would follow an appeal to the sword. He also knew that nothing so became the mighty power of a great people as its sparing use.

Much has been accomplished by the Executive. Spanish prisons which contained many American citizens have been opened, and no American is in prison on Spanish soil; the rule of Weyler was closed by his withdrawal at the demand of this Government. His orders whereby noncombatants were driven from their fields and homes into cities and villages to starve and die have been rescinded. But the relief has come too late. Upward of 200,000 inoffensive citizens who never struck a blow at Spanish authority have perished—a harvest of death which only Spain could reap.

Thousands of others have been brought to the verge of destruction and are incapable of either returning to their desolated homes or existing until their crops can be grown if they were able to return. Through the appeals of the Executive, the American people have contributed liberally of their abundance, and ships have been loaded with food for the reconcentrados, and thousands have been saved by this merciful interposition who otherwise would have been lost.

Mr. President, upon the hands of the Spanish people is the blood not only of our own brave sailors but of over 200,000 of Spain's subjects; not of our race, it is true, but of fellow-beings created in the image of our Maker. This stain can not be washed away; it "will rather the multitudinous seas incarnadine." Where in all history are there crimes so atrocious? The murders and atrocities in Cuba have been committed as near to our shores as Philadelphia is to New York. The continuance of the starvation of noncombatants as an adjunct of war within the shadow of our homes must result in our own debasement and demoralization. Spanish cruelty has no synonym in the human tongue.

But a few weeks ago the *Maine*, one of our war vessels, was sent to the harbor of Havana upon a mission of peace, for the protection of American interests, and not for war. Her going was but the resumption of old-time friendly relations. While the noble ship rested at peace in the harbor of Havana, while she was enjoying Spanish hospitality, she was destroyed, and most of her brave crew perished with her. When the blow came she was Spain's guest, which "was strong against the deed." The explosion aroused our countrymen and shook the earth. It was the master tragedy of the age.

The report of our naval board charged with the duty of ascertaining the cause of the explosion found that it was primarily due to an external agency, but did not attempt to fix the responsibility upon any person or persons. The report was promptly transmitted to the Spanish Government, which has made answer of disavowal. This is not enough. Our country has been touched as by no other sorrow. Our countrymen, whose judgments are always just, have seriously and patiently sought the awful truth, desiring to acquit, not convict; they have weighed all the evidence, and no doubt remains in their minds that the massacre of our sailors, wearing the Federal uniform, was the foul work of Spanish treachery.

The evidence is ample to convict Spain. No unprejudiced jury in all Christendom would fail to render a verdict of guilty if Spain were an individual resting under indictment in a court of criminal jurisdiction. Her conduct, both before and after the fact, leaves no possible shadow of doubt. Whether the electric current was sent upon its mission of death by Spanish decree or by a Spanish functionary in Havana, we will not stop to inquire.

It is not for us to do so. The burden rests upon Spain. It was by the direct order of her military authorities that the *Maine* was anchored above a powerful, deadly, submarine mine. Was this accidental? Splendid sport, indeed! How chivalric! What a token of friendship and esteem! What a graceful courtesy! But it is said by Spain that we have not shown that she released the fatal spark. Be it so. It is not necessary. The primary cause was her act; we will not look beyond it. The original offense was hers. Nor are we obliged to stop to inquire whether the Spanish officers were negligent or exceeded their authority. If such a duty rests upon anyone, it does not rest upon us.

The finger of suspicion pointed strongly to Spain from the beginning, and events have strengthened suspicion into a conviction. Her perfunctory disavowal and sympathy were but cruel mockery. What think you would have been Great Britain's reply were the tragedy transferred to her waters? The cable would have been too slow to bear abundant testimony of her profound sympathy and complete disavowal and her purpose to hunt to the death the fiendish perpetrators. Or what think you our sister Republic, France, or the German Empire, Russia, Italy, or Austria, or any other of the civilized governments with which we are at amity would have said or done?

They would each have avouched their sincere sympathy and made disavowal of any privity with the act and expressed their determination to rest only when the authors of it were brought to justice, and we would have believed them and the world would have believed them. But it was left to Spain, which has not fairly emerged from the night of the Middle Ages; to Spain, which has led the world in the invention of instruments of torture; to Spain, which to-day feeds its youth upon lessons of blood and suffering, to make reply and pursue a course which is inconsistent with a sense of absolute innocence. Guilt would fence; innocence would frankly disavow and lead in the search for those who did the deed. Innocence would show the blow was struck at both and would rest only when the authors of it were brought to justice.

Those who know best the Spanish character and the present frenzy of the Spanish mind are most convinced of Spanish guilt. To them no doubt remains.

Sir, the ghosts of the *Maine* will not down; they beckon us on. Would that they could tell the secrets of their "prison-house." Then we would know how, sleeping, the Spanish "serpent stung" them.

For this grave act Spain must make due amends.

But if it be granted that the guilt of Spain for this crime can not be fixed by the fair analysis of fact and law, yet she will not be held blameless from a moral standpoint. If her rule is so lax, her impotence so great, that she can not give protection to the lives and property of her friendly neighbors, she is no longer fit to rule; her sovereignty becomes a menace and friendly powers are insecure.

Our own tranquillity, our own sense of security, our regard for our present and future comfort and for the lives of her hapless and helpless subjects, demand that we should interpose the mighty power of this Government to stop the carnival of crime and suffering and restore peace in the Island of Cuba until some suitable government may be formed which shall be a guaranty to us and to the other nations of the earth that it will at all times in the future be ready and willing and able to discharge its domestic and international obligations.

It is instinctive with us to desire to see people who are oppressed freed from the oppressor and secured in the God-given, inalienable privileges of life, liberty, and the pursuit of happiness. We desire and hope to see the independence of Cuba secured. Spain has, by every just consideration, by every standard of international duty, forever forfeited any right to further dominion over the Cuban people; and we hope to see established on the island a free and just government, endowed with functions for protecting the lives and property of the present and future generations who may dwell upon it.

But, Mr. President, I am not prepared at present to favor the recognition of the independence of the present so-called Republic of Cuba. We know but little about it. It is too nebulous, too mythical, to be invited into the family of nations by our potential act. The present so-called government, at most, is a military oligarchy with no habitat, with no well-defined governmental organism exercising the functions of a republic; and if we were to recognize its independence under the present pressure without adequate knowledge or information, it might lead to the establishment of a power upon the island which would prove vexatious and hurtful to us, and our second estate might be as bad or worse than our first, or at least we might continue to be seriously menaced and disturbed by it.

There are, doubtless, among the citizens of the island those capable of forming and establishing a government which will be stable and secure and which will be a guaranty that the Cuban question is settled for all time to come. It seems to me, therefore, that the first imperative duty resting upon us is to establish tranquillity in the island, relieve the suffering and distressed, and then enable the citizens of the island to deliberate and form a government upon such lines as their highest and best interests may require.

It may be that the present pretended republic is expressive of the highest and best thought of the island, and that its recognition will be found to be in the best interest of all concerned. If this be so, time will demonstrate it. We should not forget that the ultimate decision is in our hands; that justice will not miscarry; delay will not defeat her righteous demands.

The air is too full of rumors as to the character of the present so-called Cuban Republic and as to the bonds that have been floated in its name in this country and said to be in the hands of speculators, to justify us in any hasty act of recognition.

We have had introduced here by the distinguished Senator from Massachusetts [Mr. HOAR] the weighty testimony of Clara Barton, a veritable angel of mercy, entirely disinterested, with no motive on God's earth except in the interest of humanity, and her testimony is against the recognition of the independence of the present so-called Cuban Republic. Who knows better than she? Do the distinguished Senators who advocate immediate recognition? For my part, I will accept the intelligent, disinterested testimony of Clara Barton.

Mr. President, we have been educated to the doctrine in this country that the majority shall rule. If it shall be demonstrated that the present so-called republic is fairly representative of the majority of the citizens of Cuba, I would gladly and quickly vote to recognize its authority. If it represents a majority, and we compel peace, it should have no difficulty in convincing us of the fact, and that it is entitled to rule, and to recognition.

Sir, no one will distrust our motives in taking this step. We do not intervene for revenge, for the acquisition of territory, for the extension of our authority and power. Our past history is ample proof of this. Spain has long overtaxed the generous forbearance of our people. We have suffered wrongs which would have justified a nation actuated by less exalted motives than we to have struck in revenge. Ample opportunity has heretofore occurred for the seizure of the island by force if we had been eager to extend our dominion. Mr. President, the world will acquit us of any base desire. The misgovernment of Cuba has become so flagrant, the barbarism, the wrongs, the outrages there have so offended the civilized world that we must intervene for and in the name of humanity. No higher motive can actuate any government.

Mr. President, I am aware, as was well said by the distinguished Senator from Delaware [Mr. GRAY] this afternoon, that intervention in the domestic affairs of another power is a matter of delicacy, and should be attempted only where the necessity is clear and where it is demanded by grave exigency. Such necessity exists here, surely, indisputably.

There are those who insist that before intervening we should recognize the independence of the republic which is said to have been organized and maintained in the island. It is urged, among other things, that recognition should occur in order that we may not become liable to the holders of certain Spanish bonds said to have been issued under a pledge of the revenues of Cuba for the payment of the accruing interest thereon. It is argued that intervention without recognition would impose upon us a liability which may be avoided by recognition. I must wholly dissent from the soundness of this proposition. There is not one precedent, so far as I am aware, which supports the contention.

Let us briefly see what the opposing position is. If I understand correctly, it is: That we shall first recognize the independence of the present Cuban Republic and then intervene with force to sustain it; while the opposite contention is that we shall intervene with force and then acknowledge the independence of the present republic, if, when in possession of adequate information, its recognition is proper; and if it is not a proper government to recognize, then that we shall recognize some republic which the patriots of Cuba may deliberately form. Such is the divergency of our views, though we are seeking to attain the same end.

Is there subtlety enough here to measure the difference in our obligations—our international liabilities under these two methods? Mr. President, I am free to confess that I am unable to see why our ultimate responsibility would not be the same in the one case as in the other. The final end is the same, though the processes are slightly different. It seems to me that the substance of our act must control, and not the mere form. Haste, sir, in this vital matter is not of the essence of the situation; correct conclusions, sound and stable results should be our sole and only aim.

But, Mr. President, no liability will rest upon us whichever method we pursue. Spain has, by her course, which it is unnecessary to review in this connection, forfeited her right to further dominion over Cuba or its revenues. If the revenues were ever pledged to the satisfaction of a series of Spanish bonds, such pledge was necessarily subject to the forfeiture of the island for the violation of those humane principles and precepts which are observed by the civilized nations of the earth.

Sir, the rights of humanity are superior to the rights of bondholders. We violate neither the law of nations nor incur the burdens which rest upon Spain by our act of recognition either before or after intervention. If our act is warranted by the considerations of humanity, no bondholder can be heard to complain.

When the bonds were taken under a specific pledge, they were taken upon the implied understanding that the pledgeor would observe its international obligations according to the standard of civilized nations. The bondholder was presumed to know that a violation of those obligations would work a forfeiture of the estate and the dispossession of the soverignty of the obligor. The bonds, sir, were taken subject to a condition, and that condition was the proper observance and practice of the rules of humanity, the faithful discharge of international duties. The condition, sir, has been broken.

We are at the beginning of a new epoch in our history. No graver emergency ever confronted us than the one which faces us at this hour. Peace is about to be abdicated for a policy which may lead to war. War, if it comes, will have been forced upon us by the misgovernment, the insolence, the cruelty of Spain. Spain has too long presumed upon our good nature. She has too long offended against the sense of justice of our people. Her desultory, guerrilla-like, barbarous warfare upon her subjects in Cuba, upon American citizens and American commerce, has been in effect a war upon us.

The concessions she has made toward a modification of her iron and harsh rule have been made but to be broken. Her diplomacy has been characterized by subtlety, insincerity, and insult, until our countrymen have lost faith in her professions, confidence in her stability and fitness to rule. All sense of security and safety to our citizens and their commercial interests in Cuba is forever destroyed so long as Spanish sovereignty is maintained there. The highest dictates of national interest and humanity require that the war which is waged in Cuba should be stopped by force of arms, all other means of a pacific nature failing.

We need make no apology for the deliberation and delay in making this last appeal, for no self-respecting nation could afford to do less than exhaust to the fullest degree the resources of diplomacy before a resort to arms. If some delay has occurred while the powers concerned, have attempted to effect a peaceful and honorable conclusion, and war comes, we can have the consolation of the reflection that sorrow has been delayed in countless households throughout the land. Thousands of patriotic boys above and before whom stands the bow of promise have been ready to lay down their lives if diplomacy failed. If there has been seeming delay in calling them to arms their soon to be desolated homes will not complain.

We strike not in anger, not for mere revenge, not for the extension of our sovereignty, but in defense of our rights and in discharge of our duty divinely imposed.

Mr. President, I had profoundly hoped until recently that war could be averted. We have patiently witnessed the effort of the Chief Executive to attain an honorable and peaceful solution of the grave problem.

The conservative, patriotic people of the country have been profoundly impressed by his statesmanship, his tenacity of purpose, and the ability and force with which he has pressed the consideration of our just demands and rights upon the attention of the Spanish Government. We have had full faith and confidence in his courage and patriotic purpose and desired that he should exhaust every honorable means to avert war before it should be invited or declared.

We have desired, moreover, that he should be given opportunity to make that preparation which is necessary to meet so grave an emergency. With the foresight of true statesmanship—and I would that the Senator from Washington [Mr. TURNER] were in his seat, that he might hear what I say—he has negotiated for peace with one hand while preparing by day and by night for war with the other. When he took the oath of his high office, our country was not prepared to engage in war. Conscious of our isolation, and disarmed by long years of peace, we were illy fitted to engage in war with any power. Our seaport cities were inadequately protected.

Our marine force, while of high quality, was entirely insufficient in quantity. While this fact was generally recognized by those who had given intelligent consideration to the subject, it was unknown to many of our countrymen, who were insistent upon immediate measures which would instantly precipitate war. They were doubtless unadvised as to whether we had ample coast defenses to resist foreign attack, as to whether we had an ample fleet, or as to whether we had ammunition sufficient for one battle.

Mr. President, I confess I have come to the conclusion to which I have arrived after much deliberation—reluctantly and with profound regret. I have hoped and prayed that this great emergency might be honorably averted or avoided. My hesitancy did not grow out of any doubt as to the patriotism or the power of my country. It was due to no possible doubt as to the result of the issue, but to the fact that I have felt that even Spain, cruel and merciless as she has been, would not be wholly dead to our righteous and firm appeals.

Nearly one year ago I expressed myself in this Chamber in favor of extending our friendly offices to Spain in aid of a settlement of the war in Cuba, indulging the hope that pacific efforts would accomplish the desired end and also expressing the conviction that if all else failed, this Government should reach out its strong arm and command peace. Sir, all reasonable, peaceable means have been employed by the Chief Executive, earnestly, intelligently, and patriotically.

All efforts at amicable solution have failed, and all that remains is to invoke the mighty power of this Government in behalf of enduring peace and imperiled humanity. We shall now have the satisfaction of knowing that, come what may in the lottery of war, we have left undone nothing which could be done consistently with honor to secure a pacific settlement. The Spanish flag must be withdrawn and cease forever to contaminate the air of this hemisphere. To the high and holy cause of humanity and the vindication of our national honor we dedicate the lives and fortune of the Republic.

Mr. CULLOM. Mr. President, I desire to inquire of the chairman of the committee having charge of this measure whether it is desired that we shall remain in session longer to-night?

Mr. DAVIS. Has the Senator from Illinois taken the floor?

Mr. CULLOM. I have taken the floor.

Mr. DAVIS. I ask the Senator if it is his convenience——

Mr. ALLEN. If the Senator from Illinois will permit me to interrupt him, and the Senator from Minnesota will indulge me just a moment, I should like to register my protest against our adjourning here to-night or taking any adjournment or recess until we vote on this question. I will not detain the Senator from Illinois for more than a moment. If the Senator from Minnesota is correct in his statement made a moment ago, several deaths are taking place on the Island of Cuba while we are engaging in a little flamboyant oratory here in defense of the President of the United States, as though he were on trial for high crimes and misdemeanors. We are all for the President. We are all American citizens. We disagree with him as to the wording of these resolutions.

Now, what is there about this question to provoke lengthy discussion? It has been discussed for the last three years, ever since the war broke out. What is there about it either in a constitutional sense or as respects its policy which should require the delivering of grave orations on the subject of our relations with Spain and Cuba? What reason is there why we can not to-night continue this session until every gentleman shall have had an opportunity to express himself, if he desires, and then come to a vote on the question and determine what we shall do? Who is to be responsible for this adjournment? What occasion is there for an adjournment? Is the Republican party willing to take the responsibility for a useless adjournment under these circumstances?

Mr. President, this may provoke mirth upon the part of some, but we have reached that peculiar period in this session of Congress where the eyes of the entire world are turned upon us. It is more than an ordinary session of Congress. Are we to adjourn here to-night simply as a matter of convenience to give an opportunity to patch up broken lines upon this question? Why can we not in good faith go on and before we finally adjourn come to a vote on the question?

The Senator from Indiana [Mr. FAIRBANKS] says there is no difference between recognizing the existence of the present Republic of Cuba and intervening. If his position be true, why cavil about this question?

Mr. FAIRBANKS. If the Senator from Nebraska will permit me, I will state that he quite misapprehends what I said. I did not say there was no difference between intervention and the recognition of independence. I said there was no difference in the question of liability whether we recognize independence before intervening or after intervening.

Mr. ALLEN. From that statement I must dissent as to the question of liability.

The VICE-PRESIDENT. The Senator from Illinois [Mr. CULLOM] is entitled to the floor.

Mr. ALLEN. Under the suggestion of the Chair, I yield the floor to the Senator from Illinois.

The VICE-PRESIDENT. The Chair lays a joint resolution from the House of Representatives before the Senate.

The joint resolution (H. Res. 233) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein, was read the first time by its title.

Mr. DAVIS. Let the joint resolution be read.

Mr. ALLEN. I move to lay the joint resolution on the table.

Mr. DAVIS. I was about to make that motion myself. Meanwhile, let the joint resolution be read.

The joint resolution was read the second time at length, as follows:

Whereas the Government of Spain for three years past has been waging war on the Island of Cuba against a revolution by the inhabitants thereof, without making any substantial progress towards the suppression of said revolution, and has conducted the warfare in a manner contrary to the laws of nations, by methods inhuman and uncivilized, causing the death by starvation of more than 200,000 innocent noncombatants, the victims being for the most part helpless women and children, inflicting intolerable injury to the commercial interests of the United States, involving the destruction of the lives and property of many of our citizens, entailing the expenditure of millions of money in patrolling our coasts and policing the high seas in order to maintain our neutrality; and

Whereas this long series of losses, injuries, and burdens for which Spain is responsible has culminated in the destruction of the U. S. battle ship *Maine* in the harbor of Havana and in the death of 260 of our seamen:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end and with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba. And the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

Mr. DAVIS. I move that the joint resolution lie upon the table.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALDRICH. That is a formal laying of the joint resolution upon the table, to be taken up for consideration?

Mr. DAVIS. In connection with the subject.

Mr. ALLEN. My suggestion was that it should permanently lie upon the table.

The VICE-PRESIDENT. The joint resolution will lie on the table, to be taken up on motion.

Mr. ALLEN. Senators say to me in a subconversational tone that we can not do this; but I am not prepared to yield to any conclusion of that kind.

Mr. MORGAN. I will raise my tone, as I made the remark——

Mr. ALLEN. Very well; I hope the Senator will.

Mr. MORGAN. To high contralto, if necessary, and say that no motion to lay upon the table can so dispose of a measure that it can not be taken from the table.

Mr. CHANDLER. That is correct.

Mr. DAVIS. I understand that to be correct.

Mr. CULLOM. Of course I will go on with what I have to say if it is the desire of the Senate to remain in session longer, but I should prefer not to proceed to-night.

Mr. WELLINGTON. I move that the Senate adjourn.

Mr. CHANDLER and Mr. TELLER called for the yeas and nays; and they were ordered.

The Secretary proceeded to call the roll.

Mr. SPOONER. Will it not be agreeable to the Senator from Maryland to modify his motion so as to move to adjourn until 11 o'clock to-morrow morning?

Mr. WELLINGTON. That is agreeable to me—until 11 o'clock to-morrow.

Mr. BERRY. Out of order, by unanimous consent, I should like to ask——

Mr. CHANDLER. Is the question debatable?

Mr. BERRY. I should like to ask the Senator from Minnesota [Mr. DAVIS] what is his desire in the matter?

The VICE-PRESIDENT. The question is not debatable. The Secretary will call the roll.

Mr. TELLER. It is a debatable question whether we vote to adjourn until 11 o'clock——

Mr. CHANDLER. I ask for the reading of the rule.

Mr. ALLEN. Let the motion be stated.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maryland that the Senate adjourn until to-morrow at 11 o'clock a. m.

Mr. TELLER. If the Senator wants to cut off debate——

Mr. CULLOM. That motion was withdrawn, I understood.

Mr. ALLISON. I hope the Senator from Minnesota having charge of the joint resolution will so adjust and arrange with other Senators that we may know whether we are to continue in session now until this matter is disposed of or are to remain here for some time longer and then adjourn. I should very much prefer myself, unless we are to dispose of the measure before adjournment, that we take an adjournment at some suitable hour to an early hour to-morrow, and I would even suggest an earlier hour than 11 o'clock, in order that if a final vote is not to be taken to-night we may have some understanding, if we can, when it is to be taken and then adjourn.

Mr. DAVIS. I suggest to the Senator from Maryland that he submit to an amendment to his motion to make the hour of meeting to-morrow 10 o'clock.

Mr. WELLINGTON. I have no objection to that hour. I merely want an adjournment now. I see no good to be accomplished by a session to-night, and, so far as I am concerned, I am willing to assume any responsibility in the matter of adjournment.

Mr. CHANDLER. Mr. President, the motion appears to be debatable.

The VICE-PRESIDENT. The motion is not debatable.

Mr. CHANDLER. Senators have been debating it. Some seventeen or eighteen——

The VICE-PRESIDENT. If any Senator objects, the roll will immediately be called upon the motion of the Senator from Maryland.

Mr. ALLEN. I rise to a parliamentary inquiry.

Mr. CHANDLER. What is the motion?

The VICE-PRESIDENT. That the Senate now adjourn to 10 o'clock to-morrow morning.

Mr. CHANDLER. Then the Senator modified his motion. It was not so stated from the Chair.

The VICE-PRESIDENT. The Chair so stated the motion.

Mr. ALLEN. Is it a simple motion to adjourn?

Mr. BERRY. No; a motion to adjourn until 10 o'clock to-morrow.

The VICE-PRESIDENT. Until 10 o'clock to-morrow.

Mr. ALLEN. I desire to raise the parliamentary question that a motion to adjourn to a specific time is debatable.

The VICE-PRESIDENT. The Chair will refer the Senator from Nebraska to the twenty-second rule.

Mr. ALLEN. It is debatable under the rules of this body.

The VICE-PRESIDENT. Under the rules of this body it is not debatable.

Mr. CHANDLER. I ask to have the rule read.

The VICE-PRESIDENT. The Chair will read the rule:

When a question is pending, no motion shall be received but—
To adjourn.
To adjourn to a day certain, or that when the Senate adjourn it shall be to a day certain.
To take a recess.
To proceed to the consideration of executive business.
To lay on the table.
To postpone indefinitely.
To postpone to a day certain.
To commit.
To amend.
Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

The Secretary will call the roll.

The Secretary resumed the calling of the roll.

Mr. BERRY (when his name was called). I will withhold my vote until I hear from the Senator from Minnesota [Mr. DAVIS], in order to learn what he desires.

Mr. MALLORY (when his name was called). I have a general pair with the junior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. NELSON (when his name was called). I am paired with the Senator from Missouri [Mr. VEST]. If he were present, I should vote "nay."

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Mississippi [Mr. WALTHALL], who is detained from the Chamber by illness. I feel at liberty to vote, notwithstanding his absence. I vote "yea."

Mr. TURPIE (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. MORRILL]. In his absence, I withhold my vote.

The roll call was concluded; and the Secretary recapitulated the vote.

Mr. PASCO (after having voted in the affirmative). I notice that the Senator from Washington [Mr. WILSON] has not voted. I am paired with him, and therefore withdraw my vote.

Mr. ALDRICH. He would vote "yea."

Mr. GALLINGER. I suggest to the Senator from Florida that I am paired with the Senator from Texas [Mr. MILLS] who is not present, and that we transfer our pairs. We vote on opposite sides.

Mr. PASCO. That is satisfactory to me, and I will allow my vote to stand.

The result was announced—yeas 30, nays 32; as follows:

YEAS—30.

Aldrich,	Cullom,	Gray,	Spooner,
Allison,	Daniel,	Hanna,	Tillman,
Bacon,	Davis,	Hawley,	Warren,
Berry,	Elkins,	Hoar,	Wellington,
Caffery,	Fairbanks,	McBride,	Wetmore,
Chilton,	Faulkner,	Pasco,	White.
Clark,	Gear,	Perkins,	
Clay,	Gorman,	Platt, Conn.	

NAYS—32.

Allen,	Gallinger,	McLaurin,	Quay,
Bate,	Hansbrough,	Mantle,	Roach,
Cannon,	Harris,	Martin,	Shoup,
Carter,	Heitfeld,	Mason,	Smith,
Chandler,	Kenney,	Money,	Teller,
Cockrell,	Lindsay,	Morgan,	Thurston,
Deboe,	Lodge,	Penrose,	Turley,
Foraker,	McEnery,	Pettus,	Turner.

NOT VOTING—27.

Baker,	Kyle,	Nelson,	Stewart,
Burrows,	McMillan,	Pettigrew,	Turpie,
Butler,	Mallory,	Platt, N. Y.	Vest.
Frye,	Mills,	Pritchard,	Walthall,
Hale,	Mitchell,	Proctor,	Wilson,
Jones, Ark.	Morrill,	Rawlins,	Wolcott.
Jones, Nev.	Murphy,	Sewell,	

So the Senate refused to adjourn.

Mr. CULLOM. Mr. President, I supposed in view of what transpired last evening that perhaps the Senate would extend the same courtesy to me. But it is immaterial. I shall proceed to say what I have to say in perfect good nature, without any feeling of disappointment whatever. I confess that I feel a good deal of hesitancy in addressing the Senate at all upon this occasion. If the suggestion of the Senator from Nebraska [Mr. ALLEN] that we should vote at once were acceded to, I would be delighted, and would be ready to cast my vote upon this question.

Mr. CULLOM thereupon proceeded to address the Senate. After having spoken for two minutes,

Mr. ALLISON. Will the Senator from Illinois yield to me?

Mr. CULLOM. Certainly.

Mr. ALLISON. I do not see the chairman of the Committee on Foreign Relations present. I hope that we can have unanimous consent that we may adjourn until to-morrow at 10 o'clock. It is manifest, I think, that there will not be a quorum here to-night to go on in such a way as to reach a conclusion.

Mr. MASON. I can not hear the suggestion of the Senator from Iowa.

Mr. ALLISON. There will not be a quorum here to-night, I am afraid, to go on to the final conclusion of this measure, and if we are to occupy to-morrow, I should be very glad if we could have some adjustment or arrangement by which——

Mr. CHANDLER. Would the Senator be willing to have an agreement that we will vote on this question to-morrow before we adjourn?

Mr. ALLISON. Certainly.

Mr. CHANDLER. That will harmonize——

Mr. ALLISON. Why does the Senator ask me that question?

Mr. CHANDLER. That will harmonize all difficulties.

Mr. ALLISON. There are no difficulties that I know of.

Mr. WELLINGTON. I am not willing to agree to vote at any time.

Mr. ALLISON. The Senator put that question to me as though I was obstructing the measure. I am willing to go on to-night.

Mr. CHANDLER. If I may be allowed to make a statement, the Senator from Minnesota, the chairman of the committee, asked unanimous consent that we might agree to vote to-morrow before adjourning and said he should insist upon a continuous session if that agreement was not reached. That agreement was not reached. Now, the Senator from Iowa very properly asks unanimous consent that we agree to adjourn until 10 o'clock to-morrow; and through the Chair I prefer the request made by the Senator from Minnesota that we agree to vote on this subject to-morrow before we adjourn.

Mr. COCKRELL. I was just going to say that I hope the motion of the Senator from Iowa will receive unanimous consent. A night session would be very unpleasant, and it is manifest that we can not pass this measure to-night. If we could pass it to-night, I should be perfectly willing to stay. I do not believe we can, and I for one am perfectly willing now that by unanimous consent we shall agree to meet at 10 o'clock in the morning, and so far as I am concerned I will stay here until the debate is closed, if it is till Sunday morning.

Mr. DAVIS. Is any motion pending?

Mr. FORAKER. There has been a request for unanimous consent.

Mr. ALLISON. The Senator from New Hampshire asks unanimous consent that the matter may be concluded before adjournment to-morrow. I concur so far as I am concerned, but I also desire to couple with it a proposition that at least two hours, or I will say three hours, shall be devoted to ten minutes' debate upon the various amendments that have been offered before the vote is taken.

Mr. COCKRELL. I have no doubt that when the time comes we can readily arrange that in a fair and just way, as it should be arranged.

Mr. ALLISON. I ask that it be arranged now. I think that should be a part of the agreement.

Mr. CHANDLER. I withdraw my suggestion. The Senator from Minnesota is now here. I suggest to him that at 10 o'clock to-morrow morning when we meet he endeavor to make some arrangement on the basis suggested by the Senator from Missouri.

Mr. CARTER. Let the arrangement be made now.

Mr. CHANDLER. I have no objection.

Mr. DAVIS. I desire to give notice that I shall ask for a continuous session to-morrow until this matter is disposed of. I now move that the Senate adjourn until 10 o'clock to-morrow.

Mr. BACON. I can not hear what the Senator from Minnesota says.

The VICE-PRESIDENT. The Senator from Minnesota moves that the Senate adjourn until to-morrow morning at 10 o'clock.

Mr. COCKRELL. Giving notice that he will ask the Senate to sit it out to-morrow.

The VICE-PRESIDENT. That was the statement of the Senator from Minnesota.

Mr. TELLER. Why not arrange it now?

Mr. DAVIS. I withdraw the motion for a moment at the request of the Senator from Montana [Mr. CARTER].

The VICE-PRESIDENT. The motion to adjourn is withdrawn.

Mr. CARTER. I suggest that the agreement indicated by the Senator from New Hampshire and the Senator from Iowa can be now made. There are some twenty-three Senators on the list who contemplate making addresses to the Senate on the pending resolution. At least one-half of that number stated that if any agreement could be made whereby a vote could be taken at a stated hour they would gladly forego the desire they have to be heard. This subject has been debated in the Senate for over three years. We have been insisting that action should be taken elsewhere. Action has been taken in all other departments of the Government, and the question is now before the Senate. We

seem to be the only obstruction in the way of final and definite action on the subject.

Before we adjourn to-night, in view of the definite expression given but a few minutes ago on the subject of adjournment without an arrangement, it seems to me but proper that an arrangement should be made now instead of being undertaken at 10 o'clock to-morrow morning.

Mr. COCKRELL. We can not do that. Why try what is absolutely impossible?

Mr. CARTER. Then I suggest that we fix the hour for the vote at 2 o'clock on Saturday afternoon.

Mr. COCKRELL. We will sit it out to-morrow. When we get through talking we shall vote. That is the only way we can settle it, in my judgment.

Mr. CARTER. That would mean the last of next week.

Mr. COCKRELL. No, it would not.

Mr. TELLER. Yes, it would, if all on the list talk.

Mr. COCKRELL. They will get tired of it.

Mr. CARTER. During the course of the discussion this afternoon, as in an experience meeting in church, one speech gave rise to a desire to make another speech, and each speech was but a repetition of the one that preceded it. It does seem to me that the country requires that we act rather than talk on this occasion. [Applause on the floor and in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. CARTER. As a matter of fact this little demonstration in the galleries, contrary to the rules of the Senate, is but an expression in a small way of the feelings to-night of 70,000,000 people in this country. [Applause in the galleries.]

The VICE-PRESIDENT. Manifestations must not take place in the galleries. They are not a part of the Senate of the United States.

Mr. GRAY. I make the point of order that it is out of order to speak directly to the galleries.

Mr. PETTUS. Mr. President, the disorder that is now spoken of commenced in the Senate and not in the galleries.

Mr. CULLOM. Let me say a word.

The VICE-PRESIDENT. The Chair admonishes both Senators on the floor and the occupants of the galleries that manifestations of applause ought not to be indulged in.

Mr. CULLOM. I should like to have the Senate either adjourn or let me go on. [Laughter.]

The VICE-PRESIDENT. The Chair will state that there is no motion before the Senate.

Mr. DAVIS. It seems perfectly plain that the agreement which the Senator from Montana so earnestly and properly desires can not be arrived at at present or to-night. I therefore renew my motion that the Senate adjourn until 10 o'clock to-morrow.

Mr. MORGAN. Will not the Senator from Minnesota allow me to say one word before that takes place?

Mr. TELLER and others. Vote!

Mr. TILLMAN. I make the point of order that the motion to adjourn is not debatable.

The VICE-PRESIDENT. The point of order is sustained by the Chair.

Mr. TILLMAN. Let us vote.

Mr. MORGAN. I want to——

The VICE-PRESIDENT. The Senator from Minnesota moves that the Senate adjourn until to-morrow morning at 10 o'clock.

Mr. MORGAN. On that question I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from Texas [Mr. MILLS]. I understand the Senator from Florida [Mr. PASCO] is paired with the Senator from Washington [Mr. WILSON]. I propose that we transfer our pairs, so that we can vote.

Mr. PASCO. Very well.

Mr. GALLINGER. I vote "nay."

Mr. MALLORY (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. NELSON (when his name was called). I am paired with the Senator from Missouri [Mr. VEST].

The roll call having been concluded, the result was announced—yeas 33, nays 23; as follows:

YEAS—33.

Aldrich,	Cullom,	Hoar,	Spooner,
Allison,	Daniel,	Lindsay,	Tillman,
Bacon,	Davis,	Lodge,	Turley,
Bate,	Deboe,	McBride,	Warren,
Caffery,	Fairbanks,	Pasco,	Wellington,
Chilton,	Faulkner,	Perkins,	Wetmore.
Clark,	Gear,	Pettus,	
Clay,	Gorman,	Platt, Conn.	
Cockrell,	Gray,	Shoup,	

NAYS—23.

Allen,	Gallinger,	Martin,	Rawlins,
Berry,	Hansbrough,	Mason,	Smith,
Cannon,	Harris,	Money,	Teller,
Carter,	Heitfeld,	Morgan,	Thurston,
Chandler,	Kenney,	Penrose,	Turner.
Foraker,	Mantle,	Quay,	

NOT VOTING—33.

Baker,	Jones, Nev.	Murphy,	Turpie,
Burrows,	Kyle,	Nelson,	Vest,
Butler,	McEnery,	Pettigrew,	Walthall,
Elkins,	McLaurin,	Platt, N. Y.	White,
Frye,	McMillan,	Pritchard,	Wilson,
Hale,	Mallory,	Proctor,	Wolcott.
Hanna,	Mills,	Roach,	
Hawley,	Mitchell,	Sewell,	
Jones, Ark.	Morrill,	Stewart,	

So the motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Friday, April 15, 1898, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 14, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

CORRECTIONS.

Mr. CLARK of Missouri. On pages 4195 and 4196 of the RECORD, in the roll call on Mr. DINSMORE'S motion to recommit the resolution reported from the Committee on Foreign Affairs, I am reported as not voting. I did vote "aye," and voted as loud as I could, but there was so much confusion I suppose the Clerk did not hear.

The SPEAKER. The correction will be made.

Mr. LIVINGSTON. Mr. Speaker, I learn this morning for the first time that I was paired, and it so appears in the RECORD. I was absent yesterday on account of a nervous sick headache. I got information from the Foreign Affairs Committee that the matter would not be concluded yesterday, and so was not present. I see that I am paired, but it was by the kindness of some friend. Had I been present, I should have voted for the minority resolution, and, that being defeated, I should have voted for the majority resolution.

Mr. WHEELER of Alabama. Mr. Speaker, I am incorrectly reported on page——

The SPEAKER. Before any further corrections are made, is there objection to the approval of the Journal?

Mr. BAILEY. I desire to suggest that as far as the recorded votes are concerned, they probably appear the same in the Journal and the RECORD, and if there is a mistake in the RECORD, it is also likely to be in the Journal.

The SPEAKER. The correction of the Journal is first in order.

Mr. BAILEY. But if the Journal was first approved and it should develop that the mistakes were the same in both——

The SPEAKER. Then, the gentleman should first address himself to the correction of the Journal.

Mr. WHEELER of Alabama. The Clerk informed me that a correction of the RECORD would be followed by a correction of the Journal.

The SPEAKER. The Journal must be first passed upon before corrections in the RECORD.

Mr. WHEELER of Alabama. Then, Mr. Speaker, I ask to have the Journal corrected. I am reported as not voting on the motion to recommit the resolution yesterday. I did vote "aye" very loudly and I stood in front of the Speaker's desk.

The SPEAKER. The gentleman is not recorded, but if he states that he voted, the Journal will be corrected.

Mr. CONNOLLY. Mr. Speaker, if I am recorded in the Journal as I am recorded in the RECORD, I desire to correct it. On the motion of Mr. DINSMORE to recommit the resolution reported from the Committee on Foreign Affairs, I am recorded as voting "no." I want to be recorded as I voted, "aye."

The SPEAKER. The gentleman is recorded as voting "no." If it is an error it will be corrected.

Mr. SHERMAN. Mr. Speaker, I am recorded on the first roll call yesterday, on agreeing to the substitute, as not voting. I was present and voted "no."

The SPEAKER. The gentleman is not recorded. Does the gentleman state that he voted "no"?

Mr. SHERMAN. I do.

The SPEAKER. The Clerk informs the Chair that the tally sheet shows that the gentleman voted "no." The RECORD is incorrect, the Journal is incorrect, and the corrections will be made.

Mr. STRODE of Nebraska. Mr. Speaker, I desire to correct the Journal. In the RECORD I am recorded as not having voted on the motion to recommit. I was present and voted "no."

The SPEAKER. The gentleman is not so recorded, and the change will be made.

Mr. GROSVENOR. Mr. Speaker, I am recorded in the RECORD as having voted in the affirmative on the motion of the gentleman from Arkansas to recommit the joint resolution. I voted "no," and if I am recorded wrongfully in the Journal, I desire to have the Journal and RECORD both corrected.

The SPEAKER. The gentleman is recorded as voting "aye." The change will be made to "no."

Mr. DANFORD. Mr. Speaker, on the vote to recommit I voted very distinctly "aye." I am recorded as voting "no." That is in the RECORD.

The SPEAKER. The gentleman's vote is an error, and the Journal and RECORD will be corrected.

Are there any further corrections in the Journal? [After a pause.] The Chair hears none, and if there is no objection the Journal will stand approved. The next thing is the correction of the RECORD.

Mr. WHEELER of Alabama. Mr. Speaker, on page 4196 I am incorrectly reported as not voting on the resolution of Mr. DINSMORE to recommit. I should have been reported as voting "aye." I ask to have the RECORD corrected.

The SPEAKER. The RECORD will be corrected. Without objection, the Journal will be corrected. The Chair will now hear the gentleman from Missouri.

Mr. DOCKERY. Mr. Speaker, a few days since a resolution was agreed to reserving certain seats in the gallery and allowing each member two tickets. The resolution gave the Speaker authority to terminate its existence at any time, and I merely voice the suggestion of several gentlemen about me in saying that possibly the Speaker might think it wise to terminate the force and effect of that resolution to-day.

The SPEAKER. The matter is left with the discretion of the Speaker, and of course he desires to do what the House desires. If there be no objection, the Speaker will exercise the power——

Mr. UNDERWOOD. What is the proposition?

The SPEAKER. The proposition is that the resolution recently adopted by the House with reference to the issue of tickets of admission to the galleries be, in accordance with its own terms, suspended by the Speaker, and that the regular method which was before in operation go into effect again.

A MEMBER. The present system is very good.

Several MEMBERS. Oh, no!

A VOICE. Look at the empty galleries.

The SPEAKER. If there is nothing more to be said, the Speaker will suspend for to-day and to-morrow the rule which the House recently adopted.

Several MEMBERS. That is right.

Mr. DINGLEY. There seems to be some misunderstanding among gentlemen about me as to the effect of the proposed suspension of the order with reference to the issuing of tickets. Is the proposition simply to suspend it for two or more days, or to annul it?

The SPEAKER. The Chair has the impression that the only power given to the Speaker is to suspend the order permanently. The Chair will, however, examine the terms of the resolution.

Mr. DOCKERY. I think the Chair is correct. I wrote the resolution.

The SPEAKER. That is the impression and recollection of the Chair.

Mr. DOCKERY. To settle the matter, I ask that the resolution be suspended for to-day and to-morrow.

Mr. DINGLEY. If the proposition is simply a suspension for two days, there can be no objection.

The SPEAKER. That will require the unanimous consent of the House.

Mr. DOCKERY. I ask that.

The SPEAKER. The Clerk will read the rule adopted April 6.

Mr. WALKER of Massachusetts. I hope the rule will be suspended at the discretion of the Speaker. It will be observed that these galleries to-day are nearly empty. Persons are constantly applying for tickets, and they ought to have the right to go into the galleries.

The SPEAKER. The Clerk will report the order as adopted, so that the House will understand what it is.

The Clerk read as follows:

Resolved, That until otherwise ordered by the Speaker, there be issued daily by the Doorkeeper to each Representative and Delegate two tickets to the galleries of the House; and the Doorkeeper is hereby authorized and directed to reserve sufficient space to accommodate the holders thereof. During the pendency of this order the rules as to members' families and visitors' galleries are suspended.

Mr. WALKER of Massachusetts. My suggestion is that this order be suspended at the discretion of the Speaker. I ask unanimous consent for that.

Mr. DOCKERY. I will modify my request and ask unanimous consent that the order as just read by the Clerk be suspended in the discretion of the Speaker.

Mr. MOODY. Will not the gentleman modify his request so as to keep in force the tickets issued for to-day?

Mr. DOCKERY. Well, the matter will be left in the discretion of the Speaker; and he can confer with the Doorkeeper.

Mr. HENDERSON. It seems to me that as tickets have been issued for to-day under the rule, there is a vested right in the holders of such tickets for to-day, and that the suspension of the rule should only commence to operate after to-day.

Mr. DOCKERY. My proposition will leave the matter entirely in the discretion of the Speaker.

Mr. BAILEY. I suggest that even if there be any "vested right" on the part of holders of tickets for to-day, that right will not be interfered with, because it is practically certain that there will be more room in the galleries to-day than will be required to accommodate visitors.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? The Chair hears none. The Chair desires to say that he will suspend the rule after to-day. He does not see any other way in which it can be done and regularity be preserved, but he will consult with the Doorkeeper in regard to the practical enforcement of the rule.

QUESTION OF PRIVILEGE.

The SPEAKER. The order of business is the call of committees, and the gentleman from Iowa [Mr. LACEY] has the floor on the unfinished business coming over from yesterday's session.

Mr. WALKER of Massachusetts. Mr. Speaker, I rise to a question of personal privilege.

Mr. LACEY. I understand the gentleman from Massachusetts desires to rise to some question of personal privilege, and I will yield for that purpose.

Mr. WALKER of Massachusetts. Only for a few moments.

The SPEAKER. The gentleman will state his question of privilege.

Mr. WALKER of Massachusetts. I desire, Mr. Speaker, to occupy about thirty minutes of the time of the House this morning by unanimous consent. I have two matters that are legitimately matters of "personal privilege," or will come under that rule; but I wish to make some statements and explanations and make some comments connected with them as to the action of the House and the members of the House Committee on Coinage, Weights, and Measures in the Fifty-first Congress which should be in the RECORD as matters of history, but which may not be considered as properly coming under the head of a question of "personal privilege."

I would like, therefore, to be accorded thirty minutes on the question of privilege and matters pertaining thereto. If I can not receive unanimous consent at this time, I prefer to take the matter up on some other occasion.

I ask unanimous consent, therefore, for thirty minutes on this matter.

The SPEAKER. What is the request of the gentleman?

Mr. WALKER of Massachusetts. I ask unanimous consent to be accorded the privilege of making a statement concerning my action in reference to legislation growing out of the silver question in the Fifty-first Congress, as well as concerning the general history of some transactions therein occurring, in view of the fact that I have received many letters concerning the events to which I am referring, and have been requested to make an explanation or a contradiction in reference to some of them, and especially in reference to the statement published in the papers of the country as coming from the Hon. JOHN P. JONES, of Nevada, as well as other matters upon our financial affairs.

Some of the things to which I wish to refer, do not perhaps properly come under the head of "a question of personal privilege," and I do not propose to avail myself of the privilege under the rule to introduce matters not strictly relevant. Therefore I ask unanimous consent to be permitted to proceed for thirty minutes.

Mr. LACEY. Why not print the historical part and state the balance?

Mr. WALKER of Massachusetts. Because I wish an opportunity to answer any questions that may be suggested during the course of my statement.

Mr. RICHARDSON. I ask unanimous consent that the gentleman be accorded the privilege he asks.

The SPEAKER. The Chair will submit the request of the gentleman from Massachusetts to the House. Is there objection to the gentleman occupying thirty minutes?

There was no objection.

Mr. WALKER of Massachusetts. Mr. Speaker, I wish to send to the Clerk's desk to be read what purports to be a conversation between myself and the Hon. JOHN P. JONES, of Nevada, but before it is read to say a word upon the matter.

During the Fifty-first Congress the excitement upon the silver question and the responsibilities of the Republican party in connection with that subject were such that at a caucus called by the Republican party to consider that question seven of the strongest members of the House were appointed, who, together with the Republicans on the Committee on Coinage, Weights and Measures, should consider that question, which committee consisted of

the Hon. E. H. Conger, of Iowa, who resigned his seat and was sent as our minister to Brazil on September 27, 1890, who was then chairman of the Coinage Committee of the House; Judge C. P. Wickham, of Ohio; JOSEPH H. WALKER, of Massachusetts; T. H. CARTER, of Montana, now Senator; S. G. Comstock, of Minnesota; H. F. Bartine, of Nevada: C. J. Knapp, of New York, and Abner Taylor, of Illinois. There were added Hon. William McKinley, now President of the United States; Hon. J. G. CANNON, of Illinois; Hon. T. M. Bayne, of Pennsylvania; Hon. Joseph McKenna, of California, now a judge of the Supreme Court; Judge L. E. McComas, of Maryland, now Senator-elect from that State; D. B. HENDERSON, of Iowa, and Philip S. Post, of Illinois.

The problem submitted to the committee was to secure the successful unlimited coinage of silver by international agreement as against the unsuccessful attempt on the part of this country alone to do the same thing by undertaking to grant the free coinage of silver by this country alone and keeping it at a parity with gold, with nearly all other countries of the world against us.

About 20 Democrats voted consistently in support of the effort on the part of the Republicans to stop the coinage by this country alone of the undervalued silver dollar, and about 20 Republicans voted for the unlimited coinage of silver. There were about 30 more Republicans from districts whose constituents in their majority were in favor of the free coinage of silver.

The point was to delay action until the country could have still further time to fully study and discuss the question and come to a conclusion thereon.

President Harrison, from my personal knowledge, notwithstanding the statements which have been made to the contrary, would most assuredly have vetoed a bill for the free coinage of silver, but we were determined it should not come to that issue. The problem was not simply to defeat that effort, but to save at least thirty Republicans from being brought to a direct vote on a veto.

The country was determined to try and safely use all of the American product of silver, and the problem, as I have said, was to secure that opportunity and surely keep both the silver coinage and the gold coinage at a parity each with the other, which both sides desired to do.

Now, I make no statement or general argument on the question. I wish simply to make a statement of the conditions then existing. It was desired to save, as I have said, the thirty Republicans, at least a large portion of them, who might be induced to vote for free coinage upon a veto in the ranks of those who wanted to try the experiment of safely using the entire American product of silver.

During that controversy I was a member of the committee of fifteen appointed at the meeting of the Republicans to consider that question. What is called the sound-money side was not then as popular as now, and they were willing that somebody should take the lead in harmonizing, if possible, all views upon the use of the entire American product, and to test the popular desire of the House on that question was our objective point.

I want to say to this House and to the country that not a solitary intimation was ever made among our number or to us that the free coinage of silver should be coupled in any way with the tariff question. And now I ask for a reading of the alleged interview with Hon. JOHN P. JONES of Nevada.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

[From the Washington Post.]

Here is a story from the Senate cloakroom. It was just after Senator Sherman had finished his great speech in favor of the repeal of the bill which bears his name. Senator JONES of Nevada, according to the story, insisted that all the facts about the way the silver law came to be agreed upon in conference had never been told. Turning to a group of Senators he said that he would tell the history of that legislation in the conference committee, and here it is:

"They were sitting around in the conference room when I came in with my ultimatum, which was 4,500,000 ounces a month. 'Oh, if that is all,' said Mr. WALKER of Massachusetts, who was one of the conferees on the part of the House, 'we might as well go. That ends it. It is all over.' Mr. WALKER started toward the door, but before he had gone far I said to him: 'Perhaps you Republicans, and you, Mr. WALKER, will be interested in what I am going to say. I am sure that Mr. Sherman will be interested, and I guess all of you will.' With that Mr. WALKER came back, but did not take a chair. I continued:

"'Now, I want to tell you gentlemen that the McKinley bill will be over in the Senate in a very short time. If you reject our ultimatum on the silver proposition, the silver men in the Senate will move the free-coinage bill as an amendment to the McKinley bill, and there are enough Democrats who will vote with us to carry it. Now, after that amendment is adopted in the Senate all the Democrats will vote against the McKinley bill because it is a protective measure, and the Eastern protectionists in the Senate will vote against it because it contains free silver.

"'The free-silver Republicans in the Senate will be the only men who will vote for it, and being protectionists they will be the only consistent men in the Senate, being for protection and for free coinage of silver.' When I got through they were all listening to me, and before the conference broke up the silver-purchase law, known as the Sherman Act, was agreed to."

SENATOR JONES is known as one of the best story tellers in the Senate, but this is one of the most interesting that he has told his Senatorial friends for some time.

Mr. WALKER of Massachusetts. Now, Mr. Speaker, I wish to say that there is not the slightest foundation in fact for the statements made in the alleged interview. After several meetings of the Republican members of the conference committee, consisting of Senator Sherman and Senator JONES of Nevada upon the part of the Senate, and Representatives Conger and WALKER upon the part of the House, during a discussion, Senator JONES, in urging on agreement, turned to me and remarked: "We had better agree on this measure, for if we do not the Senators in favor of unlimited coinage may take it into their heads to consider the tariff and silver together," or words to that effect.

I instantly turned to him and said, with considerable emphasis: "Are we to understand you to say, Mr. JONES, that there are Republican Senators who will defeat a tariff bill unless we grant the free coinage of silver?" Mr. JONES replied, "No; not at all. There is nothing of the kind. I would not myself suggest such a thing, but we never can tell what will happen. I was only suggesting that if the question was left open such a thing was possible."

This closed the incident. Silver was never spoken of or hinted at again, or either before or afterwards, during all our conferences, in any meeting of the conferees, or in any meeting of the "committee of fifteen" upon the part of the House Republicans when we met individually or collectively. Any statement that there was any "understanding" among us as to silver legislation in connection with the McKinley tariff, understood or implied, by word or act, or that anything said or done indicated in 1890 that there was any purpose or any thought of such action of Silver Republicans as was subsequently taken has not the slightest foundation in fact.

After the retirement of the Democrats and at the first meeting, as Senator JONES of Nevada went out of the conference of Republicans, I conveniently forgot my hat, and as he went out I followed and chatted with him a moment outside the door. When I went back into the Senate committee room, that Senator Sherman, Representative Conger, and myself might not be disturbed, I turned the key in the door and said, immediately and promptly to the other members of the conference: "Now, we may as well come to an understanding at once. Each one of us knows how far he is willing to go in this experiment, and we had better be entirely frank and come to an understanding now; for," I said, "I will not consent to any use of silver that will imperil the keeping of our silver dollars at a parity with gold, and I am willing to go to any extent in the use of silver if it can in that use be kept at a parity with gold." Mr. Sherman said, "Very well; what will you agree to?" I said, "I will agree to any proposition that will not imperil parity," and suggested an amendment of the bill of the character of the amendment that was adopted, agreeing "that the United States Treasury should keep the parity." Mr. Sherman said, "Will you write the amendment?" I said, "No; I am a layman. I am not a lawyer," and suggested that he write it. He insisted that I should write it, and after a few words I said to him that if he would write the clause proposed I would write one, and that undoubtedly his would be adopted, for, if I wrote it, it would be pointed, distinct, and sharp, and he was more familiar with diplomatic language than I was. He wrote the amendment that was finally adopted. I said to the Senator when that amendment was proposed, "Now, you will excuse me, but I always, in any important matter, employ the ablest lawyer in my city, and after I have secured his opinion I always submitted it, if it was a matter of consequence, to another of the ablest lawyers I could find, and I think we all would be better satisfied if this should be submitted to two of the lawyers in the Senate." He said, "Very well; I think that a very wise suggestion. Would you be satisfied with Senator Edmunds and Senator ALLISON?" I said, "Certainly." And at the next meeting of the committee he said that both of them assured him that in their judgment the Supreme Court would enforce any and sustain any action of the Secretary of the Treasury that was necessary in order to maintain the parity, and that clause was inserted.

Now, let me say that the contest raged, after the bill was amended in one or two other particulars, over the matter of whether we should buy four and a half million ounces of silver each month or 4,000,000 ounces. Mr. Sherman said, at the very first meeting, that he would not consent to buy four and a half million dollars' worth of silver, that we should strike out the "dollars' worth" and insert "ounces," and that he was not willing at that time to consent to buy more than 4,000,000 ounces.

Upon retiring, I said to Mr. Conger, "I do not care a picayune for the extra 500,000 ounces of silver per month. It cuts no figure at all. But we have other amendments in this bill, already agreed to, that are very vital, and in order to distract attention from them I want to agree with you that we will not allow Mr. Sherman to understand it or agree on the bill until the morning of the day the measure can be reported to the Senate. We will consent to the proposition to buy 4,500,000 ounces and so inform Senator Sherman and Senator JONES at the last moment."

We did continue the contest over that question up to the day we were informed that the Senate was ready to act upon the bill immediately; and then we yielded the point of 4,500,000 ounces rather

than 4,000,000, and the bill went into the Senate. The point of Mr. Conger and myself, as I stated to Senator Sherman, was that if we put that bill into the Senate and it was not acted upon immediately—if it was delayed thirty days—it never would go through the House or Senate. We must act upon it immediately if at all.

Mr. Speaker, I was under no misapprehension about that bill. Reference to the papers of Boston and interviews given and articles written by me before the passage of this so-called Sherman Act of July 14, 1890, will show I declared that this was only a legislative experiment—that this experiment must be tried—that I was sure the piling up of that volume of silver in the United States Treasury would surely depreciate the value of silver below its normal price and much faster than it would otherwise be depreciated; and that the bill would cost the people of this country $200,000,000 in prices paid for silver before we could repeal it; and after enacting the law to try the experiment it should be repealed as soon as possible.

Furthermore, that the passage of that act was only justifiable upon the principle that the action of a captain of a staunch steamer would be justified in constructing a raft upon which the passengers in his vessel who were determined to throw themselves into the sea to swim to a shore they could never reach might safely rest until they came to a better mind; that we should thereby save the wage-earners of this country from losing millions of money in wages. As a matter of fact, the experiment did not, in the view now taken by the most rabid gold-bug in the country, cost the United States Treasury over $50,000,000.

Mr. SHAFROTH. Will the gentleman allow me to ask him a question?

Mr. WALKER of Massachusetts. Certainly.

Mr. SHAFROTH. Is it not a fact that the result of the Sherman Act was to elevate the prices of all products; did it not have that effect?

Mr. WALKER of Massachusetts. We did not consider anything concerning the elevation of prices of products or depreciating the price of products in that bill other than what benefit there would be to prices in the coinage of silver provided we could keep silver dollars at a parity with gold. That was the problem we tried to solve.

Mr. SHAFROTH. But you say the protection of the silver cost the people of the United States $200,000,000.

Mr. WALKER of Massachusetts. I said at that time I thought the trying of the experiment would cost the Treasury $200,000,000 before the people would be willing to repeal it, but the Treasury only lost less than $50,000,000.

Mr. SHAFROTH. Was it not a matter of fact that under its operation there was an increase in the export cost of all goods in the United States?

Mr. WALKER of Massachusetts. I decline to go into that question.

Mr. SHAFROTH. Did not President Harrison admit that in his message in December following?

Mr. WALKER of Massachusetts. I do not propose to go into that question. I only want to get historical facts in the RECORD. I would be pleased to consider that matter at some other time.

The only thing seriously criticised in that act is the sixth clause. I mean the point made against it by men who call themselves "sound-money men." Section 6 reads:

> That whenever the market price of silver * * * is $1 for 371.25 grains of pure silver it shall be lawful for the owner of any silver bullion to deposit the same at any coinage mint of the United States, to be formed into standard silver dollars for his benefit, as provided in the act of January 18, 1837.

Let me say, Mr. Speaker, that any man in this House or Senate or anywhere else could vote for that provision to-day, even the most rabid gold man, with absolute safety from his standpoint; so that criticism is exceedingly unjust. We were determined, and desired to find out whether the unlimited coinage of silver could be safely allowed, and we were as true in that quest as any three men that ever sat upon this floor or anywhere else and did our duty as we saw it in trying to secure that result.

The purchasing clause of the act of July 14, 1890, was repealed on November 1, 1893. The following table shows the amount of silver purchased and what would have been the result if the Bland law had remained until now, or the Sherman law:

$2,000,000 worth of silver bought in the fiscal year ending June 30, 1894, would have made	$45,793,840	
4,500,000 ounces of silver would have cost	29,110,070	
Less dollars in Treasury notes required		$16,683,770
$2,000,000 worth of silver in fiscal year 1895	48,707,473	
4,500,000 ounces of silver, cost price	34,451,145	
Less dollars in Treasury notes required		14,256,328
$2,000,000 worth of silver in fiscal year 1896	45,634,927	
4,500,000 ounces of silver, cost price	36,722,925	
Less dollars in Treasury notes required		8,912,002
$2,000,000 worth of silver in fiscal year 1897	47,980,769	
4,500,000 ounces of silver, cost price	34,995,870	
Less dollars in Treasury notes required		12,984,899
Difference in four years		52,836,999
If $4,000,000 worth of silver had been purchased, the difference would have been		240,894,008

(See page 355 of hearings before Committee on Banking and Currency, 1897-98.)

Now, Mr. Speaker, I desire to have read and to comment upon an extract from a speech made by me in the House on June 20, 1894. The Clerk read as follows:

> The only practical remedy for the silver situation is to embody in the law of all countries the present commercial customs in the use of silver money, in both silver and gold measure countries (except England), as follows, i. e.:
>
> 1. All countries that now use silver as the "measure of value metal" to adopt gold as the international and final domestic measure of value at 30 of silver to 1 of gold.
> 2. Make silver the domestic legal-tender metal.
> 3. Make silver money redeemable in gold.
> 4. Withdraw and cancel all silver certificates.
> 5. Make paper money redeemable in silver.
> 6. Not to reduce the existing amount of silver coin, and not to increase the ratio of silver to gold for ten years, and as much silver to be bought and coined as can be kept in circulation among the people.
> 7. England to agree to increase her silver coin by £20,000,000, nominal value.
>
> This arrangement will make the utmost use of silver that is practicable and establish an unvarying "par of exchange" between countries, which is all that has ever yet been accomplished in coinage as between countries.
>
> That is the only possible way of securing a par of exchange and not disastrously disturbing the economic conditions of the silver measure of value countries.
>
> Mr. CANNON of Illinois. Will the gentleman permit an interruption?
>
> Mr. WALKER. Certainly.
>
> Mr. CANNON of Illinois. If I understand the last proposition of the gentleman, it looks toward an agreement in all countries, except Great Britain, that the ratio should be fixed at 30 of silver to 1 of gold. Now, if that agreement can be made, either by way of international agreement, on the one hand, or by each country making that ratio for itself on the other, I do not see why you had not just as well make it 16 or 20 of silver to 1 of gold. It seems to me it would accomplish the same end.
>
> Mr. WALKER. What I have proposed is not to disturb present values by the smallest fraction the world over. Remonetizing at 16½ or 17, or at 15½ or 16, will halve the prices and double the debts of every person in every silver country. That is why I make these suggestions, and the only reason why. What I propose is that every country shall keep its own ratio. I would not reduce the ratio by the one-millionth part of a fraction of a cent in the United States.
>
> Why? Why, Mr. Chairman, who knows but that to-morrow we may discover gold mines which will produce gold in such abundance that we will be in the same condition as to gold that we are now in as to silver? I would not vote—I would burn my hand off first—that we should reduce the number of our silver dollars below the number of our gold dollars. My proposition leaves all countries to make their own ratio as between silver and gold, except as to international trade.
>
> The only thing necessary is to induce silver measure of value countries to make gold the international measure of value by the law of their respective countries, leaving silver in all those countries at its present commercial ratio, or three points less, in order not to disturb prices anywhere the world over, and not to have the blighting curse on the countries that now use the silver measure of value that visited us between the years 1873 and 1879, only a hundredfold more intense. That is the reason.
>
> Silver to-day is about 33 or 34 to 1. If it is made 30 to 1 in silver countries you overvalue it three points. Then the silver of each country will remain at home. Then if silver appreciates toward gold, it makes the silver countries richer and atones to them somewhat for, and restores somewhat also, the losses that we have been allowing to fall on them for the last twenty years in this growing difference between the two metals.
>
> Mr. Chairman, no agreement of governments, no agreement of international conferences, will affect the situation. Ratify your treaties to-morrow. Nothing will affect it but the convincing of the judgment of the mercantile and manufacturing world, and this proposition would commend itself to the judgment of every business man.

Mr. WALKER of Massachusetts. Mr. Speaker, every word there spoken has been justified by events. I have been discussing these problems before the House during my whole Congressional career, and not one sentence have I ever uttered in this House or outside of it on financial questions for over twenty years has failed to prove true. In 1893 India went to the gold standard, Russia in 1896, Costa Rica in 1896, Japan in 1897, Austria-Hungary in 1892, Peru in 1897. China is being divided up among the nations, and practically will be on a gold standard in all its commerce.

Mexico is the only country remaining, and she is now considering the proposition of going to a gold standard, and must necessarily be carried there unless all nations can agree upon an international ratio for the unlimited coinage of silver, which no one now expects to be done.

Now, Mr. Speaker, I find in a speech delivered by a Boston gentleman on February 10, 1898, before the Chamber of Commerce this statement:

> The chairman [of the Committee on Banking and Currency] says that his committee will not pass any bill that he does not approve, and we all know that there is one bill that he approves that his committee have not consented to report. Many members of the committee would be glad to report the bill of the monetary commission, but they have not the opportunity.

Mr. Speaker, to vindicate myself from such statements I propose to recite a little more history.

Mr. BOTKIN. Who is the author of that speech?

Mr. WALKER of Massachusetts. I do not care to put his name into the CONGRESSIONAL RECORD. I do not care to advertise the gentleman. Similar statements have been made privately on this floor a hundred times, and they have been published in the papers all over the country a thousand times. Let me say in reply, Mr. Speaker, what I have said from the beginning and say now, that no relief can come to the Treasury situation until the Treasury is absolutely relieved of maintaining the parity of our money, paper, silver, and gold, issued by the Government, and the

maintenance of parity is put upon the banks, where it rests in every country in the world except this.

Mr. SHAFROTH. Are the banks as able to do it as the Treasury?

Mr. WALKER of Massachusetts. The banks have nearly two thousand million dollars which they can devote to that use at any time, while the Treasury has, at the most, one hundred million or so.

Mr. SHAFROTH. But the Treasury has unlimited credit.

Mr. WALKER of Massachusetts. The banks can do it in the regular line of their business, while the Government can only do so by taxing the people. The banks are rightly clamoring for a gold standard. Let them sustain it at no cost to themselves and relieve the people from being heavily taxed to do it. But to my story. I have said from the beginning, years ago and at all times that any bill drawn by any man in this House or in this country that will relieve the United States Treasury, that will surely put the keeping of the parity of all kinds of money on the banks, that will give the people the free use of a true banking currency by allowing the banks to issue it will have my support, and I will that moment burn up the bill I have drawn.

I want to call your attention to the fact, and I hope I shall have five minutes more to do so, if necessary, that early in this Congress, in its extra session, I went to the Speaker and said to him the financial and banking question was the great question before the country pressing for settlement, and it ought to be settled and settled at once in the extraordinary session. That after he had selected from this House a Committee on Ways and Means, the ablest and most practical men he could find in the House, and then selected the ablest and most practical men he could find in the House for the Committee on Appropriations, and then the chairmen of two or three other leading committees, he could not constitute a Banking and Currency Committee as it ought to be constituted to take up so great a question as the banking and currency question and master the subject so as to agree upon and report a bill.

Who he proposed to put on that committee I did not know, so my statements were entirely impersonal. I begged of him to at once appoint a special committee of the strongest men in the House immediately after the Committee on Ways and Means had reported their bill, as there was no committee work for anybody to do in the House.

Mr. REED turned upon me and said: "Well, you would want to be chairman of that committee yourself."

"I am entitled to be chairman," I replied, "and I do not intend to strike my colors from that position, but I will think the matter over carefully and consult with you to-morrow."

I had made my mind up as to precisely what I would say, as I expected that suggestion, but lest he should think that I had replied hastily, I told him I would wait until the next morning before I replied to that suggestion. In the morning I said to him, "I have carefully thought over what you said about the chairmanship of a special committee last evening and I have two propositions to make, either of which would save me from being discredited and from the unjust statement that I would favor no bill that I did not draw and would defeat any bill brought before the committee not of my own construction. I will suggest that Mr. DINGLEY and myself draw a resolution providing for the appointment of a special committee to take into consideration the Treasury and banking situation of the country, to be reported in the near future, Mr. DINGLEY to offer the resolution, and that, of course, would make him chairman. You can then put me anywhere on the committee, on the tail end if you choose. Or what I think is a still better plan is to draw a resolution in such a way and with such a title and text that it must be referred under the rules to the Committee on Ways and Means. There can be written into it at the bottom a reference in general terms to the financial and banking situation of the country, so as to give the Ways and Means Committee jurisdiction over the banking and Treasury question. Then I, as chairman of the Banking and Currency Committee, will have nothing further to do with it, as it will be settled before that committee is appointed. If you will adopt either of these propositions, you will have a bill satisfactory to the House, and the committee will report a bill to Congress within sixty days and secure its passage through the House."

Mr. REED's final reply was that he did not think it would be wise to distract the attention of the country and of the Senate from the tariff question, and he doubted whether the country was yet ready for such legislation.

[Here the hammer fell.]

Mr. SHAFROTH. I ask unanimous consent that the gentleman be allowed ten minutes more.

Mr. BENNETT. I object, Mr. Speaker.

Mr. WALKER of Massachusetts. Then I ask consent that my remarks, which would take about ten minutes, be extended in the RECORD.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that he may publish his remarks, equivalent to ten minutes, in the RECORD.

Mr. FITZGERALD. Mr. Speaker, how is that to be determined?

The SPEAKER. The chair is unable to answer. Is there objection? [After a pause.] The Chair hears none.

Mr. LACEY. Mr. Speaker, the present occupant of the chair was not in the chair when the matter was being discussed yesterday on the point of order. Mr. PAYNE was acting as Speaker pro tempore. The point of order was only reserved, and I do not know that my friend from Maine [Mr. DINGLEY], the chairman of the Committee on Ways and Means, will now insist upon the point of order.

Mr. DINGLEY. I suggest that the bill be considered under the five-minute rule in the House as in Committee of the Whole. Some important provisions in the bill ought to be considered by the House. I have no objection to its being considered so rather than to go into Committee of the Whole.

The SPEAKER. The Chair will suggest that that could be arranged by the point of order being withdrawn.

Mr. DINGLEY. I will withdraw the point of order.

The SPEAKER. The Chair desires to say that he does not think it good practice, where objection is made, that there shall be action taken in the House of that kind. The point of order being withdrawn, the gentleman from Iowa [Mr. LACEY] will proceed.

Mr. LACEY. In what form? Under the five-minute rule?

The SPEAKER. As if in the House.

Mr. LACEY. Five minutes or an hour?

The SPEAKER. The time the gentleman chooses; he can manage the bill as he sees fit.

Mr. LACEY. Mr. Speaker, when I was interrupted by my friend from Massachusetts I was about to call up this bill. I am always willing to yield to the chairman of the Committee on Banking and Currency, because we are always listening for something interesting from that source. I was reminded yesterday, when the House seemed to be in a great state of confusion——

Mr. HENRY of Mississippi. When was that?

Mr. LACEY. Yesterday; when everybody seemed to be highly excited except my friend, the chairman of the Committee on Banking and Currency [laughter], some one said, "Oh, he is so used to that in his committee that this little affair seems like peace to him." [Laughter.]

Mr. WALKER of Massachusetts. That is so.

Mr. LACEY. Now, having thus cleared the decks for action, I regret that the galleries are not so well crowded to-day to listen to the Arkansas case as they were yesterday, but I will endeavor to make this case as clear as possible to the House, and I will repeat very briefly a portion of the explanation which seemed yesterday to fall upon deaf ears.

In 1836 the State of Arkansas issued its bonds to the Real Estate Bank of that State. Those bonds were issued in order to expand the currency and give to the people "a sufficient volume of currency to transact the business of the country without the aid or consent of any other State or nation on earth." That proposition in 1836 was enacted into law and followed by the issuance of $2,000,000 of bonds to this Real Estate Bank. Five hundred thousand and some odd dollars of those bonds ultimately passed into the funds of the Smithsonian Institution and $90,000 into the Cherokee trust fund. Afterwards those bonds were not paid. Their interest was not paid. The Government of the United States assumed the indebtedness and paid into the Treasury for the use of these two funds its own bonds for a like amount, thus assuming to control in the Treasury the Arkansas bonds.

This transaction originated about sixty-one or sixty-two years ago. Since then controversies have arisen between the State of Arkansas and the United States in regard to public lands, swamp lands, the 5 per cent fund from the sale of various lands, etc. Various claims have arisen on behalf of the State of Arkansas and against the United States; and those matters have remained unsettled. The United States, however, has from time to time credited certain sums, amounting to about $55,000, upon this indebtedness.

When the war broke out all these matters were passed to the rear. There was not any adjustment. There could not be at that time. The State of Arkansas passed first through the throes of the rebellion, then through the woes of reconstruction, and finally it passed into the hands of the Democratic party. Which of these conditions is the worst is a matter at present left undecided. [Laughter.] The last condition I am afraid is worse than the first, and perhaps equally hopeless.

But the situation, at any rate, appeals to our sympathies, appeals to the charity and good will of the people of the United States. The various States of the Union in the South that were trampled under foot by the war, whose railroads were destroyed, whose houses were burned, whose fences were torn down, upon those States the curses of that war lighted with great severity. All of them have suffered in that way, and Arkansas perhaps fully as much as those that suffered worst, unless it be the great mother

State of Virginia, whose soil was constantly under the tread of contending armies for four years.

Now, it was my good fortune to serve for about two years in the State of Arkansas during the rebellion. I have felt some sympathy for the gallant men who met us on that occasion; and I have watched the course of that State with perhaps a little more interest than I have that of other States in which I was not so long in service.

Now, I have never felt that the settlement made by the Secretary of the Treasury and the Secretary of the Interior could, as a statement of accounts, be approved by any court of chancery, or as a detailed statement of accounts could be approved by Congress. If there were no intervening equities, as a mere statement of accounts I have not felt that it was a just one—one that could be approved as a specific statement of the claims for and against the different parties.

But when we take into consideration what has happened in all these years, when we take into consideration that this transaction occurred away back in 1836, when we take into consideration what the State has suffered since then and the total amount of its indebtedness at this time; that it is a struggling community, that many portions of the State have been heavily overflowed, that its expenses in the construction of dikes and levees and in the drainage of its swamps have been very great; when we take into consideration the heroic struggles that that State has made in behalf of education (for in traveling through that wild Western State to-day you will find the schoolhouse on the edge of the swamp, almost at the edge of the cypress timber); when we find that they are making this heroic struggle to bring the State out upon a high plane of progress on a level with any other State in the Union, and when we consider that this old debt, originating away back before the war, has hung as a cloud over the affairs of that State, I assert it is perhaps just and right, and in all respects best, to accept this statement as a lumping settlement—as a general lumping of accounts—and to say that if the State of Arkansas will pay the $160,000 provided for in this contract, or give its new bonds as here provided, and adjust the various land matters as provided in the amendment proposed by the committee, it would be best to accept this settlement and end this old controversy which began before most of us were born.

Taking this view of the matter, I have felt constrained to concur in the report which recommends this settlement as a general closing of accounts between the two governments, so as to end this strife and to start anew.

It will be remembered, Mr. Speaker, that a long time ago the surplus in the Treasury was divided up among the States—was deposited with those States to be drawn back from them at some future time when needed by the General Government. That money never has been returned. It was afterwards considered an equitable adjustment as between Virginia, North Carolina, and other old States of the Union, which had received none of the public lands, and the younger States that had received their share of public lands but had not received so large a proportion of the funds deposited with the States.

I think that was the general feeling in the committee amongst those who have had this matter before them over and over again for the last eight or ten years, that we had better at once and for all time settle the question by this adjustment made, and accepting what was considered to be a reasonable sum by the Secretary of the Treasury and the Secretary of the Interior as a compromise.

There is a considerable area of the public lands of the State of Arkansas that is claimed by the Iron Mountain Railroad Company. On that land taxes were paid by the company to the State of Arkansas for twenty years and over. The State, under the swamp-land act, has set up a claim to that land. Most of the land, however, has passed into the hands of settlers, and it was deemed best while making a general settlement of the whole matter that the title of all these parties should be quieted and the cloud of disputed title removed from their lands, which cover a very large area of the State. That is provided for in the amendment proposed by the committee and which was read to the House on yesterday.

Now, sir, I believe in a general way that this gives the outlines of the proposition pending before the House on the report of your committee, and I yield the remainder of my time, or so much as he may desire, to the gentleman from Arkansas [Mr. MCRAE].

Mr. TALBERT. Is this the unanimous report of the committee?

Mr. LACEY. It is.

Mr. DINGLEY. Before the gentleman from Iowa takes his seat, I would like to ask him one or two questions with reference to this matter.

I understand that this is a settlement recommended by the then Secretary of the Treasury and the Commissioner of the Land Office, or was it the Secretary of the Interior?

Mr. LACEY. The Secretary of the Interior and the Secretary of the Treasury, together with the governor of Arkansas. They appointed experts, who went, examined, and made a statement of the account. The question was submitted to the governor of Arkansas and the Secretaries of the Interior and of the Treasury, and they entered into a written agreement to make the settlement on the basis of the payment by the State of $160,572, and referred it to Congress, as required by the act of Congress which authorized the settlement thus tentatively to be made.

Mr. DINGLEY. That is, a balance of $160,000 is to be paid to the United States in settlement of the conflicting claims?

Mr. LACEY. Yes; $160,572.

Mr. DINGLEY. Is there any provision in the bill which preserves the right to the United States until this money is paid and the claim adjusted in that manner?

Mr. LACEY. There is a provision by which all of the lands revert absolutely to the United States. Not only these lands, but the swamp lands and all others.

Mr. DINGLEY. Unless that amount is paid?

Mr. LACEY. In addition to that amount the State of Arkansas relinquishes all claims set up as to any swamp lands and other lands not yet patented to the State. They all are relinquished.

Mr. DINGLEY. And it is, in the judgment of the chairman of the committee, a fair settlement of the case, so far as the interests of the Government of the United States are concerned?

Mr. LACEY. Well, I have felt that while in my judgment a larger sum ought to be paid, yet taking into consideration all the elements, which have been explained to the House, the antiquity of the claim and various other questions entering into its consideration, I have felt that it was better to accept the settlement agreed on by the State and the two Secretaries as the best that could be done under the circumstances.

I should have made the amount larger myself, but at the same time it seems impossible to arrive at an amount greater than that fixed in the bill.

Mr. DINGLEY. There is not printed with the report a copy of the compromise or settlement made between the Secretaries and the governor of Arkansas, and I do not know what that settlement is in terms, but I understand from the chairman of the committee that this amount is to be paid into the Treasury of the United States before there is any release of the claim of the Government?

Mr. LACEY. It is to be paid in 5 per cent bonds of the United States, and the odd amount of money remaining over the $160,000 is to be paid in cash. I will say that the bonds of the State of Arkansas are now good.

Mr. DINGLEY. You mean that the bonds are at par?

Mr. LACEY. That the bonds would be paid in full.

Mr. MCRAE. If the gentleman will allow me, the bonds not surrendered are to be paid under the compromise on or before the 1st day of January, 1900. The State under the contract reserved the right to anticipate the time of payment, and I hope it will be anticipated. But they must be paid by that time at all events.

Mr. DINGLEY. Have they a market value now at par?

Mr. MCRAE. All of the bonds recognized by the State except these old real-estate bonds are, I think, worth par and above par.

Mr. DINGLEY. And are selling at that on the markets at this time?

Mr. MCRAE (continuing). I do not know whether any bonds are selling at par that draw as low a rate as 5 per cent interest. These bonds, however, to which reference is made here, draw 6 per cent; but I do not know that any of them are on the market. I think the common-school fund of Arkansas and the United States own practically all of them except the Holfords.

Mr. MCCULLOCH. The State is paying promptly the interest on her outstanding indebtedness.

Mr. DINGLEY. There were certain bonds issued by the State of Arkansas that were repudiated, were there not?

Mr. MCCULLOCH. Yes; those were the old Holford bonds.

Mr. MCRAE. The Supreme Court declared those bonds to have been illegally hypothecated and the State only liable for what was received on them. They are not taken into account. These bonds in question have never been repudiated, either by the legislature, the courts, or the people. I will discuss that in my time.

Mr. DINGLEY. It seems to me that before the United States releases the title to its land it ought to have the cash in hand, and not a lot of bonds which there may be some question about hereafter.

Mr. MCRAE. There can be no question about the legality of these bonds. The 160 $1,000 bonds are not to be surrendered until paid. There will be no question, in my opinion, about the payment of the $160,572, the balance due from the State.

Mr. MCCULLOCH. No doubt it will be paid within six months or less time.

Mr. DINGLEY. All right.

Mr. LACEY. I have no doubt, Mr. Speaker, that the bonds of the State would be worth their face and could be disposed of without difficulty by the Secretary of the Treasury. Now I yield to my friend from Arkansas [Mr. MCRAE] such time as he may need. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The Chair is unable to state at present.

Mr. McRAE. Mr. Speaker, Arkansas came into the Union June 15, 1836, with a constitution that contained the following provision:

The general assembly may incorporate one State bank, with such amount of capital as may be deemed necessary, and such number of branches as may be required for the public convenience, which shall become the repository of the fund belonging to or under the control of the State, and shall be required to loan them out throughout the State and in each county in proportion to representation. And they shall further have power to incorporate one other banking institution calculated to aid and promote the great agricultural interests of the country, and the faith and credit of the State may be pledged to raise the funds necessary to carry into operation the two banks herein specified: *Provided*, Such security can be given by the individual stockholders as will guarantee the State against loss or injury.

Both of the banks authorized by this constitution were provided for by the First general assembly of the State, and they were both put in operation.

The first act of the First general assembly was one "to establish the Real Estate Bank," which was an institution private in its character, with a right in the State to select a minority of its directors, owned by private stockholders, who subscribed their stock and attempted to secure its payments by real-estate mortgages. To this private institution the State in its infancy lent its credit by issuing about $3,000,000 of 6 per cent thirty-year bonds, to be sold by the bank at par value.

These bonds were negotiated and the capital to start the bank was in that way raised. Under the provisions of the first act of the general assembly the Real Estate Bank was established at Little Rock, with branches at Washington, Arkansas Post, Batesville, and Helena, and the entire stock first authorized was taken in the eastern portion of the State. Running a line from Batesville to Washington showed all of the stockholders to be east of that line. This caused great dissatisfaction in the western portion of the State, and in consequence of this, at the next session of the general assembly there was another act passed authorizing the further issue of $500,000 of bonds to establish a branch of the Real Estate Bank at Van Buren, and required that the stockholders or subscribers should be confined to certain western counties.

This stock was subscribed and the stock mortgages put upon record to secure it, but the bonds, which are now known as the Holford bonds, could not be sold at par and were illegally hypothecated by the bank to the North American Trust and Banking Company for only $125,000. As this was not sufficient to establish the branch bank, the funds were placed in the parent bank at Little Rock and the branch bank was never put in operation. The consequence was, when the State attempted to foreclose on the Holford bond mortgages she was defeated on the ground of failure of consideration.

The bank suspended specie payment on the 2d day of November, 1839, and on the 2d day of April, 1842, became hopelessly insolvent and made an assignment of its real estate, credits, and effects, bonds, bills, notes, and money. The State proceeded against the bank by quo warranto to seize the franchise, and the supreme court in passing upon the question said, "she has abused her trust and perverted its object, and this works a forfeiture of her charter." There was a great deal of expensive litigation and much delay in winding up the affairs of the bank, and the net assets realized were only sufficient to pay a very small part of the bonds loaned by the State to it, and so the legal liability still rests upon the people after the lapse of nearly sixty years.

They do not and will not dispute the legal and moral obligation to pay so many of these bonds as are now owned by the United States, for they were all negotiated strictly in accordance with the law of the State which authorized their issue and sale, and as a matter of fact the bank received a dollar in cash for every dollar of the bonds delivered to the United States, as trustee for the Smithsonian and Chickasaw funds. But the unredeemed bonds issued on behalf of both banks, including interest to October 1, 1868, was $4,993,503, and that sum represents the loss to the State on account of the unfortunate bank ventures. The State has never recovered her credit, lost largely by the efforts to sustain these banks.

THE CLAIM OF THE UNITED STATES.

The United States invested $538,000 of the Smithsonian fund and $90,000 of the Chickasaw fund in these bonds. The United States also invested $3,000 of the Chickasaw orphan fund in 5 per cent bonds. As of the date of January 1, 1874, the $90,000 of Chickasaw bonds and interest were funded into $252,000 new 6 per cent bonds, due January 1, 1900. The principal of all the bonds amounts to $793,000, and in the pending compromise the State is charged with that, and in addition the interest thereon to the time of maturity, which is $818,803, making in all the sum of $1,611,803.61. No interest is charged against the State after the maturity of the bonds, although upon their face they bear interest until the payment of the principal. If interest should be added to this date, the amount is nearly $3,000,000.

From time to time, as the State defaulted in the payments, Congress appropriated money to protect the trust funds invested in the bonds, and the United States now own in their own right all of the bonds, and the Smithsonian and Indian funds have nothing to do with them. When the bonds matured in 1861 the State had seceded from the Union and was engaged in an effort to sustain the Confederacy. The whole country was then in a state of cruel war, which, after four years, left the State peopled principally with widows and orphans, aged men, and maimed soldiers, without any organized State government; her relations to the General Government uncertain; a new and ignorant citizenship to deal with, and aliens as rulers.

With this condition of affairs, it is unnecessary for me to say that nothing was or could be done to pay the debt to the United States. From then until now the people who survived the wreck and ruin of that sad conflict of the sections and the more disastrous effects of the reconstruction period that followed it have labored with all their energies to rebuild their lost fortunes; but the high taxes, hard times, floods, and droughts have made it almost impossible to do more than support the State government, and they are yet unable to fully meet the demands pressing upon them for public schools and other important purposes. With the present low price of cotton, our great farm product, the probabilities of the State ever being able to pay the principal and interest of these real-estate bonds in money are very slight, even if willing to do so.

I do not hesitate to say that I do not believe she can pay the full amount of them by taxation, and for that reason I have sought to effect a compromise. I regret this condition as much as anyone possibly can, for I love the State passionately, and I wish she were strong enough financially to meet all of her just and legal debts without asking any reduction or compromise. But knowing as I do the inability of the State and the demands upon her, I have for twelve years earnestly and persistently worked and anxiously hoped for some amicable adjustment which would make it possible for her to establish a credit and in an honorable way provide for her other debts. With these bonds settled, the State will be in a condition to pay or adjust upon honorable terms the remainder of her debt. The State is improving in many ways, and with this menace removed, I shall expect such an influx of immigration and capital as will astonish the world.

THIS IS A COMPROMISE.

Confessing her inability to make payment of these old bank debts, the State has for many years urged a settlement by compromise, relying largely upon the liberality of the United States to allow her to use her claim to land and land indemnity, the only available assets she has for such a purpose. By the act of August 4, 1894, the Secretary of the Interior and the Secretary of the Treasury were fully authorized and empowered to compromise, adjust, and finally settle with the State all matters growing out of the old Real Estate Bank bonds and the unadjusted land grants, upon such terms and conditions as to them might seem just and equitable, subject to approval by Congress.

THE CREDITS ALLOWED THE STATE.

with the exception of the sum of $55,116.20, the amount of the 5 per cent fund, are not of legal cognizance and could not be enforced in any court. But under the act of August 4, 1894, she was allowed credits aggregating the sum of $1,396,115 for lands which the State insists were donated and granted her by the United States, but never patented.

The balance to be paid by the State in money is fixed in the agreement at $160,572, of which the sum of $572 is to be paid within thirty days after the approval of the compromise settlement by Congress, and the remainder, which is represented by 160 $1,000 bonds, at or before the maturity thereof, January 1, 1900, and all coupons attached and due after January 1, 1895, with the option on the part of the State to pay such bonds before maturity, with only the interest which may have accrued at the time of payment.

LEGISLATIVE HISTORY OF COMPROMISE.

The agreement was sent to Congress for confirmation February 23, 1895. Certain parts of it were objected to in the name of settlers and purchasers who had bought lands the title to which was in dispute and because the compromise was alleged to be too liberal with the State in the matter of waiving interest and in allowing $5 per acre for indemnity lands. For these reasons and for want of time the Fifty-third Congress took no action. The same bill was reintroduced in the House and Senate in the Fifty-fourth Congress. On March 30, 1896, the bill S. 502 passed the Senate without amendment, was referred to the House Committee on Public Lands, and its consideration was substituted for a like bill, H. R. 37.

On May 5, 1896, the bill was favorably reported to the House by Mr. Meiklejohn with an amendment intended to confirm, without the payment of anything, the title of all purchasers from the State of unconfirmed swamp lands, and also imposed upon the State a condition which she is required to accept, to the effect that she shall release to the United States all claim to all swamp lands which have been disposed of under the public-land laws or which have been granted, confirmed, certified, or patented by the United

States under any other act of Congress. This required the State to yield such claim as she may have to lands that have been patented by the United States under railroad or other grants.

The governor of the State refused to accept the amendment, but invited the consideration of the general assembly to the conditions sought to be imposed upon the State by calling attention to it in his annual message in January, 1897.

The Speaker and those of the majority party in the House of Representatives of the United States refused to allow consideration unless the amendment should be first accepted by the State. The State, by concurrent resolution on the 10th day of March, 1897, ratified and confirmed said compromise and agreed to accept the conditions contained in what was called the Meiklejohn amendment and pledged the faith of the State to carry it out; but the Fifty-fourth Congress had previously expired, on the 4th of March, 1897, and so no action was taken in the House. The same bill was introduced in the House and Senate in the present Congress (Fifty-fifth). On March 29, 1897, the bill S. 3 passed the Senate without amendment and was referred to the House Committee on Public Lands, and was favorably reported with the pending Meiklejohn amendment. The State has twice ratified the compromise, and up to this time has met every condition imposed upon her in order to have this old claim finally and fully settled. This is all she can do. We feel that she now has a right to ask Congress to dispose of the matter.

THE BENEFITS TO ACCRUE TO THE UNITED STATES

under the settlement are (1) that the State must pay the sum of $160,572 into the Treasury of the United States before January 1, 1900, and (2) must release all her claim to the money received by the United States for confirmed swamp lands sold by the United States; (3) title will forever be quieted in the United States to about a million acres of land now in dispute between them and the State; (4) and it prevents any claim against the United States for indemnity lands by the land-grant railroad companies if the lands certified to the State for railroad purposes should be held to have previously passed to the State under the swamp-land grant.

THE GREAT BENEFITS TO ACCRUE TO THE STATE

are (1) an honorable release from the old bonds and make it possible for her to reestablish her credit and honor in the financial world; (2) a final settlement of the old contentions and disputes growing out of the several land grants, which have cost the State more than she can hope to realize from them, and which have been a fruitful source of troublesome litigation and annoyance to the people of the State and still beclouds the title to the homes of thousands of the best citizens of the State; (3) it will open to the settlers under the homestead and other public-land laws all of the vacant lands now in dispute between the State and the United States.

Mr. Speaker, this is a brief history of an old, confused, and complicated controversy and a fair statement of the claims upon the one side and upon the other.

Mr. BARNEY. Will the gentleman allow me to ask him a question?

Mr. McRAE. Certainly.

Mr. BARNEY. Is it not true that the State of Arkansas never realized anything out of these $2,000,000 of bonds issued to the Real Estate Bank of that State?

Mr. McRAE. The bonds were issued by the State to the bank, and she has paid millions of dollars on account of them, but has received practically nothing from the bank.

Mr. BARNEY. Is it not also true that there are hundreds of thousands of acres of land in the State of Arkansas that are owned by nonresidents, the title to which is now in doubt, and is perfected by this bill?

Mr. McRAE. Yes; there are about 1,000,000 acres of land the title to which is in dispute. A part of it is claimed by the State and a part has been disposed of, some to residents and some to nonresidents, who are anxious to have their titles quieted.

The bill as amended by the committee is intended to settle, and I think will settle, not only the old complicated accounts between the State and Government, but also all conflicts of title growing out of the swamp and other grants to the State. After many years of labor on the part of the Arkansas delegation both in the Senate and House the bill is now in such a parliamentary condition that the House can vote on it, and I appeal with all the earnestness I possess to my friends on both sides of this Chamber to vote for it and let it pass without further delay.

Mr. LACEY. I call for a vote.

The SPEAKER. The question will first be on the committee amendment.

The amendment was read, as follows:

Strike out the period at the end of the bill and add the following:
"upon the declarations and conditions hereinafter provided.

"SEC. 2. That the amount of $362,971.35, with which the State is credited in said compromise and settlement for 132,594.27 acres of indemnity land, at the price of $5 an acre, be, and the same is hereby, reduced to the amount of $331,485.63, the value of said indemnity land at $2.50 an acre, the double minimum price of Government land; and the State of Arkansas is hereby credited with the sum of $331,485.63 for 265,188.54 acres of additional selected unadjusted swamp land, at $1.25 per acre, the minimum price of Government land, leaving the balance to be paid by the State of Arkansas to the United States under said compromise and settlement $160,572.

SEC. 3. That the title of all persons who have purchased from the State of Arkansas any unconfirmed swamp land and hold deeds for the same be, and the same is hereby, confirmed and made valid as against any claim or right of the United States, and without the payment of said persons, their heirs or assigns, of any sum whatever to the United States or to the State of Arkansas.

SEC. 4. That the State of Arkansas does hereby relinquish and quitclaim to the United States all lands heretofore confirmed, certified, or patented to the State which have been entered under the public-land laws; and does hereby cede, relinquish, and quitclaim to the United States all right, title, and interest under the acts of September 28, 1850, March 2, 1855, and March 3, 1857, in and to all lands in the State which have been heretofore granted, confirmed, certified, or patented by the United States under any other acts, and the title to such lands is hereby confirmed in the grantees, their heirs, successors, or assigns, anything in this act or any other act to the contrary notwithstanding: *Provided*, That this act shall be of no force or effect until the State of Arkansas shall have accepted and approved the conditions, limitations, and provisions herein contained by an act of the general assembly or by an instrument in writing duly executed by the governor under the authority conferred upon him by the legislature of said State, and filed with the Secretary of the Treasury and the Secretary of the Interior within one year from the approval of this act: *Provided further*, That whereas the general assembly of the State of Arkansas did, on the 10th day of March, 1897, accept and approve the conditions, limitations, and provisions herein contained before the passage of this act, making the same effective and conclusive; therefore, this act shall be in full force and effect from and after its passage.

The SPEAKER pro tempore. This is a committee amendment?

Mr. LACEY. Yes.

The committee amendment was agreed to.

Mr. BARNEY. I ask in this connection unanimous consent to print in the RECORD the report of the committee.

The SPEAKER pro tempore. Unanimous consent is asked that the committee report be printed in the RECORD. Is there objection?

There was no objection.

Mr. BARNEY. Mr. Speaker, the report in question, which was made by myself, is as follows:

The Committee on the Public Lands, to whom was referred Senate bill No. 3, entitled "A bill to approve a compromise and settlement between the United States and the State of Arkansas," beg leave to submit the following report, and recommend that said bill do pass with the following amendment:

Strike out the period at the end of the bill and add the following:

"Upon the declarations and conditions hereinafter provided."

"SEC. 2. That the amount of $362,971.35, with which the State is credited in said compromise and settlement for 132,594.27 acres of indemnity land, at the price of $5 an acre, be, and the same is hereby, reduced to the amount of $331,485.63, the value of said indemnity land at $2.50 an acre, the double minimum price of Government land; and the State of Arkansas is hereby credited with the sum of $331,485.63 for 265,188.54 acres of additional selected unadjusted swamp land, at $1.25 per acre, the minimum price of Government land, leaving the balance to be paid by the State of Arkansas to the United States under said compromise and settlement $160,572.

"SEC. 3. That the title of all persons who have purchased from the State of Arkansas any unconfirmed swamp land and hold deeds for the same be, and the same is hereby, confirmed and made valid as against any claim or right of the United States, and without the payment of said persons, their heirs or assigns, of any sum whatever to the United States or to the State of Arkansas.

"SEC. 4. That the State of Arkansas does hereby relinquish and quitclaim to the United States all lands heretofore confirmed, certified, or patented to the State which have been entered under the public-land laws; and does hereby cede, relinquish, and quitclaim to the United States all right, title, and interest under the acts of September 28, 1850, March 2, 1855, and March 3, 1857, in and to all lands in the State which have been heretofore granted, confirmed, certified, or patented by the United States under any other acts, and the title to such lands is hereby confirmed in the grantees, their heirs, successors, or assigns, anything in this act or any other act to the contrary notwithstanding: *Provided*, That this act shall be of no force or effect until the State of Arkansas shall have accepted and approved the conditions, limitations, and provisions herein contained by an act of the general assembly or by an instrument in writing duly executed by the governor under the authority conferred upon him by the legislature of said State, and filed with the Secretary of the Treasury and the Secretary of the Interior within one year from the approval of this act: *Provided further*, That whereas the general assembly of the State of Arkansas did, on the 10th day of March, 1897, accept and approve the conditions, limitations, and provisions herein contained before the passage of this act, making the same effective and conclusive; therefore, this act shall be in full force and effect from and after its passage."

The compromise and settlement referred to was made by John G. Carlisle, Secretary of the Treasury, and Hoke Smith, Secretary of the Interior, on behalf of the United States, and James P. Clarke, governor of Arkansas, on behalf of the State of Arkansas, on the 23d day of February, 1895, pursuant to an act of Congress approved August 4, 1894, and an act of the general assembly of the State of Arkansas approved April 8, 1893. These statutes are as follows:

An act to authorize a compromise and settlement with the State of Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury and the Secretary of the Interior, or any three persons they may jointly select or cause to be selected on behalf of the United States, are hereby fully authorized and empowered to compromise, adjust, and finally settle with the governor of the State of Arkansas, or with such person or persons as may be authorized by the laws of that State to act in its behalf, upon such terms and conditions as to them may seem just and equitable, subject to approval by Congress, as hereinafter provided, all or any of the differences between the Government and the said State growing out of and arising from the issue of certain bonds by the said State which are now owned in their own right or held in trust by the United States; the 5 per cent fund which accrued to the said State under the act approved June 23, 1836; the unpaid portion of the distribution fund which accrued to the said State under the act approved September 4, 1841; the swamp and overflowed lands in place granted by the act approved September 28, 1850, and not heretofore approved to the State; the land and money indemnity due the said State under the acts approved March 2, 1855, and March 3, 1857, and all other claims and demands of whatever

kind or nature; and any compromise or settlement they may make with the said State shall be fully reported back to Congress, giving the basis thereof, for its further action, said compromise not to be effectual and final until approved by Congress.

Approved, August 4, 1894.

An act to authorize the governor to compromise and adjust, prosecute, and secure all claims of the State of Arkansas against the United States.

Be it enacted by the general assembly of the State of Arkansas, That the governor be, and he is hereby, authorized and empowered to enter into negotiations with the proper authorities of the United States, with a view of compromising, adjusting, and settling all or any of the claims of the State of Arkansas that have accrued or that may hereafter accrue under existing and future laws and grants; and he is further authorized and empowered to compromise, adjust, and settle the same upon such terms and conditions as he may deem just and right, after having examined into all the facts in relation thereto, the sum or sums agreed upon for such claim or claims as he may compromise and adjust to be applied upon the bonds of the State owned by the United States. The governor is fully empowered to relinquish and quitclaim to the United States any or all claims or demands adjusted or unadjusted upon the surrender to the State of such of her bonds as he may stipulate for in the compromise.

* * * * * * *

Approved, April 8, 1889.

At the first session of the Fifty-fourth Congress Senate bill No. 502 passed the Senate and was referred to the Committee on the Public Lands of the House and reported to the House with the same amendment now recommended (except the last provision, made necessary for reasons hereinafter stated), but said bill never came up for consideration.

The general assembly of the State of Arkansas, in anticipation of the passage and approval of the bill, passed the following act over the governor's veto, which became a law March 10, 1897, and which makes necessary the last provision reported as an amendment to this bill:

An act proposing ratification of settlement made by Secretary of Treasury, Secretary of Interior, and the governor of Arkansas of the differences between the United States and the State of Arkansas.

Whereas the settlement of the matter of difference between the United States and this State, as set out in the report from the Committee on Public Lands in the House of Representatives of the Congress of the United States, and in the Public Lands Committee amendment on the part of the said committee upon Senate bill 502, and wherein the whole subject, with the compromise and settlement between the United States and the State of Arkansas, as agreed upon by the Secretary of the Treasury and the Secretary of the Interior and the governor of the State of Arkansas, are fully set out and discussed in said report, and it is evident that the bill providing for the settlement as it originally passed the Senate of the United States can not be passed without the adoption of the said amendment; and

Whereas it is to the interest of in every way to the State of Arkansas to adjust and settle this important matter, therefore be it resolved by the senate, the house concurring:

Resolved, That the settlement of the matter of difference between the United States and this State, lately concluded by the Secretary of the Treasury, the Secretary of the Interior, acting for the General Government, and the governor of this State, whereby the General Government is to surrender to this State all of the bonds of this State now held, except 160 thereof with coupons attached subsequent to January 1, 1895, and the State on its part is to release and quitclaim to the United States all claims adjusted and unadjusted growing out of the swamp-land grant of 1850, and all other grants, together with the conditions contained in the said Meiklejohn amendment to said bill, be, and the same is hereby in all things ratified and confirmed, and the faith of the State of Arkansas is hereby pledged to carry out in good faith the terms of the said settlement as are imposed upon it as a duty, and we advise and request our members in Congress and the Senate to use all honorable means at their command to bring about the passage of said bill with said amendment.

This bill having been returned by the governor with his objections thereto, and after reconsideration having passed both houses by the constitutional majority, it has become a law this the 30th day of March, 1897.

OFFICE OF SECRETARY OF STATE,
Little Rock, Ark.

I, Alex C. Hull, secretary of state of the State of Arkansas, do hereby certify that the annexed pages contain a true, complete, and full copy of senate concurrent resolution No. 7, entitled "An act proposing ratification of settlement made by the Secretary of the Treasury, Secretary of Interior, and the governor of Arkansas, of the differences between the United States and the State of Arkansas," as vetoed by the governor and passed over his veto, as appears by comparing the same with the original roll of said senate concurrent resolution No. 7, now on file in this office.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Little Rock, this 7th day of April, A. D. 1897.

[SEAL.] ALEX C. HULL, *Secretary of State*,
By R. B. JETT, *Deputy*.

This legislation is for the purpose of finally settling an old claim of the United States against the State of Arkansas, and which may be briefly stated as follows:

The State of Arkansas, by an act approved October 26, 1836, authorized the issue of $2,000,000 6 per cent interest-bearing bonds of that State, to run thirty years, to aid the Arkansas Real Estate Bank, of that State; but the United States, as the trustee of the Smithsonian fund, in the year 1838 invested $538,000 of that fund in those bonds. This bank defaulted, so that this loan was a dead loss to the State of Arkansas.

The United States, as trustee of the Chickasaw fund, also (at the same time) invested $90,000 of that fund in the bonds of the State of this same issue.

The United States also holds three 5 per cent registered bonds of the State of Arkansas, purchased out of the Chickasaw orphan fund, which, with interest to the date of maturity, amount to $5,700.

The State of Arkansas defaulted in the payment of both the principal and interest of all of these bonds except as she is entitled to the credit hereinafter mentioned, and the total amount now due thereon, calculating interest only to maturity, is $1,611,803.61.

The State of Arkansas claims an offset to this indebtedness, which may be briefly stated as follows:

The State was entitled, under the act of June 23, 1836 (5 Stat. L., 58), to 5 per cent of the net proceeds of the sale, by Congress, of lands lying within its borders, and the United States withheld these 5 per cent earnings under section 3481, United States Revised Statutes, to be applied in payment of the interest on these bonds, and on December 1, 1860, there had been so withheld by the United States $148,279.72 and applied in payment of interest on said bonds, and which said sum is credited to the State of Arkansas in arriving at the gross sum before mentioned as due upon said bonds.

Since December 1, 1860, there has been withheld by the United States of these 5 per cent earnings, which was never applied, and which is not credited to the State in the above statement, the sum of $55,116.20.

In addition to the above sum of $55,116.20, to which the State of Arkansas, is unquestionably entitled to credit, that State has various claims against the United States under the public land laws for lands and cash indemnity, which, under the act of August 4, 1894, may be considered as an offset in this compromise.

Under the authority conferred by that act, on the 1st day of January, 1895, the Secretary of the Treasury named Burton T. Doyle, assistant chief of the warrant division of the Treasury Department, and the Secretary of the Interior named George C. Ross, an assistant attorney in the Interior Department, as agents to investigate and state the accounts between the United States and the State of Arkansas. These agents went to the State of Arkansas and took proofs upon this offset claimed by that State, and made a detailed report, which may be found printed on pages 2-5 of the appendix to the report of Mr. Meiklejohn (Report No. 1634) upon this same bill in the first session of the Fifty-fourth Congress.

Based upon that report, a compromise was entered into between the Secretary of the Interior and the Secretary of the Treasury, on the part of the United States, and the governor of Arkansas on the part of that State, subject to the approval of Congress, by the terms of which the State of Arkansas is to pay the United States the sum of $160,572—$572 in cash within thirty days and the balance of $160,000 on or before January 1, 1900.

The settlement was arrived at by crediting the State of Arkansas for lands and cash indemnity and the sum before mentioned as being due that State under the act of June 23, 1836.

Your committee, in recommending the ratifying of this settlement with the proposed amendments, do not thereby desire to be understood as admitting that the sum of $160,572 is all that is either legally or equitably due from the State of Arkansas to the United States, for they believe that if interest is charged the State of Arkansas, to date, according to the terms of the bonds and the law under which they were issued, there is a much larger sum so due; but, in view of all the facts and circumstances connected with the case, they believe it is advisable to thus settle this old controversy:

First. The bank for the aid of which these bonds were given by the State defaulted and the State never realized a dollar upon the whole sum borrowed.

Second. Since the indebtedness was incurred the State of Arkansas has passed through the throes of civil war, and thereby, in common with many other States, suffered great loss of property.

And, above all, the claim is more than 60 years old, and hence much confused and complicated, and for which reason it is now absolutely impossible to determine the exact rights of the parties. We regard this as a compromise and settlement and not an adjudication, and think it ought to be accepted in that light.

In addition to this, this compromise will settle forever the title to nearly a million acres of land in the State of Arkansas, which are now in conflict and are a continuing menace to many of the citizens of Arkansas and other States. These titles are confirmed and quieted in the grantees by the amendment to this bill, and thus set at rest forever.

First, of the State's preemptors on unconfirmed swamp lands who want title to their homes, some of which have been improved for the past twenty-five years.

Second, of bona fide settlers and purchasers from the land-grant railroads holding under patent from the United States for more than forty years.

Third, of those who have erroneously entered confirmed swamp lands under the United States settlement laws.

Fourth, of those who want an opportunity to acquire title to the lands now in dispute between the State and the General Government.

The development and progress of this State has been greatly retarded by this dispute of titles. The title to these lands comes through grants from the General Government, and while the United States does not warrant such titles, we believe it to be equitably bound to make them good when it is possible to do so.

The compromise as reported, the report of the commissioners, with the proofs taken, all of the correspondence relating to this matter, and the hearings before the Committee on the Public Lands of the Fifty-fourth Congress, are fully set forth in the report of Mr. Meiklejohn (Report No. 1634) before referred to, and reference is made to them for fuller information upon the bill. They are so voluminous that it was not deemed necessary or advisable to reprint them as a part of this report.

Both the Secretary of the Interior and the Commissioner of the General Land Office, in their reports for 1897, have urgently recommended the early settlement of this controversy, "so that the business of that Department with reference to the lands in question may be resumed and proceeded with to a conclusion."

The bill as amended would read as follows:

An act to approve a compromise and settlement between the United States and the State of Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compromise and settlement effected February 22, 1895, between the United States and the State of Arkansas by John G. Carlisle, Secretary of the Treasury, and Hoke Smith, Secretary of the Interior, on behalf of the United States, and James P. Clarke, governor of Arkansas, on behalf of that State, which was made under and by virtue of the authority conferred by an act of Congress approved August 4, 1894, entitled "An act to authorize a compromise and settlement with the State of Arkansas," and the act of the general assembly of Arkansas, approved April 8, 1889, authorizing the governor to act for that State, be, and the same is hereby, approved and given the full force and effect of law upon the declaration and conditions hereinafter provided.

SEC. 2. That the amount of $662,971.25, with which the State is credited in said compromise and settlement for 132,594.27 acres of indemnity land, at the price of $5 an acre, be, and the same is hereby, reduced to the amount of $331,485.63, the value of said indemnity land at $2.50 an acre, the double minimum price of Government land; and the State of Arkansas is hereby credited with the sum of $331,485.63 for 265,188.54 acres of additional selected unadjusted swamp land, at $1.25 per acre, the minimum price of Government land, leaving the balance to be paid by the State of Arkansas to the United States under said compromise and settlement $160,572.

SEC. 3. That the title of all persons who have purchased from the State of Arkansas any unconfirmed swamp land and hold deeds for the same be, and the same is hereby, confirmed and made valid as against any claim or right of the United States, and without the payment of said persons, their heirs or assigns, of any sum whatever to the United States or to the State of Arkansas.

SEC. 4. That the State of Arkansas does hereby relinquish and quitclaim to the United States all lands heretofore confirmed, certified, or patented to the State which have been entered under the public-land laws; and does hereby cede, relinquish, and quitclaim to the United States all right, title, and interest under the acts of September 28, 1850, March 2, 1855, and March 3, 1857, in and to all lands in the State which have been heretofore granted, confirmed, certified, or patented by the United States under any other acts, and the title to such lands is hereby confirmed in the grantees, their heirs,

successors, or assigns, anything in this act or any other act to the contrary notwithstanding: *Provided*, That this act shall be of no force or effect until the State of Arkansas shall have accepted and approved the conditions, limitations, and provisions herein contained by an act of the general assembly or by an instrument in writing duly executed by the governor under the authority conferred upon him by the legislature of said State, and filed with the Secretary of the Treasury and the Secretary of the Interior within one year from the approval of this act: *Provided further*, That whereas the general assembly of the State of Arkansas did, on the 10th day of March, 1897, accept and approve the conditions, limitations, and provisions herein contained before the passage of this act, making the same effective and conclusive, therefore this act shall be in full force and effect from and after its passage.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

Mr. McRAE. I suggest, this being a Senate bill with House amendment, that you ask a conference with the Senate.

Mr. LACEY. I move that the House insist upon the amendment and ask for a conference with the Senate.

The motion was agreed to; and the Speaker pro tempore appointed as conferees on the part of the House Mr. LACEY, Mr. BARNEY, and Mr. SHAFROTH.

EXPLANATION.

Mr. LINNEY. Mr. Speaker, I want to make a statement in reference to my colleague, Mr. WHITE. I have received a communication from him, in which he says:

I was unavoidably absent yesterday, but would have voted for the Cuban resolution had I been present.

RENT OR LEASE OF CERTAIN PORTIONS OF FOREST RESERVE.

Mr. LACEY. Mr. Speaker, I call up the bill H. R. 8162.

The bill was read, as follows:

A bill (H. R. 8162) to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized, under such rules and regulations as he from time to time may make, to rent or lease to responsible persons or corporations applying therefor suitable spaces and portions of ground near, or adjacent to, mineral, medicinal, or other springs, within any forest reserves established within the United States, or hereafter to be established, and where the public is accustomed or desire to frequent, for health or pleasure, for the purpose of erecting upon such leased ground sanitariums or hotels, to be opened for the reception of the public. And he is further authorized to make such regulations, for the convenience of people visiting such springs, with reference to spaces and locations, for the erection of tents or temporary dwelling houses to be erected or constructed for the use of those visiting such springs for health or pleasure. And the Secretary of the Interior is authorized to prescribe the terms and duration and the compensation to be paid for the privileges granted under the provisions of this act.

The amendment recommended by the committee was read, as follows:

Insert as section 2 the following:

"SEC. 2. That all funds arising from the privileges granted hereunder shall be covered into the Treasury of the United States as a special fund, to be expended in the care of public forest reservations."

Mr. LACEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. TONGUE] to explain this bill.

Mr. TONGUE. Mr. Speaker, this bill requires very little explanation. In establishing forest reserves necessarily the boundaries included a great many mineral, medicinal, and other springs, to which the public was accustomed to resort during vacation time. Under existing regulations and forest-reservation laws there is no power vested in any of the Departments to make any provision under the laws for the occupation of these grounds by those who seek these springs for the erection of sanitariums, for buildings, or even cottages for persons desiring to fit them up, or even for camping grounds.

This bill simply authorizes the Secretary of the Interior, upon such terms and in such manner as he sees fit, to rent places near this class of springs either for hotels, sanitariums, or cottages, to be used exclusively by the owners of the building. It is cordially indorsed by the Commissioner of the Land Office and by the Secretary of the Interior, and has been unanimously reported by the Committee on Public Lands.

Mr. TALBERT. Mr. Speaker, I would like to ask if it calls for any appropriation or any outlay of money?

Mr. LACEY. There is no outlay. It will produce some revenue; not probably very much. There are hot springs in some of the reservations, and they want to build bath houses and hotels, under regulations prescribed by the Secretary of the Interior, and the parties will pay to the Government a leasehold rental for the use of the land.

Mr. TALBERT. This includes no expense caused by appointment of supervisors?

Mr. LACEY. It causes no expense whatever. I call for a vote, Mr. Speaker.

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken; and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time.

Mr. COLSON. I would like to ask the gentleman, Does the leasing of this property exclude the general public or require them to pay?

Mr. TONGUE. This is to accommodate the public. It allows parties to secure a lease of some lands in some places near these hot springs in the various reservations, and of course the public will have to pay for the privilege of using the hotels.

Mr. COLSON. Is there any provision for the regulation of the charges?

Mr. TONGUE. The lands are to be taken under regulations prescribed by the Secretary of the Interior.

Mr. COLSON. Do the regulations made by the Secretary of the Interior provide anywhere the rates for campers, and anything of that kind? Are such matters left to the discretion of the Secretary of the Interior?

The SPEAKER pro tempore. The question is upon the passage of the bill.

Mr. RIDGELY. I should like to ask the gentleman a question. I was unavoidably called away at the time the explanation was made by the gentleman from Oregon. My question is, Does this bill provide for leasing and operating the mineral deposits?

Mr. LACEY. Not at all.

Mr. TONGUE. It simply allows the leasing of places in the vicinity of the different springs which are on these reservations and confines the parties exclusively to that which they may lease under such terms as are prescribed by the Secretary of the Interior. It does not even allow them to sell any part of it. It is for campers and for people going to summer resorts.

Mr. RIDGELY. I did not know but what it went further and provided for the leasing of mineral lands.

Mr. LACEY. The Department recommended that the bill be enlarged so as to provide for leases for grazing, but the committee thought best not to complicate this question with a broad and sweeping proposition like one for grazing, and let it stand on its basis.

Mr. RIDGELY. I should not have objected to it if it had that provision.

The question was taken; and the bill was passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LACEY. The Committee on Public Lands has no further business on the House Calendar.

The SPEAKER pro tempore. The call rests with the Committee on the Judiciary.

COPIES OF OFFICIAL DOCUMENTS.

Mr. HENDERSON. Mr. Speaker, I call up for consideration the bill H. R. 427.

The Clerk read as follows:

A bill (H. R. 427) for the preservation and protection of public records and documents, and providing for the use of copies thereof as evidence.

Be it enacted, etc., That a copy of any document, record, paper, or map in the official custody of any public officer of any State or Territory of the United States, or the Indian Territory, or the District of Columbia, or of the United States, certified under the hand and official seal of such officer or officers, where there is a seal, or of the State or United States, as the case may be, or verified by the oath of the public officer having the custody of same to be a true, correct, and full copy of the original, may be admitted and read and used in evidence in any action or proceeding, civil or criminal, in the courts and before special tribunals of the United States in the like manner and with the same force and effect as the original if produced and put in evidence.

SEC. 2. That no document, record, paper, or map in the official custody of any officer of the United States shall be produced or introduced in evidence except upon the order of a court or of a judge thereof or special tribunal made upon application supported by affidavit showing that for good reasons specified the production and inspection of the original is essential to the protection of the rights of the parties and the just determination of the cause or proceeding in which same is to be used and that a copy will not suffice, or when the trial or hearing is being conducted in the same building where such original is kept, or when the officer or Department having the official custody of same refuses or neglects to furnish a copy on request.

SEC. 3. That whenever the original of any such document, record, paper, or map is required to be and is produced in court it shall not be taken from the custody of the officer required by law to keep same, but after inspection and at the close of the trial or hearing shall be returned to the office from which taken.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "Territory," insert the words "or Alaska."

In section 2, page 2, at end of line 2, insert "required to be."

In section 3, page 2, after the word "same," line 4, insert "or the person delegated to produce same."

Mr. RAY of New York. Mr. Speaker, I ask for the reading of the report, as that fully explains the bill.

The report (by Mr. RAY of New York) was read, as follows:

The Committee on the Judiciary, having had under consideration the bill (H. R. 427) entitled "A bill for the preservation and protection of public records and documents and providing for the use of copies thereof as evidence," report the same favorably, and recommend that the bill pass with amendments.

The bill was prepared and introduced in accordance with suggestions made by the Attorney-General of the United States, who points out briefly the reasons for its enactment in a letter, a copy of which is annexed and made a part of this report.

Documents, papers, and maps filed in accordance with law in any public office and public records in the custody of public officers should never be removed from the office where required to be kept, except when absolutely necessary for the protection and preservation of the rights of parties interested. Whenever removed for use in court or before special tribunals such records, documents, and papers are liable to be mislaid and lost, and during their absence from the proper office all persons desiring to inspect or use same are prevented from so doing.

There is no reason why the papers and documents referred to should be produced in court, except when an inspection of the original is absolutely essential. Certified or sworn copies may be substituted and will answer every purpose. The expense of procuring certified or sworn copies will be trivial. Public officers should not be subjected to the expense, inconvenience, and loss of time involved in appearing in court at places oftentimes far distant from the public office where the records are kept for the simple purpose of producing such papers, documents, or records.

The bill carefully provides for cases where the production of the original is necessary for the protection of the rights of parties and a just determination of the cause or proceeding pending, and also provides for the production in court of the originals in all cases where the court or hearing is being held in the same building where the records, papers, and documents are kept. A similar law has been enacted in nearly all of the States.

The bill covers the case where a copy is not furnished on request.

The bill passed the House in the Fifty-fourth Congress, but was not reached in the Senate.

Amend as follows:

In line 5, after the word "Territory," insert the words "or Alaska."

In section 2, page 2, at end of line 2, insert "required to be."

In section 3, page 2, after the word "same," line 4, insert "or the person delegated to produce same."

DEPARTMENT OF JUSTICE,
Washington, D. C., April 6, 1898.

SIR: I have the honor to transmit herewith a draft of a provision looking to the protection of public records.

The form is similar to that enacted by New York and other States.

As the law now stands, there is nothing to prevent lawyers from havi issued subpœnas duces tecum, requiring public officers to produce documents, thus taking them from their places of safe-keeping. It is, of course, quite manifest that this interferes with the public duties of officers and jeopardises public records. The only limit now is the discretion of judges, and this varies very much.

The Secretary of the Interior recently called to my attention a complaint made to him by a surveyor-general, to the effect that he was compelled to produce in court and leave in court public records in his official keeping.

I think that some such measure as the one I have embodied in the draft sent you should be speedily enacted into a law.

Respectfully,

JUDSON HARMON, *Attorney-General.*

Hon. D. B. HENDERSON,
Chairman Committee on the Judiciary, House of Representatives.

Mr. HENDERSON. I yield to the gentleman from New York [Mr. RAY].

Mr. RAY of New York. Mr. Speaker, it does not seem to me that anything need be said in behalf of this bill. It simply provides for using copies in place of the original, but any party to a proceeding may have the original if it is necessary for use or inspection. It saves great expense, trouble, and annoyance to the officers of the Government.

Mr. SMITH of Arizona. How does he obtain the original?

Mr. RAY of New York. If it is desired?

Mr. SMITH of Arizona. If he desires the original, under this bill how does he obtain it?

Mr. RAY of New York. He simply applies to the judge and makes affidavit that the original is necessary for the proper determination of the case, and thereupon the judge makes an ex parte order requiring the original to be produced.

Mr. SMITH of Arizona. The reason I ask is this: I want to know if it will not work great inconvenience and hardship in places. Take, for instance, a town like mine, where the general land office and the surveyor-general's office are in close proximity to the court-house, and where it is expensive at times to get authenticated copies. I want to know if the inconvenience will not be great under those circumstances; would it not work great hardship and involve considerable expense?

Mr. RAY of New York. I think not, because in those cases they could easily have an order to produce the original in court without expense. There would be no contest about it. They would simply make an affidavit that they wanted the original produced, and it could be produced and used. You see now oftentimes it is necessary, in order to get a document into court, to subpœna the officer, and he travels oftentimes 20, 50, or 100 miles simply to produce a document, and then parties who desire to inspect the document at the place where lawfully kept are unable to do it.

Mr. SULLIVAN. Will the gentleman allow me to ask him a question?

Mr. RAY of New York. Certainly.

Mr. SULLIVAN. The expense of the certified copies for use at the trial—is that to be taxed as a part of the cost in the case?

Mr. RAY of New York. It is not provided for here. There is a general law covering that subject. It would be a disbursement in the case and taxable in the costs.

Mr. SULLIVAN. And I presume the expense of bringing the original paper with a subpœna duces tecum would be greater than procuring the copy.

Mr. RAY of New York. Oh, yes; oftentimes ten times as large.

The SPEAKER pro tempore (Mr. HOPKINS in the chair). The Chair understands that there are several committee amendments, and the vote will be taken on the amendments together, unless there is objection.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. RAY of New York, a motion to reconsider the vote whereby the bill was passed was laid on the table.

JURISDICTION OF UNITED STATES COURTS.

Mr. HENDERSON. Mr. Speaker, I now call up the bill (H. R. 4104) regulating the jurisdiction of United States courts, and for other purposes, and I yield to the gentleman from Illinois [Mr. CONNOLLY], who reported the bill.

The SPEAKER pro tempore. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That in all suits of a civil nature at law or in equity brought originally in a court of the United States or removed thereto from a State court, the party bringing such suit therein originally, or removing the same from the State court, shall not be permitted to question the jurisdiction of the United States court over such case, and if the case proceeds to a hearing or trial on the merits without the jurisdiction being questioned by motion or plea, none of the parties to the record shall be thereafter permitted to question the jurisdiction of the United States court in such case: *Provided, however*, That if in any such suit it shall at any time appear to the satisfaction of the trial court that the parties have collusively brought said suit, either originally or by removal, into the United States court without right so to do, or if it shall appear to the satisfaction of the United States court before judgment is entered on the merits that the case is one in which the jurisdiction of the United States court can not be rightfully exercised under the real facts of the case, the court shall of its own motion dismiss the case or remand it to the State court from which it was removed; and shall in all cases dismissed or remanded for want of jurisdiction make such order as to costs as may be just and proper.

SEC. 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

The amendment recommended by the committee was read, as follows:

Add at the end of section 1 the following:

"*Provided, however*, That if in any such suit it shall at any time appear to the satisfaction of any court in which such suit shall be pending that the parties have collusively brought said suit, either originally or by removal, into the United States court without right so to do, or that the case is one in which the jurisdiction of the United States court can not rightfully be exercised under the real facts in the case, the court may of its own motion dismiss the case or remand it to the State court from which it was removed, and shall in all cases dismissed or remanded for want of jurisdiction make such order as to costs as may be just and proper, but the order dismissing or remanding said cause to the State court shall be reviewable by the circuit court of appeals or the Supreme Court, as the case may be, on writ of error or appeal, agreeably to the law of procedure in such case."

Mr. LINNEY. Mr. Speaker, I would like to have the gentleman from Illinois explain what is meant by this language in the bill, if I caught it correctly, that a party shall not be permitted to question the jurisdiction of the United States courts.

Mr. CONNOLLY. The language is that the party bringing a suit originally in the United States court, or removing it to the United States court, shall not thereafter be permitted to question the jurisdiction.

Mr. LINNEY. It does not refer to the adverse party?

Mr. CONNOLLY. It requires the adverse party to raise the question of jurisdiction in apt time before going to trial on the merits of the case, or he will be estopped to raise it.

Mr. LINNEY. Is it not regarded in all of our courts an elementary principle of law that the question of jurisdiction can be taken advantage of at any time, and that any proceeding of a court not having jurisdiction is not only voidable but absolutely void?

Mr. CONNOLLY. That has been the rule since the passage of the act of March 3, 1875. Prior to that time the parties were required and expected to raise the question of jurisdiction——

Mr. TERRY. Mr. Speaker, I will state that there are views of the minority in this case, and I ask that they be read.

The SPEAKER. If there be no objection, they will be read. [After a pause.] The Chair hears none.

The views of the minority were read, as follows:

VIEWS OF THE MINORITY.

The undersigned members of the Committee on the Judiciary do not agree with the committee in reporting favorably the bill (H. R. 4104) entitled "A bill regulating the jurisdiction of United States courts, and for other purposes." The decision in Walker *vs.* Collins (167 U. S., page 57) is cited to support the proposed legislation, but we submit that neither in that case nor elsewhere, as we believe, is there sufficient reason for the passage of this bill. We learn from Walker *vs.* Collins, supra, that Collins and others sued Walker and others in a Kansas State court. The defendants had the cause removed into the United States circuit court, "the plaintiffs interposing no objection" to such removal (167 U. S., page 58). In the United States circuit court the plaintiffs filed a motion to remand the cause to the State courts. "The record does not show that any action was taken by the court upon this motion" (167 U. S., page 59). It may be presumed that the motion to remand was abandoned.

After judgment for the plaintiffs the defendants, Walker and others, by writ of error, carried the case to the United States Supreme Court, and in that court raised the question of the jurisdiction of the United States circuit court into which they had caused the case to be removed from the State court. The United States Supreme Court sustained the contention that the United States courts acquired no jurisdiction under the order of removal from the State court. The Supreme Court, in reviewing and affirming other decisions upon the same point, said (167 U. S., page 59) that—

"A case not depending on the citizenship of the parties, nor otherwise

specially provided for, can not be removed from a State court into the circuit court of the United States as one arising under the Constitution, laws, or treaties of the United States unless that appears by the plaintiff's statement of his own claim, and if it does not so appear the want can not be supplied by any statement in the petition for removal or in the subsequent pleadings."

Now, if this bill be passed the law will be changed very materially. Under it the plaintiff may state a case, like the one above mentioned, cognizable exclusively in the State court, and yet the defendant, by his pleading, may remove such cause into the Federal court. Under existing law the Federal courts can not thus acquire jurisdiction. The proposed legislation would extend their jurisdiction—practically extend it—over controversies now cognizable solely in the State courts. We do not believe there is any reason for weakening the State courts or for further increasing the power or reach of the Federal courts.

Nor do we believe that there is any danger to be apprehended from the operation of the law as clearly declared in Walker vs. Collins, supra. With Walker vs. Collins for their guidance, the State courts will err but seldom, if at all, in disposing of such applications for removal as the one in review in that case.

Therefore we submit that there is no need for the legislation recommended by the committee; that it would be legislation in the wrong direction, and would be productive of bad results.

DAVID A. DE ARMOND.
W. L. TERRY.
O. W. UNDERWOOD.

Mr. CONNOLLY. Mr. Speaker, the necessity for this legislation has appeared since the practice under the act of March, 1875. Prior to the act of March 3, 1875, it was the general rule in United States courts that the party claiming the benefit of a question of jurisdiction should plead to the jurisdiction, or otherwise he was estopped after judgment on the merits. The passage of the act of March 3, 1875, made it the duty of the court to consider questions of jurisdiction, upon motion of either of the parties litigant, or upon its own motion, at any stage of that litigation, before trial or after trial, in the original court or in any court to which the case might subsequently come on appeal or writ of error.

This condition of things resulted in a great hardship, and is today working great hardship upon parties. The case that brought this most prominently to the attention of the court, of Federal judges, and of lawyers practicing in those courts was the case of Walker against Collins, reported in 167 United States Supreme Court Reports.

That was a suit commenced in the State court in Kansas. A writ of attachment had been issued from the Federal courts; it had been levied upon personal property claiming to be the property of the defendant in attachment. After seizure and sale of the property, other parties who claimed to be owners of the property brought suit against the marshal and his deputies for the wrongful levy of the writ upon their property, the writ not being against the claimant. The marshal removed the suit under the Federal law to the United States court.

In the United States court, contrary to the statement of the minority in their report here, the question of jurisdiction of the United States courts was raised. It does not appear clearly in the opinion of the Supreme Court how far that question of jurisdiction was pressed; but it was raised in the Federal court by the plaintiff in the suit below, and the question was not determined by that court. It went to trial on its merits. Verdict and judgment were rendered against the marshal, and the marshal appealed to the circuit court of appeals, and there the case was heard on the merits and the judgment was reversed for some technical reason.

The case went back to the State court; it was there tried and the jury again gave a verdict and judgment in favor of the plaintiff. Again an appeal was taken to the circuit court of appeals, and that judgment was affirmed, and then the marshal and deputies took the case to the Supreme Court of the United States by writ of error. Now, in the Supreme Court the marshal raised the question that the Federal court in Kansas had no jurisdiction of the controversy, although the marshal himself had removed the case from the State court to the Federal court in Kansas and had gone through these other several courts, hearing the case on the merits, and never questioned the jurisdiction of the Federal court.

And yet when it came to the Supreme Court, and where it was manifest upon the record that the judgment of the court below would be affirmed, the marshal then for the first time raised the question and argued before the Supreme Court that he had successfully imposed upon the Federal court in Kansas in causing it to take and retain jurisdiction in that case, and the Supreme Court of the United States sustained his contention and reversed the judgment because of lack of jurisdiction in the Federal court in Kansas.

Mr. DALZELL. Will the gentleman allow me a question?

Mr. CONNOLLY. Certainly.

Mr. DALZELL. Do I understand the gentleman to say that according to the law as it now stands a man may remove a cause from a State court to a Federal court, and then, after he has gone to the court of last resort for trial of his case, may there raise a question of the jurisdiction of the court to which he himself appealed in the first instance?

Mr. CONNOLLY. Yes, sir; that is exactly the state of the law as settled.

Mr. DALZELL. And this bill is intended to remove that anomaly?

Mr. CONNOLLY. Yes, to do away with that state of the law. It proceeds upon the theory that the law should henceforth be that a man who invokes the jurisdiction of the Federal court shall forever thereafter be estopped from questioning the jurisdiction of the court which he himself has invoked.

Mr. PAYNE. The bill goes a little further than that, does it not? Does it not provide that the other party also shall be estopped from raising the question of jurisdiction unless he moves to get the case back into the State court?

Mr. CONNOLLY. Unless he raises the question before a trial upon the merits. That was the rule prior to the law of 1875.

Mr. LINNEY. Unless he raises it in the State court or the Federal court?

Mr. CONNOLLY. He can not go into a trial on the merits in a State court and afterwards, upon the question of jurisdiction, go into the circuit court.

Mr. LINNEY. But is it not the general rule that even after a trial has proceeded to verdict a motion in arrest of judgment is allowed upon the ground of want of jurisdiction, the whole proceeding having been an absolute nullity?

Mr. CONNOLLY. That is the rule under the law of 1875. Under that law one party may put the other to years of expense in attending court after court in trying his case upon the merits, and then being defeated, may go to the court of last resort and there raise the question of jurisdiction, although he himself may first have invoked jurisdiction.

Mr. LINNEY. Does not the question of jurisdiction always have reference to the power of the court? And where the question is as to the jurisdiction of the court—for instance, where an action of felony is brought in a justice's court, that court having jurisdiction only of misdemeanors and those of only a limited character—does it not logically and necessarily follow that where the court has not jurisdiction the whole proceeding is a nullity even though the case may have advanced to the point of final judgment, and the question of jurisdiction—the want of power on the part of the court to try the case—may then be raised?

Mr. CONNOLLY. That is true as to a criminal case, but not as to a civil case.

Mr. DALZELL. But is it not a maxim that consent can not give jurisdiction?

Mr. LINNEY. That is right.

Mr. DALZELL. And does not this bill propose to enact into law the maxim that consent may give jurisdiction?

Mr. CONNOLLY. No, sir; this bill is simply a reinstatement of the law as it was prior to the act of March 3, 1875. Under the law as it stood prior to that act a party was required to raise the question of jurisdiction by plea. Of course if the matter in controversy is one outside of the jurisdiction of the court, so that the court can not act, its judgment would be a nullity. But this bill goes still further. It deals with the parties to the litigation by saying that the party who invokes the jurisdiction will be prohibited from ever questioning that jurisdiction. It further says that a party brought into the Federal courts must raise the question of jurisdiction before a trial upon the merits. That is the common-law rule. If you desire to raise the question of jurisdiction, you must do it by plea to the jurisdiction before you plead to the merits.

Mr. ROYSE. May I ask the gentleman a question?

Mr. CONNOLLY. Yes, sir.

Mr. ROYSE. Does not the rule which the gentleman has just stated apply exclusively to the jurisdiction over the person, not over the subject-matter of the suit?

Mr. CONNOLLY. Certainly.

Mr. ROYSE. And you can raise the question as to the jurisdiction over the subject-matter of the suit at any time?

Mr. CONNOLLY. Certainly.

Mr. ROYSE. And this bill, as I understand, relates only to jurisdiction over the person?

Mr. CONNOLLY. That is all. The courts could not construe it to go further.

Mr. DALZELL. Is the gentleman correct in that statement?

Mr CONNOLLY. Yes, sir. I invite gentlemen to look at the proviso, which empowers and requires the court itself to act on the question of jurisdiction:

Provided, however, That if in any such suit it shall at any time appear to the satisfaction of the trial court that the parties have collusively brought said suit, either originally or by removal, into the United States court without right so to do, or if it shall appear to the satisfaction of the United States court before judgment is entered on the merits that the case is one in which the jurisdiction of the United States court can not be rightfully exercised under the real facts of the case, the court shall of its own motion dismiss the case or remand it to the State court from which it was removed.

Mr. PAYNE. That is before the judgment is rendered. But now suppose that after the judgment is rendered the court is discovered to have no jurisdiction of the subject-matter. Do you mean to say that the Supreme Court would not declare such an

act unconstitutional and that the consent to try the matter by the parties in interest over which the court had no jurisdiction would confer no proper authority upon the court?

Mr. CONNOLLY. No, Mr. Speaker; I am satisfied that the bill I have read—and my attention has been called to the matter—is not the correct bill. The report shows that an amendment has been made in that respect.

Mr. TONGUE. Does the gentleman from Illinois mean to contend that it is necessary to pass a bill in order to give a court general jurisdiction to try a cause where the only question of jurisdiction is over the person and not the subject-matter of litigation, and where the parties have waived the question of personal jurisdiction?

Mr. CONNOLLY. No; I am not discussing that phase of the question at all. That is not involved here.

Mr. TONGUE. But does the gentleman mean to hold that it is necessary to pass this bill to validate the action of such a court, and under such circumstances?

Mr. CONNOLLY. My controversy is simply as to the question of practice and not with reference to the question raised by the gentleman from Oregon. It is simply a question of practice as to the time when the question of jurisdiction as to the authority of the court shall be raised. It is, in other words, restoring the practice to what it was prior to the act of March, 1875.

Mr. TALBERT. Let me ask if this is a unanimous report of the committee?

Mr. CONNOLLY. No, sir; there is a minority report.

Mr. TALBERT. I would like to have that report read.

Mr. PAYNE. Is this exactly the same as the old law?

Mr. CONNOLLY. No; it is not a restoration of the old law. Section 5, of March 3, 1875, provides:

SEC. 5. That if, in any suit commenced in a circuit court or removed from a State court to a circuit court of the United States, it shall appear to the satisfaction of said circuit court, at any time after such suit has been brought or removed thereto, that such suit does not really and substantially involve a dispute or controversy properly within the jurisdiction of said circuit court, or that the parties to said suit have been improperly or collusively made or joined, either as plaintiffs or defendants, for the purpose of creating a case cognizable or removable under this act, the said circuit court shall proceed no further therein, but shall dismiss the suit or remand it to the court from which it was removed, as justice may require, and shall make such order as to costs as shall be just. * * *

Now, that act of 1875 changed the rule with reference to the question of jurisdiction.

Mr. PAYNE. What was the law previous to that?

Mr. CONNOLLY. That the party questioning the jurisdiction of the court should plead to the jurisdiction.

Mr. DALZELL. Why not reenact the old law?

Mr. CONNOLLY. The simple reason is that the purpose of this old law was to give to the litigant, without the question of jurisdiction having been raised at all, the right to raise that question. There was no difference as to the source from which the lack of jurisdiction rose.

Mr. PAYNE. Under that law did the Supreme Court ever hold that a case brought under the law, where the question of jurisdiction was not raised at the time, estopped a party in interest from raising that question; in other words, that he could not, after the case had been determined, raise the question of jurisdiction of the subject-matter of the action in the Supreme Court?

Mr. CONNOLLY. Oh, yes; in innumerable cases.

Mr. PAYNE. And under the old law, where the question of jurisdiction is not raised at the time, the party was estopped from making that plea afterwards?

Mr. CONNOLLY. Yes.

Mr. RAY of New York. If my colleague will allow me——

Mr. CONNOLLY (continuing). Not, however, as to the subject-matter of the case. I yield to my colleague with pleasure.

Mr. RAY of New York. I do not think the House understands the purpose of the bill as reported from the committee with the amendments, and I notice that my colleague has before him and has used the House bill without this amendment. The amendments are important and materially change the effect of the bill as read to the House.

Mr. DALZELL. Let us have the bill read as it is proposed to be passed.

Mr. CONNOLLY. I saw immediately after I commenced reading that I had the wrong bill, and so stated.

Mr. PAYNE. Let us have the bill read with the amendment proposed.

Mr. RAY of New York. This is the bill with the amendment:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all suits of a civil nature at law or in equity brought originally in a court of the United States or removed thereto from a State court, the party bringing such suit therein originally, or removing the same from the State court, shall not be permitted to question the jurisdiction of the United States court over such case, and if the case proceeds to a hearing or trial on the merits without the jurisdiction being questioned by motion or plea, none of the parties to the record shall be thereafter permitted to question the jurisdiction of the United States court in such case: *Provided, however*, That if in any such suit it shall at any time appear to the satisfaction of any court in which such suit shall be pending that the parties have collusively brought said suit, either originally or by removal, into the United States court without right so to do, or that the case is one in which the jurisdiction of the United States court can not rightfully be exercised under the real facts in the case, the court may of its own motion dismiss the case or remand it to the State court from which it was removed, and shall in all cases dismissed or remanded for want of jurisdiction make such order as to costs as may be just and proper, but the order dismissing or remanding said cause to the State court shall be reviewable by the circuit court of appeals or the Supreme Court, as the case may be, on writ of error or appeal, agreeably to the law of procedure in such case.

SEC. 2. That all acts and parts of acts inconsistent herewith are hereby repealed.

Now, all the bill, as amended by the committee, does is this: It says that if a party invokes the jurisdiction of the court and goes on with his case to judgment, he shall not be permitted to turn around and say that the court has no jurisdiction. It does not purport to give any jurisdiction over the subject-matter, for if the suggestion is made by anyone to the court, and the court sees that it has no jurisdiction, then it dismisses the whole proceeding, and if the court finds that there has been any collusion in the matter or bad faith, then it may impose costs upon the party who has wrongfully brought or prosecuted the case.

Mr. DALZELL. And that is at any time.

Mr. RAY of New York. At any time.

Mr. DALZELL. Before the case is finally ended.

Mr. RAY of New York. Yes.

Mr. DALZELL. Then I would suggest to my friend that the word "may" ought to be "shall," so that it will provide that the court shall, when it discovers a want of jurisdiction, dismiss the case.

Mr. RAY of New York. That was discussed in the committee; but my friend knows perfectly well that the word "may" is always construed to mean "shall" when that is the purport of the bill. No objection will be made to such an amendment, and I will offer it in behalf of the committee.

Mr. TALBERT. When a man invokes the jurisdiction of this court and goes into it, suppose it is found afterwards that the court has no jurisdiction. Then is the man estopped from withdrawing, or what would be the result then?

Mr. RAY of New York. He is not estopped from withdrawing at all, but he is estopped from bringing a suit as an experiment, getting a judgment in the lower court in his favor, and then when he finds that he is liable to be beaten on the merits, or has been beaten, turning around and saying, "Well, the court has no jurisdiction anyhow." He is estopped from doing that.

Mr. TALBERT. Well, he is not to judge himself. But suppose it is decided by some other court that the lower court has no jurisdiction. I want to know what his status is and "where he is at." What will become of his case? Must he go on whether there is any jurisdiction or not?

Mr. RAY of New York. Certainly not; but if a judgment has proceeded against him on his own invitation, he can not then turn around and get rid of the effect of that judgment by saying, "Now, I will try out the jurisdiction."

Mr. TALBERT. After judgment is obtained?

Mr. RAY of New York. After judgment is obtained.

Mr. TALBERT. But suppose he finds out before judgment is obtained that the court has no jurisdiction. Then is he estopped?

Mr. RAY of New York. On the mere suggestion to the court from him or any other person, the court is directed to dismiss the case—my friend from Pennsylvania [Mr. DALZELL] says we ought to use the word "shall" instead of "may"—on the mere suggestion the court of its own motion has to dismiss the case, and if it finds any bad faith on the part of either party to the controversy it may impose costs.

Mr. TALBERT. That is the point I wanted to get at.

Mr. DALZELL. Does not my friend think the word ought to be "shall" instead of "may?"

Mr. RAY of New York. I have no doubt that the gentleman from Illinois [Mr. CONNOLLY] has no objection to it.

Mr. CONNOLLY. I do not think it is necessary.

Mr. PAYNE. As I understand it, all this bill does is to estop the raising of the question of the jurisdiction of the person?

Mr. RAY of New York. That is all.

Mr. PAYNE. But that the question of the jurisdiction of the subject-matter can be raised at any time, under the amendment?

Mr. RAY of New York. Yes; on mere suggestion, the court will dismiss.

Mr. CONNOLLY. A judgment where the court had no jurisdiction would be a nullity, anyhow.

Mr. RAY of New York. Yes.

Mr. ROYSE. Our Constitution provides that the controversy must be between citizens of different States. This would not authorize citizens of the same State to bring a suit and estop themselves from raising the question of jurisdiction, would it?

Mr. RAY of New York. Oh, certainly not.

Mr. DALZELL. That would necessarily be collusive.

Mr. CONNOLLY. It would not estop the court either, if that appeared in the progress of the case.

Mr. RAY of New York. It simply has the effect of stopping an imposition on the court, stopping parties going into court by way of experiment, and when they find they are getting beaten, turning around and raising the question of jurisdiction.

Mr. LEWIS of Washington. May I be permitted to call the attention of the gentleman to a matter that I do not understand? I understand this bill assumes to enact that hereafter any person objecting to the jurisdiction must do it by a plea, as was the law previous to 1875. I want to ask the gentleman what he has to say upon this: We have a statute now which prescribes that the practice in any State wherein a Federal court is held shall be the practice in that Federal court, in all cases other than in equity and admiralty. We lawyers who practice in the Federal courts understand the rule.

In view of that, the Supreme Court of the United States, in Lewis *vs.* Roberts, 144 U. S., held that, the code of procedure in the State of Nebraska providing that in the courts of that State a general denial, doing nothing but denying the whole complaint, denies the jurisdiction and puts that question at issue with every other issue in the case, in a suit coming from a Federal court in the State of Nebraska a general denial did raise the question of jurisdiction. Now, all but five of our States in the Union are code States. Would this act interfere with that?

Mr. CONNOLLY. Certainly not. That is a denial of jurisdiction. The courts have held that.

Mr. LEWIS of Washington. Then, I ask you, a general denial in a civil action in a Federal court in a code State would still be a general denial of the jurisdiction, and the case being tried on to the end without any plea to the jurisdiction, judgment obtained would be a good judgment?

Mr. CONNOLLY. This is a general provision answering to a matter of pleading.

Mr. LEWIS of Washington. That covers all cases except one.

Mr. CONNOLLY. It only covers common-law cases. It covers every case where the jurisdiction is questioned or at issue; and the Supreme Court having held, as you say, that a general denial filed in the State of Nebraska, or any other State where a general denial raises the question of jurisdiction, will raise it in the Federal court of that district. That leaves it as it is.

Mr. LEWIS of Washington. Do you not think from your judicial experience that there is there a conflict between your bill providing the plea of abatement and that code provision which admits a general denial?

Mr. CONNOLLY. That takes place of and in lieu of the plea in abatement.

Mr. LEWIS of Washington. Would it not follow, if the distinguished gentleman makes a general denial under the laws of Nebraska and lets that case go to judgment and then raises the question of jurisdiction in order to plead, the court's attention not having been called to the special plea——

Mr. CONNOLLY. That would be developed in the trial of the case. This provides that if on the trial of the case the facts are developed showing the jurisdiction of the Federal court has been collusively sought, or showing that it is a case in which the jurisdiction of the United States courts is defective, the court shall upon its own motion dismiss the case. If the gentleman from Washington will observe, a general plea in abatement shall be made.

Mr. LEWIS of Washington. As I just came in, I understood that it was a statement from the bill.

Mr. CONNOLLY. The language of the bill is that it shall be questioned by a motion or plea; that plea may be according to the code State, it may be, of the gentleman.

Mr. LEWIS of Washington. Plea is a general definition as distinguished from answer, and it would have to stand upon its own definition.

Mr. CONNOLLY. Answer in its place and pleading is well understood and recognized by the Supreme Court and all the circuit courts. I yield to the gentleman from Arkansas, who represents the minority.

Mr. TERRY. Mr. Speaker, I will very briefly state the material objection that the minority of the committee have to this bill. It is a maxim of the law with which all lawyers are familiar that consent does not confer jurisdiction, and can not do it. This bill changes that old maxim of the law, which, like other old maxims of the law, has been founded upon the experience and wisdom of centuries. It is dangerous to reverse the principles embodied in these old maxims of law that have the sanction of centuries. Under this bill two parties, for purposes of their own, possibly good, or it may be sinister, can go into a court, and if the judge has a mind to overlook the matter, he thereby, by their consent, takes jurisdiction of a case that does not belong to his court; and then if no appeal or writ of error is taken—in other words, if consent is continued—jurisdiction is thereby obtained contrary to the general law of the land.

Mr. CONNOLLY. Will the gentleman allow me? The gentleman is forgetting the amendment which was put in the bill providing that the question shall be raised by the court itself, and any court in which the case may be taken by appeal.

Mr. TERRY. I understand perfectly well; but suppose there is no appeal, no writ of error; you can take a case under this bill that belongs to the State courts and by consent of the parties, if the judge happens to be sleepy, or does not see the thing, or if for any other reason he does not act——

Mr. CONNOLLY. Can he not do that now?

Mr. TERRY. I do not desire to be interrupted just now. You can correct me afterwards if I misstate the matter. If that thing goes unchallenged, I say the substance of this bill is to confer jurisdiction under this guise which is not conferred by the general law of the land.

Mr. LANHAM. Will you point out the language that sustains that statement?

Mr. TERRY. I will finish my statement, and then you can make any statement you please. I want to be brief. Now, I feel it is just to the members of this House that they should understand why the minority of the Judiciary Committee objected to this bill. There is a majority of them here who can explain all these things. If they can explain them, they will have liberty to do it. I prefer not being interrupted, because I am hoarse to-day and am speaking with some difficulty.

Another objection that I have to the bill is that in this way, indirectly, you extend and amplify the jurisdiction of the Federal courts. I think they have enough jurisdiction already. The Constitution and laws of the United States have wisely apportioned to the Federal courts that amount of jurisdiction which the people, when the matter was fully considered, thought was sufficient for those courts to have. Now, I do not want to aid persons seeking to evade the jurisdiction of the State courts, which is the residuum of all the judicial power of the American people except that which has been specifically apportioned to the Federal court.

Now, let the State courts keep their jurisdiction, and do not allow parties, by operation of a bill of this kind, to reverse a maxim of the law that is as old as the old English oaks beneath which the common law of our English-speaking race was born; a maxim that is older than those English oaks; one that has come down in the old Latin phrase and dates way back of the history of England, before it was ever known to the world. Let us not reverse this old maxim of the law, which every lawyer understands, "Consent can not confer jurisdiction." This bill does that.

Mr. LANHAM. Mr. Speaker, there is no purpose whatever in this bill to confer jurisdiction by consent. There is no purpose in this bill to change the general rules and order of pleading which now exist. It is not intended by it to increase the jurisdiction of the Federal courts. Its purpose is to prevent any party from invoking and experimenting with the jurisdiction of the court and, after judgment has been rendered against him, then coming in and denying or excepting to such jurisdiction.

It is the purpose of this bill to prevent any collusive suits being brought in the courts of the United States, and the very moment that the fact of nonjurisdiction appears, suggested however it may be, it will be the duty of the court to dismiss the case at once.

Now, it seems to me that it can not be reasonably claimed that a plaintiff should be allowed to invoke the jurisdiction of a court to try his case upon its merits and then, when unsuccessful in his contention, take advantage of his own wrong, repudiate the forum he has chosen, and say that the court had no jurisdiction. The purpose of the bill is to preserve the jurisdiction of courts in a proper way, to prevent a wrongful experimentation with it, to dignify judicial proceedings, and prevent imposition upon the courts.

Mr. RAY of New York. Mr. Speaker, I only rise, as I did before, to emphasize the position of my colleague from Texas. There is not a word or syllable or line in the bill as amended that extends the jurisdiction of the courts of the United States. You will see the amendment to this bill provides that through whatever channel the suggestion is made to the court that it has no jurisdiction of the subject-matter, when brought to the attention of the court, it is the duty of the court to dismiss the suit. It endangers no one.

Mr. TERRY. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield?

Mr. RAY of New York. Yes.

Mr. TERRY. If the parties do not call it to the attention of the court and the court does not happen to see it, then, under this bill, the suit is retained and the court has jurisdiction. It has previously been held by the United States courts for years and years that in a case where a proper citizenship did not exist, that fact could be taken advantage of even against an execution or process on a judgment, and this bill would remove or eliminate that principle, which has been recognized by the Supreme Court of the United States for years and years. This bill is trying indirectly to reverse the decision referred to in the one hundred and sixty-seventh United States Reports. You do not reverse the decision, but you change the law which the court promulgated in that case. You are getting around the law. It is another case

in which you take a "hard case" and attempt to legislate and cover that particular state of facts. There is another maxim of the law that "hard cases make bad law," and when you enact a general statute to cover or get around the circumstances of hardship in a particular case, you are legislating in the wrong direction.

Mr. RAY of New York. Now, Mr. Speaker, to resume what I was saying, there is nothing in this bill that expands or broadens the jurisdiction of any court of the United States. There is nothing in the bill that purports to do that. In the ordinary conduct of judicial proceedings there ought always to be a point somewhere when the parties are estopped and bound by the proceedings already had.

Now, my friend from Arkansas suggests that the parties themselves may be asleep. That is not the usual course up at New York; they are generally awake on both sides. He suggests that the court may be asleep; that is not the usual course of things up in New York. Generally during the conduct of the case the parties are awake and the court is awake; but, however that may be, if the court or the parties at the time the case is originally tried fail to see that the court has no jurisdiction of the subject-matter, still this bill provides that at any time during the trial, or at any time on appeal when the want of jurisdiction is brought to the attention of the court, it shall be the duty of the court to at once dismiss the suit or the proceedings. If that is not done and it goes to final judgment and no appeal is taken, then we say that neither party shall be permitted to attack the judgment and destroy the force and effect of it by raising the question of no jurisdiction. Third persons may.

We do not say that of the opposing party during the pendency of the action. We only say it of the party who brought the suit, who instituted the proceedings. No one is harmed, no one can be harmed. It is simply a question of practice to prohibit a party who brought the suit from raising the question of jurisdiction himself after it has gone to final judgment, or during its progress if the question is not raised by a pleading. During the progress of the suit, or trial, he may make the suggestion to the court, and if the court sees there is no jurisdiction, then, of course, it is made the duty of the court by the terms of this bill to at once dismiss the proceedings. The suggestion of the gentleman from Pennsylvania is a good one. In order that there shall be no question the word "must" should be substituted for the word "may," and then everybody will be protected, as the bill simply prohibits a party, after he has invoked the jurisdiction of the court and after judgment has been obtained against him, from raising the question of jurisdiction.

Mr. SMITH of Kentucky. Mr. Speaker, I see no good reason why this bill should not be passed. I think the opposition which has been manifested here comes purely from a misapprehension. The purpose of the bill is not to change the method of procedure, but rather to fix the time within which a party shall avail himself of the objection to the jurisdiction if such objection exists. The effect of the measure is to provide that after a party has invoked the jurisdiction of the court and the case has passed through a trial which has resulted to his disadvantage he shall not be permitted to come in and say, "True, I have invoked the jurisdiction of this court; true, I caused a trial of the case to be had; true, I have lost my case; but now I make the point that the court had no jurisdiction."

Mr. LANHAM. In other words, he can not take advantage of his own wrong.

Mr. SMITH of Kentucky. He has no right to take advantage of his own wrong in that way. The purpose, and the sole purpose, of this bill is to cut off a party from taking advantage of his own wrong.

Mr. RAY of New York. In accordance with the suggestion of my friend from Pennsylvania, I move to amend the amendment by striking out, after the word "court," the word "may," and inserting in lieu thereof the word "shall;" so as to read: "The court shall of its own motion dismiss the case," etc.

The amendment to the amendment was agreed to.

The amendment as amended was adopted.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The SPEAKER (having put the question on the passage of the bill). The ayes seem to have it.

Mr. CLARK of Missouri. I call for a division.

The question being again taken, there were—ayes 39, noes 23.

Mr. CLARK of Missouri. I call for tellers.

Tellers were not ordered, only 21 voting therefor.

Mr. CLARK of Missouri. No quorum, Mr. Speaker.

The SPEAKER (after a pause). The Chair thinks it is too late to make the point of no quorum. In making this ruling, the Chair follows two previous decisions upon the same point. The bill is passed. Without objection, the amendment to the title will be agreed to.

There was no objection.

Mr. LANHAM moved to reconsider the vote by which the bill was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FEDERAL JAIL, FORT SMITH, ARK.

Mr. HENDERSON. On behalf of the Committee on Judiciary, I call up House bill No. 5521, and yield to the gentleman from Arkansas [Mr. TERRY].

The bill was read, as follows:

A bill (H. R. 5521) declaring the Federal jail at the city of Fort Smith, Ark., a national prison for certain purposes.

Be it enacted, etc., That the Federal jail at the city of Fort Smith, Ark., in addition to the purposes for which it is now used, is hereby declared to be a national prison, for the confinement of persons convicted of crimes and misdemeanors in the United States courts and commissioners' courts in the Indian Territory, in cases where the term of imprisonment does not exceed one year, admission into said prison to be under such rules and regulations as may be prescribed by the Attorney-General of the United States.

Mr. TERRY. Mr. Speaker, this bill has met the approval of the Attorney-General as well as the Committee on Judiciary. I ask for the reading of the report, which fully explains the reasons for the passage of the bill.

The report (by Mr. TERRY) was read, as follows:

The Committee on the Judiciary, to whom was referred House bill 5521, return the same to the House with the recommendation that it do pass.

The bill seeks to authorize the use of the Federal jail at the city of Fort Smith, Ark., as a prison for persons convicted in the Federal courts in the Indian Territory in cases where the term of imprisonment does not exceed one year, under rules to be prescribed by the Attorney-General.

The Federal jail referred to in the bill has a capacity for the safe-keeping of more than 500 prisoners, and the great lack of prison accommodations in the Indian Territory renders the use of this jail as a prison for short-term convicts expedient and economical.

The bill was submitted to the Attorney-General for his opinion, and after an examination he states that there is no objection to the passage of the bill.

Mr. TERRY. Mr. Speaker, this United States jail is situated in the district of my colleague [Mr. LITTLE], to whom I now yield. I believe he desires to offer an amendment.

Mr. LITTLE. At the instance of the Federal judge presiding in the western district of Arkansas, and with the approval of my colleague from the Third district [Mr. MCRAE], I offer the amendment which I send to the desk.

The Clerk read as follows:

At the end of the bill add the following:

"And said jail may also be used for the care and confinement of United States prisoners in the Texarkana division of the western district of Arkansas."

Mr. LITTLE. The necessity for this amendment arises from the lack of Federal jail facilities in the Texarkana division.

Mr. RAY of New York. Is this an amendment offered to the bill as reported from the committee?

Mr. LITTLE. Yes, sir; by myself; not on behalf of the committee.

Mr. RAY of New York. I ask that the amendment be again read.

The Clerk again read the amendment.

Mr. LITTLE. My reason for offering this amendment now is because of information which has come to me since the bill was reported to the House, that there is a great lack of prison facilities in the Texarkana division of that district. As I have already stated, the amendment has been offered at the instance of the presiding judge of the western district of Arkansas, and with the concurrence of my colleague [Mr. MCRAE], who represents that portion of the State.

Mr. RAY of New York. Where is that class of prisoners confined now?

Mr. MCRAE. In the county jail. Fort Smith is the only court in our State which has a United States jail in its limits, and this, the Texarkana division, is one of the divisions of the same district.

Mr. RAY of New York. All right; no objection.

The amendment of Mr. LITTLE was considered and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. LITTLE, a motion to reconsider the last vote was laid on the table.

UNITED STATES VS. MORRIS AND OTHERS.

Mr. HENDERSON. Mr. Speaker, I now call up for consideration the bill (H. R. 3933) to permit certain parties to intervene in the equity cause of the United States against Morris and others, pending in the supreme court of the District of Columbia.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That any person not heretofore made a party to the equity cause of The United States against Morris and others, pending in the supreme court of the District of Columbia, in general term, who claims any interest in the lots or parts of lots in squares 63, 89, and 148, or in any of them, the title to which is shown to be undetermined by the report of said court made to Congress under date of March 2, 1896, may, within three months from the passage hereof, intervene by petition in said cause and assert his claim to any such land in such manner as the court may direct; and in case the interest of any such claimant shall be established to the satisfaction of the court,

it is hereby vested with jurisdiction and authority to award to such claimant payment of the value of his land heretofore ascertained by said court, as provided for in an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1897, and for other purposes" (Fifty-fourth Congress, first session, chapter 419).

The committee recommend the following amendments:

Amend line 6 by striking out the word "any," after the word "claims," and inserting in lieu thereof the words "to have had an."

Amend line 12 by striking out the word "his" and inserting in lieu thereof the letter "a;" and further amend line 12 by inserting after the last word in the line the following: "fund growing out of the conversion of the title to."

Mr. HENDERSON. I yield to the gentleman from Wisconsin [Mr. JENKINS].

Mr. DOCKERY. Mr. Speaker, I would like the gentleman in charge of this bill to make some explanation of what it proposes.

Mr. JENKINS. I will do so, Mr. Speaker, briefly.

This bill does not involve any appropriation upon the part of the Government, nor does it affect the rights of any persons outside of the bill whatever. It is reported by the Judiciary Committee unanimously and as a simple act of justice to a party who has been denied his rights by a decision of the supreme court of the District of Columbia.

Some time ago, in August, 1886, the Congress of the United States passed an act providing for protecting the interests of the United States in the Potomac River Flats within the District of Columbia; and, in brief, the bill provided that an action should be commenced in the name of the United States, by the Attorney-General of the United States, for the purpose of acquiring title to all of the lands commonly known as the Potomac River Flats, whether held by the United States or by individuals. This was done for the purpose of improving that part of the District lying along the banks of the river.

It was determined then that there were some individuals who had some property rights in the land, and a case was made up and commenced by the United States against this party mentioned here in "Morris and others," and that was the only title used to designate the action. The interests of the individual owners of the property were never ascertained. The notice was very general. The proceeding was commenced on the 26th of November, 1886, in the supreme court of the District of Columbia. The parties interested were notified to appear before the court on or before the 3d day of January, 1887, to assert their rights.

Now, Mr. Speaker, there were several parties who claimed property rights therein, and they never had any knowledge whatever of the pendency of this action. It is plain, when we come to examine the records, that they were not guilty of any negligence on their part, and it was impossible for them to know or realize that any of their property rights were involved in this suit.

The Congress of the United States appropriated and paid into the Treasury of the United States for the benefit of the owners of this property the sum of $26,684.29.

The supreme court of the District proceeded to ascertain who were the parties entitled to that fund, and they disposed of all of the money so appropriated excepting the sum of $1,726.21. It was impossible, the courts say, to determine who was entitled to the money arising from what was known as the proceeds of square 63, lot No. 1, and lots Nos. 10 and 11 in the same square; and also with reference to square 84, lot 14, and part of square 148, being lot 2 of that square.

A few days after the supreme court of the District of Columbia had entered its decree, a man by the name of Pearce discovered the pendency of the action, and went before the court, on a proper application, and asked to be made a party to the suit, and satisfied the court that he was entitled to the moneys arising out of the disposition of lot 2, in square 148. But the supreme court of the District of Columbia held that, in accordance with the notice, these parties having been required to assert their rights on or before the 3d day of January, 1887, it was impossible for that court, without some further action by the Congress of the United States, to allow him to be a party, and denied the application, as will appear more fully by reference to the record of the case.

Now, Mr. Speaker, this sum of $1,726.21 is still in the Treasury of the United States waiting the claim of ownership by the parties entitled to it, but on account of the Supreme Court's decision it will be impossible for the owners of the fund to obtain it unless this bill is passed. The bill simply provides that the owners—or the parties in interest—may make application to be made parties to the suit within the time specified in the bill, and if they are unable to satisfy the court that they are entitled to the fund, of course it will not be paid to them.

When this action was commenced by the United States, the Government employed the Hon. Hugh T. Taggart, as shown by the record, to look after the interests of the United States, and this bill and a statement of facts in the case were submitted to that gentleman for his information, and he reported to the Judiciary Committee at considerable length. His letter, dated March 10, 1896, is made a part of the record of the Judiciary Committee in this case. I can not better state the conclusion of the matter than to adopt the language of the gentleman in closing his communication to the committee, wherein he says:

The Government has, of course, no interest in the matter beyond the payment of the money to the true owner, a result which the passage of the bill would no doubt accomplish.

I see no objection, under the circumstances, to its passage.

It involves no expense. The money is in the Treasury of the United States. There appears to be no question that the three parties whose names are not disclosed by the bill are entitled to this fund, one of them to the sum of $1,210.32 and the other two to the sum of $525.89.

Mr. TALBERT. Is that all that is involved in the bill? Does it not involve other claims that may come up beyond this amount of $1,726?

Mr. JENKINS. No other amount at all.

Mr. TALBERT. It is confined to the amount stated there?

Mr. JENKINS. Yes.

Mr. TALBERT. It would not open up any other case?

Mr. JENKINS. No. Now, Mr. Speaker, if there are no objections and if no one desires to ask any questions, I ask for a vote on the committee amendments.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

JURISDICTION OF CIRCUIT COURTS IN CERTAIN CASES.

Mr. HENDERSON. Mr. Speaker, I call up the bill (H. R. 4099) to confer jurisdiction upon the circuit courts in certain cases, and yield to the gentleman from Illinois [Mr. CONNOLLY] who reported the bill.

The bill was read, as follows:

Be it enacted, etc., That the several circuit courts of the United States shall have jurisdiction of suits in equity brought by any tenant in common or joint tenant for the partition of lands in cases where the United States is one of such tenants in common or joint tenants, such suit to be brought in the circuit court of the district in which such land is situate.

SEC. 2. That when such suit is brought by any person owning an undivided interest in such land, other than the United States, against the United States alone or against the United States and any other of such owners, service shall be made on the United States by causing a copy of the bill filed to be served upon the district attorney of the district wherein the suit is brought, and by mailing a copy of the same by registered letter to the Attorney-General of the United States; and the complainant in such bill shall file with the clerk of the court in which such bill is filed an affidavit of such service and of the mailing of such letter. It shall be the duty of the district attorney upon whom service of the bill is made as aforesaid to appear and defend the interests of the Government, and within sixty days after service upon him as hereinabove prescribed, unless the time shall be enlarged by order of the court made in the case, to file a plea, answer, or demurrer on the part of the Government, and the cause shall proceed as other cases for partition by courts of equity, and in making such partition the court shall be governed by the same principles of equity that control courts of equity in partition proceedings between private persons.

The Committee on the Judiciary recommended the following amendment:

Add after the word "persons," in line 21, page 2, the following:

"Whenever in such suit the court shall order a sale of the property or any part thereof, the Attorney-General of the United States may, in his discretion, bid for the same in behalf of the United States. If the United States shall be the purchaser, the amount of the purchase money shall be paid from the Treasury of the United States upon a warrant drawn by the Secretary of the Treasury on the requisition of the Attorney-General."

Mr. CONNOLLY. The sole purpose of this bill is to enable the United States to get its own out of real estate in which it may own an undivided interest. It may seem strange, but it is nevertheless true that there has never been a law whereby the United States, when it becomes the owner of an undivided interest in real estate, can ever get that interest out, nor can the co-owners of the United States get their interest separated. Throughout the United States wherever two or more individuals own real estate, the courts are open to them to go in and have the real estate partitioned between them equitably, and if it can not be partitioned, then to be sold and the proceeds distributed; but as the law has always been, when the United States becomes an owner with somebody else in a piece of real estate, that becomes a permanent investment on the part of the United States and its co-owners.

No court is open to them by which the interest of the several owners may be determined and set apart. This law is intended to correct that condition of things. I know that there are many pieces of real estate owned throughout the United States by the Government in that way, in common with other people, and every such piece of property lies dead and of no value to the United States at all. There is to-day in the city of Philadelphia a very valuable piece of business property, in which the Government obtained an undivided interest by a sale upon execution. It lies there and never can be realized on under the present state of the law.

This bill provides that the circuit courts of the United States shall be open to any co-owner of property, under circumstances of that kind, to go into court and make the United States a party, have the real estate divided, the interest of the United States set

off to the United States, and the interest of the co-owner set off to him. It also provides that in case it can not be divided without injury, then, according to the common rule, the court shall have jurisdiction to order the sale of the property and a distribution of the proceeds; and for the purpose of protecting the interest of the Government in such property, it provides that the Attorney-General shall have a right to bid on that property at that sale, and if it shall be struck off to the United States, then that a warrant shall be drawn for the amount of that bid and paid by the Treasurer of the United States. That is necessary in order to protect the United States, so that it shall not be struck off for a mere song. The bill is unanimously reported by the committee, and there can be no objection conceived to the bill. There is a great necessity why it should become the law. I ask for a vote.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3707. An act to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory;"

S. 3722. An act granting a pension to William J. Williams;

S. 3705. An act granting a pension to Catherine Chalders;

S. 4269. An act granting a pension to Margarett Ferriter;

S. 3553. An act granting a pension to Bvt. Lieut. Col. Amos Webster;

S. 3668. An act granting an increase of pension to Ephraim C. Baldwin;

S. 3002. An act to pension William Russell for services in Oregon Indian wars;

S. 3724. An act granting a pension to William P. Arble;

S. 1537. An act granting a pension to John D. Coulie;

S. 895. An act granting a pension to David Hunter;

S. 1539. An act granting a pension to Paul Carr;

S. 3111. An act granting a pension to Cornelia M. Mason;

S. 1472. An act granting an increase of pension to Mrs. Bettie Hord Brown;

S. 140. An act granting an increase of pension to Mary E. Law;

S. 1031. An act granting a pension to Noah Pillsbury;

S. 4204. An act to increase the pension of Eliza C. Abbott; and

S. 1268. An act for the relief of the legal representatives and devisees of James W. Schaumburg.

The message also announced that the Senate had passed without amendment bills and joint resolutions of the following titles:

H. R. 1246. An act for the relief of C. B. Bran & Co.;

H. R. 7943. An act to make Knoxville, Tenn., a port of entry, and to create the office of surveyor of customs;

H. R. 4300. An act to increase the pension of John C. Wagoner;

H. R. 1322. An act granting a pension to Benjamin F. Howland;

H. R. 4247. An act granting a pension to Sarah A. Landram;

H. R. 2426. An act granting an increase of pension to Helen Larned;

H. R. 4314. An act to increase the pension of Moritz Tschoepe;

H. R. 4206. An act granting an increase of pension to Jacob G. Frick;

H. R. 90. An act granting a pension to Eunice Taylor;

H. R. 368. An act for the relief of Charlotte L. Walker;

H. R. 92. Granting a pension to Auguste Whitmer;

H. R. 4548. An act granting a pension to Matthew B. Nale;

H. R. 2074. An act granting a pension to Jane H. Sandborn;

H. R. 777. An act to increase the pension of David N. Thompson;

H. R. 7536. An act granting a pension to Jane A. Wilkinson;

H. R. 239. An act granting an increase of pension to Rosa Karger;

H. R. 293. An act granting an increase of pension to Charles McAllister; and

H. R. 2015. An act granting a pension to Elizabeth Lane.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House was requested:

H. R. 8875. An act to amend an act entitled "An act to authorize the construction of a bridge across the Yazoo River at or near the city of Greenwood, Leflore County, in the State of Mississippi."

H. R. 639. An act increasing the pension of Charles B. Eades, Hopkinsville, Ky.;

H. R. 5904. An act to grant a pension to Mrs. M. Louise Anderson;

H. R. 3132. An act for the relief of P. P. Miner, Company B, Twelfth Indiana Infantry;

H. R. 2629. An act to grant a pension to John Thurston; and

H. R. 7539. An act granting an increase of pension to Martha M. McCall.

The message also announced that the Senate had passed, without amendment, the following resolution:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed by the Public Printer 10,000 copies of the House Document No. 277, Fifty-fifth Congress, second session, entitled Statistics of Lake Commerce, 4,000 copies for the use of the House, 2,000 copies for the Senate, and 4,000 copies for the use of the Treasury Department.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3707. An act to amend an act entitled "An act to amend an act to grant to the Gainesville, McAlester and St. Louis Railway Company a right of way through the Indian Territory"—to the Committee on Indian Affairs.

S. 3722. An act granting a pension to William J. Williams—to the Committee on Invalid Pensions.

S. 3705. An act granting a pension to Catherine Childers—to the Committee on Invalid Pensions.

S. 4269. An act granting a pension to Margarett Ferriter—to the Committee on Invalid Pensions.

S. 3553. An act granting a pension to Bvt. Lieut. Col. Amos Webster—to the Committee on Invalid Pensions.

S. 3668. An act granting an increase of pension to Ephraim C. Baldwin—to the Committee on Invalid Pensions.

S. 3002. An act to pension William Russell for services in Oregon Indian wars—to the Committee on Pensions.

S. 3724. An act granting a pension to William P. Arble—to the Committee on Pensions.

S. 1537. An act granting a pension to John D. Coulie—to the Committee on Invalid Pensions.

S. 895. An act granting a pension to David Hunter—to the Committee on Invalid Pensions.

S. 1539. An act granting a pension to Paul Carr—to the Committee on Invalid Pensions.

S. 1472. An act granting an increase of pension to Mrs. Bettie Hord Brown—to the Committee on Invalid Pensions.

S. 1031. An act granting a pension to Noah Pillsbury—to the Committee on Invalid Pensions.

S. 4204. An act to increase the pension of Eliza C. Abbott—to the Committee on Invalid Pensions.

S. 1268. An act for the relief of the legal representatives and devisees of James W. Schaumburg—to the Committee on Claims.

TO PREVENT THE ABATEMENT OF CERTAIN ACTIONS.

Mr. HENDERSON. Mr. Speaker, I call up the bill H. R. 6901 and yield to the gentleman from Illinois [Mr. CONNOLLY] who reported the bill.

The bill was read, as follows:

A bill (H. R. 6901) to prevent the abatement of certain actions.

Be it enacted, etc., That no action by or against an officer of the United States in his official capacity, or in relation to the discharge of his official duties, shall abate by reason of his death, or the expiration of his term of office, or his retirement or resignation or removal from office, but, in such event, the court, on motion or supplemental petition filed, at any time within six months thereafter, may allow the action to be continued by or against his successor in office.

SEC. 2. That this act shall be so construed as to cover actions at law, suits in equity, and proceedings for extraordinary relief.

The amendments recommended by the committee were read, as follows:

Insert after the word "action," in line 3, the words "for mandamus or injunction."

Strike out of line 3 the words "an officer," and insert in lieu thereof the words "the head of any Department or bureau."

Insert in line 9, after the word "thereafter," the words "showing a necessity for the continuance of the action to obtain a settlement of the questions involved."

Add after the word "office," in line 10, the following: "and the court may make such order as shall be equitable for the payment of cost accrued prior to such substitution."

Strike out section 2.

Mr. UNDERWOOD. Mr. Speaker, I would like to have the Clerk read the bill as it would be if amended as proposed.

The SPEAKER. If the gentleman desires it, and there is no objection, the Clerk will read the bill as it would be if amended.

The bill was reported as it would read when amended.

The SPEAKER. The question is on agreeing to the amendments.

Mr. UNDERWOOD. Mr. Speaker, I think the bill ought to be passed as it was originally introduced, instead of the amendments being adopted. I think if there is any reason why one of these suits should not abate when the officer against whom it is filed goes out of office, that it should apply to all, and should not be limited, as the amendment limits it, to cases of injunction or mandamus. If there is reason why a suit should not abate when an injunction is filed or a mandamus is filed against an officer of the United States in his official capacity, then the same reason will apply to all other extraordinary remedies; and for that reason I think that this law is good. I think it is probable that the bill should pass; but if it should apply to one it should apply to

all cases, and the same relief to parties litigant should be allowed in their cases as proposed to be allowed here in favor of mandamuses and injunctions. Therefore I am opposed to the amendments.

Mr. CONNOLLY. Mr. Speaker, the reason why the committee limits this to cases of mandamus and injunction is because the members of the committee could conceive of no other possible kind of case that would come within the reason and spirit of this legislation. If the gentleman can suggest any other kind of an action that could possibly exist to control an official in a case, I should be glad to know it, because it is the sole purpose of limiting it to mandamus and injunctions.

Mr. UNDERWOOD. There are cases where a writ of prohibition might issue against an officer. If there is no other case, it certainly can not hurt the language of the bill as it stands. But there are cases in which it is possible that some citizen of the United States might desire to take out a writ of prohibition against some officer of the United States. And why should not that right be given the same as in the writ of injunction and mandamus?

Mr. CONNOLLY. Because a writ of mandamus or a writ of injunction will cover every case of this kind that is covered in a writ of prohibition.

Mr. UNDERWOOD. It will not in all cases. It will in my friend's State, where they have a code procedure.

Mr. CONNOLLY. We have no code. A writ of prohibition is to prohibit the court from proceeding.

Mr. UNDERWOOD. It is not in States where the common-law rule applies.

Mr. CONNOLLY. The gentleman will find that injunction writs, sought to restrain a public officer from doing something that is claimed to be contrary to his official duty—that injunction covers the case, or where it is sought to compel him to do something that he had personally refused to do in his official capacity, a writ of mandamus covers that case; and it limits these cases to the heads of Departments and bureaus, because we can conceive of no reason why it could extend to any other officers except those heads of Departments and bureaus.

In 999 out of 1,000 of these cases they arise between some citizen and the head of a Department or the head of a bureau as to the right of a bureau to make a decision against him as against anybody; and when attention was called to this matter by the fact that the Supreme Court at its very present session decided the case of somebody against Butterworth, the Commissioner of Patents, Mr. Butterworth having died, it involved a question that ought to be settled. It involved a question of a construction of the law that commenced under the administration of Commissioner Seymour, Commissioner of Patents.

Some individual has been for years trying to get action by that Bureau different from the action that Commissioner Seymour took in refusing him certain rights that he claimed. Seymour went out of office while the action was pending, and the suit abated. Butterworth was appointed, and the suit was resumed against Butterworth. It ran along against him through the various courts until it came to the Supreme Court, and during its pendency he died and the suit again abated. Now the plaintiff is compelled to go back and commence against Commissioner Duell, the new Commissioner of Patents, without any assurance that Duell will live or remain in office long enough for the plaintiff to obtain a decision from the Supreme Court of the United States. The purpose of the bill is that the suit may survive if the defendant dies.

The plaintiff may file a petition showing the necessity for the continuance of the action to obtain a settlement of the questions involved. It does not seek absolutely to impose the costs that have accrued upon the new defendant, but leaves that to the discretion of the court. So that with this law it would be found when this new official comes in while a suit of that kind is pending before the court as against his predecessor, the new official will have to carry out the law; and if he carries it out within the purpose of the suit pending in the case there is no further necessity for prosecuting it.

If, however, he declines to comply with the demands made upon him, then, upon filing petition in the court showing his declination and showing the necessity for a continuance of the suit against him in order to have the action settled, the court is authorized to have the suit survive against him and make whatever order is equitable. The gentleman concedes that the law is right as far as it goes, but thinks it might apply in other cases besides mandamus and injunctions, but the committee could conceive of no other case where the suit could be brought by or against an official, in his official capacity, in order to obtain a construction of law.

Mr. UNDERWOOD. I agree with the gentleman thoroughly that the bill ought to become a law, but there is no reason in the world, it seems to me, why this limitation should be put upon it which is included in the amendment.

Mr. CONNOLLY. The committee did not see any other contingency in which it could be applied.

Mr. UNDERWOOD. There might be some case. I admit that injunction and mandamus are the main cases to which it will apply, but when you are putting a law on the statute book, why not have it broad enough to cover other cases? There is no reason in the world, if it is proper to give this right for a case to be revived against the successor of a Government officer in a case of mandamus and injunction, why it should not be extended to other extraordinary remedies.

Mr. CONNOLLY. Nobody has been able to discover any other remedy to which it could apply. In the Attorney-General's office they could not conceive of any. I conferred with them before this amendment was prepared.

The SPEAKER. Does any gentleman desire a separate vote upon any amendment?

Mr. UNDERWOOD. Mr. Speaker, I desire a separate vote on the amendment which limits the bill to cases of mandamus and injunction.

The SPEAKER. The question is, then, upon agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is desired.

The Clerk read as follows:

Line 3, page 1, after the word "action," insert the words "for mandamus or injunction."

The amendment was agreed to.

The bill was then ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

FRAUDULENT EXECUTION OF PAPERS CONCERNING PENSION CLAIMS.

Mr. HENDERSON. Mr. Speaker, I now call up the bill (H. R. 6160) to amend section 4746 of the Revised Statutes of the United States, and I yield to the gentleman from New York [Mr. ALEXANDER] who reported the bill.

The bill was read, as follows:

Be it enacted, etc., That section 4746 of the Revised Statutes of the United States is hereby amended to read as follows:

"That every person who knowingly or willfully makes or aids, or assists in the making, or in any wise procures the making or presentation of any false or fraudulent affidavit, declaration, certificate, or paper, or writing purporting to be such, concerning any claim for pension or payment thereof, or pertaining to any other matter within the jurisdiction of the Commissioner of Pensions or of the Secretary of the Interior, or who knowingly or willfully makes or causes to be made, or aids or assists in the making, or presents or causes to be presented at any pension agency any power of attorney or other paper required as a voucher in drawing a pension, which paper bears a date subsequent to that upon which it was actually signed or acknowledged by the pensioner, and every person before whom any declaration, affidavit, voucher, or other paper or writing to be used in aid of the prosecution of any claim for pension or bounty land or payment thereof purports to have been executed who shall knowingly certify that the declarant, affiant, or witness named in such declaration, affidavit, voucher, or other paper or writing personally appeared before him and was sworn thereto, when in fact such declarant, affiant, or witness did not personally appear before him or was not sworn thereto, shall be punished by a fine not exceeding $500, or by imprisonment for a term of not less than one year or more than five years."

The amendments recommended by the committee were read, as follows:

In line 9, page 1, after the word "certificate," insert the word "voucher."

In lines 13 and 14, page 2, after the word "thereto," insert "acknowledged the execution thereof."

In line 16, page 2, after the word "thereto," insert the words "or did not acknowledge the execution thereof."

In line 18, page 2, strike out the words "less than one year or."

Mr. ALEXANDER. Mr. Speaker, this bill is suggested by the Commissioner of Pensions, and seeks only to bring within the penal provisions those persons who certify that others have come before them and are identified and have executed the pension papers, when in fact they have not appeared before the notary or the person so certifying.

Mr. TALBERT. I should like to ask the gentleman if this is the unanimous report of the committee?

Mr. ALEXANDER. It is.

Mr. TALBERT. Has the committee come into possession of the evidence of considerable fraud upon the Pension Department, and is that the reason they have brought this bill forward?

Mr. ALEXANDER. Yes; the Commissioner of Pensions has sent a letter, which is embodied in the report of the committee accompanying the bill. He also sent a subsequent letter.

Mr. TALBERT. I would like to hear those letters read.

Mr. ALEXANDER. The substance of the first letter is in the report of the committee, which is printed. Does the gentleman desire it read by the Clerk entire, or shall I read simply extracts?

Mr. TALBERT. The gentleman states that the committee have come into possession of evidence of fraud practiced on the Pension Department, and I think the House should be put in possession of that information. There have been many disputes in the House as to whether there were frauds or not.

Mr. ALEXANDER. This bill has to do entirely with notaries

public. I will read one or two instances from the Commissioner's letter, which I think will satisfy the gentleman.

Jesse C. Hansee, an attorney, who had one office at Hoboken, N. J., and another office at Ellenville, N. Y., caused papers to be signed in blank within the State of New Jersey and subsequently taken to New York, where notaries in his employ filled out the papers and attached their jurats thereto. Subsequently Mr. Hansee abandoned his Ellenville office and caused notaries employed by him in the city of Hoboken to resort to identically the same practice. George F. Seymore, one of the notaries so employed by him, was tried in a number of cases and acquitted, as it was, in effect, held by the trial judge that neither section 4746, as it now exists, nor any other Federal statute, was applicable to the case, though the judge stated that he was satisfied from the evidence adduced that the State law had been violated by the notary in falsely certifying to papers.

The same series of offenses were committed in various other sections of the country; notably at Norfolk, Va.; Nashville, Tenn.; Chattanooga, Tenn.; Amelia, Ohio; Pensacola, Fla.; Mobile, Ala., etc.

That is all this amendment seeks to do—to bring within the penal statute those persons who certify that people came before them and acknowledged the papers, when in fact they never came before them, but were absent at the time.

Mr. NORTON of Ohio. Mr. Speaker, I have had no opportunity to read this bill or the report, and I would like to ask the gentleman in charge of it if there are any penalties that apply to the pensioner himself?

Mr. ALEXANDER. Oh, no.

Mr. NORTON of Ohio. Frequently affidavits are made by the pensioner that he never reads and does not know what is in them, and I want to know whether it reaches him or not.

Mr. RAY of New York. The gentleman should not have stated that. The law reaches any man who makes a false affidavit whether he is a pensioner or not.

Mr. ALEXANDER. I am referring simply to this amendment.

Mr. NORTON of Ohio. If the gentleman will allow me one further observation. For instance, a pensioner desires to get evidence in the State of Pennsylvania and he lives in Ohio. He forwards his papers and knows nothing as to whether the affiants have appeared or not. I do not want anything to go into this bill which makes him a particeps criminis in such a case as that.

Mr. ALEXANDER. Oh, no; there is nothing of that kind.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

Mr. HENDERSON. Mr. Speaker, these are all the bills I am directed to report at this time from the Committee on the Judiciary.

EXPERIMENTS IN MINOR COINAGE.

Mr. CHARLES W. STONE (when the Committee on Coinage, Weights, and Measures was called). I call up joint resolution (H. Res. 37) authorizing the Secretary of the Treasury to make experiments to determine the best material for minor coinage, and to submit to Congress new designs for coins.

The joint resolution was read.

Mr. DOCKERY. Mr. Speaker, is this joint resolution in order under this call? As I understand, it makes an appropriation.

Mr. CHARLES W. STONE. It is on the House Calendar. It may be there irregularly.

The SPEAKER. The joint resolution is clearly out of order on this call. It will be referred to the Union Calendar.

ALLOWANCE FOR WASTAGE IN COINING.

Mr. CHARLES W. STONE. I call up the bill (H. R. 7089) to amend section 3542 of the Revised Statutes, fixing the amount that may be allowed the coiner and melter and refiner of the coinage mints and assay office at New York for the wastage of gold and silver.

The bill was read, as follows:

Be it enacted, etc., That section 3542 of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

"SEC. 3542. When all the coins, clippings, and other bullion have been delivered to the superintendent it shall be his duty to examine the accounts and statements rendered by the coiner and the melter and refiner. The difference between the amount charged and credited to each officer shall be allowed as necessary wastage, if the superintendent shall be satisfied that there has been a bona fide waste of the precious metals, and if the amount shall not exceed, in the case of the melter and refiner, one-half thousandth of the whole amount of gold and one-thousandth of the whole amount of silver delivered to him since the last annual settlement, and in the case of the coiner one-half thousandth of the whole amount of silver and one-quarter thousandth of the whole amount of gold that has been delivered to him by the superintendent. All copper used in the alloy of gold and silver bullion shall be separately charged to the melter and refiner, and accounted for by him."

Mr. DOCKERY. Is this bill on the House Calendar?

Mr. CHARLES W. STONE. It is. The effect of the bill is simply to reduce by one-half the limit allowed for wastage to the coiner and melter and refiner at our mints. The Secretary of the Treasury reports to the committee by letter that in the practical operation of coinage the actual amount of wastage does not exceed 25 per cent of the limit allowed by law, and he therefore recommends that the limit be reduced one-half, as provided in the bill. That is the only effect of the measure.

Mr. SHAFROTH. The gentleman will allow me to ask this question: In our mints what becomes of the metals extracted which are neither gold nor silver? The bars tendered for coinage contain a certain quantity of other metals which sometimes are very valuable—for instance, platinum.

Mr. CHARLES W. STONE. The gentleman is asking me a question which I can not answer. I was not aware of the fact which he states.

Mr. SHAFROTH. I wished to know how the money realized from those metals is accounted for.

Mr. CHARLES W. STONE. I knew that there were metals of less value intermingled sometimes with gold and silver, but I did not know that there were metals of great value.

Mr. SHAFROTH. Then all that this bill attempts to do is to reduce the amount allowed the coiner and melter for wastage?

Mr. CHARLES W. STONE. The bill reduces the legal limit of the amount allowed to the melter and coiner as wastage.

Mr. SHAFROTH. Do those officers derive any emolument from that source?

Mr. CHARLES W. STONE. Not at all.

Mr. SHAFROTH. The wastage is all accounted for?

Mr. CHARLES W. STONE. Yes, sir.

Mr. SHAFROTH. And where the actual loss exceeds the limit you do not want it to fall on the individual, but on the Government?

Mr. CHARLES W. STONE. Exactly the reverse.

Mr. LACEY. There is no "conspiracy against silver" involved in this measure? [Laughter.]

Mr. CHARLES W. STONE. Not to my knowledge.

Mr. SHAFROTH. That is what I wanted to find out.

Mr. CHARLES W. STONE. I have no knowledge of any "crime of 1873" or anything of that kind involved in this bill. It merely reduces the maximum limit of wastage allowed to the coiner and melter respectively.

Mr. DOCKERY. The gentleman said that there was a letter from the Secretary of the Treasury on this subject?

Mr. CHARLES W. STONE. It is embodied in the report.

Mr. DOCKERY. And he indorses this bill?

Mr. CHARLES W. STONE. Yes, sir; and it is unanimously recommended by the committee.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CHARLES W. STONE, a motion to reconsider the last vote was laid on the table.

Mr. CHARLES W. STONE. I believe there is no other bill to be called up from our committee.

LAWS FOR THE INDIAN TERRITORY.

The Committee on Indian Affairs was called.

Mr. SHERMAN. Mr. Speaker, I call up for present consideration the bill (H. R. 8581) for the protection of the people of the Indian Territory, and for other purposes.

This bill, I will state, is a very lengthy one—thirty or more pages. It is on the House Calendar, and I think, perhaps, the reading of the report will satisfy gentlemen, and thus save the time of reading the bill.

But I see the gentleman from Missouri [Mr. DOCKERY] shakes his head, which I take to be an objection.

Mr. DOCKERY. I was only expressing in that way my opinion that as a general proposition no bill should be passed by the House without being read.

Mr. SHAFROTH. Why would it not be better to make a statement covering exactly what the bill accomplishes?

Mr. PAYNE. Why not let this go over until the next day when the committees are called?

Mr. SHERMAN. This is a bill of great importance and ought to be passed now.

Mr. PAYNE. Well, then, let it be read.

The bill was read, as follows:

Be it enacted, etc., That in all criminal prosecutions in the Indian Territory against officials for embezzlement, bribery, and embracery the word "officer," when the same appears in the criminal laws heretofore extended over and put in force in said Territory, shall include all officers of the several tribes or nations of Indians in said Territory.

SEC. 2. That when in the progress of any civil suit, either in law or equity, pending in the United States court in any district in said Territory, it shall appear to the court that the property of any tribe is in any way affected by the issues being heard, said court is hereby authorized and required to make said tribe a party to said suit by service upon the chief or governor of the tribe, and the suit shall thereafter be conducted and determined as if said tribe had been an original party to said action.

SEC. 3. That said courts are hereby given jurisdiction in their respective districts to try cases against those who may unlawfully and forcibly enter upon lands and tenements and detain the same, and also those who, having originally made a lawful and peaceable entry upon lands and tenements, unlawfully and by force hold the same beyond the legal period, and also those who claim to hold as members of a tribe and whose membership is denied by the tribe, but who continue to hold said lands and tenements notwithstanding the objection of the tribe; and if it be found upon trial that an unlawful and forcible entry has been made or that the said lands and tenements are held by force, or that the same, after lawful or peaceable entry, are held unlawfully, or that the same are held unlawfully against the tribe by those claiming to be members thereof, and the membership and right are disallowed

by the court, then said court shall cause the parties charged with unlawfully holding said possessions to be removed from the same and cause the lands and tenements to be restored to the person or persons or nation or tribe of Indians entitled to the possession of the same: *Provided always*, That a person in possession of agricultural lands, holding the possession thereof under an agreement, lease, or improvement contract with either of said nations or tribes, or any citizen thereof, executed prior to January 1, 1898, may, in defense of said action, show that he is and has been in peaceable possession of such lands, and that he has while in such possession made lasting and valuable improvements thereon, and that he has not enjoyed the possession thereof a sufficient length of time to compensate him for such improvements. Thereupon the court or jury trying said cause shall determine the fair and reasonable value of such improvements and the fair and reasonable rental value of such lands for the time the same shall have been occupied by such person, and if the improvements exceed in value the amount of rents with which such person should be charged the court, in its judgment, shall specify such time as will, in the opinion of the court, compensate such person for the balance due, and award him possession for such time unless the amount be paid by claimant within such reasonable time as the court shall specify. If the finding be that the amount of rents exceed the value of the improvements, judgment shall be rendered against the defendant for such sum, for which execution may issue, and such judgment shall become a lien upon the improvements situated thereon.

SEC. 4. That all persons who have heretofore made improvements on lands belonging to any one of the said tribes of Indians, claiming rights of citizenship, whose claims have been decided adversely under the act of Congress approved June 10, 1896, shall have possession thereof until and including December 31, 1898; and may, prior to that time, sell or dispose of the same to any member of the tribe owning the land who desires to take the same in his allotment: *Provided*, That this section shall not apply to improvements which have been appraised and paid for, or payment tendered by the Cherokee Nation under the agreement with the United States approved by Congress March 3, 1893.

SEC. 5. That before any action by any tribe or person shall be commenced under section 3 of this act it shall be the duty of the party bringing the same to notify the adverse party to leave the premises for the possession of which the action is about to be brought, which notice shall be served at least thirty days before commencing the action by leaving a written copy with the defendant, or, if he can not be found, by leaving the same at his last known place of residence or business with any person occupying the premises over the age of 12 years, or, if his residence or business address can not be ascertained, by leaving the same with any person over the age of 12 years upon the premises sought to be recovered and described in said notice; and if there be no person with whom said notice can be left, then by posting same on the premises.

SEC. 6. That the summons shall not issue in such action until the chief or governor of the tribe, or person or persons bringing suit in his own behalf, shall have filed a sworn complaint, on behalf of the tribe or himself, with the court, which shall, as near as practicable, describe the premises so entered upon or detained, and shall set forth either an unlawful and forcible entry and detention or an unlawful and forcible detention after a peaceful entry, or a detention without the consent of the person bringing said suit or the tribe, by one whose membership is denied by it: *Provided*, That if the chief or governor refuse or fail to bring suit in behalf of the tribe then any member of the tribe may make complaint and bring said suit.

SEC. 7. That the court in granting a continuance of any case, particularly under section 3, may, in its discretion, require the party applying therefor to give an undertaking to the adverse party, with good and sufficient securities, to be approved by the judge of the court, conditioned for the payment of all damages and costs and defraying the rent which may accrue if judgment be rendered against him.

SEC. 8. That when a judgment for restitution shall be entered by the court the clerk shall, at the request of the plaintiff or his attorney, issue a writ of execution thereon, which shall command the proper officer of the court to cause the defendant or defendants to be forthwith removed and ejected from the premises and the plaintiff given complete and undisturbed possession of the same. The writ shall also command the said officer to levy upon the property of the defendant or defendants subject to execution, and also collect therefrom the costs of the action and all accruing costs in the service of the writ. Said writ shall be executed within thirty days.

SEC. 9. That the jurisdiction of the court and municipal authority of the city of Fort Smith for police purposes in the State of Arkansas is hereby extended over all that strip of land in the Indian Territory lying and being situate between the corporate limits of the said city of Fort Smith and the Arkansas and Poteau rivers, and extending up the said Poteau River to the mouth of Mill Creek; and all the laws and ordinances of said city, as far as the same are applicable, are hereby put in force therein: *Provided*, That no charge or tax shall ever be made or levied by said city against said land or the tribe or nation to whom it belongs.

SEC. 10. That all actions for restitution, ejectment, and possession of real property under this act must be commenced by the service of a summons within two years after the passage of this act, where the wrongful entry, detention, and possession began prior to the date of its passage; and all actions which shall be commenced hereafter, based upon wrongful entry, detention, and possession committed since the passage of this act must be commenced within two years after the cause of action accrued. And nothing in this act shall take away the right to maintain an action for unlawful and forcible entry and detainer given by the act of Congress passed May 2, 1890 (26 U. S. Stat., page 95).

SEC. 11. That when the roll of citizenship of any one of said nations or tribes is fully completed as provided by law, and the survey of the lands of said nation or tribe is also completed, the commission heretofore appointed under acts of Congress, and known as the "Dawes Commission," shall proceed to allot the exclusive use and occupancy of the surface of all the lands of said nation or tribe susceptible of allotment among the citizens thereof, as shown by said roll, giving to each, so far as possible, his fair and equal share thereof, considering the nature and fertility of the soil, location, and value of same; but all valuable oil, coal, asphalt, and mineral deposits in the lands of any tribe are reserved to such tribe, and no allotment of such lands shall carry the title to such oil, coal, asphalt, or mineral deposits; and all town sites shall also be reserved to the several tribes, and shall be set apart by the commission heretofore mentioned as incapable of allotment. There shall also be reserved from allotment a sufficient amount of lands now occupied by churches, schools, parsonages, charitable institutions, and other public buildings for their present actual and necessary use, and no more, not to exceed 5 acres for each school and 1 acre for each church and each parsonage, and for such new schools as may be needed; also sufficient land for burial grounds where necessary. When such allotment of the lands of any tribe has been by them completed, said commission shall make full report thereof to the Secretary of the Interior for his approval: *Provided*, That allotments herein provided for shall not impair any vested legal rights heretofore granted by Congress. But parties asserting rights under this proviso may bring their suits in the United States courts in the Indian Territory to hear and determine their legal rights, if any; and parties to said suits shall have the right of appeal as in other cases: *Provided further*, That such suit shall be instituted within six months from the passage of this act, and not operate to delay or hinder the execution of this act or the making of allotments herein provided for; nor shall any court have or exercise jurisdiction thereunder, by injunction or otherwise, to so suspend or delay the execution of this act or the making of allotments thereunder; nor shall this act be deemed or construed as a recognition of any claims made or asserted by any railway company to any land grant whatever: *Provided further*, That whenever it shall appear that any member of a tribe is in possession of lands, his allotment may be made out of the lands in his possession, including his home if the holder so desires: *Provided further*, That if the person to whom an allotment shall have been made shall be declared, upon appeal as herein provided for, by any of the courts of the United States in or for the aforesaid Territory, to have been illegally accorded rights of citizenship, and for that or any other reason declared to be not entitled to any allotment, he shall be ousted and ejected from said lands; that all persons known as intruders who have been paid for their improvements under existing laws and have not surrendered possession thereof who may be found under the provisions of this act to be entitled to citizenship shall, within ninety days thereafter, refund the amount so paid them, with 6 per cent interest, to the tribe entitled thereto; and upon their failure so to do said amount shall become a lien upon all improvements owned by such person in such Territory, and may be enforced by such tribe; and unless such person makes such restitution, no allotments shall be made to him: *Provided further*, That the lands allotted shall be nontransferable, and shall be liable for no obligations contracted by the allottee, and shall be nontaxable: *Provided further*, That all towns and cities incorporated under the provisions of this act are hereby authorized to secure, by condemnation or otherwise, all the lands actually necessary for public improvements, regardless of tribal lines; and when the same can not be secured otherwise than by condemnation, then the same may be acquired as provided in sections 907 and 912, inclusive, of Mansfield's Digest of the Statutes of Arkansas.

SEC. 12. That when report of allotments of lands of any tribe shall be made to the Secretary of the Interior, as hereinbefore provided, he shall make a record thereof, and when he shall confirm such allotments the allottees shall remain in peaceable and undisturbed possession thereof, subject to the provisions of this act.

SEC. 13. That the Secretary of the Interior is hereby authorized and directed from time to time to provide rules and regulations in regard the leasing of oil, coal, asphalt, and minerals in said Territory, and all such leases shall be made by the Secretary of the Interior; and any lease for any such minerals otherwise made shall be absolutely void. No lease shall be made or renewed for a longer period than fifteen years, nor cover the mineral in more than 640 acres of land, which shall conform as nearly as possible to the surveys. Lessees shall pay on each oil, coal, asphalt, or mineral claim at the rate of $100 per annum, in advance, for the first and second years; $200 per annum, in advance, for the third and fourth years, and $500, in advance, for each succeeding year thereafter, as advanced royalty on the mine or claim on which they are made. All such payments shall be a credit on royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments; and all lessees must pay said annual advanced payments on each claim, whether developed or undeveloped; and should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance shall then become and be the money and property of the tribe. Where any oil, coal, asphalt, or other mineral is hereafter opened on land allotted, sold, or reserved, the value of the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under the direction of the Secretary of the Interior and paid to the allottee or owner of the land, by the lessee or party operating the same, before operations begin: *Provided*, That nothing herein contained shall impair the rights of any holder or owner of a leasehold interest in any oil, coal rights, asphalt, or mineral which have been acquired with the consent or authority of Congress, but all such interests shall continue unimpaired hereby, and shall be assured to such holders or owners by leases from the Secretary of the Interior for the term not exceeding fifteen years, but subject to the rate of royalty and the rules and regulations to be prescribed by the Secretary of the Interior: *And provided further*, That when, under the customs and laws heretofore existing and prevailing in the Indian Territory, leases have been made of different groups or parcels of oil, coal, asphalt, or other mineral deposits, and possession has been taken thereunder and improvements made for the development of such oil, coal, asphalt, or other mineral deposits, by lessees or their assigns, which have resulted in the production of oil, coal, asphalt, or other mineral in commercial quantities by such lessees or their assigns, then such parties in possession shall be given preference in the making of new leases, in compliance with the directions of the Secretary of the Interior; and in making new leases due consideration shall be made for the improvements of such lessees, and in all cases of the leasing or renewal of leases of oil, coal, asphalt, and other mineral deposits preference shall be given to parties in possession who have made improvements. The rate of royalty to be paid by all lessees shall be fixed by the Secretary of the Interior: *Provided further*, That nothing in this act shall apply to the collection of individual royalty on oil, coal, asphalt, and other mineral, under existing contracts, for the period of nine months after the passage of this act.

SEC. 14. That the inhabitants of any city or town in said Territory having 200 or more residents therein may proceed, by petition to the United States court in the district in which such city or town is located, to have the same incorporated as provided in chapter 29 of Mansfield's Digest of the Statutes of Arkansas, if not already incorporated thereunder; and such city or town government, when so authorized and organized, shall possess all the powers and exercise all the rights of similar municipalities in said State of Arkansas. All male inhabitants of such cities and towns over the age of 21 years, who are citizens of the United States or of either of said tribes, who have resided therein more than six months next before any election held under this act, shall be qualified voters at such election. That mayors of such cities and towns, in addition to their other powers, shall have the same jurisdiction in all civil and criminal cases arising within the corporate limits of such cities and towns as, and coextensive with, United States commissioners in the Indian Territory, and may charge, collect, and retain the same fees as such commissioners now collect and account for to the United States; and the marshal or other executive officer of such city or town may execute all processes issued in the exercise of the jurisdiction hereby conferred, and charge and collect the same fees for similar services, as are allowed to constables under the laws now in force in said Territory.

All elections shall be conducted under the provisions of chapter 56 of said digest, entitled "Elections," so far as the same may be applicable; and all inhabitants of such cities and towns, without regard to race, shall be subject to all laws and ordinances of such city or town governments, and shall have equal rights, privileges, and protection therein. Such city or town governments shall in no case have any authority to impose upon or levy any tax against any lands in said cities or towns until after title is secured from the tribe; but all other property, including all improvements on town lots, which for the purposes of this act shall be deemed and considered personal property, together with all occupations and privileges, shall be subject to taxation.

And the councils of such cities and towns, for the support of the same and for school and other public purposes, may provide by ordinance for the assessment, levy, and collection annually of a tax upon such property, not to exceed in the aggregate 1 per cent of the assessed value thereof, in manner provided in chapter 129 of said digest, entitled "Revenue," and for such purposes may also impose a tax upon occupations and privileges.

Such councils may also establish and maintain free schools in such cities and towns, under the provisions of sections 6258 to 6276, inclusive, of said digest, and may exercise all the powers conferred upon special school districts in cities and towns in the State of Arkansas by the laws of said State when the same are not in conflict with the provisions of this act.

For the purposes of this section all the laws of said State of Arkansas herein referred to, so far as applicable, are hereby put in force in said Territory; and the United States court therein shall have jurisdiction to enforce the same, and to punish any violation thereof, and the city or town councils shall pass such ordinances as may be necessary for the purpose of making the laws extended over them applicable to them and for carrying the same into effect: *Provided*, That nothing in this act, or in the laws of the State of Arkansas, shall authorize or permit the sale, or exposure for sale, of any intoxicating liquor in said Territory, or the introduction thereof into said Territory; and it shall be the duty of the district attorneys in said Territory and the officers of such municipalities to prosecute all violators of the laws of the United States relating to the introduction of intoxicating liquors into said Territory, or to their sale, or exposure for sale, therein: *Provided further*, That owners and holders of leases or improvements in any city or town shall be privileged to transfer the same.

SEC. 15. That the United States hereby consents and authorizes each of the Five Civilized Tribes to convey by deed in fee, to any city or town which is now or may hereafter be incorporated under the provisions of this act, the lands embraced within the limits of said corporation and upon which said city or town is located, upon such terms and for such price as shall be agreed upon between said tribes and said corporation, subject to the approval of the Secretary of the Interior. If any of the cities and towns herein referred to shall purchase the lands within the corporate limits of said city or town, the chief executive officer of said corporation is hereby authorized and directed to plat the ground thus purchased into blocks, lots, streets, and alleys, and dedicate to the public said streets, alleys, and grounds reserved for public use for parks and schools; and upon said plat being approved by and filed with the Secretary of the Interior, said Secretary shall appoint an officer who, in conjunction with a person to be chosen by the city or town council, shall appraise the lots embraced in said plat at their cash value, and separate and apart from any improvements that may be located upon the same; and should said appraisers be unable to agree upon the value, the judge of the United States court for the district in which the city or town is located shall select a third person, who is not interested in said town, to assist them, and the determination of a majority of such appraisers shall be conclusive; and any person having buildings upon any of the said lots may purchase the said lots at 50 per cent of the appraised value thereof; but if the person owning the buildings upon said lots shall not purchase said lots within six months after the appraisal, as herein provided, then said lots may be sold at public auction to the highest bidder, at a price not less than 50 per cent of the appraised value thereof; and if the price received shall exceed 50 per cent of the appraised value of such lots, the remainder shall be paid to the owner of the said improvements. Lots not occupied by any person may be sold at private sale at the appraised value, or at public auction at such times and places as shall be provided for, under such rules and regulations as the Secretary of the Interior may make. The proceeds of the sales of said lots shall be applied, first, to the payment of the purchase price of the land on which said town or city or village is located, and after said payment is made all sums realized from the sale of said lots shall be deposited with the Secretary of the Treasury for the use and benefit of the public schools of said city or town, and be paid out as directed by the proper school officers, subject to the approval of the Secretary of the Interior: *Provided*, That until title shall be obtained under the provisions of this section the use of all vacant lots in cities and towns now or hereafter incorporated shall be disposed of upon such conditions as may be provided by the Secretary of the Interior: *Provided further*, That in surface, the use of which is reserved to present coal operators, shall be included such lots in towns as are occupied by lessees' houses, either occupied by said lessees' employees or as offices or warehouses: *Provided, however*, That in those town sites designated and laid out under the provision of this act, where coal leases are now being operated and coal is being mined, there shall be reserved from appraisement and sale all lots occupied by houses of miners actually engaged in mining, and only while they are so engaged, and in addition thereto a sufficient amount of land, to be determined by the appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines and a sufficient amount for all buildings and machinery for mining purposes: *And provided further*, That when the lessees shall cease to operate said mines, then, and in that event, the lots of land so reserved shall be disposed of as provided for in this act.

SEC. 16. That it shall be unlawful for any person, after the passage of this act, except as hereinafter provided, to claim, demand, or receive, for his own use or for the use of anyone else, any royalty on oil, coal, asphalt, or other mineral, or on any timber or lumber, or any other kind of property whatsoever, or any rents on any lands or property belonging to any one of said tribes or nations in said Territory, or for anyone to pay to any individual any such royalty or rents or any consideration therefor whatsoever; and all royalties and rents hereafter payable to the tribe shall be paid, under such rules and regulations as may be prescribed by the Secretary of the Interior, into the Treasury of the United States to the credit of the tribe to which they belong: *Provided*, That where any citizen shall be in possession of only such amount of agricultural or grazing lands as would be his just and reasonable share of the lands of his nation or tribe and that to which his wife and minor children are entitled, he may continue to use or receive the rents thereon until allotment has been made to him: *Provided further*, That nothing herein contained shall impair the rights of any member of a tribe whose allotment of lands may hereafter disclose oil, coal, asphalt, or other minerals from using the same for his, her, or their own use and benefit, or from disposing of any timber contained on his, her, or their allotment.

SEC. 17. That it shall be unlawful for any citizen of any one of said tribes to inclose or in any manner, by himself or through another, directly or indirectly, to hold possession of any greater amount of lands or other property belonging to any such nation or tribe than that which would be his approximate share of the lands belonging to such nation or tribe and that of his wife and his minor children as per allotment herein provided; and any person found in such possession of lands or other property in excess of his share and that of his family, as aforesaid, or having the same in any manner inclosed, at the expiration of nine months after the passage of this act, shall be deemed guilty of a misdemeanor.

SEC. 18. That any person convicted of violating any of the provisions of sections 16 and 17 of this act shall be deemed guilty of a misdemeanor and punished by a fine of not less than $100, and shall stand committed until such fine and costs are paid (such commitment not to exceed one day for every $2 of said fine and costs), and shall forfeit possession of any property in question, and each day on which such offense is committed or continues to exist shall be deemed a separate offense. And the United States district attorneys in said Territory are required to see that the provisions of said sections are strictly enforced and they shall at once proceed to dispossess all persons of such excessive holding of lands and to prosecute them for so unlawfully holding the same.

SEC. 19. That no payment of any moneys on any account whatever shall hereafter be made to any of the tribal governments or to any officer thereof for disbursement, but payments of all expenses incurred in transacting their business and of all sums to members of said tribes shall be made under direction of the Secretary of the Interior by an officer appointed by him; and per capita payments shall be made direct to each individual in lawful money of the United States, and the same shall not be liable to the payment of any previously contracted obligation.

SEC. 20. That the commission hereinbefore named shall have authority to employ, with the approval of the Secretary of the Interior, all assistance necessary for the prompt and efficient performance of all duties herein imposed, including competent surveyors to make allotments, and to do any other needed work, and the Secretary of the Interior may detail competent clerks to aid them in the performance of their duties.

SEC. 21. That all rights of way granted to railroad corporations whose lines have heretofore been constructed and at the time of the passage of this act are being operated, and those granted by act of Congress which are now in the course of construction, or are hereafter constructed as provided in the act or acts of Congress granting the right, together with such lands as they were or are authorized to take or acquire for depot or rights of way, sidings, and freight or storage purposes, are hereby confirmed.

SEC. 22. That in making rolls of citizenship of the several tribes, as required by law, the Commission to the Five Civilized Tribes is authorized and directed to take the roll of Cherokee citizens of 1880 (not including freedmen) as the only roll intended to be confirmed by this and preceding acts of Congress, and to enroll all persons now living whose names are found on said roll, and all descendants born since the date of said roll to persons whose names are found thereon; and all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted; and they shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, enrolling only such as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to citizenship under Cherokee laws.

It shall make a roll of Cherokee freedmen in strict compliance with the decree of the Court of Claims rendered the 3d day of February, 1896.

Said commission is authorized and directed to make correct rolls of the citizens by blood of all the other tribes, eliminating from the tribal rolls such names as may have been placed thereon by fraud or without authority of law, enrolling such only as may have lawful right thereto, and their descendants born since such rolls were made, with such intermarried white persons as may be entitled to Choctaw and Chickasaw citizenship under the treaties and the laws of said tribes.

Said commission shall have authority to determine the identity of Choctaw Indians claiming rights in the Choctaw lands under article 14 of the treaty between the United States and the Choctaw Nation concluded September 27, 1830, and to that end they may administer oaths, examine witnesses, and perform all other acts necessary thereto; and if they find that such persons have removed to and in good faith become residents upon the lands in the Choctaw Nation, and are entitled to enrollment under said article, they shall place their names on the rolls made by them.

The roll of Creek freedmen made by J. W. Dunn, under authority of the United States, prior to March 14, 1867, is hereby confirmed, and said commission is directed to enroll all persons now living whose names are found on said rolls, and all descendants born since the date of said roll to persons whose names are found thereon, with such other persons of African descent as may have been rightfully admitted by the lawful authorities of the Creek Nation.

It shall make a correct roll of all Choctaw freedmen entitled to citizenship under the treaties and laws of the Choctaw Nation, and all their descendants born to them since the date of the treaty.

It shall make a correct roll of Chickasaw freedmen entitled to any rights or benefits under the treaty made in 1866 between the United States and the Choctaw and Chickasaw tribes and their descendants born to them since the date of said treaty; and a sufficient amount of land shall be reserved from allotment for their use under the provisions of said treaty in case it be found that they are entitled thereto, and 40 acres shall be allotted to each, to be selected, held, and used by them until their rights under said treaty are determined.

The several tribes may, by agreement, determine the right of persons who for any reason may claim citizenship in two or more tribes, and to allotment of lands and distribution of moneys belonging to each tribe; but if no such agreement be made, then such claimant shall be entitled to such rights in one tribe only, and may elect in which tribe he will take such right; but if he fail or refuse to make such selection in due time, he shall be enrolled in the tribe with whom he has resided, and there be given such allotment and distributions, and not elsewhere.

No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship: *Provided, however*, That nothing contained in this act shall be so construed as to militate against any rights or privileges which the Mississippi Choctaws may have under the laws of or the treaties with the United States.

Said commission shall make such rolls descriptive of the persons thereon, so that they may be thereby identified, and it is authorized to take a census of each of said tribes, or to adopt any other means by them deemed necessary to enable them to make such rolls. They shall have access to all rolls and records of the several tribes, and the United States court in Indian Territory shall have jurisdiction to compel the officers of the tribal governments and custodians of such rolls and records to deliver same to said commission, and on their refusal or failure to do so to punish them as for contempt; as also to require all citizens of said tribes, and persons who should be so enrolled, to appear before said commission for enrollment, at such times and places as may be fixed by said commission, and to enforce obedience of all others concerned, so far as the same may be necessary, to enable said commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work.

The rolls so made, when approved by the Secretary of the Interior, shall be final, and the persons whose names are found thereon, with their descendants thereafter born to them, with such persons as may intermarry according to tribal laws, shall alone constitute the several tribes which they represent.

The members of said commission shall, in performing all duties required of them by law, have authority to administer oaths, examine witnesses, and send for persons and papers; and any person who shall willfully and knowingly make any false affidavit or oath to any material fact or matter before any member of said commission, or before any other officer authorized to

administer oaths, to any affidavit or other paper to be filed or oath taken before said commission, shall be deemed guilty of perjury, and on conviction thereof shall be punished as for such offense.

SEC. 23. That where members of one tribe, under intercourse laws, usages, or customs, have made homes within the limits and on the lands of another tribe they may retain and take allotment, embracing same under such agreement as may be made between such tribes respecting such settlers; but if no such agreement be made the improvements so made shall be appraised, and the value thereof, including all damages incurred by such settler incident to enforced removal, shall be paid to him immediately upon removal, out of any funds belonging to the tribe, or such settler, if he so desire, may make private sale of his improvements to any citizen of the tribe owning the lands: *Provided*, That he shall not be paid for improvements made on lands in excess of that to which he, his wife, and minor children are entitled to under this act.

SEC. 24. That all leases of any property of any kind belonging to any tribe hereafter made by the tribe or any member thereof shall be absolutely void, and all leases heretofore so made shall terminate at the expiration of one year after the passage of this act unless herein otherwise expressly provided; but this shall not prevent individuals from leasing their allotments when made to them as provided in this act.

SEC. 25. That all moneys paid into the United States Treasury at St. Louis, Mo., under provisions of this act shall be placed to the credit of the tribe to which they belong; and the assistant United States treasurer shall give triplicate receipts therefor to the depositor.

SEC. 26. That all claims of any kind which either the United States may have upon any of the said tribes or nations of Indians or the said tribes or nations of Indians may have upon the United States shall be submitted to a joint committee of the Senate and House, said committee to consist of two members of the Senate and three members of the House, and the said committee shall sit as a board of arbitration for final determination, and without any unnecessary delay the said board shall make the award and provision for the settlement of whatever sum or sums awarded by it.

SEC. 27. That before any allotment shall be made of lands in the Cherokee Nation, there shall be segregated therefrom by the commission heretofore mentioned, in separate allotments or otherwise, the 157,600 acres purchased by the Delaware tribe of Indians from the Cherokee Nation under agreement of April 8, 1867, and the use and occupancy of 160 acres of said land shall be allotted to each registered Delaware Indian now living, and the remainder thereof shall be reserved to the descendants of deceased registered Delawares, subject to the judicial determination of the rights of said descendants and the Cherokee Nation under said agreement.

SEC. 28. That on and after the passage of this act the laws of the various tribes or nations of Indians shall not be enforced at law or in equity by the courts of the United States in the Indian Territory.

The committee recommend the adoption of the following amendments:

In line 15, section 11, strike out, after the word "month," the words "from the passage of this act" and insert "after the allotment of any lands affecting alleged grants."

Insert, in line 2, page 12, after the word "Interior," in section 13, the words "and preference shall be given to such parties in renewals of such leases."

Also insert, in section 15, page 17, after the word "make," the words "the purchase money for all lots sold by the city or town under the provision of this act shall be made in four equal annual payments, the first payment to be made within ninety days after the purchase."

In line 3, page 18, strike out "agreement" and insert "act."

Strike out section 26 and renumber the following sections to conform to this amendment.

Mr. SHERMAN. Mr. Speaker, I shall occupy only a few moments in the explanation of this measure.

The provisions of the bill will relate entirely to the Indians within the Indian Territory and the property therein. The question of the conditions existing there has been much mooted for many years. They were the cause of the creation of the so-called "Dawes Commission." The matter has been considered for some years as to the best mode to deal with this matter.

The conditions in the Territory have been carefully examined by the committees of the House and of the Senate. Early in the present session of Congress a subcommittee from the Senate Committee on Indian Affairs met with the subcommittee from the House Committee on Indian Affairs and considered this whole subject for many weeks. They had hearings for a large number of days, and as a result of their consideration, substantially this bill was drawn. It was then presented by the subcommittee to the full Committee on Indian Affairs, and was considered by them line by line and word by word for four weeks, the committee meeting every day, and as a result of that consideration this bill is now presented to the House with the unanimous approval of the Committee on Indian Affairs.

I reserve the balance of my time. [Cries of "Vote!" "Vote!"]

The question being taken, the amendments recommended by the Committee on Indian Affairs were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

BOARD OF LOCAL INSPECTORS OF STEAM VESSELS, ALASKA.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union——

Mr. SHERMAN. Why, Mr. Speaker, we have not finished with our business.

Mr. PAYNE. I will make a motion in order at this time. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of Senate bill No. 3627.

Several MEMBERS. What is the bill?

Mr. PAYNE. To create a board of local inspectors of steam vessels for the customs district of Alaska.

Mr. SHERMAN. Mr. Speaker, the Committee on Indian Affairs is not precluded from presenting the business before that committee, at the next call of committees, by this action?

The SPEAKER. Not at all.

Mr. PAYNE. I now insist upon my motion.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DINGLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the purpose of considering a bill which the Clerk will read.

The bill was read, as follows:

Be it enacted, etc., That section 4414 of the Revised Statutes of the United States, as amended by the act of Congress approved March 1, 1895, chapter 146, third session Fifty-third Congress (page 690, volume 28, United States Statutes at Large), be amended by inserting the word "Alaska" in the last line of the third paragraph of said act, after the word "Alabama" and preceding the word "and."

Mr. PAYNE. Mr. Chairman, this bill has been explained to the House half a dozen times, and I think the committee understand it. Unless there is a general desire to debate it, I move that the committee rise and report it favorably to the House.

Mr. DOCKERY. I hope the gentleman will give us just a word of explanation. I do not remember about the bill.

Mr. PAYNE. This is a bill to make an inspection district of vessels and boilers in the District of Alaska for the purpose of inspecting a number of vessels about to be used in the Alaskan trade. There are some forty or fifty of them. I have here a communication which I have received since the matter was before the House, or attempted to be brought before the House, from the supervising inspector in California, urging the immediate passage of this bill.

Mr. DOCKERY. Is the bill reported unanimously?

Mr. PAYNE. It is reported unanimously by the committee.

Mr. LEWIS of Washington. Mr. Chairman, really I have reluctance to interfere with anything that might not be regarded as directly concerning me. This happens to be a matter in which my constituents are directly interested, involving my district. I did not know that my distinguished friend from New York [Mr. PAYNE] contemplated bringing this matter before the House. He brought it before the House some time since. At that time, as he says, he explained its provisions, and I likewise explained to the House the objections to the measure. Upon an objection to unanimous consent made by a gentleman on the floor, the bill went over.

Now, Mr. Chairman and gentlemen, I will tell you what are the objections to this measure, in order that you may understand the matter. If you then feel that you should pass the bill notwithstanding that, you will, of course, be controlled by your own discretion, against which I would at no time urge objection.

The distinguished gentleman from New York [Mr. PAYNE] is right when he says that he has a communication from the officer at San Francisco recommending the passage of this bill.

As the law now stands, the inspection district at that end of the country includes Washington and Alaska. The ships are inspected at the city of Seattle, the main entrepôt. Since the Alaskan excitement and the development of the country, ships to the number of more than a hundred a day are going to and fro during the season of navigation. Many companies are organized, and insist upon putting upon the water ships which are worthless, and many of which jeopardize the safety of freight and the lives of passengers intrusted to them. Many of these companies have sought to get their ships inspected and passed at the port of Seattle.

The inspector there, Captain Bryant, is not of my politics. He is a gentleman who for a long time had experience in the State of Maine, on the waters and in the ports there. He has been captain of a vessel and has had vast experience, one of the most highly respected men in all the Pacific Slope. He and his assistants have constantly declined to permit these unseaworthy vessels to proceed to sea. He has insistently opposed the granting of licenses to them, and it has brought upon him something of a warfare. Petitions have been circulated asking to have him removed, upon the ground that he is an arbitrary inspector and has unjustly reported against vessels going to sea, much to the detriment of certain companies.

These gentlemen have sent petitions to Washington seeking his removal; but upon investigation the officers here in Washington have reported him a most competent, careful, and vigilant man, and the statement has been made that his errors, if any, lie in an abundance of caution, and not in recklessness of conduct. Not only have they indorsed his course, but in every wise have manifested their approval and requested that he be not disturbed.

You will at once see, gentlemen, that something had to be done by these companies in order to put their ships upon traffic before August, at which time the Alaskan traffic to a degree closes. So they have, as I am informed, devised this plan. I have been so informed by papers and resolutions from the different assemblages of harbors, which are the assemblies of masters and captains, and

through the civic bodies, which are the chambers of commerce and other similar bodies.

Petitions have come to me reciting that these different individuals and companies who are making war against the inspector are doing so for the purpose of allowing their unseaworthy vessels to go upon the waters, and that they have now devised the plan of creating a subinspection district, removing the headquarters from Seattle to St. Michaels, and having appointed there a man who would be accommodating to their desires.

Instead of bringing the vessels, then, to the port of Seattle, where they must now be inspected, in their circulating round they will run from St. Michaels to different parts of Alaska, back to Puget Sound and thence to St. Michaels, where the favored inspection may be had, and they be sent to sea in a condition which will jeopardize the safety of freight and the lives of passengers. It is urged that if you create this inspection district and divide it from Puget Sound you merely subserve the purpose of these gentleman.

Now, it is urged in opposition to this bill—and I bring it to your attention—that if this were an honest effort on the part of these gentlemen to create an inspection district, because of an overburden, the purpose could just as well be accomplished by sending a deputy from San Francisco or from Seattle to St. Michaels. He could there inspect all these vessels, if it were necessary.

But in order to demonstrate and accentuate the fact that there is no necessity for it, I have stated to you the purpose which I understand underlies this effort. It is now insisted that there shall be an officer created at St. Michaels for the purpose of avoiding this close scrutiny, this life-saving service, which has been inaugurated by this efficient gentleman, whose faithful and intelligent discharge of his duty at the city of Seattle has secured the approval of all parties except the owners of these unseaworthy craft.

I do not speak of a man that is of my party faith and holding any office under my party's creed. I speak of an efficient man, rendering efficient service, and whose efficient service in the salvation of life and cargo is now being rewarded in the presentation of a bill, which my friend is anxious to culminate in this matter by those seeking to make his success in the discharge of his duty impracticable. I have thus expressed the consensus of opinion that has come to me from all sources and from all organizations of seamen; and if these be the reasons that animate this measure, it certainly ought to be defeated. If the reasons which I have given in good faith are not correct, then I ought to be defeated, and that is an end of this matter.

Mr. BERRY. Will the gentleman allow me to ask him a question?

Mr. LEWIS of Washington. With pleasure.

Mr. BERRY. Does this contemplate the appointment of a supervising inspector, an inspector of hulls, and an inspector of boilers?

Mr. LEWIS of Washington. Yes, sir.

Mr. BERRY. Making three officers?

Mr. LEWIS of Washington. To the latter part of my friend's inquiry, whether this provides for three officers, I am unable to assent. That it creates an office performing three duties I admit. How they will divide it out I do not know.

Mr. SIMPSON. Will the gentleman allow me to ask him a question?

Mr. LEWIS of Washington. Certainly.

Mr. SIMPSON. As to this gentleman at Seattle, is he able to go on and perform the duty imposed on him in inspecting all these ships?

Mr. LEWIS of Washington. From the information that comes to me, not only can he and assistant do the work, but he can do double the work. I also call to your attention, since my friend from Kansas gives me the cue, that this enlarged number of vessels which it is insisted shall be inspected are inspected in the two months covered by the months of June to August; and this extra number can not only be served in that single district, but double the number could be served.

In many instances he declines to let the ships go out, and it is insisted that he does not let them go out, not because they are unworthy, but because he does not have force enough to inspect them. He says there is not a ship that has been put on on those waters in the last ten years that he is not personally acquainted with and knows everything about. If there is a doubt, he casts the doubt against the ship rather than let it go out until properly equipped.

Mr. DOCKERY. Is not the superior officer of this inspector the Secretary of the Treasury?

Mr. LEWIS of Washington. The officer directly his superior is General Dumont, the Inspector-General, a most competent and accommodating official, and under him is Mr. Bermingham, the inspector at San Francisco; then ranks Inspector Bryant.

Mr. DOCKERY. Have these superior officers indorsed the provisions of this bill.

Mr. LEWIS of Washington. I am informed through the gentleman from New York [Mr. PAYNE] that the Supervising Inspector-General, Dumont, has so indorsed it, and that it has also been indorsed by the supervising inspector at San Francisco. As to the latter's indorsement, I have nothing to say in its favor; but as to General Dumont, his indorsement could not have been procured unless he felt the measure a just one. He and I merely differ. A difference grew up between Inspector Bryant and his immediate superior at San Francisco. San Francisco is the home of many of these vessels that were condemned, and that was where the trouble was created and has ever since been.

All I know from the Treasury Department is what my friend from New York tells me and my private conversation with General Dumont. I have no further information than that, although I have gone frequently to the Department for that purpose without more success.

Until more information comes to me, I must continue to oppose this measure. It is detrimental to the commerce of my city and is a war upon an old and trusted friend and public servant.

Mr. PAYNE. I ask that general debate upon this bill be closed in ten minutes, so that we can get through with the bill to-night.

The CHAIRMAN. The gentleman from New York asks unanimous consent that general debate on the bill be closed in ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Mr. Chairman, the gentleman from Washington is entirely mistaken about the intention and scope of this bill. Entirely so. In the first place, with reference to this inspector at Seattle which the gentleman from Washington speaks of, General Dumont, the Supervising Inspector here in Washington, and the inspector in San Francisco, the supervising inspector there, both commend him as a most worthy officer, and they have no objection in the world to his keeping out these old hulks that come under his inspection at Seattle. What we want to do is to put the same kind of a man at St. Michael, in Alaska, to inspect the same kind of vessels that go in there.

I will ask the Clerk to read the report of the committee and the recommendation of the Supervising Inspector-General, General Dumont, and also the letter of the supervising inspector at San Francisco. I ask the Clerk to read the letter to General Dumont first.

Mr. DOCKERY. As I understand the bill, if I am not mistaken, it is for the appointment of an inspector for Alaska?

Mr. PAYNE. An inspector for Alaska, where there is none. If the House will give attention to the reading of these letters, I do not think there will be any trouble about passing this bill or the propriety of it.

The Clerk read as follows:

STEAM-VESSEL INSPECTION SERVICE,
OFFICE OF SUPERVISING INSPECTOR FIRST DISTRICT,
San Francisco, Cal., March 29, 1898.

SIR: I again respectfully call the attention of the Department to the constantly growing and absolute necessity for a local board of inspectors of steam vessels in Alaska (Sitka district).

I understand that the bill providing for such inspectors passed the Senate and was introduced in the House, where it went over to enable a member of Congress in Washington to ascertain if it would interfere in any way with the Seattle board, which probably desires assistant inspectors appointed. Such assistants would in no way help out the situation in Alaska, as they could not issue licenses in that Territory, nor could they issue certificates in the Seattle district should that board be sent to Alaska for two or three months each year.

The Alaska board should be provided with a clerk, as its necessarily long absence from its office, perhaps two months or more at a time when on a tour of inspection of the Yukon River, would leave no one to attend to the correspondence and other matters of the office during its absence.

Alaska is, as you are aware, possessed of thousands of miles of seacoast and inland waters, which, owing to the influx of gold searchers, has called into existence there a large number of steamers, some at remote and somewhat inaccessible points. Such can be reached only by chance. I have now applications for the inspection of twenty-five fishing steamers in northwestern Alaska. Surely some provision should be made for their inspection and the examination of their officers as to their qualifications for license.

The Seattle board can this year, as heretofore, inspect the steamers in southeastern Alaska, but can not, without detriment to the service, be absent from its home office about three months inspecting steamers in northwestern Alaska and the Yukon. Next year a local board at Sitka could inspect the steam vessels in southeastern Alaska heretofore inspected by the Seattle board before going to the northwest, and thus relieve the Seattle board of extra duty and absence from its home port. Neither the local board at Portland or San Francisco can be spared for so long a time as requisite to inspect Alaskan steamers.

If provision be made for a local board for Alaska, permit me to suggest that it be selected as early as practicable and in this city, where it can receive the necessary practical instructions for the proper performance of its duties before leaving for Alaska, where it must of necessity, from its isolation from the outside world, be thrown upon its own resources for a considerable time. Therefore it should be well equipped from the start.

Very respectfully,

JOHN BERMINGHAM,
Supervising Inspector, First District.

Gen. JAMES A. DUMONT,
Supervising Inspector-General, Washington, D. C.

Mr. PAYNE. Now, if the Clerk will read the letter from the Secretary of the Treasury at the bottom of the report.

The Clerk read as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., January 29, 1898.

SIR: The attention of Congress is called to the fact that there are large

numbers of light-draft river steamers being constructed for trade on the Yukon River, to accommodate the anticipated large movement of passengers and freight to the Klondike gold fields.

The steamers referred to will mostly be shipped in sections from the various places where they are being constructed, the parts to be assembled and put together after reaching St. Michaels.

In order that the hulls and boilers of these steamers may be properly inspected in accordance with the requirements of Title LII, Revised Statutes, and be manned by duly licensed masters, pilots, and engineers, it is deemed by this Department of the greatest importance that a local board of inspectors be created for the customs district of Alaska, for the purpose of inspecting the steamers referred to and the licensing of the officers thereof, in order that the traveling public visiting the Klondike regions may receive the benefits of the steamboat-inspection laws to which they are entitled.

I have the honor to submit herewith the draft of a bill, prepared by the Supervising Inspector-General, that if adopted by Congress will accomplish the object sought.

Respectfully, yours, L. J. GAGE,
Secretary.

The PRESIDENT OF THE SENATE.

Mr. PAYNE. Now, Mr. Chairman, if the committee have followed the reading of the letters, they will see the absolute necessity for this legislation. Heretofore, before the discovery of gold in Alaska, there have been so few steamers engaged in trade that they were inspected by the board at Seattle, composed of an inspector of boilers and an inspector of hulls. I may as well say to the House that the salary of inspectors depends upon the number of vessels they inspect in the course of the year, and that the maximum involved is, I believe, 100 vessels. At any rate, the number of vessels as fixed beyond which the salary can not be increased has long since been passed at Seattle. The inspector of boilers and the inspector of hulls inspect a great many more vessels at that port than is required for the maximum salary. If this business is taken away, still the inspectors at Seattle get the maximum salary.

Now, there is no other way to have these vessels inspected. The vessels are now taken on larger steamers or vessels to St. Michaels, on the Yukon River, transported in parts or sections, and then assembled to engage in that trade; and for the protection of life and property it is absolutely necessary that the Government have some inspectors there at St. Michaels to perform that duty. The inspectors at Seattle can not do it; the inspectors at San Francisco can not do it. There has been a suggestion made by the Department that in case the bill did not pass they would have to appoint assistant inspectors at San Francisco and send inspectors to St. Michaels to perform this duty.

That would not save anything to the Government. They could not send the assistants there, because the assistants are not authorized to sign the documents after the inspection is made—the certificates; but there is a supervising inspector in San Francisco, and he could remain with the assistants and sign the certificates of inspection. But, of course, that would be a useless ceremony to go through. There does not seem to be any other way except to pass this bill, unless, for the mere whim of the gentleman from Washington, you think it is better to allow the vessels without inspection to engage in trade, transporting life and property at the risk of being blown up or going to the bottom of the river in case the vessels are unseaworthy, simply because the gentleman seems to think there is some particular local interest in Seattle that will be subserved by not doing this thing for the District of Alaska.

But I can assure the gentleman it will make no difference with the inspectors at Seattle; they will get all the business they can do; they will get business sufficient to give them the maximum salary they are entitled to. It will not curtail their fees in the slightest degree, and the gentleman will get their votes all the same, if he can get them, if this measure passes.

As I understand the gentleman from Washington in private conversation, and I had a right to so understand, he told me three weeks ago that he would raise no objection to the bill when it came up in the House if he only had a chance to explain. The bill came up, and after the gentleman had made his explanation some other gentleman made an objection to the consideration of the bill. The gentleman from Seattle immediately crossed the Hall to me and said he would get the gentleman who made the objection to withdraw it, so I could get the bill before the House. Now, I think it time the bill passed. I think the men ought to be appointed. They ought to be instructed. They ought to be sent to St. Michaels to inspect these vessels. The Treasury Department says there are forty or fifty vessels there that should be inspected at once.

Mr. SULZER. How many additional inspectors does the bill create?

Mr. PAYNE. Only two—an inspector of boilers and an inspector of hulls.

Mr. LEWIS of Washington. Mr. Chairman——

The CHAIRMAN. The time for general debate has expired. The bill will now be read for amendments.

The Clerk again read the bill.

Mr. LEWIS of Washington. Mr. Chairman, I am really a little at a loss to understand the inflammable indignation that my esteemed friend from New York takes upon himself in this matter and which has prompted him to inform the House that this bill would pass unless it were to conciliate some "whim of the gentleman from Washington." Sir, a gentleman who rises here to oppose a matter in which his own district is interested ought not to be characterized as expressing a "whim" of his own. Besides, I have not manifested to this House in any wise whatever that I had any "whim" in regard to this matter to be gratified or opposed. I do not know what it is within the gentleman that causes him to give that construction to my opposition to this measure.

He says, Mr. Chairman, that I told him in private conversation I would not object to the measure. If there are gentlemen in this House who feel it appropriate that private conversations should always be related, when the narration may serve their ends, then let such gentlemen detail those private conversations as they really were and not as they were not. [Laughter.]

Mr. PAYNE. Does the gentleman call it "a private conversation" when, after he has objected to a bill and I have told him I want to bring it up, he says he will withdraw his objection? Does he call that "a private conversation?"

Mr. LEWIS of Washington. Now, if the petulant impetuosity of my distinguished friend can be submerged for a moment in silence [laughter], I will proceed. I hope my friend will take his seat and be calm. I respond to him by saying that what I told him was that when this matter was brought up I would not object to its consideration. I repeat that assertion. I told him that I would not object to its consideration when he sought unanimous consent. Such has ever been my practice here. I have never objected to the consideration of any measure in which any other gentleman was interested, whether it affected me directly or otherwise.

But I have never stated to my friend that I would not oppose his measure when it was considered, and my esteemed friends in this House will all bear me witness that when this matter did come up in the House, the distinguished Speaker occupying the chair, I asked the Speaker to give me recognition while I explained my opposition to the bill. I made no objection to its consideration. I opposed its passage, as I am doing now. It is true that another gentleman did object. It is likewise true that subsequently I did see the gentleman from New York and assured him that objections to the consideration of the bill when unanimous consent was asked, I would do what I might to avoid. I stand by that.

I do not understand my friend from New York. I do not understand what has seized him all at once, that he should find it necessary at this time to express himself on this subject without addressing himself strictly to the objections I make to the bill, unless he is without further mental invention and has reached that unhappy condition which we are told some of the Mississippi steamboats sometimes reach, when every time they proceed to blow their whistles their engines have to stop. [Laughter and applause.] I do not want the reflective powers of my friend to be stultified in that manner. I prefer his invention of excuses and reasons have a full flow and not be forced to personal characterization of a gentleman's motives for lack of something better to say.

I have again to say to the gentleman and to the House that I have no more personal knowledge of this matter than he has. I have such knowledge as I have been compelled to gain from the only sources accessible to any of us—from the people of my State, from these different organizations that have sent here their protests against this measure, informing me that this is a fight between the local board and this gentleman at San Francisco who makes the recommendation in favor of the bill.

It is true—but I did not refer to it, because I desired to divorce this subject from the slightest personal consideration—that these inspectors say that during nine months of each year they make comparatively nothing; that during the two very full months, when a large number of vessels are plying to and fro, they must make the maximum of their compensation. Their personal interests may to some degree influence them; and I agree with my friend from New York——

Mr. PAYNE. Does not the gentleman know that those men get a yearly compensation based on the number of vessels inspected during the year, so that it does not matter whether the mass of their work is done during three months or twelve months?

Mr. LEWIS of Washington. I must repeat my statement that those men must reach a certain number of vessels inspected before they can get the highest compensation. If within the whole year they reach the maximum, then the gentleman's position is well taken. But if you take two months out of their year, so that they can not reach the maximum during the year, their compensation is, of course, proportionately diminished.

Then comes the other feature of the case. All the commerce that has come to the locality I represent will be to this extent cut off, and the persons to be affected make objection on that ground, and I represent their objections.

I have stated this case to you, gentlemen, with complete fairness. I have dissembled nothing. I have given you the reasons in opposition to this measure as voiced to me from sources which best can speak. Of the commercial bodies competent to form a judgment on this question, not one of them sustains this measure—all of them oppose it and accentuate that which I now say to you.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEWIS of Washington. Then, Mr. Chairman, without asking further time, I close by saying that I am called upon to oppose the bill because my constituency ask me to do it. I have given the reasons against the bill as I have derived them from the persons best competent to speak. If my friend from New York has shown reasons of greater weight in support of the bill than the objections I have urged against it, then you, gentlemen, know your duty and will perform it. I am not one to complain. But I think the bill ought to be defeated because the motive behind it is to put unworthy vessels upon the sea and unjustly war against a deserving community.

Mr. PAYNE. It still remains true, Mr. Chairman, that unless this bill passes the vessels on the Yukon River can not be inspected by the inspectors at Seattle. I hope, therefore, the bill will be passed.

I move that the committee rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DINGLEY reported that the Committee of the Whole House on the state of the Union, having had under consideration Senate bill No. 3624, had directed him to report the same to the House favorably without amendment.

The SPEAKER. The question is on the third reading of the Senate bill.

The question was taken; and on a division (demanded by Mr. LEWIS of Washington) there were—ayes 55, noes 29.

Mr. LEWIS of Washington. I make the point that there is no quorum present.

Mr. PAYNE. Evidently, Mr. Speaker, no quorum is present. I move that the House do now adjourn.

ENROLLED BILLS SIGNED.

Pending the motion to adjourn,

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 7445. An act to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for.

The SPEAKER announced his signature to an enrolled bill of the following title:

S. 3457. An act to authorize the construction of a bridge over the Black River at or near Pocahontas, Ark.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. OSBORNE, indefinitely, on account of important business.

LEAVE TO PRINT.

The SPEAKER. The Chair will also lay before the House, if there be no objection, pending the motion to adjourn, several requests of gentlemen to print remarks.

Mr. DAVIDSON of Wisconsin asks leave to print remarks on the joint resolution reported yesterday from the Committee on Foreign Affairs.

Mr. VINCENT asks leave to print remarks upon the joint Cuban resolution reported from the Committee on Foreign Affairs; and

Mr. BARNEY asks leave to print remarks on the same joint resolution.

Is there objection to these several leaves to print?

Mr. SHERMAN. I object, Mr. Speaker.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARTLETT. It was my intention, Mr. Speaker, to have submitted a request for unanimous consent that all members who desired to do so might have leave to print on this subject.

The SPEAKER. Objection has been made.

Mr. BARTLETT. So I understood.

The motion of Mr. PAYNE was then agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HAGER, from the Committee on Private Land Claims, to which was referred the bill of the House (H. R. 6095) to confer jurisdiction on the Court of Private Land Claims to try and determine the title to a part of the Yeleta grant, reported the same without amendment, accompanied by a report (No. 1074); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House H. R. 4223, reported in lieu thereof a bill (H. R. 9875) for changing and rebuilding the Moline bridge across Rock River, in the county of Rock Island, in the State of Illinois, accompanied by a report (No. 1075); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1623) to increase the pension of Susan D. Yates, reported the same with amendment, accompanied by a report (No. 1072); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9195) granting a pension to Foster C. Carl, reported the same with amendment, accompanied by a report (No. 1073); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8950) increasing the pension of Mrs. Sarah Fry, reported the same without amendment, accompanied by a report (No. 1076); which said bill and report were referred to the Private Calendar.

Mr. STALLINGS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9140) granting an increase of pension to Felix Tait, reported the same with amendment, accompanied by a report (No. 1077); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on Pensions, to which was referred the bill of the House (R. H. 9729) to increase the pension of William S. Smithson, late Company D, Fifth Tennessee Volunteers, Mexican war, reported the same with amendment, accompanied by a report (No. 1078); which said bill and report were referred to the Private Calendar.

Mr. HOWE, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5092) granting a pension to Mrs. Mary A. Freeman, reported the same without amendment, accompanied by a report (No. 1079); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SULZER: A bill (H. R. 9861) to increase the efficiency of the National Guard and the United States Naval Reserve—to the Committee on the Militia.

By Mr. SHAFROTH: A bill (H. R. 9862) to amend subdivision 10 of section 2238 of the Revised Statutes of the United States—to the Committee on the Public Lands.

Also, a bill (H. R. 9863) to repeal subdivision 12 of section 2238 of the Revised Statutes of the United States—to the Committee on the Public Lands.

By Mr. FOWLER of North Carolina: A bill (H. R. 9864) to authorize needed repairs of the graveled or macadamized road from the city of Newbern, N. C., to the national cemetery near said city—to the Committee on Appropriations.

By Mr. MITCHELL: A bill (H. R. 9865) to amend section 4965, chapter 3, Title LX, of the Revised Statutes of the United States, relating to copyrights—to the Committee on Patents.

By Mr. MANN, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 9875) appropriating $25,000 for changing and rebuilding the Moline bridge across Rock River, in the county of Rock Island, in the State of Illinois (in lieu of H. R. 4223)—to the Union Calendar.

By Mr. HANDY: A joint resolution (H. Res. 234) to authorize the employment of volunteers in case of war—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BARBER: A bill (H. R. 9866) granting a pension to Joseph Griffith—to the Committee on Invalid Pensions.

By Mr. FOOTE: A bill (H. R. 9867) for the relief of Frank Hanmer—to the Committee on Military Affairs.

Also, a bill (H. R. 9868) granting a pension to Caroline Lathrop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9869) granting an increase of pension to Erasmus D. Fillmore—to the Committee on Invalid Pensions.

By Mr. HEATWOLE: A bill (H. R. 9870) removing the charge of desertion from the military record of Thomas Donlan—to the Committee on Military Affairs.

Also, a bill (H. R. 9871) to increase the pension of Herman Piel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9872) to correct the military record of George E. Day—to the Committee on Military Affairs.

Also, a bill (H. R. 9873) granting a pension to Dennis O'Shey—to the Committee on Pensions.

By Mr. LESTER: A bill (H. R. 9874) for the relief of John C. Coleman, of Emanuel County, Ga.—to the Committee on Claims.

By Mr. SHOWALTER: A bill (H. R. 9876) correcting the military record of Jeremiah Friend, late of Company I, Seventy-eighth Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. SULLIVAN: A bill (H. R. 9877) for the relief of D. G. Rice—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARHAM: Petition of the Woman's Christian Temperance Union of Cedarville, Cal., in favor of the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Cedarville, Cal., for the passage of bills to forbid the interstate transmission of gambling matter by telegraph and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. BENNETT: Petition of Aaron Claflin and 5 other citizens of Brooklyn, N. Y., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BULL: Petition of the Young Woman's Christian Temperance Union of East Providence, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Young Woman's Christian Temperance Union of East Providence, R. I., in favor of raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the Young Woman's Christian Temperance Union of East Providence, R. I., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. BURTON: Petition of the Woman's Christian Temperance Union of Cleveland, Ohio, for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Cleveland, Ohio, for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CANNON: Petition of citizens of Lockport, Ill., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CAPRON: Petition of the Methodist Episcopal Church of Woonsocket, R. I., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Methodist Episcopal Church of Woonsocket, R. I., and Woman's Christian Temperance Union and church of Westerly, R. I., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church of Woonsocket, R. I., and Woman's Christian Temperance Union and First Westerly Church, of Westerly, R. I., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petition of the Methodist Episcopal Church of Woonsocket, R. I., and church and Woman's Christian Temperance Union of Westerly, R. I., for the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CHICKERING: Petitions of the Methodist Protestant and Methodist Episcopal churches of Lafargeville, State of New York, favoring the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church and Methodist Protestant Church of Lafargeville, N. Y., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. CONNELL: Petition of Electric City Lodge, No. 313, Knights of Pythias, of Scranton, Pa., indorsing House bill No. 6468, praying for a lease of public land from the Government for the establishment of a national Pythian sanitarium—to the Committee on the Public Lands.

By Mr. FOOTE: Petitions of the Woman's Christian Temperance unions of West Glens Falls and Beekmanstown, N. Y., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of Methodist Episcopal Church of Wadhams Mills and Baptist Church of Westport, N. Y., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GIBSON: Petitions of citizens of Newcomb, McMillan, and Philadelphia, Tenn., favoring the passage of House bill 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLETT of Massachusetts: Petitions of the Woman's Christian Temperance Union of Baldwinsville, Mass., and the Congregational Church of Haydenville, Mass., in favor of raising the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of Baldwinsville, Mass., and the Congregational Church of Haydenville, Mass., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Congregational Church of Haydenville, Mass., favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Haydenville, Mass., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. GRIFFIN: Petition of the First Congregational Church of Sparta, Wis., asking that Indians at Metlakahtla be allowed to remain in possession of Annette Island, on the coast of Alaska—to the Committee on the Public Lands.

By Mr. GRIFFITH: Petitions of the North Indiana Conference of the Methodist Episcopal Church, representing 50,000 laymen and 275 ministers, Bishop C. H. Fowler, presiding, praying for the enactment of legislation to forbid the transmission of lottery messages by telegraph, to further protect the first day of the week in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Young People's Society of Christian Endeavor of the Christian Church and Epworth League of Centenary Methodist Episcopal Church, of Greensburg, Ind.; Decatur County Ministerial Association, of Greensburg, and North Indiana Conference of the Methodist Episcopal Church, to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. GROUT: Resolutions of Protective Grange, No. 22, of Brattleboro, Vt., Mrs. M. J. Sargent, secretary, for a further extension of free delivery of mails in rural districts—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMILTON: Petition of Mrs. Marion Parmalee, secretary of Christian Endeavor Society, and other citizens of Hilliards, Mich., for the passage of a bill forbidding the sale of liquor in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HEATWOLE: Resolutions adopted by the fire departments of Henderson and Arlington, Minn., and fire department relief associations of St. Paul and Minneapolis, Minn., in opposition to Senate bill No. 2736, to establish a division in the Treasury Department for the regulation of insurance, and for other purposes—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Board of Trade of Minneapolis, Minn., in favor of the passage of Senate bill No. 3354, relating to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union and of the Seventh District, Congregational, and Methodist churches, of Morristown; public meeting at Faribault, and citizens of Oxford, all in the State of Minnesota, favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Congregational and Methodist churches of Morristown, Minn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance Union of Stanton, Minn., and citizens of Morristown, Minn., at a memorial service in the Congregational Church, asking for the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and to forbid the transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. HENDERSON: Petitions of the Methodist Episcopal Church and teachers of public schools, of Independence, Iowa, in favor of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of Independence, Iowa, in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petitions of the New England Congregational Church and Methodist Episcopal Church, of Independence, Iowa, asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HENRY of Indiana: Petition of Stuart & Haugh, of Anderson, Ind., for amendment to House bill No. 6894, in relation to florists' stock—to the Committee on Agriculture.

By Mr. HILL: Petition of Wooster Council, No. 28, Order United American Mechanics, and citizens of Bethel, Conn., in favor of legislation to more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petition of the Second Baptist Church of Danbury, Conn., to forbid the transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Second Baptist Church of Danbury, Conn., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Second Baptist Church of Danbury, Conn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. HITT: Petition of the First Congregational Church of Rockton, Ill., in favor of the passage of a bill to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the First Congregational Church of Rockton, Ill., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the First Congregational Church of Rockton, Ill., urging the passage of bills to forbid the interstate transmission of lottery messages and to raise the age of protection for girls—to the Committee on the Judiciary.

By Mr. HOOKER: Petition of E. B. Crissey and 50 other citizens of the State of New York, protesting against the passage of the so called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. HURLEY: Petition of the Chamber of Commerce of the State of New York, praying for an equitable treaty of reciprocity with the Dominion of Canada and the Crown colony of Newfoundland—to the Committee on Foreign Affairs.

By Mr. JOY: Petition of the District Prayer Meeting of St. Louis, Mo., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

By Mr. KIRKPATRICK: Resolutions of Amana Lodge, No. 77, Knights of Pythias, of Easton, Pa., in support of House bill No. 6468, granting land at Hot Springs, Ark., for the purpose of erecting and maintaining a sanitarium thereon—to the Committee on the Public Lands.

Also, petitions of the Methodist Episcopal Church of Richmond, Pa., Trinity Evangelical Lutheran Church of Martins Creek, Pa., for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Resolution of Wisner Post, No. 127, Grand Army of the Republic, of Montezuma, Iowa, indorsing the course of the President in the Cuban affairs—to the Committee on Foreign Affairs.

By Mr. LOUD: Petition of the First Methodist Episcopal Church of San Jose, Cal., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. LYBRAND: Petitions of John Mehan and 40 others, M. Miller and 40 others, all citizens of Dunkirk, Ohio, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McCLELLAN: Petition of citizens of New York City, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. McDOWELL: Petition of Pleasant Valley Grange, No. 1057, Patrons of Husbandry, of Ohio, for free delivery of mail in rural districts—to the Committee on the Post-Office and Post-Roads.

Also, petition of Pleasant Valley Grange, No. 1057, Patrons of Husbandry, of Ohio, for protection against the use of adulterated food products—to the Committee on Ways and Means.

By Mr. ODELL: Petition of Millard Division, No. 104, Order of Railway Conductors, of Middletown, N. Y., in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Petitions of the Woman's Christian Temperance Union, First Methodist Episcopal Church, First Baptist Church, and Congregational Sunday school, of Homer, N. Y., in favor of the passage of bills to forbid the interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of citizens of Homer, N. Y., against the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. SETTLE: Petition of Asher G. Caruth, George D. Todd, and other citizens of Louisville, Ky., in opposition to the so-called anti-scalping bill or any similar measure—to the Committee on Interstate and Foreign Commerce.

By Mr. SHAFROTH: Petition of citizens of Central City, Colo., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE: Petition of G. F. Rehard and 17 citizens of Sweetser, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES W. STONE: Petitions of citizens of Warren Borough, Warren County, Pa., and Glade Run Presbyterian Church, of Dayton, Pa., favoring the bill which forbids the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of Glade Run Presbyterian Church, of Dayton, Pa., and Kittanning Presbytery, asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

Also, petitions of the African Methodist Episcopal Bethel Church, of Franklin, Pa., and Glade Run Presbyterian Church, of Kittanning, Pa., praying for the enactment of legislation to forbid the transmission of lottery messages by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

By Mr. WEYMOUTH: Petition of Rev. Albert D. Smith and 17 other citizens of Northboro, Mass., members of the Evangelical Congregational Church, protesting against the passage of the bill to open up Annette Island, Alaska, to the mineral-land laws—to the Committee on the Public Lands.

By Mr. YOUNG of Pennsylvania: Petition of the educational department of the Woman's Christian Temperance Union of the United States, Mary H. Hunt, national superintendent, commending the policy of the President in his effort to exhaust every reasonable means to maintain peace with honor, and appealing to the representatives in Congress to cooperate with and sustain the President—to the Committee on Foreign Affairs.

SENATE.

FRIDAY, *April 15, 1898.*

The Senate met at 10 o'clock a. m.

Prayer by Rev. J. MANTON SMITH, D. D., of London, England.

On motion of Mr. DAVIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

ORDER OF BUSINESS.

Mr. DAVIS. I ask that the ordinary morning business may, by unanimous consent, be dispensed with.

The VICE-PRESIDENT. Is there any objection to the request of the Senator from Minnesota, that the ordinary morning business be laid aside? The Chair hears no objection, and that is the order.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the following bills and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 3391) for the relief of W. H. Barnard and Robert Thomas;

A bill (H. R. 5511) granting to the Chattanooga Rapid Transit Company the right to cross with its track the Dry Valley road to the Chickamauga and Chattanooga National Park;

A bill (H. R. 6468) authorizing the Supreme Lodge of the Knights of Pythias to erect and maintain a sanitarium and bath house on the Government reservation at the city of Hot Springs, Ark.;

A joint resolution (H. Res. 14) authorizing articles imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Dallas Exposition, to be held at Dallas, Tex., in 1898, to be imported free of duty, under regulations prescribed by the Secretary of the Treasury; and

A joint resolution (H. Res. 24) relative to the medal of honor authorized by the act of December 21, 1861, and July 16, 1862.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 3457) to authorize the construction of a bridge over the Black River, at or near Pocahontas, Ark.; and

A bill (H. R. 7445) to amend "An act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.," and to extend the time for the completion of the bridge therein provided for.

INTERVENTION IN CUBAN AFFAIRS.

Mr. DAVIS. I move that Senate joint resolution 149 be proceeded with.

The VICE-PRESIDENT. The Senator from Minnesota requests that Senate joint resolution 149 be laid before the Senate. Is there any objection?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Mr. CULLOM. Mr. President, on yesterday evening I had the honor of obtaining the floor for the purpose of making some remarks upon the resolution before the Senate and upon the subject under consideration generally. I stated then, before an adjournment was taken, that on the 10th day of December, 1896, I had the honor of addressing the Senate on the joint resolution (S. R. 168) introduced by me at that time, declaring the extinction of Spanish title and the termination of Spanish control of the islands at the gateway of the Gulf of Mexico.

On that occasion, referring to the condition of affairs then existing in Cuba, I called attention to the magnitude of the problems which even in that early day of the struggle of the Cuban patriots for independence had grown out of that condition. Those problems I then took opportunity to observe would demand solution in the early future, and I ventured the assertion that the determination of the policy to be pursued in the solution of those problems would result in the independence of Cuba and lead to the conclusion that a people with such a history and such an education as the Spanish people have must be expelled from all participation in the control of any territorial possessions on this hemisphere.

Since that time the deplorable condition of affairs in Cuba has become more and more intensified, and the necessity for action by this Government, upon the lines of policy which at that time were indicated by me, has become more and more apparent, until now the hour for action is about to strike.

Step by step Spain has been pushed back from dominion in the New World, as she was crowded from control in Europe. Now she is to lose another of her possessions. Her oppressed subjects in Cuba are about to become the arbiters of their own destiny. This result is inevitable; for, as has been aptly remarked by some one:

> Some incurable vice in her organization, or it may be in the temperament of her people, neutralizes all the advantages Spain ought to derive from her stubborn hardihood, her nearly perfect capacity for endurance, and the somber genius alike for war, for art, and for literature which have so often marked her sons. No race outside her own borders, even if Spanish by origin, has ever been able to endure her reign, and every race which has resisted has ultimately succeeded in withdrawing itself from her control.

If permitted to pursue her pitiless course in Cuba, she would go on without remorse, and, if she could, she would exterminate the million and a half of patriots who deprecate her tyrannical policies and her cruel and bloody methods in peace as well as in war. Her ruthlessness is apparent in the conditions now existing in Cuba as related by four eyewitnesses who are members of this Senate.

The story as told by the honorable Senator from Vermont [Mr. PROCTOR] has challenged the attention of the whole civilized world. That narrative shows that at our very door the cruelty of Spain is blackening the history of the time with deeds that cry aloud to heaven for vengeance. With a careful pen the honorable Senator wrote his tale of woe. He gave to it no coloring that truth did not absolutely require him to use. He did not allow his emotions to lead him into any expression of anger. He compelled himself to relate the harrowing facts which had come under his observation without using any of the forms of indignant speech which were doubtless suggested to his mind.

He told the story of Cuban suffering fully, it is true, but with a gentleness of expression that, under the circumstances, was wonderful, and in almost any other man than the judicial-minded Senator from Vermont would have been impossible. But this story of suffering and outrage, thus mitigated in the telling, has aroused the indignation of America and stirred the conscience of the world.

This distressful story was corroborated by the distinguished Senators from New Hampshire, Nebraska, and Mississippi, all of whom have visited the island and have borne testimony in this Chamber to the cruelty of Spanish warfare in Cuba in a most eloquent and forcible manner, giving the story over again of the horrible condition of the suffering and death of the reconcentrados.

In addition to the statements of these distinguished gentlemen, General Lee, in his testimony before the Committee on Foreign Relations since his arrival, says that he regards the condition of the reconcentrados as being just as bad as it has ever been; that great suffering still exists and will continue to exist until they are relieved by the hand of charity from this or some country other than Spain, and that very little of the reported appropriation by Spain of $600,000 for the sustenance of the reconcentrados will be spent for the relief of the suffering people there.

That there is any extremity to which Spain would not go in an attempt to wreak her desire for vengeance upon the United States I do not believe. The officials, in the exercise of authority conferred by her, have robbed, imprisoned, and even murdered citizens of this Republic. Our flag has been insulted repeatedly on her soil, and while in the discharge of their duties representatives of this Government have been threatened with violence. And, worse still, one of our battle ships, while on a friendly call at Havana, was destroyed by the explosion of a mine and 266 of her crew murdered in cold blood.

These heroes were not permitted to die in battle striking blows in the service of their country. They were assailed by Spanish treachery working in darkness. But, although they were not permitted to die in the hurly-burly of battle, while exalted into patriotic fervor by the excitement of war, they will never be forgotten by their grateful countrymen. In no part of the land or sea are they unknown.

Sir, this tragedy has aroused a spirit of resentment throughout the length and breadth of the Republic, and the patriotic people of all sections of the country are demanding that the President and the Congress shall resent the assault upon the *Maine* as an act of war by Spain, and that the resenting blow shall be struck without unnecessary delay.

Sir, there seems to be good reason for this demand. All the evidence goes to show that the *Maine* was destroyed by an outside force; that whatever the destroying agency was, it was placed in position in the harbor by the officials of the Spanish Government; that the officials of the Spanish Government, whose duty it was to know of the existence and location of the destroying agency, conducted the vessel to its anchorage, and that only officials of Spain could have used or have permitted others to use the means by which the destroying agency was utilized for the purpose for which it was intended.

The testimony of Captain Sigsbee, commander of the *Maine*, shows that every precaution had been taken to prevent accidents;

that every portion of the ship had been inspected, including the magazines, coal bunkers, etc., and that he felt sure that the ship was blown up by an outside force.

Ensign Powelson, who was present on the wreck of the *Maine* every day while the divers were making their investigations, speaking of the important discoveries made by them during his presence, testifies that the bow of the vessel where the explosion occurred was pushed up and that diver Morgan, while walking on the bottom, fell into a hole on the port side and reported that everything in the vicinity of this hole seemed bent upward. The plates were found split, forming a V, pushed over and bent down over the 10-inch magazine. He further says that diver Smith worked himself forward and down to the keel on the bottom plating, at the point where the keel went into the mud, at which point he found a hole in the mud about 6 feet deep and 15 feet in diameter.

General Lee, in his testimony before the Committee on Foreign Relations, stated that he was satisfied that the explosion causing the destruction of the *Maine* came from a force from outside of the ship. He also states that the man who did the work of destroying the *Maine* must have been an officer thoroughly acquainted with explosives of all sorts, and one who knew all about the manner of producing the explosion.

He further states, as was stated here on the floor by the Senator from Maine [Mr. FRYE], that upon the night of the disaster the Spaniards were rejoicing among themselves, drinking champagne in honor of the event, and in many portions of the city were making merry on account of the destruction of the *Maine*, its officers and crew.

From all this and much more that can be stated of the evidence taken by the naval board and by the Committee on Foreign Relations there seems to be no way by which Spain can escape responsibility for the destruction of the battle ship or by which we can overlook the force of the suggestion that the destruction of the vessel, under the circumstances stated, was in fact effected by the treachery and work of Spanish officials.

If the assertion is made that war can not be justified by circumstantial evidence that the nation upon which war is to be made has been guilty of an offense which she denies, viz, the destruction of the *Maine*, and that only in the extremest of cases could we be justified in acting on the principle of international law that a state may interfere in a hostile manner in the affairs of another state guilty of a wrong against humanity or liberty, we would be justified, nevertheless, in interference with the action of Spain in Cuba in the interests of commerce and the repose of our own society.

Long ago, indeed, acting outside of every consideration of sympathy for the Cuban patriots, acting wholly in our own interests, we should have in some way avoided the necessity under which we have acted, of being in effect an ally of Spain in her efforts to suppress a people who are so gallantly struggling for freedom.

But, sir, whatever may have been our sins of omission against liberty in the armed controversy in progress between Spain and Cuba, we propose now to do our duty to God and humanity, liberty, and to ourselves by saying to Spain: "Hold your hand! You shall not outrage liberty and humanity in Cuba any longer. You must withdraw your army and abdicate your authority."

This we must say now, and if Spain shall see proper to resent our action we shall not hesitate to take up the gauntlet and appeal to the God of battles and to the judgment of mankind to justify us in our course.

Mr. President, it is said that Spain will appeal to other monarchical governments to aid her in her struggle with the United States, and that she will base her appeal for assistance upon the ground that our interference in her attempt to suppress insurrection is a violation of the doctrine asserted by the allied powers of Europe in 1821, when Greece was struggling for her independence, namely:

> That useful and necessary changes in legislation and administration ought only to emanate from the free will and intelligent conviction of those whom God has rendered responsible for power. All that deviates from this line necessarily leads to disorder, commotions, and evils far more insufferable than those which they pretend to remedy.

This is the doctrine of the divine right of kings, and if it were asserted by a world in arms, America would be compelled to resist it to the bitter end and set up in opposition to it the divine right of the people to govern themselves. In the language of Webster, speaking in the Senate of the United States seventy-five years ago:

> That the people hold their fundamental privileges from the sovereign power is a sentiment not easy to be diffused in this age any further than it is enforced by the direct operation of military means.

Against this doctrine we have set up the American doctrine "That useful and necessary changes in legislation and administration ought to emanate from the free will and intelligent conviction of the people." Tried by this principle, the right of Spain to rule in Cuba must be denied, since it is a fact that a large majority of the people of the island desire independence and the right to rule themselves.

In the light of this fact and of other facts that appeal to our humanity and to our business, commercial, and political interests stands displayed to all the world the duty of America to interfere in the affairs of Cuba and compel Spain to withdraw her army and her civil authority from the island and permit the people thereof to enjoy the inalienable rights of man, among which are life, liberty, and the pursuit of happiness.

In attempted refutation of all that has been said of the misgovernment of Cuba and of the cruelty of Spain, the assertion has been made, and is even yet being made, that there exists no real cause of complaint by us against Spain, no cause that can justify us in interfering in the pending conflict in Cuba; that a sensational press has produced, without good reason, the excited condition of the public mind which is demanding that our Government shall take up arms against the Spaniard and expel him from the continent.

This is an attempt to hide from the world the truth of the present situation; it is another of the many attempts that selfish interests have made to excuse the influence of kingly power at the expense of liberty, and to exalt peace in the humiliation of that spirit of freedom which should be ever slow to wrath, indeed, but always swift in vindication of its glorious mission and of its exalted dignity in the affairs of mankind.

As much as any other man I deprecate the sensationalism of the press, which perverts truth and makes a molehill of fact a mountain of falsehood; but the sensationalism of the press has not made Spain, in all her history, vindictive and cruel; a nation productive in wonderful fertility of great men, but of incapable statesmanship and bloody deeds; the nation of the inquisition, of the Duke of Alva, and of General Weyler. The press did not create the facts which have been established irrefutably by the testimony delivered in this presence by the honorable Senators from Vermont, New Hampshire, Nebraska, and Mississippi.

The sensationalism of the press did not compel Weyler to resort to the system of warfare, repugnant to all our ideas, under which hundreds of thousands of inoffensive men, women, and children have been subjected to the horrors of slow death by starvation; under which Ruiz and others were murdered; under which an innocent Cuban maiden was imprisoned and threatened with a fate the anticipation of which created a sentiment of horror in the heart of every man and woman in America.

Was it the sensationalism of the press that prompted a minister of Spain, accredited to this Government, to insult the President of the Republic and that instigated the crime of the destruction of the battle ship *Maine* and the murder of hundreds of her gallant crew? No, no; the press of America has done nothing more in this instance than to hold the mirror up to Spain and show to that nation her own frightfully distorted features and to reflect upon her vision the story of her crimes against God and humanity, crimes the bloodiest in all the annals of time.

Mr. President, the press has told the truth, but not all the truth, concerning affairs in Cuba, because the situation is so full of horrors it can not be overstated, can not, indeed, be adequately stated in all the length and breadth of its appalling horribleness. It has appeared to me since this discussion has been going on that the press failed to tell the whole truth even as much as we had imagined sometimes that it was telling more than the truth for the purpose of sensation.

Mr. President, in the contemplation of this situation I have been forced to the conclusion that there is but one course that we can pursue with honor. In an effort to alleviate the sufferings of the people of Cuba we have expostulated with Spain and have endeavored to induce her to wage her war of suppression in accordance with the rules of civilized warfare; but our expostulations have been in vain.

She has persisted in her system of inhuman warfare, feebly fighting the insurgents, cruelly starving unarmed men and helpless women and children, insulting and murdering American citizens, and demonstrating in many ways her inability to govern and her determination to listen to nothing but the promptings of a national pride out of which flows a constant stream of misery and death.

Contemplating this condition, I have been forced to the conclusion that we must interfere and put an end to the war of Spain upon the Cubans; that we must do this in the interests of humanity as well as in our own interest.

Sir, to this conclusion the President has come, with many thousands of his fellow-citizens who deprecate the idea of war. He has desired, as every other truly patriotic man has desired, the settlement of the Cuban question by peaceful methods; but he has never been an advocate of the debasing policy of "peace at any price." He knows that peace purchased by dishonorable concessions is debasing and dangerous to popular government; and now, having failed in his laudable efforts to induce Spain to accept the suggestions made by him and to act upon humane principles, he has taken a stand in the interest of the American people and of humanity.

Mr. President, I have no desire for war. It is painful to me to believe that war is imminent, but there seems to be no honorable escape from it. Horrible as war is, yet there are other things worse than war. No honorable-spirited people can afford to sit silently by and see tens and hundreds of thousands of people helpless and starving to death at the nation's door. It matters not whether they are of our own nation or in a country under the domination of some other.

It is, in my judgment, the duty of this Government to intervene in behalf of such suffering people, whatever may be the consequence to our nation in doing so. It is worse than war in its consequence upon us to permit such a condition of affairs in Cuba to longer continue. To do so is a manifestation of indifference and cowardice and neglect of our plain duty as a Christian people.

It may be said that the President should have proceeded to the patriotic task he has entered upon in some other way than along the lines upon which he proposes to act; that he should have recognized or have recommended the recognition by Congress of the independence of the Republic of Cuba either before or at the same time he asked for an authority to intervene with armed force in the affairs of the island.

In this criticism of the President's action I can not, after serious deliberation, concur.

The recognition of the independence of the Republic of Cuba, unaccompanied by any other act on our part, would not accomplish the purpose we have in view—the immediate relief of the Cuban population from starvation and the horrors of the barbarous system of Spanish warfare. The recognition of the independence of Cuba would not be an act of war against Spain, and it would not be a justifiable cause of war by Spain against the United States. It would leave the situation unrelieved in the only way that will be satisfactory to the people of this country.

Recognition of Cuba's independence without immediate interference would include, of course, the recognition of belligerency and entitle this Government to insist that the war should be conducted in accordance with those humane laws that have been ordained by the common consent of the civilized world. But this action would give to Spain more time in which to oppress the Cubans while conducting a diplomatic controversy with us; more time in which to invoke and procure the moral if not the physical support of the European nations. But, it is said, we might interfere with arms at the very moment we would recognize the independence of the Cuban Republic.

But is this true? Could we, if we recognized the independence of the insurgent government, interpose in our own way with our Army and Navy? Would we not then be compelled to act in any armed action against Spain in Cuba in accordance with the wishes of the Cuban Republic and under its authority? And are we sure that under such conditions we would give effect to the wishes of our own Government in reference to Spain? Would we not, by such action, forego our right to punish Spain in our own way for the wrongs she has done to us as a nation, for her shocking violations of the rules of civilized warfare?

I am not forgetful of the suggestion that has been made, that intervention without recognition of the Cuban republican government creates possibilities of financial complications and conditions respecting the ultimate settlement between Spain and Cuba; but upon reflection I have come to the conclusion that there is no force in this suggestion; that it is unworthy of consideration under the circumstances of the existing crisis. And this leads me to repeat what I have said elsewhere in reference to possible financial speculations, viz, that any man, whether a member of Congress or otherwise, who would attempt to make a dollar out of such a crisis is too mean to live. Men who attempt to speculate on the calamities of the poor Cubans or on the blowing up of the *Maine* ought to be shot.

It therefore seems to me that intervention as suggested by the President—intervention without recognition—is the wisest policy, being the policy under which we can act without delay and without the danger of embarrassing complications with the insurgent authorities.

But I desire to say, Mr. President, that when the time comes, after Spanish rule is driven from that island and after the Cuban patriots have been freed from their domination, I hope the President of the United States, through any agency he may desire, upon looking over that country, may find out what the proper government ought to be, and if those gallant patriots who have been making the fight for liberty have a government there such as ought to be allowed to stand, that he will recognize it immediately after the war shall have been over.

But intervention is the policy under which we may now say to Spain, "You have outraged human nature; you are endangering the peace of the world; you have shown yourself in the government of Cuba to be incapable both in peace and in war; you have insulted this Government, have robbed, imprisoned, and murdered our citizens, and have destroyed great interests of the people of the United States, and now you must withdraw your armies and your civil officers from Cuba so that peace may be made enduring in the island and the people's rights be no longer outraged by tyranny and misgovernment."

The only question, then, that remains is, Have we the right to intervene under international law? This right in us, under existing conditions, I have no doubt exists.

In the report made by the honorable chairman of the Committee on Foreign Relations, which is one of the ablest reports ever made to the Senate, in my judgment, I find quotations which have already been read to the Senate, but I shall take occasion to read them again. I shall refer to only a part of what appears in the report.

Arntz, a writer on international law, maintains that the right of intervention exists, to copy from the report of the Committee on Foreign Relations:

1. When the institutions of one state violate or threaten to violate the rights of another state, or when such violation is the necessary consequence of its institutions and the impossibility of an orderly coexistence of states results therefrom.

2. When a government, acting entirely within the limits of its prerogatives of sovereignty, violates the rights of humanity, whether by measures contrary to the interests of other states or by excessive injustice and cruelty which deeply wounds public morals and civilization.

The right of intervention—

Continues Arntz—

is a legitimate one, because however important may be the rights of sovereignty and independence, there is one thing of still greater importance, and that is the law of humanity and human society, which ought not to be outraged.

Mr. President, it seems to me that we can place the right to intervene upon that last sentence, written by the law writer Arntz, that the law of humanity and human society has been outraged by the course pursued by the Spanish army and the Spanish Government in starving to death the hundreds and thousands of poor noncombatants—old men, women, and children.

Without elaborating further the argument that we have a right to intervene, I may call attention to the fact that both President Cleveland and President McKinley have warned Spain that the time might come when, in the language of President McKinley in his message of December 6, 1897—

If it shall hereafter appear to be a duty, imposed by our obligations to ourselves, to civilization and humanity, to intervene with force, it shall be without fault on our part and only because the necessity for such action will be so clear as to command the support and approval of the civilized world.

Mr. President, the time has come when without fault on our part we must intervene in the affairs of Cuba, and that the President may be enabled to do so, he should be directed and empowered to use the entire land and naval forces of the United States.

Let us not hesitate to give to him that authority, and let us give it to him in the confident belief that even now is the day and the hour in which this Government, that was consolidated by the statesmanship of Washington and saved from destruction by the patriotism and wisdom of Lincoln, speaking by the voice of McKinley, shall demand the retirement of Spain from Cuba; and upon her refusal to comply the Republic will thunder this demand from the mouths of a thousand cannons.

Mr. President, I esteem it an honor that I am able to-day to say that I join in the support of the announced policy of President McKinley. I do not care whether he has dotted every "i" or crossed every "t" in his proclamation to the world; everybody knows that he has said plainly enough to Spain, and every American echoes the words, that the Government of Spain shall at once relinquish its authority and government on the Island of Cuba.

After the vote is taken upon the report of the Committee on Foreign Relations, there will be but one mind and one voice in the United States.

However much my friends may hesitate and doubt as to the unimportant phrasing of the announcement, nobody on earth, not even Spain, will misconstrue or misunderstand our plain demand.

Mr. President, the greatest criminal trial of modern times is approaching a conclusion. The people of the entire world have been witnesses upon this trial. The indictment against the offender has been proclaimed to every land and has been read in every language.

The Kingdom of Spain has been the first and only nation to merit a reputation so awful in character or to achieve a place in history so completely unparalleled in infamy and wrong. The evidence has been given, and the inquest of the world is now sitting in solemn consideration of that evidence.

The announcement of the verdict is awaited with expectation by every country upon the earth. No other nation in many hundreds of years has been evicted arbitrarily from its holdings and driven into the complete and perfect disgrace of universal ostracism. The punishment is great; God knows that the crime was greater. The humiliation and the bitter disgrace of the fall of a nation which once owned nine-tenths of the great American continent are stupendous and terrific, even in contemplation, but that humiliation and disgrace, complete and awful as they are, do not in even a minute degree compare with the offenses and enormities chargeable against the Government of Spain.

The history of Spain is a history of more than a thousand years of concentrated cruelty. It is a history so extensive and continuous, made up of every conceivable variety of barbaric wrong and outrage, too often instituted by the direct authority of the Government itself, and the identity known to the world as the Kingdom of Spain is now justly and properly recognized as an "outlaw among nations."

It has always been a robber nation. It has always been the merciless appropriator of the property of others. While enjoying the honor of the discovery of America, she appropriated the countries, the islands, and the waters, spied out by that intrepid Italian navigator who commanded her ships and who first set his foot upon San Salvador.

The reward he received from Spain was precisely in kind and keeping with the reward Spain has always given to those who have performed meritorious services for her. He was imprisoned and punished, humiliated and degraded for the offense of adding to the Spanish domain the wondrous territory of the New World. All this territory which was formerly by virtue of discovery and occupation known as Spanish America, has become the home of political freemen, forever emancipated from the narrow and miserable control of a country which governed only by the sword, whose watchword was blood and whose inspiration was death.

From the fertile plains of Argentina far across the River Plata, from the heights of the Andes to the lowlands of the Amazon, from Yucatan to San Francisco, all the valleys and the mountains of Central America and over the entire country of Mexico, through the beautiful glades of Florida, the plains of Texas, almost the whole of the valleys of the Mississippi, the Missouri, and the Yellowstone, the golden sands of the Sacramento, and the rugged mountain sides of the Columbia, all this vast and magnificent estate, now the home of twenty independent countries, was once by and through the genius and perseverance of Columbus, the property of Spain. And for all this Columbus received only chains and a prison cell.

And so, forward to the present day. So from 1492 to 1898, the story of Spanish inhumanity is just as true in the nineteenth century as it was in the days of the Inquisition. In Cuba, its ultimatum as held out to the reconcentrados has been simply the alternative of death by starvation or death by the machete. Human life in the Spanish lexicon is a thing of no value. General Weyler started out two years ago with what he termed a policy of pacification. He told his sovereign that in such and such a period he would pacify the insurgent provinces of Cuba.

How did he pacify them? He penned those poor noncombatant women, children, and old men up in barbed-wire inclosures and surrounded them by deep trochas and canals, where they could easily be pacified by the machete. Two hundred thousand Cubans of both sexes and of all ages sleep the sleep of pacification in their graves upon the soil once owned by them. The United States has waited with an awful waiting until by such methods Spain could pacify a people. If an American citizen was charged by mere suspicion with anything whatever, he was locked up in vile prison cells and held incomunicado for such unlimited time as his captors chose.

Thanks to the unwavering sense of justice of the people of the United States, the murderers and the outlaws who now exercise a brief show of authority in Cuba will soon become incomunicado until justice shall be satisfied and the avenging angel shall write the verdict and sentence of the offended world. And if the people of this country shall do nothing more in this century than drive the Spaniards from this country, we as a people shall earn the praises of every lover of freedom and humanity the world over.

Mr. BERRY obtained the floor.

Mr. PLATT of New York. I ask the Senator from Arkansas to yield to me for a moment, that I may read a telegram which has been forwarded to me.

Mr. BERRY. I yield to the Senator from New York.

Mr. PLATT of New York. I ask unanimous consent to read a very important telegram to the Senate, which I desire to have spread upon the RECORD.

The VICE-PRESIDENT. The Chair hears no objection.

Mr. PLATT of New York. The telegram is as follows:

BUFFALO, N. Y., *April 14, 1898.*

To Hon. THOMAS C. PLATT:

At a meeting of the Republican Editorial Association of the State of New York, held in Buffalo to-day, the following resolutions were adopted:

Whereas the situation is such as to impose upon the Administration of the United States duties the most responsible and the most delicate, involving the fate of thousands of human beings and the destiny of Cuba; and

Whereas President McKinley, by his wise conservatism and his unwillingness hastily to project this country into the horrors of war, has been made the subject of hostile criticism:

Be it resolved, The Republican Editorial Association of the State of New York in convention assembled hereby gives full and hearty approval of the course of the President and expresses its confidence that he will carry the issue with Spain to a conclusion consistent with the claims of humanity and creditable to the dignity and honor of the nation.

A. O. BUNNELL, *Secretary.*
EDW. H. BUTLER, *President.*

Mr. BERRY: Mr. President, it is not my purpose to detain the Senate except for a very short period of time, and if the Committee on Foreign Relations had brought into the Senate the resolutions which one week ago the whole country believed that they would bring here in favor of the independence of the Cuban Republic, in addition to those they did bring, I would not have spoken at all. If that committee had brought in such a resolution, it was my hope and belief that the Senate might do as it did when the bill appropriating $50,000,000 was presented to the Senate—cast a unanimous vote for the resolution without one word of debate.

Mr. President, when the great question now pending before us was resting in the executive department, when the great responsibility rested upon the President of the United States—and no man ever bore a greater responsibility than that which has rested upon him—there were a number of us on this side of the Chamber who come from the South who believed that it was the wisest, the best, and the most patriotic course to remain silent. We feared that whatever we might say might be construed by some as an effort to gain partisan advantage.

We feared, in view of the history of the country and of the section from which we come, that perchance our words might be distorted and made to injure the fame of the people whom we represent. Therefore we said, while this responsibility rests upon a Republican President, we will seek no party advantage, but uphold him in all that tends to preserve the honor of the country.

But now, Mr. President, each Senator here assumes part of the responsibility of the action we are to take. I have no desire to detain the Senate with a long speech. I have no desire to delay a vote; but I believe that there is a duty resting upon me to give some of the reasons why I think the amendment of the Senator from Indiana [Mr. TURPIE] should be adopted and placed in the resolutions, and some of the reasons why I believe that, in addition to the resolutions reported by the majority of the committee, we should also declare in favor of the independence of the Cuban Republic.

I can not rid my mind of the belief that if we enter into this contest refusing directly to recognize the Cuban Republic, there will lurk the suspicion in the minds of people both at home and abroad that we mean something more than we say; that there lurks behind this resolution an undisclosed purpose which we will not avow.

I do not profess to be skilled in international law, but I think I know something, Mr. President, of what is due and honorable from man to man and nation to nation. In a great crisis like this we should put our meaning in language so plain that no man can misconstrue our purpose. That is the honest way and the honorable way. If we refuse, as I have said, to declare that the republic now existing in the Island of Cuba is independent, the nations of Europe will believe, notwithstanding our protestations to the contrary, that when we have succeeded we intend to annex those islands to the United States of America.

Mr. President, the nations of Europe do not make war for unselfish purposes; they do not go into a fight to relieve suffering humanity. When their battalions join battle they do it in the hope of some advantage and some benefit accruing to the nation that is making the fight. So they will naturally attribute to us the same motives and the same purposes that they would have in view if they were determined to make war upon another nation; and when we deliberately and specifically refuse to recognize the Cuban Republic—when all the world one week ago to-day believed we would recognize it—we add to that suspicion and that belief. Why go into the contest handicapped in that way?

As to our own people, they do not believe—at least no considerable number of them believe—that there is any disposition on the part of anyone to make this fight in order to acquire additional territory. But, Mr. President, there lurks in the minds of thousands and tens of thousands of American citizens—it may be unjust; it may be untrue; yet they believe it to-day—that if we do not to-day recognize the Cuban Republic, the reason is that we intend to impose conditions and obligations upon that republic that they would be unwilling to assume of their own accord.

That belief exists. It may not be true, and I for one acquit the President of the United States of any such purpose or intention. I believe the President of the United States to be an honest man. If I believed otherwise, I would hang my head in humiliation and shame on this floor to-day. I believe that the great and overwhelming majority of the American people believe that he is honest. But, Mr. President, there is a belief, and I believe, that there is a class of men in this country—not many in number, but large in influence—who hold that the acquisition of money and who hold that what they call business prosperity is above both national and personal honor. I say that that belief exists; and if we refuse to place in these resolutions the recognition of the Cuban Republic, many will believe that the influence of that class of men has been potent in the shaping of the declaration that we are going to make.

Mr. President, I do not want to go into war in that way. I know not what the condition may be in other sections of the Union, but if this battle is to be fought by the volunteer soldiers of the country, those who come from the South will be the flower of our youth; they will be our children and our neighbors' children, and when they join battle I want them to believe that they are actuated by the highest and loftiest patriotism; that they are moved by purely disinterested motives to relieve the suffering people of Cuba and to avenge the outrages which have been perpetrated upon our own people.

I do not want a single suspicion to go forth anywhere that they engage in war for the purpose of acquiring territory or putting obligations upon the Cuban Republic. We do not want to exchange the lives of our citizens for the acquisition of additional territory; we do not want to give the blood of our children in order to guarantee the payment of Spanish bonds, whether they are held in France, in Germany, or in the United States, and we do not want the outside world, or our own people, to believe that any such motive prompts us to action; but we will give all to uphold the honor of the Government.

Mr. President, this is the main reason why I insist upon placing in the resolution to be adopted a recognition of the Cuban Republic. You say that the resolutions reported by the committee mean the same thing; you say that you intend to recognize independence. If so, why not remove every doubt and suspicion as to our ultimate purpose and recognize the republic to-day?

The causes which have moved the American people to a fixed determination to engage in war, if need be, to drive the Spaniards from the Island of Cuba, are not on account of any desire to acquire additional territory. They were not moved to that feeling by reason of the fact that they desired this country to set up a republic of its own manufacture, and foist upon the people of Cuba, it may be, a carpet-bag government of the United States. Such reasons did not move them. That which most touched the people of the United States, Mr. President, and, in my opinion, above all others, was the suffering, the wrongs, and the inhuman outrages perpetrated upon the Cuban people.

When the distinguished Senator from Vermont [Mr. PROCTOR] closed his speech on that eventful day in the Senate, I said to the Senator from Missouri, not now in his seat [Mr. VEST], "That speech means war; that speech will stir the people of the United States from Maine to California, and no power on this earth can longer keep them back." That speech, Mr. President, was read in every home and at every fireside throughout this land, and the people answered with one voice that these things, so fairly stated by the distinguished Senator as coming under his own observation, must not and shall not continue. It was that which moved them even more than the destruction of the *Maine* and the death of our sailors in the port of Havana.

What moved them even more than the destruction of our battle ship was the description given by the Senator from Vermont of the half-starved and half-clad mother who stood upon the sidewalk, with the hands of her starving children in her own, crying for bread as each passer went by. It was then, Mr. President, that the American people said: "If we permit this under the very shadow of our flag, if we allow this to continue right within our reach, we are a nation of sneaks and cowards, and we are unworthy of the respect and confidence of all honorable men." I say, then, that that was the idea the American people had for favoring this war.

There was another thing that appealed strongly to them. Their sympathies had gone out to the struggling patriots in the Island of Cuba. The Cubans had read the history of our own fight for freedom away back in the days of '76. They knew how Washington struggled and how his men suffered at Valley Forge and elsewhere, and they knew that gratitude had welled up in the hearts of every American even to-day toward the French nation because it came forward to aid us in that contest. They felt that the grand old soldier in Cuba, more than 70 years old, who had left his home and his fireside, who had endured every privation, who had resisted every possible attempt to bribe him—they knew that he fondly looked for and hoped the time would come when the strong arm of America would be raised for his relief.

And now, Mr. President, what think you he and his followers will feel when they learn that the long-looked-for day has come and that the aid is not coming in the disinterested way in which you promised? They will say to us, "You said you were coming to help us, but you reserve the right to say that you will dictate the character of government which we shall have." Do you believe that is fair? Do you believe that that will appeal to the sense of justice of the American people?

Mr. President, I do not. I believe if you would enlist the hearts of this entire nation, if you would take the step that would show to the world that our action was dictated by the highest and loftiest patriotism, that it was utterly disinterested, that behind it there lurked no purpose on our part to acquire territory or to impose onerous conditions upon the Cuban Republic and will add the recognition of the republic—if you go to war upon that ground you will receive such a response in this country, from every part of it, as the world has never before seen.

I believe this most earnestly; and it is, Mr. President, this earnest belief alone that induces me at this time to raise my voice in behalf of the amendment offered by the Senator from Indiana. You may take a different course; you may vote that amendment down and pass the resolution recommended by the majority of the committee or the resolution passed by the House of Representatives, but when you do so, I say to you that this Congress will not have met the expectations of the American people.

I say that such a resolution will carry disappointment from one end of the land to the other. If you do it, however; if you will do nothing better; if you will not put it as we want it, I will vote for it in your way, but if you put it in your own way and war comes, as we all think that it will come, I want to say to you, whether my views are adopted or not, that in the upholding of the hands of the President in every effort to honor the nation, in every effort to bring victory to our arms, he shall have my vote and my voice.

I am not here, Mr. President, to-day to parade the loyalty of the people of the South. I think, after thirty years of peace, that should be taken for granted. I am not here to boast what our section will do in the coming contest. Those who will fight the fight are as yet untried. I had rather wait until the record is made up before I speak their praises or predict their action. I think, though, that I can say to-day, and that I can do it without giving offense to mortal man, that the soldiers of the South in the unhappy civil war showed a high and lofty courage upon the field of battle, an uncomplaining devotion to duty, and a patience in the hour of defeat which has challenged the admiration of the civilized world wherever their history is known.

I do not know what the future will bring, I do not know what may come, but if war must come—and I believe it certain; I would have preferred that we should have escaped it, but war is upon us—and while I shall not predict the action of the people of the section from which I come, I indulge the hope that in the near future, at the close of some glorious day upon the plains of Cuba, when the flag of our country waves victoriously over the stricken field, the commanding general may be able truthfully to say that the soldiers of the South and the soldiers of the North each showed such superb and magnificent courage on this day that no mortal man can say that the one is superior to the other. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. COCKRELL. Mr. President, I want to give notice now that under the rules of the Senate, if there is any more applause in the galleries, I shall have them cleared, as it is my right to do. When we give the use of the galleries to the public, we have a right to request them politely to observe our rules, and if they refuse to observe them, we have a right to clear the galleries. I hope the Senate will not be turned into a beer garden.

The VICE-PRESIDENT. The Chair now gives notice to the galleries that under Rule XXXV, if it is invoked by any Senator on the floor of the Senate, the galleries must be cleared. All manifestations of approbation or of disapproval must cease.

Mr. DANIEL. Mr. President, diplomacy is at an end. We stand upon the edge of war. The nation is one under its flag, sword in hand. If the word that now hesitates upon the lips shall be spoken, and the word "forward" shall be given, the tramp of armed men will not cease until the Stars and Stripes float over Morro Castle and Cabanas prison, nor until a shout of joy shall thrill the world like that which received the news that the Bastile had fallen. The key of the Bastile to-day is amongst the cherished relics of Mount Vernon. If it should become the destiny of the United States of America to hold the key of Cabanas prison hereafter amongst the memorials of its heroic deeds, it will be a fit companion piece for that relic which is now amongst the honored heirlooms of its history.

Up to this crisis, Mr. President, I have been for peace. Ere the word "war" be written in the statutes of the United States, if it be possible in the providence of God that the white dove of peace may float upon the scene and displace the angry eagle's cry I would welcome it with joy. If I shall record my vote in this body for war, it will be with but the single conviction that the awful, the solemn, the supreme moment of sovereignty has been struck when the honor and the dignity and the destiny of a free nation commands that that word be spoken. Entertaining such sentiments, I have not been, up to this period, a critic of the President of the United States or of any who have given him counsel.

I am well aware of the great impatience of the public. We have seen that impatience reflected here. I seek for my part to be unaffected by it. I regretted on yesterday to see that there were gentlemen in this Chamber, generally cool-headed, and I doubt not at all times patriotic, who cried out, "Vote now;" who unable to vote then insisted "Vote to-morrow." I wish to cast my vote in my own good time without pressure behind me. War

will keep a day; war will keep a week. I would that peace might be preserved and kept forever. It is not the observation of mankind; it is not within the experience of men who have shared in the angry and tumultuous affairs of this world that the feet which hasten to the verge of battle are the feet that stay there longest after they have been once planted. I beg to say to the honorable gentlemen, for whom I entertain the utmost respect and upon none of whom would I reflect in any way, "possess your souls in patience, gentlemen, while the Senate of the United States resolves the awful responsibility of peace or war."

The men who will declare this war, Mr. President, will not be the men who will carry its standards. The frenzied hands that clap and make loud noise before public bodies when some gallant speech is uttered are not the hands that will grasp the gory and shredded flag when death looks honor in the face. The men who declare this war, Mr. President, are not the men who will pay its taxes; they are not the men who will lie in hospital with perhaps no angel of mercy near to drop a tear over the dying soldier's bier.

Mr. President, let the Senate go with its own measured pace and tread; let there be here no rancorous scene; let us remember we do not speak here as Democrats or Republicans. We speak, as I hope, with the impressiveness of that great scene in this body when sectionalism, when party, when individuality bowed its head in silence while the majestic spirit of a people armed its President to prepare for defensive and offensive war.

I would that now, sir, I could feel it consistent with my duty to permit the same eloquent silence to attend this scene. If I say one word it is from the sense of duty which I feel that I owe to the ancient and honored Commonwealth which has so greatly honored me in making me here one of its deputed agents and to that mightly Republic of the West which has received me here as one of its servants, and with whose destiny and fate the interests of my own people are intertwined forever.

Mr. President, I am not content with the resolutions which have passed the House of Representatives. I am not content with the resolutions which have been proposed to this body by the honorable committee of which I am an humble member. In my humble judgment the first step that the United States of America should take in this controversy, the most dignified, the most clear and positive, is to write upon its statute books that it recognizes the independence of the Cuban nation and holds out its beckoning hand to welcome it into that family of sovereigns, to the high place in which it has won its right by the devoted sacrifice of its people and by its own brave sword.

If, sir, the whole assembled Army and Navy of the United States were to dip its colors as Maximo Gomez and the Cuban patriots passed, I should feel, if I stood amongst them, that I would do myself honor to bow before the hero and the brave soldiers who, after thirty years of struggle and after a war of bloody sacrifice, the equal of which is not known in modern times, after having the cold shoulder turned to them by all the nations of Europe, and the United States of America acting around their coasts as the police officers of Spain, have yet shown to the world that they can not be bought with gold; that they can not be intimidated with steel, but that alone they can hold up in the face of an angry world the flag that bears the single star, worthy to shine by those already emblazoned upon the Star Spangled Banner of this great nation.

I rise to speak in behalf of the amendment to the joint resolution offered yesterday at the request of the minority of the committee by the Senator from Indiana [Mr. TURPIE]. That amendment to the joint resolution says that the Republic of Cuba is the lawful government of that island. It is necessary from many aspects of this case to make that a part of any action which the United States of America shall take, first in order to remove a patent ambiguity in the joint resolution; in order to remove a great suspicion which has floated into the public mind; in order to disavow, in order to condemn, in order to refute the proposition that the United States of America entertains any, the slightest, idea of turning its arms upon the Cuban patriots and sending the United States troops to conquer Gomez and his followers.

The message of the President of the United States has made this resolution peremptory upon our part. I wish to do injustice to no man. The message of the President of the United States was a deliberate document. We must take him to mean what he has said. Yet, before I read that message, I wish to say that if we are upon the verge of war, it is my conviction that a weak and timid and halting and vacillating policy on the part of the great Government of the United States has brought us there.

This is not in terms the report of your honorable committee. It is its necessary deduction. This is not the declaration of honorable gentlemen who speak for or against these resolutions, but it is the inevitable logic of the facts which they relate. We know the fact that the *Virginius*, the forerunner and ante-type of the *Maine*, was boarded by the Spaniards thirty years ago. We know that fifty-three of her sailors, some of them citizens of the United States, were taken from that ship and murdered by Spain. We know had it not been for the great gallantry of an English officer, Sir Lambton Lorraine, who arrived upon the scene, commanded the peace, and undertook to speak for the United States as well as for Great Britain, the rest of the crew would have suffered the same fate. We know that that incident was tied up in the red tape of diplomacy and, after American citizens had been shot, that at the end of the controversy an indemnity of gold was put into the Treasury of the United States therefor.

We know, Mr. President, from these reports how the last Administration and how this Administration have permitted citizens of the United States in Cuba to be treated. We know the lamentable fate of Sanguily, pardoned by the grace of Spain after he had said, "I am an American citizen," and had failed to receive the protection that was due him. We know that even his counsel, Miguel Viondi, was put in jail and incarcerated for defending him, without a word of intervention on the part of the United States. We know that Ruiz was murdered, and that the great Republic has never yet avenged his death.

Mr. President, the last Administration of this Government, which was put in power by the Democrats, and the present Administration of this Government alike have seemed to the American Republic to be hypnotized by some strange and mysterious influence that took out of them the virile instincts of the American people to defend their citizens anywhere and everywhere and at whatever cost. Mr. President, this vacillating policy has brought us to where we are. We must vacillate no more; we must have a clear and simple statement of what we are going to do and add to it the simple words "Be it resolved."

I wish to say this in answer to some of my honorable colleagues who have spoken: The Senator from Delaware [Mr. GRAY] yesterday said that he rose to speak to support the President of the United States. I rise to support the United States. There is no individuality in my action. I rise to support my country—greater than any man, greater than all men. If the President of the United States is right in anything which he commends to this body, I will support him. If I think he is wrong, I will not support him.

The President has relegated this issue to Congress. He has handed it over to us and said that he awaits our action. It was our responsibility before he said it; it is doubly our responsibility now that he has washed his hands of it and has left us without any specific recommendation. If it is the intention of the Senator from Delaware to support the President of the United States and to make that the shibboleth and test and standard of every man's action here, I will ask the honorable Senator to tell me, from his leading position as an old and honored member of the Foreign Relations Committee, what is the recommendation of the President of the United States?

Mr. GRAY. I would not have interrupted the Senator, but he seems to have asked me a question which, I suppose, he will not object to my answering.

Mr. DANIEL. I gave the honorable Senator repeated opportunities yesterday to answer.

Mr. GRAY. If the Senator does not wish me to answer, I shall not interrupt him.

Mr. DANIEL. I am entirely indifferent.

Mr. GRAY. If the Senator is indifferent, after he has asked me a question——

Mr. DANIEL. I did not mean that in any offensive sense.

Mr. GRAY. The Senator, I understood, said he supported not the President, but the country. I agree with him, that I support the country, and not the President qua President; but I should like to ask the honorable Senator from Virginia, if he will allow me, how he is going to support the country efficiently or effectively unless he supports the constituted authority of the country and recognizes him as the leader whom the will of 70,000,000 people placed in that position?

Mr. DANIEL. I wish to state to the Senator that I am myself one of the constituted authorities of this country.

Mr. GRAY. All right.

Mr. DANIEL. And one who was appointed here to make laws to govern the President.

Mr. GRAY. I will support the Senator from Virginia as one of the constituted authorities of this country when he is upholding the honor of the country.

Mr. DANIEL. I welcome the convert.

Mr. GRAY. Now, in respect to the other question, as to what the President of the United States has recommended, and the assertion, as I understood, of the Senator from Virginia that he had recommended nothing——

Mr. DANIEL. No; I did not say that he had recommended nothing.

Mr. GRAY. Let me call his attention——

Mr. DANIEL. I said there was no specific recommendation.

Mr. GRAY. I will read this and ask him whether it is specific. At the close or toward the close of his message he says:

The long trial has proved that the object for which Spain has waged the

war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

I recognize that as a specific recommendation.

Mr. DANIEL. Is that what the Senator is supporting here?

Mr. GRAY. I recognize that as a specific recommendation, which I am trying to carry out so far as my humble voice and single vote may do it.

Mr. DANIEL. I admit that my language was a little too broad. I had regarded that, perhaps, as a kind of general recommendation, and my language was not as clear as it should have been. I asked the honorable Senator yesterday twice whether or not the resolutions of which he is in part the author and of which he is a sponsor here are intended to carry out the recommendations of the President's message; and if not, wherein they differ with them. Will the Senator oblige me by an answer to that question?

Mr. GRAY. So far as I am concerned, I will say that the resolutions reported by the Committee on Foreign Relations were, if I understood the purposes of that committee aright, intended to carry out the President's recommendation.

Mr. DANIEL. Then this is the first time when the Senate has been so informed, and it seems to have taken a day's reflection to extort a plain and open answer from the Senator from Delaware. If that be true, if it be a fact that the resolutions offered upon this floor by the Foreign Relations Committee are in line with the President's message, if it be true as the answer of the Senator from Delaware implies, I wish here and now to inform the Senate, and I hope that every American in this country will hear the warning I give, that it is the purpose of those who offer and support the resolutions which are now before the Senate to send the American Army to Cuba for the purpose of turning their guns into the face of Maximo Gomez and of crushing the glorious revolution there. Am I right, and is such purpose in these resolutions?

Mr. GRAY. Mr. President, I would hang my head with shame if I believed that the Senator from Virginia were right. I believe he is absolutely and eternally wrong.

Mr. DANIEL. I am delighted to know it. I wish that the Senator had told us so yesterday.

Mr. GRAY. There was no occasion for my telling the Senator so yesterday, for it is the first time I have ever heard that suspicion announced.

Mr. DANIEL. I have not stated it as a suspicion.

Mr. GRAY. Then the Senator has stated it as more than a suspicion.

Mr. DANIEL. I do state it now as one of the recommendations of the President of the United States to this body, and when you place yourself and seek to place your colleagues in the attitude of voting for resolutions to support the President, and inform them that those resolutions do support the President, and undertake to chide me and others upon this floor——

Mr. GRAY. I have undertaken to chide no one. The Senator has undertaken to chide me.

Mr. DANIEL. Yes, sir; I am obliged to do it, with all respect.

Mr. GRAY. I can stand it.

Mr. DANIEL. Undoubtedly.

Mr. GRAY. I can.

Mr. DANIEL. When the Senator and those who agree with him say that they stand here to support the President without qualification and inform us that these resolutions are in line with the President's recommendation, and when I turn to the President's recommendation and when I see that he has recommended to this body that it turn over to him the Treasury and the Army of the United States in order that he may put hostile constraint upon Maximo Gomez and the Cuban patriots, I wish to ask the Senator from Delaware another question: Whether he is not glad that I have given him an opportunity to repudiate such conclusion?

Mr. GRAY. I am not glad, because no man with an American heart in his bosom, saving the Senator from Virginia, would ever have harbored the suspicion or made the insinuation or the direct charge of so base a motive against the President of the United States or any of his colleagues on this floor.

Mr. DANIEL. I will read to the honorable Senator the message of the President. I will show him that there are two men in the United States besides myself who entertain the same view of this message, and I will leave him this message to speak for itself.

As I intend to discuss the message, I am going to read the propositions of its leading thought. On page 8 will be found the repudiation by the President of any suggestion that he proposes a crusade of forcible annexation. He says:

That can not be thought of. That, by our code of morality, would be criminal aggression.

I read from page 1 as to the character of the revolution in Cuba:

Since the present revolution began, in February, 1895, this country has seen the fertile domain at our threshold ravaged by fire and sword in the course of a struggle unequaled in the history of the island and rarely paralleled as to the numbers of the combatants and the bitterness of the contest by any revolution of modern times where a dependent people striving to be free have been opposed by the power of the sovereign state.

I call the attention of my honorable colleagues, in passing, to the fact that here is a recognition of the magnitude and of the dignity of this great revolution, characterized as unparalleled in some respects in modern times or in the history of any dependent people striving to be free.

The next proposition, pages 10 and 11, is the one read to the Senate day before yesterday by the honorable Senator from Kentucky [Mr. LINDSAY], which shocked the Senator from Massachusetts, who would not believe it was there until it was read to him. I will read it:

The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring States have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds.

Now let the Senator from Delaware read the next two lines:

It involves, however, hostile constraint upon both the parties to the contest—

What for?—

as well to enforce a truce as to guide the eventual settlement.

Mr. President, the English language, the youngest language spoken by the sons of men, based upon the blunt and terse Anglo-Saxon speech, is a language that is capable of expressing the truth in such terms that he who runs may read. Vattel tells us that things which are so plain as not to need construction should not be construed. That language is so plain to my mind that it does not need construction. I am astonished that any man should intimate a doubt as to what it means, for no doubt inheres in it and no doubt lurks over it. It tells what it means. The President of the United States has, as I repeat, asked the Congress of the United States to turn over to him the Army of the United States, for what purpose? Let him answer—to exercise "hostile constraint;" hostile.

What does hostile mean? When arms are employed by a hostile force it means that the party against whom they are employed is a public enemy. It is only a public enemy of the United States against whom any American soldier can direct his weapon. When the President said "hostile" I take it that he had a common knowledge of the English language. If he had been a Spaniard I would have supposed that in using the word "hostile" he meant "friendly." If he had been a Spaniard and had used the word "friendly" I would have supposed that he meant "hostile," and I would have armed myself accordingly.

I take it, sir, that the President of the United States meant hostile in that message; and if the honorable Senator from Delaware is advised of any dictionary that gives any other interpretation, or if he can give me any suggestion by which I can attribute to it any other meaning, I will accept the suggestion with joy. If he does not give me that suggestion I shall take it that the President understands, as I understand, that hostility means enmity, and that he, when he proposed to exercise hostile constraint, proposed to put the hand of inimical power upon the man against whom he directed the blow.

Upon whom did he propose to put that hostile hand? Sir, did he propose to go as the chieftain of a free people whose Declaration of Independence and whose assertion of human right has been the model for the world and lay the hand of power upon Blanco? No; upon both parties, the oppressed and the oppressor, the victim and his wrongdoer. For what purpose? To enforce by arms, what? A truce.

Now, then, let there be no misunderstanding between myself and the honorable Senator from Delaware. He knows that I entertain for him unaffected respect. I cherish the hope that he entertains the same for me. I appreciate and I value his friendship. His patriotism needs no proclamation by himself. I would only dishonor myself if I questioned it.

But I ask him in the candor of this solemn hour to tell me if he does not understand that if that recommendation can be carried out under these resolutions the Army of the United States is to be taken by that plain chart to the Island of Cuba to impose its hostile hand upon Spain and upon Cuba alike, and by that hostile hand to require and to enforce that the bronzed warriors of Gomez shall ground their arms; and if they do not ground them, and the command shall be given that they must, will any vain sophist stand here to tell me—will any word quibbler attempt to deceive the people of the United States by the suggestion that,

with the order of the Commander in Chief to them under that chart, it is their duty to deliver the fire from the muskets of the United States into the bosoms of the Cuban patriots and compel them in the name of this great free Government to lay down their arms?

Gentlemen, we are not speaking Spanish in this body. I thank God we have gotten out in the fresh air and in the glad sunshine of a free country where men do not look each other in the face and stab their brothers under the fifth rib.

I have used no invective. I shall use none. I shall pronounce no criticism. But I do say it is a fact in the light of day that the President of the United States has invoked the Congress of the United States to give to him the war power to send the ships of the United States and the armies of the United States over to the Island of Cuba and compel Gomez and his gallant band to lay down their arms. Does the Senator from Delaware wonder that I am suspicious? Let him tell me if he does not think that I am right in my construction of those words.

Mr. GRAY. I do not.

Mr. DANIEL. Great is the mystery of judicial interpretation; greater is the mystery of political interpretation; but the greatness of the mystery of diplomatic interpretation is so enormous that to me it is entirely incomprehensible. I say that that is the true interpretation. I say that no man has denied that that is the true interpretation. I say that no other possible interpretation can be put upon it, and I say that because of that interpretation I will not vote, and I hope no Senator will vote, for any resolution to carry out any such policy or for any policy that does not clearly and expressly close out the possibility of this suggestion.

Mr. President, I am neither by nature nor by any cultivated art a fault-finder. I am no severe judge of my fellow-men. If I have misread plain English it is because I do not understand the simplest words of the English tongue. May I be permitted, sir, to read an editorial from one of the great journals of this country, to show at least that there are some other minds that regard this matter as I do? It is headed "Neutral intervention impossible." It is from the New York Sun of April 13, 1898:

The prominence which the President's message gives to the discussion of intervention "as an impartial neutral by imposing a rational compromise between the contestants" indicates a preference on the part of Mr. McKinley for that method of dealing with the situation in Cuba.

A very little consideration will suffice to show that neutral intervention of the kind thus proposed is simply impossible.

It would involve, as the President himself concedes, "hostile constraint upon both the parties to the contest, as well to enforce a truce as to guide the eventual settlement."

Now, then, the Senator suggested—I did not catch, in the haste of his expression, the perfectly full import of his words—that I was the only man in the United States who could entertain such opinion in regard to the import of this measure. Here is one of them.

Mr. GRAY. There are two there.

Mr. DANIEL. He proceeds:

Are we prepared to send an armed force into Cuba which shall assume an attitude of hostility toward the insurgents as well as toward their Spanish oppressors? Do we desire to assume the functions of a military police, standing indifferent between the conflicting parties on the island? If we undertook to play such a part, is it not plain that we should incur the deadly hatred of both combatants and be unable to impose our will upon either without an enormous sacrifice of blood and treasure? An American army in Cuba, standing between Spanish foes on the one hand and Cuban foes on the other, would not be in a pleasant position.

No; we are without reason for interfering in Cuba at all unless we go there as friendly to Cuba and correspondingly unfriendly to her Spanish oppressors. It is as the active ally of the insurgents that we should intervene and with their cooperation sweep the Spaniards out of the island, which they possess only to wrong. Once do away with Spanish misrule and the future of Cuba will take care of itself.

Mr. President, I can not recognize that I stand in the solitude of my own originality in the suggestion which I have made. On the contrary, I believe the Senator from Delaware to be the only man in the United States who would undertake to say that hostile constraint at the point of a musket against a person recognized thus as a public enemy did not mean turning our arms against him.

I have been reading the papers of this country during the last week with intense and eager interest. I could pile Pelion upon Ossa, I could bring a cloud of witnesses from the skilled minds that guide the pens of the press of the United States to testify not only that they think so, but that this is the only true interpretation of this document. I have but one in my hand. It is from the Norfolk Pilot and Virginian, of Virginia.

It is, in effect—

Says he, in speaking of this portion of the President's message—

a proclamation of unruptured amity with Spain and a declaration of war against the Cuban Republic and the Cuban patriots. It takes strong ground against recognizing either the independence or the belligerency of the Cubans, and it favors an armistice equivalent to the submission of the revolutionists to Spain. Under it the revolution is to cease, at least temporarily, upon conditions and for a time to be dictated by Spain, and the message asks for power and forces to compel the cessation of hostilities at his discretion, which, taken in connection with his previous attitude against the Cubans with respect to belligerency, may mean war on Gomez unless he submits to Spain under the plausible demand of an armistice.

Mr. President, I must be pardoned for reading newspapers in the Senate. I must say, however, that the press of this country is the only source of full and authentic information or of any full information that either the Senate or the people can look to. A few days ago a message of the President was laid upon our tables, confiding to us the solution of this issue. That message bore testimony of wrong and of complicated diplomatic negotiations. Was the correspondence between this country and Spain laid upon our tables with the message? Were we made competent by being taken into the confidence of the President to judge of all the circumstances of the case with the same enlightenment that he possessed?

I ask a further question, Mr. President. The intelligent public of the United States are called upon to expend their treasure and to send their sons and brothers down to meet grim war. Are they not entitled to know in full the causes of that war and to judge for themselves, upon a full, candid, open, and unconcealed statement of the facts, as to whether or not their representatives shall say peace or war?

Mr. President, I shall read further from a recent issue of the New York Sun, which is an admitted Administration journal and one disposed to look upon this whole question with candid thought. If honorable Senators will follow me in my relation of the attitude which this country occupies according to that message, there is no Senator here who will not hesitate to vote for the resolutions which it is claimed by the Senator from Delaware are responsive to it.

Not more than the Senator from Delaware was I born without any suspicion in my blood. But a man who has read the history of our diplomacy with Spain and who yet remains without suspicion in his mind deserves to be commemorated forever as the greatest of all "innocents abroad." He should have his picture put as the frontispiece for a new edition of the work of Mark Twain, and, sir, he is the last man on earth whom the United States of America should intrust to conduct the great issues of peace or war at the present juncture.

We are told in the message of the President, in a postscript, that General Blanco had issued a decree for an armistice, as it is called. It could only have meant for the cessation of hostilities upon the part of Spain, and the President recommended to us to reflect over that fact. I have reflected over that fact a great deal, and my reflections over that fact have led me to the calm and deliberate conclusion that it is only a part of the stage furniture in a spectacular diplomatic play intended to mislead the public and to leave the Cuban army as the only armed enemy upon whom the United States could exercise its hostile constraint, to enforce its truce, and to guide the settlement.

We had from the Washington Post day before yesterday an explanation of the inscrutable policy which has dominated recent political negotiations in this country. As I have no official copies of that correspondence here, as it has not pleased the President of the United States to let his countrymen see the hand that he has played, I must take this as the best source of my information.

It became known yesterday—

Says the Washington Post—

It became known yesterday why independence was omitted from the message. When President McKinley first made his propositions to the Spanish Government, he announced that the war must cease in Cuba and an independent government be established.

That information in the Post is consistent with the general public acceptation of the history of the fact and with such information as oozed into Congress about it. But the sequel was not so well known.

This dispatch—

Says the Post—

was changed by Attorney-General Griggs to read "stable government," which, it was claimed, was the diplomatic phrase for the independence desired. When Minister Woodford submitted that dispatch to the Spanish prime minister, he was asked if "stable government" meant independent government, and at once replied in the negative, assuring Señor Sagasta that the United States looked only to a system of self-government like the Canadians enjoy.

Afterwards, believing that he might have made a mistake, Mr. Woodford cabled the President as to the intention of this Government, and was promptly informed that the word "stable" must be interpreted "independent." As all suggestions for independence had caused much indignation and resistance on the part of the Spanish Government, Minister Woodford feared to make his demand, and, as a matter of fact, the ultimatum for independence was never officially laid before Spain, Mr. Woodford believing that it would be a constant irritation and menace in what might follow. He repeatedly suggested it to Señor Sagasta in private—

In private—

as being the view of the President, but as it had never been submitted in writing the President had to omit it from the message. This is the explanation semiofficially made of the President's position.

I did not know until I came to consider the Spanish case that we had two English languages. I am getting myself into difficulties every day from my old-fashioned conviction that we had but one. I have to learn now from the accomplished diplomat who represents the United States of America at the Spanish court that "independent" means "stable." I have already received a

suggestion this morning that the word "hostile" means "friendly;" and we shall no doubt hear before we get through that "constraint" means "persuasion," that "truce" means "war," and that "armistice" means "rebellion." I confess, with these diplomatic papers around me, I am often led to wonder if indeed "white" does not mean black and if "light" does not mean darkness.

Mr. President, I am reading these documents in order to try to get the Senate of the United States to realize the exact position that the United States of America occupies to-day in the fair and just contemplation of Spain, and the position that she will further occupy when in the course of events all of these facts shall be known to the enlightenment and to the sense of public justice of the world.

It would appear from the President's message, interpreted in the light of these facts that we have gotten from the newspapers, that the United States is called upon to make war upon a country which has yielded to every demand which he has yet made, though it may be disclaimed to have been done at our behest.

It would appear, if this contemporaneous newspaper history be correct, that Spain has done everything that our Commander in Chief has asked of her, and that it is at the end of full compliance with everything that the diplomatic department of this Government has requested that in the name of the President, and by the followers of the President, and by those who seek to carry out his policy, the Army of the United States is to be sent to Cuba upon some rather vague and undefined mission—"Now you see it and now you don't see it." With Spain compliant, who would be in Cuba to exercise "hostile constraint" upon but the Cuban Republic and its adherents?

I demand, Mr. President, as an American Senator, to know the purpose of the action contemplated. I want that purpose clearly defined; and I will vote for no resolution until I know what that resolution means.

Mr. GRAY. Mr. President, may I ask the Senator a question?

The VICE-PRESIDENT. Does the Senator from Virginia yield to the Senator from Delaware?

Mr. DANIEL. Yes, sir.

Mr. GRAY. If the Senator considers it an improper question—I do not know but I may be trespassing upon him——

Mr. MASON. We can not hear the Senator.

Mr. GRAY. I say if it is an improper question, the Senator will not give offense to me by declining to answer. I ask whether in committee he did not vote for the resolutions that were reported by the committee?

Mr. DANIEL. I did not, except with this reservation——

Mr. GRAY. Oh!

Mr. DANIEL. Except with a clear and candid reservation; and, further, it is not usual to ask gentlemen as to their course in committee; but I give the Senator carte blanche as to myself.

Mr. GRAY. The Senator will do me the justice to say that I distinctly said when I asked the question that if he had the slightest objection to answering it, or if there was any impropriety in putting it, I should take no offense at his declining to answer.

Mr. DANIEL. The Senator has carte blanche to ask me any question.

Mr. GRAY. Then the Senator did vote for the resolution, but did it with a reservation?

Mr. DANIEL. I stated exactly what was the fact——

Mr. GRAY. I only want to get the Senator's language correctly.

Mr. DANIEL. That these resolutions were reported with a reservation on my part to support the minority report, which was laid upon the table side by side with them.

Mr. GRAY. But you did vote for the resolutions?

Mr. DANIEL. And, if the Senator will allow me, I said in committee that under no circumstances would I vote for the resolutions as they were unless as a last desperate resort to get this country to do anything. That is my exact language.

Mr. GRAY. But you said you would vote for them as a last resort.

Mr. DANIEL. I said exactly what I have said.

Mr. GRAY. I want it understood.

Mr. DANIEL. It will be thoroughly understood, sir. I do not speak Spanish.

Mr. President, I shall read this further from the New York Sun:

HAVANA, *April 11, 1898.*

The proclamation issued yesterday by General Blanco ordering hostilities to be suspended, but without giving any further instructions to the Spanish army, and announcing in vague terms that such instructions would be forthcoming later, has caused a great deal of comment and many protests among Spaniards and Cubans alike. Nobody wants an armistice here—

That is, Havana—

from the most rabid Spaniard to the most platonic sympathizer with the revolution.

General Blanco himself was forced by Señor Sagasta to issue the proclamation. When the Captain-General received the first order from Madrid he felt indignant, and openly declared that it was a disgraceful measure for the Government to take and a disgrace inflicted upon the Spanish army. He cabled his protest to Spain, and tendered his resignation if the Government insisted that he should sign the decree. But the wily Sagasta soon replied to him that the proclamation was really a great triumph for Spanish diplomacy, because the Government had already been informed that President McKinley's message was in favor of armed and neutral intervention in Cuba, and, taking that step, Spain would put him in a hole, for if the Spanish army ceased fighting the insurgents would be considered the only party responsible for the situation.

Señor Sagasta hoped that the European powers would then force the United States to keep hands off and give Spain another chance to win. General Blanco was convinced by this remarkable logic. He explained to the officials whom he summoned to the palace that the whole thing was a clever trick. Señor Galvez, president of the autonomist cabinet, and all the members of the cabinet indorsed these views, and President McKinley, General Woodford, and the whole American people were derided and fun was poked at them as the dupes of Spanish acuteness.

Are we sure, Mr. President, that we are not such dupes?

The decree was issued, and it was purposely framed in obscure terms so as to make it impossible of execution as a military measure.

Then it adds:

The Spaniards here believe that the only intention of the Americans is the conquest of Cuba. From their point of view this is a conquered land, its inhabitants are slaves, Cuba is the property of Spain, no matter what degree of autonomy is granted to her, and foreign intervention, therefore, can only be inspired by similar selfish motives.

Now, Mr. President, I wish this question of the cessation of hostilities in Cuba to be distinctly understood. The President tells us in the body of his message:

To this end I submitted, on the 27th ultimo, as a result of much representation and correspondence, through the United States minister at Madrid, propositions to the Spanish Government looking to an armistice until October 1 for the negotiation of peace with the good offices of the President.

That is to Spain. On March 27, Mr. President, all was known about the U. S. S. *Maine* that we know now. On the 27th of March the proposition of this Government was, "stop fighting," with our good offices tendered to Spain. In addition, he asked "the immediate revocation of the order of reconcentration." What is the reply?

The reply of the Spanish cabinet was received on the night of the 31st ultimo. It offered, as the means to bring about peace in Cuba, to confide the preparation thereof to the insular parliament, inasmuch as the concurrence of that body would be necessary to reach a final result, it being, however, understood that the powers reserved by the constitution to the Central Government are not lessened or diminished. As the Cuban parliament does not meet until the 4th of May next, the Spanish Government would not object, for its part, to accept at once a suspension of hostilities if asked for by the insurgents from the general in chief, to whom it would pertain, in such case, to determine the duration and conditions of the armistice.

It was there, Mr. President, that our negotiations with Spain, according to the President of the United States, were concluded. "With this last overture in the direction of immediate peace and its disappointing reception by Spain" the President tells us he was "brought to the end of his effort."

On last Wednesday, the 6th of April, the message of the President would have been delivered to Congress but for causes that postponed it until April 11. While it thus hung in suspense many and powerful influences were at work to change the situation and to prevent the impending rupture. The President added a postscript to his message, saying:

Yesterday, and since the preparation of the foregoing message, official information was received by me that the latest decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not yet been communicated to me.

He says:

This fact, with every other pertinent consideration, will, I am sure, have your just and careful attention in the solemn deliberations upon which you are about to enter. If this measure attains a successful result, then our aspirations as a Christian, peace-loving people will be realized. If it fails it will be only another justification for our contemplated action.

I will now read the proclamation of General Blanco as given to us through the public channels of communication. It is as follows:

His Majesty's Government, yielding to the reiterated wish expressed by His Holiness the Pope, has been pleased to decree a suspension of hostilities, with the object of preparing and facilitating the restoration of peace on this island, in virtue whereof I believe it convenient to order:

Article 1. From the day following the receipt in each locality of the present proclamation hostilities are ordered to be suspended in all the territory of the Island of Cuba.

The details for the execution of the above article will be the object of special instructions that will be communicated to the several commanders in chief of the army corps for the easy and prompt execution, according to the situation and circumstances of the case.

BLANCO.

It will thus appear, Mr. President, that the cessation of hostilities in Cuba was refused by Spain when requested with the tender of the good offices of the United States and was granted by her when requested by His Holiness the Pope. It will also appear that these terms and conditions are obscured by the reference of its details of execution to the unpublished and to us unknown special instructions to the corps commanders of the Spanish army in Cuba; and our knowledge of Spanish diplomacy is sufficient to fix a suspicion in our minds that there are many strings tied to the so-called armistice, as we have always found them tied to the ancient and weather-worn pretext of autonomy for Cuba.

Suffice it to say that this alleged armistice imposes no obligation

or duty upon us. It is no more than a scenic play before an impatient world, a dilatory plea put in at the eleventh hour—aye, upon the stroke of 12. We know that there can be no armistice in Cuba and that Spain has no power to grant or to enforce it. An armistice implies the consent of the republican forces under Gomez, their commander in chief, and that such consent will never be given has been proclaimed and is a foregone conclusion.

We should bear in mind also, Mr. President, these facts in summing up our conclusion: That Cuba is upon the eve of the rainy season. Spain would delight in any excuse for not fighting at a time when the republicans would find the opportunity to do their most effective work. We should not overlook another possible object on the part of Spain, suggested by a paragraph in the New York World of the 12th instant, which holds up its warning finger as follows:

> The object of the alleged "cessation of hostilities" in Cuba is quite innocently revealed by the Imparcial, of Madrid. It says it is to afford time "for the submission of the rebels and the concentration of our naval forces in Cuban waters." How do these reasons—particularly the last one—strike the Congress of the United States?

How do these reasons, and particularly the last one, strike the Congress of the United States? Then, Mr. President, in this situation, with Spain upon the eve of the rainy season, having exhausted the power of 237,000 men to conquer the Cuban revolution; when the hour has arrived most favorable to revolutionary success and most disparaging to Spain; at a time when she wants delay as to them on account of the climate; at a time when she wants delay as to us in order to tow her dilatory fleet across the waters and plant them at Havana Harbor, the Congress of the United States is summoned to turn over the Army of the United States to the President to go and enforce an armistice between two parties, one of which has already stacked its arms, and the situation in such a condition that when the Army arrives in Cuba, if Maximo Gomez still carries the Cuban flag, he will be the only person under the dictates of that message against whom the powerful Army and Navy of the United States would be directed to secure "enforced pacification."

I knew that the honorable Senator from Delaware would repudiate such an intention; I know that the whole Senate of the United States will utterly repudiate such an intention. In the name of Virginia and of all her people I do repudiate such an intention, and for one I say I will stay here as long as physical power permits until some resolution has solved the suggestion in that Presidential message, and until I do know, not think, there is no purpose anywhere to turn the armies of the United States against the gallant revolutionists in the Island of Cuba, who deserve our sympathy and who should now have our full support against our common enemy, Spain.

Mr. President, the recognition of the independence of the Cuban Republic will solve these difficulties. It would drop the chemical clarifier into these muddy diplomatic waters; it would define a status which nowhere in this correspondence and nowhere in these resolutions has any definition; it will take us out of the wilderness and plant us upon firm and stable international ground.

It is not only now the right, it is the solemn duty of the United States to recognize the Republic of Cuba. If we were to do nothing else, that is the one primary, germinal, and principal thing for us to do.

The people of Cuba have got to-day a firm, fixed, and stable government, according to the meaning of those terms as used in international law. To be the possessor of a firm, fixed, and stable government does not imply that all difficulties as to the future of that country are removed, that all the cobwebs have been brushed from its horizon, that commotion and revolution may not attend its future fate, as they have attended, and as they ever must attend, the history of all nations.

What is meant by a firm, fixed, and stable government in the sense of international law is a government worked out by the spontaneous genius of a people to such degree as it has manifested to the world that it has come to stay and that it can stay. I need no better evidence than that which is given us by the President of the United States himself of this fact. He tells us in that message, Mr. President, that Spain is a failure in Cuba. After telling us of the unparalleled character of this revolution in Cuba, he tells us that—

> The long trial has proved that the object for which Spain has waged the war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba.

I will take the facts as he gives them to me, and I will deduce my own conclusion, that is, that Spain has utterly failed. That is communicated to us as an international fact by the chief officer of this Government, whose peculiar duty it is to ascertain such facts and to promulgate them to the world.

Mr. President, the natural, the inevitable, the just sequence of such a fact is the recognition of the nation of whom it is the predicate, and, if understood correctly, the customary conduct of this country in similar cases, the enunciations of the authorities of international law, the practices of the Presidents of the United States, the right and duty of Congress—I say that the enunciation of that fact is the enunciation of a fundamental principle upon which nations acquire their right to be welcomed into the society of states.

I can find nothing, Mr. President, in the sentences quoted by the President from General Grant, or from General Jackson, or from anyone else to militate effectively against my assertion. I can not find a corroboration of the President's view in any of his citations. President Jackson placed the policy of his nonaction with reference to recognizing the independence of Texas as against Mexico on "the prudent reserve" which had hitherto characterized our foreign policy, a reserve and a prudence which we no longer cherish, if the President is correct, with respect to Spain, and which become inapplicable at a point where he has determined upon aggressive action or armed intervention.

With respect to the principle actuating him, President Jackson, as quoted by President McKinley, said:

> In the contest between Spain and the revolted colonies we stood aloof, and waited not only until the ability of the new States to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, were they recognized.

The conditions which to-day exist, the conditions which are set forth and stated in the resolutions which have been brought here by the majority of the committee, are conditions which fit themselves as hand and glove to the principles which Jackson enunciated. The Republic of Cuba has protected itself for three years by a steady heroism, a tried patriotism, which have won the independence of the people which we recognize in the resolution without recognizing its creator.

I might well say to the gentlemen who are supporting the resolutions offered by the committee, You assert as a fact and proclaim and enunciate it to the world that the people of Cuba are free and independent. I ask you, Senators, if you tell the truth in that assertion, and are going to send your Army and Navy to support that truth, who made them free and independent? You justly disclaim any participation in bringing it about yourselves.

Your committee tells you that your prior policy toward the Cubans has been such as to assist Spain. You have thus announced to the world that notwithstanding the cold shoulder you have given to the Cubans up to this hour, notwithstanding your navies have done police duty upon the waters for Spain, notwithstanding you have refused to recognize in them anything you could hear or see or feel in an international sense, despite Spain and despite you, they "are" now and "of right ought to be free and independent;" and yet while proclaiming this momentous fact to the world, while telling us that independence is there and that freedom is there, the creature of the Cuban people, you are so possessed with the facing-two-ways policy which has possessed everything upon the Spanish question that you tell us in the next breath you will not recognize the heroic army and the brave government which have brought that condition to pass in your face and in the face of Spain. Oh, most lame and impotent conclusion! To follow it into action is to hold this Government up to the ridicule of the world.

The danger of Cuba being again subjugated by Spain—the one that held General Jackson back according to the President's quotation—is already refuted by the President's message, if we may rely upon his statement that the long trial has proved that Spain can not conquer it or subjugate it again; and if it had not been refuted and borne down by the fact to which the President is himself the witness, the danger of Cuban subjugation by Spain will be removed for time and for eternity by the very act we are called upon to perform and which we are told should stop—lame, halt, blind, and trembling—upon its own deliverance, on the idea that Spain may resubjugate Cuba after the United States has intervened for its protection.

To such a pass of sophistical illusions and complicated contradictions have we been brought by a double-faced, forked-tongued policy, which is forever trying to ride on both sides of the sapling and which will ultimately have to be tied upon a horse to enable it to ride at all.

The President and the country must be relieved of this inane condition. He should have the millstone which was apparently hung upon his neck by the last Administration taken off of it. Between certain Presidents and the Queen Regent, Sagasta and certain diplomatists, with reminiscences of old-time statecraft in the days of the Virginius in the background, who can wonder that this Administration should "toil in immeasurable sand" and at last construe "stable" and "independent" as synonymous terms and see no difference between the Spanish army and the republican patriots in Cuba?

Andrew Jackson was not so scholastic as that, and of him and Grant alike, I am proud to say, that neither of them ever proposed to take the Army of the United States into a neighboring

state to crush down the spirit of a heroic people struggling to imitate the example of our fathers when they proclaimed that we are and of right ought to be free and independent. God forbid that the august name of Andrew Jackson should ever be taken to suppress the aspirations and to trample upon the rights of a free people.

Mr. President, there is no doubt of the right of the President now to recognize the Republic of Cuba, and there is no doubt of our own right in conjunction with the coordinate executive branch of the Government. I am not one of those Senators who is constantly trying to destroy the prerogatives of the honorable body of which I am a member. I would not extend them an inch or an ell beyond their constitutional limitations, but the powers given to the Senate by the Constitution are powers which it is our duty to defend. It is a part of the prerogative of a free state that its legislative body should make the fundamental laws for the regulation of both its foreign and its domestic affairs.

The whole question of the power of recognition is summed up in a few sentences of the report of Henry Clay, formerly a member of the Committee on Foreign Relations of the Senate, which is in the language I will read. It is dated June 18, 1836:

> The recognition of Texas as an independent power may be made by the United States in various ways. First, by treaty.
>
> Will any man question that?
>
> Second, by the passage of a law regulating commercial intercourse between the two powers.
>
> Will anyone question that?
>
> Third, by sending a diplomatic agent to Texas with the usual credentials.
>
> Will anyone question that?
>
> Lastly, by the Executive receiving and accrediting a diplomatic representative from Texas, which would be a recognition as far as the Executive only is competent to make it. In the first and third modes the concurrence of the Senate in its executive character would be necessary, and in the second in its legislative character. The Senate alone, without the cooperation of some other branch of the Government, is not competent to recognize the existence of any power.

Mr. President, there are three sources under our Government thus depicted with a pencil of light from which recognition may be derived. The one is through the action of the Executive in an appropriate case presented to him. The second is in the action of the Executive and the Senate by treaty in an appropriate case presented to them. The third is by vote of the Senate and House of Representatives under the veto power of the Executive and under the constitutional prerogative to pass laws. We invoke the most august of all these powers to recognize the independence of the Republic of Cuba. It is the Senate and the House and the Executive acting as one.

Not only will the recognition of the Cuban Republic clarify a muddy situation. It ought to be predicated, however, upon the germinal, bed-rock ground of right. If they are a free and independent state, that state must have the inalienable right to determine its own form of government; and the determination by a free and independent people of who their executive is and of who their authority is is a conclusive determination binding by international law upon all other governments in the world. Would we permit in this country any nation on the earth to determine who were our Congress and who our President? When the nations of the earth recognized either the people in their scattered and individual capacity or the nation in its unity or the country in its integrity as free and independent, the rest went as matter of logical and necessary consequence. I would say that it went to-day as a matter of logical and necessary consequence if I did not see the strange spectacle on this floor of men proclaiming the one and stating doctrines in the same resolution or in speeches in support of it which imply the other.

Mr. President, I believe that the recognition of the Cuban Republic is at this juncture necessary and expedient to the United States as a peace measure and as a war measure. If the army of Gomez and the people whose homes and firesides have furnished it are made at once the comrades in arms, the friends, the allies, the recognized freemen like those of the United States, they will owe to us an everlasting obligation. But if we should turn to them the cold shoulder now, will we not inspire them with suspicion? They are a suspicious people. They could not have lived under Spanish dominion and been intelligent and not suspicious. They have been fooled and betrayed for many years by Spain. They have not been accustomed to deal with manly, upright, straightforward, and candid folk who said "enemy" when they meant enemy and said "friend" when they meant friend; and if, after all of our professions which have gone to them upon the voice of the winds from the firesides of the United States, they should see that when the supreme moment came we voted down the recognition of the republic which had been copied in part from us, that we rebuked the ideas of independence through Presidential message and through Congressional speech, will they not feel and justly feel that they have grounds to suspect their alleged new-found friends?

As a matter of war, recognition is essential. If an American army should go to Cuba, Gomez will be ready to welcome them, and there will be no American soldier who would not be pleased to coordinate with him in campaigns and to receive his suggestions with respect to them. The distinguished consul-general of the United States, who has so ably performed his part in Cuba as to win golden opinions from all sorts of people, has testified before our committee, and he testified as a soldier educated at West Point, a man of large experience, who has taken part in Indian wars upon the Western plains and who was major-general of cavalry in the Army of Northern Virginia. He said that Gomez has taken the only method to beat Spain which an accomplished and able general could have taken; and are we to say at the very moment when we need his services, at the very moment when he has reached the point of recognition, at the very moment when you are asking the United States to go with him and fight the same enemy, that you will turn the cold shoulder to the general in chief, whose cause is at last the groundwork of your whole action?

Mr. President, we should recognize the Republic of Cuba to avoid international complications, fiscal, diplomatic, and diverging in all directions. I will not say that I am of opinion that the honorable Senator from Ohio [Mr. FORAKER] or the honorable Senator from Indiana [Mr. TURPIE] or the honorable Senator from Kentucky [Mr. LINDSAY] is correct in stating as a fact that if the United States should go to Cuba without recognizing the republic it would thereby and thereupon make itself liable for any part of the Spanish obligations which have entailed upon Cuba a mortgage of some kind or other as collateral security.

Mr. TURPIE. I think all that has been stated is that it would make the question open as to whether we were liable.

Mr. DANIEL. I accept with pleasure the suggestion of my able friend the Senator from Indiana, who measures his words, and whom I would not quote in any respect incorrectly. I agree with him fully. It would leave a question in our path which might be the source of much international trouble. I believe that the correct doctrine is that a war for independence waged by Cuba, or a war made necessary on the part of the United States for its own peace and safety, would not in any event which is likely to happen entail upon the United States any responsibility for any part of either the Cuban or Spanish debt.

At the same time I can not blind my eyes either to the thoughts or to the plans and schemes of other people. I do know as well as I know anything of which I have no physical demonstration that there are those who fancy that the United States will make itself liable, by pursuing the course recommended in these resolutions, for a whole or a part of the Cuban debt imposed on her by Spain. I say, sir, it is the part of prudence, of forehandedness, of foresight to avoid every question that can be anticipated and to solve every difficulty that may be presented at the first moment when it is realized to exist; and that in order to avoid this complication, in order to silence the suggestion of such a question, in order to destroy the germs of what may become a very fatal financial disease, I would here and now recognize the Cuban Republic as a free and independent nation, and let her profile stand out against the sky separate from the domination or the establishment of the United States.

I will state here that when the United States absolved its allegiance from Great Britain there was no public creditor in the world who came to the United States and insisted that he had any equitable claim against us to pay a part of the British debt. When Alsace and Lorraine were taken from France by the sword of Germany, Germany never recognized that by tearing away those provinces from the Crown of France it had devolved upon itself any obligation or duty to pay any part of the debt of France. While these facts are true, there are peculiar circumstances and conditions in this case which have led many of the wisest and ablest lawyers and most patriotic members of this body to foresee a difficulty there. It is a part of wisdom to be forearmed, and I agree with my honorable friend the Senator from Indiana, who spoke so powerfully upon this question yesterday, that the true way to avoid that difficulty is to recognize the Cuban Republic here and now.

Mr. STEWART. Will the Senator from Virginia allow me one word at this point?

Mr. DANIEL. Certainly.

Mr. STEWART. The position taken by the authorities, which seem to me to be the strongest, is that if the country is divided both sections are responsible for the debt. Some authorities say for the entire debt, others pro rata; that is, when the country is divided. It is not contended that the United States will in any way become responsible for the debt unless we take the country. The question might then arise, and has frequently in such cases. But we do not propose to take the country, and consequently that question would not arise, so far as the liability of the United States is concerned.

But the liability of Cuba is a very different question. If Cuba was divided off from Spain under most ordinary conditions, she would still be liable for the debt. The way a debt can be got rid

of, the authorities say, and the only way to destroy the claim, is by insurrection, and successful insurrection, the establishment of a new government. The revolution starts things anew. That is what the authorities say.

Now, the case the Senator from Virginia speaks of, the taking of Alsace-Lorraine by Germany from France, was settled by treaty.

Mr. DANIEL. I hope the Senator will wait until I get through to make his speech. I do not wish now to discuss in full these questions, but I wish to say that, whether these resolutions or any other resolutions are passed, I believe it to be the patriotic duty of Senators of the United States and Representatives in Congress to refuse to recognize that there is any condition which could impose upon this country a moral, legal, or equitable obligation to pay any part of the Spanish or Cuban debt.

I am somewhat familiar with the doctrines which have been advanced by the honorable Senator from Nevada and others, for I come from a State, the only State of the American Republic, which was divided by the hand of war, and have often gone over the international and judicial views; but I do not think that that question has any place in this debate except for the purpose of forewarning members of the danger that lurks in a recommended policy and of giving them the opportunity pointed out by the Senator from Ohio, the Senator from Kentucky, and the Senator from Indiana to preclude that danger at the beginning by so clear and so straightforward a course as would utterly destroy it.

Mr. President, with a few more words I shall leave this matter in the hands of the Senate, so far as I am concerned. The Senator from Massachusetts [Mr. HOAR] seized hold of a paragraph of the very able and powerful speech of the Senator from Ohio [Mr. FORAKER] to minify the character of the Cuban revolution. I have been associated with the honorable Senator from Ohio in listening to the witnesses who have testified upon this subject, and his remarks as to there being 400,000 of the population of Cuba supporting the revolution can be only fairly understood when it is applied to the particular matter to which his mind adverted—the population of certain states is undivided, not intending to comprehend the whole force which rests back of Masó and Gomez. It is a fact that the Cuban revolution comprehends the whole Cuban people, and there has been sitting near the Senator from Massachusetts an eyewitness, a judicious observer, a reliable and honored Senator, who has been upon the ground and who gives us this conclusive evidence.

I read from the well-known speech of the Senator from Vermont [Mr. PROCTOR] made in this body. Here is what he says on the Cuban situation:

> The dividing lines between parties are the most straight and clear-cut that have ever come to my knowledge. The division in our war was by no means so clearly defined. It is Cuban against Spaniard. It is practically the entire Cuban population on one side and the Spanish army and Spanish citizens on the other.

I will associate with that testimony the published evidence of the consul-general of the United States who is fresh from Cuba. Within the present week he has testified before the Committee on Foreign Relations that practically the whole population of Cuba are supporters of the government there, and if there was a Cuban who was not, that he did not know it.

Now, Mr. President, who are the people of the Island of Cuba? Cuba contains about 1,500,000 or 1,600,000 of population. Three hundred thousand, according to the best estimates we have, are Spanish and foreign born. From 1,100,000 to 1,200,000 are Cubans to the manner born. So, according to the best evidence that this case admits of, according to the official testimony that has been laid before you, you are here to-day considering the status of a young nation. Four-fifths of that nation stand solid to the Cuban cause, the natives sprung from that soil, and there are none against them upon that island save one-fifth of the population, superimposed upon them by the arms of Spain.

What cause is it, Mr. President, that this solid, unanimous, native-born population of Cuba stands for? It is for a cause well known in English history. It is a cause which has made the most glorious character and evolved the most glorious principles of Anglo-Saxon freedom and independence. It is the cause for which the brave English people, tied to the traditions of monarchy and loving their sovereign, followed the Ironsides of Cromwell, drove out the Parliament, and laid the head of Charles, the King, upon the block.

It is the cause of just taxation. It is the cause, Mr. President, which made America a free and independent Republic. It is the cause which threw the tea into Boston Harbor. It is the cause that makes the name of Concord and Lexington ring throughout the world. It is a cause which for the time being died on the brow of Bunker Hill when Warren fell, but which will live forever on Bunker Hill and through all America as long as American hearts are true to the proud and germinal traditions of the English-speaking race.

It is the cause for which the august Chief Justice, John Marshall, of the United States fleshed his maiden sword at the Great Bridge near Norfolk. It is the cause for which James Monroe bled in the streets of Trenton. It is the cause for which Otis and Adams and Hancock and Henry spoke. It is the cause which of all causes America has ever held, and which she to-day holds, most dear—the cause ever hallowed by the name and leadership of Washington. And that cause upon the Island of Cuba has a flag to represent it. It has soldiers to fight for it. It has patriots to bleed, to die for it, and it has a unanimous population ready to starve and to perish rather than that cause shall fail.

And who, Mr. President, are they who are trying to put it down? Is it a nation renowned in the world's history for its love of liberty? Is it a nation which has ever given to the world a declaration of independence? Is it a nation whose moral conduct is so clean, whose charity and benevolence are so pure, whose humanity is so notorious, that we must pause and hesitate ere we do anything to offend its refined and delicate feeling?

No, Mr. President, it is not. It is Spain, the Turk of the West, who has his hand on the Cuban throat, and who is starving there the women and children of our neighboring state. And we are told that with a population, white and black, unanimous for a cause, with a population that has cherished that cause for thirty years, with a population which has done acts of heroism for that cause which have commanded the admiration of the world, we can look out toward the Island of Cuba, we can see in its harbor the wreck of the American battle ship *Maine*, we can see the yellow flag of Spain floating over Morro Castle, we can see the hospital and the dungeon, we can bend in the misery and pity of tears over 200,000 women and children dying, and yet the great United States of America can see nowhere the heroic Cuban army and soldiery who stand for the great cause of liberty and independence!

Mr. President, I will not be driven by committees, I will not be driven by Presidents; I had rather be a political Cuban reconcentrado upon the Island of Cuba than be an American Senator and not proclaim the independence and freedom of the brave young Cuban Republic. I would proclaim it with a thought and a prayer in my heart, the one the sententious utterance of Thomas Jefferson, who in a few words has summed up all free constitutions, who in a sentence has written all declarations of independence, who has proclaimed to the world that "liberty is the gift of God." And as the United States makes that declaration for poor Cuba as she recognizes the youngest heir in the files of time that comes to its God-given inheritance, my heart would lift to heaven with the aspiration of Abraham Lincoln, "I would that all men everywhere might be free." [Applause in the galleries.]

Mr. TILLMAN obtained the floor.

Mr. GRAY. Will the Senator from South Carolina yield me five or ten minutes? I think, in justice to myself, I should refer to some remarks made by the Senator from Virginia.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Delaware?

Mr. TILLMAN. Certainly.

Mr. GRAY. I thank the Senator from South Carolina.

The PRESIDENT pro tempore. The Senator from Delaware will proceed.

Mr. GRAY. Mr. President, yesterday I ventured to make some remarks in the Senate in regard to the grave and solemn crisis through which we are now passing, and expressed as well as I could the deep feeling that I possess in regard to the attitude our country should occupy toward the world and toward Spain and the struggling Cubans. My only object in speaking at all was to appeal in my own poor way to my colleagues on this floor to so vote and so act that we would present a united front to the world, and stand as America always ought to stand—resolute, together, united, with one heart and one mind, to face the foes of our country.

In doing so I ventured to suggest that the best and surest way was to cooperate with the other great department of this Government—the Executive—upon whose message, referred to a committee of this body by the Senate, we were called upon to act. I stated that I believed an American President, elected by the American people, was patriotic and sincere in what he advised us to do. I do not believe that an American ever held that high office who would have betrayed his trust or been untrue to the responsibility that God and the people had placed upon him.

Therefore I believed it was altogether proper and right in the sight of the world that we should follow the lead of the chosen leader of this people to bring about the remedy and the correction of the great wrong that is being done to an innocent people right at our doors. I ventured to say that for the sake of humanity, for the sake of an outraged and oppressed people, we are justified in appealing to arms and cooperating with the President of the United States, and that no inferior cause would receive the sanction and the united support of the whole American people.

Yet the Senator from Virginia has seen fit to-day, because he thinks, as he has a right to think, that the only and foremost and chief cause of our intervention in Cuba is the recognition of the

Cuban Republic, to attribute first to the President of the United States, which is more serious to the people at large, and then to me, which is less serious to the people at large but more important to myself, a motive so gross and so offensive that I could not, while the Senator was in the full tide of his eloquence, interrupt him to properly express what I felt in regard to it. If I did not misunderstand him the Senator from Virginia said, first, that the President of the United States and those who supported him deliberately, with malice prepense and aforethought——

Mr. DANIEL. I said nothing of the kind.

Mr. GRAY. Had conspired to send the armies of the United States into the Island of Cuba not to oppose the Spanish, but to put down Gomez and his armies. I repelled that as I might, in a word, while the Senator was speaking; but I want to say now that there was no justification, no excuse, no provocation even, which I can imagine, to support the Senator from Virginia in making that imputation.

Mr. DANIEL. I said nothing of the kind.

Mr. GRAY. I understood the Senator so, and those around me so understood him.

Mr. DANIEL. The Senator can take my speech now. I have not read over it, of course. He can take it and look at it.

Mr. GRAY. I am glad to hear the Senator say he did not say it, but I so understood him.

Mr. President, I want to say that if the Senate holds that the only cause for intervention in Cuba is the recognition of the Cuban Republic, then we go into this contest without the united support of the American people. The cause that stirs the American heart and conscience is the cause of humanity. It is that which has brought the fever to the blood of age and will make an infant's sinews as strong as steel. If out of intervention on that account shall come, as it must come, the independence of the Cuban Republic, then every American heart will rejoice and every American will applaud.

Mr. President, if it be so gross an error to stand with the House of Representatives in cooperating with the President, then I stand convicted of that error. I stand here to uphold and support by my vote and my voice the policy that is outlined by the resolutions that were well-nigh unanimously adopted by the other branch of Congress, and I am willing to stand with what I believe to be the great majority of the American people in supporting what the Senator is pleased to call the President's policy, but which I call the American policy of intervening in the cause of humanity,

Mr. DANIEL. Will the Senator allow me a word?

Mr. GRAY. I am going to stop in one moment.

Mr. DANIEL. I want no difference with the Senator as to facts.

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Virginia?

Mr. GRAY. I do.

Mr. DANIEL. The President in his message recommends, as I understand it, this:

> The forcible intervention of the United States as a neutral to stop the war.
>
> * * * * * * *
>
> It involves, however, hostile constraint upon both the parties to the contest, as well to enforce a truce as to guide the eventual settlement.

I have not undertaken to use any sort of invective nor to ascribe motives. I do undertake to say that I could not for myself advise the adoption of any resolution which had any trace of such a doctrine. I only wish to impute to those who say that they are following the President that responsibility which they themselves assume. It was for that purpose that I asked the honorable Senator the question whether the resolution meant that. If it does not mean that, if it does not imply that, if it does not leave that open, it is not open to my criticism. If it does have that in it, I want it to be known.

Mr. GRAY. Mr. President, I am always glad to appeal from the Senator excited by his own eloquence to the Senator calm and sober and in possession of the great and clear intellect which God has given him. That sort of argument I can have no objection to. The Senator has the right to support with his abilities the proposition that he has chosen to espouse. I rose for a different purpose and to address myself to a different attitude.

Mr. DANIEL. The Senator put words in my mouth which I have not uttered.

Mr. GRAY. I am glad, then, to hear the Senator disclaim them.

Mr. DANIEL. He said I said "with malice aforethought."

Mr. GRAY. I so understood the Senator, but not to use the words "malice aforethought."

Mr. DANIEL. But you put those words in my mouth.

Mr. GRAY. I did not attempt to put those words in your mouth.

Mr. DANIEL. I do not want the Senator to seem to have put them in my mouth.

Mr. GRAY. I say now I did not put them in, and I did not intend to put them in.

Mr. DANIEL. All right, sir.

Mr. GRAY. Now, Mr. President, the Senator has called my attention again to the part of the President's message which he has criticised. I am not here to defend the President, but I am here to defend what I believe to be the proper and patriotic course for this country to pursue. I will not exercise such poor ingenuity as I have to make an issue with one branch of this Government that shall bring about division where there ought to be union. The Senator has sought or seemed to seek during his long and able speech to employ the dialectics with which he is endowed to convict the President of recommending an intervention in Cuba against Gomez and his followers. I read the clause and listened to the Senator when he read it, but I read, unless I misunderstood and misread the message, that he was proposing to the Congress of the United States alternative measures which it would be open to Congress to pursue.

But I also read the conclusion of that message, and the Senator was frank enough, as he always is when his attention is called to the necessity of being so, to admit that his statement was a little too broad, and was not quite justified by the language that I read to him from the closing paragraphs of the President's message. They are short, and I will read them again. I apologize to the Senator from South Carolina for consuming more of his time than I had intended.

> In view of these facts and of these considerations—
>
> Says the President—
>
> I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations.

That can mean nothing else than a government free and independent from the control of Spain or from the control of any other country whatever, and on that account I was willing to take the President's recommendation and willing to vote for resolutions such as the House has almost unanimously adopted in support of the lead taken by the Chief Executive of the United States.

Mr. DANIEL. Does not the Senator understand——

The PRESIDENT pro tempore. Does the Senator from Delaware yield to the Senator from Virginia?

Mr. GRAY. Oh, certainly.

Mr. DANIEL. Does not the Senator understand the President to mean in the winding-up sentences in which he recommends the use of the Army for the enforced pacification of Cuba—which he did not read, just above what he did read——

Mr. GRAY. I read it before.

Mr. DANIEL. I know you did, but you did not read it in that connection. Does he not understand the enforced pacification in Cuba pointed out by the President to be secured by the Army of the United States to involve in the President's meaning what he says:

> It involves, however, hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

Mr. GRAY. Now, if the Senator will allow me, calmly and dispassionately, to say what I think, the phrase last referred to by the Senator from Virginia occurs a page and a half or more previous to the last and concluding passage which he has just read. I do not so construe it. I construe the language of the President as I have already said I construe it.

Mr. President, I do not feel myself at liberty to trespass further upon the courtesy of the Senator from South Carolina. I want to end as I began. I want to repeat in a word all that I intended to say on yesterday. There is one armistice and one truce for which I heartily ask and of which I am heartily in favor, and that is a truce between the political parties of this country until we can settle our account with Spain.

Mr. TILLMAN Mr. President, this is a grave, a solemn crisis in the nation's affairs. It is not a time for words to be lightly spoken. Whatever we may do, whichever of the resolutions we have under consideration shall be adopted, the only possible ending to them or to such action will mean war. There is to be war in any event unless Spain ignominiously backs down.

We were told last night, and no doubt the American people feel it is true, that this is a time for action and not for words. But, Mr. President, the exigency is not so pressing but that we can make the issues clear and say to the world what we mean to do, and say it in words that can not be misconstrued.

I shall address myself to this question in no partisan spirit. We gave an exhibition here some weeks ago of a unanimous House and a unanimous Senate voting $50,000,000 for the public defense.

> Populists, Democrats, Republicans are we,
> But we are all Americans to make Cuba free.

I feel that I can claim this for the American people with the exception of a few thousand who live within the purview or within the influence of boards of trade and chambers of commerce and banking houses, and that that sentiment now pulsates in the breast of every true American.

If I shall in my speech present facts and utter words that may have the appearance of partisan bias I disclaim any such purpose, but I hope I shall be able to so measure my words that I will be given the credit for trying simply to present my views in a clear and unmistakable manner and have those views based on facts and their necessary deductions.

I regret that I can not rise to the high and pure plane which the Senator from Delaware [Mr. GRAY] claimed yesterday to occupy. I have "suspicion" in my nature, Mr. President, and it has been driven into me by the fact that my association with men has led me to know that the angels in this world are very few and far between, and I have heard none of their pinions fluttering in this Chamber since I have been here. [Laughter.] I am frank, and have always been so. I speak that which I feel, and I have always judged other men so until I have been forced by sad experience to know that there are many who, like Talleyrand, use language to conceal their thoughts.

The Senator from Delaware, after announcing in the most positive language his absolute confidence in the President of the United States, and after proclaiming his purpose to cooperate with and assist with all his official power and influence the Executive, seems to forget or to have forgotten that a Washington evening paper of yesterday had in it an account of a conference which he attended yesterday morning, which is part and parcel of the facts from which I shall draw deductions. The Evening Star says:

An important conference was held at the White House this morning, and the subject is believed to have been the question of the Senate and House resolutions. Those engaged were Senators GORMAN, FAULKNER, and GRAY (Democrats), and ALDRICH and ALLISON (Republicans). They had been sent for by the President. They were with the President nearly an hour, and when they left hurried away in carriages to the Capitol.

The Senators admitted that an effort would be made to have the House resolution substituted for that of the Senate when it is passed. They did not, however, say that the President desired this to be done.

It is perfectly legitimate and proper for Senators to confer with the President. The predecessor of the present Executive very rarely conferred with Senators [laughter], and it is an improvement in our public affairs that we have now an Executive who will deign to confer with Senators. However, the milk in the cocoanut is the fact that this conference had as its purpose the substitution of the House resolution for the Senate resolution. Upon that I will comment later on.

Mr. President, the bone of contention here is as to the form of the resolution which we shall adopt which will lead to war. We are told that the House has acted with practical unanimity; that the Executive is ready; and that it is time for the Senate to stop talking and to act, and let slip the dogs of war. It is with no view of defending the Senate—for it needs no defense—that I desire to direct the attention of the country to the fact that two years ago this body, by a vote of 64 to 6, passed the following resolution:

Concurrent resolution.

Resolved by the Senate (the House of Representatives concurring therein), That, in the opinion of Congress, a condition of public war exists between the Government of Spain and the Government proclaimed and for some time maintained by force of arms by the people of Cuba; and that the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

Resolved further, That the friendly offices of the United States should be offered by the President to the Spanish Government for the recognition of the independence of Cuba.

There we proclaimed by a nearly unanimous vote that there was a government in Cuba, and that was not the Spanish Government.

Mr. STEWART. And a similar resolution passed the House of Representatives.

Mr. TILLMAN. Wait, my friend. I will come to the history of the facts if the Senator from Nevada will just allow me.

This resolution was sent to the House of Representatives, and that body, by a vote of 262 to 17, passed a substitute, and I will read it. It is as follows:

That in the opinion of Congress a state of public war exists in Cuba, the parties to which are entitled to belligerent rights, and the United States should observe a strict neutrality between the belligerents.

Resolved, That Congress deplores the destruction of life and property caused by the war now waging in that island, and believing that the only permanent solution of the contest, equally in the interests of Spain, the people of Cuba, and other nations, would be in the establishment of a government by the choice of the people of Cuba, it is the sense of Congress that the Government of the United States should use its good offices and friendly influence to that end.

Resolved, That the United States has not intervened in struggles between any European governments and their colonies on this continent; but from the very close relations between the people of the United States and those of Cuba, in consequence of its proximity and the extent of the commerce between the two peoples, the present war is entailing such losses upon the people of the United States that Congress is of opinion that the Government of the United States should be prepared to protect the legitimate interests of our citizens by intervention, if necessary.

You see that the House then, with its majority of 150 of the present President's party in power, went further than the Senate. The man who then stood in the way was a so-called Democratic President. Both Houses of Congress by practically unanimous votes declared that there was a "government" in Cuba, because the House later on having failed to have the Senate accept its substitute, concurred in the Senate resolution and passed it. Therefore we have both Houses of that Congress committed to the proposition that even two years ago there existed a "government" in Cuba. What has become of that government? I pause for a reply.

But, Mr. President, the Senate did not stop there. When the President failed to act, there was some mention made in this body of passing a joint resolution and sending it to the President, but it did not obtain much support and dropped out of sight. But last year, after the party which at St. Louis declared in its platform for the independence of Cuba had assumed control of the Government, the Senate, the citadel of liberty in America to-day, passed another resolution, and this time it was a joint resolution. May 20, 1897, by a vote of 41 yeas to 14 nays, but 2 Democrats voting in the negative, this resolution passed the Senate:

Joint resolution declaring that a condition of public war exists in Cuba, and that strict neutrality shall be maintained.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a condition of public war exists between the Government of Spain and the government proclaimed and for some time maintained by force of arms by the people of Cuba, and that the United States of America shall maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

There the Senate again acted. Where has that resolution slept for a year? You all know. It is not my purpose to criticise the men who have their duties to perform at the other end of this Capitol; but, gentlemen, let us keep the record straight. The Senate has acted once, and acted twice, and we are told by the committee of the Senate in its report, which is here accompanying the pending resolution, that if belligerent rights had been granted to Cuba two years ago all of this difficulty would have been obviated and the Cubans would have achieved their own independence. The Senator from Massachusetts [Mr. LODGE], one of the members of that committee, has announced the same proposition in his speech of yesterday in the strongest possible language.

Who is responsible for the condition of war into which we are fast hastening? The Executive, after exhausting diplomacy and being exhausted by diplomacy—because he has got to the end of his rope [laughter]—under the whip and lash of outraged public opinion, after withholding his message time and again, and being told by the members of the two Houses that he must act, sends a message looking to intervention, and the House of Representatives, which has had this resolution of belligerency in its keeping since last May, at last decides to act, and then, with indecent haste and only forty minutes' debate, as though it were the ukase of a czar at the White House, passes a resolution declaring for intervention and probable war, and sends it to this body. Are we to sit here silent and not discuss the conditions under which this war should be conducted and carried on? No, Mr. President, we have waited long enough; too long. If any harm shall come by reason of waiting, it does not lie with the Senate or at our door. If the Spanish flotilla and the accompanying fleet shall get into American waters and some of our battle ships shall be sent to join the *Maine*, it will not be our fault.

We have acted once. We have been ready to act for a month or more, but other branches of the Government have delayed. Let the responsibility rest there. Now let us decently and in order, and with proper elucidation of the facts and the conditions, discuss this question calmly and in a spirit of patriotism, and arrive at a just and proper conclusion; in other words, let us "be sure we are right and then go ahead."

Mr. President, what is the contention here? What are we discussing? Why the delay? Simply about the form of the resolution which we shall adopt, the results of which are so momentous both to ourselves and to the people to whom we pretend, or to whom we intend, to give relief. It is whether we shall recognize a government which two years ago we declared existed, and which one year ago we reiterated existed, or whether we shall, in obedience to the influences at the White House, leave the matter in a nebulous condition, so that there may be any interpretation put upon it that the Executive hereafter chooses.

The message of the President has been read so often and commented on at such length that I hope the Senate will bear with me if I feel constrained to read a few of these same hackneyed phrases once more and give my comment on them, understanding, gentlemen, that, being a man who means what he says, or tries to—I do not always do it, because I am not immaculate; I am nothing but a sinner, a common ordinary human being—but, as I said, trying to mean what I say and say what I mean, and knowing the importance in a great public paper like this, at a crisis like this, of having the Executive mean what he says and of saying what he means, and having this Senate in its resolutions say what it means and mean what it says, I must, in the performance of a duty, as I said, read some of these extracts and give my deductions from them.

Briefly stated, and culling out the sentences and stringing them together which embrace the recommendations and the opinions of the Executive, we may put it in this way: That the President asked Congress to "authorize and empower him to take measures to secure a full and final termination of the hostilities between the Government of Spain and the people of Cuba, imposing a rational compromise between the contestants by hostile constraint upon both parties, as well as to impose a truce to insure peace and tranquillity, and for the purpose of securing in the island the establishment of a stable government, and to use the Army and Navy to enforce those recommendations."

I have culled sentences from the message and strung them together in one consecutive sentence. I know the unfairness of using garbled extracts; but, Mr President, study the message as you may, and, interpreted according to the ordinary meaning of English words, you can not make the message mean anything else than what those words convey. Coupled with the facts that have been brought out here and through the newspapers and in the official reports, I think I can say that the President of the United States has, by his own words and acts, proclaimed that he is not a friend to the idea of free Cuba. He does not believe in the republic, and he has not wanted a republic. It is that belief, implanted in my mind by his own language, which leads me to want this Senate to make the meaning of the cause of this war and its purpose as clear as sunlight.

What are the causes which have led the House of Representatives to linger so long, to wait before recognizing belligerent rights? What are the causes which have prevented one Executive elected by one party and his successor of another party, notwithstanding the obligations of its platform, which he accepted when he was nominated—what, I say, are the influences which have made these men linger and put off the day of redemption for Cuba? I wish to God that I had no "suspicion." I would that the circumstances were not such as to compel suspicion; but I see in every line of this message a purpose to impose upon the Cubans a recognition of the Spanish debt owned by the American bondholders.

Why does the President want the House resolution passed instead of the Senate resolution? Why, gentlemen, we are even threatened with a veto in the event that we see proper to act according to the responsibilities which have been placed upon us. I say we are threatened with a veto if we dare go forward and proclaim the independence of the Republic of Cuba and fix beyond cavil the status of that people. It is an obligation before the world which we can not shirk.

The Evening Star of yesterday said, and the newspapers of this morning repeated the statement, that—

> Should Congress pass a resolution directly recognizing the independence of the Island of Cuba, as proposed in the Senate and House minority resolutions, it is strongly hinted that the President might veto it as interfering with his prerogative to do this. He would, it is intimated, consider it an encroachment upon his functions and rights.

We have recognized the belligerency of the "government of Cuba" twice in this body. Now, when we come to the crucial test as to whether we shall recognize the independence of the republic, we are told that we will be met with a veto. Are we to be intimidated by that threat? Are we to hesitate and halt and refuse to ratify our previous acts, and to put our resolution in language that means only one thing, and that is that there shall be no reconstruction in Cuba under the auspices of the United States Government?

The newspapers told us—and the Washington newspapers, I find, are nearly always correct in their news—that the House and Senate Committees on Foreign Affairs, pending the sending of the President's message, had practically agreed upon a resolution which recognized the independence of the Republic of Cuba. If that was not true, some member of the committee, if he feels disposed to give out committee secrets—we have had some of them given out, and I do not know why this one should not be—if it is not true, I should be glad to have it denied. [A pause.] I can not, of course, say that "silence gives consent," but we certainly have silence. Why did the Senate committee change the phraseology of the resolution? Why did the House committee come as near as possible to granting to the President all he asked except that they provide for an independent government of the Cuban people by themselves? They gave everything else he asked except that, and then, if that could be reached by intervention, without the use of the Army and the Navy, it would be permissive only; it would not be mandatory to so use them.

The Senate resolution, which we seek to amend so as to purge it of the slightest ambiguity, says that the "people of Cuba are, and of right ought to be, free." Who are the people of Cuba? The President, under his reconstruction policy, which we grant him if this resolution be adopted, will have the right to determine who are the people of Cuba. The Army of the United States once in possession of the island and Spain expelled, we will have the necessity imposed upon the Executive by our consent and through his own wish of having elections held under the auspices of the officers of the Army. Who is going to appoint the returning boards? Who is to count the votes?

Mr. President, perhaps the fact that the State which I have the honor in part to represent has been through that mill once causes me to be more suspicious in regard to the possible outcome of this action and to look forward to a repetition of the scenes which we had in our State when we were reconstructed. God forbid that I should lend by any vote of mine any countenance to any such scheme.

The people who have on the eastern end of the Island of Cuba maintained their independence and kept the Spanish soldiers out for three years during this last war and for ten years during the previous war, whether they have a government which is stationary or not, have a government such as we have declared existed once, which we have recognized as having the rights of belligerents once, and which we can now well afford to recognize again.

Is it possible that in all the western half of that island, which has been so cruelly devastated, a great many thousands, and possibly hundreds of thousands, of refugees have not escaped death by starvation within the trochas? Did they not escape and flee to the east and scatter throughout that country which has been always held by the patriots? I am almost sure that many of the younger and abler men—in fact, almost all of them—are to-day in the eastern end with rifles in their hands, and they have sworn by the Almighty God to avenge the wrongs of their starving wives and children and of their outraged daughters; and yet you propose to have those gallant soldiers told "You are not the free people of Cuba, but the Spaniards who are in Havana and in the other cities, who have ruined your homes, who have burned your houses and destroyed your industries—in truth, they are to be brought in and recognized as the people of Cuba."

The question appears to be whether we shall recognize the existing government, whatever may be its obligations, or whether we shall recognize no government, but declare in general terms that the people of Cuba are free, and then go there and have an election under our control and direction so as to set up a government of our making. Will that government have any carpetbaggers among its officers?

For the President of the United States I have a profound respect as a man. His personal record is as clean as that of any man in this country and his honor is above suspicion. But, Mr. President the President of the United States is surrounded by men whom I do suspect, whom I do mistrust. He has, so to speak, some very "wicked partners" [laughter], and I have seen proof, to my mind absolutely conclusive, that the Spanish bondholders have kept down, through their influence in New York and elsewhere, any action by the Executive or by the two bodies of Congress—by the House when it had an opportunity to act in an effective way, and it only acts now because obliged to. I say, having seen evidence of these things, I am compelled to have "suspicions."

The issue appears to be whether the Cuban bonds, issued by that government through its instrumentality in New York to secure the independence of the island, or the Spanish bonds issued by Spain to conquer the island shall be paid. I do not want, and, so help me God, I will never vote for any proposition which even winks at proposing to impose upon that bleeding island a debt issued by Spain to secure its conquest. We have been told by the Senator from Massachusetts [Mr. HOAR] that bonds are things which now come around babies' necks when born, and it seems that the people of the whole world are becoming slaves to bondholders of one kind or another; that international syndicates possess more influence than governments; that governments declare peace or levy war at their dictation, or that the governments can not help themselves, and we are to present the spectacle here of leaving the suspicion in the minds of even our own people that such a syndicate exists and our own action is predicated upon their demand. Armenia has been left to the tender mercies of the brutal and fanatical Turk. Greece was struck down and lies bleeding at every pore while the CHRISTIAN POWERS stand idly by held back by the bondholders who hold the Turkish debt. Is this great Republic to be thus disgraced? God forbid that it should sink so low!

Mr. President, this is the first time in our history that we have ever interfered with any of the colonies of a foreign power in the Western Hemisphere except to recognize their independence. We fought the Mexican war more as a war of conquest than a necessity, because Texas had successfully defended her liberty, and it was not doubtful as to whether or not she could continue to maintain it. While men proclaim that there is no suspicion or purpose or intent to annex Cuba the world outside, which does not judge men by any other code than that which obtains in this day and which is the essence of greed, will say that "you do not mean that when you pass this resolution without recognizing the government now in existence." If we go down there and set up a carpetbag government of our own, or if there are no carpetbaggers among them and we set up a Cuban government, what do we entail upon ourselves?

I desire first to lay down the proposition—the clear, unmistakable doctrine—and let it be recalled to the minds of Senators as to what Monroe meant and said and what we are contending for as the true American policy. I read from President Monroe's famous message:

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in other manner their destiny by any European power in any other light than as a manifestation of an unfriendly disposition toward the United States.

There we proclaimed that we would not interfere with the colonies of other powers, and yet we are now going to interfere and we are going to interfere without first having recognized the independence of the men who brought on the war and maintained it for thirteen years.

I am not going to get into a discussion with well-trained lawyers as to what would be our international obligations under the conditions which they suggest, but I contend that if we do not recognize the independence of the Cuban Government in some form, though that government may be peripatetic, may be moving about, so to speak, we lay ourselves open to the accusation of the European powers of intending something else besides the mere setting up of an independent, stable government of the Cuban people for themselves. The President says:

Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of international obligation toward the organization so recognized. In case of intervention our conduct would be subject to the approval or disapproval of such government. We would be required to submit to its direction and to assume to it the mere relation of a friendly ally.

He speaks further down in his message of the "attributes of nationality" and of the "interests and relations of the United States with such a government."

We were told by the Senator from Ohio [Mr. FORAKER] that large numbers of these Spanish bonds, for which the Cuban revenues are hypothecated as security, are held in America. Are the holders of those Spanish bonds, who bought them in the open market knowing the danger of their being repudiated or lost by war, here with their agents on this floor and in the other end of the Capitol trying to saddle this debt upon those people? I can not believe it; but what am I to believe?

The papers have told us—I do not know how true the story is—that there have been midnight conferences between Senators and the Spanish minister. There is nothing in the President's message which seeks to make clear his purpose to recognize the independence of these people at all except the brief sentence at the end, which I will now read:

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own.

There is the only possible sentence in the message that looks to Cuban independence at all, and here we have to strain the meaning of his language and take as a fact what can only be implied as to his meaning. All of his other language leads us inevitably to a contrary opinion, and the message must be construed as a whole. He speaks about "hostile constraint," and "rational compromise," and so on, all looking to some species of pseudo-independence or autonomy or some other humbug by which the Spanish bonds may be saddled upon this sorely distressed island and its people. For the benefit of whom? The bond is stronger than the man; money talks; men are cheap. The sinister influence of the dollar appears to be paramount in this Capitol, and we are to put ourselves on record as to whether we indorse the proposition that the Spanish bonds can by any possibility be saddled on these people under the reconstruction government which is proposed.

But, Mr. President, aside from the moral and legal obligations to other nations which would be imposed on us in the event that we go there and set up a government, taking the island, the corpus, so to speak, and setting up a "stable" government of our own—to which the President himself alludes—even if we recognize such government, with that recognition will go the demand that they must pay our American bondholders, and if we demand that they shall pay bonds held by our citizens, in God's name will not Germany and France and England demand that they shall pay theirs? Suppose that condition of affairs arises, what will be the result?

We expel the Spaniards. We will pacify the island. We will go there ignoring the present Cuban government. We will order an election; we will say it will be an honest election; that there shall be no cheating; no counting in or counting out; no military interference, except to see a free vote and a fair count. And when the representatives of that government meet, who can recognize it as a stable government? Can this Congress do it? Will this Congress act? Under the hypnotic influences which seem abroad in this land, is it at all probable that anything will be done hereafter, after that settlement has been made, except that there will be dicker and barter and trade and coercion on the part of this Government to force a recognition of a part at least of this debt?

Then suppose that we force it, and it becomes one of the infamies for which we will be responsible to God, who is going to collect the interest? The Cubans who are to-day in arms, and most of whom have been for thirteen years, have been driven to the mountains and fastnesses of the forests of Cuba by oppression which meant for them either to become robbers and guerrillas, so to speak, or slaves. They had no alternative. They have resisted oppressive taxation and tyranny in the same manner that the American people resisted it in 1775 and 1776. We will say that you set up a reconstruction government under this scheme which we have coming here from the House, and which is permissible even under the Senate joint resolution as reported by the committee, then what follows?

For a time the debt will be recognized and the interest collected, but so sure as men are men like we are and the Cubans believe that debt is dishonest and oppressive and ought never to have been saddled on them, there will be a revolution and that government will be overthrown, and the refusal to pay the interest and the obligation which will have been imposed on them under this proposition of reconstruction and infamy will entail on us the necessity of entering upon the island and enforcing the obligation just as Egypt has been seized by England to collect the interest on the bonds which her citizens hold as the result of loaning money to the Khedive. Then we will have a nice situation.

The island for a quarter of a century, almost, has been in a state of chronic insurrection, with the Spanish Government trying to maintain supremacy. We propose to take Spain's place and become the policeman of the Western Continent and keep in order on that island the Latin races that have settled there. We can not afford it. Duty demands that we expel the Spanish robbers and tyrants. There our duty ends. We can not afford, Mr. President, to set up any government there. We can not afford to do anything except to recognize the existing government and let them work out their own redemption, as the other Spanish-American Republics have had to do.

They have had their revolutions and counter revolutions. I do not believe the people of that race are capable of self-government. While Mexico has under the great and magnificent statesman who now dominates her affairs had tranquillity and peace and a stable government for a long time, and is moving forward rapidly in progress, we can not undertake to say that the Cuban people must have a stable government, and that we will make for them a stable government, if we are going there and say in order to have this stable government "you must pay the Spanish debt or some part of it."

If we go there recognizing the existing condition and the government which we have already recognized once, we will approach those people in a spirit of amity and friendliness and fairness and justice which will appeal to them, and we can have influence with them—even with bandits and mulattoes, and the worstelement of those struggling for liberty—and we can appeal to them by moral obligation, if nothing else, to be law abiding and civilized. But if we undertake to say that we will set up a "stable government" loaded down with the Spanish debt, and enforce stability by maintaining peace, then we will have to increase our standing Army, and we will have to maintain an army there time out of mind to enforce the collection of an unjust obligation put upon those people. In a word, we will take Spain's place as the oppressor and tyrant.

Mr. President, recognition is an Executive act. It is true we are undertaking now, and I understand that is what the President objects to, to recognize independence which he has refused to recognize. He even refuses to recognize belligerent rights, which would carry with it the legal right to refuse to pay this debt. Through every line of the message and the policy outlined in it there appears nothing to me but bonds, bonds, bonds. And it is because we of South Carolina have had so many bonds of that kind foisted on us in the dreary years of the past, during the era of reconstruction, that I, for one, stand here and protest in the name of American freemen, in the name of decency, of Christianity, of fairness and justice and peace, which can not be maintained on any other basis, against any policy, against the adoption of any resolution, against the leaving out of any word which ought to go in to make it absolutely plain and clear and unmistakable that we do not intend to annex the island; and that we do not intend to interfere with their internal affairs, other than to expel Spain and enable the Cuban patriots to inaugurate, under their own auspices and under their own machinery, a government of the people, by the people, and for the people.

I say I will not vote for any proposition which does not contain these declarations. I will even reject and vote against, in my bounden duty to my people, the Senate joint resolution, unless

there is incorporated in it the amendment proposed by the minority, or unless the Senate shall supplement those resolutions for free Cuba by a declaration on our part—and I do not see why we can not do that—that the Spanish debt shall be settled by the Cuban people of their own volition and in their own way, without any coercion on our part. We can not afford to do less. If we recognize the independence, the question of bonds need not arise. We have recognized it once, not independence, but the fact that a government exists there. If we meant what we said then, why not go forward and repeat those words?

Mr. President, I said that whatever happens here, it did not matter what resolution was passed, we are going to have war. I do not want any war. I have not wanted it at all. My people do not want it. The North has had war and had thousands and hundreds of thousands of the flower of its manhood sent home to be buried as the result of that war. We of the South had our own jewels sent back to us in the same way. Both in the Revolutionary war, when my State was overrun from sea to mountain and when her people suffered untold wrong and villainy and oppression, such as no other colony endured, and fought more battles for liberty than were fought in almost all the other States put together; and in the last war, when we passed beneath the harrow, we have had our fill of bloodletting and of war in its most dreadful form.

We do not want any war. But while the feeling among our people was that of sympathy for the suffering Cubans, such as existed almost everywhere, it could not take shape and did not assume form until that flaming fuse was sent abroad throughout this land which followed the explosion of the torpedo or mine under the *Maine*. That fuse flamed and flared and sizzed while the people held their breath. There was no bomb attached at the time. The Senator from Vermont [Mr. PROCTOR], by his calm, dispassionate, and almost judicial statement of facts, which appealed to the sentimentality and Christian charity and philanthropy and sympathy and mercy of every man worthy the name, furnished the bomb.

The bomb is here, the fuse is attached to it and lighted, and it is approaching an explosion. The explosion will come whether I vote for the pending joint resolution or not. I hope to God I will be able to get the Senate to incorporate something in it or to amend it so as to allow me to vote for it. But, as I said, whether I vote for it or not, the people I represent are to-day a unit, the American hearts within us throb and pulsate with the sense of wrong and indignation, and the blood which we inherited from Revolutionary sires tingles with the demand for justice upon the assassins who sent those American sailors to their death.

In the war that is now inevitable South Carolinians will not be laggards in upholding the flag of our country or in carrying it to victory in so righteous a cause.

Mr. WOLCOTT. Mr. President, it had not been my intention to participate in the slightest degree in this debate until some of the reflections upon the Chief Executive of this nation were uttered yesterday; and they have led me, in view of the fact that I intend now to vote for the joint resolution of the Committee on Foreign Relations, to desire to publicly disassociate myself utterly and wholly from any of those discreditable insinuations.

In my opinion, Mr. President, the great mass of the people of this nation do not desire war, if they can avoid it; but they see no way how, under the providence of God, it may be averted. The people of these United States have stood and stand to-day loyally by the President. His position, frictional and difficult at best, has been administered by him as became an incumbent of that high office. Brave himself, he abhors war; but he abhors unrighteousness more. He has dealt in most courageous fashion with that popular clamor which would have been so easy for him to follow—a popular clamor natural and patriotic and loyal, but necessarily uninformed and unreasoning. He has been compelled to contend with the disgraceful conduct and utterances of a degraded journalism which has, I regret to say, found influence among those in high station—a journalism which would cheerfully and gladly plunge this country into war to-morrow if it could increase its circulation a few copies.

He has had to contend with the impassioned utterances which have taken place in both Houses of Congress; utterances, Mr. President, which we have no right to criticise. The Senate is an open forum where every man is responsible only to his conscience for what he says, and if his utterances make the task of diplomacy more difficult, we must accept it as one of the features of our institutions, and we must seek to be so strong in other directions that we can overcome the evils which may grow from them.

All these influences in these long and arduous and trying and difficult days the President of the United States has met with that splendid conservatism which comes to all good men when responsibility and power are imposed upon them. He has met them not alone with the courage of a man who has known the smoke of battle, but he has met them with the fortitude and courage of the Christian who desires to save, if possible, the lives of every American committed to his charge; and, Mr. President, that confidence and that affection and that respect have been reflected for weeks in the forbearance and tolerance and courtesy of this body throughout all these trying weeks.

If there have been one or two discordant notes; if, as we stand on the threshold of war, which we have practically already crossed, there has been heard among the Senators in this Chamber a reflection upon the character and motives of him who is the beloved President of our whole people and whom the Constitution creates the Commander in Chief of our armies and our navies, it will only serve to emphasize and deepen the practical unanimity with which all good men look up to the President and the desire we all cherish in this awful crisis to strengthen his hand.

After weeks of diplomacy, unfortunately unsuccessful, the President turned over to Congress the two subjects which he had been considering—the subject of the barbarities in Cuba and of the disaster to our battle ship. It is a great pity that he could not longer have kept them; but the avenues of diplomacy were closed to him. It is a pity, because under our institutions and under our procedure Congress deals with these questions as men in mass meeting. The finesse of diplomacy is unknown to us. We can speak only from our hearts and for the people we represent; and our debates, which may prejudice us in the minds of the people of Europe, are the essential and the necessary channel through which, as representatives of the people, we make known our views when public duty is devolved upon us.

If the two subjects could have been presented separately, if they had occurred separately, we might perhaps have saved the necessity of war. If the awful barbarities in Cuba, extending over three years, which have aroused the sensibilities and the pity of all mankind, could have stood alone, it is possible, though not probable, that by peaceful methods we could have met a solution of this difficulty.

For myself, Mr. President, however much of expenditure or debt or outlay it might have entailed, I would far rather have voted right and left and mortgaged the property, and thus necessarily mortgaged the labor, of every citizen of the United States to a reasonable extent if that would have secured peace in Cuba. It might have been successfully accomplished, although it seems as if Spain would not, and could not, yield that which is the essential condition of our ceasing our insistence.

But, Mr. President, when added to that there came the awful explosion in the harbor of Havana, a friendly port, in time of peace, the die was cast. After that, what could be said? If that had stood alone, it is possible it might have been adjusted without war, but not by any method which the Spaniard has yet attempted. When such an outrage was committed there was but one duty left, and that was the duty of exculpation, if they could exculpate themselves. If not, the only course of a self-respecting people must be to invoke the god of battle.

Mr. President, from the day of that awful disaster until now, except the most perfunctory regrets, the most formal messages to our Government and our people, there have been no steps taken either to exculpate Spain or to fix the guilt of the offenders. Mr. President, taking the two happenings together, what can result but war?

For the disaster to our battle ship we want no money. There is nothing that can repair our wrong. Yes; one thing. If Spain would free Cuba to-day, we would offer up our 260 sailors as an offering upon the altar of Cuban freedom.

But, Mr. President, because of that disaster unatoned for and unexplained, the determination is burned into the hearts of the American people that war must come or Cuba be made free and independent. No other answer will be accepted.

Mr. President, this national honor which we evoke is intangible, it is inchoate, it is unwritten and unexpressed, but it has within it the force and the violence of the whirlwind and the storm. It is "that chastity of honor which feels a stain like a wound." The existence of it makes nations survive and fit to live. The loss of it, or the trading upon it, or the abandonment of it, makes nations fit to die and perish from the face of the earth.

It is for these reasons, Mr. President, that good men, hating war and loving peace, can see no way under heaven whereby war may now be avoided. At the outset it is fitting for us in advance to pledge ourselves that the statements we make to Europe and to mankind are true—that this is a war for liberty, for humanity, and for the succor of the suffering and the oppressed.

Personally, Mr. President, I regret that I can not find in the Cuban situation an independent government such as I can vote to recognize. I wish I could. For when the time of final adjustment shall come there is danger in these days of syndicates and commercialism and reorganizations that there will be found the men who play and trade on human liberties as they do on loans and chattels, who will seek either to aggrandize this property for the national uses at a price, or seek to syndicate it in some form whereby commissions may be realized. To-day we stand approved in the minds of every humane man in Europe because we stand for humanity and liberty. And there we must stand till

the end and after the end, if we would win their respect and preserve our own.

Mr. President, when the day of final settlement comes and the issue has been finally closed, we must still stand as a nation, strong, self-centered, and humane, which heard the appeal of the suffering across the shallow waters of the Gulf and could not turn a deaf ear to the cry of the oppressed and the downtrodden. There is nothing nobler at the close of the nineteenth century than a great country, with everything to sacrifice and nothing to gain, standing up for human liberty and the relief of suffering. No concert of Europe chokes our utterance or strangles our voice. As a free people we can listen to their cries and heed them. And, Mr. President, serious as is this crisis, and great as are the dangers that grow out of the steps which we have taken, I am unwilling to believe that the claim will ever hereafter be made in the Senate or elsewhere that, having expended our blood and treasure for the sake of a suffering people, we should seize their fertile lands and annex them to our own as a recompense.

It has been said upon the floor of the Senate, and it has been heard much elsewhere of late, that unless a nation fights it decays and deteriorates; that—

Honor sinks where commerce long prevails;

that it is essential to the race that it raise its young on wars, or else it goes to decay. If that is true—and I do not believe it—it is a pitiful statement to follow two thousand years of the teachings of Christ; and if it is true, it applies to a contest with equals.

Spain has a population of 16,000,000 of people and we have nearly 75,000,000. For three years Spain has drained her resources in men and money to the same extent as if we in three years had sent a million men, who had never come back, and a billion dollars in money to a colony 3,000 miles from the United States. This is the country upon which we are asked to whet our courage. It is as if we kicked a cripple whose crutch might hurt us until we took it away and invoked upon ourselves the plaudits of the world as a people of bravery and of daring.

Mr. President, we have heard on the floor of this House again and again denunciation of the Spaniards as cowards. From Alva and "stout Cortez" until to-day the Spaniard has been brutal in conduct, but courageous and brave. When we enter upon this war we do not want to befool ourselves either with the idea that we are fighting cowards or a foe our equal in numbers and resources.

No, Mr. President, this war is one which can bring us no material gain. It will bring us the loss of millions of dollars in our commerce. It will sweep our ships from the seas. It will create unrest in business. It will destroy industries. It will be followed by that lessening in morality which always accompanies the conclusion of a war. We will leave thousands of our young men dead of fever or by the bullet in the tropics in the Island of Cuba, and we shall be fortunate if we are not compelled to face serious complications with other European countries.

All these things we must count in advance, and we have counted them. And when the day of the result shall come and Cuba is free, as we must make her free, we will have fought a country which can never indemnify us by land, for we want no land beyond our border; a country which can never indemnify us in money, for she has got no money. We must find our only satisfaction, and it must be the supreme satisfaction of a free people, in this, that we have poured out our blood and our treasures to relieve the cry of suffering humanity.

The war which is already upon us, whatever the phraseology of our resolutions, must be fought because it is the manifest destiny of this Republic to stand forever upon the Western Hemisphere a sentinel of liberty. It must come, because if we fail to listen to the voice of the suffering or the cry of the downtrodden upon this continent, we shall be untrue to those principles of liberty, humanity, and Christianity upon which this country is founded as upon a rock. [Applause in the galleries.]

Mr. COCKRELL. Mr. President, under Rule XXXIII, I believe it is, I move that the galleries be cleared. ["No!" "No!"] I move that the Senate proceed to the consideration of the joint resolution in secret session under that rule. ["No!" "No!"] We have tried to stop this matter; we have appealed to the galleries not to give any signs of approval or disapproval, and they seem determined to pay no respect whatever to the Senate. I do hope the Senate will not permit itself to be turned into a mere bear garden, where everything that is pleasing to the audience shall be clapped and applauded and whatever is disagreeable shall be censured and reprobated.

Mr. GALLINGER. Will the Senator permit me? Is it not a fact that probably more than one-half of the people in the galleries to-day have not been in the galleries before and that they were entirely ignorant of the existence of such a rule? It seems to me that an admonition to the galleries will be sufficient.

Mr. COCKRELL. I shall certainly move to close the doors if it is done again. I gave notice early this morning to that effect, but I know that there have been a great many changes since in the galleries.

Mr. HOAR. I hope the Senator from Missouri will not press his motion at this time. I am entirely in sympathy with the purpose of the Senator, but I can not fail to observe that the most flagrant violations of our rules have been encouraged by the example of Senators upon the floor.

Mr. COCKRELL. I admit that, and it is not a very worthy example to set before an audience.

Mr. HOAR. It seems to me that if the Chair would give direction to the Sergeant-at-Arms that whenever applause occurs in the galleries the doorkeeper or other persons in charge should require the withdrawal of the persons who applaud if they can identify them, or clear the particular seat or portion of the gallery from which the applause comes, if they can not identify them——

Mr. COCKRELL. Yes; that can be done.

Mr. HOAR. It seems to me that would be enough.

Mr. COCKRELL. If they can not be identified in that particular gallery, the doorkeepers can clear the particular gallery and then get the guilty ones.

Mr. HOAR. That is precisely what I mean. I wish to say that if under the rules, whenever applause shall occur again or expressions of censure from the galleries, the Senator will make a motion that the debate shall proceed as in executive session, I shall be most happy under the rules to second his motion.

Mr. COCKRELL. I hope I shall not have to do it. I hope that the Sergeant-at-Arms will be instructed to cause each gallery where any applause occurs to be cleared if the persons who make the applause can not be identified. With that instruction I will let the matter rest for the present.

The VICE-PRESIDENT. The Chair will so instruct the Sergeant-at-Arms. He has already done so this morning.

Mr. LODGE. Before the debate continues, I ask that I may be permitted to report a concurrent resolution from the Committee on Printing.

The VICE-PRESIDENT. There being no objection, the report will be received.

PRINTING OF ADDITIONAL COPIES OF REPORT, ETC.

Mr. LODGE. I am directed by the Committee on Printing to report a concurrent resolution, and I ask for its present consideration.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 20,000 copies of Senate Report 885, being the report of the Committee on Foreign Relations relative to affairs in Cuba; 6,500 for the use of the Senate and 13,500 for the use of the House of Representatives.

The VICE-PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

Mr. FRYE. Does the report include the testimony and the consular correspondence?

Mr. LODGE. It is the report on our tables, No. 885.

Mr. FRYE. And the resolution authorizes the printing of that report—the whole of it?

Mr. LODGE. It includes everything, I understand, that has been submitted by the committee in connection with the Cuban question. The Senator from Connecticut [Mr. HAWLEY] suggests that it be amended so as to include the President's message with the report of the committee.

Mr. HOAR. Does it include also the diplomatic and consular report?

Mr. LODGE. Yes.

Mr. HAWLEY. I ask that the President's message take the first place in the document, to precede the report.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. HAWLEY] to insert the words "the message of the President of April 11, 1898, together with," before the words "Senate Report 885."

The amendment was agreed to.

The concurrent resolution as amended was agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 20,000 copies of the message of the President of April 11, 1898, together with Senate Report No. 885, being the report of the Committee on Foreign Relations relative to affairs in Cuba; 6,500 for the use of the Senate and 13,500 for the use of the House of Representatives.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on this day approved and signed the act (S. 3472) to incorporate the Masonic Temple Association of the District of Columbia.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the following bills:

A bill (S. 157) to increase the pension of Gen. James W. McMillan;

A bill (S. 487) granting a pension to Delia Gilman;

A bill (S. 499) granting a pension to Sarah R. Frary;

A bill (S. 668) granting a pension to Frances E. Pease;

A bill (S. 1450) granting a pension to Catharine Leary;
A bill (S. 3517) granting a pension to Rhoda A. Van Niman; and
A bill (S. 3627) to create a board of local inspectors of steam vessels for the customs district of Alaska.

The message also announced that the House had passed with an amendment the bill (S. 3) to approve a compromise and settlement between the United States and the State of Arkansas, in which it requested the concurrence of the Senate.

The message further announced that the House disagrees to the amendment of the Senate to the bill (H. R. 164) granting an increase of pension to John P. Thomas, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WARNER, Mr. BREWSTER, and Mr. CASTLE managers at the conference on the part of the House.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 427) for the preservation and protection of public records and documents, and providing for the use of copies thereof as evidence;
A bill (H. R. 3963) to permit certain parties to intervene in the equity cause of the United States against Morris and others, pending in the supreme court of the District of Columbia;
A bill (H. R. 4099) to confer jurisdiction upon the circuit courts in certain cases;
A bill (H. R. 4104) relating to the jurisdiction of United States courts, and regulating procedure concerning the same;
A bill (H. R. 5521) declaring the Federal jail at the city of Fort Smith, Ark., a national prison for certain purposes;
A bill (H. R. 6160) to amend section 4746 of the Revised Statutes of the United States;
A bill (H. R. 6901) to prevent the abatement of certain actions;
A bill (H. R. 7089) to amend section 3542 of the Revised Statutes, fixing the amount that may be allowed the coiner and melter and refiner of the coinage mints and assay office at New York for the wastage of gold and silver;
A bill (H. R. 8162) to authorize the Secretary of the Interior to rent or lease certain portions of the forest reserve;
A bill (H. R. 8581) for the protection of the people of the Indian Territory, and for other purposes; and
A bill (H. R. 9210) granting an increase of pension to George H. Baldwin.

POSTAL TELEGRAPHS, TELEPHONES, AND SAVINGS BANKS.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read, ordered to be printed, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads:

To the Senate:

In connection with Senate Document No. 39, Fifty-fifth Congress, second session, and in further response to the resolution of the Senate of July 12, 1897, I transmit herewith a report from the Secretary of State, with accompanying papers, relating to postal telegraphs, telephones, and postal savings banks in the colony of Victoria.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
Washington, April 15, 1898.

INTERVENTION IN CUBAN AFFAIRS.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Mr. SPOONER. Mr. President——

Mr. MORGAN. Before the Senator from Wisconsin proceeds, I desire to make a parliamentary inquiry. I desire to know of the Chair what is the question before the Senate.

The VICE-PRESIDENT. The question before the Senate is the joint resolution reported by the Committee on Foreign Relations, being Senate joint resolution 149.

Mr. MORGAN. Has any amendment been yet offered to it?

The VICE-PRESIDENT. No amendments have been offered, but several notices have been received from Senators that they would offer amendments. Those amendments have been printed and they are on the tables of Senators.

Mr. MORGAN. I wish to give notice that whenever amendments to the joint resolution come in I intend to move to lay them on the table as fast as they come.

[Mr. SPOONER addressed the Senate. See Appendix.]

Mr. CHILTON obtained the floor.

Mr. GORMAN. Will the Senator allow me?

Mr. CHILTON. Certainly.

Mr. GORMAN. I ask the attention of the Senator from Minnesota, the chairman of the Committee on Foreign Relations. It is now twenty minutes after 6 o'clock. We have been continuously in session since 10 o'clock this morning. I understand the anxiety of the Senator to dispose of this measure, and I suggest to him whether we can not now agree to terminate this session for to-day and agree that we shall meet to-morrow at 10 o'clock, and let the general debate continue without limit until 3 o'clock, and then from 3 to 7 no Senator shall occupy more than fifteen minutes. That will give four hours for the debate upon the various amendments which will be offered—a short debate—so that we can vote not later than 9 o'clock to-morrow evening.

Mr. DAVIS. What was the last suggestion?

Mr. GORMAN. That we shall continue the general debate from 10 until 3 o'clock to-morrow, and after 3 that we will continue the debate, no Senator to be permitted to occupy more than fifteen minutes.

Mr. CULLOM. That will be four hours.

Mr. DAVIS. Until what hour?

Mr. CULLOM. Seven o'clock.

Mr. GORMAN. That will make it 7 o'clock.

Mr. CHANDLER. And the final vote to be taken at 7 o'clock?

Mr. GORMAN. That we shall vote without further debate on all the amendments pending or that may be offered, including the resolution that came from the House of Representatives.

Mr. DAVIS. Mr. President, I welcome that suggestion and shall be very glad to enter into an arrangement to that effect.

Mr. STEWART. I should like to have the limit made a little larger. Make the limitation when the debate begins to, say, thirty minutes. That will give more of us a chance. I understand there are about twenty Senators who are on the list to speak.

Mr. GORMAN. My suggestion was that the general debate should run until 3 o'clock; that is five hours' debate, and I think that will give everybody an opportunity to be heard who so desires.

Mr. MONEY. I should like to ask the Senator from Maryland if that includes the vote on the resolution and the amendments.

Mr. DAVIS. On all questions connected with this measure.

Mr. STEWART. I should like to inquire of the Chair how many Senators are now booked to speak.

The VICE-PRESIDENT. The Chair will answer the Senator from Nevada that twenty-two Senators have indicated their desire to speak.

Mr. TELLER. Mr. President, if Senators would sit down we might hear what is going on. In the rear of the Chamber we are not certain of what is going on, and until there can be order I propose to object to anything being done. I do not know what the arrangement is which is proposed.

Mr. DAVIS. I ask that the proposition of the Senator from Maryland may be read.

Mr. GORMAN. I will restate the proposition. It is that the Senate shall now adjourn until 10 o'clock to-morrow morning that the general debate shall continue from 10 until 3, and that from 3 o'clock until 7 no Senator shall address the Senate longer than fifteen minutes.

Mr. BERRY. After 3 o'clock?

Mr. GORMAN. After 3 o'clock—from 3 to 7—and that at 7 o'clock we shall vote on the pending resolution and all amendments that may be offered, including the resolution that came from the House of Representatives.

Mr. HOAR. I desire to ask the Senator from Maryland exactly what will be the parliamentary condition of this question. Does the Senator propose to have the vote taken on the resolutions reported by the Committee on Foreign Relations, and then leave the resolutions so that they have got to go back to the House of Representatives, even if they were amended by putting the House resolutions on them, or does he propose to have the resolutions the substantive subject before the Senate, or does he propose to have two?

It seems to me that the true and simple way would be to take up the House resolution, and then let any resolution the Senate proposes to pass, if they have a different one from that, be moved by way of amendment. That gives us one subject. The Senator's proposition seems to me, with all respect, to be a little vague in that particular.

Mr. GORMAN. No, Mr. President, I did not intend to exclude anything.

Mr. MASON. Mr. President——

The VICE-PRESIDENT. The Senator from Maryland [Mr. GORMAN] is entitled to the floor.

Mr. MASON. I know that. I wish merely to understand the proposition.

Mr. GORMAN. The matter is under the control of the distinguished Senator from Minnesota, the chairman of the Committee on Foreign Relations.

Mr. HOAR. And also of the Senate.

Mr. GORMAN. My suggestion was made so as to enable the Senator from Minnesota to consider the resolution reported from his committee, and also to take up the House resolution, if he shall so elect. That arrangement is broad enough to admit any amendment to either of the resolutions which any Senator may desire to offer.

Mr. HOAR. Then will the Senator from Minnesota inform the Senate now on what subject we are expected to proceed and in regard to what subject this agreement is to take effect?

Mr. DAVIS. Mr. President, it can hardly be expected that I should be able definitely to inform the Senate as to the particular mode of procedure. My understanding is, and my present impression is, that the course will be to take the House resolution from the table and move to substitute therefor the Senate resolution, and then thereafter all the amendments which come in.

Mr. MASON. I did not understand the last statement of the Senator. If I understand, the probable parliamentary proceeding will be to take up the House resolutions, and then, before submitting the question on the amendment as proposed by the minority of the committee, you propose to submit the question——

Mr. DAVIS. I will state it again, with the Senator's permission.

Mr. MASON. I wish the Senator would do so.

Mr. TELLER. And I hope the Senator will speak loudly enough, so that we can all hear in this part of the Chamber.

Mr. DAVIS. Without laying down any rule that I can not retract in this matter, but stating merely my present intention, so far as I am able to control the question, it is this: To move to take the House resolution from the table, then to move to substitute for the House resolution the resolution reported by the Senate committee, and move to substitute the preamble of the resolution of the Senate committee for the preamble of the House resolution. Then the entire matter will be before the Senate upon the resolution thus amended for all amendments now pending or thereafter to be offered.

Mr. MASON. Then there can be no misunderstanding as to the right to vote after we vote upon the question upon the amendments to the House resolutions, and our right to vote upon the amendment of the minority of the Committee on Foreign Relations.

Mr. DAVIS and Mr. GORMAN. None whatever.

Mr. ALDRICH. Let me suggest, as a matter of parliamentary law, that the substitute reported from the Committee on Foreign Relations will have to be perfected first, and any amendment will first be in order to that proposition. If the minority of the committee offer that amendment, that will be the first thing in order. The original resolution must be first perfected, and then the question will come upon the substitution of that amended resolution in place of the House resolution.

Mr. DAVIS. Of course any statement I make will be subject to parliamentary law. Everybody, I trust, understands what I mean. What I mean is that in any situation hereafter there is going to be a square vote and an opportunity to vote on every resolution and every amendment.

Mr. COCKRELL. Let me suggest to the Senator that we perfect the Senate resolution, whatever it may be, and then substitute it for the House resolution.

Mr. DAVIS. That may prove to be the better way; but at present I prefer to let the matter stand as I have stated it.

Mr. HAWLEY. I wish to make a suggestion. The Senator gives five hours to-morrow, from 10 until 3 o'clock, without limitation as to the length of speeches. There are some of us who are not self-limited, as the doctors say about certain diseases—we are not self-limited as to speeches, and we are liable, some of us, to talk an hour or an hour and a half out of that five hours, and then it is proposed to give but four hours to the fifteen-minute speeches. That will not satisfy the demand. I suggest that a half hour would be about enough for each Senator between 10 and 3 o'clock.

Mr. FRYE. The Senator can not get that proposition assented to, and I hope he will not insist on it.

Mr. HAWLEY. The Senator from Maryland proposes to make the speeches unlimited from 10 to 3 o'clock, as I understand, and after that time he proposes to have the speeches limited.

Mr. GORMAN. Unlimited from 10 to 3 o'clock.

Mr. HAWLEY. There would be a very great advantage indeed in that to the Senators who come first on the list of speakers. I am willing to confine myself to a ten-minute speech.

Mr. ALDRICH. We can not hear the Senator.

Mr. HAWLEY. I said from 10 o'clock to 3 was giving a very great advantage to those who come first and who can talk as long as they please, even five hours, and those coming in from 3 to 7 will be under the fifteen-minute limitation. That would not satisfy the demand. If we could have a half hour each between 10 and 3, there would be some chance, for a half hour apiece would permit ten speeches in that time, or you could lengthen the time during which the fifteen-minute speeches might be made. I want but a few minutes to speak. I am willing to make it ten minutes so far as I am concerned.

Mr. STEWART. I suggest to the Senator from Maryland that we had better have a night session. There are a large number of speeches to be made. ["Oh, no!" "Oh, no!"]

Mr. DAVIS. Mr. President, I ask that the suggestion of the Senator from Maryland may be adopted by unanimous consent.

Mr. HAWLEY. I shall feel bound to object, unless there be a little more time given for speeches or a shorter limitation.

Mr. HALE. Let me suggest to the Senator from Maryland that, considering the importance of this matter and the number of Senators who have already indicated that they desire to speak on it, the point made by the Senator from Connecticut [Mr. HAWLEY] has great force. We meet in the morning at 10 o'clock. We had some experience upon this in the vote on another matter earlier in this session, when, under the time given for unlimited debate, one or two Senators occupied it all, and the result was that when we came to the fifteen-minute debate, Senators who then desired, as Senators desire now, to give their reasons—not to enter at length into the discussion of the matter, for it has been very thoroughly covered by the Senators who have spoken on each side, but enough to make each Senator's position clear—a dozen of those at least will be shut out.

Why not make this proposition: If anybody wants to take more than fifteen minutes—and it is as fair for one as it is for another—that to-morrow debate proceed under the fifteen-minute rule from the time we begin?

Mr. STEWART. I will agree to that.

Mr. HALE. I doubt very much whether I shall say anything upon this subject. Looking at the list of speakers, I can see plainly, if the suggestion the Senator from Maryland has made goes through, a dozen of us who would like to say something will be simply unable to say one word.

Mr. ALLISON. May I ask the Senator if he is on the list?

Mr. HALE. There is no use to get on it. That is precisely the difficulty.

Mr. ALLISON. I think there is great force in what the Senator says as to the limitation of the time. My name does not appear to be on that list, unless the Vice-President kindly puts it there now, so that I may be in order next after the twenty-four or twenty-five Senators who are to speak. It seems to me, however, that if we are to have this debate in order that Senators may express their views upon the respective amendments and vote upon the final question without elaborating arguments, we ought to begin at 10 o'clock in the morning.

Mr. HALE. Under the fifteen-minute rule.

Mr. ALLISON. Under the fifteen-minute rule, and continue not later than 7 in the evening.

Mr. BACON. Mr. President, I do not say anything in my own interest, because I can accommodate myself to any time the Senate may think proper; but I hardly think it is fair to the Senator from Texas [Mr. CHILTON], who already has the floor to begin his speech, that he should be included in this limitation.

Mr. ALLISON. Very well; I do not wish to include him in it if he has the floor and wishes to go on in the morning.

Mr. CAFFERY. Mr. President, there are twenty-two names down on the list, as the Chair informs me, and while I do not object to the rule being extended in the interest or on behalf of the Senator from Texas, I think that those who will be entitled to the floor after he gets through ought to be entitled to the same privilege.

Mr. President, I do not believe we shall get to a vote any sooner by undertaking to limit debate upon the main question. I hardly think so. I do not think there is any disposition upon the part of anyone to delay the final vote upon this question. All there is—and it is a great deal—is an honest desire to express each Senator's views as he addresses the Senate. It looks to me as if it were curtailing the privileges of those who have not spoken. You have accorded to those who have spoken unlimited time, and then you cut off others who stand equally as meritorious before the Senate in the way of time as they did. I should like to ask the Senator from Maryland if we can not extend the time beyond 5 o'clock?

Mr. CULLOM. The limit is placed at 7 o'clock.

Mr. CAFFERY. Does the Senator extend it from 10 to 7?

Mr. GORMAN. From 10 to 3 without limit.

Mr. CAFFERY. For debate on the general question?

Mr. GORMAN. Yes; and fifteen minutes to each Senator who desires to speak from 3 until 7 o'clock; but I have no objection to extending the time until 8 or 9 o'clock.

Mr. CAFFERY. With the evidence that we have before us to-day, it is quite probable that one or two Senators will take up all that time. The Senator from Wisconsin [Mr. SPOONER] made a most exhaustive and entertaining speech, and the Senator from Virginia [Mr. DANIEL] likewise. They were the principal speakers to-day so far as the length of time is concerned. Without any disparagement to others, I may say that their debate was very instructive, and upon this question I believe we want all the instruction we can get. I know I do. I am trying to arrive at an honest conclusion on this question. I want light; I want to hear everything that is said.

I believe the Senator from Virginia to-day expressed the true situation when he said that war would keep, that it is not going to spoil. The blood letting, if we have war, will commence soon enough, and while war is imminent, it does look to me, Mr. President, as if it were somewhat trifling with a great question to

hurry the debate, when upon other questions of insignificant moment as compared with this the debate has been absolutely unlimited. On the question of a private claim I have seen the Senate debate a week. On the question of finance, which sinks into insignificance, in my opinion, in comparison with this great question now confronting the country, we debated three or four months.

Now, Mr. President, what is there in the exigency of this situation that prompts the chairman of the Foreign Relations Committee to demand that the course of debate be stifled, as it were, by limiting it to a narrow compass and preventing Senators from putting their views upon the record? This debate will go down to history, Mr. President. It marks an epoch in the affairs of the United States. The question of war is fraught with, perhaps, consequences which we do not now anticipate. It may be of evil; it may be of good; and I for one have not the slightest desire to do other than to get the voice of the Senate of the United States, which is a part of the war-making power, spread upon the records of the country elaborately, if Senators desire so to speak, so that we may have a monument hereafter which will guide us in future troubles.

Mr. BACON. May I ask the Senator a question?

Mr. CAFFERY. Certainly.

Mr. BACON. I simply desire to ask the Senator whether he himself desires to go on to-night or, as he has expressed it, simply desires to hear at greater length from other Senators. The reason I ask the question is this: It is possible that an arrangement might be made by which the Senator might himself be accommodated. I had expected to speak, but I am willing to be limited to fifteen minutes. I have suggested that the Senator from Texas [Mr. CHILTON], as he already had the floor, should not be limited to fifteen minutes. I am also willing to make an exception of the Senator from Louisiana and give him additional time. If the remainder of us are willing to be limited to fifteen minutes each, that might possibly solve the trouble.

Mr. CAFFERY. Mr. President, I very much more desire to hear others than to listen to the echoes of my own voice. My mind is fully made up as to the course I shall pursue, as to the line of debate that I will take: but, sir, I crave light. I do not want to plunge into a war of this description, or any other description, unless every phase of the subject is not only spread before the Senate, but before the country. We may be called on hereafter to justify our course. I want that course to be justified under every principle that can affect the national conscience, every principle under which it can be justified under international law.

I believe that this debate will terminate to-morrow evening. I do not believe there is the slightest desire—none lingers with me—to say one single word of surplusage or to occupy one minute more of time than this great subject ought to have. I ask for it, sir, in the name of the Senate, and I believe the country itself stands ready to accord us the poor privilege.

I do not desire any privilege for myself, I wish to say to my friend the Senator from Georgia; I am willing to take whatever comes to the common lot. I want no special privilege for myself. My remarks will not be extensive. After the elaborate discussion of this case in nearly every phase of it, those who follow will merely summarize the arguments without going so much into particulars.

Mr. TELLER. I call for the regular order, Mr. President. We do not seem to be likely to come to any arrangement, and we had better proceed with the regular order.

The VICE-PRESIDENT. Is unanimous consent given to the request made by the Senator from Maryland [Mr. GORMAN]?

Mr. CAFFERY. I object.

The VICE-PRESIDENT. Objection is made.

Mr. CHANDLER. Mr. President, I ask that order may be preserved in the Chamber and that Senators may take their seats.

The VICE-PRESIDENT. Order will be preserved in the Chamber.

Mr. MORGAN. I ask the Senator from Texas to allow me to offer an amendment.

Mr. CHILTON. I yield.

Mr. MORGAN. I offer an amendment, and ask that it be read at the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Alabama will be read.

The Secretary read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States of America, without fault on their part, being involved in hostilities with Spain, on account of the war that is being waged by that power against the people of Cuba; the conduct of which is inhuman in its character; has long disturbed the peace of the United States; has greatly injured our commerce; has violated the rights of our people, guaranteed by treaties; has destroyed their lives by assassination and their property with the torch, and has culminated in the loss of the lives of our officers and sailors through the criminal destruction of the battle ship *Maine* while it was at anchor in the bay of Havana, on a visit of courtesy; and also for other well-known causes.

First. The Congress of the United States declares that a state of war exists between the Government of Spain and the Government and people of the United States.

Second. The foregoing declaration does not apply to the government of the Republic of Cuba, or to the people who are included in its citizenship.

Third. The President of the United States is empowered and required to use the land and naval forces of the United States in executing and maintaining this declaration of war until an honorable peace is concluded and the future safety and welfare of the people of the United States and the independence of Cuba are secured by the expulsion of the armed forces and the dominion of the Spanish Government from the Island of Cuba.

The VICE-PRESIDENT. The amendment will be printed and lie on the table.

Mr. MORGAN. I offer it now.

Mr. CHILTON addressed the Senate. After having spoken a few minutes,

Mr. WELLINGTON. There is an evident disinclination on the part of the Senate to proceed, and I move that the Senate adjourn until to-morrow morning at 10 o'clock.

Mr. LODGE. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. PENROSE (when his name was called). I am paired with the junior Senator from Delaware [Mr. KENNEY]. I understand that if he were present, he would vote "nay." I will therefore vote. I vote "nay."

Mr. PLATT of New York (when his name was called). I am paired with the senior Senator from New York [Mr. MURPHY]. Not knowing how he would vote on this question, I withhold my vote.

Mr. TURPIE (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. In his absence I withhold my vote.

The roll call having been concluded, the result was announced—yeas 10, nays 60, as follows:

YEAS—10.

Bate,	Clay,	Elkins,	Wellington.
Caffery,	Daniel,	McBride,	
Chilton,	Deboe,	Turley,	

NAYS—60.

Aldrich,	Foraker,	McEnery,	Pritchard,
Allen,	Frye,	McLaurin,	Proctor,
Allison,	Gallinger,	McMillan,	Quay,
Bacon,	Gear,	Mallory,	Rawlins,
Baker,	Gorman,	Mantle,	Roach,
Berry,	Gray,	Martin,	Sewell,
Burrows,	Hansbrough,	Mason,	Shoup,
Cannon,	Harris,	Mills,	Stewart,
Carter,	Hawley,	Money,	Teller,
Chandler,	Heitfeld,	Morgan,	Thurston,
Clark,	Hoar,	Penrose,	Tillman,
Cullom,	Jones, Ark.	Perkins,	Turner,
Davis,	Jones, Nev.	Pettigrew,	Vest,
Fairbanks,	Lindsay,	Pettus,	Warren,
Faulkner,	Lodge,	Platt, Conn.	Wilson.

NOT VOTING—19.

Butler,	Kyle,	Pasco,	Walthall,
Cockrell,	Mitchell,	Platt, N. Y.	Wetmore,
Hale,	Morrill,	Smith,	White,
Hanna,	Murphy,	Spooner,	Wolcott.
Kenney,	Nelson,	Turpie,	

So the Senate refused to adjourn.

Mr. CHILTON resumed the speech heretofore begun by him. After having spoken some time,

Mr. LINDSAY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SEWELL in the chair). The Senator from Kentucky suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Deboe,	McMillan,	Sewell,
Allen,	Fairbanks,	Mallory,	Shoup,
Allison,	Faulkner,	Mantle,	Spooner,
Bacon,	Foraker,	Martin,	Stewart,
Bate,	Gorman,	Mason,	Teller,
Berry,	Gray,	Money,	Thurston,
Caffery,	Hale,	Morgan,	Tillman,
Cannon,	Harris,	Penrose,	Turley,
Carter,	Hawley,	Perkins,	Turner,
Chandler,	Heitfeld,	Pettigrew,	Warren,
Chilton,	Kyle,	Pettus,	Wellington,
Clay,	Lindsay,	Platt, Conn.	Wetmore,
Cullom,	Lodge,	Pritchard,	Wolcott.
Daniel,	McEnery,	Quay,	
Davis,	McLaurin,	Rawlins,	

The PRESIDING OFFICER. Fifty-eight Senators having responded to their names, a quorum is present.

Mr. PETTUS. I desire to state that the senior Senator from Massachusetts [Mr. HOAR] informed me that he was unable to stay here. I am his general pair, and promised on all these minor matters to abstain from voting, in order that his vote might be counted in that way.

The PRESIDING OFFICER. The Senator from Texas will proceed.

Mr. CHILTON resumed his speech. After having spoken for some time,

Mr. HALE. Mr. President, I do not think on so important a discussion as this that the Senator from Texas ought to be asked to proceed with very few Senators in their seats; and unless the debate is to go on in the presence of the Senate, so that we may really listen, as we have done during the day, to the arguments presented by Senators, I shall certainly be in favor of an adjournment. It is a farce, after so earnest a day as this has been and such constant attendance by Senators, the seats being all filled, and listening, as we have, to strong and remarkably strong arguments upon both sides, that now one or two Senators should insist upon our remaining here and oblige Senators to speak to empty seats, upon the theory that this matter must be put through on a few hours' notice. Unless the Senate can be here, as it has been to-day, and listen, as it ought to listen, to the Senator from Texas, I shall certainly, if I do not do so at the present time, move to adjourn, in order to test the sense of the Senate.

Mr. WHITE. Will the Senator from Texas permit me to make a remark?

Mr. CHILTON. I yield to the Senator.

Mr. WHITE. There are some Senators here—perhaps not many—who hold views not entirely in harmony with any that have been expressed thus far upon this floor. The Vice-President very properly has taken the names of Senators who have made suggestions that they desire to speak, and we have all acquiesced in that practice, which is entirely appropriate and has been uniformly enforced without dissent.

Those of us who have listened to the Senators who have spoken and uttered their views upon lines somewhat divergent from ours think we ought to be accorded a reasonable time to respond. We have said nothing. We have preserved our peace. We have listened. For myself, the views that I shall express here will be the views in which I believe and upon which I have predicated convictions that I have not been thus far able to change; but I do not propose to express those views at 2 or at 3 or at 4 o'clock in the morning. I propose that the same courtesy shall be extended to one Senator that has been extended to another.

I am willing to spend any reasonable time here, but I do not see the force of the criticism upon the desire expressed by us to have a reasonable opportunity in the ordinary daytime to express our views by those who have consumed two or three or four hours during the day. I assume none such criticise us, and that no Senator will object to a fair and candid expression of views upon this sort of a question. But it must be remembered that the report of the committee which has been under discussion, and which was only presented yesterday, is 600 pages in extent. If we were trying a case which involved the loss of an old horse or an old cow killed by an errant express train, we would be accorded far more hearing than thus far has been vouchsafed to us upon this question involving war between the United States and another nation.

Mr. HALE. I wish to say, Mr. President, that I do not desire in an objectionable way to interrupt the Senator from Texas.

Mr. CHILTON. No; I do not so regard it.

Mr. HALE. My suggestion was made out of respect to him. When I came into the Chamber there were not over ten Senators listening to the Senator from Texas.

Mr. FORAKER. I counted them at the time the Senator made his suggestion, and there were twenty-eight.

Mr. HALE. The Senator is quite ready to correct everybody in the Chamber. I counted as well as I could, and I did not count so many as the Senator, though I counted him but one.

Mr. FORAKER. What was that remark?

Mr. HALE. I did not count the Senator but one.

Mr. FORAKER. Do you mean to imply by that remark that I thought you ought to count me more than one?

Mr. HALE. I do not imply that.

Mr. FORAKER. Will you please be kind enough to state whether you did——

The PRESIDING OFFICER (Mr. SEWELL in the chair). The Senator from Texas has the floor, and without his consent this controversy can not go on.

Mr. HALE. After such a day as to-day has been, and such a day as yesterday, when the Senator from Ohio [Mr. FORAKER] and other Senators yesterday and to-day had the attention of the entire Senate, as they ought to have had, because they presented their respective causes in the most forcible and eloquent fashion to an entire and listening Senate, I repeat my proposition that to be kept here upon the theory that this vote must be taken at once or speedily, and to subject Senators to speaking to an audience of only ten or a dozen or two dozen Senators, if the Senator from Ohio chooses, is not a fair thing, and that unless we can have a full Senate at night as well as during the day—and I am willing to stay here, and prove it by staying here—I shall certainly insist that we try to adjourn, or that a call of the Senate shall be had, and that Senators shall be found in their places. I wish to say to the Senator from Texas that I make this suggestion not in any way to interrupt him.

Mr. CHILTON. I understand that.

Mr. HALE. But I make it out of respect to him. He ought to have the same attention that other Senators have had.

Mr. FORAKER. Mr. President, I think whether we stay here or not of course ought to be determined by the Senate; and if any Senator thinks that the Senate desires to adjourn, that can be determined if the motion be put and the roll called.

I do not want the Senator from Maine to think that I intended any offense toward him when I corrected his statement. When he made the statement it did occur to me that he was probably the only Senator who was objecting to our going on at this time. I have not heard of anybody else objecting. I looked about to see how many Senators there were present, and as I ran my eye over the Chamber I saw there were twenty-eight in it, counting myself but once [laughter] and counting the Senator from Maine only once. [Laughter.]

Now, Mr. President, I do not want to engage in any personalities, and I was quite astonished that the Senator from Maine, usually so urbane and so considerate of the feelings of others, should have, at least apparently, engaged in personalities.

Mr. HALE. I think myself, Mr. President, that I was somewhat at fault in making the allusion I did, because the Senator is always here and was here at that time. My count, as I made it, was about ten or a dozen.

Mr. FORAKER. That was made a little while ago, possibly, while more Senators were in the restaurant than just now.

Mr. HALE. I think so.

Mr. FORAKER. I think we have an unusually full Senate, and I insist that we shall go on; but if there is to be objection, let it be made in the regular way.

Mr. HOAR. Mr. President, I should like to be permitted to make one observation, if I may.

It does seem to me that our friends who seem to be, and I dare say are, in a majority in the Senate in regard to their opinions on the question under debate, are a little regardless of the comfort, wishes, and rights of their associates in undertaking to force this great question through, and insisting on night votes and night sessions unless they can have an agreement which is to cut off Senators, representatives of sovereign States in this body, who have already given notice of a desire to speak; and there are certainly twenty-three or twenty-four who still have not been heard.

I do not wish to make any undue trouble about it, but for one I wish to enter my protest. The course being pursued does not do any good. The House of Representatives has adjourned until Monday, and we could not send anything over to the House of Representatives before 12 o'clock on Monday if we tried. There is time enough by daylight, without night sessions. We can meet here to-morrow morning at 10 o'clock, if it is desired, and sit until 6 or 7 o'clock in the evening, and then meet at 10 o'clock on Monday, and do this thing without inconvenience.

I suppose when a man is not able to do the work that devolves upon him, he had better leave the Senate, perhaps, but for one it is an extremely painful thing to me, seriously affecting my health and my capacity for my official work, to sit here several hours in the night and in the glare of these lights. I am willing to do it if there is any necessity for it, but I feel very much aggrieved and wounded, for one, when I am constrained to do it simply because anybody wants to put my nose to the grindstone and make me vote promptly, without the ordinary debate, on the greatest question which has come before the country for generations.

Mr. FORAKER. If the Senator will allow me to interrupt him, I understood him to make the statement that the other House had adjourned over until Monday.

Mr. HOAR. So I am told.

Mr. FORAKER. I am just told by a member of the House of Representatives that the House is still in session, and has not adjourned until Monday.

Mr. CULLOM. My information is the same as that of the Senator from Ohio.

Mr. HOAR. Then I am misinformed.

Mr. FORAKER. Surely no one would wish to inconvenience the Senator from Massachusetts——

Mr. HOAR. I think, Mr. President, that we might at a convenient time, perhaps after the Senator from Texas has finished his remarks, get an agreement which would give all the time for debate desired by Senators, and an agreement to vote at 10, 11, or 12 o'clock on Monday morning, which would accomplish practically everything that Senators desire in the way of promptness, and would not undertake to force us into a premature conclusion.

Mr. TELLER. I call for the regular order, Mr. President.

The PRESIDING OFFICER. The Senator from Texas [Mr. CHILTON] is entitled to the floor.

[Mr. CHILTON resumed and concluded his speech. See Appendix.]

Mr. TELLER. Mr. President, I do not intend to detain the Senate at any length on this subject, and if we could have secured a vote promptly, or can now do so, I would be willing to defer

what I have to say to some other occasion. I do not care to go into a general discussion of our relations to this subject. There has been a good deal said which, it seems to me, might as well have been left unsaid. I do not intend that this question, so far as I am concerned, shall assume a partisan shape or direction. I expect to vote for some sort of resolution in harmony with that presented by the committee, although perhaps not exactly like it, with an addition, as proposed by the minority, recognizing the independence of the Government of Cuba.

I do not think any question can arise in the mind of anyone that whatever steps we take in reference to the pending resolutions or those of a kindred character mean war between the United States and Spain, and I think every step we take should be taken with full knowledge that that will be the consequence of our act. There has been something said here to-day about the fact that we were not prepared. I think we are fairly well prepared for war; but if we are not, it is some consolation to me, as I stand here to-night and contemplate what may happen, to know that since I have been a member of this body I have never failed in my vote—and frequently I have given my voice to that end—to support a full and complete preparation for war, a preparation that was in accordance with the wealth, with the dignity, with the great coast to be defended, and the great interests which would be imperiled by war.

If there is not a suitable array of cannon on the coast, or if there is not a suitable number of ships, torpedo boats, and torpedo-boat destroyers, it is not because of any negative vote of mine. In contemplating this very much to be dreaded and very much to be regretted consequence of our act—war—I feel an intense satisfaction that no word of mine or act of mine has tended in the slightest degree to hasten this dire calamity, and that no act of mine or word of mine can, in the slightest possible degree, have embarrassed the Chief Executive of the nation in his consideration of this question.

Two months ago to-day the *Maine* was blown up. I believed then and I believe now that it was wisdom to leave the determination of that question with the executive branch of the Government until such time as the executive branch should determine whether there was or was not cause of complaint against Spain. I have on various occasions for years past, ever since this war began, expressed to the Senate in a brief way my views upon the subject.

I have said again and again that I did not believe it was necessary for us to be brought into a state of active hostilities against the Government of Spain, and to-night I feel morally certain, and I am supported in that belief by some of my associates who have spoken in this Chamber and by the unanimous report of the Committee on Foreign Relations, that if the Chief Executive two years ago last month had heeded the almost unanimous declaration of this body and the other there would to-day be no friction between us and Spain, there would be no starving people in the Island of Cuba, there would be no necessity for the array of battle ships and hostile fleets and hostile forces.

Mr. President, the great mistake which the American people have made was that three years ago we did not declare, what everybody on the face of God's green earth knew was the fact, that there was a state of war in the Island of Cuba. That is all that we demanded. That is all that the condition there required of us.

Mr. President, we have stood here as a nation denying a fact which everybody knew to exist—a fact that the Chief Magistrate of the nation now in his message declares has existed for three years. Had we said to the world, "We recognize these contestants upon the Island of Cuba as entitled to be treated not as pirates, not as rioters, not as those engaged in a mere émeute, but as soldiers contending for that greatest right, the right to govern themselves"—if we had said that, as we ought to have said it, we would have escaped a great war; for, let no man deceive himself, when we declare for war we must put on our full strength and our full force, for it will be no child's play.

We are going to war with new engines and new agencies and under new conditions. No man living, no matter how clear-headed he may be or what his experience has been, can say what will be the condition of our battle ships in battle array. No man can say what will happen to the American youth who go down into that fever-infested island to contend for the liberty of a neighboring people, and for the maintenance, as I believe, of a great duty incumbent upon us to maintain peace in the island.

Mr. President, I do not care what may be the law. I do not care whether the Executive is the man who shall declare the independence of the Island of Cuba or whether it is our act. I know that the time has come when the American people demand and when the interests of the race demand that we shall say the people of that island are entitled to be free, and as a great step, as I believe, toward making them free recognize the fact that they have a government there, a government which for three years has maintained war such as has not been maintained on the Western Continent for years, save that of our great war.

They have assembled more men in the Island of Cuba in the defense of Cuban freedom than we assembled to contest our freedom with Great Britain. Spain has sent four or five times as many soldiers to Cuba as Great Britain sent to us to compel us to yield obedience to her mandate. Yet that government is said not to be a government capable of being recognized by the people of the United States, either through its executive branch of Government or through the legislative, whichever's duty it may be.

I shall vote for the independence of Cuba. I shall vote to declare that there is a government in Cuba; and if we had voted that way and the executive department had accepted our opinion eight months ago, six months ago, we would not be threatened now with war. I am not warlike. I have said on the floor of the Senate again and again that I do not like war. I have said, though, that there are infinitely worse things than war. I believe we have reached a point in this transaction when war is a duty as well as a necessity. I wish it were otherwise.

I agree with the Senator from Massachusetts [Mr. HOAR], who pictured to us the horrors of war. I know what will happen to the flower of the American youth when they shall go down to that fever-stricken island, as they will go, as they will go because there is a sentiment bred in the bone of the American youth which makes them sympathize with the struggling Cubans and with the people of every nation who aspire to better things and to lift themselves up.

They will go, and there will come bleeding hearts; there will be sorrow in many homes; there will be distress everywhere. Oh, Mr. President, that we could have done the right thing at the right time! It is idle to regret past opportunities. It is idle for us to say what we might have done, and yet a few of us, who feel if war comes it is not to be laid at our door, can not refrain. We did our duty here, and I have no charge against my associates who do not see their duty as I saw mine.

Mr. President, a word or two only as to the condition of Cuba. The President of the United States and the committee of this body charged with this question tell us what the condition is there. From that condition, if any Senator can come to the conclusion that there is not a government there and that his duty forbids him to vote to recognize that government and give to it such support as it is entitled to, I shall not quarrel with him.

I turn first to the President's message. I turn to it first because it is first in point of time. I do not wish to detract anything that has been said in favor of the Chief Executive. I have no accusations or criticisms here to make now save what I have already made. I do not agree with some utterances here to the effect that the President is to pass upon this question for me. I have an oath that I have taken at that desk. I have a duty that devolves upon me because of my position here.

I can not get rid of it by standing here and declaring that I have faith in the Executive or that I am willing to trust these great interests to his judgment. I was not sent here for that purpose. It has not been my habit nor my custom in my public life to surrender to any man my judgment upon questions on which I ought to have a judgment of my own. I do not read from the President's message only, the report of the committee, simply upon which to base my action. I read it as corroborative of my own judgment. The President says:

> The long trial has proved that the object for which Spain has waged the war can not be attained.

Mr. President, if that is so, the time has arrived when we can properly intervene, and the time has arrived when we can recognize the independence of that land.

> The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods.

That is, it can not be extinguished by Spain. The committee of the Senate with unanimity tell us that Spain has practically ceased her efforts to control the island, that she occupies only the fortified places, and her dominion is only where she can hold her army in safety from the insurgent troops. The committee say on page 8 of their report:

> The insurgents hold the eastern portion of the island, to the practical exclusion of Spain. This possession extends over one body of territory comprising fully one-half of the area of Cuba.
>
> The extermination by Spain of the peaceful inhabitants of the western portion of the island has so affected the balance of population between these moieties of Cuba that the insurgents comprise in the eastern half nearly one-third of the population of the island. That third of the population pays taxes to them, serves in their armies, and in every way supports and is loyal to them. This situation has existed ever since the first few months of the war. The armies of Spain under Campos, Weyler, and Blanco, successively, have been repelled in every invasion that they have attempted on the eastern half of the island.
>
> The cause of Spain has continually grown weaker and that of the insurgents has grown stronger. The former—

That is, Spain—

> is making no substantial effort for the recovery of these lost provinces. Their people are secure from invasion and cruel administration.

And yet, Mr. President, this committee of ours come here and recommend to us that we shall not recognize that government there.

Spain has never been able to subject them to her unprecedented and murderous policy of concentration and extermination. Her armies have been more than decimated in the attempt to subdue them. Two hundred thousand of her soldiers have failed to reduce the insurgents. The few reenforcements that she is now sending to Cuba do not supply a tithe of her losses caused by battle and disease.

Her control over the western portion of the island is dominance over a desolation which she herself has created.

And yet because she may reach a section of country with her troops where no human being can live except as a warrior we are told that she has dominance over that country, and therefore we can not afford to recognize the insurgent government, established and maintained as it has been for nearly, if not quite, three years.

Even there she controls only the territory occupied by her cantonments and camps. Outside these the insurgents are everywhere in presence.

The committee say again:

The preceding observations have assumed a certain control and sovereignty by Spain over the western portion of Cuba. We have indicated its character. It is limited to scattered and fortified areas, and it is not a civil sovereignty. It is merely a military occupation of fortified places.

Mr. President, if anything more is needed to show that Spain is not dominant over the island, it can be found in some other portions of this report. It is a fact that we know here that Spain is only nominally in control of the island of Cuba even where she claims that she is in control.

Mr. President, I am loath to criticise a committee. I believe that this report, written with great vigor and with great intelligence and indicative of great learning, would have justified the committee in saying, in view of what we have declared, "Congress should recognize the independence of the Republic of Cuba." I believe that that was the first intention of the committee, and that is all I think perhaps I ought to say with reference to it, except that I regret the committee did not come here with a resolution in accordance with the declaration they made of the state of facts which we all know exists.

Now, I wish to take a moment, and only a moment, for I do not intend to detain the Senate at any length with my remarks, to call attention first to the joint resolution reported by the committee:

That the people of the Island of Cuba are, and of right ought to be, free and independent.

That is a proposition to which I agree. They can not be free and independent without an organization. With all deference to the committee, when they come here and talk to me about the independence of the people of Cuba they stultify themselves and in fact declare if independence exists there at all there must be a government, for it can only exist under an organized government of some character or kind.

As I said before, if the facts are as stated in the joint resolution, the joint resolution as reported should be amended as proposed by the minority and we should insert, after the word "independent," "and that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island." I shall vote for the minority amendment. I shall vote for it with the feeling that it will afford relief to the Cubans and that it will save us from much embarrassment in our dealing with this question.

I do not deny the right of the Government of the United States to intervene there with or without reference to the Republic of Cuba, if it exists. As long as Spain denies that it exists and continues her controversy and contest, the Government of the United States may, in the interest of humanity or in the interest of her own people, intervene; but we must intervene, if intervene we do, with a declaration to the world that we are not making, under the pretense of intervention, a war of conquest, that we are not after the island. For the outrage committed upon us, if Spain blew up our ship, we may go to war; we may declare that a state of war exists. That is the first movement. But intervention is not to save our rights or redress our wrongs. Intervention is only justified when such a condition of affairs exists there that we are in duty bound to remove the cause of complaint.

Mr. President, I want the Senate, before we conclude this debate, to say to the world in the most emphatic manner possible that we do not intend in any way or manner to derive benefit from this intervention. Spain is too weak and too poor to pay indemnity. I want the Senate to say that we do not intend to take that island; that whatever we may do as to some other islands, as to this island, the great bone of contention, we do not intend to take it from the legally constituted authorities of the island as now established.

At the proper time, if no one else does so, I propose to offer some amendment to the joint resolution that shall make it clear to the world that it shall not be said by any European government, when we go out to make battle for the liberty and freedom of Cuban patriots, that we are doing it for the purpose of aggrandizement for ourselves or the increasing of our territorial holdings.

Mr. President, I have hoped, and I still hope, although there is but little to base it upon, that even yet we may avoid war. There will be no glory out of this war with Spain. There will be no laurels on the crowns of the conquerors that will compensate for what the war will cost.

I can not depict the horrors of war as they have been depicted by many a historian, but we can sum it up in the very brief language of one of our own great soldiers when he said "War is hell." It is everything that is wicked; it is everything that is bad. But, Mr. President, if war we must have, if we are going to war, I trust we shall go with a united front. I trust that we shall go with that vigor that is characteristic of our people, and that we shall make war in such way as shall satisfy the world that we are not making it for conquest, but that we are making it for liberty and freedom, in the interest of the human race and in the interest of our own people; that we shall make it in such way, Mr. President, that you will hear no mutterings from abroad of intervention in the affairs of this Western Continent by the allied powers of Europe.

If war comes I would make it so severe that the flag of Spain would be driven from every holding of hers on the face of the earth except the little country she occupies in Europe, and I would say to the allied powers, if they raised a question of intervention on our part, "We will fight the world in arms in defense of the right of the American people to control the affairs in the Western Hemisphere as they think they ought to be controlled." All you need to do is to say it, say it with our Anglo-Saxon vigor, say it with American pluck back of it, say it with 75,000,000 of united people, with the greatest wealth in the world back of them, and the world will stand and consider and they will not put their hand upon us. [Applause in the galleries.]

Mr. JONES of Arkansas. Mr. President, we are all aware that the different views of the matter under discussion have been presented at considerable length by the friends of each view except the view of the question entertained by the Senator from Louisiana [Mr. CAFFERY], the Senator from Maryland [Mr. WELLINGTON], and the Senator from California [Mr. WHITE]. These gentlemen have a right, as I believe, to present their view of this question. They have not had the opportunity up to this time.

I ask the unanimous consent of the Senate that the Senate adjourn until to-morrow morning at 10 o'clock, and that four hours of the time after 10 o'clock, at such time as they come in, shall be allotted to the friends of this view of the case, and that the remainder of the session be confined to fifteen minutes' debate to each Senator, and that we vote before we adjourn to-morrow.

Mr. PETTUS (to Mr. JONES of Arkansas). Fix an hour.

Mr. GORMAN and others. Oh, no.

Mr. WHITE. So far as I am personally concerned, I have certain views upon this matter which I will express far more briefly than many Senators to-day, who wasted no words either. But I intend to have sufficient time to do that, and I am satisfied that I can say whatever I desire in an hour and a half at the furthest. But I do not care to enter into any agreement that will result in any invidious distinction of any sort. I do not think that there is any Senator or that there are any three Senators upon this floor who are entitled to any preference over other Senators.

So far as I am concerned, I will say that I shall take no more time than I have indicated, whenever my name is reached; and I do not propose to be bunched up with any other person by any agreement that we shall change our ordinary routine or displace other Senators whose names are upon the list before us. There are some twenty-odd names now upon the list before the Vice-President, and I believe I am twelfth or fifteenth in the line. When my time comes I shall not speak in excess of the time I have now mentioned.

Mr. CAFFERY. I think that the Senator from California might review his ideas on this matter, because this proposition does not make any invidious distinction or give any special privilege to those who are termed the representatives of the peculiar phase of this question, nor does it bunch us up, as I understand it. The proposition submitted by the Senator from Arkansas is that a certain time be allotted to certain Senators, the Senator from California and myself and the Senator from Maryland, four hours, which we can utilize according to the rotation in which we come upon the list, and I see nothing invidious in that. I think that is only a kindness that is offered to us on behalf of the Senate, and I for one am entirely willing to accept it. I shall not be long. I will say to the Senator from California that my remarks will be made inside of an hour, I think, unless some gentlemen get to asking me questions that I can answer.

Mr. MILLS. Suppose we give one hour for each?

Mr. WHITE. The Senator from Texas suggests that we give one hour each. We have stayed here to-day and listened to speeches three and four hours long. I do not complain of that. They have been instructive and able speeches, necessitated by the exigencies of the case. I hold certain views which I desire to present to the Senate as tersely as I am capable of expressing

them, and I propose to do that. I say I can do it within the limits I have heretofore expressed, and if the ordinary routine is pursued which the Vice-President has before him, I will follow out that course, which, as I understand, comes in the end to the result which the Senator from Arkansas wishes to attain. But I do not like to have my time dictated by gentlemen who may or may not have consumed three or four hours.

Mr. JONES of Arkansas. If the Senator from California will allow me a moment, I think, perhaps, he misunderstands the proposition I make. I do not propose to disturb the order in which the speeches are to come, as it is now on the Vice-President's desk. I did not ask the Senate to make any personal concession to any Senator; but I ask that the concession of four hours of time be accorded to the view of this question which we all know to be entertained by these gentlemen.

Upon the other views of the question we have had speeches two or three hours each, and they have been explained to the Senate in full. It is fair to that view of the case that it should be distinctly and fully discussed and set forth. These gentlemen can arrange among themselves about how much of the four hours shall be taken by each one and what shall be done. It is simply a concession to a view of the case which it strikes me every Senator will think is perfectly fair and just, and I hope for the purpose of settling this matter definitely there will be no objection to my proposition.

Mr. ALDRICH. I suggest to the Senator from Arkansas that the senior Senator from Connecticut [Mr. PLATT], who is now entitled to the floor, I think, has given considerable time to this question. I should be very glad if it could be understood that he should have a half hour assigned to him. I make this suggestion in the hope that the arrangement suggested by the Senator from Arkansas may be adopted.

Mr. JONES of Arkansas. That is perfectly satisfactory to me.

Mr. WHITE. Upon the statement of the Senator from Arkansas that there is to be no deviation from the order as indicated upon the list before the Vice-President, I agree to the proposition.

Mr. WELLINGTON. I am perfectly willing to enter into this arrangement. I believe, as does the Senator from Arkansas, that as some of us have certain views upon this question, and those views which we entertain have not yet been presented, there ought to be a certain time allowed us. So far as I am concerned, I am willing to take what remains over from the time of the Senator from California and the Senator from Louisiana. I think I shall be able to say what I desire to say in less than an hour.

Mr. JONES of Arkansas. I ask that the request be submitted to the Senate.

Mr. MONEY. I shall object to this arrangement unless it is understood that we shall fix a time for the vote. I am willing to stay here all night to hear these gentlemen give their views, and to give them all the time they want. I had desired to present some views, but I shall not do so because I do not want to consume the time. I appreciate what these gentlemen desire, and I feel disposed to grant them all the time they want, and the Senate can stay here to-night just as well as not.

Mr. WHITE. I hope the Senator from Mississippi will understand that there is nothing in the nature of a petition in this matter.

Mr. MONEY. I understand that.

Mr. WHITE. Furthermore, I trust the Senator from Mississippi will remember also that according to the list before the Vice-President, so far as I am concerned, I would not be called upon until, I think, the tenth or twelfth, which would probably mean after breakfast in the morning. So I am not anxious about the arrangement proposed.

Mr. MONEY. Mr. President——

Mr. JONES of Arkansas. Will the Senator from Mississippi allow me a moment?

Mr. MONEY. Certainly.

Mr. JONES of Arkansas. It is on the point of having an hour fixed for a vote. I would be very glad to have that done if I thought it would expedite matters at all, but I am fully satisfied that we will have a vote at an earlier time than would be agreed by the Senate to be fixed. I hope the Senator from Mississippi will not insist on any delay resulting from the limitation.

Mr. MONEY. I should be glad to know why we can not proceed right now with this business to a finish?

Mr. JONES of Arkansas. Of course if Senators are willing to go on to-night I have nothing to say.

Mr. WELLINGTON. I will say to the Senator from Mississippi that he will not expedite matters at all by insisting on a night session.

Mr. MONEY. I do not understand.

Mr. WELLINGTON. I wish to say to the Senator from Mississippi that matters will not be expedited by insisting upon a night session. I intend to be heard about this matter, and you may sit here all night and you will not reach a vote any sooner.

Mr. MONEY. I understand the threat of the Senator.

Mr. WELLINGTON. I make no threat, but I have sat here very patiently and listened to the Senator from Mississippi, and I intend to be heard myself on this matter.

Mr. MONEY. I do not wish to thwart gentlemen in their wishes. I have simply a desire to bring this matter to a conclusion, which is very much more important than anything else. We stand in the attitude to-day of a people who have raised the hand to strike and hesitate to give the blow. I am willing that these gentlemen shall have all the time they want, but I do desire before we make an arrangement of any sort that there shall be some arrangement to have a conclusion.

Mr. WHITE. Mr. President, I trust the Senator from Mississippi will remember that those who are anxious to strike the blow have thus far consumed all the time. [Laughter.]

Mr. MONEY. Mr. President, I am not subject to that charge, for I have said nothing, and do not propose to say anything, however much I may desire and do desire to do so; but nevertheless I do not desire to be here simply as the only man to object; and I withdraw my objection.

Mr. PETTUS. Mr. President, I suggest to the Senator from Arkansas that we ought to fix the time to vote.

Mr. JONES of Arkansas. That will be impossible. I ask that the request for unanimous consent be submitted to the Senate.

The VICE-PRESIDENT. Will the Senator from Arkansas restate his suggestion?

Mr. JONES of Arkansas. I ask unanimous consent of the Senate that when the Senate adjourn to-night it adjourn until 10 o'clock to-morrow, that four hours of the time to-morrow shall be allotted to the gentlemen who take the view of the case, as we all understand, which has not yet been presented here at all, the speakers to be recognized in the order in which they are on the list of the Vice-President, and that the debate be limited to fifteen minutes for other Senators, except in the case of the Senator from Connecticut [Mr. PLATT], who desires thirty minutes.

Mr. WHITE. I presume also except in the case of the Senator from Louisiana [Mr. CAFFERY], the Senator from Maryland [Mr. WELLINGTON], and myself.

Mr. JONES of Arkansas. I reserve four hours for the discussion of that view of the case.

Mr. CHANDLER. I hope the arrangement will be agreed to. I know the Senator from Mississippi does not wish to vote upon this question until he has heard the Senator from Maryland in full. [Laughter.]

Mr. WELLINGTON. Mr. President, it seems to me that the Senator from New Hampshire is going out of his way to indulge in pleasantry here. I do not intend to intimate that it is necessary for the Senator from Mississippi to hear what I have to say about this matter, but I represent in part one of the sovereign States of this Union. I have sat here and listened to the Senator from Mississippi, when he returned as one of the agents of a newspaper in New York, and I believe that the people of Maryland——

Mr. MONEY. Mr. President, I want to correct the Senator from Maryland. The remark which he has just made is absolutely untrue.

Mr. WELLINGTON. I want to say to the Senator from Mississippi that the Journal said that its commissioners had returned.

Mr. MONEY. I do not care what the Journal said.

Mr. WELLINGTON. If there is any untruth in the statement, it was made by that newspaper.

Mr. MONEY. I am correcting you, not the Journal. I say the remark you make is not true.

Mr. WELLINGTON. I make the remark as the Journal gave it.

Mr. MONEY. Then make it on your own responsibility.

Mr. WELLINGTON. I do make it on my responsibility.

Mr. MONEY. Then you lie.

Mr. WELLINGTON. I call the gentleman to order. If the gentleman can indulge in that kind of conversation upon the floor of the Senate, I can stand it as well as he can.

Mr. MONEY. Come outside and make it.

Mr. WELLINGTON. Very well, then.

Mr. MONEY. Come now.

The VICE-PRESIDENT. The Senate will be in order.

Mr. WILSON. Mr. President, would a declaration of war be in order now? [Laughter.]

The VICE-PRESIDENT. The Senator is out of order.

Mr. MONEY subsequently said: Mr. President, I desire to say that, under strong provocation, I used language which was not parliamentary. Nothing could be further from my intention than to violate the decorum of the Senate or to break any of its rules. I therefore desire to apologize to the Senate for language which I should not have used in its presence. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. JONES of Arkansas. Mr. President, I ask that my request be put.

The VICE-PRESIDENT. Senators have heard the request for unanimous consent. Is there objection?

Mr. JONES of Arkansas. There is one point I did not suggest

in my last statement, that a part of the understanding was that there should be a vote before we adjourn to-morrow.

The VICE-PRESIDENT. The Chair so understands.

Mr. ALLEN. If we can have order, I want the rules of the Senate enforced, so that when Senators are called to order for misconduct in the Senate they shall take their seats until they are permitted to proceed.

Mr. JONES of Arkansas. The Senate is in order now.

The VICE-PRESIDENT. The Senate is now in order. Is the request of the Senator from Arkansas acceded to without objection? The Chair hears——

Mr. ALLEN. Mr. President——

Mr. HALE. Mr. President——

The VICE-PRESIDENT. The Senator from Nebraska [Mr. ALLEN] first addressed the Chair.

Mr. ALLEN. I was simply going to suggest—I am not very much excited myself—that the Senator from Arkansas had not completed his statement. I listened very closely, hoping that he would complete it, and that was that we should continue in session after the four hours.

Mr. COCKRELL. The Senator from Arkansas expressly stated that.

Mr. JONES of Arkansas. The suggestion was not that we should adjourn——

Mr. ALLEN. Let me make my statement. That after the four hours allotted to the Senator from California [Mr. WHITE], the Senator from Louisiana [Mr. CAFFERY], and the Senator from Maryland [Mr. WELLINGTON], and half an hour to the Senator from Connecticut [Mr. PLATT]—that with those exceptions we shall proceed under the fifteen-minute rule and continue in session until we come to a vote.

Mr. JONES of Arkansas. That is the request.

The VICE-PRESIDENT. That was the request of the Senator from Arkansas. Is objection made?

Mr. WHITE. There may be a mistake with reference to the proposition announced by the Senator from Nebraska. There was no agreement as to the mere four hours and a half. There will be more time than that consumed before the three Senators referred to will be able to conclude their remarks, for the reason that there will be intervening the remarks of many other Senators, and it may be five or six or more hours before the Senators referred to will finish, because other Senators will speak ad interim.

The VICE-PRESIDENT. The Chair so understood.

Mr. MILLS. Let it be part of the agreement that Senators must not be interrupted while speaking. There should be unanimous consent to that.

The VICE-PRESIDENT. The Chair will see that the time is properly allotted.

Mr. MILLS. I hope that Senators on the floor will not be interrupted at all, but let them make their speeches without interruption.

Mr. HALE. I only rise to say that the noise was so great that it was almost impossible for us to understand the proposition of the Senator from Arkansas. As I understand it now, it is that after the time taken by the longer speeches each Senator who desires to speak shall have only fifteen minutes and that the vote shall be taken before we adjourn.

Mr. JONES of Arkansas. If the Senator will permit me, my proposition was not that four hours should be allotted first to those gentlemen, but that the speakers should be called in the order in which they are on the list of the Vice-President, and after the views of the question which those Senators entertain who have been mentioned have been presented for four hours, other Senators, except the Senator from Connecticut [Mr. PLATT], shall be limited to fifteen minutes, and that the Senate vote before an adjournment is had.

Mr. HALE. That I do not think to be important. The only thing I wish to get at is that the Senator does not fix an hour.

Mr. JONES of Arkansas. No, sir.

Mr. HALE. Then that is entirely satisfactory to me. I think it is a very fair proposition, and I hope it will be adopted.

The VICE-PRESIDENT. Is unanimous consent given to the request made by the Senator from Arkansas?

Mr. MILLS. I submit that I want it to be a part of the unanimous-consent agreement that the three Senators referred to are not to be interrupted while they are speaking.

Mr. WHITE. I do not care anything about that so far as I am concerned.

Mr. MILLS. I do care, because it would prolong their speeches and minimize the chances of others to speak.

The VICE-PRESIDENT. Is unanimous consent given to the request of the Senator from Arkansas? [A pause.] It appears to be given. It is given.

Mr. HALE. I hope it will be understood, Mr. President, that the time of no Senator will be extended.

The VICE-PRESIDENT. The Senator from Arkansas moves that the Senate adjourn.

Mr. JONES of Arkansas. No, sir; I intended to do that, but the Senator from Nevada [Mr. STEWART] wishes to proceed this evening, and I will not make a motion to adjourn.

The VICE-PRESIDENT. The Senator from Nevada.

Mr. STEWART. I will proceed now.

Mr. WHITE. Will there be any further proceeding to-night after the Senator from Nevada concludes?

Mr. STEWART. Mr. President, I ask unanimous consent that the time now occupied by me shall not interfere with the time of the Senators who are to come after me.

Mr. CANNON. Mr. President, as part of the unanimous consent under which the Senator from Nevada is going to speak is it understood that we are to adjourn at the conclusion of his remarks?

Mr. GORMAN. No; that does not follow.

Mr. STEWART. I propose to take up the time not now occupied; and I ask unanimous consent that it shall not interfere with the regular order of those on the list of the Vice-President. By proceeding now, my name may be taken out of the list for to-morrow.

The VICE-PRESIDENT. The Senator from Nevada will proceed, no objection being made.

Mr. STEWART. Mr. President——

Mr. CARTER. Mr. President, I rise to a question of order. There is so much confusion in the Chamber that the Senator can not be heard, and I trust that order will be restored before he proceeds.

Mr. COCKRELL. I ask that the rules of the Senate be enforced and Senators required to remain in their seats and cease conversation.

The VICE-PRESIDENT. Will Senators take their seats and cease conversation, so that the Senator from Nevada can be heard?

Mr. COCKRELL. I insist that there shall be no speaking until Senators are seated and there is quiet in the Chamber.

The VICE-PRESIDENT. Senators will be in order. [A pause.] The Senator from Nevada will proceed.

Mr. STEWART. Mr. President, I regard the recognition of the independence of Cuba as a condition precedent to any interference whatever. If the people of Cuba, after their struggles during the last seventy-five years, and after having carried on a war the most remarkable in history, as shown by the President's message, and after having exhibited patriotism, courage, and self-sacrifice which no other people ever did—if those people, having done that, having established a government satisfactory to themselves, can not now be recognized, it is proof conclusive that they never will be capable of self-government.

If, after seventy-five years of wars waged for liberty, and after the experience they have had, they have not been qualified to organize and maintain a government, they never can be. The bare suggestion that the people of Cuba have no government is refuted by every document before us, and more strongly by the President's message than by any other document I have seen.

What is the policy of the American Republic? What is the Monroe doctrine? Is it to interfere whenever there is an insurrection in the colonies of any of the powers of Europe? Is that the policy? Do we interfere with governments of Europe on this continent to quell insurrection, or will we maintain republican institutions? Will we defend the republics of this hemisphere from foreign interference? Does the Monroe doctrine convert this country into a police to quell insurrections, or does it compel us to recognize republics?

There is a wide difference between going where there is no government when we so desire on our responsibility, and going where there is an existing government—there is a wide difference; and it seems as if there was a struggle on the part of somebody to put this country in a position where the Island of Cuba will remain liable for the payment of the $400,000,000 of Spanish debt secured on that island.

I want to call attention to a statement of the case by one of the ablest, clearest, and most conscientious writers on international law that America has produced. No one surpasses the late President Woolsey, of Yale, in the accuracy of his statements, in his research before he makes a statement, and no one, I say, more conscientiously, more learnedly, or more ably sums up the general principles of international law than he. I pronounce him a high authority, and international lawyers will agree with me. He is first among American authors as stating the general doctrine, and particularly the American doctrine, with regard to the liabilities which occur on the division of a country. He says:

A state is a moral person capable of obligations as well as rights. These relations continue after it has passed through a change of constitution, for, notwithstanding the change, the state may still preserve its attributes and functions. No act of its own can annihilate an obligation to another state; and its rights still continue, unless its former constitution of government was the condition on which the obligations of other states toward it were founded. The general rule, then, as all admit, is that rights and obligations survive a change of government or a revolution. So, when a nation separates into parts or unites with another state to form a new whole, it can not even by such a process, which destroys or modifies its existence, divest itself of its obligations.

Thus debts due to foreigners outlast all such mutations, and not to provide for their payment would be a violation of right. When at the formation of the Federal Constitution the States' debts were assumed, and when at the separation of Norway from Denmark the old debt of the united countries was equitably divided, these were acts of simple justice and good faith. It may happen, however, that a union or division of states renders a past obligation of treaty impossible, or inconsistent with present relations. Thus suppose that Scotland, before its union with England, had engaged to furnish France with a contingent of troops. This engagement would hardly be thought binding after the union; much less would one be binding which contemplated an alliance against the very country with which a union now subsisted.

It may be said, indeed, that the prior engagement forbade the forming of a new engagement inconsistent with it. This is indeed a rule of right, but not a rule which is valid against important state necessity. There is another extreme case, again, where a change of government may dissolve prior obligations. It is where a despotical or usurping government has contracted debts or made treaties against a nation attempting to recover its liberties. The government is de facto in possession of authority, and thus its acts are lawful; nevertheless, obligations entered into to subjugate the people must be regarded in this extreme case as pertaining to the government alone, and not as resting on the people.

That is, where the people of a country gain their own liberties by revolution they may start anew. Now it is proposed to deny that that state of affairs has arisen in Cuba. We deny that the Cubans have gained their liberties, that they have a government, although the President tells us that Cuba is forever lost to Spain and that it is impossible for Spain to retain it. Although these things are recited to us by the committee as well as by the President, still we are unwilling to follow the logic of that declaration and to recognize the independence of Cuba, recognize a fact which both the message of the President and the report of the committee clearly make known.

When we deny such fact and take military possession of that country, we will be estopped from saying that we did not acquire possession of the country by force of arms, and whatever way we dispose of it, Cuba in our possession will be liable for all the obligations placed upon the island by the Spanish Government while it was a part of the Kingdom of Spain. We can make no disposition of it which will free it from those obligations. Nothing short of successful revolution by the people of the island and the establishment of a government of their own can free Cuba from the obligations contracted by Spain.

It is our duty, while we drive Spain from Cuba, to free Cuba from an insufferable bonded debt. The Administration Senators say we build up a government there and pass it over to the inhabitants. Whenever we do that, those same six powers that made representations to this Government with regard to this matter the other day will make representations to the Cuban government, and they will demand that the citizens of their country shall be paid their claims. Can the Government of the United States interfere to protect Cuba from that?

If it does, they will say to us, "Your President and your Congress did declare in effect that there was no government in Cuba when you went there and set up a government. You acquired it by conquest from Spain. You took it subject to the obligations resting upon it. You set up a government and transferred to it your title by conquest. The government you have set up is no more freed from the obligations created by Spain by the transfer you made than a sale of mortgaged property would free it from the lien of the mortgage. That will be the result if we set up a government in Cuba; and as surely as the sun rises the mortgage of $400,000,000 will be enforced upon the Cubans. Instead of liberating Cuba, we will put her in the condition of suffering Egypt.

If the Committee on Foreign Relations hold that there is a government in Cuba entitled to recognition, why not follow the logic of what they have said and declare that there is a subsisting government and avoid the danger of substituting bonded slavery for Spanish cruelty? The President's message and the House resolution, unintentionally of course, make it possible for Spanish bondholders to enforce their claims against the Cuban people.

I saw an interview with the President published in the Evening Star, which is generally accurate, though, of course, I do not rely on newspapers, but it speaks the language of monarchy so plainly and the sentiments that it attributes to Sir Julian Pauncefote are so in harmony with the theory of foreign governments that it may be well to pay some attention to it. I find this statement in the Evening Star of the 14th instant. Sir Julian Pauncefote is speaking:

It is claimed that there is the authority of the President for the assertion that if either the House resolutions or the majority resolutions of the Senate are sent to him he will sign them promptly and execute them immediately with the use of the Army and Navy; but that if the recognition of the present Republic of Cuba is inserted he will veto the resolutions.

It is said that the Foreign Relations Committee are aware of this purpose of the President.

I think that must be a mistake, but what follows is very natural:

The President is quoted as explaining his position on this proposition to gentlemen who called on him last evening. He is represented as saying that sympathy, even of England, would be forfeited by this Government if the republic was recognized. The expression "stable and independent government," he is represented as saying, has been carefully considered and found acceptable, but that Sir Julian, the British ambassador, has represented to this Government that the recognition of the present republic would be regarded by Great Britain, as well as by the other powers, as giving encouragement to malcontents among the colonies and possessions of foreign Governments in this hemisphere to revolt, relying on the United States to recognize their independence, however weak they might be, if they set up the claim of having a republic.

I know that is the sentiment of the foreign powers, for it comes from the entire European press that they do not want Cuba recognized as independent, because it would be inconsistent with their theory of government. We know they do not want a Cuban republic; we know that they are opposed to a republican government. That is well understood. Shall we be governed by European influence? Shall this proceeding be in harmony with bonds and monarchy or shall it be in harmony with free institutions? Shall we assert our determination to maintain republics on this continent or to establish governments in harmony with the suggestions of monarchy? This is a very serious question, and it is a very large one. What right have we to establish a stable government in Cuba unless we annex the territory? Are we to make governments for the Cubans?

I do not want to criticise the President, but I think it is my duty here to so regulate my action as to protect the interests of the United States in its legislative capacity, and I differ entirely with the Senator from Wisconsin [Mr. SPOONER] as to what is legislative and what is Executive duty with regard to the recognition of other governments. The Senator even alluded to Hamilton and to Madison on this point. Mr. Hamilton, in arguing in favor of the adoption of the Constitution, gave one construction to the power conferred by receiving foreign ministers by the President, and afterwards another construction, which was reviewed by Mr. Madison. In 1788 Mr. Hamilton, in one of his letters published in the Federalist, said:

The President is also to be authorized to receive ambassadors and other public ministers. This, though it has been a rich theme of declamation, is more a matter of dignity than of authority. It is a circumstance which will be without consequence in the administration of the Government; and it was far more convenient that it should be arranged in this manner than that there should be a necessity of convening the legislature or one of its branches upon every arrival of a foreign minister, though it were merely to take the place of a departed predecessor.

This was the construction he put upon the provision in the Constitution to receive ambassadors and other public ministers when the fate of the Constitution was pending before the States and he was anxious for its adoption. He afterwards regarded it as a most important power and as intrenching upon the power of Congress to declare war. The change of opinion on this important question on the part of Mr. Hamilton subjected him to the charge of construing the Constitution according to political expediency, without regard to consistency.

Mr. Madison reviewed this change of position by Alexander Hamilton at the time the change was made, in the third letter, under the nom de plume of "Helvidius." (See Federalist, edition of 1842, page 444.)

The words of the Constitution are: "He [the President] shall receive ambassadors, other public ministers, and consuls." I shall not undertake to examine what would be the precise extent and effect of this function in various cases which fancy may suggest or which time may produce. It will be more proper to observe in general, and every candid reader will second the observation, that little, if anything, more was intended by the clause than to provide for a particular mode of communication, almost grown into a right among modern nations, by pointing out the department of the Government most proper for the ceremony of admitting public ministers, of examining their credentials, and of authenticating their title to the privileges annexed to their character by the law of nations. This being the apparent design of the Constitution, it would be highly improper to magnify the function into an important prerogative, even where no rights of other departments could be affected by it.

To show that the view here given of the clause is not a new construction, invented or strained for a particular occasion, I will take the liberty of recurring to the cotemporary work already quoted, which contains the obvious and original gloss put on this part of the Constitution by its friends and advocates.

Then he quotes from Hamilton what I have just read, and criticised it as follows:

Had it been foretold in the year 1788, when this work was published, that before the end of the year 1799, a writer, assuming the merit of being a friend to the Constitution, would appear and gravely maintain that this function, which was to be without consequence in the administration of the Government, might have the consequence of deciding on the validity of revolutions in favor of liberty, "of putting the United States in a condition to become an associate in war," nay, "of laying the legislature under an obligation of declaring war," what would have been thought and said of so visionary a prophet?

The moderate opponents of the Constitution would probably have disowned his extravagance. By the advocates of the Constitution, his prediction must have been treated as "an experiment on public credulity, dictated either by a deliberate intention to deceive or by the overflowings of a zeal too intemperate to be ingenuous."

But how does it follow from the function to receive ambassadors and other public ministers that so consequential a prerogative may be exercised by the Executive? When a foreign minister presents himself, two questions immediately arise: Are his credentials from the existing and acting government of his country? Are they properly authenticated? These questions belong of necessity to the Executive. But they involve no cognizance of the question whether those exercising the government have the right along with the possession. This belongs to the nation, and to the nation alone, on whom the government operates.

The questions before the Executive are merely questions of fact; and the Executive would have precisely the same right, or rather be under the same

necessity, of deciding them, if its function was simply to receive without any discretion to reject public ministers. It is evident, therefore, that if the Executive has the right to reject a public minister, it must be founded on some other consideration than a change in the Government or the newness of the Government; and consequently a right to refuse to acknowledge a new government can not be implied by the right to refuse a public minister.

It is not denied that there may be cases in which a respect to the general principles of liberty, the essential rights of the people, or the overruling sentiments of humanity might require a government, whether new or old, to be treated as an illegitimate despotism. Such are in fact discussed and admitted by the most approved authorities. But they are great and extraordinary cases, by no means submitted to so limited an organ of the national will as the Executive of the United States; and certainly not to be brought by any torture of words within the right to receive ambassadors.

I do not care who denies it, Madison's criticism and Hamilton's statement, when the case was submitted, closed the case in favor of Mr. Hamilton's original view and refuted the new power invented by the genius of Hamilton after the Constitution was adopted. I am aware that Executives have claimed the right to control all our relations with foreign powers and to practically usurp the power to declare war. Attorneys-General can generally be found to furnish arguments to sustain the President's views and to augment the power of the Executive, while they minimize the power of the legislative department. It is the duty of Congress to guard well the power conferred upon it by the Constitution. I agree with Madison and I agree with Hamilton before the Constitution was adopted. While Hamilton addressed the States in favor of the adoption of the Constitution he suppressed his leanings toward monarchy, but after the Constitution was adopted he naturally followed his inclination for concentration of power in the Executive, and sought to derive it from the Executive duty to receive ambassadors and other public ministers, which he had formerly held was a mere matter of form without substantial substance.

The President, however, does not propose to deal with our relations with Spain solely by his Executive authority. He calls on Congress for legislation and proposes legislation for the consideration of Congress. I most emphatically dissent from the views of the President and from his standpoint of expediency.

After having stated facts which establish for the Cubans a stronger case for recognition than any other Spanish-American country ever had, he ignores the right of the Cuban patriots to have the government they have established recognized and treats the whole subject from his standpoint of expediency.

He says:

Nor from the standpoint of expediency do I think it would be wise or prudent for this Government to recognize at the present time the independence of the so-called Cuban Republic. Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of international obligation toward the organization so recognized. In case of intervention our conduct would be subject to the approval or disapproval of such government. We would be required to submit to its direction and to assume to it the mere relation of a friendly ally.

What else do we want? That particular government can change its form; the people have the power to change their government and their constitution. They have a government that has served a great purpose, and yet it is said it is not expedient to be their ally. We must do what? We must put ourselves in the position of absorbing the country and maintaining the lien of the bondholders. How are we going to accomplish that?

The President says:

When it shall appear hereafter that there is within the island a government capable of performing the duties and discharging the functions of a separate nation, and having, as a matter of fact, the proper forms and attributes of nationality, such government can be promptly and readily recognized and the relations and interests of the United States with such nation adjusted.

When there shall hereafter be a government. After we have interfered and set it up, after we have deprived the Cubans of the right of liberty free of debt, which they won, we will not acknowledge it. How can we ask the European powers to acknowledge it when such action destroys hundreds of millions of bonds held by their citizens? When Cuba calls on us to enforce the Monroe doctrine and protect her against the powers of Europe threatening to collect from her the debts due their citizens, how would we answer the argument of the powers that there was no government in Cuba when we took possession and set up a government; that the government that we set up was a government following conquest and not revolution, and therefore liable for the obligations incurred by Spain while it was a Spanish province?

How would my friends, Senators ELKINS, SPOONER, and others, answer the argument? Would they not say that we could not afford to go to war to protect Cuba and relieve her of the situation in which we shall place her, if we follow their advice or that of the President?

The President says:

There remain the alternative forms of intervention to end the war, either as an impartial neutral by imposing a rational compromise between the contestants, or as the active ally of the one party or the other.

He says that if we went there and recognized the Cuban government, we would be the allies of Cuba. We have been the allies of Spain, as shown by the report of the committee. Without our aid Spain could not have maintained the contest with Cuba six months. Cuba would have been independent. The President says that we have the alternative to go there as the allies of one or the other or to go there as a neutral, imposing rational compromises between the contestants. Are we going there to compromise between Spain and these patriots? Is that the demand of the patriotic citizens of the United States—compromise with Spain after she has lost Cuba, as the President informs us?

Compromise what? What right has Spain to Cuba after she has lost it? After she has committed the outrages of which she is guilty, after she has blown up the *Maine*, after she has starved to death hundreds of thousands of her citizens by a war of extermination and famine, what right has she in Cuba to compromise? What right have we to destroy the government established by the blood and sacrifice of the patriots and set up another and different government for the purpose of compromising away the rights which the Cubans have acquired by war with Spain who, according to the President, has already lost Cuba?

The President reminds us of the cordial relations existing between Spain and the United States in the following significant language:

As to the first, it is not to be forgotten that during the last few months the relation of the United States has virtually been one of friendly intervention in many ways, each not of itself conclusive, but all tending to the exertion of a potential influence toward an ultimate pacific result, just and honorable to all interests concerned.

There has been no information given to us by the President that he has even suggested to Spain the independence of Cuba. That such a suggestion has been made is denied by the Spanish newspapers. It is said that the President of the United States not only has not demanded the independence of Cuba, but avoided that topic in his diplomatic intercourse with Spain. On the contrary, he suggested an armistice which would keep the Spanish flag there during the rainy season, when Spain can not prosecute war, while the Cubans can. The kindly nature of our President is especially emphasized by the following sentence in his message:

The spirit of all our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba, untarnished by differences between us and Spain, and unstained by the blood of American citizens.

We have gone along as smooth as oil with Spain. Even the blowing up of the *Maine* could not make a ripple on the smooth and even tenor of our negotiations.

I desire to emphasize the President's affectionate language by repeating it again:

The spirit of all our acts hitherto has been an earnest, unselfish desire for peace and prosperity in Cuba, untarnished by differences between us and Spain and unstained by the blood of American citizens.

True, we have murdered nobody, but Spain has. The stain of American blood is already on the treacherous hand of Spain, and if in defending the honor of our Government and avenging the murder of our citizens the stain of Spanish blood is seen on our banners, it would not shame or humiliate us as American citizens.

The President says:

The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds.

The President frankly tells us against whom he desires Congress to declare war.

He says:

It [his recommendation] involves, however, hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

Hostile constraint on patriots who have struggled as the Cuban patriots have? Why should we overthrow the Cubans by force of arms for the miserable privilege of compromising away their rights with Spain? Who will be present when the compromise with Spain is made? Will not foreign governments, representing the creditors of Spain, claim the right to be heard when we are arranging a settlement between the government we have set up and Spain? Does Congress place Spanish bonds, secured on Cuba, above the right of freedom and independence already won by the people of Cuba? If not, why authorize the President to restrain by arms the operations of the government which the Cubans have established to give place to a government by conquest which will be liable for the obligations contracted by Spain?

I am sorry that the President wants power to commit so great a wrong. He asked Congress to authorize him to use the Army and Navy for that purpose. I deny that it is the duty of Congress to authorize such an outrage because the President is Commander in Chief of the Army and Navy. I know my friend the Senator from Wisconsin [Mr. SPOONER] would not himself do such a wrong. I know no Senator here would do it. The influence which has suggested such a course to the President of the United States may never be known even to the President himself. We do know from the President himself that the government to be set up by the United States will be "capable of performing the duties and

discharging the functions of a separate nation," and that such a government set up by the United States exactly fits the case of Spanish bondholders.

We do know that Europe objects to new republics. We do know that Europe would object to her citizens losing their claims upon Cuba through investments in Cuban bonds, knowing that there has been an unsettled state of things on the island for seventy years. They have let them have money to carry on this war, knowing that it might be impossible for Spain to retain control of Cuba and make the mortgage good. They invested their money knowing that if justice were done, Spain would lose control of Cuba. They would undoubtedly be pleased if they could use the United States to recover the claims now lost to them.

We saw this same power that was represented here the other day operate in Europe last year. About 100,000 Christians, Armenians, had been murdered by Turks. When the Christians resented it and resorted to war, when they set up an independent government in Creto, the same powers, to save the mortgage they held upon the resources of Turkey, intervened against the Christians, intervened against their efforts to save their lives, intervened after they had pretended to be shocked at the wholesale murder of Christians in Turkey, to maintain the vested right of the Turk to kill Christians. Then when the Turk was about to devour Greece altogether, they intervened there again to save the remnant of Greece in order to save the bonds which that country had issued.

This Christian intervention of the great powers of Europe has come across the water and is suggesting what we shall do. For what? To preserve despotic rule in Cuba, to prevent the Cubans from having a republican government, and to give them a stable government which shall be charged with $400,000,000 of Spanish bonds, held by the citizens and subjects of the powers here represented.

How unjust the suggestion of hostile restraint against the Cuban patriots when the President tells us of their success in the following significant language:

The long trial has proved that the object for which Spain has waged the war can not be attained.

They have lost their mortgage now, and they want a new one. The President says:

The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

Why not stop it by driving the Spaniards away? Again the President says:

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba—

Not the Government of Cuba, but the people of Cuba—

and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

"To secure * * * the establishment of a stable government." What kind of a stable government? Is there anything more stable than a monarchy? Is there anything more stable than a dictatorship? The European powers look upon republican governments as the most unstable of all forms of government. Most any kind of government set up by the United States would be good enough to assume the payment of Spanish bonds, and if it were a despotism, it would be entirely satisfactory to the great powers of Europe.

I wish to read a few extracts from the report of the Senate Committee on Foreign Relations as to what we have already done, and to see if it is not time that our alliance with Spain were dissolved and the republican government of Cuba recognized.

The recognition of the independence of the people of Cuba entitles the United States to insist that the war shall be conducted in accordance with those humane laws which have been ordained by the common consent of the civilized world, and which have done so much to mitigate the horrors of warfare. So long as this Government abstains from such recognition Spain is entitled to insist that we agree with her that the insurrection is merely a treasonable riot and not a formal and organized rebellion, and that she is therefore entitled to execute upon the insurgents and upon American citizens, and all persons upon the island, the penalties of a domestic code which is an affront to civilization.

Recognition would relieve us from that.

The United States has been in this attitude of concurrence ever since the beginning of the war. It has, as a consequence, in a spirit of forbearance, submitted to many atrocities perpetrated by Spain upon our own citizens which, under recognition, would have had no warrant in international law and would have afforded just grounds of procedure by this Government under its acknowledged principles. Citizens of the United States have been condemned to death by military tribunals in violation of their treaty rights. The expostulations of this Government have been in effect merely petitions for royal clemency.

That is the position we have occupied.

The *Competitor* prisoners, captured under our flag, were imprisoned nearly seventeen months and were never brought to trial, though they were subjected to many harsh, illegal, and degrading preliminary examinations. The entire proceeding against them was unlawful and in derogation of their rights and of our honor. But as they were technically, in the attitude which the United States had assumed and had placed them in refusing recognition of belligerency or independence, merely ordinary criminals prosecuted by Spain under her domestic penal code, this Government, it was logically insisted by Spain, had no right to make the question one of international obligation. It accepted royal clemency and, in the person of its citizens, received a pardon for a crime instead of demanding reparation for a violated right.

That is not all. Here is the authority for it:

The United States has been compelled by its attitude of nonrecognition to assist Spain by its execution of our neutrality statutes. If there is no war, and the insurgents are merely an unlawful confederacy of common insurrectionists, they can have no legitimate commercial dealings with the citizens of the United States.

We have had our detectives out hunting them down here, and we have our prisons full of them to-day, because we would not recognize.

Further on the report says:

Nor can the insurgents object to Spain having such dealings of every character, including the purchase of supplies, which, had recognition been accorded, would be contraband of war and therefore not to be furnished except through breach of neutrality. The United States has therefore been an assistant of Spain. The supplies for that power have been largely purchased in this country. The unrecognized insurgents have had no right to complain. On the other hand, they and their adherents have been prohibited from making such purchases and from exporting any supplies, however acquired.

There has, therefore, been no real neutrality by this Government throughout the entire business. To the contrary, Spain has been the customer of the people of the United States, who have sold her, with technical lawfulness, everything that she has required to repress by such processes as we have indicated a people struggling against tyranny for their liberties. To prevent the insurgents from buying or exporting at all, while Spain has bought and exported to the extent of her requirements, the Navy and revenue vessels of the United States have been diligently and successfully employed. It has been stated, and we believe with entire correctness, that this vigilance and policing of the seas by the United States in favor of Spain and against the insurgents has cost this Government more than $2,000,000.

Now, when this is a fact and when the committee report in favor of recognition, why is it so important to leave those words out? Why should they be left out? For what purpose are they left out? Why is this struggle over recognition? The recognition that you suggest of the people is what? If it means recognition of the Government of Cuba, then it means everything; and if it means that, there is no objection to saying it. If it does not mean that, it means that they are a mere rabble and that the United States is going there to capture the country and annex it.

The European press, in reviewing the President's message, say that it has the appearance of acquisition by conquest, but Senators say, "We know the President will do right." So far as I am concerned, I know he has promised to do what I regard as wrong. I know that he suggested that he will use the armies of this country to suppress the insurrection, which Spain could not do; that he proposes to suppress the insurrection and then compromise with Spain. I would rather there would be nothing done than to see the Army of this country use military constraint against the Cubans. War of that kind would be an outrage and a disgrace.

Our Government has stood by for years as the ally of Spain, as our committee has reported, and as every man knows. We have been the active ally of Spain. If we had not been, Cuban independence would have been secured long ago. Shall we now continue to be the ally of Spain and suppress the insurrection? An enforced armistice at the point of the bayonet is what is recommended, and during that time we propose a compromise between the two parties. It would be much more effective in favor of liberty and humanity to acknowledge even the belligerent rights of Cuba and stop there. Spain can not hold it.

Make it so that an American citizen will not be a criminal if he will go there to assist. Make it so that you will not have the United States Navy and revenue cutters blockade Cuba and cut off supplies. Let the Cubans have the same privilege that the Spaniards do to buy in the markets of this country and take the chances of landing them in Cuba. They will secure supplies. They have plenty of men and would have more if our young men could not be treated as criminals with the sanction of our Government for assisting Cuba. Give Cuba the same chance that you give Spain and we need have no war. If free Cuba is your object, you will get it that way as quickly as any other.

As much as I deprecate war, I believe war with Spain would be a just war. I believe she destroyed the *Maine*. I know she has murdered our citizens. She has committed more outrages against us than any other country on earth would endure. We have endured them. There is plenty of cause for war against Spain. There is no cause for war against the insurgents. We have never assisted them. The people of the United States have sympathized with them, and their brave conduct has challenged the admiration of the world and particularly of the Republican party. It was the strongest card in their platform. What did the Republican party say of the people that they propose now to exercise military constraint over? That party said at St. Louis:

We watch with deep and abiding interest the heroic battle of the Cuban patriots against cruelty and oppression, and our best hopes go out for the full success of their determined contest for liberty.

That sentiment is the sentiment of every honest, brave man in the United States. All that the Cubans needed to have complete success is the neutrality of the United States, for which they prayed at all times and under all occasions, and which the two Houses of Congress, by overwhelming majorities, advised should be granted to them.

I again call attention to what Congress said two years ago this month, after a year's discussion with regard to the Cuban Republic. On the 28th of February, 1896, a resolution, which I am about to read, passed the Senate by a vote of 64 to 6, and on the 6th of April following the same resolution was agreed to by the House by a vote of 246 to 27. This was after a year's discussion as to whether the Cubans had a government that could be recognized. Let us recur again to the language of that resolution so nearly unanimously passed by the two Houses of Congress:

Resolved by the Senate (the House of Representatives concurring), That in the opinion of Congress, a condition of public war exists between the Government of Spain and the Government proclaimed and for some time maintained by force of arms by the people of Cuba; and that the United States of America should maintain a strict neutrality between the contending powers, according to each all the rights of belligerents in the ports and territory of the United States.

"The government proclaimed and long maintained." That was two years ago, and it has been proclaimed and maintained ever since, and all political parties have found it necessary in order to satisfy the people to declare in favor of the independence of the people who maintain that government.

Now, we are told that the Army of the United States is to go to Cuba to restrain them. The Army of the United States is to go there to stop war and enforce an armistice during the rainy season, during the time when Spain can not fight and Cuba can, during the time when Spain dreads the conflict with Cuban arms. Do you not suppose when we go there and enforce an armistice and settlement that the great powers will present the claims of the bondholders? Do you not suppose that they will have their hand in that settlement as they have a hand now in the negotiations that are taking place?

This is a new departure. Washington advised the people of the United States to avoid all entangling alliances with foreign powers, and under the Monroe doctrine we declared that this hemisphere was in the sphere of our influence and that we would maintain republics here with independent governments; that we would not allow any foreign government to increase its acquisition of territory on this hemisphere.

When a republic has been sustained by the most terrible war of all the ages, notwithstanding they have no ports and no navy and can have none while we refuse to recognize their government, such Republic ought to be recognized and encouraged. If they sailed ships on the high seas without recognition they would be pirates under international law. We deprive them of the right to navigate the ocean with their ships, and then we say "You have no ships; we will not recognize you, so that you can lawfully have ships." We hold them in that condition notwithstanding all these disadvantages. With an undying love of liberty, with a heroism and a patriotism that is unparalleled in modern times, those people continue to struggle for freedom and they conduct war on the principles of civilized warfare. They do not shoot prisoners. They do not torture the innocent. They observe the laws of war while the Spanish soldiery commit all manner of outrages.

Murder is about the least of the common offenses of the Spaniards. Shooting of prisoners and assassination go on year after year, and our Government assist them. We promised that we would stand by the patriots, and the pretended fulfillment of that promise is a request by the President for the use of the Army and Navy to enforce an armistice until the fall, when the wet season is over, in order that they may force a compromise. Is that all that has come of our boasted sympathy for Cuba? Is that all the great Republic can do for freedom on this hemisphere?

It is true it is not likely that the President could get the consent of the great powers to do more. Their policy is to keep people under monarchical rules. Their policy is against more republics. Their policy is against freedom. Our policy is right the other way. Shall we be dictated to by them? Oh, how it grieved me to see the President of the United States in consultation with the European powers as to the kind of government we would have in Cuba—as to the rights we would exercise in favor of struggling Cuba!

After our influence had enabled Spain to hold Cuba for the last seventy years, after all we had done for monarchy, and after all our professions in favor of freedom, we saw the great powers making their suggestions. I do not complain of the great powers for making them, because it is in harmony with their system, but I do complain of the Government consulting them. It is precisely the way they treated the Armenians; it is precisely the way that the bonded aristocracy of Europe controls the destiny of man. It is precisely the way that England deals with Egypt and collects $7 in gold for every acre of land that is cultivated in that unhappy land and extorts labor to make up that amount by the bastinado.

It is the manner in which England treats the people of India. It was the financial policy of Great Britain that deprived the poor Hindoos of money with which to buy bread, although there was an abundance of rice in the country at a cent a pound, if they had had the money. It was a money famine that caused the death of millions of Hindoos.

Is bonded slavery to be established in Cuba as it exists in Egypt and all other weak countries where Christian Europe holds sway? Do we want such a precedent on the Western Hemisphere? Europe is opposed to the precedent of more new republics, and we are opposed to the establishment of more slavery and despotism. If they are opposed to liberty for Cuba, we are opposed to Egyptian slavery for Cuba. If our Army has no better occupation for the sake of humanity than to enforce an armistice to make a trade with Spain and the bond-holding fraternity, let the boys stay at home.

But what we ought to do, and do quickly, is to declare war against Spain for the grievances recited in the report of the Committee on Foreign Relations and recognize the independence of Cuba and give her such aid as she may require. All she will ask of us is arms and ammunition, and she will do the rest. If she could have bought arms and supplies of us, there would have been no such thing as the reconcentrados starving to death. If she had been as free to buy and ship to Cuba as Spain was, it would have been impossible for Spain to starve to death and exterminate 200,000 innocent women and children and destroy 200,000 more by the disease which starvation has brought upon them.

These outrages would have been impossible but for our connivance, but for our want of neutrality. Let us at once, at least, occupy the position of neutrals between these two parties, if we will not be the friend of the Cubans. But, in the name of all that is just, in the name of all that is holy, and in the name of the honor of this country and the patriotism of a great people, do not strike a blow or point a gun at the patriots who have struggled so long for liberty.

That is why I am against the recommendations of the President. It is assumed that we must subscribe to the recommendations of the President. When was that doctrine proclaimed? Has not Congress before differed with the President? Does it not frequently differ with him? Is it not the duty of Congress to stand up for its convictions of right? Is it the idea that because the President is the Commander in Chief of the Army and the Navy, when they are put in motion by law, because he occupies that capacity, because he is the head of the Army and the Navy, he is therefore the legislative department? Is he, therefore, to make laws?

When we propose to make laws and rules for his guidance, we are told he is embarrassed. His message shows that he sorely needs them. When his duties are prescribed and he is executing them in his capacity as President or in his capacity as Commander in Chief, he is my President. I would follow him, but I will not follow him in dictating laws inconsistent with honor and justice, inconsistent with patriotism, inconsistent with right, inconsistent with anything that is sacred to liberty and to man. I will not follow him there.

He may not know what he proposes, but are we to blindly follow him because he has the command of the Army? Do you propose that he shall make the laws of the country, too? Why make him a dictator? Is there to be but one department of the Government? Is liberty ended? Is that so? No, no; the American Congress is still here. The voice of the people will be heard through their chosen representatives. It will be heard. Congress will make the laws. The President can sign or veto, and if he vetoes good laws Congress has power to pass them over his head. It is nonsense to say that the President can not be criticised. I remember when the President did anything it was a sufficient reason to go the other way. I was here in Johnson's time, and Congress carried it too far the other way. All his suggestions were tabooed on the hypothesis that he would do wrong naturally—that a thing must be wrong if he did it.

Now we have reached a point where it is supposed the President can do no wrong. The doctrine that the king can do no wrong does not prevail in this country. When did Presidents become infallible? Was Mr. Cleveland of that stripe? Do Republicans say that Cleveland could do no wrong? Yet if Cleveland could do no wrong, would that make it impossible for any President to do wrong?

I think a man can do wrong if you will let him have his way in any department of the Government. The reason why this is a Government of checks and balances is because the people will not trust one department; because the people will not trust the President with arbitrary power; because they will not trust him with the destinies and liberties of the people, and they placed two other coordinate departments here and fixed the balance of power between them so that each shall be a check upon the other and when one goes wrong the other will check it.

If we pass improvident laws, the President can veto them; and if they are unconstitutional, the Supreme Court can annul them. If the Supreme Court usurps power, its jurisdiction can be limited by Congress. If the President misuses power, he can be curbed by law. If he commits offenses against the law and against the well-being of the country, the power of impeachment is provided. All these things have been considered.

I protest against the assumption that any man in this country is above criticism. I criticise the President in all kindness. I say he has mistaken the sentiment of the American people. He has mistaken the duty of this Government when he proposes to interfere in Cuba with arms to put down the insurrection. I want to have it inserted in the resolution as a condition of giving him power, I want it proclaimed to all the world, that when he goes to Cuba he is dealing with a patriot government, an established government, that we will not tear down.

I want him to understand the rights of the people. We want it defined by law, not by compromise, not by armistice, not according to the interests of Spain, not according to foreign bondholders, but according to justice, humanity, and the right to life and liberty which the people of Cuba have, and which can not be taken from them. In granting him power to make war I want to put in the condition that war shall not be made against our friends, but against our enemies. I want to negative the suggestion that Cuban insurgents ought to be treated as enemies for one hour. I will vote for no resolution that leaves it open for the President of the United States to execute the scheme foreshadowed in his message.

That is my objection to the House resolution. It leaves it with him. I would not have thought of controlling his action as the American President if he had simply left it to Congress and asked for advice. Any resolution would have done in that case. When the President asks for the Army and states that he is going to put it to a use which I condemn, I shall deny such request. When we grant him the use of the Army to fight our enemies I want a proviso that no shot shall be fired at our friends. [Applause in the galleries.]

Mr. CANNON obtained the floor.

Mr. DAVIS. I should like to ask the Senator from Utah whether it would be more convenient for him to proceed to-night or to-morrow morning?

Mr. CANNON. I am perfectly willing to proceed to-morrow morning under the fifteen-minute rule, if the chairman of the committee desires to make any motion at this time.

Mr. DAVIS. Then I move that the Senate adjourn until 10 o'clock to-morrow morning.

The motion was agreed to; and (at 10 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 16, 1898, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 15, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of the proceedings of yesterday was read and approved.

QUESTION OF PRIVILEGE.

Mr. BAILEY. Mr. Speaker, I rise to a question of personal privilege; and I ask the Clerk to read the following from the Philadelphia Press.

The Clerk read as follows:

PANDEMONIUM IN THE HOUSE.

The so-called leader, BAILEY, of Texas, lost his head and ranted about political advantage being sought by the Republicans in the programme proposed for the consideration of the Cuban resolutions. When it was stated on the Republican side that an agreement had been made with the Democratic leaders, these same leaders seemed to go crazy.

Mr. BAILEY. Mr. Speaker, when a man enters public life he soon grows accustomed to being misunderstood by honest, and misrepresented by dishonest men, and he soon learns that it is easier and wiser to leave his conduct to answer these criticisms than it is to refute them as they are made. It sometimes, however, happens that a man is justified in making a response; and if he was ever justified at all it would be when it was necessary to set himself right respecting such an occasion as occurred on last Wednesday in this House.

It is evident that the newspaper from which that extract has been read is attempting to fix the responsibility for that scene primarily upon me, and generally upon the party with which I have the honor to act; but the RECORD itself furnishes such an overwhelming and conclusive refutation of that that I am unwilling to see it pass unchallenged.

I affirm, what all of those who witnessed that disorder will bear me witness, and the RECORD will demonstrate, that I was as little responsible for it as any man on the floor, and that the responsibility for it rests with the gentleman who had charge of the resolutions of the majority, if it rests upon the floor at all. My judgment, however, is that the responsibility for that disorder is upon the Speaker of this House, and he should bear it before the country.

The RECORD shows that immediately upon the gentleman from Pennsylvania [Mr. ADAMS] having been recognized, he asked unanimous consent to consider the resolutions which he presented. The Speaker stated the request in these words:

The gentleman from Pennsylvania, on behalf of the Committee on Foreign Affairs, asks unanimous consent for the present consideration of the following resolutions.

Those resolutions were then read at the Clerk's desk, and at the conclusion of the reading the Speaker said:

Is there objection?

Immediately I rose and said:

Reserving the right to object, I will ask that the views of the minority go with this report.

That was not an unusual proceeding. A hundred times upon the floor of this House, when an important matter was presented, I have seen points of order, and I have seen unanimous consent reserved until gentlemen representing the respective sides could arrive at an understanding about the debate or the preliminary stages of consideration. But to my surprise the Speaker declined to allow me to reserve my right to object, and then the gentleman from Kentucky [Mr. BERRY] rose and said:

Pending the motion——

Before he could conclude his sentence the gentleman from Pennsylvania [Mr. ADAMS] said:

I yield to the gentleman from Kentucky [Mr. BERRY] for the purpose of offering the minority resolution and report, reserving my parliamentary rights.

If the matter had rested there, we should have been content, but before the gentleman from Kentucky [Mr. BERRY] could offer his resolutions the Speaker again declared:

The Chair understands there is no objection to consideration.

Now, the Speaker knows and the House will understand that the unanimous consent which had been requested and which was pending was for the consideration of the resolutions presented by the gentleman from Pennsylvania [Mr. ADAMS], and if the Speaker's statement had been permitted to pass without a question, then when the gentleman from Kentucky [Mr. BERRY] offered to present the resolutions of the minority, any member upon that side could have objected. Perceiving that, and unwilling that this side of the House should be put in such an attitude, I said:

I reserve the right to object, because whether we shall object or not will depend in some measure upon whether a fair understanding about the debate can be arrived at. Before we proceed to that I desire both propositions to be before the House.

Then a member from New York said:

Mr. QUIGG. I ask for the regular order.

Responding to Mr. QUIGG's demand for the regular order, I said:

Which is equivalent to an objection.

That my statement was true every member on this floor well knows. I can find instances without number where not only the present Speaker, but his predecessors in his great office have declared that a demand for the "regular order" is equivalent to an objection. That is not an inference of mine. That is not an argument of this side, but an hundred times it has been declared by the gentlemen who have occupied that chair that a demand for the regular order is equivalent to an objection. An objection to what? The only request which the Speaker treated as pending was that of the gentleman from Pennsylvania [Mr. ADAMS] for the unanimous consent of the House for the present consideration of the resolutions which he had presented.

When the gentleman from New York [Mr. QUIGG] demanded the regular order, I then emphasized what the Speaker had held times without number, that he made an objection to the only request for unanimous consent that was pending.

But the Speaker, looking straight at me, said:

The gentleman objects.

I replied:

The gentleman from New York [Mr. QUIGG] objected.

The Speaker replied:

The gentleman from Texas objects.

To which I answered:

The gentleman from Texas did not object. The gentleman from Texas reserved his right to object.

The Speaker, still pursuing his evident purpose, said:

Is there objection to the request of the gentleman from Pennsylvania?

Determined to force this side of the House either to acquiesce in the limited debate which we knew that side intended to allow, or else to put ourselves in the position of objecting to the immediate consideration of the resolution, the Speaker pressed the request for unanimous consent. The Speaker seldom does anything without a purpose, and the purpose which he had in his mind at that time was to force the minority of this House into the false position of either consenting to what we knew was an undue limitation on debate or else of objecting to the immediate

consideration of this important matter; and with that evident purpose, he still refused to allow me to reserve my objection, in order that we might, if possible, arrive at a friendly understanding, and demanded to know:

Is there objection?

I replied again:

The gentleman from Texas reserves his right to object.

The Speaker said:

Is there objection to the request of the gentleman from Pennsylvania?

Still treating that as the only pending request for unanimous consent, against which there had been a demand for the regular order. I again asked permission for the gentleman from Kentucky [Mr. BERRY] to present the minority's resolutions, but before I had concluded my sentence the Speaker interrupted me by saying:

The Chair will announce whether there is objection or not.

I then attempted to say that the Chair was trying to force the minority into a false position; and again the Chair interrupted me in the middle of a sentence and demanded to know—

Is there objection?

If I had not objected, the gentleman from Pennsylvania [Mr. ADAMS], having reserved the floor upon the express statement that he reserved his parliamentary rights, could have spoken for two or three minutes and then demanded the previous question, and the minority would have been powerless to offer their resolutions or to utter a syllable in defense of the position which they intended to take.

It was at this point that, constrained by what I considered the unfair and unjust treatment of the Chair, I objected, and upon that objection arose the scene of disorder which is regretted by every member of this House, and regretted by none more than by those who participated in it. But, sir, for that result and for the results which may follow it the responsibility is not upon me nor upon this side. The responsibility is upon the Speaker of this House, who sought a mean partisan advantage by forcing his political opponents into a false position [applause on the Democratic side], and the country ought to know it. I understand the Speaker of the House——

Mr. STEELE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEELE. Is this an arraignment of the Speaker or a question of personal privilege?

The SPEAKER. The Chair does not know, but will probably soon learn.

Mr. BAILEY. The country will know.

Mr. DALZELL. It is the daily airing the gentleman gives himself.

Mr. BAILEY. I did not understand the remark of the gentleman from Pennsylvania. He resumes his seat and reads his paper after having delivered that oracular comment.

Mr. DALZELL. Well, then, I will repeat it. It is only the daily airing the gentleman gives himself.

Mr. BAILEY. And that is only the daily falsehood that men on that side are guilty of.

Mr. DALZELL. The gentleman has demonstrated that he has lost his head.

The SPEAKER. The House will resume its calm during this. [Laughter on the Republican side.]

Mr. BAILEY. Mr. Speaker, the gentleman from Pennsylvania says that because I characterized his ungentlemanly interruption as it ought to be characterized I have lost my head. The truth is that he and his associates imagine that when men who are assailed and insulted resent it they have lost their heads. [Cries of "Ah!" on the Republican side.]

I have not lost my head now, and I did not last Wednesday. That a man may lose his temper under a very great provocation is a very natural thing, but men may lose their tempers and still not lose their heads. I desire to say that if in order for a man to preserve his equanimity and to appear cool he must allow insults to pass unanswered, then I prefer to be classed with those who lose their heads. I would infinitely rather lose my head in resenting an insult than to lose my self-respect by submitting to be insulted. [Applause on the Democratic side.]

I was about to say when the gentleman from Indiana interrupted me that I did not expect that a man belonging to either party would cease to be a partisan when he becomes the Speaker of this House, and I know that the Speaker, whenever a fair occasion offers, will always exercise his office for the advantage of his party and to the disadvantage of his political opponents. But until a short while ago I believed that the present Speaker of this House, while as partisan as an honest man could be, was still as honest as a partisan could be; after the performance of last Wednesday, however, I do not entertain that opinion any longer. I have never known on a great occasion a more unfair advantage attempted; and even if it had succeeded, what little it was worth would have passed from the public memory long before the recollection of the Speaker's partisan conduct. [Loud applause on the Democratic side.]

The SPEAKER. The Chair desires to say that whatever he has done, the other day or any day since the commencement of this session, has been done in the presence of the House and of a thousand witnesses. He does not feel that it is necessary for him to make any discussion of his conduct. [Loud applause on the Republican side.]

The House will please be in order.

The gentleman from Texas, after two days of deliberation, has felt that his situation demanded discussion and explanation. [Laughter on the Republican side.] With that idea the Chair entirely agrees. [Laughter.] It is not the first time that the gentleman from Texas has assailed the Chair.

Mr. BAILEY. And will probably not be the last.

The SPEAKER. It is not the first time he has undertaken a course of action like that of to-day. To it I have no reply, except simply what the House knew, that the gentleman from New York did not mean an objection, either really or technically, and everybody in this House knows it. I therefore, with reference to this whole matter, appeal to the witnesses of the transaction, and upon their judgment the Chair rests his justification. [Applause on the Republican side.]

Mr. BAILEY. Mr. Speaker——

Mr. HENDERSON. Mr. Speaker, I demand the regular order.

Mr. BAILEY. Mr. Speaker, I simply desire to correct a misstatement——

Mr. HENDERSON. I demand the regular order. We have had enough of this.

PLUM P. MINER.

The bill (H. R. 3132) for the relief of P. P. Miner, Company B, Twelfth Indiana Infantry, with Senate amendments, was taken from the table.

The amendments were read, as follows:

Line 4, strike out "instructed" and insert "directed;" strike out "P." and insert "Plum."

Amend the title so as to read: "An act to grant a pension to Plum P. Miner."

Mr. BRUCKER. Mr. Speaker, I move that the House concur in the Senate amendments.

Mr. LIVINGSTON. Has that been before the committee and been acted upon by the committee?

Mr. BRUCKER. The amendment is merely formal; it does not increase the pension as passed by the House.

Mr. LIVINGSTON. I notice one word is stricken out and another inserted.

Mr. BRUCKER. Yes, but it is merely formal.

Mr. LIVINGSTON. I understand the former language gave the Secretary of the Interior discretionary power and this amendment takes it away.

Mr. BRUCKER. Oh, no; that is not the fact; that is purely a mistake.

Mr. DALZELL. What is the bill? I did not hear it.

Mr. BRUCKER. It is a bill to increase the pension of P. P. Miner from $12 to $24 a month.

Mr. RAY of New York. I will say to the gentleman that the amendments proposed by the Senate are merely formal and perfectly proper. It does not change the amount in the bill. I think one inserts the full name of the soldier, and the others are purely formal.

Mr. LIVINGSTON. It uses the word "directed."

Mr. RAY of New York. That is perfectly proper; it uses the word "directed" instead of "instructed."

Mr. LIVINGSTON. I have no objection; I only wanted to understand it.

The SPEAKER. There are two amendments to the bill; and the question is on concurring in the Senate amendments.

The amendments were concurred in.

The title was amended.

MARTHA M. M'CALL.

The next business reported from the Speaker's table was the bill (H. R. 7539) granting an increase of pension to Mrs. Martha M. McCall, with Senate amendments.

Mr. RAY of New York. Mr. Speaker, I move to concur in the amendments.

The motion was agreed to.

M. LOUISE ANDERSON.

The next business reported from the Speaker's table was the bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson, with Senate amendment amending the title.

Mr. RAY of New York. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

JOHN THURSTON.

The next business reported from the Speaker's table was the bill (H. R. 2629) to grant a pension to John Thurston, of Island Pond, Vt., with Senate amendment amending the title so as to read: "An act to grant a pension to John Thurston."

The Senate amendment was concurred in.

CHARLES B. EADES.

The next business reported from the Speaker's table was the bill (H. R. 639) increasing the pension of Charles B. Eades, Hopkinsville, Ky., with Senate amendment amending the title so as to read: "An act increasing the pension of Charles B. Eades."

Mr. RAY of New York. Mr. Speaker, I move to concur in the Senate amendment.

The motion was agreed to.

JOHN P. THOMAS.

The next business reported from the Speaker's table was the bill (H. R. 164) granting an increase of pension to John P. Thomas, with Senate amendment striking out the word "fifty" and inserting "thirty" in line 7, page 1.

Mr. RAY of New York. Mr. Speaker, after consultation with Mr. ELLIS, the gentleman who introduced this bill, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to; and the Speaker appointed Mr. WARNER, Mr. BREWSTER, and Mr. CASTLE as conferees.

MAINE INQUIRY.

Mr. FLEMING. Mr. Speaker, I desire to present a privileged motion, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

Whereas on the 1st day of April, 1898, the following resolution of inquiry was introduced in this House, and was on that day referred to the Committee on Naval Affairs, to wit:

"*Resolved*, That the Secretary of the Navy is hereby directed to inform the House of Representatives if the Senate printed Document No. 207, Fifty-fifth Congress, second session, contains all the evidence embraced in the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine* in Havana Harbor, February 15, 1898, now of file in the Navy Department; and if any portion of said evidence has been omitted in said printed document the Secretary of the Navy is hereby directed to transmit to the House of Representatives a copy of such omitted evidence;"

And whereas by clause 5 of Rule XXII, "all resolutions of inquiry addressed to the heads of Executive Departments shall be reported to the House within one week after presentation;"

And whereas more than one week has elapsed since said resolution was presented and no report thereon has been made:

Resolved, That the Committee on Naval Affairs be, and they hereby are, discharged from the further consideration of said resolution, and that the same be now brought before the House for immediate consideration.

Mr. DINGLEY. Reserving all points of order, I desire to inquire of the gentleman what the resolution of inquiry was?

The SPEAKER. It is recited in the resolution.

Mr. EVANS. Mr. Speaker, I make the point of order——

Mr. BAILEY. Mr. Speaker, I desire to make a parliamentary inquiry. Did I understand the gentleman from Maine [Mr. DINGLEY] to reserve the point of order?

Mr. DINGLEY. Yes.

Mr. BAILEY. I desire to inquire if that can be done. [Laughter on the Democratic side.]

The SPEAKER. It can only be done by consent of the gentleman from Texas and other members.

Mr. BAILEY. I object.

The SPEAKER. If the gentleman objects as promptly as that, it is sufficient. [Laughter.]

Mr. EVANS. Mr. Speaker, do I understand that opportunity is given to make objections. I wish to make the point of order that it is not privileged.

Mr. FLEMING. Mr. Speaker, the resolution of inquiry is recited in the resolution reported by the Clerk. The resolution as originally presented was that the Secretary of the Navy, who is the official custodian of the report of the naval board of inquiry, is directed to inform the House——

The SPEAKER. The gentleman from Kentucky makes a point of order that this motion is not privileged.

Mr. DINGLEY. Noticing that the chairman of the Committee on Naval Affairs was absent, I merely sought to raise the question——

Mr. McMILLIN. The point of order comes too late. The gentleman from Georgia has entered upon the discussion of the proposition.

The SPEAKER. The gentleman from Kentucky was trying to make the point of order and could not make himself heard, owing to the confusion.

Mr. FLEMING. What is the point of order?

Mr. EVANS. I made the point of order that this is not a privileged motion.

The SPEAKER. The Chair will hear the gentleman from Georgia.

Mr. FLEMING. Rule XXII, paragraph 5, provides that whenever a resolution of inquiry is sent to a committee, that resolution being addressed to the head of any of the Executive Departments, and the committee does not report it back within one week from the time when the resolution is presented, the calling up of the matter in the House shall be a question of privilege. I take it, Mr. Speaker, there is no doubt on that point. If there is, I would refer the Chair to a precedent completely covering the case in the first session of the Forty-seventh Congress; and another exact precedent will be found in the Forty-ninth Congress. I think the same point has been so held time and again.

Mr. LOUD. The gentleman will allow me a suggestion. Of course there is no doubt that if this were simply a resolution of inquiry, the gentleman's motion would be privileged; but does not the resolution go beyond an inquiry and make a direction, and does not this proposition thereby lose its privileged character?

Mr. FLEMING. Mr. Speaker, the resolution is one of inquiry——

Mr. LOUD. And direction; that is the difficulty.

Mr. FLEMING. Why, then, not answer the inquiry and let the direction alone? In this resolution I make an inquiry to ascertain merely whether an official document purporting to contain all the evidence submitted to a board of inquiry is an exact copy of the report of that board of inquiry on file in its proper official place in the Navy Department.

Mr. LOUD. But you have gone further and brought in a direction.

Mr. FLEMING. The resolution further provides that if upon examination it should appear that the document does not contain all the evidence, then the Secretary of the Navy shall transmit such portions as may have been omitted. Now, Mr. Speaker, that part of the resolution might possibly be a matter upon which the committee could refuse to report.

Mr. LOUD. But it is in the resolution.

Mr. FLEMING. But the committee has no right to refuse to report upon the inquiry embraced in that resolution. The fact that the latter part of the resolution calls for the omitted portions, if any, of the testimony, can not absolve the committee from reporting to the House upon that portion which embraces merely an inquiry. The committee has taken no action, so far as this House knows.

Mr. LIVINGSTON. The matter referred to by the gentleman from California [Mr. LOUD] does not absolve the committee from making some kind of a report.

Mr. FLEMING. Of course they are required to report.

Mr. LOUD. Of course the gentleman from Georgia and myself desire to be fair. I ask him whether, when he goes beyond the privileged matter and brings into the resolution matter that is not privileged, does he not by that act deprive the whole resolution of its privileged character?

Mr. FLEMING. Not at all, I think, Mr. Speaker. If the resolution involves two elements—one of inquiry and the other calling for a report of the information about which the inquiry is made——

The SPEAKER. Would the gentleman from Georgia—the Chair is only trying to get at the situation—would the gentleman contend that when a resolution embracing privileged matter contains also unprivileged matter, the unprivileged matter would not vitiate the privileged matter?

Mr. FLEMING. I certainly would so contend. I certainly claim that the privileged matter can not be vitiated by the unprivileged matter.

The SPEAKER. That has not been the ruling in any case within the knowledge of the Chair.

Mr. FLEMING. I submit, Mr. Speaker, that no precedent can be brought for the position just intimated by the Chair. I should like to have a case pointed out where such a resolution of inquiry was, if presented to the head of an Executive Department——

The SPEAKER. The gentleman will pardon the Chair; that is not the question. The question which the Chair suggested to the gentleman was whether the incorporation of unprivileged matter into what would otherwise be privileged matter did not vitiate the privilege.

Mr. FLEMING. I would like to have some precedent cited where a resolution embracing a privileged matter of inquiry was ever regarded as being vitiated by reason of some further matter in the way of direction incorporated in it.

The SPEAKER. If part of an amendment is out of order and part in order, that which is in order does not carry that which is out of order.

Mr. FLEMING. On the contrary, Mr. Speaker, I submit, in all justice and fairness, that a resolution of inquiry or a resolution involving an inquiry when submitted to the committee, under the rule, requires action within the time specified.

The SPEAKER. The Chair did not pass on that question, whether this is outside of it or not; but if so, it lays the foundation of the inquiry.

Mr. RICHARDSON. I would like, Mr. Speaker, to hear it again read. I did not have my mind on the proposition when it was first reported. Let it be read again for the information of the House.

Mr. FLEMING. It was offered in absolutely good faith.

The SPEAKER. The resolution, in the absence of objection, will be again reported, as gentlemen on either side do not want, of course, to establish a precedent that is not correct, but to get at what is proper in these matters.

The resolution submitted by Mr. FLEMING was again reported.

Mr. FLEMING. Now, Mr. Speaker, my contention is that the Committee on Naval Affairs could have reported on both branches of this resolution; or, if they desired not to have the certified copies of this evidence brought to the House, they could have refused to act on that part of the resolution when the issue was made, as it is now made, in the House. But if the resolution involves elements of inquiry, and the committee refuses to report upon that inquiry for the space of a week, that question, so far as it involves the inquiry, becomes a privileged matter in the House, and I now have the right—the week having expired—to have the Committee on Naval Affairs discharged from the further consideration of the resolution, and have it brought up for action in this body—certainly so far as the inquiry is concerned.

Mr. McEWAN. I would like to ask the gentleman from Georgia if it has not been customary to add the words to such resolutions "if not incompatible with the public interests?" It seems to me that that has been the custom and that this provision should always be added where a question involves a matter of public importance.

The SPEAKER. That is for the House to determine, and is not, the Chair will state, upon the question of order.

If any gentleman desires to be heard on the question of order the Chair will be very glad to recognize him.

Mr. McEWAN. If the Chair will permit me, if this was a mere resolution of inquiry the position of the gentleman from Georgia would be correct. But I suggest to him whether the resolution, containing, as it does, other matter, should not have embodied the words "if not incompatible with the public interest."

Mr. PERKINS. Mr. Speaker, I would like to say to the gentleman from Georgia that my understanding is that a resolution that in part is privileged and in part not privileged, by reason of the part which is not privileged loses its privilege altogether.

Now, let me give an illustration. The Committee on Printing, of which I have the honor to be the chairman, is privileged to the extent of ordering printing for Congress; but if we present a resolution including printing also for one of the Departments of the Government, it has been invariably held that the resolution loses its privilege altogether. We therefore frequently appear here for that reason to ask unanimous consent under such circumstances. The resolution reported from our committee for printing for Congress is privileged, but if we attach to it a proviso that a certain number of a given document shall be furnished to one of the Departments, the resolution at once loses its privileged character and must be considered, if at all, by unanimous consent. That is the uniform practice under the rules of the House.

Mr. RICHARDSON. Mr. Speaker, while concurring largely with what my colleague on the Committee on Printing has said, I do not understand that the cases would be exactly alike. That is to say, the one he suggests and this proposition.

It strikes me that the trouble here is that the concluding portion of this resolution calls for legislation on our part. It is not only a resolution of inquiry as to the facts, but assuming that the facts are but one way, this resolution of my friend from Georgia proceeds to go to the point of making legislation based on that information, and assumes (and it may be fairly assumed) that such would be the response to the inquiry as to demand such legislation. For that reason it seems to me that the resolution would not be in order.

It should be, I think, merely a resolution of inquiry, and if you put anything else into it making provision for legislation or laying the foundation for legislation it presents another question. You can, if such legislation be necessary, lay the foundation and subsequently have a resolution passed directing the information to be furnished to Congress. But I do not think it in order in this way.

Mr. FLEMING. Mr. Speaker, I would like to state my own position clearly on that matter. I had supposed that the Committee on Naval Affairs would cheerfully accept this opportunity to make the investigation and remove all doubts that had been raised in the minds of the public on this question. For that reason I drew the resolution in the form in which it has been presented.

Now, it seems to me that the committee having decided not to remove these doubts which have existed and which continually arise in the public mind on this question, and having declined to take any action whatever upon that subject, that the House itself, under our rules, must take cognizance of it.

I claim that, no matter whether a part of this resolution goes beyond the question of privilege or not, the part of it which is privileged is separable from the part which is not privileged, and that what is good can not be vitiated, so far as the privileged nature of that resolution is concerned, by what is not privileged, and the committee should have reported upon the privileged branch of this resolution, the matter involving the point of inquiry, and, if they desired, have made no report upon the rest of it.

Mr. LOUD. Does not the gentleman see how far he could have gone if that were permissible; that he could have attached any bill to this resolution of inquiry and forced a report?

Mr. FLEMING. Oh, no; I think not. Mr. Speaker, I will say further that my purpose in offering the resolution was simply to get at the facts, and if the chairman of the Committee on Naval Affairs [Mr. BOUTELLE of Maine] will state to the House that he will take up the question immediately and have it investigated and have it properly reported to the House without delay, I am perfectly willing to withdraw my motion.

Mr. BOUTELLE of Maine. What does the gentleman want investigated?

Mr. FLEMING. I want to know whether or not the printed document purporting to contain all the evidence reported by the board of inquiry, and which evidence is now on file as an official paper in the Navy Department, contains all of the evidence submitted to the board of inquiry. Or, in other words, I want to know whether there is any variation between that publication and the official report now filed in the Navy Department.

Mr. BOUTELLE of Maine. Mr. Speaker, it is only fair for me——

The SPEAKER. The gentleman from Georgia can arrive at this matter by putting in a resolution of inquiry, which will be privileged.

Mr. FLEMING. Of course it can be done over again, and I will state to my friend the chairman of the Committee on Naval Affairs that if this question is not considered privileged by reason of its double aspect, I will immediately draw another resolution and shoot one barrel instead of two; but I hope he will take the matter into consideration. All I want is a report.

Mr. BOUTELLE of Maine. Mr. Speaker, it is perhaps proper for me to say that in a personal conversation with the gentleman from Georgia who introduced this resolution, and subsequent to its introduction and reference to the Naval Committee, I found an entire absence of any apparent ground on which the resolution was based, and I derived the impression certainly that the gentleman himself was not at all strenuous about the resolution.

I called his attention to the fact that the documents to which this resolution referred had, under a peculiar condition of circumstances, been referred officially to the Committee on Foreign Affairs, and that therefore in a parliamentary sense the Naval Committee were not supposed to be so officially familiar with the subject as the Foreign Affairs Committee, and I suggested to him that he make inquiries of the members of that committee. It is apparent this morning, from the gentleman's attitude, that I must have misunderstood him. I certainly derived the impression that he did not attach much importance to the matter himself. I am free to say that I do not. I think this is very much of a mare's nest myself.

Mr. FLEMING. On that point I wish to say I am glad the gentleman brought the attention of the House to it. The gentleman did say to me, as he has just stated, that there seemed to be no basis for any reason for anyone to suppose that there was any variation between these documents. I state to the House now, as I stated to him then, that I, in common with others, have seen the statement in the public prints that there is a variation, and, furthermore, that a prominent member of this House, and on that side of the House, told me that there was evidence submitted to the board of inquiry which did not appear in that printed report. Now, following that up——

Mr. LACEY. Does not the printed report itself show that a portion of this evidence was not printed in full and give the reasons for it?

Mr. FLEMING. I do not mean the partial omissions to which the gentleman refers.

Mr. LACEY. Omissions because of the fact it might endanger the lives of some of the witnesses resident there—a partial suppression of information for that reason.

Mr. FLEMING. I am not speaking about that. Now, Mr. Speaker, furthermore it appears in the papers—and I think there ought to be no special partisan features to this question at all—and I will name the paper in which the statement does appear, because I think it has always been considered as an Administration organ, at least, as far as any organ represents the Administration; it has certainly been fair to it in every way—I refer to the Washington Post. The Washington Post of this morning specifies the pieces of evidence which were put before that board of inquiry and which do not appear in that printed document.

Now, I think there is ample basis for the Committee on Naval Affairs to investigate this matter, and all I desire to get at is the fact, and I hope the chairman of that committee will be willing to state to the House that he will take the subject under investigation and report within a reasonable time to the House. If he will do that, I will withdraw the motion. If not, I will wait for the Speaker's ruling, and if the pending resolution is not held to be subject to be called up now as a privileged question, I will introduce another resolution making it so.

The SPEAKER. The Chair thinks that upon the view presented by the gentleman from Tennessee [Mr. RICHARDSON] the resolution does not present a question of privilege.

Mr. FLEMING. Then, Mr. Speaker, I ask unanimous consent of the House to consider the inquiry portion of that resolution

Mr. BOUTELLE of Maine. Mr. Speaker, I do not think it is necessary to waste the time of this House in asking unanimous consent. If the gentleman will put his inquiry into proper parliamentary form, I will ask unanimous consent, and the resolution of inquiry will be passed without debate.

Mr. FLEMING. That is exactly what I asked.

Mr. BOUTELLE of Maine. Put it in proper form.

Mr. FLEMING. It is in proper form.

Mr. BOUTELLE of Maine. If it is to be subject to debate on this occasion, put the resolution into the usual form.

Mr. FLEMING. I have it exactly in the usual form.

Mr. BOUTELLE of Maine. "If not incompatible with the public interest."

Mr. FLEMING. That qualification applies in matters going to the State Department. That does not apply in matters of this nature going to the Navy Department.

Mr. GROSVENOR. It goes to all the Departments.

Mr. BOUTELLE of Maine. Oh, certainly.

Mr. FLEMING. I do not think it will be possible to find authority for that position.

Mr. BOUTELLE of Maine. The gentleman does not want that information sent here if it is not compatible with the public interest.

Mr. FLEMING. If the gentleman will investigate the matter and come back and tell us why that portion has not been sent, I will not insist on the motion.

Mr. BOUTELLE of Maine. There is really no reason for any investigation whatever. It is simply a resolution of inquiry to be addressed to the Secretary of the Navy about certain things.

Mr. FLEMING. And you will not let him answer.

Mr. BOUTELLE of Maine. And it ought to be made in the usual phraseology.

Mr. FLEMING. It is made in the usual phraseology of making inquiries to heads of Departments. I have copied it from precedents from the RECORD and Journal in respect to inquiries of heads of Departments. I think the chairman of the committee ought to indorse it, but if he will not make a report on that part, then I will put it in another form.

Mr. BOUTELLE of Maine. Oh, well; the gentleman need not pose. I will state that if he will present a properly drawn proposition to make this inquiry, I will ask the House to unanimously pass it in a moment.

Mr. FLEMING. I will state that it is properly drawn, according to the precedents.

Mr. BRUMM and Mr. EVANS. Regular order!

The SPEAKER. Regular order is demanded. The Clerk will present the unfinished pension bills.

BILLS PASSED.

The following bills, reported favorably from the Committee of the Whole, were respectively taken up, the amendments of the Committee of the Whole agreed to, the House bills ordered to be engrossed for a third reading, read the third time, and passed, and the Senate bills ordered to a third reading, read the third time, and passed:

A bill (H. R. 2866) granting a pension to Myntie L. Hamilton;

A bill (H. R. 772) granting an increase of pension to William Taylor;

A bill (S. 1466) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry (title amended);

A bill (S. 668) granting a pension to Frances Pease;

A bill (S. 1751) granting an increase of pension to Mose M. Crants;

A bill (H. R. 584) granting a pension to Mary I. Valentine;

A bill (S. 3517) granting a pension to Rhoda A. Van Niman;

A bill (H. R. 8299) granting an increase of pension to Thomas S. Tefft;

A bill (H. R. 7321) granting a pension to Lauritz Olsen (title amended);

A bill (H. R. 8680) granting an increase of pension to William Tompkins;

A bill (H. R. 4189) granting a pension to Newton W. Cooper (title amended);

A bill (H. R. 4488) to increase the pension of Peter Castle, late of Company D, Fourth Provisional New York Cavalry (title amended);

A bill (H. R. 6411) granting an increase of pension to Henry K. Opp;

A bill (S. 310) granting a pension to Johnson Hays (title amended);

A bill (H. R. 8181) for the relief of John A. Bingham, major and judge-advocate (title amended);

A bill (H. R. 9043) granting a pension to Mrs. Ann M. Smith, widow of the late Maj. Gen. Andrew J. Smith (title amended);

A bill (H. R. 7802) granting a pension to Emily A. Hausner;

A bill (H. R. 5776) for the relief of Sidney J. Hare, late private in Company C, Ninety-sixth Regiment of New York Volunteers (title amended);

A bill (S. 1467) granting a pension to Adolphine Krez, widow of Conrad Krez, late colonel Twenty-seventh Wisconsin Infantry and brevet brigadier-general of volunteers (title amended);

A bill (H. R. 4961) to pension George W. Osborn (title amended);

A bill (S. 487) granting a pension to Delia Gilman;

A bill (S. 1345) granting an increase of pension to Sarah Brumm;

A bill (H. R. 2497) to increase the pension of James E. Eaton;

A bill (S. 603) granting a pension to Clarissa E. Hobbs;

A bill (H. R. 99) granting a pension to Ira Ingraham;

A bill (H. R. 2318) for the relief of John T. Brewster;

A bill (S. 1450) granting a pension to Catherine Leary;

A bill (S. 499) granting a pension to Sarah R. Frary; and

A bill (H. R. 7554) granting a pension to William Iott, of Gowen, Mich. (title amended).

On motion of Mr. RAY of New York, a separate motion to reconsider the several votes by which the foregoing bills were passed was laid on the table.

JAMES W. M'MILLAN.

The next business reported from the Committee of the Whole was the bill (S. 157) to increase the pension of James W. McMillan.

The bill was read.

Mr. TALBERT. I ask for the reading of the report in that case.

Mr. RAY of New York. Mr. Speaker, that was read here the other day; but the previous question has been ordered on these bills to their final passage.

Mr. TALBERT. I understand that does not prevent the reading of the report.

The SPEAKER pro tempore. The previous question is ordered, and debate is not in order.

Mr. TALBERT. I move that the bill be recommitted with instructions to strike out "fifty" and insert "twenty-five." This gentleman is getting a salary of $1,500 or $1,800 a year in the Pension Department.

The SPEAKER pro tempore. The motion to recommit would be in order after the third reading of the bill.

Mr. RAY of New York. The matter was discussed the other night in the gentleman's presence, and the bill was passed, and he even voted for it, if I remember rightly.

Mr. SHAFROTH. Is this gentleman drawing a salary in one of the Departments?

Mr. TALBERT. He has a position in which he is receiving $1,500 or $1,800 a year.

The SPEAKER pro tempore. The previous question has been ordered.

Mr. TALBERT. I do not think he ought to get that.

The bill was ordered to a third reading; and it was accordingly read the third time.

Mr. TALBERT. Now I move to recommit with instructions, to strike out $50 and insert $25, or go back to the original bill.

Mr. RAY of New York. Is that in order now?

The SPEAKER pro tempore. It is in order.

Mr. RAY of New York. It is not debatable, is it?

The SPEAKER pro tempore. It is not debatable except by unanimous consent.

Mr. SHAFROTH. May I ask the chairman of the Committee on Invalid Pensions whether it is a fact that this man is drawing a salary from the Government?

The SPEAKER pro tempore (Mr. DINGLEY in the chair). Without objection, the gentleman from New York [Mr. RAY] can answer.

Mr. RAY of New York. This bill was introduced by one of the prominent Democratic members of this House. General McMillan was one of the bravest officers in the Army; he took part in many battles, and to-day he carries a bullet in his body and his head is scarred and cut by a shell. He is so broken down that he can not do manual labor. He is drawing a pension of $30 a month, and he has a little family dependent upon him. He asks for the fifty. He is holding a place in the Pension Office as a matter of grace from the Government. This matter was discussed the other night in the presence of the gentleman from South Carolina [Mr. TALBERT], and he voted for it.

Mr. TALBERT. Yes; I asked the gentleman from New York [Mr. RAY] if this man was holding a position under the Government, and he said he was, but it would only be for a short time. I found out that he will hold it as long as he lives. I submit that his pension now is sufficiently large under the circumstances while he is drawing a salary of $1,800 a year. I think, upon a statement of these facts, it is enough to support the motion to recommit. I voted for it in Committee of the Whole on the statement of the gentleman from New York, the chairman of the committee, that this man would not hold his position under the Government but a very short time, and yet I find out that he will hold it as long as he lives. I think it is right that he should have the pension that he is now drawing, $30 a month, but I think it is quite enough.

Mr. RAY of New York. How can he hold a place as long as he lives?

Mr. TALBERT. How do they all hold it?

Mr. RAY of New York. They do not.

Mr. TALBERT. Upon what authority does the gentleman state that he can hold the position but a short time?

Mr. RAY of New York. Upon the authority of common sense, evidence that appeals to my common sense and reason, that when a man is upward of 70 years of age, trembling, broken down physically, and rapidly failing mentally, the day will shortly come when he can no longer perform the duties of the office he holds and must depend solely on his pension.

Mr. TALBERT. Then let me suggest that when he loses his place it will be sufficient time to raise his pension. That will be according to the rules of common sense.

Mr. LOUD. He may die by that time.

Mr. CLARK of Missouri. Mr. Speaker——

The SPEAKER pro tempore. This debate is proceeding by unanimous consent.

Mr. CLARK of Missouri. Mr. Speaker, I would like to ask the gentleman, does not General McMillan hold the same rank that did Gen. John D. Stephenson and Gen. A. D. Smith, of Missouri, the widows of whom only got $30 a month?

Mr. RAY of New York. I will say to the gentleman that we are not pensioning the widow of General McMillan——

Mr. CLARK of Missouri. Why should he have more pension than his widow?

Mr. RAY of New York (continuing). We are pensioning General McMillan, who stood the fire of more than one hundred battles.

Mr. CLARK of Missouri. He did not stand up in the face of any more than did General Smith, who saved Banks's army from destruction at Mansfield and Pleasant Hill.

Mr. RAY of New York. Thirty dollars for the widow is all right, but for the man, a brigadier-general, who did the fighting and now carries bullets in his body, and is scarred, broken down, and 70 years of age, a pension of $50 per month is not too much.

Mr. SHAFROTH. He would be entitled to it if he was not drawing a salary of $1,800 from the Government.

Mr. RAY of New York. As I have said, he can not hold that place much longer; he is broken down physically and is breaking down mentally.

The SPEAKER pro tempore. The question is on the motion of the gentleman from South Carolina [Mr. TALBERT] to recommit the bill.

The question was taken; and on a division (demanded by Mr. TALBERT) there were—ayes 13, noes 40.

Mr. TALBERT. No quorum, Mr. Speaker.

Mr. CANNON. As that point is made, Mr. Speaker, it is perfectly evident that no quorum is present, and I suppose it is difficult to get one, and I therefore move that the House adjourn.

Mr. BOUTELLE of Maine. Will the gentleman from Illinois yield a minute to me? It is not demonstrated that there is no quorum.

The SPEAKER pro tempore. The question must be determined unless the point is withdrawn.

Mr. TALBERT. I will withdraw the point for the time being.

The SPEAKER pro tempore. That involves the defeat of the motion to recommit.

Mr. TALBERT. Then I do not want to withdraw it, Mr. Speaker.

Mr. MIERS of Indiana. Mr. Speaker, I would like to know if an adjournment now will take us over beyond Friday night?

The SPEAKER pro tempore. It would.

Mr. MIERS of Indiana. Then I hope members when they vote will understand that.

Mr. RAY of New York. I hope, Mr. Speaker, that the motion to adjourn will not prevail. Pension night was taken away from us last week, and to-night is pension night again, and if we adjourn, that is gone, too. I trust our Democratic friends will not defeat all pension legislation in this way.

Mr. TALBERT. I withdraw the point of "no quorum."

The SPEAKER pro tempore. The point of "no quorum" being withdrawn, the motion to recommit is determined in the negative.

The bill was then passed.

On motion of Mr. RAY of New York, a motion to reconsider the last vote was laid on the table.

DESTRUCTION OF THE MAINE.

Mr. BOUTELLE of Maine. I ask unanimous consent for the consideration of a resolution.

Mr. BRUMM. I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Maine asks unanimous consent for the present consideration of the resolution which the Clerk will read.

The Clerk read as follows:

Resolved, That the Secretary of the Navy is hereby directed to inform the House of Representatives if the Senate printed document No. 207, Fifty-fifth Congress, second session, contains all the evidence embraced in the report of the naval court of inquiry upon the destruction of the U. S. battle ship *Maine* in Havana Harbor February 15, 1898, now on file in the Navy Department.

There being no objection, the House proceeded to the consideration of the resolution; and it was adopted.

On motion of Mr. BOUTELLE of Maine, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

LOCAL INSPECTORS OF STEAM VESSELS, ALASKA.

Mr. PAYNE. Mr. Speaker, I would like to call up the unfinished business, being the bill reported from the Committee of the Whole last evening.

The SPEAKER pro tempore. The gentleman from New York calls up the unfinished business, and the Clerk will report the title of the pending bill.

Mr. RICHARDSON. I make the point of order on that motion.

Mr. PAYNE. It will not take a moment.

Mr. RICHARDSON. I was under the impression that this bill would not be in order on Friday.

The SPEAKER pro tempore. Does the gentleman insist on the objection?

Mr. RICHARDSON. I do not.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 3927) to create a board of local inspectors of steam vessels for the customs district of Alaska.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to a third reading; and was read the third time, and passed.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. BRUMM. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the purpose of taking up the Private Calendar, as per regular order.

Mr. CANNON. Pending that motion, I want to ask the gentleman and the House if unanimous consent may not be given that we take a recess now until 8 o'clock for the evening session?

Mr. BRUMM and others. Oh, no; let us go on with this business.

Mr. CANNON. It is evident that no quorum is present.

Mr. CLARDY. We have been doing business all the week without a quorum.

Mr. CANNON. Well, as there seems to be objection to my request, the gentleman must pursue his own course.

Mr. BRUMM. If we can have another day set apart for the consideration of the Private Calendar, for my part I should not object. Will the gentleman consent to that?

Mr. CANNON. Oh, Friday will soon come around.

Mr. BRUMM. Then I insist on my motion.

The question was taken on the motion of Mr. BRUMM; and on a division (demanded by Mr. CANNON) there were—ayes 33, noes 5.

Mr. CANNON. Mr. Speaker, evidently no quorum is present; and pending that, if in order, I move that the House do now adjourn.

Mr. MIERS of Indiana. I hope the gentleman will withdraw that motion and submit one for a recess until 8 o'clock.

Mr. CANNON. It takes a quorum to do that. I am quite willing if the House will give its consent.

Mr. RICHARDSON. I demand the regular order. The motion to adjourn is not debatable.

Mr. CANNON. Certainly not. The gentleman takes the sword in his hand, and must abide by it.

Mr. RICHARDSON. Oh, no; you took the sword.

The SPEAKER pro tempore. The point of no quorum not having yet been determined, without objection the Chair will receive a message from the Senate.

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the following concurrent resolution:

House concurrent resolution No. 25.

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and directed to prepare and submit more complete plans and estimates for the improvement of the Big Sandy, and the Tug and Louisa forks of same, in Kentucky and West Virginia, with probable cost of same if placed under the continuing-contract system.

The message also announced that the Senate had passed joint resolution (S. R. 148) providing for the printing of House Document No. 396, relating to the beet-sugar industry in the United States; in which the concurrence of the House was requested.

ORDER OF BUSINESS.

The SPEAKER here resumed the chair.

Mr. CANNON. I renew my motion.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

Mr. DINGLEY. Before that I would ask unanimous consent, as there seems to be no quorum present, that the House take a recess until 8 o'clock this evening.

Mr. RICHARDSON and others objected.

Mr. BRUMM. Let me make a suggestion. If the Committee on Claims can have another day for the consideration of its business, we are perfectly content, and I ask unanimous consent that next Tuesday be substituted instead of to-day.

Mr. McEWAN. Subject, of course, to the consideration of important matters that may come in.

Mr. CANNON. I think we had better go on as we are. Friday will soon come around again. Many matters of public interest may come up by that time.

Mr. BRUMM. I would make the request subject to anything coming from the Committee on Foreign Affairs; and I suppose there will be no objection to that.

Mr. CANNON. It is perfectly evident that the House does not want to do business, because the members do not stay here to-day, and it is not safe to dispose of matters of importance on this Calendar without the presence of a quorum.

Mr. McMILLIN. There is certainly—if the gentleman will permit me—a quorum in the Capitol. There are matters of great interest proceeding in the Senate, and quite a large number of our members are over there who will no doubt return at once if they are notified that their presence is required.

Mr. CANNON. I want to be perfectly fair in dealing with this question and with the House when I state that there is not, in my judgment, a situation or condition such as should warrant us to go on with the consideration of this Calendar to-day. There is no disposition, apparently, on the part of members to give attention to business of this kind, under existing conditions, and that gentlemen understand; and, without criticising anybody, I do not think we ought to go on and take up the Private Calendar and pass upon claims here amounting to hundreds of thousands of dollars.

That being the condition of affairs, I feel it my duty, as a Representative, to suggest that there is no quorum present, and I think we should let this go over. Perchance by next Friday or the Friday after we may be in a different condition.

Mr. McMILLIN. Mr. Speaker, in reply to that I need only say that if this Congress, from any cause, has got to be so degenerate or rattled that it can not do business, it had better adjourn sine die.

Mr. CANNON. Well, we will come to that proceeding a little later, I hope. I want to say that I do not think it is right at this stage for the gentleman to press his motion.

Mr. DOCKERY. I can not understand the position of my friend from Illinois [Mr. CANNON], who is usually logical. If we can not do business this afternoon, it seems to me very probable that we could not do any business to-night.

Mr. CLARDY. I should like to ask the gentleman a question. I wish to know if there has been a single Friday or a single day this session when we have been considering the Private Calendar that we have had a quorum here?

Mr. CANNON. Well, we have had enough business done on Fridays to have passed over $2,000,000 of private claims, and have broken the record in the aggregate for half a dozen Congresses.

Mr. BRUMM. Mr. Speaker, the gentleman is in error if he speaks of private claims reported from the Committee on Claims; but if he includes the war claims in the private claims on the Private Calendar, his statement is correct. I want to say that the whole of the bills on the Private Calendar now reported from the Committee on Claims will not, I think, exceed a million dollars, if they were all passed. The gentleman is certainly in error.

Mr. HAY. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. HAY. Is not the question on the motion to adjourn?

The SPEAKER. The gentleman from Illinois [Mr. CANNON] made a motion to adjourn, and all this has been proceeding by unanimous sufferance.

Mr. HAY. I object.

The SPEAKER. The gentleman asks for the regular order. The question is on the motion to adjourn.

The question was taken; and the Speaker announced that he was in doubt.

The House divided; and there were—ayes 41, noes 56.

Accordingly the House refused to adjourn.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] has made the point that there is no quorum present, the pending question being the motion to go into Committee of the Whole House.

Mr. NORTON of Ohio. Mr. Speaker, I move that the House do now take a recess until 8 o'clock this evening.

Mr. RICHARDSON. You can not do that if there is no quorum present.

Mr. BRUMM. I hope the gentleman will withdraw that motion.

Mr. NORTON of Ohio. I withdraw the motion.

The SPEAKER. The gentleman from Illinois [Mr. CANNON] makes the point that there is no quorum present. The Chair will count the House.

Having counted the House,

The SPEAKER announced 121 members present—not a quorum.

Mr. BRUMM. Mr. Speaker, I move a call of the House.

The SPEAKER. One moment; the Chair desires to read the rule:

Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the House shall adjourn, there shall be a call of the House, and the Sergeant-at-Arms shall forthwith proceed to bring in absent members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Clerk shall call the roll, and each member as he answers to his name may vote on the pending question, and, after the roll call is completed, each member arrested shall be brought by the Sergeant-at-Arms before the House, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote, and his vote shall be recorded.

That is the proceeding which is now in order.

Mr. CANNON. Now, I will suggest to the gentleman again, in order that the request for unanimous consent may be submitted, it is perfectly evident that a quorum of the House does not want to do business to-day.

Mr. HAY. Regular order!

The SPEAKER. The gentleman calls for the regular order. The Clerk will proceed.

Mr. UNDERWOOD. I ask for a statement of the question before the House.

The SPEAKER. The question before the House is, Shall the House resolve itself into the Committee of the Whole House for the consideration of bills on the Private Calendar reported from the Committee on Claims? The doors will be closed, and the Doorkeeper will keep the doors closed. The Clerk will call the roll.

The question was taken; and there were—yeas 242, nays 23, answered "present" 11, not voting 79; as follows:

YEAS—242.

Acheson,	Davison, Ky.	Landis,	Rhea,
Adamson,	De Armond,	Lanham,	Richardson,
Aldrich,	De Graffenreid,	Latimer,	Ridgely,
Alexander,	De Vries,	Lawrence,	Rixey,
Allen,	Dingley,	Lentz,	Robb,
Babcock,	Dinsmore,	Lewis, Ga.	Robbins,
Bailey,	Dockery,	Linney,	Robinson, Ind.
Baird,	Dolliver,	Littauer,	Royse,
Baker, Md.	Dorr,	Little,	Sayers,
Ball,	Dovener,	Livingston,	Settle,
Bankhead,	Driggs,	Lloyd,	Shafroth,
Barham,	Eddy,	Lorimer,	Sheldon,
Barlow,	Elliott,	Loud,	Showalter,
Bartholdt,	Ermentrout,	Love,	Simpson,
Bartlett,	Evans,	Lybrand,	Sims,
Belford,	Fitzpatrick,	McCall,	Smith, Ill.
Belknap,	Fleming,	McCleary,	Smith, Ky.
Bell,	Foss,	McCormick,	Smith, Wm. Alden
Benton,	Fowler, N. C.	McCulloch,	Southard,
Booze,	Gaines,	McDonald,	Southwick,
Botkin,	Gardner,	McDowell,	Spalding,
Boutell, Ill.	Gibson,	McEwan,	Sparkman,
Boutelle, Me.	Graff,	McMillin,	Sperry,
Bradley,	Griffin,	McRae,	Stallings,
Brantley,	Griffith,	Maddox,	Stark,
Brenner, Ohio	Griggs,	Maguire,	Steele,
Brewer,	Grosvenor,	Mahany,	Stephens, Tex.
Brewster,	Grow,	Mahon,	Stevens, Minn.
Broderick,	Gunn,	Mann,	Stewart, Wis.
Broussard,	Hamilton,	Marshall,	Stokes,
Brown,	Handy,	Martin,	Stone, C. W.
Brownlow,	Harmer,	Maxwell,	Strowd, N. C.
Brucker,	Hawley,	Meekison,	Sturtevant,
Brumm,	Hay,	Mercer,	Sullivan,
Brundidge,	Heatwole,	Mesick,	Sulloway,
Burke,	Hemenway,	Meyer, La.	Sulzer,
Burleigh,	Henry, Conn.	Miers, Ind.	Sutherland,
Burton,	Henry, Ind.	Minor,	Swanson,
Butler,	Henry, Miss.	Mitchell,	Talbert,
Campbell,	Henry, Tex.	Moody,	Tate,
Capron,	Hicks,	Moon,	Taylor, Ohio
Carmack,	Hilborn,	Morris,	Taylor, Ala.
Castle,	Hill,	Mudd,	Terry,
Catchings,	Howard, Ala.	Northway,	Thorp,
Chickering,	Howard, Ga.	Norton, Ohio	Todd,
Clark, Mo.	Howe,	Norton, S. C.	Underwood,
Clayton,	Hunter,	Ogden,	Vincent,
Cochran, Mo.	Jenkins,	Olmsted,	Walker, Mass.
Codding,	Jett,	Otey,	Walker, Va.
Colson,	Johnson, Ind.	Otjen,	Warner,
Connell,	Johnson, N. Dak.	Overstreet,	Weymouth,
Cooney,	Jones, Va.	Packer, Pa.	Wheeler, Ky.
Cooper, Wis.	Jones, Wash.	Payne,	White, Ill.
Corliss,	Joy,	Pearce, Mo.	Williams, Miss.
Cowherd,	Kelley,	Pearson,	Williams, Pa.
Cox,	King,	Perkins,	Wilson,
Crumpacker,	Kitchin,	Peters,	Yost,
Cummings,	Kleberg,	Pierce, Tenn.	Young, Va.
Curtis, Kans.	Knowles,	Powers,	Zenor.
Dalzell,	Lacey,	Prince,	
Davidson, Wis.	Lamb,	Pugh,	

NAYS—23.

Bishop,	Fischer,	Hurley,	Pitney,
Cannon,	Gillet, N. Y.	Kirkpatrick,	Reeves,
Clarke, N. H.	Henderson,	Loudenslager,	Sherman,
Cochrane, N. Y.	Hepburn,	Marsh,	Sprague,
Cousins,	Hopkins,	Mills,	Stewart, N. J.
Crump,	Hull,	Parker, N. J.	

ANSWERED "PRESENT"—11.

Bland,	Connolly,	Hartman,	Updegraff,
Ball,	Danford,	McClellan,	Wanger.
Clardy,	Fletcher,	Tawney,	

NOT VOTING—79.

Adams,	Davenport,	Ketcham,	Shuford,
Arnold,	Davey,	Knox,	Skinner,
Baker, Ill.	Davis,	Kulp,	Slayden,
Barber,	Dayton,	Lester,	Smith, S. W.
Barney,	Ellis,	Lewis, Wash.	Snover,
Barrett,	Faris,	Lovering,	Stone, W. A.
Barrows,	Fenton,	Low,	Strait,
Beach,	Fitzgerald,	McAleer,	Strode, Nebr.
Belden,	Foote,	McIntire,	Tongue,
Benner, Pa.	Fowler, N. J.	Miller,	Vandiver,
Bennett,	Fox,	Newlands,	Van Voorhis,
Berry,	Gillett, Mass.	Odell,	Vehslage,
Bingham,	Greene,	Osborne,	Wadsworth,
Bodine,	Grout,	Quigg,	Ward,
Bromwell,	Hager,	Ray,	Weaver,
Brosius,	Hinrichsen,	Robertson, La.	Wheeler, Ala.
Clark, Iowa	Hitt,	Russell,	White, N. C.
Cooper, Tex.	Hooker,	Sauerhering,	Wilber,
Cranford,	Howell,	Shannon,	Young, Pa.
Curtis, Iowa	Kerr,	Shattuc,	

So the motion to go into Committee of the Whole was agreed to.

Mr. TALBERT. Mr. Speaker, I desire to ask indefinite leave of absence for my colleague, Mr. STRAIT. He is in bed. I have just left his side.

The SPEAKER. Without objection, leave of absence will be granted.

There was no objection.

Mr. CLARDY. Mr. Speaker, I desire to say I am paired with the gentleman from West Virginia, Mr. MILLER. I withdraw my vote, and desire to be recorded as "present."

Mr. McCLELLAN. Mr. Speaker, has the gentleman from Pennsylvania, Mr. WILLIAM A. STONE voted?

The SPEAKER. He has not.

Mr. McCLELLAN. I desire to withdraw my vote and to be marked "present."

The following pairs were announced:

Until further notice:

Mr. HENRY of Connecticut with Mr. DAVEY.

Mr. CURTIS of Kansas with Mr. DAVIS.

Mr. WADSWORTH with Mr. OSBORNE.

Mr. VAN VOORHIS with Mr. BODINE.

Mr. HITT with Mr. BERRY.

Mr. SAMUEL W. SMITH with Mr. MCALEER.

Mr. WARD with Mr. VEHSLAGE.

Mr. WILLIAM A. STONE with Mr. MCCLELLAN.

Mr. MILLER with Mr. CLARDY.

For this day:

Mr. BARBER with Mr. COOPER of Texas.

Mr. BROSIUS with Mr. ROBERTSON of Louisiana.

Mr. KETCHAM with Mr. HARTMAN.

Mr. ROBBINS with Mr. STARK.

Mr. BEACH with Mr. LEWIS of Washington.

Mr. ARNOLD with Mr. HINRICHSEN.

Mr. WANGER with Mr. BENNER of Pennsylvania.

Mr. BROMWELL with Mr. STRAIT.

The result of the vote was then announced as above recorded.

RICHMOND LOCOMOTIVE AND MACHINE WORKS.

The House accordingly resolved itself into Committee of the Whole House for the consideration of bills on the Private Calendar reported from the Committee on Claims, Mr. PAYNE in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of bills on the Private Calendar reported from the Committee on Claims, and the Clerk will report the first bill.

Mr. BRUMM. Mr. Chairman, the bill under consideration the last day of our committee was the Senate bill 1133, which was unfinished.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (S. 1133) to pay to the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*.

Mr. LOUD. Mr. Chairman——

Mr. CANNON. Is that the first business before the committee?

The CHAIRMAN. The Chair is informed that this bill was before the committee at its last meeting, and of course comes up as unfinished business.

Mr. CANNON. I do not see that it is on the Calendar as unfinished business.

The CHAIRMAN. It is unfinished business in the Committee of the Whole, when the committee was last in session.

Mr. LOUD. I would like to ask the gentleman from Pennsylvania if he has any objection to going back to the Erie Railroad case. I do not think it will take more than twenty-five or thirty minutes?

Mr. BRUMM. I can not now. I will say to the gentleman from California, because these people have the floor.

Mr. WALKER of Massachusetts. Mr. Chairman, it is impossible to hear what is being said.

Mr. LOUD. Well, Mr. Chairman, I desire to present this condition to the Chair, and to the committee. The House resolved itself into the Committee of the Whole for the consideration of bills on the Private Calendar, and took up a bill relating to the Erie Railroad. It was temporarily laid aside. Then we went on to another bill. Now I would like to make some arrangement to dispose of that case, because I am compelled to go away, and I have some matter that I desire to submit on that question.

Mr. BRUMM. How long will you be away?

Mr. LOUD. It is a question of whether I know as much about it——

Mr. BRUMM. How long will you be away?

Mr. LOUD. I do not know.

Mr. BRUMM. I will agree, if the gentleman is not gone too long, that the matter shall not come up in his absence.

Mr. CANNON. That will depend upon the committee.

Mr. DOCKERY. I would suggest to the gentleman from California that he might ask unanimous consent to recommit the bill to the Committee on Claims, and I think that would facilitate business.

Mr. BRUMM. I could not consent to that.

Mr. LOUD. I would like to have the matter come up now. I am satisfied that if the chairman of the committee had been in possession of the evidence which I have the bill would never have been reported; but I shall be away when it comes up.

Mr. McMILLIN. I have no doubt, Mr. Chairman, that some arrangement can be made about it.

Mr. BRUMM. Any reasonable time the gentleman may fix.

Mr. LOUD. If the gentleman is not willing to give way, and holds that the Richmond Locomotive Works bill is before the committee, I suppose I must give way.

The CHAIRMAN. The Erie Railroad bill was postponed when this locomotive works bill was taken up before the committee. The Chair thinks that the present bill must be completed before the other will be in order.

Mr. YOST. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. CANNON. Oh, no; I want to make some remarks about the bill. From reading the report I see that it carries an appropriation of $69,550.39. It seems to be a Senate bill, passed by the Senate, and now comes before the House. The gentleman in charge has not seen proper to make any explanation of this bill, and so I am compelled to get it by picking it out from twenty-eight or thirty pages of a closely printed report. I have had to read the report in a sort of hop-skip-and-jump order during my other work. Of course I am not here to criticise the presentation of the merits of the bill, but I find this to be the state of facts, if I get a correct idea about it:

The Richmond Locomotive Works agreed to do certain work for the Government touching the machinery of the *Texas*. A time was fixed, either two years and six months or three years and six months—the report shows—in which they were to do it. They were to have a certain price for it, and that price included a certain extra price for speed. There were penalties fixed in the event that the locomotive works failed to perform its part of the contract on time, but there was no penalty affixed in the event that the Government failed to furnish, at such a time as the locomotive works might demand, the hull for the purpose of placing the machinery in it.

This is a very important fact. In other words, the Richmond Locomotive Works entered into a contract with the Government, as appears from their own statement in the claim they file, to do certain work, the Government to furnish the hull, but no provision as to what time the Government should furnish the hull, and if it did not furnish it at such time to suit the convenience of the Locomotive Works, there was no provision for damages.

Mr. YOST. Will the gentleman from Illinois allow me to interrupt him?

Mr. CANNON. Certainly. I should be glad to have the gentleman make any statement he sees fit.

Mr. YOST. Did not the contract provide that at the end of two years and a half the machinery should have a trial in the hull, and therefore it must be furnished prior to that time and in sufficient time to allow the machinery to be put into the hull?

Mr. CANNON. They say in their claim:

Inasmuch, therefore, as the Secretary of the Navy is bound by the letter of the contract, which makes no provision for loss to the builders of the machinery by reason of the failure of the Government to construct the hull in due time, the Richmond Locomotive and Machine Works asks that the Secretary of the Navy, who has full knowledge of the facts, or can be apprised of them, shall be authorized to make such allowance to the Richmond Locomotive and Machine Works as, under all the circumstances, may be fair, just, and right.

Now, then, there was no legal liability on the part of the Government. That is the object of my stating it. And if there was a legal liability, recovery could be had in court; it could have been audited by the Auditor's Office of the Treasury, and would have been paid long ago. Now, I want to state that that fact is not in controversy.

Mr. LAMB. The Secretary of the Navy has made a report and decided what was due.

Mr. CANNON. My point is this, there is no legal liability on

the part of the Government to pay the Richmond Locomotive Works one cent.

Mr. YOST. May I answer the gentleman right there?

Mr. CANNON. Certainly; I merely want to get at the facts.

Mr. YOST. This claim was sent to the Navy Department under a bill from the House, with instructions to the Navy Department to audit and adjust the account, and upon that they did audit and adjust it, and that adjustment gave the claimants $80,000. In that adjustment they allow for insurance and surety and for interest, and the Committee on Appropriations in the Senate cut out those three items which the Department itself allowed. The claimants then agreed, if the bill could be passed at once, that they would take the $69,000, notwithstanding the fact that the larger amount was justly due them.

Mr. CANNON. Now, if in the sense of this claim being audited as claims ordinarily are audited—which means a legal liability—if in that sense this claim was audited the Richmond Locomotive Works could go into court and recover judgment. They can not do that because it is a mere claim. That is the point I want to get at, so that the Committee of the Whole may understand that this is a mere claim, the contention being that in good conscience and from the standpoint of full justice, without regard to legal right, the Government ought to pay the Richmond Locomotive Works this amount of money. Am I stating the matter right?

Mr. YOST. No, sir.

Mr. CANNON. If that is not a correct statement, what is the necessity for this bill? If the Government is bound to pay this claim as a matter of legal liability, the courts are open.

Mr. McMILLIN. Will the gentleman permit me right there? There is a fact of which I think he is not aware, or he would not make that statement. Congress ordered an investigation of this case by the proper accounting officers, and the claim was duly audited after examination by them.

Mr. CANNON. No; my friend is himself laboring under a misapprehension. The proper accounting officers of the Treasury Department are the Auditor and the Comptroller; and whenever a claim is audited by the auditing officers of the Treasury Department it is treated as having the same force and effect as a judgment; and all it awaits is an appropriation. Such a claim would go into a deficiency bill. It need not go upon the Claims Calendar.

Mr. McMILLIN. This claim has been investigated and audited and now awaits an appropriation.

Mr. CANNON. This claim has not been audited. It was referred to the Secretary of the Navy, and we have from that Department a report covering many pages of discussion, some of which I will read a little later on, touching the merits of the claim. Now, the gentleman from Tennessee sees proper to call that an auditing. The claim never went to the proper auditing officers. It never went to the Treasury Department. It is not an audited claim, so far as I can discover. In fact, I think I discover to the contrary.

Mr. McMILLIN. Does not the Secretary of the Navy say it should be paid?

Mr. CANNON. Oh, the Assistant Secretary wanders along—I speak respectfully—I mean he goes along, using many words—and says that he thinks it would be well enough to pay these people. His statement simply shows, and I will refer to it later on, that he is in favor of paying these people what they ask.

Mr. McMILLIN. Did not an act of Congress authorize the Secretary of the Treasury to examine and audit and settle this claim?

Mr. CANNON. No.

Mr. McMILLIN. I mean the Secretary of the Navy.

Mr. CANNON. Oh, well; if those words were used——

Mr. McMILLIN. And did he not make the examination as ordered?

Mr. CANNON. The Secretary of the Navy was "authorized and directed to audit and adjust the claim of the Richmond Locomotive Works against the Government," etc.

Mr. McMILLIN. He was authorized to audit and adjust the claim, and now we are trying to make the appropriation to carry into effect his auditing and adjustment. That is all there is in this claim—nothing more, nothing less.

Mr. CANNON. The gentleman is confused as to what an auditing is. If there has been an auditing in this case, then we ought to appropriate, instead of $65,000, $80,049.35.

Mr. McMILLIN. The gentleman is right. There is a just claim for eighty-odd thousand dollars; but rather than have their claim perpetually postponed, these people are ready to take the $65,000.

Mr. CANNON. Now we come to the point which I wanted to make clear to this Committee of the Whole—that this is a mere claim, not an audited account which has received the sanction of the proper officials of the Treasury Department and which has a binding effect substantially like the judgment of a court.

Mr. McMILLIN. The Secretary of the Navy was directed by law to audit and adjust this claim.

Mr. CANNON. Oh, no; it was merely referred to the Secretary of the Navy practically to make a report. He had no power to audit it. He was not connected with the Treasury.

Mr. McMILLIN. He can discharge any duty that the Congress of the United States under the Constitution may impose upon him.

Mr. YOST. Will the gentleman from Illinois allow me a question?

Mr. CANNON. Oh, yes.

Mr. YOST. The gentleman said that the Navy Department did not audit and adjust this claim.

Mr. CANNON. In the proper sense of auditing a claim, it did not. That is what I say.

Mr. YOST. The Navy Department says that it did. I refer the gentleman to page 7 of the report.

Mr. CANNON. Then, if Congress does not pay the claim, why do not the parties go into court and get their judgment?

Mr. YOST. We want the money; we do not want a judgment.

Mr. CANNON. If you get a judgment, payment will be made in a deficiency bill.

Mr. YOST. I read from the report of the Navy Department, on page 7 of the report of the committee:

> Pursuant to the authorization contained in the act making appropriations for the naval service for the fiscal year ending June 30, 1896, approved March 2, 1895, that the Secretary of the Navy audit and adjust the claim of the Richmond Locomotive and Machine Works against the Government for damages and losses sustained by said company, by reason of delays on the part of the Government, in the execution of their contract for the construction of the machinery of the armored battle ship *Texas*, and report to Congress at its next session what amount may be due said company, I have the honor to report as follows:

Mr. RICHARDSON. Is not that conclusive of the whole matter?

Mr. CANNON. By no manner of means is it conclusive to make this an audited claim, creating a legal liability.

Mr. WALKER of Massachusetts. I wish to ask the gentleman from Illinois two very short and pertinent questions.

Mr. CANNON. Very well.

Mr. WALKER of Massachusetts. First, whether it is not the custom of Congress to refer claims to the Treasury Department to be adjudicated, to be audited, and to be adjusted? Is that not the ordinary course?

Mr. CANNON. No; not necessarily. They go under a general law.

Mr. WALKER of Massachusetts. Well, then, they go under a general law, but at all events they get there.

Now, in the second place, is not a law as binding, and the adjustment under that law as binding, if a special law is passed committing the auditing of the claim to another Department of the Government instead of to the Treasury?

Mr. CANNON. Now, has the question been asked?

Mr. WALKER of Massachusetts. Yes, sir; and it is upon the conscience of this Congress that we should rely in the consideration of these matters.

Mr. CANNON. I will answer the gentleman. If any citizen has a legal claim against the Government of the United States he can go into the Court of Claims and have it audited by the Treasury Department.

Now, these parties did not have a legal claim against the Government, I apprehend. A legal claim would have been paid. But they come and set up a claim that under and by the conditions under which this work was done they are entitled to something in fairness and justice; and this claim of theirs is sent to the Secretary of the Navy, not to the Secretary of the Treasury, for the purpose of getting a report from him. Now, that is just the size of it.

Mr. RICHARDSON. But does it not direct the claim to be audited? If so, what does that mean?

Mr. CANNON. It directed it to be audited, but not in the sense of a claim on the Treasury of the United States, where the only question is as to the amount. If so, I will say to my friend from Tennessee—because I know him to be a good lawyer—if so, why did they not go into the court to recover the whole amount? That is the entire question in a nutshell.

Mr. McMILLIN. If the gentleman will permit me, they did not go from the very best of reasons, for instead of sending them to the court, Congress, by law, sent them to the Secretary of the Navy, because this transaction had been had under that Department, and the Secretary of the Navy was supposed to know more about it than anybody else.

I will state to my friend further, with his indulgence, that this work was for the benefit of the Government, and was sent on account of the particular nature of the transaction to the Secretary of the Navy, he having had to do with the building of all of these vessels. In other words, the Government selected its own forum, and from that forum this resolution has been brought forth.

Mr. CANNON. Now, Mr. Chairman, as long as I have the claim of the gentleman from Tennessee set up in support of his case, I can proceed. He claims this to be a legal liability on the part of the Government. I deny it. I say that the only effect of sending this to the Secretary of the Navy was to get him to make a

statement of facts, and that it should come to Congress for its consideration.

That there was no legal liability is acknowledged by the claimants themselves on page 5 of the report about the center of the page.

Mr. SULLIVAN. Just what is your objection to the proposition? Is it not just, and a proper claim against the Government, if it is not a legal one?

Mr. CANNON. I will proceed so discuss that, but I wanted to show what the claim was from the friends of the claimants.

Now, this claim seems, by the report of the Secretary of the Treasury, to arise in consequence of the contract that was made on May 30, 1889, and provided that the work of fitting up this machinery should be completed in two years and six months from that date; that is to say, November 30, 1891.

Now, what next? The Secretary of the Navy says:

The contract for the machinery of the *Texas* was dated May 30, 1889, and provided (seventh clause) that the delivery of the machinery should be completed and its erection, fitting, and connection in place on the vessel should be commenced within two years and six months from the date of the contract, or by November 30, 1891, and that its erection, fitting, and connection in place should be completed within three years and six months from the date of the contract, or by November 30, 1892——

Mr. CARMACK. What page is the gentleman reading from?

Mr. CANNON. Page 7 of the report—

at which time it was contemplated that the machinery should be subjected to a trial at sea to test its construction and the working of all its parts, and to ascertain whether it would develop the horsepower required. On the 14th of January, 1891, the boiler shop of the contractors was destroyed by fire, and they were on that account granted an extension of time under the contract of eight months, carrying the time for the completion of the whole work to July 30, 1893.

And they wanted a longer extension, as appears from the same report.

Turn now to page 9:

The contractors have taken December 31, 1892, as the date from which expenses should be charged to the Government, and by ascertaining upon that basis those expenses that are accurately determinable they get an amount which, subtracted from the whole amount, leaves the sum of $79,312.50, claimed as direct damage. I consider that the contractors are fairly entitled to extra compensation—

Now, this is Mr. McAdoo, the Assistant Secretary—

on account of the matters set forth in their brief of claim, but for the reasons stated above it would seem to be reasonable and proper that July 30, 1893, the date of the expiration of the contract time as extended, should be taken as the date from which to reckon those items of expense that depend upon the element of time for their determination.

Now, that extension was made to July 30, 1893, and when it was made the contractors were insisting that it should be four months longer. Yet, having obtained the extension to July 30, 1893, they come in now and claim from December, 1892, and this Secretary, as he investigates, although he makes it start at July 30, 1893, does allow them from that time, when before that they had agonized for four months longer. Well, now, what does this prove, do you say? It proves that these parties wanted to get something out of the Government. The first delay that came came from the act of the claimants.

Mr. CARMACK. What act?

Mr. CANNON. They came and asked it because their shops had been destroyed by fire.

Mr. YOST. May I interrupt the gentleman?

Mr. CANNON. Certainly. I take it from that report.

Mr. YOST. I understand you take it from that report. Now, this accident to the shops occurred within a very few months after the contract had been let. They went to the Government and asked for a year's extension on their contract.

Mr. CANNON. Yes.

Mr. YOST. The Government refused to give them more than eight months' extension.

Mr. CANNON. Precisely.

Mr. YOST. Then, desiring and intending to comply with their contract, they made extraordinary efforts to comple it within the eight months. They were ready, and did complete their contract, and here is the evidence of it, shown in the letter of Chief Constructor Hichborn, on page 17 of the report. He says:

On July 30, 1892, the contractors had complied with the terms of the contract.

Now, all that time inured to the benefit of the Government itself, as is shown in this statement of Secretary McAdoo which you yourself have read. The Government got the benefit of it and not these contractors. Nothing was allowed them for that extension.

Mr. CANNON. Why, they got the extension of eight months.

Mr. YOST. The Government got that, because this extension is not included at all in the time during which the Government agreed to pay damages.

Mr. CANNON. The Government got it! Why, certainly the gentleman can not or will not read. These men went and agonized for a year's extension. They got an extension of eight months. Now, they came with this claim and sought in their claim to establish damages for almost eight months of that time that the extension was granted on their own request.

Mr. LAMB. The Secretary cuts that out.

Mr. MINOR. Mr. Chairman——

Mr. McMILLIN. If the gentleman will allow me——

The CHAIRMAN. To whom does the gentleman yield?

Mr. CANNON. I will yield first to the gentleman from Wisconsin [Mr. MINOR], and then I will yield to the gentleman from Tennessee [Mr. McMILLIN].

Mr. McMILLIN. I only wish to set the gentleman from Illinois right.

Mr. MINOR. That is what I am going to try to do. I read from this letter of Commodore Hichborn, dated February 5, 1895, found on page 17 of the report. Speaking about this time extension, he says in this letter:

The hull was launched on June 28, 1892, and if the contractors' time had not been extended on account of fire they would have been delayed in commencing the erection of the machinery on board seven months by the delay in the launching of the hull.

Mr. CANNON. Precisely. When the Government found out that the contractors could not do their work on time, there was no necessity for the Government hurrying up.

Mr. MINOR. Oh, no——

Mr. CANNON. The gentleman says, "Oh, no." I say, in my judgment, oh, yes.

Mr. CARMACK. There is nothing to show that, is there?

Mr. LAMB. No.

Mr. CANNON. Suppose that had been done six months before. You could not put the machinery in, because your shops had been burned.

Mr. MINOR. I read further from Commodore Hichborn's letter:

It appears that although the original orders for the armor of the *Texas* were given prior to the orders for the armor for the *Maine*, *Massachusetts*, *Indiana*, *Amphitrite*, *Puritan*, *Monterey*, and *Oregon*, yet the delivery of armor for the latter ships antedated the delivery of that ordered for the *Texas*. This has resulted in delaying the completion of the *Texas*, and in preventing a trial of the machinery as required by the contract.

Mr. CANNON. Oh, well——

Mr. MINOR. Now, whose fault is it; the fault of the Government or of the contractor?

Mr. CANNON. I will say to the gentleman, by this claim that these men made, and it appears here in black and white, they went to the Government and asked for an extension of a year and got an extension of eight months, until the 30th of July. Then, when the Government paid them every dollar that it owed them under the contract, these claimants turned a double somersault and came in and filed a claim for damages from December up to July, when from December to July 30 the extension was granted at their own request because their shops had been burned up.

Mr. LAMB. They did not get that, because that time was cut out.

Mr. CANNON. That is what you say, but this is what the report of the Secretary of the Navy shows.

Mr. LAMB. I know you do not want to do an injustice, but that is a mistake.

Mr. McMILLIN. Will my friend permit me right there?

Mr. CANNON. Yes.

Mr. McMILLIN. I know the gentleman would not do an injustice to anybody. We often do for the Government what we could not afford to do for ourselves. I am not an exception to that rule. The fact is that this company's works were burned.

Mr. CANNON. Yes.

Mr. McMILLIN. They feared that they were not going to be able to perform their contract within the time.

Mr. CANNON. Yes.

Mr. McMILLIN. Availing themselves of another clause in the contract to provide against accidents, they applied for an extension of time.

Mr. CANNON. Yes.

Mr. McMILLIN. That is true.

Mr. CANNON. Yes.

Mr. McMILLIN. An extension of time was granted.

Mr. CANNON. Yes.

Mr. McMILLIN. But as a matter of fact they did not delay the Government and did not take the time, and in the statement of this claim, however, the time has been deducted, and that is the cause of the difference between the claim originally made and the claim as audited by the Navy Department. Now, this being so, it strikes me that it is unfair for the gentleman to claim that this was produced by their delay. They never delayed an hour. They feared they would not get their works in order in time, and they asked this delay; but they never availed themselves of it; and then the delay has been counted against them, and notwithstanding that delay the Navy Department says this is due them. That is the claim—all of it.

Mr. CANNON. Well, I want to say to the gentleman, when he says that Representatives will avail themselves for the Government in matters they would not avail themselves of, by the letter of this contract and the substance of it, these claimants have no more legal right for redress than they have to repose in Abraham's bosom. [Laughter.]

Mr. McMILLIN. But my friend will admit—and that is the distinction I draw—that neither he nor I would stand up before the world for an hour owing an equitable claim, whether it was a legal one or not, and refuse to pay it.

Mr. CANNON. Now, let us see about an equitable claim. When two parties make a written contract and one party comes in and claims to recover damages for the other party not doing something at a certain time which he never agreed to do within a certain time, there is nothing in law and nothing in morals that requires the party to do that which he did not agree to do. Now, my point is this: By the contract, and by the statement of these men—the Richmond Locomotive Works—the Government never agreed to do what they wanted the damages for the Government not doing. That is what I mean to say.

Mr. WALKER of Massachusetts. Will the gentleman allow me to ask him another question?

Mr. CANNON. Certainly.

Mr. WALKER of Massachusetts. Did not the Government agree in this contract that this hull was to be ready at a certain day, so that this machinery could be put into it by this company? That the Government did not complete it at that time, and then, because the hull was not completed at that time, that these damages were incurred? So it was the fault and failure of the Government that caused the damages.

Mr. CANNON. Now my friend draws on his imagination.

Mr. WALKER of Massachusetts. Not at all. I have read this case very carefully.

Mr. CANNON. I fear my friend has not read this part signed by the Richmond Locomotive Works, on page 5, in the center of the page:

> Inasmuch, therefore, as the Secretary of the Navy is bound by the letter of the contract, which makes no provision for loss to the builders of the machinery by reason of the failure of the Government to construct the hull in due time, the Richmond Locomotive and Machine Works asks that the Secretary of the Navy, who has full knowledge of the facts or can be apprised of them, shall be authorized to make such allowance to the Richmond Locomotive and Machine Works as under all the circumstances may be fair, just, and right.

Now, my friend went to lunch just before he read that, or he would not have made the statement that he did. So much for that. Now let us go to another matter.

Mr. MINOR. Read the act.

Mr. CANNON. I have read the act. I will say to my friend that the act of Congress as passed sent that matter in claim to the Secretary of the Navy to consider and report to Congress. That is what this was. You say it is his duty, but the meaning of the language is that he shall consider and report the case to Congress, and we are not bound by these conclusions, and to show that we are not bound——

Mr. BRUMM. Mr. Chairman, just one moment——

Mr. CANNON. Let me complete this statement. I say that we are not bound by the decision of the Secretary of the Navy, and in this report he reports instead of $12,000——

Mr. BRUMM. That is stricken out.

Mr. CANNON. Oh, certainly. But if you can strike out $12,000—if you say he could audit and investigate this claim under an act of Congress and not be justly subject to criticism for the act—why can not I stand here and discuss this question before us so that I can strike out something without being criticised?

Mr. BRUMM. You discuss, but do not produce any argument. [Laughter.]

Mr. CANNON. That is my misfortune.

Mr. BRUMM. Well, then, not in this case. It is true that, strictly speaking, according to law, there is no legal claim here, but the Government should act in good faith, and there is an implied contract, as well as a written contract. The implied contract was that this hull was to have been finished in a reasonable time. Having failed to do that, damages have accrued, and it is, upon the recommendation of the Secretary of the Navy, a just claim, and he has adjusted it; and all we ask here is what the Secretary of the Navy has approved as the damage under these conditions, less the interest. They have even stricken that out; and because we have not done all the Secretary of the Navy says we shall do, you attempt to use that as argument against the equity and justice of the whole bill.

Mr. CANNON. I say this, and I want my friend's attention. I say that when the gentleman from Tennessee [Mr. McMILLIN] draws an act of Congress which authorizes the Secretary of the Navy to audit this claim and fix the liability of the Government, and that he has done that, when it comes here, I put that down by calling attention to the fact that this claim, this audited claim, which is not an audited claim, as I have contended from the beginning, is kicked aside and the gentleman himself strikes out $8,000 as well as some other matters.

Mr. LAMB. No; the gentleman misunderstands the whole thing. That was done by the Senate committee.

Mr. BRUMM. It makes no difference who did it.

Mr. LAMB. The Senate committee reduced it to $69,000.

Mr. CANNON. You are asking us to pass the Senate bill.

Mr. LAMB. You made the very objection last year when that question was brought up that it had not been approved by the Navy Department.

Mr. CANNON. What are you asking the House to do now?

Mr. BRUMM. We are asking the House to pass the Senate bill as we have it reported.

Mr. CANNON. You are asking us to ratify the action of the Senate, which strikes out these three items. Now, if there is anything in the act of Congress or the action of the Secretary of the Navy that commits the Government, legally commits the Government for the whole thing, it would be legally committed for the whole thing even if they had found a half a million. I undertake to say that the Secretary of the Navy never was given the power to bind Congress, and for that reason I am trying to show that these men have no just claim that we are bound to pay. Now, I want to go to another item.

Mr. MOODY. Will the gentleman from Illinois [Mr. CANNON] allow me to call his attention to one fact?

Mr. CANNON. I always yield to my friend from Massachusetts.

Mr. MOODY. Let me call his attention to the provision of the contract, printed on page 13 of the report, which prescribes what the obligation of the Government shall be in case of delay attributable to the Navy Department. The contract itself provides exactly what obligation the Government shall be under.

Mr. CANNON. Let me call the gentleman's attention to page 5, where the claimant himself says——

Mr. MOODY. I am not antagonizing the gentleman's position, but showing that the contract itself points out something other than a pecuniary compensation which would arise as an obligation on the part of the Government in case there was a delay, viz, that if there was delay attributable to the Navy Department, then the only obligation on the part of the Government would be to entitle the party of the first part to a corresponding extension of time, and no delay should be attributable to the Navy Department unless notice in writing was given by the other party to the contract. This is right in line with the gentleman's remarks.

Mr. CANNON. Yes; and I am much obliged to my friend from Massachusetts for the patient reading of the contract, which I had not read, but took the statement of the claimant as to its terms. The gentleman from Massachusetts, by a patient reading of the contract, points out a provision or clause that shows that these people are without legal claim and without equitable claim upon the Government.

Mr. BRUMM. You do not mean that?

Mr. CANNON. I mean to say that that clause of the contract made between these parties legally and equitably estops the claimant, in good conscience, from having one single cent.

Mr. BRUMM. That depends on the extent of the delay.

Mr. CANNON. And why? Because by this contract made between the parties it was agreed that if the Government did not furnish the hull in that time, after a written notice by the locomotive works, they should have a similar extension of time.

Mr. YOST. Now, before the gentleman gets away from that point I would like to have the gentleman read what is underneath that clause. The contract provides:

> In case any question shall arise under this contract concerning premiums or penalties, such question, with all the facts relating thereto, shall be submitted to the Secretary of the Navy for consideration, and his decision thereon shall be conclusive and binding upon all the parties to this contract.

Mr. MOODY. That refers to penalties against the party of the first part.

Mr. CANNON. That is a penalty against the party of the first part, the claimants, as the gentleman from Massachusetts says. Now, these people have been pretty leniently dealt with by the Government, and yet they come in and make a charge here for dock trial, $12,000.

Mr. YOST. They are entitled to that under the contract.

Mr. CANNON. There was to be a trial under the contract at open sea. The Secretary of the Navy says these parties were in such a bad condition pecuniarily that he would not compel them to wait until the completion of this work, and so he let them have a dock trial that they might get their money earlier. They had a dock trial and did get their money, and now they come in here and charge $12,000 for that very dock trial, which was granted at their request that they might get their money sooner than they would have got it under the contract had they waited for it to be finished and sent to sea for a trial in the open sea. There is a maxim in equity that "He who receives equity must do equity." There is another maxim that "He who seeks equity must come in with clean hands."

Now, when we come to read this report, even imperfectly as I have been compelled to read it, there comes out one fact and another fact and another fact, showing, in my judgment, that this bill ought not to pass.

Mr. WALKER of Massachusetts. Mr. Chairman, in attending the sessions of this House a long time ago I used to hear a very eminent gentlemen from Illinois, when questions were being argued against him, cry out: "Oh, don't play the cuttlefish; don't

muddy the waters." Now, if my friend from Illinois [Mr. CANNON] has been doing anything else than playing the cuttlefish and muddying the waters I am not aware of it. [Laughter and applause.]

There is not a single concession that has been made by these parties seeking justice at our hands that has not been used by the gentleman to befoul and befog their case and damage their claim to the utmost of his ability. Of course this has been done by him conscientiously, in his desire to protect the Treasury and in accordance with his action as chairman of the Committee on Appropriations, bringing in upon his appropriation bills containing things legal and illegal if they only commend themselves to his judgment, which could not be gotten in bills regularly on the floor of the House. He did not see fit to put in any appropriation bill this particular claim, which he might have done in the line with hundreds of others that he has put in his bills in the few years that I have served under his instruction, tutelage, and example. [Laughter and applause.]

Mr. CANNON. Oh, my friend was a confirmed sinner before I made his acquaintance. [Laughter.]

Mr. WALKER of Massachusetts. I do not think there is anything more gratifying to my friends than the progress I have made under the gentleman's tuition. [Laughter.]

Now, Mr. Chairman, I do not profess to be a lawyer, but I have heard it said that evidence of a proposition for a compromise having been made can not be brought into court in the trial of a cause when the effort at compromise has failed.

The gentleman from Illinois would have us believe because these parties when they were kept out of their money for years and could not get it, knowing the habit of this House with respect to such claims—not the Senate, for, thank God, there is one place where a claim against this Government has a slight show of getting justice—because these parties said that if they could have immediately $69,550 instead of the $80,000 to which they were justly entitled, they would accept it—and this was two years ago—the gentleman [Mr CANNON] proposes to strike out all the rest of the items of this bill to zero. That is the degree of fairness, I am sorry to say, with which my friend has treated this case.

What are the plain facts of the case? First, the Government led these parties to believe, and morally, if not technically, agreed in the contract that this ship would be completed within two years and a half. If there is a manufacturer on this floor, especially one engaged in a line of business where the fixed charges on the cost of the plant, etc., make such an enormous portion of the cost of the finished product as in locomotive works and machine shops, where I think it must be from 25 to 33 per cent, I wish to appeal to his conscience in this matter and ask him to sustain me in my statement that when these parties were delayed with that machinery on their hands for sixteen months it must have been an enormous expense to them and reduced very largely, if it did not destroy, the profits that there may have been in this contract, unless the profits were out of all proportion to any profit I have ever known contractors to figure to make on any contract with the Government.

The work was to be completed November 30, 1892. The adjustment of this claim as a matter of fact, auditing, if not technically, was arrived at March 2, 1895. These acccounts were committed to the Navy Department to be audited and allowed, that they might be audited by experts familiar with the whole business and situation, so that the Government might secure all the rights and advantages to which it was entitled, and which it might not secure if the case had been regularly sent to the Treasury Department. So that the sending of this case to the Navy Department rather than the Treasury Department, was, as a matter of fact, against the interests of these parties rather than in their favor.

As I have said, the work was to be completed November 30, 1892. A fire occurred at the works of the contractors and they appealed to the Government for one year's extension. They obtained an extension for eight months, bringing the time for completion of the work, according to the letter of the contract, down to July 30, 1893, on which date the work contracted for was ready, as agreed in the contract. But the contractors were delayed and hindered by the Government until November 30, 1894—sixteen months.

The Government was under contract to complete the ship for which this machinery was constructed in two years and a half; and as the Government was in a hurry for the vessels, there was no thought on the part of these contractors that there would be the slightest obstruction to their completing the machinery or other matters covered by their contract. If the contract provided for penalties which were to be paid to these contractors if the Government did not carry out its part of the contract, as it did not, these parties could not have collected the penalties, and they knew it. They must rely on the honor of the Government. All gentlemen know that penalties can not be collected from the Government, whatever provision there may be in a contract for such penalties.

The gentleman says that if there had been any penalty due, provision for it would have been inserted in an appropriation bill, provided it was a legal claim. It would have been inserted now if the gentleman had pleased to put it in, and it would not have been inserted if he did not so please. If his committee did not choose to put it in any bill, this House even could not get it in and it would have stayed out. There is no way to collect the judgment of a court against the Government. We all know that.

The claim, which was justly due in this case, amounted to $108,983. The agents of the Government reduced the amount to $84,049; and six different committees of the House and the Senate have unanimously reported in favor of the allowance and payment of this claim. And yet, Mr. Chairman, the gentleman from Illinois would defeat the payment of this just claim of these parties on purely technical grounds. He does not go at all into the equities of the case, but simply the technicalities; and here, on the eve of the Government desiring to make large contracts with just such parties for immense supplies likely to be needed in the near future, do they set an example of encouraging contractors to enter into obligations to do the work of the Government?

I myself made a contract with the Government early in the late civil war, and the Government kept me out of my money—the contract amounting to some $300,000—for years, until every dollar of the margin was swept away, and made a loss to me of several thousand dollars. And I said then, "Never again will I contract with the Government for anything whatever;" and I stand there now. After my own experience, my advice to my friends is never to make a contract under any circumstances for anything with the Government of the United States.

Mr. RICHARDSON. How about your salary? [Laughter.]

Mr. WALKER of Massachusetts. Oh, well, I will take my chance on that, for we all have "a little pork in that pot" [laughter], and the gentleman from Tennessee is familiar with the fact that we can usually get something out of it when we are all interested.

Now, because these parties have said that rather than pursue this claim further in Congress to get justice they are willing to submit to the sacrifice of some $11,000, the gentleman from Illinois wants us to strike out all the balance of the claim and pay them nothing whatever.

Mr. Chairman, in conclusion let me say—and if I have any time remaining I will yield it back to the chairman—I have known the circumstances of this case somewhat familiarly, because I was referred to it as a claim like one of my own constituents had which was pending before Congress for fifteen years, as having similar characteristics to this one, and I was trying to get his claim through, which I succeeded in doing a few days since.

I examined this case in connection with the other, and I wish to say that it is incumbent on the House to show, in every single one of these cases where there are findings of the Court of Claims, or where there has been a report made by the Committee on Claims, that there has been some error either in the findings of the court or in the judgment of the committee. It is incumbent on the House, where this is not shown, to vote to pay claims that are pronounced just by our committee or by the court.

I shall not only vote "yea" in this case, but in every claim passed on favorably by the Court of Claims or reported by the Committee on Claims favorably, unless some member of the committee shows conclusively that it ought not to be paid. I care a great deal more about my own conscience and the good character of the Government than for all the money in the Treasury.

Mr. CANNON. My friend's conscience is a pretty expensive one to the Treasury. [Laughter.]

Mr. WALKER of Massachusetts. Yes, sir; it is expensive also to me; but where I have lost ten dollars I have made a hundred by dealing honestly.

Mr. SIMPSON. That is a good paying conscience.

Mr. YOST. I move, Mr. Chairman, that the bill be laid aside with a favorable recommendation.

The motion was agreed to; and the bill was accordingly laid aside to be reported to the House with the recommendation that it do pass.

ERIE RAILROAD COMPANY.

The CHAIRMAN. The Clerk will report the next bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 706) for the relief of the Erie Railroad Company.

Be it enacted, etc., That the Court of Claims shall, notwithstanding the lapse of time, be authorized to take jurisdiction of and adjust the claim of the Erie Railroad Company, successor of the New York, Lake Erie and Western Railroad Company, and of the Erie Railway Company, for the transportation of the mails of the United States from January 1, 1874, to June 30, 1877, upon routes (old numbers) Nos. 1201, 1207, and 1208, said claim being based upon alleged contracts between the United States of America (acting in that behalf by their Postmaster-General) and the president of said Erie Railway Company, signed and acknowledged by John A. J. Creswell, Postmaster-General, on the 10th day of January, 1874, and by P. H. Watson, president of said Erie Railway Company, on the 29th day of April, 1874.

Mr. LOUD. Mr. Chairman, my friend from Massachusetts [Mr. WALKER] came very near stating what doubtless he intended to say when he set out, that he would vote for any claim reported from the Committee on Claims of this House.

There may, perhaps, on the face of this claim now before us, be something very strange, although when a man is familiar with the policy of the Committee on Claims of this House, and I refer to both sides, there is nothing unusual in the claim itself.

You will find by looking at the report accompanying it that it was made on the 14th day of last December, six or seven days after this Congress convened; and you will find, further, from looking at the report, that they have recited a letter from the Post-Office Department——

Mr. BRUMM (interrupting). Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BRUMM. How does this bill come up?

The CHAIRMAN. It comes up in the regular way.

Mr. BRUMM. The committee has not asked to have it brought up.

The CHAIRMAN. The Chair directed the Clerk to read the next bill on the Calendar, and the Clerk read this.

Mr. BRUMM. But this is not the next bill. This bill was set aside, and the committee is not ready to take it up.

The CHAIRMAN. The Chair thinks this is properly before the committee.

Mr. BRUMM. It seems rather strange that such action should be taken when the committee do not desire its consideration now.

Mr. LOUD. It is too late now, Mr. Chairman, to make that point.

Mr. BRUMM. We are not ready to discuss the bill, and the reason is due to my friend from California. I told him that if he had no objection I would be glad if he would let me know what information he possessed with reference to this claim, as he had made some statement in regard to it to me. I understood that we were to have the benefit of that information before the claim was to be considered. We have come here, therefore, unprepared, and it is not fair that the bill should be taken up under these circumstances.

Mr. CANNON. But my friend ought to be——

Mr. LOUD. Let me take care of this. Let us see whether it is or not.

The CHAIRMAN. The bill is properly before the committee.

Mr. LOUD. The bill is properly before the committee.

The CHAIRMAN. And the gentleman from California is entitled to the floor.

Mr. BRUMM. If I am in order, I now move that this bill be laid over.

Mr. LOUD. The gentleman is not in order. I have the floor.

The CHAIRMAN. The gentleman can not do it, unless the gentleman from California yields the floor.

Mr. LOUD. And that I shall not do.

Now, let us be perfectly fair about this. The chairman of the Committee on Claims [Mr. BRUMM] did come to me and say if I had any evidence as to why this claim should not pass that he would like to see it. I am perfectly willing to admit that. Now, Mr. Chairman, the very evidence that I have here to-day has been submitted to this Congress before, and years subsequent to the letter which the gentleman has published in his report; and I want to call the attention of Congress to the fact that in less than one week after this Congress assembled, or within a week after the committees were organized, this bill was reported to this Congress upon a report that was made years ago, without any investigation on the part of the committee whatever, and I defy successful contradiction of that statement.

This is not the only case in which that has been done. It is a common thing for committees to do that, and I do not desire to criticise this committee any more than I desire to criticise other committees. It is a well-known fact that the Committee on War Claims for years have submitted fifteen, twenty-five, or fifty reports to this House within one week after that committee has been organized, a time which would not allow an intelligent investigation of one of those cases, let alone fifty or seventy-five.

Now, I have no evidence in this case, Mr. Chairman, that is not accessible to every man on the floor of this House, and such evidence as the committee itself should have been in possession of before they reported this case to Congress.

What should a committee do first when a claim is referred to them? They should refer that claim to the Department that has charge of that character of business, and ascertain from that Department what its views are.

Now, what are the merits of the Erie claim? I propose, without reading these documents which I have here, later on to ask that they may, perhaps, be buried in the RECORD, but to have them go into the RECORD, where any man can obtain the full evidence in relation to this case.

In 1872 or 1873 the Erie Railroad Company, presumably, according to the claim of the committee, entered into a contract to carry the mails over the Erie Railroad, connecting at that time with the Lake Shore, the Erie Railroad at that time having a direct connection with the Lake Shore Railroad Company, one of the most accessible routes for the through mails from New York to the city of Chicago. I am willing to admit that the contract was executed by the Post-Office Department—that is, it bore the signature of the Postmaster-General—and was transmitted to the Erie Railroad Company for them to attach their signature to it, the Erie Railroad Company knowing as well as any individual who deals with the Government must know that that contract was required to be returned to the Post-Office Department that it might be filed, and a copy of the same filed with the Auditor in order that he might properly make the account.

Now, what did the Erie Railroad Company do? They not only failed but refused—and I say "refused" by failing to send the contract to the Department after they were notified to send it there.

Now, the mails on this railroad were weighed. Let me say that prior to this contract there is some little valuable history in connection with this railroad company, to show how leniently the Government dealt with them, giving them repeated reweighings, contrary to the custom of the Department, to increase the pay; and mind you that new weighings were ordered in order to get this pay. At the time of the making of this contract they were carrying the mails, and should have carried them strictly under their contract for three years more, on an annual payment of $172,500. The Department came in at this time and gave them a new weighing, which weight showed that they should have received some $320,000 per annum for the carrying of these mails.

Now, the Erie Railroad carried these mails for a short period of time, and the Government paid them every dollar that was due to them, notwithstanding they had not returned the contract to the Post-Office Department to have it filed there. Events subsequently demonstrated that the Erie Railroad Company had lost control of its service over the Lake Shore road and the New York Central had gained that close connection with that road which it has had ever since. The Erie Railroad Company were not in a position then to transmit the mails expeditiously to Chicago, and the Post-Office Department notified the company that it would take from their road a certain amount of mail and transfer it to the New York Central in order to expedite the transportation.

The Government did so. The mails were weighed, and the New York Central began to carry this mail. Then the Erie Railroad Company came and claimed payment for the carrying of the mail which the New York Central was carrying. There was a little quibble between the railroad company and the Department, the railroad company claiming that they were not duly notified of this transfer of the mail. The Department, recognizing the equity of that as against the law, paid the Erie Railroad Company for a little over a month for the carrying of this mail which they did not carry and for which the Government had paid the New York Central, which road did carry the mail.

Now, then, the claim of the Erie Railroad Company was originally—I forget the exact amount—but for one month's pay, about $25,000 or $26,000. That was the original claim to the Department. They claimed that they had a contract. Well, now, if they had a contract, why did they not go to the Court of Claims? They have allowed all these years to elapse, allowed the time to pass in which they could have gone into the Court of Claims if they had a contract; and when that time has passed, knowing Congress, as its adroit attorneys evidently do, knowing that they had no case before the Court of Claims that they could get through, they took it into Congress, and of course if they can not get this case through now, they might some time during the next twenty-five or fifty years. Here is an effort that is repeatedly made to blow the breath of life into a claim that never had a legal standing or even an equitable one before anybody.

Now, let us see what the Department said about this—and they did not mince matters about it when it was referred to them. I want to say that this is not secret information, but it is the information that the committee should have reported to this House. Under date of February 9, 1894, the Second Assistant Postmaster-General reported to the Committee on the Post-Office and Post-Roads; and that is where all reports of this character, permit me to say, Mr. Chairman, should be referred. We have several of them there.

Here is the correspondence:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., April 9, 1894.

SIR: In reply to your letter of the 5th instant relative to the claim of the Erie Railroad Company for additional compensation for mail service performed between January 1, 1874, and June 30, 1877, and to the H. R. No. 706, which proposes to provide for the waiving of the statute of limitations in favor of this claim and its submission to the Court of Claims, I have the honor to forward herewith copies of a memorandum prepared by the superintendent of railway adjustment for the Second Assistant Postmaster-General in February, 1894, and a letter of the Second Assistant Postmaster-General to the Postmaster-General, dated February 9, 1894, which give the facts and the views of the officers of the Department then in charge of the files and records relating to such cases.

I also inclose herewith a statement prepared by the Auditor for this Department, which shows the amount paid the company for service on routes 1201, 1207, and 1208, from July 1, 1873, to June 30, 1877.

Very respectfully,

JAS. A. GARY, *Postmaster-General.*

Hon. E. F. LOUD,
House of Representatives.

POST-OFFICE DEPARTMENT,
OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL,
RAILWAY ADJUSTMENT DIVISION,
Washington, D. C., February 3, 1894.

Memorandum for Second Assistant Postmaster-General, prepared by the superintendent railway adjustment division, relative to claim of Erie Railway Company. Term, 1873 to 1877.

Route 1201, term 1873 to 1877, New York to Dunkirk, 459 miles. October 1, 1873, service of Erie Railway Company was recognized for quarter ended September 30, 1873, at $172,500 per annum. Route was weighed from October 1, 1873, and average weight ascertained to be 39,170 pounds per day. On this basis the rate of compensation was fixed at $323,595 per annum.

December 31, 1873, service of Erie Railway Company was recognized for quarter ended December 31, 1873, at $323,595 per annum, and order of October 1, 1873, was modified so as to pay at same rate for quarter ended September 30, 1873.

January 1, 1874, order was made to contract with the Erie Railway Company at $323,595 per annum from January 1, 1874, to June 30, 1877.

The records show that contracts as above were drawn in duplicate and signed by the Postmaster-General (as was then the custom), and on February 3, 1874, forwarded to the Erie Railway Company, to be signed on part of the company and returned to the Department, so that they could be recognized by the Department and a copy forwarded to the Auditor for the Post-Office Department, as required by section 262, Postal Laws and Regulations, 1873.

It appears that the "contracts" above mentioned were not returned to the Department by April 8, 1874, for on that date "the company telegraphed the Auditor asking payment. The Second Assistant Postmaster-General replied the same day by telegram that the Department awaited the execution and return of contracts."

The "contracts" were not returned, and an order was issued April 24, 1874, recognizing the service of the Erie Railway Company for the quarter ended March 31, 1874, at $323,595 per annum.

Similar orders were made at the close of each quarter from this time to and including the quarter ended September 30, 1875.

"The establishment of the 'fast mail' between New York and Chicago, via the New York Central and Hudson River Railroad, which went into operation September 16, 1875, caused a large portion of the mail matter hitherto carried on routes 1201 and 1208 to be diverted to the New York Central and Hudson River Railroad from the date named."

The Erie Railway Company must have been aware of this diversion, but no notice of the change of the routing of these through Western mails seems to have been given the Erie Railway Company by the Department until the letter dated October 13, 1875, was sent. This letter notified the company that the mails would be weighed for thirty days from November 1, 1875, with the view of adjusting the pay from September 16, 1875.

The weighing was postponed to begin December 1, 1875, and the company was notified of such postponement by letter dated October 25, 1875.

The mails were weighed for sixty days from December 1, 1875, and the aver age daily weight found to be 6,082 pounds.

On this weight the pay was adjusted at $128,948 per annum.

Order of July 31, 1876, recognized the service of the Erie Railway Company from January 1 to June 30, 1876, at $128,948 per annum, and modified previous orders so as to fix pay from September 16, 1875, at the same rate.

Under the act of July 12, 1876, which directed a reduction of 10 per cent in the compensation of all railroad companies for the transportation of the mails, the pay was stated at $119,217.20 per annum, and service of Erie Railway Company was recognized at that rate from July 1 to July 22, 1876, by order of February 17, 1877.

The mails were again weighed for thirty days from November 15, 1876, and the daily average weight found to be 15,659 pounds, and on the basis of this weight the service of the Erie Railway Company was recognized (in order of February 17, 1877) from July 23 to December 31, 1876, at $160,302.30 per annum.

* * *

Pay from January 1, 1877, to be fixed.

Order of April 10, 1877, recognized the service of the Erie Railway Company for the quarter ended March 31, 1877, at the rate of $160,302.30 per annum.

The mails were again weighed for sixty days in February and March, 1877, and the weight ascertained to be 12,312 pounds, and the pay fixed at $151,852.10 per annum.

Order of July 13, 1877, recalled order of April 10, 1877, and authorized the Auditor to pay the Erie Railway Company for service from January 1, 1877, to June 30, 1877, at the rate of $151,852.10 per annum, in accordance with the new returns for February and March, 1877.

By an order made December 1, 1877, previous orders were modified and restated so as to allow pay to October 15, 1875 (the date on which the railway company received notice of the intention of the Department to reweigh the mails for the purpose of ascertaining the basis on which to adjust the pay for service from September 16, 1875, the date on which the diversion of the through Western mails to the New York Central and Hudson River Railroad took place), at the rate of $323,595 per annum, thus authorizing payment of the Erie Railway Company at the full rate allowed under the weighing from October 1, 1873, to and including October 15, 1875, notwithstanding the large weights of the through Western mails were diverted from its line on September 16, 1875.

Route 1208, Buffalo to Hornellsville, was treated in a manner similar to that of route 1201, and the above statement, except as to termini, amount of pay, etc., will apply in the case of route 1208.

The service on route 1207 was weighed from October 1, 1873, pay fixed at $30,525 per annum, and contracts were sent out on February 3, 1874. The contracts were not returned, but service was recognized quarter to quarter to October 1, 1875, and the Auditor was then authorized to pay at same rate from October 1, 1875, to June 30, 1877.

Under date of January 10, 1874, contracts with the Erie Railway Company were ordered drawn for service from January 1, 1874, to June 30, 1877, on the following routes:

1201, New York to Dunkirk, 459 miles.
1202, Suffern to Piermont, 18 miles.
1203, Buffalo to Suspension Bridge, 25.94 miles.
1204, Newburgh to Chester, 19.75 miles; branch, Vails Gate to Junction, 12.75 miles.
1205, Rochester to Avon, 18 miles.
1206, Avon to Dansville, 30.73 miles.
1207, Attica to Corning, 111 miles.
1208, Buffalo to Hornellsville, 91 miles.
1209, Goshen to Montgomery, 10.25 miles.

These contracts were drawn in duplicate and signed by the Postmaster-General, and on February 3, 1874, they were sent to the Erie Railway Company to be executed on part of the company and returned to the Department, so that they might be regularly recognized by the Department and a copy forwarded to the Auditor of the Treasury for the Post-Office Department, as was required by section 262, Postal Laws and Regulations of 1873.

Contracts for 1210, Goshen to Pine Island, 11 miles, were sent to the railway company February 9, 1874.

Of the contracts forwarded to the railway company for execution and return, as above stated, the records show that those for routes 1202, 1204, 1206, 1209, and 1210 were executed and returned to the Department, and that the Department recognized them and forwarded copies of each to the Auditor of the Treasury for the Post-Office Department on April 24, 1874.

Those for routes 1201, 1203, 1205, 1207, and 1208 were not returned.

Under date of November 2, 1875, the Department wrote the receiver of the Erie Railway Company that—

"An intimation having reached the Department to the effect that the proprietors of the Erie Railway regard the rate of compensation fixed at the last readjustment for mail service on route 1201, between New York and Dunkirk, and route 1208, between Buffalo and Hornellsville, as still continuing in force, notwithstanding the diversion of mails consequent upon the establishment of the new fast-mail line between New York and Chicago, it is deemed proper to reiterate the notice given in the Department's letter of the 13th ultimo, that the readjustment of pay to be based on the weighing of mails soon to be made is to take effect from the 16th September, 1875, the date of the establishment of the fast-mail line above mentioned."

The mails were weighed on route 1201.

First. Thirty days from October 1, 1873, weight, 39,170 pounds.
Second. Sixty days from December 1, 1875, weight, 6,082 pounds.
Third. Thirty days from November 15, 1876; weight, 15,659 pounds.
Fourth. Sixty days from February and March, 1877; weight, 12,312 pounds.

The Erie Railway Company claimed that contracts were made for service on routes 1201 and 1208 from January 1, 1874, to June 30, 1877, exhibited alleged contracts, and that the rate of compensation fixed on the basis of weight of mails ascertained by the weighing from October 1, 1873, should apply to the end of the quadrennial term June 30, 1877, and that the Department had no right to change the rate during such term; also that if the Department had the right to order a reweighing and make such change in compensation, it must allow the prevailing rate to continue until the weights were taken, the pay adjusted, and the notice of such adjustment was sent to the railway company; and that the company should be allowed one month's extra pay on any reduction in the compensation of the company for carrying the mails.

The claim relative to the "one month's extra pay" was based on the provision of the alleged contract, which provides for the allowance of "one month's extra pay" to star contractors "as full indemnity" in case of discontinuance or curtailment of such star service.

In connection with these claims the Erie Railway Company, through its attorney, Mr. W. W. MacFarland, under date of March 29, 1876, filed an extended argument, which was submitted to Hon. T. A. Spence, Assistant Attorney-General for the Post-Office Department.

Under date of May 4, 1876, the Assistant Attorney-General submitted an opinion, in which, after calling attention to errors as to the facts in the argument of Mr. W. W. MacFarland, and stating the circumstances which led to the reweighing and the change in rate of compensation, he says:

"I am therefore of the opinion that the notice given the Erie Railway, of the contemplated change of compensation, bore date the 13th of October, 1875, and was probably received on the 14th or 15th of that month. The notice designated the 16th of September as the date from and after which the compensation would be according to a readjustment to be made on a weighing to be subsequently made.

"Inasmuch, however, as the service performed by the Erie Railway Company, after the 16th of September to the 15th of October, 1875, was performed under the reasonable impression from the (past) action of the Department that it would receive for the service the same compensation that it had theretofore received, it is proper that that compensation should be paid for it, to the receipt of notice of the change of compensation.

"The Erie Railway can not legally claim, nor can the Postmaster-General allow, a larger compensation for the service rendered by the said company on routes Nos. 1201 and 1208, after the notice given by the Postmaster-General on the 13th October, 1875, than that fixed by the law, according to the average weight of the mails carried, as ascertained by the weighing of the mails, made for that purpose under the direction of the Postmaster-General, commencing on the 1st day of December, 1875."

March 8, 1877, Mr. S. R. Hamill was appointed agent and attorney for the receiver of the Erie Railway Company.

Mr. Hamill filed a claim for compensation on routes 1201 and 1208, from September 16, 1875, to November 30, 1875, at the rate authorized under the weighing from October 1, 1873, and submitted an argument thereon.

In this argument he recites the signing of the contract forms by the Postmaster-General, and by the president of the Erie Railway Company, and the approval of sureties on said contract forms by the postmaster at New York, N. Y.; but fails to allege that the contracts, so executed and approved, were ever forwarded to the Department for acceptance and recognition, or that it was ever in the power of the Department to recognize the contracts and forward copies to the Auditor as required by law.

Mr. Hamill summarizes the claims on part of the company as follows:

"It is suggested that it must be first decided whether there was, or was not, a contract. If there was, then the company are clearly entitled to one month's extra compensation from the date of the receipt of the notification of reduction of service under it (October 15, 1875). If there was no contract then the company were entitled to compensation under the law based upon the average weight of mails transported. The rate of compensation once fixed by actual weight can no more be diminished than it could legally be increased, until by a new weighing the decrease or increase was legally determined, and they are clearly entitled to pay to which they were entitled by the actual weighing in the fall of 1873, to the 1st of December, 1875, when the new weighing was commenced."

In proof of the existence of contracts, Mr. Hamill submits copies of the contract forms signed and sureties approved, as above stated.

This appears to be the first record on the Department files of the filing of the alleged contracts or copies thereof.

Mr. Hamill asks that this matter be submitted anew to the Assistant Attorney-General for the Post-Office Department.

This request was complied with and the matter was referred to Hon. A. A. Freeman, then Assistant Postmaster-General, with a letter from the Acting Second Assistant Postmaster-General, dated August 23, 1877, reciting the facts and asking direction as to further action if any should be taken.

Hon. A. A. Freeman, Assistant Attorney-General, under date of September 8, 1877, returns the papers in the case, and says:

"This case was once before considered by my predecessor in office, the Hon. T. A. Spence, and I am of opinion that nothing is now presented which in any manner affects the correctness of the views expressed in his letter of the 4th of May, 1876."

The attention of the office of the Second Assistant Postmaster-General was not called to the opinion of Hon. T. A. Spence, Assistant Attorney-General, of May 4, 1876, until the 21st of August, 1877.

The opinion of Hon. A. A. Freeman, Assistant Attorney-General, was rendered September 8, 1877, and in pursuance of the lines laid down in these opinions the orders of December 1, 1877, were issued, thus providing for the payment of the Erie Railway Company to October 15, 1875, at the rate authorized by the weights as ascertained by the weighing of October 1, 1873.

September 14, 1877, Mr. Hamill writes urging the Department to "complete the settlement," and says therein:

"The concurring opinions of the late and the present Assistant Attorney-General would seem to be conclusive."

The issuance of the orders of December 1, 1877, allowing compensation at the larger rate to October 15, 1875 (the date on which the Erie Railway Company acknowledges the receipt of notice of intention to weigh the mails for the purpose of ascertaining the basis for the readjustment of compensation), seems to have been considered by the Department as a settlement of the controversy; but notwithstanding this action on part of the Department Mr. Hamill files a claim, December 7, 1877, for compensation at said larger rate from October 15, 1875, to December 1, 1875.

December 28, 1877, referring to the claim filed on December 7, 1877, Mr. Hamill was informed that "the Postmaster-General * * * deems it his duty to decline to take further action thereon."

January 26, 1878, Mr. Hamill filed a protest with the Auditor of the Treasury for the Post-Office Department against the settlement of the claim on the basis of the orders above noted, and claimed compensation to December 1, 1875, at the rate authorized for the service from July 1, 1873, to October 15, 1875.

This protest is accompanied with an extended argument and a statement of "facts" on which it is based, but no mention is made in such statement of the former claim that contracts for service on routes 1201 and 1208 had been made. The contention relative to the alleged contracts seems to have been abandoned.

The statement was made that this matter was brought to the attention of Postmaster-General Gresham in 1884, and that the claim of the railway company was passed upon adversely by him. After a careful examination of the files and records of this office I have to state that I fail to find any papers or records to sustain the statement that Postmaster-General Gresham ever passed upon this claim.

The claim of the Erie Railway Company was again presented, and on February 21, 1888, Mr. Knott, then Second Assistant Postmaster-General, mentions the fact that Assistant Attorney-General Spence held that the "company had no claim," and says, relative to the request of Messrs. McGrew & Small, attorneys for the company, that "the Department concur in having this matter referred to the Court of Claims, waiving the operations of the statute of limitations;" that "the claim is a very dubious one, but so far as I have examined it it seems to grow out of the fact that the alleged contracts provided one rate of pay and that by a subsequent extensive diversion of the mails from that road and a reweighing on it their pay was very heavily reduced. It seems to me, however, that the argument of Mr. Spence is a very strong and unanswerable one."

The report of Mr. Knott and accompanying papers evidently went to Assistant Attorney-General Bryant, for I find, under date March 3, 1888, an opinion signed by Mr. Bryant, which concludes as follows:

"The bill submitted to me I do not think ought to pass—

"1. Because it is a doubtful question whether this contract can be regarded as ever having been executed so as to bind the Government—

"2. It is doubtful whether it is valid even if executed—

"3. It is not clear that the service was performed under this contract. It certainly was never so regarded by the Department, but was considered as 'recognized service' and paid for under the statute, as I am informed.

"But as there are questions of law involved which appear to me doubtful, it would seem to me that a bill permitting the company to test such questions in the Court of Claims would be a more proper measure of relief, should Congress deem it in the interest of justice to waive the bar of the statute of limitations."

Under date of December 8, 1888, Postmaster-General Dickinson writes to Senator McPherson, United States Senate, and, after stating the substance of Senate bill No. 779, and quoting sections 402 and 404, Revised Statutes, seems to favor the submission of the case to the Court of Claims, and says:

"In order that the whole question as to the execution and validity of the contracts may be passed upon, I suggest that the inclosed amended bill be further amended by the insertion of the word 'alleged' before 'contracts,' as otherwise it may be claimed that the legislation intended to foreclose that question."

Under date of February 9, 1894, Second Assistant Postmaster-General Bell wrote Postmaster-General Bissell, and the Postmaster-General forwarded the letter to Hon. J. S. Henderson, chairman of the Committee on the Post-Office and Post-Roads, House of Representatives. The records show that the Erie Railway Company was fully paid for all the service it actually performed from July 1, 1873, to June 30, 1877.

That covered the period for which they allege there is a contract in existence.

The company had the benefit of frequent reweighings on the routes in question, and the rate of pay was based on the weights actually carried as shown by these reweighings.

Because of the presumed failure of the Department to give the company notice in advance of the diversion to the New York Central and Hudson River Railroad, which occurred on September 16, 1875, the Department made orders allowing the company at the rate of compensation based on the weight ascertained by the weighing from October 1, 1873 (39,170 pounds per day), for the time from September 16, 1875, to October 15, 1875, the date the company received the notice of the intention of the Department to reweigh the routes for the purpose of ascertaining the basis on which to adjust the compensation. This weighing showed an average weight of 6,083 pounds per day.

That covers the period during which they did not carry the mails.

The company has no right to consider the alleged contracts as binding on the Government while it held them in its own possession and gave the Government no notice of its intention to consider them as contracts until long after the conditions under which they were authorized had materially changed, and the company had been notified of the changed conditions and the consequent reduction in pay.

Mark you. May they not have had an object in withholding these contracts?

If the conditions were reversed and the weights largely increased, would the company admit that the Government might consider forms of contracts drawn and signed in 1874, when the weights were light, binding on it, if not presented for acceptance until 1876, when the conditions had changed and the increased weights had been shown?

The contract forms for routes 1201 and 1208 were not returned for acceptance until the conditions had materially changed and the company had ascertained that its pay would be reduced in accordance with the reduced service it was performing.

It may also be noted that pending the time preceding the reduction of weights on the routes mentioned the company failed and refused to provide the cars and facilities which were desired and requested by the Department.

It would seem from the above that the railway company was paid for the transportation of all the mails that it actually carried.

That the Department was justified in diverting the mails to other lines because of the failure of this company to provide the necessary facilities and make the connections essential to good mail service.

That the alleged contracts were not returned to or recognized by the Department.

Permit me to say, and it is done in a great many instances, the Department reserves, in verbal as well as specifically in its contracts, the right at all times to divert the mail to other routes if in their judgment it will be for the betterment of the service.

That any contract entered into after the passage of the act of the 3d of March, 1873, which obliged to Department to pay more than authorized by that act would be illegal.

That was the date at which the maximum rates were fixed for carrying the mail.

That this case was presented to the Department by competent attorneys of the railway company at various times within the time specified in the statute of limitations, and would have been taken to the Court of Claims by those attorneys if they had considered it possible to make a case in that court.

That there appears to be no reason why his case should be allowed to go to that court in violation of a law that prohibits other cases of similar age from being taken to that tribunal.

That, as a rule, it is detrimental to the interests of the Government to waive the six years' limitation in favor of those who have allowed their rights to slumber until the time specified in the law has passed.

That to allow such old cases to be reopened after a lapse of so much time, after the persons who had handled the case in the Department are dead or have left the Government service, and after the records and papers in the cases have been lost or destroyed, is to put the Government at a great disadvantage in these matters and to foster the perpetuation of claims which should be passed upon and disposed of by the parties who handled the case and were familiar with its details.

I believe that, in the interest of justice and fairness, the statute of limitations should be enforced in all cases of a character similar to that under consideration.

POST-OFFICE DEPARTMENT,
OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., February 9, 1894.

SIR: I beg to submit the following concerning bill H. R. 3815, entitled "A bill for the relief of the New York, Lake Erie and Western Railroad Company." Its direct purpose is to provide a way for the establishment by the New York, Lake Erie and Western Railroad Company of a claim amounting to $344,661.76 as additional compensation for mail service during the term beginning July 1, 1873, and ending June 30, 1877.

Its passage, however, involves a great deal more than might be supposed. It carries with it the establishment of a precedent which would warrant the institution of legal proceedings by every railroad mail carrier that has had its compensation readjusted during a four-year contract term.

It should be understood that the claim is not for mails actually carried and for which the Department has omitted to compute compensation, but it is based on the ground that the Department's contract named a weight and rate which it was bound not to reduce throughout a four-year term.

There can be no disputing that the railroad company was paid for all of the mails hauled under precisely the same methods that applied to all other railroad mail carriers, and, besides, was paid an extra allowance of one month upon the maximum weight. The month's extra consideration was really not an obligation, nor would a practice of the kind be sanctioned now in dealing with railroad-transportation service.

FACTS.

At the beginning of the contract term in question, July 1, 1873, the Erie was the route upon which the greater portion of the Western mails was being carried from New York; and its pay, based upon the weight of such, was accordingly adjusted. Nearly two years afterwards, however, the policy of the Lake Shore and Michigan Southern Railway management (Erie's best connection) changed, because of which it was no longer possible to advance the bulk of the through mails by way of the Erie's lines, and it therefore became necessary to divert a considerable extent of the service to other routes, in consequence of which the Erie lines were reweighed, and compensation accordingly was reduced.

Similar fluctuations and readjustments occurred in 1876, when, because of a restoration of certain mails, the Erie's compensation was again advanced, but not to the extent that prevailed in 1873, as the route never again resumed its importance as a fast-mail route, owing to the alliance between the New York Central and the Lake Shore, which alliance has grown stronger and stronger until the relationship has become so close that, from a mail-service standpoint, they are now practically one interest between New York and Chicago via Buffalo.

The claim to which bill 3815 applies is not a new one. There are no facts in existence now that were not known at the time it first came before the Department, and it is not improper, I add, that sanctioning its resurrection would place the Government at a disadvantage, as some of those who were most familiar with all of the circumstances are dead or have severed their connection with the Post-Office Department.

I have taken more than ordinary pains to acquaint myself with all the circumstances associated with the case, and have no hesitation in declaring that I discovered nothing which would warrant recommending that Congress interfere with the action taken by the Post-Office Department at the time the claim was first presented by the railroad company.

The granting of a month's bonus in 1875, calculated on the maximum weights carried in that term, is strong evidence of a purpose of the Department at the time to deal most generously with the Erie Company. Other than from such a desire there was no good reason for allowing the month's additional pay.

Yours, respectfully,

J. LOWRIE BELL,
Second Assistant Postmaster-General.

Hon. W. S. BISSELL,
Postmaster-General.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., April 8, 1893.

SIR: In compliance with a verbal request from your office I have the honor to inclose herewith a statement of account, showing that there was paid to the Erie Railroad Company for the transportation of mail from July 1, 1873, to June 30, 1877, on routes Nos. 1201, 1207, and 1208, as follows:

Route No. 1201	$974,861.27
Route No. 1207	118,852.48
Route No. 1208	100,293.81

Respectfully, yours,

HENRY A. CASTLE, *Auditor.*

The SECOND ASSISTANT POSTMASTER-GENERAL.

OFFICE OF THE AUDITOR OF THE TREASURY FOR THE POST-OFFICE DEPARTMENT,
Washington, D. C., April 8, 1898.

Statement of account, Erie Railway Company, contractor, in account with the United States.

Dr.		Cr.	
Route 1201. To special agents' fares	$40.45	Route 1201. By transportation July 1, 1873, to June 30, 1877	$974,404.72
To amount paid	974,361.27		
Route 1207. To deductions.	292.56	Route 1207. By transportation July 1, 1873, to June 30, 1877	119,145.04
To amount paid	118,852.48		
Route 1208. To deductions.	421.52	Route 1208. By transportation July 1, 1873, to June 30, 1877	100,705.33
To amount paid	100,283.81		

HENRY A. CASTLE, *Auditor.*

Hon. SECOND ASSISTANT POSTMASTER-GENERAL,
Post-Office Department, Washington, D. C.

Now, then, briefly summed up, while this company claimed that they had a contract—a bona fide contract, which they will probably present on the floor—for the carrying of this mail, yet the first claim that they ever made to the Department was for but one month's pay, and they claim now three hundred and forty-four thousand and some odd dollars, the difference in the amount of the money they received for the carriage of the mail that they did not carry and the amount of mail that they were carrying when this assumed contract was entered into between these two parties. This railroad company has been paid for every pound of mail they ever carried during the life of this contract, as will be discovered by the reading of this testimony, and during the life of this contract this railroad company was given frequent reweighings, which increased its mail pay; and further, that the mail had been diverted to that line, the only line which had unbroken connection to Chicago and expedited the mail—the New York Central—and that it has been paid for every pound of mail it carried.

Mr. TALBERT. Do I understand the gentleman to say that they transferred the contract to another road, and that road has received the money?

Mr. LOUD. Oh, no; they did not transfer the contract. Of course there is no contract in existence.

Mr. TALBERT. Did they transfer the work?

Mr. LOUD. The Post-Office Department took the mail from that road over to the New York Central, because this road could not make the time and would not provide the cars.

Mr. TALBERT. And they paid the money to the road they transferred it to?

Mr. LOUD. Yes; to the New York Central, which road has been paid the $344,000, and now this company wants to get it out of the Government.

Mr. CANNON. Let me ask my friend from California a question, and see if I have got it right. This work was done under the general statute. There was no contract; the statute was the contract.

Mr. LOUD. There was a contract partially executed but never delivered.

Mr. CANNON. Then there was no contract.

Mr. LOUD. I have stated that this railroad company held this contract, and notwithstanding the fact, as will appear by the testimony submitted, that they had been notified to forward it to the Department, they held it after the notice for two and a half years.

Mr. CANNON. Now, then, I understand that many of the railways, probably the most of them, never make any contract; that is, the statute is the contract.

Mr. LOUD. Yes; that is right.

Mr. CANNON. The statute provides for the payment of so much per mile per annum, according to weight.

Mr. LOUD. The gentleman from Illinois must understand that this was about the time of the passage of the law of 1873. Prior to that time contracts had been entered into, and this contract was assumed to be entered into some time in January, 1874.

Mr. CANNON. That was after the enactment of the statute.

Mr. LOUD. After the act of March 3, 1873.

Mr. CANNON. Under the statute they performed the service and were paid according to the weight.

Mr. LOUD. They got pay for every pound of mail they ever carried and for some they did not carry.

Mr. CANNON. And the Government at any time, for any reason satisfactory to itself, could divert mail from that road to another road——

Mr. LOUD. Always has reserved that right.

Mr. CANNON (continuing). And has that right under the law. Now, then, that is what the Government did; and now this railway company, after the Government had diverted it to another railway which would perform the service the Government wanted performed and which this company could not perform, claims in equity that they should be sent to the Court of Claims to try and recover, if they can, for the mail they did not carry?

Mr. LOUD. That is correct.

Mr. COX. And for mail that another railroad carried.

Mr. CANNON. Yes; and for transporting mail that another railroad carried. If they ever had any rights, they have slept on them six years, and almost four times six years.

Mr. LOUD. Yes; and their first claim was for one month's pay; then they had six years to go to the Court of Claims under the statute of limitations, but they allowed the statute of limitations to elapse and never presented the claim to Congress until 1887. Why, that company had good enough attorneys to know that if they had any claim, they could recover it in the Court of Claims.

Mr. CANNON. This bill proposes to send them to the Court of Claims.

Mr. LOUD. Yes; after all the parties that handled the case and knew the facts are dead.

Mr. CANNON. And if we do not pass this bill, they are in the box?

Mr. LOUD. We shall probably lay the bill on the table; but if the gentleman continues in Congress for years, he will find it popping up again and being reported to the House. Without any disrespect to the Committee on Claims, I want to say that this bill is utterly without merit.

Mr. CANNON. Yes; and if it should dance its way along Congress after Congress, in about forty or fifty years it will become a shining example of the injustice of our Government in denying claimants their just rights. [Laughter.]

Mr. LOUD. As illustrated by my friend from Massachusetts, yes; and probably from $344,000 it will grow to be more than a million.

Mr. RIDGELY. Will the gentleman permit me a question?

Mr. LOUD. Certainly.

Mr. RIDGELY. You have made reference to a contract which was partially executed. I want to ask if the railroad company is setting up that contract as a basis for their claim?

Mr. LOUD. It is the only basis they have to go to the Court of Claims upon.

Mr. RIDGELY. They claim that the contract actually exists?

Mr. LOUD. Yes; they held the contract for the apparent purpose, knowing that the mail had been delivered originally to their line and it must necessarily increase in weight to a large amount, and knowing that under the contract they would not be entitled to extra compensation, they held it back hoping to hide it.

Mr. RIDGELY. The Department permits the weighing from time to time and compensation for increased weight.

Mr. LOUD. Yes; of course. Now, the Government does not owe this company a dollar. I move, Mr. Chairman, that the bill be laid aside with the recommendation that it be laid upon the table.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STEELE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolution; in which the concurrence of the House was requested:

Senate concurrent resolution No. 33.

Resolved by the Senate (the House of Representatives concurring). That there be printed 20,000 copies of the message of the President of April 11, 1898, together with Senate Report 885, being the report of the Committee on Foreign Relations relative to affairs in Cuba, 6,500 for the use of the Senate and 13,500 for the use of the House of Representatives.

ERIE RAILROAD COMPANY.

The committee resumed its session.

Mr. BRUMM. I wish to substitute for the motion of the gentleman from California [Mr. LOUD] a motion that this bill be laid aside for the present.

The CHAIRMAN. Does the gentleman move that the bill be reported to the House with a recommendation that it be postponed for two weeks?

Mr. BRUMM. Yes, sir; and on that motion I wish to say just one word.

When this bill was up last Tuesday week, the gentleman from California [Mr. LOUD] and the gentleman from Illinois [Mr. CANNON] requested that it be laid aside; and upon their request it was laid aside. I then went to both those gentlemen and told them that if there were any reasons why the bill should not pass, I wished they would let me know, promising on my part that I would examine the matter further, and saying that I had no disposition, and I knew the committee had no disposition, to force the passage of the bill unless it were a proper measure.

The gentleman from California agreed that he would let me have the testimony in his possession. I knew nothing about this testimony until he brought it on the floor to-day. Under these circumstances, we were not prepared to discuss this question; and I say, when we ask a postponement of the bill, it is not fair that gentlemen should ask us to vote upon it finally, when by reason of their action we are not prepared to discuss it. If they do not want the bill to pass, they ought not to object to having it lie over. We are not asking for its passage; we are simply asking

that it be laid over in order that we may have an opportunity to investigate the case further, they having put us in a position where we have a right to ask delay for this purpose.

The gentleman from California says that he is going away. Well, he has made his speech; he has introduced his testimony.

Mr. LOUD. I intended to go away this afternoon.

Mr. BRUMM. Well, if the gentleman is not going to leave the city, he can be here when the case comes up again, and he can engage further in the discussion. There is no disposition to prevent discussion. His speech will appear in the RECORD. Those who desire information upon the case will have the benefit of reading that speech. I say in all fairness that this bill ought to lie over so that we may have an opportunity to investigate further and see whether the bill ought finally to pass or ought finally to be defeated.

Mr. LOUD. I do not think there ought to be any misunderstanding between the gentleman and myself. And I do not want the implication to arise that I have any disposition to be unfair in this matter. The gentleman did say to me that if I could submit any reasons or evidence why the bill should not pass, he would be glad if I would let him know. I have obtained no information, Mr. Chairman, except such as was generally in my head at the last session when this matter was up and such information as is of a public character. This is the first time I have ever heard a committee come on the floor and plead for further time to gain new evidence in a case that they have presented to the House and asked the House to pass and after the bill has been on the Calendar for some five or six months. This is certainly an unusual proceeding. It seems to me the committee itself should be in possession of such evidence as would sustain their report.

Mr. BRUMM. I wish only to say, Mr. Chairman, that the reason no further action was taken, so far as the committee was concerned, was because we relied on what the gentleman from California said—that he would first introduce certain testimony or give us certain facts. So we were content to let the matter lie over. With all the bills that we have on the Calendar, it is utterly impossible for the chairman or any member of the committee to be prepared at a moment's notice to discuss every measure that the committee may have reported. I am prepared to discuss measures which I thought would be brought up. We have our briefs prepared. The course of the gentleman from California is the cause of our committee being misled. I do not mean to charge the gentleman with wittingly being unfair, but I submit it is unfair to ask a vote on this bill now when we ask for a postponement.

Mr. LOUD. Has the gentleman any briefs here to-day?

Mr. BRUMM. We have the briefs and we have the testimony, but we are not prepared to go on with the discussion.

Mr. LOUD. Why not?

Mr. BRUMM. We had no idea that the case would come up to-day. A lawyer may have prepared his brief with a view to a case coming up in court, but he may not be able to refresh his memory instantly. In that way we are not prepared on this bill.

Mr. COONEY. I wish to inquire whether the information which the chairman of the committee asked of the gentleman from California was information to be submitted to the committee before this bill was reported, or information asked for since the bill was reported and placed on the Calendar?

Mr. LOUD. This bill has been on the Calendar since last December; the gentleman from Pennsylvania [Mr. BRUMM] made this request last Tuesday.

Mr. COONEY. Then this information was not asked for the purpose of laying it before the committee?

Mr. BRUMM. My understanding was that I was to have the information and lay it before the committee; but as I received nothing, I, of course, let the matter pass. That is the whole situation. Certainly it is no more than fair that there should be an opportunity for the committee to consider any new matter of this kind.

Mr. HANDY. Has not the committee already considered it?

Mr. BRUMM. Oh, yes; we have considered it. The committee reported it to the House, but at the suggestion of the existence of other testimony, we desired to withhold it from consideration for further examination. But we have examined it.

Mr. HANDY. Then, why not proceed?

Mr. BRUMM. For the reason that we are not ready now, because of the facts I have stated. After having made the request for its continuance, I do not think these gentlemen ought to take snap judgment on the committee.

Mr. HANDY. But it has already been postponed for two weeks.

Mr. BRUMM. Yes; at their request.

Mr. CANNON. Oh, no; at your suggestion.

Mr. BRUMM. You asked unanimous consent for the postponement, and I objected, and you said you wanted to investigate the matter with a view to introducing other testimony, and I consented to that.

Mr. CANNON. I want to suggest, if I can have the attention of both the gentleman from California and the gentleman from Pennsylvania for a moment, that I have a distinct recollection or understanding—I will not state it absolutely for a fact, but that is my impression—that this bill is one of the omnibus bills amounting in the aggregate to say ten millions of dollars, that may be pending elsewhere, and as this bill was bald in its impropriety, and as the gentleman will not have the floor again possibly this session, I would have been glad if it could have received its final black eye before any omnibus bill that may come, from heaven or elsewhere, is presented on this floor. [Laughter.]

Mr. BRUMM. Oh, I know the gentleman from Illinois assumes that he is the whole House. But we will probably have the floor again, for it is for the House to determine whether we will get it or not.

Mr. CANNON. Well, I do not think I am the "entire House," but I think sometimes I ought to be. [Laughter.]

Mr. BRUMM. There is no doubt of that.

Mr. RIDGELY. Will the gentleman from Pennsylvania permit me to ask him a question?

Mr. BRUMM. Certainly.

Mr. RIDGELY. I understand the gentleman to say that the committee was ready, a few days ago when this bill was up, to proceed with its consideration.

Mr. BRUMM. Certainly we were.

Mr. RIDGELY. I understand further that these gentlemen who request the postponement have not brought in any new evidence.

Mr. BRUMM. Not at all.

Mr. RIDGELY. Then if you were ready two weeks ago, and no further evidence has been submitted, why are you not ready now?

Mr. BRUMM. They have brought in other matters, and we wanted time to investigate them.

Mr. RIDGLEY. But what possible effect, unless the evidence is presented, could that have upon the bill?

Mr. BRUMM. We wanted an opportunity to investigate the matter fully. I do not know of any such testimony, but I am informed that it exists. I may be mistaken about that. But I understand that one suggestion made by the gentleman from California is not correct. That is, that this bill is not the same as the other presented a few days ago.

Mr. LOUD. Oh, no; I did not say anything of the kind. The letter, I say, bears date of February 3, 1894. That is not a very recent occurrence——

Mr. RIXEY. Mr. Chairman, although I am a member of the Committee on Claims, I know very little of this bill. I was one of the new members of the committee, and the bill reported was presented early in the session. But it does seem to me that the request of the chairman of the committee is only a reasonable and proper one.

This bill, like many others reported upon by that committee, is reported upon the old reports which have been made by former committees of Congress; and it is impossible for a member of the committee to carry in his mind all of the facts connected with every bill coming from the committee.

When the matter was up for consideration two weeks ago we were ready to proceed and try the case on the report of the committee.

Mr. LOUD. Will the gentleman allow me?

Mr. RIXEY. Certainly.

Mr. LOUD. Was there not a unanimous request on the part of the committee to withdraw the bill?

Mr. BRUMM. Oh, I have explained that, Mr. Chairman.

Mr. LOUD. I think it was ascertained by the committee that the bill would be beaten there and then, and I was severely criticised, permit me to say, for allowing the bill to be laid aside as requested. There were a number of gentlemen at the time sitting all around me who desired to defeat the proposition. Now, I know these gentlemen are in existence, and permit me to say further, in all fairness to the committee, that in my judgment it would have been better for them to have corresponded with the Post-Office Department and got the facts since the postponement of the bill was made.

Mr. BRUMM. We did get them.

Mr. LOUD. Then why not submit them with the report.

Mr. BRUMM. We do submit them with the report.

Mr. LOUD. Oh, no; you have a statement here, and submit a letter which seems to have been written in 1888.

Mr. RIXEY. I should like to know what the question is which the gentleman wished to ask me. I understood he wished to ask me some question.

Mr. LOUD. I wanted to make that suggestion to you.

Mr. RIXEY. My statement, Mr. Chairman, is that it seems to be a reasonable request that this matter be laid over, in order that the chairman of the committee who reported the bill shall

have an opportunity to look into the new evidence—these new facts which the gentleman from California now brings before the House.

Mr. LOUD. Why, they are not new.

Mr. RIXEY. They are new so far as the committee are concerned.

Mr. LOUD. I should like to make a suggestion to the gentleman in relation to the position which we, the attorneys of the Government—I refer to the gentleman from Illinois [Mr. CANNON] and myself particularly——

Mr. SULLIVAN. Attorneys!

Mr. LOUD. Yes; what opportunity we have to fight these cases that come on the floor. We have to do it simply on the reading of the report as the case confronts us here. That is all the information we have.

Mr. BRUMM. You have access at all times to the committee.

Mr. LOUD. I can not watch all the cases.

Mr. RIXEY. I will say to the gentleman in reply that if he is the attorney for the Government, he ought to have appeared before the Committee on Claims.

Mr. LOUD. If I had been notified I should have done so.

Mr. BRUMM. If you had notified us that you were the attorney of the Government, we would have notified you.

Mr. LOUD. You ought to know that.

Mr. BRUMM. Well, perhaps we ought. [Laughter.]

Mr. RIXEY. The Committee on Claims passed upon this claim as it was presented to the committee. Since that time these attorneys, who say they represent the Government, have come here with additional evidence and have introduced it. Now, I insist that by all the rules of court the other side should have an opportunity to meet the evidence which they present here to-day.

Mr. BRUMM. Which they have presented without notice.

Mr. RIXEY. I do not know anybody connected with the Erie Railroad Company, but they come here and say that they had a contract with this Government and that all they ask is that they be permitted to submit their case to a court of the United States and have a construction of that contract, and have the court say whether they have been damaged or not. For myself, I am willing to allow anybody who is willing to pay the expenses of going into court the privilege of taking his case there and having a decision upon the merits. I should like to see other cases go there; but certainly when a claimant comes and only asks the privilege of being sent to the Court of Claims to ascertain whether he has a claim or not, it seems to me the privilege ought to be granted. But as I understand it, sir, the request of the chairman of the committee is that he be given time to consider the evidence introduced by the gentleman upon the other side, and perhaps to present additional evidence.

Mr. BARTLETT. How old is this claim?

Mr. RIXEY. I do not know.

Mr. SHAFROTH. Is it barred by the statute of limitations?

Mr. RIXEY. I have not examined into that. I suppose that is waived.

Mr. GAINES. Is there any agreement about taking testimony?

Mr. RIXEY. I do not know anything about that.

Mr. McEWAN. Will the gentleman on the committee yield for a moment in order that I may make a motion to recommit?

Mr. RIDGELY. You say the railroad company came before the committee claiming that they had a contract?

Mr. RIXEY. Yes.

Mr. RIDGELY. Did they ever present to the committee a copy of the contract?

Mr. McEWAN. Will my colleague yield to me for the purpose of making a motion to recommit?

Mr. RIXEY. Yes.

Mr. BRUMM. I understand the gentleman from California [Mr. LOUD] does not object to that.

Mr. LOUD. I have said, Mr. Chairman, that if the gentleman asked unanimous consent to recommit this bill I should not object. That is as far as I have gone. The matter is in the possession of the House.

Mr. McEWAN. I ask unanimous consent that this bill be recommitted to the Committee on Claims.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that the bill be reported back to the House with the recommendation that it be recommitted to the Committee on Claims. Is there objection?

Mr. RIDGELY. Mr. Chairman, I object.

Mr. COONEY. Mr. Chairman——

The CHAIRMAN. The gentleman from Missouri.

Mr. McEWAN. I make a motion to that effect, then.

The CHAIRMAN. The gentleman from Missouri [Mr. COONEY] has the floor.

Mr. COONEY. Mr. Chairman, it appears to me as if the committee had investigated this claim simply upon one side. They have taken the side of the claimant in this matter, and the testimony of the claimant solely, and have searched no further. Now, that might be the proper course for the committee to take in an ordinary case sent to the Court of Claims; but this is not an ordinary case, because the statute of limitations comes between the claimant and the adjudication of this claim before the Court of Claims.

The statute of limitations lies in the way. It seems to me that the committee, in undertaking to set aside the statute of limitations in order to allow a claim to be examined by this court, ought not to take simply the one-sided statement of the claimant alone, but should investigate both sides to find out if there is equity and justice in the claim.

They have failed to do that. The gentleman from California presents his evidence here, and it is an ample argument against submitting it to the Court of Claims. It is no new evidence. It is evidence that ought to have been incorporated in the report of the committee. It is presumed that the report covers the same subjects that are covered by this new evidence complained of by gentlemen of the committee. I am therefore going to vote for the motion of the gentleman from California.

Mr. BRUMM. I simply want to say my friend is in error in two things that I can not permit to go uncorrected. He says the committee appears for the claimant. They do not appear for the claimant; on the contrary, we sit as a court, and having rendered our judgment, we are here sustaining our judgment. Besides that, I want to say that we have not only taken the testimony of the claimant, but we have many other matters—letters from two succeeding Postmasters-General recommending that this be sent to the Court of Claims.

Mr. LOUD. Where are they?

Mr. BRUMM. I have them here.

Mr. RIDGELY. In deference to the recommendation of the committee, I withdraw my motion.

Mr. COONEY. I renew it.

Mr. McEWAN. I move that the bill be laid aside with the recommendation that it be recommitted to the Committee on Claims.

The CHAIRMAN. The Chair is in some doubt as to whether that motion is in order, pending the motion made by the gentleman from California. The gentleman from California moves that the committee report the bill to the House with the recommendation that it lie on the table. Now, that motion would take precedence of the motion made by the gentleman from New Jersey and the motion of the gentleman from Pennsylvania to postpone for a couple of weeks. The Chair thinks that the vote, in any event, would be first on the motion of the gentleman from California.

Mr. STEELE. The gentleman made no motion.

Mr. LOUD. The gentleman must not misstate my position. I said I would not object to its being done by unanimous consent.

Mr. CLARDY. Is it not parliamentary, would it not be in order, for the gentleman who has taken his seat to make the motion as a substitute for the motion of the gentleman from California to refer this back to the committee?

The CHAIRMAN. The Chair does not think that that is germane.

Mr. CLARDY. Can not he make a motion as a substitute?

The CHAIRMAN. The Chair does not think it germane to the motion of the gentleman from California.

Mr. EVANS. What was the motion made by the gentleman from New Jersey.

The CHAIRMAN. The gentleman from New Jersey offered a motion that the bill be reported back to the House with the recommendation that it be recommitted to the Committee on Claims.

Mr. LOUD. You might make a motion to allow your bill to go to the House in its present shape, the previous question not being ordered, and we could take it up there.

Mr. EVANS. We can vote down one motion and vote up the other.

The CHAIRMAN. The question is on the motion of the gentleman from California that the bill be reported back to the House——

Mr. BRUMM. A point of order. If the Chair rules that the substitute offered by my colleague on the committee is not in order, I make the point of order that the motion of the gentleman from California is not in order, because the original motion that I made was that the bill be reported with a favorable recommendation, and that motion is still pending.

The CHAIRMAN. No; the gentleman from California made his motion, and subsequently the gentleman from Pennsylvania moved that the bill be reported to the House with the recommendation that it be postponed for two weeks. That was the motion of the gentleman from Pennsylvania.

Mr. BRUMM. No, Mr. Chairman; the motion that was made at the last meeting would be the pending motion, as shown by the RECORD. That is the pending motion, and at that time it was laid over by unanimous consent. That motion, however, is still pending. [Cries of "Vote!"]

The CHAIRMAN. Even then a motion to lay on the table

would have precedence. If the bill was in the House and the question was on the passage of the bill, a motion to lay on the table would be in order.

Mr. COLSON. Mr. Chairman, would it not be a good idea to do something with this bill? [Laughter.]

The CHAIRMAN. The committee and the Chair are doing their best to do something. The question is on the motion of the gentleman from California.

Mr. BRUMM. Another parliamentary inquiry. If the motion of the gentleman from California is the pending motion, would not my motion be in order, to wit, that this matter lie over for two weeks?

The CHAIRMAN. The Chair thinks not. The Chair thinks a motion to lay on the table takes precedence. The question is on the motion of the gentleman from California, that the bill be reported to the House with the recommendation that it lie on the table.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. BRUMM. Division!

The committee divided; and there were—ayes 55, noes 16.

So the bill was ordered to be reported to the House with the recommendation that it lie on the table.

SAMUEL M'KEE.

The next business on the Private Calendar was the bill (H. R. 1288) for the relief of Samuel McKee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel McKee the sum of $1,718, for expenses incurred by him in a contest for his seat in the Fortieth Congress.

Mr. COLSON. Mr. Chairman, I yield to the gentleman from Kentucky.

Mr. EVANS. Mr. Chairman, I would like the Clerk to read the report in my time. It is very short, and I would like gentlemen to hear it, as it states the facts in the case.

The report (by Mr. COLSON) was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. 1288) to pay to Hon. Samuel McKee the sum of $1,718 for expenses incurred by him in a contest for his seat in the Fortieth Congress, from the Ninth Congressional district of the State of Kentucky, have had the same under consideration and submit the following report:

Your committee find that said McKee's right to a seat in the Fortieth Congress was contested by Hon. J. D. Young; that issues were joined, evidence was taken, and a hearing was had before the Elections Committee of the House, and that the seat was awarded to said McKee.

The committee further find, from the proofs in the case, that the said McKee in his said contest incurred, necessarily, expenses amounting to the sum of $1,718, as appears from the itemized account of the said McKee duly verified.

It further appears that no part of said sum has ever been paid.

The committee also find that Hon. John D. Young has been paid the sum of $2,509 for his expenses incurred in said contest.

This claim was before the Committee on Elections of the House in the Forty-eighth Congress and was favorably acted upon by said committee, but no action was had by the House.

Your committee would therefore report back the bill and recommend that it do pass.

Mr. EVANS. The report might have gone very much further and said that the bill was before almost every Congress since the Fortieth Congress, and the committee of every one of them had reported in favor of the passage of this bill; but when it got upon the Calendar it slept until adjournment.

A MEMBER. Was this a contestant or a contestee?

Mr. EVANS. A contestant. He was seated, but he did not get his expenses. The contestee lost and did get his. Now, there is no doubt about the propriety of paying this claim.

Mr. MIERS of Indiana. Why has not the claim been paid before?

Mr. EVANS. I have just stated, if the gentleman from Indiana had listened.

Mr. MIERS of Indiana. There was so much confusion that I did not hear what the gentleman said.

Mr. EVANS. This claim has been presented to almost every Congress since the Fortieth Congress, and it has been reported favorably time and again, and when it got on the Calendar of the House it slept there.

Mr. TALBERT. Was it reported during the Fortieth Congress?

Mr. EVANS. I do not know. It was reported in the Fifty-fourth Congress by my friend from Tennessee, Mr. COX.

Mr. OTEY. Has the contestant been paid anything at all?

Mr. EVANS. Never a dollar.

Mr. CANNON. I would like to ask the gentleman from Kentucky why did not the Fortieth Congress pay the expenses of the contestant?

Mr. EVANS. The Fortieth Congress was guilty of some delinquency; I do not know the reason.

Mr. CANNON. Why were not the contestant's expenses paid when the expenses of the contestee were paid?

Mr. EVANS. I do not know, but I do know that $2,509 was paid to the contestee. The committee reports explicitly that nothing has ever been paid the contestant.

Mr. OTEY. Did he file any claim in the Fortieth Congress?

Mr. CANNON. He was seated in the Fortieth Congress; that is to say, in the Fortieth Congress McKee contested the seat of Young and was seated. Young received his election expenses in the Fortieth Congress, but they did not pay McKee his expenses of contesting the seat. I do not know why. Ordinarily, Congress pays the expenses of the contestant. Now, in the Fortieth Congress—that was before the present statute was passed—there was no limitation on the amount. Under the law adopted in 1878 no contestant can get over $2,000, or contestee either; but there was no limitation in the Fortieth Congress.

I know nothing about the matter, but it is exceedingly strange that a successful contestant seated in the Fortieth Congress did not get his expenses.

Mr. EVANS. It is strange. I do not know enough about the matter to state why he did not get them then; but I know that committee after committee have investigated the facts of this case and have said that these expenses were incurred and not a dollar of them have been paid.

Mr. DOCKERY. When was the first claim presented?

Mr. EVANS. The Forty-eighth Congress. I think, perhaps, it was presented before, but I can not tell you certain.

Mr. COLSON. The claim was presented before that. I think it was presented in 1881.

Mr. RIDGELY. Will the gentleman permit me to ask him a question?

Mr. EVANS. Certainly.

Mr. RIDGELY. How long has this custom been in vogue of paying the expenses upon both sides?

Mr. EVANS. It was always the custom, but now it is limited to $2,000 on each side.

Mr. COX. Will the gentleman yield to me for a moment?

Mr. EVANS. I shall be glad to yield to the gentleman from Tennessee, because he has investigated this case personally.

Mr. COX. Mr. Chairman, it has been some time since I went through this claim, but I think members will find upon examination that this is the state of facts: The contest arose, and this party was not paid his expenses in contesting his claim for a seat. He presented his claim—I would not say promptly—but I think that grew out of a misapprehension of what the law was in regard to the matter. Now, from the time he presented it up to this time it has been pressed forward with all the energy that you can press one of these claims.

In the examination I gave it when I reported the claim I remember distinctly what was the conclusion of my mind—that the fault was a most serious one, an error or oversight in the pressing of the claim, and I could not find any reason why the other party should be paid and this man not be paid. I do not think anybody else can find any reason. There may have been a little negligence about the matter, and it does throw suspicion to a certain extent on these matters and ought to be considered properly, but I had no doubt about the justice of this claim at that time, and I have none now.

Mr. LOUD. What investigation was made toward ascertaining whether this man had been paid his expenses or not?

Mr. COX. There is no evidence on earth that a dollar of it was ever paid to him.

Mr. LOUD. Was there any evidence before our committee—we both went over this matter several years ago——

Mr. COX. Certainly we did; and after several years I want to be cautious about stating matters of memory; but there is no contention that this contestant ever got his money. Before I passed upon this claim I required it to be itemized, and it was itemized and kept within the limits of $2,000, although the statute does not apply to this claim. I was rather inclined at the time to be against it, but I was not able to find a single substantial reason why the claim should not be paid.

Mr. RIDGELY. Will the gentleman allow me a question?

Mr. COX. Certainly.

Mr. RIDGELY. It has been stated here that the custom has always been to pay the claims of both parties in contested-election cases.

Mr. COX. There is no question about that.

Mr. RIDGELY. Can the gentleman tell us whether there are any claims of this character except this one that have not yet been paid?

Mr. COX. I think there are quite a number, although I am obliged to speak from memory.

Mr. RIDGELY. I mean claims of ancient date—old cases like this one—not recent cases?

Mr. COX. Oh, yes; I think there are quite a number.

Mr. LOUD. In a former Congress, when the gentleman from Tennessee [Mr. COX] and I were members of this committee, there were four or five claims of this kind pending before us. I do not remember whether any of those have since been paid.

Mr. COX. And I do not remember, either. But I may be permitted to say that as a member of the committee I would not

report any claims of any character until I was satisfied about their correctness. I did not take previous reports as my guide. Of course I considered them as far as they went, but still I made an independent examination. In this case I was unable to find any single reason why the other party should have been paid and Mr. McKee not paid; and I do not believe any member of the committee can assign a solitary reason why one claim should not be paid as well as the other.

Mr. CLARDY. In answer to the question of the gentleman from Kansas [Mr. RIDGELY] allow me to say that a few days ago the House passed by unanimous consent a bill to pay the estate of Mr. McKenzie for expenses incurred in a contested election just about the close of the war.

Mr. EVANS. I am very much obliged to the gentleman from Tennessee [Mr. COX] for his statement of this matter, because he is more familiar with the facts than I am. Mr. McKee, the claimant in this case, is a lawyer living in my city. I know him well; and I do not believe he would urge this claim if there had been any payment of these expenses. I think this committee and the House will agree that there has been no payment, because I think none of the many committees that have found in favor of the claim would have been so careless as not to have made due investigation on that point.

Mr. DOCKERY. Has any examination been made at the Treasury Department?

Mr. EVANS. I think so; but I can not speak definitely.

Mr. DOCKERY. The files of the Treasury Department would disclose whether or not this claim had been paid.

Mr. COX. Oh, no; it can not have been paid.

Mr. LOUD. In justice to this claim, which was considered by the Committee on Claims when the gentleman from Tennessee and I were members of that committee, I wish to say that we never considered a case without sending to the Department to obtain the latest information regarding the matter, notwithstanding the fact that inquiry had been made at the Treasury Department before.

Mr. COX. That is true. Therefore I undertake to say, in response to the question which has been asked here, that my friend from California and myself would not have fallen into such a "hole" as to have reported in favor of a claim which had already been paid. I do not think we would have made that kind of a mistake.

Mr. CARMACK. When this claim was before the Committee on Claims, it was discussed pretty thoroughly, and I think it was shown very clearly that none of these expenses had ever been paid. There was only one objection in the mind of the committee to paying this claim, and that was a rather serious one with a good many of us, a conviction on our part that this practice of prosecuting election contests should be discouraged as much as possible. [Laughter.]

Mr. COX. I am with the gentleman on that.

Mr. CARMACK. Yet in spite of that fact we made a unanimous report in favor of the claim.

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky [Mr. EVANS] that the bill be laid aside to be favorably reported to the House.

The motion was agreed to.

WILLIAM H. CROOK.

The next business in order was the bill (H. R. 1768) for the relief of William H. Crook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William H. Crook, out of any money in the Treasury not otherwise appropriated, the sum of $4,000, as compensation for services as secretary to the President to sign land patents for the fiscal years of 1879, 1880, 1881, and 1882, inclusive, and which services were additional to his regular duties as executive clerk and disbursing agent, the amount being the same as was formerly paid for such service.

Mr. DOCKERY. Mr. Chairman, it seems to me that I recognize this claim. [Laughter.]

Mr. DALZELL. An old and familiar friend.

Mr. DOCKERY. Quite an old and very familiar friend; and I think, unless the committee that reported the bill will consent to recommit it, we had better have some discussion upon it.

Mr. DALZELL. Would it not be a good idea that the committee now rise?

Mr. LOUD. The gentleman from Missouri [Mr. DOCKERY] may not be here when the bill comes up again.

Mr. DOCKERY. I think this claim ought not to pass. The beneficiary is a most excellent gentleman and a very accomplished officer; but if the claim has any element of merit at all, I have never been able to discover it.

Mr. MINOR. With the understanding that this bill will go over, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. PAYNE reported that the Committee of the Whole on the Private Calendar had directed him to report back, with a recommendation that it lie on the table, the bill (H. R. 706) for the relief of the Erie Railroad Company; also to report back favorably the bill (S. 1133) to pay to the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas* and the bill (H. R. 1288) for the relief of Samuel McKee; also that it had had under consideration the bill (H. R. 1768) for the relief of William H. Crook, and had come to no resolution thereon.

THE ERIE RAILROAD.

The SPEAKER. The Clerk will read the first bill reported from the Committee of the Whole.

The Clerk read as follows:

A bill (H. R. 706) for the relief of the Erie Railroad Company.

The SPEAKER. The bill is reported with the recommendation that it do lie on the table. The question is on the adoption of the recommendation of the Committee of the Whole.

Mr. BRUMM. Mr. Speaker, I wish to move that this bill be recommitted to the committee.

The SPEAKER. The motion to lie on the table, however, comes first.

Mr. BRUMM. Mr. Speaker, a parliamentary inquiry. If that motion prevails to lie on the table, would a motion to recommit be in order?

The SPEAKER. Not unless the motion is defeated.

The question was taken; and the recommendation of the committee was agreed to.

Mr. BRUMM. If in order now, Mr. Speaker, I would move to recommit that bill to the committee.

The SPEAKER. But the bill has been laid upon the table. The Chair explained that unless the motion was defeated the motion to recommit would not be in order; but the motion was successful, to lie on the table, and therefore the motion to recommit the bill would not be in order and could not be entertained.

Mr. BRUMM. I misunderstood the Chair.

RICHMOND LOCOMOTIVE AND MACHINE WORKS.

The next bill reported from the Committee of the Whole was the bill (S. 1133) to pay to the Richmond Locomotive and Machine Works its claim for damages and losses incurred in the construction of the armored battle ship *Texas*.

Mr. YOST. Mr. Speaker, I move the bill pass, and upon that motion call for the previous question.

Mr. CANNON. I would be glad, as there is no quorum present, to let this bill go over until next Friday. A gentleman in whose judgment I have very great confidence informs me that he has been reading the report, and that he is satisfied, from the contract, that this claim ought not to be paid. He does not think there is a just claim presented; and while I did not anticipate, myself, taking up further the time of the House to-day upon this question, I suggest to the gentleman from Virginia that he let it go over until next Friday—private-bill day—and then he can make his demand for the previous question.

Mr. YOST. But the gentleman from Illinois himself proposed some two weeks ago to let the bill go over, and said he would look into the report carefully.

Mr. CANNON. Oh, well, I did in a sort of "hop-skip-and-jump way;" but the gentleman knows that there is so much of our time taken up here with other matters that it is impossible to give special consideration to cases of this kind.

Mr. YOST. In view of the lateness of the hour and the small number of members present, I will withdraw the motion for the previous question, and consent that the bill may go over until the next private-bill day.

The SPEAKER. The gentleman consents that the bill may go over.

The Clerk will report the next bill.

SAMUEL M'KEE.

The next business reported from the Committee of the Whole was the bill (H. R. 1288) for the relief of Samuel McKee.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. EVANS, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 7536. An act granting a pension to Jane A. Wilkinson;
H. R. 90. An act granting a pension to Eunice Taylor;
H. R. 92. An act granting a pension to Auguste Whitmer;
H. R. 2015. An act granting a pension to Elisabeth Lane;
H. R. 1322. An act granting a pension to Benjamin F. Howland;
H. R. 4548. An act granting a pension to Mathew B. Nale;
H. R. 7943. An act to make Knoxville, Tenn., a port of delivery and to create the office of surveyor of customs;

H. R. 2426. An act granting an increase of pension to Helen Larned;
H. R. 1246. An act for the relief of C. B. Bryan & Co.;
H. R. 4206. An act granting an increase of pension to Jacob G. Frick;
H. R. 368. An act for the relief of Charlotte A. Walker;
H. R. 4247. An act granting a pension to Sarah A. Landram;
H. R. 4300. An act to increase the pension of John C. Wagoner;
H. R. 239. An act granting a pension to Rosa Karger;
H. R. 298. An act granting an increase of pension to Charles McAllister;
H. R. 2074. An act granting a pension to Jane H. Sandborn;
H. R. 4314. An act to increase the pension of Moritz Tshoepe; and
H. R. 777. An act to increase the pension of David N. Thompson.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. STRAIT indefinitely, on account of illness.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. R. 148. Joint resolution for the printing of House document No. 396, relating to the beet-sugar industry in the United States—to the Committee on Printing.

ORDER OF BUSINESS.

Mr. PAYNE. I ask unanimous consent, Mr. Speaker, that the House now take the usual Friday evening recess until 8 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. Before announcing the recess, the Chair will designate the gentleman from Iowa, Mr. LACEY, to preside as Speaker pro tempore at the evening session.

And then (at 4 o'clock and 45 minutes p. m.) the House was declared in recess until 8 o'clock.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. LACEY as Speaker pro tempore.

The SPEAKER pro tempore. The Clerk will read the rule under which this session is held.

The Clerk read as follows:

The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion only shall be considered; said evening session not to extend beyond 10 o'clock and 30 minutes.

On motion of Mr. RAY of New York, the House resolved itself into the Committee of the Whole for the purpose of considering bills on the Private Calendar, under subdivision 2 of Rule XXVI, with Mr. MOODY in the chair.

WILLIAM HENRY JOHNSON.

The first business on the Private Calendar was the bill (H. R. 2668) for the relief of William Henry Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion from the military record of William Henry Johnson, of Ceresco, Saunders County, Nebr., who served under the name of Henry Johnson, of Company H, Second Pennsylvania Cavalry (Fifty-ninth Pennsylvania Infantry), transferred to Company H, First Pennsylvania Provisional Cavalry, and grant him an honorable discharge to date April 30, 1865.

The following amendment, reported by the Committee on Military Affairs, was read:

Add at the end of the bill the words:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. SULLIVAN. Mr. Chairman, I ask for the reading of the report.

The CHAIRMAN. The Clerk will read the report in the time of the gentleman from Mississippi.

The report (by Mr. BELKNAP) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 2668) for the relief of William Henry Johnson, having had the same under consideration, recommend that the same do pass, with the following amendment: After the word "sixty-five," in line 11, add the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

It is shown by the records of the War Department that Henry Johnson was enrolled and mustered into service October 29, 1861, at Philadelphia, Pa., as a private in Company A, Second Pennsylvania Cavalry, to serve three years, and reenlisted as a veteran volunteer February 6, 1864.

He appears to have served faithfully until April 30, 1865, when he deserted, never returning to his command. The Second Pennsylvania Cavalry was consolidated with the Twentieth Pennsylvania Cavalry June 17, 1865, to form the First Pennsylvania Provisional Cavalry, and the name of the soldier appears on the muster-out roll of Company H of the latter regiment with the remark: "Deserted April 30, 1865;" but his transfer to Company H, First Pennsylvania Cavalry, was not consummated, he never having joined that company, and it has therefore been canceled. He is regarded by the War Department as a deserter from Company H, Second Pennsylvania Cavalry, from April 30, 1865.

Applying for removal of the charge of desertion and for an honorable discharge, William Henry Johnson, a resident of Ceresco, Saunders County, Nebr., stated in an affidavit dated February 6, 1893, that he served faithfully in Company H, Second Pennsylvania Cavalry, until April 30, 1865, when he shipped on the monitor *Montauk* with the understanding that he had been transferred from the Army to the Navy, and that he served faithfully on that vessel eighteen months, until discharged at Hog Island Navy-Yard, near San Francisco, Cal. In another affidavit, dated June 21, 1893, the applicant stated that he joined the Navy as a midshipman and that he was discharged from the monitor *Montauk* in June, 1866.

It was ascertained by the Record and Pension Office, War Department, upon inquiry at the Navy Department, that no man named William H. (or Henry) Johnson served on the monitor *Montauk*, and that that vessel went out of commission July 7, 1865, at Washington, D. C. The application for relief was denied by the War Department October 24, 1893, holding that the case was not embraced within the provisions of the act of March 2, 1889, the soldier having deserted prior to May 1, 1865, and not having been prevented from completing his term of enlistment by physical disability incurred in the line of duty.

Your committee submit that under the act of March 2, 1889, if the soldier had not deserted until May 1, 1865, and after prior service of six months or more, and by reason of absence from his command at the time the same was mustered out he failed to be mustered out and to receive an honorable discharge, upon proof of such facts the charge of desertion would, under such act, be removed from his record. Waiving the benefits of the service in the Navy, as claimed by the soldier, and although the War Department may, under its strict construction, have determined that unless the soldier was borne on the company's rolls as present or properly accounted for as of May 1, 1865, his application for removal of charge of desertion should be denied, yet your committee believe that a soldier serving until the 30th day of April, 1865, under a fair construction of the act of March 2, 1889, comes within its purview, and that therefore the relief applied for in this case should be granted.

It appears further, from affidavits of those acquainted with him prior to and since his enlistment in 1861, that he was rather weak-minded and vacillating, and was wanting in that steady purpose of mind which would justify holding him strictly accountable for every act or deviation from correct conduct. Others testify that he is still afflicted with a form of dementia, and consequently hardly able to take care of himself; that he lives in what is called a dugout, and is about 65 years of age; that he is being helped by charity, and for the past three years has been assisted from the county funds.

Your committee has no doubt, from the proofs submitted in this case, that William Henry Johnson is the same Henry Johnson who served in Company H, Second Pennsylvania Cavalry.

Mr. TALBERT. Mr. Chairman, I want to say that as the result of talks which I have had with a number of members here who have some meritorious cases on the Calendar, I have stated to them that I would not ask unanimous consent to pass over these bills to-night for the removal of charges of desertion. They have assured me that the cases are meritorious and that the charges ought to be removed. If they have the usual amendment providing that no pay or emoluments shall become due or payable by reason of the passage of this act, I shall not oppose them. At least I shall not oppose this bill, but I ask to have read an editorial which appears in the Washington Post, which reflects my sentiments in regard to the removal of charges of desertion. I make no opposition to the passage of this bill, which seems to be a meritorious one. I have been assured by my friend here [Mr. STARK] that this is a meritorious one.

The Clerk read as follows:

LEGISLATION FOR DESERTERS.

Is not it about time for Congress to put a final period to legislation for the benefit of deserters? The introduction of bills for the removal of the charge of desertion from men who enlisted in the armies of the Union in our great war, and who failed to put in an appearance when their commands were mustered out, has been going on for a third of a century. It is the general opinion of honorably discharged soldiers that this thing has gone far enough. They assert, and they know something about the matter, that most of these deserters are men who enlisted for bounties and got out at the first opportunity.

Of course there were mistakes on the muster rolls that needed correction by act of Congress. Men who did not actually desert were made to appear as having deserted. It was entirely right to introduce and pass such bills in those cases. But it is a fair assumption that all records which needed correction were attended to long ago. Everybody who knows anything about the conduct of the war knows that bounty jumping came to be a great industry soon after local bounties began to be offered. Thousands upon thousands of men went into that infamous business.

The lenient policy of the Government spared their villainous lives, but there is no reason why the charge of desertion should be removed. The Omaha Bee, speaking of these cases, says: "There is no excuse for Congress to legislate them into the roll of honor as patriotic and loyal soldiers entitled to pensions. To continue to do so is simply putting a premium on desertion and pulling the brave and loyal soldier down to the level of the bounty jumper and cowardly deserter."

That is the truth. There is no shorter or surer way to insult and degrade "the brave and loyal soldier," than to go on passing these bills till the last of the bounty jumpers is whitewashed.

Mr. TALBERT. Now, I will ask the gentleman to make a statement as to whether he knows if this man was a bounty jumper or not? If he was not, I will make no further remarks upon the bill.

Mr. STARK. Mr. Chairman, the record discloses that Mr. Johnson enlisted October 29, 1861. He served three years faithfully, reenlisted as a veteran volunteer, and on April 30, 1865, he went away from his command.

It seems that they created a provisional cavalry corps in Pennsylvania as a home guard. This man is not altogether right in his head. He regarded that as being against his courage as a soldier, and so he went and served in the Navy. The act of 1889 would have let him in if he had stayed one day longer. I ask for

this man the rule of favor that is always extended to those who have infirmities of mind. He never jumped any bounty or anything of the sort. The bill is amended so as to provide that no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act. Everything is correct.

The amendment recommended by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

SAMUEL D. HUBBARD.

The next business on the Private Calendar was the bill (H. R. 774) for the relief of Samuel D. Hubbard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to amend the record of the War Department in the case of Samuel D. Hubbard, late captain of Company F, Twenty-seventh Regiment of Wisconsin Volunteer Infantry, so as to grant him an honorable discharge.

The following amendment, recommended by the Committee on Military Affairs, was read:

Insert at the end of the bill: "*Provided*, That no pay or allowances shall become due or payable by reason of the passage of this act."

Mr. CHARLES W. STONE and Mr. SULLIVAN asked for the reading of the report.

Mr. TALBERT. Mr. Chairman, I should like to know if the gentleman who introduced this bill is present?

Mr. GRIFFIN. I will say that I introduced this bill, and I am present.

Mr. TALBERT. I thought that if there was no one present to advocate the bill, it would be better to pass it over. If members are not willing to come here to advocate their claims, I do not think they ought to be passed.

Mr. GRIFFIN. If all the gentleman desired to know was whether I was present or not, I will say that I am present.

Mr. TALBERT. And it is your bill?

Mr. GRIFFIN. Yes.

The CHAIRMAN. Does the Chair understand that any gentleman desires to hear the report read?

Mr. CHARLES W. STONE. Let us hear the report.

The CHAIRMAN. The report will be read in the time of the gentleman from Pennsylvania.

The Clerk began the reading of the report (by Mr. MCDONALD), and read as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 774) entitled "A bill for the relief of Samuel D. Hubbard," submit the following report thereon:

It appears from the records of the War Department that Samuel D. Hubbard was mustered into service as captain of Company F, Twenty-seventh Wisconsin Infantry Volunteers, October 25, 1862, to serve three years, and was dismissed the service by sentence of general court-martial promulgated in general court-martial orders April 21, 1864.

Mr. BISHOP. Mr. Chairman, I raise the point of order against the consideration of this bill that it does not come under the rule.

Mr. CHARLES W. STONE. It does not yet appear what the charge was.

Mr. BISHOP. This is a court-martial case.

Mr. LOUDENSLAGER. It comes under the rule if it removes a charge of desertion.

The CHAIRMAN. The Chair will suggest to the gentleman from Michigan [Mr. BISHOP] that, while the bill itself does not disclose whether its purpose is to remove a charge of desertion or not, the report apparently discloses that it is to correct the record of a court-martial, removing a charge which resulted in dismissal from the service, and to grant an honorable discharge. Has the gentleman from Michigan any suggestion to make?

Mr. BISHOP. If it is simply for the purpose of correcting a military record, I withdraw my point of order.

Mr. CHARLES W. STONE. Let us understand the charge on which he was court-martialed. If it was a charge of desertion the bill is in order. If it is something else it would not be in order.

The CHAIRMAN. The Chair will call the attention of the gentleman from Pennsylvania to the second page of the report, which the Clerk will read.

The Clerk read as follows:

CHARGE I.—Disobedience of orders.

Specification.—That Captain Hubbard, having been regularly detailed to take charge of a body of recruits going to the field, did fail to take charge of them as ordered, on or about the 11th day of March, 1864.

Mr. CHARLES W. STONE. Mr. Chairman, it seems to me that that is sufficient to show that it is not a charge of desertion.

The CHAIRMAN. There is a second charge.

Mr. CHARLES W. STONE. Exactly; but it would hardly be competent to consider a bill which did not relate exclusively to a charge of desertion.

The CHAIRMAN. This charge of gross neglect of duty does not alter the aspect of the case; and unless some gentleman desires to be heard against the point of order, the Chair will sustain the point of order.

Mr. GRIFFIN. Mr. Chairman, if the point of order is insisted on the bill can not be considered under the rule.

The CHAIRMAN. The bill will be passed over.

JACOB SHELA.

The next business on the Private Calendar was the bill (H. R. 4651) for the relief of Jacob Shela, of Portsmouth, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to so amend and correct the military record of Jacob Shela, of Portsmouth, Scioto County, Ohio, late a private soldier in Company B, Fifty-sixth Regiment Ohio Volunteer Infantry, as to remove the charges of desertion, and to show that said Shela was captured by the enemy on June 25, 1862, and paroled on June 28, 1862, and permitted by Major-General Grant, commanding the district, to pass from Memphis, Tenn., to his home in Ohio, to remain until notified of his exchange or otherwise ordered; and duly exchanged by General Orders, No. 10, War Department, January 10, 1863, and ordered to return to his command; and absent without leave until March 5, 1863, when he enlisted in the Navy of the United States for two years, served faithfully, and was honorably discharged at the expiration of his service: *Provided*, That no pay or allowances shall become due by reason of this act.

Mr. SULLIVAN. I call for the reading of the report, Mr. Chairman.

The report (by Mr. FENTON) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4651) for the relief of Jacob Shela, of Portsmouth, Ohio, having examined the same, report the bill back to the House, and recommend its passage.

This soldier was enlisted for three years from November 13, 1861, and served faithfully until June 26, 1862, when he was captured by the enemy while escorting a railroad train. He was paroled June 28, 1862; reported at Camp Chase, Ohio, August 6, 1862, and is reported to have deserted on or before October 10, 1862. He was declared exchanged January 10, 1863, in orders from the War Department.

The records of the Navy Department show, however, that he enlisted in the United States Navy March 5, 1863, and served until March 3, 1865, when he was honorably discharged. His absence from a command was for four months and twenty-three days, but for three months of this period he was still a paroled prisoner.

It is evident that this soldier did not intend to desert the service of his country, since he would have been entitled to a discharge November 13, 1864, but he served until March 11, 1865; almost four months longer than his original enlistment would have required.

The records show that he received no bonus or bounty on account of enlistment in the Navy.

The following is the report received from the War Department:

It is shown by the records that Jacob Shela was enrolled October 1, and mustered into service November 13, 1861, as a private in Company B, Fifty-sixth Ohio Infantry Volunteers, to serve three years. He appears to have been present with his company until June 28, 1862, when he was captured by the enemy. He was paroled the same day and sent to a parole camp in Ohio, from which he deserted on or before October 12, 1862. He does not appear to have returned to the military service subsequent to that date, although he was notified of his exchange and ordered to rejoin his regiment, and although he owed service until November 13, 1864. He is reported as having entered the United States Navy, date not of record.

The application for removal of the charge of desertion and for an honorable discharge has been denied, and now stands denied, on the ground that, accepting his own statement that he enlisted in the United States Navy March 5, 1863, the period of his absence in desertion from the Fifty-sixth Ohio Infantry Volunteers, prior to his enlistment in the Navy, exceeded four months, and because the case does not come within any of the other provisions of the act approved March 2, 1889, which is the only law now in force governing the subject of removal of charges of desertion.

Respectfully submitted.

F. C. AINSWORTH,
Colonel, United States Army, Chief Record and Pension Office.

RECORD AND PENSION OFFICE,
War Department, February 23, 1898.

The SECRETARY OF WAR.

DEPARTMENT OF THE NAVY, BUREAU OF NAVIGATION,
Washington, D. C., March 10, 1898.

SIR: Referring to your letter of the 3d instant to the honorable Secretary of the Navy, requesting a record of service of Jacob Shela, I have the honor to state that one Jacob Shela enlisted in the Navy at Cincinnati, Ohio, March 5, 1863, as seaman for two years, served on board of the *Grampus*, *Little Rebel*, and *Black Hawk*, and was discharged March 3, 1865.

Respectfully,

A. S. CROWNINSHIELD,
Chief of Bureau.

Hon. L. J. FENTON,
House of Representatives.

Mr. TALBERT. Mr. Chairman, I would ask if the member in charge of the bill is present.

Mr. BROWNLOW. Mr. Chairman, I would say to the gentleman from South Carolina that this bill was introduced by Mr. FENTON of Ohio. He has been called home on urgent and important business, and asked me to look after it. It is an exceedingly meritorious case, and I think ought to be passed.

Mr. TALBERT. I would just like to state that upon the reading of the report it appears that he really was a deserter, although he claims himself that he joined the Navy after he deserted. There is no other evidence but the report.

Mr. GIBSON. The naval record shows that he was discharged.

Mr. BROWNLOW. The records of the Department show that he was discharged from the Navy.

The bill was ordered to be laid aside with a favorable recommendation.

JACOB M. HAMBURGER.

The next business on the Private Calendar was the bill (H. R. 1607) to remove the charge of desertion against Jacob M. Hamburger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove charge of desertion standing against the name of Jacob M. Hamburger, late musician in Company G, First Battalion, Twelfth United States Infantry, and issue him an honorable discharge.

The amendments recommended by the committee were read, as follows:

Strike out of line 5 the initial "M" and insert "N;" also add after the word "discharge," in line 7, the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH GRAHAM.

The next business on the Private Calendar was the bill (H. R. 3056) to correct the military record of Joseph Graham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized to remove the charge of desertion now standing against the military record of Joseph Graham, late a private in Company B, Seventeenth Regiment United States Infantry.

Mr. TALBERT. Mr. Chairman, I ask that the report be read.

The report (by Mr. BROWNLOW) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 3056) for the relief of Joseph Graham, have had the same under consideration and beg leave to report as follows:

The records of the War Department show that Joseph Graham enlisted as a private and was mustered into Company B, Seventeenth United States Infantry, on the 8th day of February, 1864, to serve three years. The records further show that he gave his age as 20½ years, while the testimony in the case shows him to have been but 16 years of age at the time of enlistment. There is also strong reason for believing that the boy was deceived by the recruiting officer as to the character of the service in which he was enlisting; that he was led to believe he was enlisting in the volunteer service for three years, or during the war, whereas he was enlisted to serve three years in the Regular Army and was assigned to Company B, Seventeenth United States Infantry.

He is credited with faithful service until August 2, 1866, when he is charged with desertion.

The facts as gathered from the testimony appear to be that the claimant was seriously injured by the explosion of a mine in front of Petersburg, called the battle of the crater, or by too close proximity to shot or shell, or was overcome by heat. The diagnosis given in the hospital was "sunstroke." He was moved from one hospital to another until the spring of 1865, when he was sent to Harts Island, New York Harbor, at which place the regiment was recruiting. From there he was detailed to Capt. J. J. Emerson, at Springfield, Mass., at a recruiting station. Before the regiment was filled the war was over and he was sent back to Harts Island. From there his company was sent to Texas, and he endeavored to go with the company, but, being a sergeant in one of the new companies, he was detained at Harts Island.

In July, 1866, a disease resembling cholera broke out on the island, causing a great many deaths, and the officers and surgeons soon became either sick or tired out and the men were left to themselves. Graham had several attacks of the disease, and became so sick that food would not remain on his stomach, and he was kept alive by the use of brandy. While in that condition he asked Lieutenant Lancaster for a pass and received it, the lieutenant evidently believing that if he remained at the island he would soon be beyond the reach of a pass. He took the pass, went to New York City, and then began to think of returning home. He secured and drank some brandy, and then got on a train for Illinois, and was assisted through to Lamoille by the kindly aid of passengers on the train. Having no father or mother living, he went to the home of Richard Ough, who testifies to the fact of his coming; that he wore his uniform, that no effort at concealment was made, and that his wife, since deceased, nursed him through a long spell of typhoid fever, which disabled him from performing any sort of military service for at least eight or nine months, and until some months after his term of enlistment had expired.

Your committee submit that the facts as presented are entitled to fair consideration, and that they show an entire absence of any intention to desert his command, and the constant presence of a determination to do his duty on the part of the soldier, in spite of the deception by which he found himself in the Regular instead of the Volunteer Army, until, as the result of severe sickness at Harts Island, he believed himself in a dying condition and longed to reach his friends before death should occur.

In view of all these facts and the high character and standing of Graham as a citizen, which is abundantly testified to, your committee report the bill favorably and recommend that it do pass with the following amendment:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. SULLIVAN. I would like to inquire who introduced that bill and whether the member who introduced it is present?

The CHAIRMAN. The gentleman from Iowa [Mr. DOLLIVER] introduced the bill.

Mr. SULLIVAN. I ask if he is present in the House? I want to ask him a question.

Mr. BROWNLOW. I reported the bill from the Committee on Military Affairs.

Mr. SULLIVAN. Do you know anything of the facts in the case?

Mr. BROWNLOW. Nothing but what appears in the evidence.

Mr. TALBERT. Mr. Chairman, I had a conversation with the gentleman from Iowa [Mr. DOLLIVER] about this very bill, and from what he assured me there is some merit in it, and I am not disposed to oppose the bill, although he is not present.

Mr. BROWNLOW. There is no question but what this young man enlisted at the age of 16, under the impression that he was enlisting in the volunteer service for the war, and that he only separated himself from the service in 1866, a year after the war was over, by reason of disability.

Mr. SULLIVAN. Is this the first application for release from this charge that he has made now?

Mr. BROWNLOW. Oh, no; the bill has been pending.

Mr. TALBERT. I am satisfied from the conversation I had with the gentleman from Iowa [Mr. DOLLIVER], the author of the bill, that this is a meritorious case.

Mr. SULLIVAN. Some thirty years after the occurrence, this application is made.

Mr. BROWNLOW. You will find, my dear sir, that in these cases there are some more meritorious even than a great many soldiers who had an honorable discharge; and yet they have slumbered in the War Department by reason of the extraordinary care of the Department and the absence of a proper law to vindicate these people. If you will read these reports you will find nothing but exceedingly meritorious cases have been reported.

Mr. TALBERT. Is the usual amendment attached?

Mr. BROWNLOW. Yes, sir.

Mr. SULLIVAN. Oh, it is there.

The amendment recommended by the committee was agreed to.

Mr. TALBERT. Mr. Chairman, I desire to ask unanimous consent, and I hope it will be granted, that when we come to a bill to remove the charge of desertion, unless the member representing the bill is here to make a statement, that we pass it over for to-night, so that we may reach bills in which members interested are present.

The CHAIRMAN. The Chair will remind the gentleman from South Carolina that this bill has not been disposed of. The amendment alone has been agreed to.

The bill was ordered to be laid aside with a favorable recommendation.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that when a bill for the removal of a charge of desertion is reached, and the gentleman who introduced it is not present, that it shall be passed over without prejudice.

Mr. TALBERT. So that those present who have bills can have them considered.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. GRIFFIN. There is a bill introduced by Mr. Simpkins that I think will be reached to-night, and gentlemen will remember that Mr. Simpkins is deceased.

Mr. TALBERT. Let that go ahead.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

GEORGE ALCOTT.

The next business on the Private Calendar was the bill (H. R. 1794) to remove the charge of desertion now standing against George Alcott on the rolls of the War Department.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to remove from the rolls and records of the War Department the charge of desertion now standing on said rolls against George Alcott, late a private in Company C, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and to issue to him an honorable discharge, to bear date June 13, 1865.

The amendment recommended by the committee was read, as follows:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. GARDNER. Mr. Chairman, I want to suggest that since the adoption of the suggestion of the gentleman from South Carolina, that when the bills to remove the charges of desertion be taken up the name of the gentleman who introduced it be stated by the Clerk.

The CHAIRMAN. The Chair will state that the gentleman who introduced this bill is present. The Chair is informed that the Clerk will take notice of the rule, and read no bill unless the gentleman who introduced it is present.

Mr. TALBERT. I would ask if the gentleman who introduced this bill is present. I am informed by a member near me that he is present. If he is present, I would like to hear the report read.

Mr. ROBINSON of Indiana. Mr. Chairman, unless the gentleman wishes to have the report read, I think I can state the substance of it. That was a case where the soldier failed to get his discharge by no fault of his own. The facts briefly stated are as given in the report. It appears that on reporting to the proper authorities at Indianapolis, Ind., for the purpose of obtaining transportation to his regiment he was informed that, as the war was over, no transportation could be furnished. He was told that he should either remain in Indianapolis or return to his home, and that he would be notified when wanted. He was not notified, and was not present when his regiment was mustered out.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWARD C. PARSONS.

The next business on the Private Calendar was the bill (H. R. 3646) for the relief of Edward C. Parsons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion from the military record of Edward

C. Parsons, who served in Company B, Twenty-seventh Michigan Infantry, during the late war, and grant him an honorable discharge to date April 9, 1863.

The amendment recommended by the committee was read, as follows:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. BROWNLOW. Mr. Chairman, there is a bill just ahead of that, for the relief of James Hicks, on the Calendar.

Mr. JETT. What is the objection to this bill?

The CHAIRMAN. According to the rule just adopted by the committee, that bill was passed and the gentleman who introduced it is not present.

Mr. BROWNLOW. There were two bills, one introduced by Mr. LENTZ and one by Mr. BRUMM.

Mr. MIERS of Indiana. I would suggest that the bill now under consideration be disposed of, and then we return to this bill of James Hicks, if it is in order.

The CHAIRMAN. The question is on the adoption of the amendment recommended by the committee.

The amendment recommended by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JAMES HICKS.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. BROWNLOW] refer to the bill H. R. 4239?

Mr. BROWNLOW. It is the bill to complete the military record of James Hicks. There were two bills identically the same. One was introduced by Mr. LENTZ and the other by Mr. BRUMM.

The CHAIRMAN. The bill on the calendar is reported by the gentleman from Pennsylvania [Mr. BRUMM], who is not present.

Mr. BROWNLOW. But the bills are identically the same.

Mr. BISHOP. It is really the bill of the gentleman from Ohio, Mr. LENTZ.

The CHAIRMAN. The bill will come literally within the prohibition of the rule just adopted by the committee. The Chair will suggest, however, that the gentleman from Tennessee might ask unanimous consent for the consideration of the bill.

Mr. BROWNLOW. Then I will ask unanimous consent that we consider the bill (H. R. 4239) to complete the military record of James Hicks.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to complete the military record of James Hicks, formerly captain Company M, Twelfth Regiment Ohio Cavalry Volunteers, so as to show him honorably discharged from the service of the United States to date November 4, 1865, the date of muster out of his company, and to issue to said officer's widow a certificate of honorable discharge accordingly.

The amendment recommended by the committee was read, as follows:

Provided, however, That no pay, bounty, or other allowances shall become due or payable by virtue of the passage of this act.

The amendment recommended by the committee was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

HENRY J. FLEMING.

The next business on the Private Calendar was the bill (H. R. 3991) for the relief of Henry J. Fleming.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion from the military record of Henry J. Fleming, who served in Company G, Eighty-first Illinois Infantry, during the late war, and grant him an honorable discharge to date April 1, 1862.

Mr. SULLIVAN. I call for the reading of the report.

The report (by Mr. JETT) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 3991) for the relief of Henry J. Fleming, beg leave to submit the following report:

The report of the War Department shows that said Henry J. Fleming was enrolled January 16, 1864; mustered into service April 8, 1864, as a private in the Eighty-first Regiment Illinois Infantry Volunteers to serve three years.

That he was afterwards admitted to the post hospital, Camp Yates, near Springfield, Ill., with measles and pneumonia, and was furloughed March 1, 1864, and is reported as having deserted April 10, 1864. That he was arrested as a deserter May 23, 1864, at Jefferson City, Ill., by the provost-marshal, thirteenth district, Illinois, and delivered May 23, 1864.

At the regimental post, Cairo, Ill., record further shows that he was released May 31, 1864. The records of the War Department fail to disclose any reason or grounds for his release on the 31st of May, 1864.

Your committee, after carefully investigating this case, have arrived at the conclusion that the said Henry J. Fleming was not a deserter, but that after having been sent home on a furlough, as the records of the War Department show, he was then and there unable to, and remained unable to, return to the company and regiment.

At the time he was released, May 31, 1864, he was still unable to enter the service on account of the severe illness that he had contracted after having entered the service, viz, measles and pneumonia, and remained unable—in fact, in such physical condition that it was impossible for him to return and enter the service.

Being satisfied that the said Henry J. Fleming was not a deserter, the committee recommend that the bill do pass, giving to the said Henry J. Fleming an honorable discharge, with the following amendment:

Change the word "sixty-two," in line 8, to "sixty-four," making the bill read, after the enacting clause:

"The Secretary of War is hereby authorized and directed to remove the charge of desertion from the military record of Henry J. Fleming, who served in Company G, Eighty-first Illinois Infantry, during the late war, and grant him an honorable discharge, to date August 1, 1864."

The testimony of witnesses shows conclusively that the said Henry J. Fleming was unable to return to his company and enter the service at any time after having contracted measles and pneumonia in February, 1864.

Applicant testified as follows:

"In 1864, about the latter part of January, he contracted the measles and was sent to the hospital at Camp Yates, Ill., and, being better, was granted a furlough for twenty days. After the expiration of said time he returned to his regiment, Company G, Eighty-first Illinois Infantry Volunteers, at Memphis, Tenn., and sustained a relapse of heavy fever, the result of said measles, and was ordered to Camp Butler, Ill. While in said camp he got worse and weaker, and was ordered by Captain Lamb, in charge of said camp, to go home.

"One Joe Addison, of Company G, Ninth Regiment Illinois Infantry, whose time had expired and who was at that time at said Camp Butler, Ill., was told by Captain Lamb to take charge of him and see that he got home. After returning home he contracted lung disease on account of said measles and was in such bad state of health that he could hardly walk, and was unable, therefore, to return to his regiment; that he was first treated from August, 1864, to June, 1865, by Dr. Sharp, living in Jefferson County, Ill., and who died a few years after the above-stated period. He was afterwards treated by Dr. John S. Hillis, of Hillsboro, Ill., who died in 1882. After this he was treated by Dr. Davenport, of Walshville, Ill., who died April 12, 1891.

"Affiant also states that he was also treated by Dr. Bennet, residing at Litchfield, Ill., for the period of twenty-two years, and also by Dr. S. H. McLean, residing in Hillsboro, Ill., for twenty years, for said lung disease, and that for the last six years he was treated by his family physician, Dr. William A. Allen, of Donnellson, Ill., for said lung disease.

"Affiant also states that he has, since August, 1864, to present date, suffered severely from lung disease, and is still so affected as to be unable to do manual labor."

John Neagle, a resident of Hillsboro, Ill., testified as follows:

"That he has known Henry J. Fleming for the period of thirty-two years; that he met the said Fleming at the office of the late Dr. John S. Hillis, who treated him for relapse of some disease, measles or lung troubles; that the said Fleming was at that time hardly able to walk and has ever since been a physical wreck. Affiant also states that during the conversation with said Fleming at that time the said Fleming informed him that said diseases were contracted while in the United States service in above organization, and that he has every reason to believe, from his intercourse during above stated period, to wit, thirty-two years, more or less, the statement of said Fleming is truthful."

Tabitha Bogard, a resident of Donnellson, Ill., testified as follows:

"I have been acquainted with Henry J. Fleming ever since he was a small boy. I knew him when he went into the United States Army in January, A. D. 1864, and I saw him when he was sent back home sick, and I thought he would die. His sickness was effect of measles. This was in August, 1864; and he has never been an able-bodied man since that time; it would have been impossible for him to have returned to the Army before the close of the war in 1865."

John R. Brown, a resident of Donnellson, Ill., testified as follows:

"That he has known H. J. Fleming for the period of forty years, and that he knows from his own knowledge that H. J. Fleming was a good, sound, healthy man before entering into the United States service; that he returned home in 1864 with a furlough, suffering from the measles and a very bad cough, and was treated by Dr. Sharp, of Jefferson County, Ill., and returned to the Army. He afterwards came home again in August, 1864, suffering from a very bad attack of measles and fever, and was in such a condition that he was bedfast to 1866, and was not able to return to the Army. Affiant also states that he saw said Fleming from 1864 to present date, with the exception of the year 1872, but was informed nearly every week during the year 1872 of his condition, and that said Fleming is and has been a sufferer during each week and each month since 1864 from said diseases.

"Affiant also states in a former affidavit given before William Young that he was not asked or informed of points and facts establishing the innocence of said Fleming of being a deserter, and that he therefore gives from his own will and free from any pregnancy of interest this statement, knowing from his knowledge, knowing that he was at the bedside of said Fleming, that he was not able to return to the Army."

James G. Hansen, a resident of Centralia, Ill., testified as follows:

"That he has known Henry J. Fleming from his boyhood; that he knows that the said Henry J. Fleming was a good sound man and free from any disease before entering into the United States Army in January, 1864; that he returned from the Army on a furlough in a very bad physical condition, coughing and spitting to such a degree that he became a skeleton, and was treated by Dr. Sharp, of Jefferson City, Jefferson County, Ill., and that at the expiration of his furlough he returned to the Army and was sent back again in company of one Joe Addison, of Company G, Ninth Illinois Infantry Volunteers, by the direction and order of Captain Lamb, commanding Camp Butler, Ill.; said Fleming was then in a worse physical condition than before, coughing and spitting, reducing him to helplessness, and that such condition kept him to his bed up to 1866, and that he was not able to return to the Army.

"Affiant also states that the arrest of said Fleming, by one John Gill, instigated by one Cash Harvey, was a brutal act of inhumanity, as said Fleming was a helpless man and could not return to the Army, as he is now and was in a very bad condition.

"Affiant also states that said Fleming was treated by Dr. Sharp on his second return from the Army, and that said Dr. Sharp was a refugee from the State of Missouri, and whose residence was Lebanon, Mo., returned to said State and died there nearly twenty years ago."

William R. Henson, a resident of Centralia, Ill., testified as follows:

"That he has known Henry J. Fleming for the period of forty-five years, and that said Fleming was a good, sound, and healthy man before entering into the United States Army in January, 1864; that he returned from the Army on a furlough in a very bad condition, coughing and spitting to such a degree that he became a skeleton, and was treated by Dr. Sharp, of Jefferson City, Jefferson County, Ill., and that at the expiration of his furlough he returned to the Army and was sent back again in a still worse physical condition than before, accompanied by one Joe Addison, of Company G, Ninth Regiment Illinois Volunteers, by the direction and order of Captain Lamb, at the time commanding Camp Butler, Ill.

"Affiant also states that he perused the furlough given to the said Fleming, and that after his second return he was a total physical wreck, and this condition kept him to his bed up to 1866.

"Affiant also states that he was present and saw one John Gill taking Fleming from his bed, carrying and pushing said Fleming, who was helpless on account of above-stated physical condition, and that said arrest was a brutal act of inhumanity."

Mr. SULLIVAN. Mr. Chairman, I understand a great number of people who are applying to be relieved from the charge of desertion submit ex parte testimony, merely affidavits on their side.

There is absolutely no investigation, no proof, no examination; the Government is not represented; it is purely ex parte. We are here voting case after case without knowing anything about it except what we glean from ex parte statements, and putting these men in the attitude and position where a little later they will be claiming to be put on the pension rolls. It appears to me there ought to be something more than that, something to show whether these statements are true or untrue.

This is a remarkable proceeding. Our pension roll is continually growing. Under our general law provision is made for the granting of pensions to those who have earned them by military service, yet here every Friday night we are engaged in the task of putting numbers of additional persons in a position to go upon the pension roll. I should like to hear some explanation from the gentleman who represents this claim as to why this man ought to be put in an attitude to draw a pension from the Government.

Mr. JETT. Mr. Chairman, it is hardly expected, I suppose, by my friend from Mississippi, or any other gentleman on this floor, that the applicant himself, in a case of this kind, should be compelled to come here and testify before the committee to which his bill is referred. But I will say for the satisfaction of my friend from Mississippi, that no bill is reported from the Committee on Military Affairs to relieve any person from the charge of desertion unless the testimony shows with absolute clearness that the applicant was not a deserter.

In this particular case I happen myself to know all the facts. I know Henry J. Fleming almost as well as I know any of my associates on this floor. I know his physical condition. I know that the affidavits of the various witnesses in this case are entitled to be received as evidence in support of this claim. Of course these affidavits constitute what the gentleman from Mississippi calls ex parte evidence. But that is all that we can expect in a case of this kind, for it would be a matter of impossibility for the applicants to bring the witnesses from various sections of the country to testify in their behalf before the committee. But I do know that the parties making these affidavits are men above reproach and had knowledge of the facts to which they have testified. I know that every one of these witnesses who testified as to the physical condition of Henry J. Fleming is a man of the best standing in the community in which he resides.

I can say further that no bill of this character has been or will be reported from the Committee on Military Affairs unless it can successfully withstand the severest scrutiny and investigation. I ask for a vote.

The CHAIRMAN. The Chair finds that there is proposed in the report of the committee an amendment which does not appear on the face of the bill, and which the Clerk will read.

The Clerk read as follows:

Change the word "sixty-two," in line 8, to "sixty-four," making the bill read, after the enacting clause:

"The Secretary of War is hereby authorized and directed to remove the charge of desertion from the military records of Henry J. Fleming, who served in Company G, Eighty-first Illinois Infantry, during the late war, and grant him an honorable discharge to date April 1, 1864."

Mr. JETT. The date 1864 in the amendment just read is a mistake. It should be 1865. I move to amend the amendment in that way.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Illinois [Mr. JETT] to the amendment of the committee.

The amendment was agreed to.

The amendment of the committee as amended was adopted.

Mr. SULLIVAN. I wish to inquire whether the bill as it now stands embraces the usual provision that the bill shall not have the effect of securing to the applicant any additional pay or allowances?

The CHAIRMAN. It does not.

Mr. SULLIVAN. Then I move that amendment.

The CHAIRMAN. The amendment proposed by the gentleman from Mississippi [Mr. SULLIVAN] will be read.

The Clerk read as follows:

At the end of the bill add the following:

"*Provided*, That no pay or allowance shall become due or payable by reason of the passage of this act."

Mr. JETT. I assent to that amendment.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

W. L. FAXON.

The next business on the Private Calendar was the bill (S. 116) granting a pension to W. L. Faxon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of W. L. Faxon, of Middleboro, Mass., late a surgeon, Thirty-second Regiment Massachusetts Volunteers, and that he receive a pension of $12 per month.

Mr. SULLIVAN. Let us have the report, Mr. Chairman.

Mr. GIBSON. I can make a statement which will obviate the necessity of reading the report. This man was an assistant army surgeon from the beginning to the end of the war, and was mustered out as a surgeon. Properly he would be entitled to $25 a month, which is the statutory amount. This is a Senate bill, and it only calls for $12 a month, and we did not recommend any change in it.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

CHARLES HOFFMAN.

The next business on the Private Calendar was the bill (H. R. 4691) to increase the pension of Charles Hoffman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of Charles Hoffman, of Saxonburg, Butler County, Pa., a soldier of the Mexican war, Company K, First Regiment Pennsylvania Volunteers; also lieutenant Company E, Seventy-eighth Regiment Pennsylvania Volunteers, in the late rebellion, from $12 a month to $50 a month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 4 strike out "increase the pension" and insert in lieu thereof "place the name."

In line 5 strike out "of Saxonburg, Butler County, Pa."

In line 8 strike out the word "from," and strike out all of line 9, and insert in lieu thereof "on the pension roll and pay him a pension of $24 per month, in lieu of the pension he is now receiving."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

BETSEY B. OLIN.

The next business on the Private Calendar was the bill (S. 497) granting an increase of pension to Betsey B. Olin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Betsey B. Olin, widow of Charles Olin, late a private of Company I, Seventh Regiment New Hampshire Volunteers, and grant her a pension at the rate of $25 per month in lieu of the pension she is now receiving, said pension to be payable to her legally constituted guardian.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ITEWAYAKA.

The next business on the Private Calendar was the bill (S. 1541) granting a pension to Itewayaka, or "One-armed Jim."

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, directed to place upon the pension roll, subject to the provisions of the pension laws, the name of "Itewayaka," or "One-armed Jim," late a scout of the military district of Minnesota, at the rate of $12 per month.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JULIA L. ROBERTS.

The next business on the Private Calendar was the bill (H. R. 6785) restoring Julia L. Roberts, late Julia L. Doty, to the pension roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to and place upon the pension roll the name of Julia L. Roberts, widow of John M. Doty, who was a contract surgeon in the service of the United States, and pay her a pension at the rate of $17 per month from and after the passage of this act, the number of her pension certificate being 128793.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

Strike out all after the word "act," in line 8.

Amend the title so it will read: "A bill granting a pension to Julia L. Roberts."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. SULLIVAN. Mr. Chairman, I move that in all these cases granting pensions, where the members who introduced the bills are not present, they be passed over just as the other class of cases were.

Mr. MIERS of Indiana. If there is some one here who can explain the bill, that is sufficient.

Mr. SULLIVAN. If there was good reason why the rule should be adopted with reference to the other class of cases, there is reason for doing the same thing in these cases.

The CHAIRMAN. The Chair will suggest to the gentleman from Mississippi that his motion is not in order.

Mr. RAY of New York. Let me explain to the gentleman and I think he will not ask that. In nine cases out of ten the member who introduces the bill can not explain the case at all. Members introduce these bills at the request of constituents. They come before our committee and file lists of names of cases that they want us to examine into. We send for the papers and look over the records in the Pension Office and the additional evidence.

We give the case a careful examination and it is written up.

Then it is submitted to a subcommittee, and they investigate and report it back to the full committee. Then we draw the report and send it in. We do not consult with the member who introduces the bill unless there is some difficulty in his case.

If there is, then we call his attention to it and ask for further evidence. I have been here every night and have carefully examined every case, so that I am personally familiar with the facts in each case. I make it a point to be here to take care of these bills for the members, so it would be unfair to introduce the rule which the gentleman from Mississippi [Mr. SULLIVAN] suggests.

Mr. SULLIVAN. Is not the same state of facts true of the bills removing charges of desertion also?

Mr. RAY of New York. That I do not know. They do not come from my committee at all. They come from the Committee on Military Affairs; but there is always some one here to explain these pension bills, and I know that I understand the cases ten times as well as the members who introduced them, except now and then a case where a member does give some personal attention to the details and examines the evidence in the case. But that is very rare. You know that in almost every one of these cases we have a volume of evidence to examine from as thick as my two hands up to 6 or 8 inches thick.

Mr. MIERS of Indiana. And the evidence from the Pension Office.

Mr. RAY of New York. The evidence from the Pension Office. The request of the gentleman from Mississippi [Mr. SULLIVAN] would be unfair to members, because they have all understood heretofore that the chairman of the committee would be here to explain their bills.

Mr. SULLIVAN. The Chairman has ruled it out of order, anyway.

Mr. RAY of New York. I wanted to explain to my friend, so that he would not blame members for not being here. I have taken care of all bills on the Democratic side with the same faithfulness that I have on our own side.

Mr. DOCKERY. That is true. I will bear testimony to that.

Mr. TALBERT. What is the Calendar number of the bill that is pending?

The CHAIRMAN. There is no bill now pending before the committee. The last bill was laid aside to be reported to the House.

J. R. MATHERS.

The next business on the Private Calendar was the bill (H. R. 6388) granting a pension to J. R. Mathers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension roll the name of J. R. Mathers, late a private of Company A, Third Regiment West Virginia Volunteer Infantry, and to grant him a pension of $25 per month.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 6, strike out the words "to grant" and insert in lieu thereof the word "pay."

In line 7, strike out the words "twenty-five" and insert in lieu thereof the words "twenty-four."

After the word "month," in line 7, insert the words "in lieu of the pension he now receives."

Amend the title so as to read: "A bill granting an increase of pension to Joseph R. Mathers."

Mr. SULLIVAN. I ask for the reading of the report in that case.

Mr. RAY of New York. Will not an explanation do just as well? The report, however, is not very long. Let the Clerk read the report.

Mr. TALBERT. Mr. Chairman, I should like to say right here that I have endeavored to get the reports of the committee on these bills and I have failed to do it. I know numbers of others have no reports before them, and I do not think we should be in any indecent haste here to pass these measures. It does seem to me that the report of the committee in every case ought to be read, so that we will know how to vote intelligently upon these claims.

I recollect that to-day, after the previous question had been ordered on the bills passed at the last night session for pensions, I failed to get the report read in the case of the pension granted to General McMillan. Now, if we go on and pass these bills through the committee and know nothing about them when we get into the House we shall have no information about them, and when we ask for the reading of the reports we shall be told, "You can not do that, because the previous question has been ordered."

I do think these reports ought to be read here and that the committee ought to be put in possession of the facts before members are required to stand up and vote blindly for pensions about which they know nothing. I demand that these reports be read, so that the committee be put in possession of the facts.

Mr. RAY of New York. I would like to ask my friend where he applied for the report in these cases?

Mr. TALBERT. I did it to-day in the case of a pension to General McMillan.

Mr. RAY of New York. You asked to have the report read in the House?

Mr. TALBERT. Yes.

Mr. RAY of New York. I thought you made the statement that you tried to get copies of the report, but could not do it.

Mr. TALBERT. I knew, of course, that I could not have the report read to-day, because the previous question had been ordered. I did it to show that there was a necessity of having the report read in the Committee of the Whole. I do not ask for the reading of these reports for the purpose of killing time, but I ask for the reading of the reports so that I may get information upon the bills which I am called on to vote upon.

I do think, in justice to members who come here night after night, that we should have the reports read. As a matter of course, these empty chairs care nothing at all about it, because they can not legislate and can not vote; but I think respect enough ought to be shown to the men who come here night after night to let them know what they are called on to vote upon.

I do not think it is right and proper for members to hollo out "Vote!" "Vote!" "Vote!" upon everything here in indecent haste. We are legislating, and I think we ought not to do it in too big a hurry, especially when we have only a few who are willing to come here night after night and stand up for the old soldier.

The hypocrite will stand up in the daytime and make speeches, but when he is wanted to be here in the House at night he is in his downy couch snoring in dreamland. [Laughter.] I think there ought not to be a refusal to have the report read, so that we may vote intelligently while these upper tens are snoring away their time on their downy couches. When they go home they will state what they have done, how they have fought, bled, and died for the old soldier, and they have not done anything. [Great laughter and applause.]

Mr. RAY of New York. Now, Mr. Chairman, I understood the gentleman from South Carolina to say that he had tried to get the reports in these cases, but he was unable to do so.

Mr. TALBERT. Not here.

Mr. RAY of New York. You do not mean to say you could not find the printed report?

Mr. TALBERT. No; I said I had failed to get them when they were called up. I failed to find them in my files, and I thought we ought to have them read. I wish to say I never stand here and demand the reading of a report for the purpose of killing time, because I am a friend of the old soldier.

Mr. RAY of New York. I am only seeking to know what the gentleman meant when he said he could not get the report.

Mr. TALBERT. I wanted to find out these people—the hypocrites—and I intend that the people shall know it, if I can get it into the RECORD.

Mr. RAY of New York. I very much regret that I requested an opportunity to make a statement instead of having the report read, because a great deal more time has been consumed than would have been by the reading of the report.

Mr. SULLIVAN. Perhaps it is not improper for me to ask——

The CHAIRMAN. The gentleman from New York has asked to have the report read in his time.

Mr. RAY of New York. What is it the gentleman would like to say?

Mr. SULLIVAN. I was going to say it is impossible for anybody to understand these cases. Only a few gentlemen in the committee meeting consider these claims.

Mr. GIBSON. The full committee of fifteen.

Mr. SULLIVAN. And it is impossible for us to understand them without explanation. Well, grant, for the sake of the argument, that the full committee of fifteen consider these cases. That is a very small proportion of this House; and yet we are expected to come here and read simply the title of the bill and then vote upon it blindly, without knowing anything on earth about the case or about the merits of the controversy. Bill after bill passes that way; and even in the reading of a little report over half the time the buzz and confusion is so great we can not hear it read; but having heard it read you merely get a glimpse at the merits of the case. Before passing bills I think we ought at least to have that much done. There is not another——

Mr. RAY of New York. Well, let us have it read.

Mr. SULLIVAN. There is not another committee of the House that make reports that get their bills passed in this way.

The CHAIRMAN. The Clerk will read the report in the time of the gentleman from New York.

The Clerk read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6388) granting an increase of pension to Joseph R. Mathers, have examined the same and the evidence, and respectfully report:

This bill as amended proposes to increase from $6 to $24 per month the pension of Joseph R. Mathers, of Buckhannon, W. Va., who served from June 25, 1861, to July 6, 1864, as private, Company A, Third West Virginia Volunteer Infantry, when honorably discharged.

The records show him to have been treated while in service for "hemorrhoids," paronychia, inflammation of lungs, rheumatism, and bronchitis.

He filed and established a claim for partial loss of right thumb, and was

pensioned therefor at $2 from date of discharge, and was increased to $4 from October 22, 1885, and to $6 from March 25, 1891.

He claimed pension for disease of heart, but said he first noticed it about 1877, and the claim was rejected on that ground.

At an examination by a board of United States surgeons July 20, 1892, he was rated six-eighteenths for thumb, four-eighteenths for heart, and four-eighteenths for catarrh. At another examination, August 15, 1894, the board said:

"We find loss of distal joint of right thumb. No disease of heart. No nasal catarrh. Is not well nourished. Muscles atrophied and flabby. Palms normal. General appearance denotes anæmia. Has the old man's pace or shuffle, and is very much debilitated. Articulates with difficulty. Complains of numbness of left arm, side, and leg. Has fallen several times while walking on the street. His movements are feeble and he is easily fatigued. Coordination of movements in walking is impaired and exaggerated in the dark or with eyes closed.

"This claimant up to five years ago was an active, muscular man. About that time he became very dissipated and continued in this condition up to about one year ago, since which time he has abstained entirely from intoxicants, and during the last year has lost all of his activity and muscular power and is now a physical wreck."

Mr. TALBERT. I move to dispense with the further reading of the report. I believe they ought to put in $100 for the funeral expenses. [Laughter.]

Mr. DORR. Mr. Chairman, I move to strike out "25" and insert "50." This soldier and his wife are both invalids. The person they have to take care of the family is a little girl about 20 years of age, and she does the work. It is a deserving case.

Mr. TALBERT. I want to ask if he has a good position anywhere?

Mr. DORR. He has nothing. He is lying on his bed and his wife is lying on her bed.

Mr. RAY of New York. Mr. Chairman, the committee has increased this man's pension from $6 to $24 a month simply on account of his disabled condition, and that is an amount he could not get at the Pension Bureau. We are giving it to him, and that is all the committee ought to do, and it is going a great way in doing that. The bill when introduced by the gentleman only asked $25, and it was put at $24 so as to be consistent with the rating given in cases of this kind.

Mr. DORR. At that time I did not know the condition of the soldier.

Mr. RAY of New York. We have given him all that his condition warrants. The case was very carefully investigated.

Mr. SULLIVAN. I would like to inquire whether this increase is to be dated from the passage of this act?

Mr. RAY of New York. Certainly.

Mr. GIBSON. From the passage of the act?

Mr. DORR. From the passage of the act.

Mr. SULLIVAN. This is the case in which the reading was dispensed with?

Mr. RAY of New York. No; you have just heard the report read.

The CHAIRMAN. The question is on the adoption of the amendment to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the words "twenty-four" and insert the word "fifty;" so as to read, "$50 a month."

Mr. SIMS. Are we now asked to increase the pension from $24 to $50?

Mr. RAY of New York. That is the proposition of the gentleman who introduced the bill. We have given the soldier all he is entitled to.

Mr. SIMS. The committee amendment is $24. I hope you will stick to that, or at least not go higher than that.

The question was taken; and the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the adoption of the amendment proposed by the committee.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES C. KINKLE.

The next business on the Private Calendar was the bill (H. R. 6242) to restore the name of Dr. James C. Kinkle to the pension rolls.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Dr. James C. Kinkle again on the pension roll of the United States and to pay said Dr. James C. Kinkle a pension at the rate of $12 per month, from the date of the order striking his name from the pension roll of the United States, and to continue payment of the pension at the rate of $12 per month from and after the passage of this act.

Mr. SULLIVAN. Mr. Chairman, I ask for the reading of the report.

The report (by Mr. MIERS of Indiana) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6242) granting a pension to James C. Kinkle, have examined the same and the evidence and report:

This bill as amended proposes to restore to the pension roll, at $12 per month, James C. Kinkle, of St. Paul, Minn., who served as an acting assistant or contract surgeon, United States Army, from September 27, 1864, to August 19, 1865, when his service was honorably terminated. He filed and established a claim under the act of June 27, 1890, and was pensioned thereunder at $12 per month from October 9, 1890, until January, 1895, when his name was dropped from the rolls, under the decision in the Andrew J. Shannon case, on the ground that his was not a pensionable service.

When examined in 1891 he was rated six-eighteenths for varicose veins, eight-eighteenths for piles, and eight-eighteenths for rheumatism. That was more than six years ago, and he is now over 71 years of age and his disabilities, of course, greater than they were at that time.

This committee has frequently declared that in its opinion service as acting assistant or contract surgeon is pensionable under the act of June 27, 1890, the decision of the Secretary to the contrary notwithstanding, and in that opinion has been sustained by the House.

This bill is therefore reported back with the recommendation that it pass when amended as follows:

In line 4 strike out the word "Doctor."

In line 5 strike out the word "again;" also the words "of the United States" and the word "to."

In line 6 strike out the words "Dr. James C. Kinkle" and insert in lieu thereof the word "him."

Strike out all after the word "month" in line 7.

Amend the title so as to read: "A bill granting a pension to James C. Kinkle."

Mr. TALBERT. Is there anything to show, Mr. Chairman, that he was ever mustered into the service?

Mr. RAY of New York. Yes, there is; he was on the pension roll.

Mr. TALBERT. There were a good many on the pension rolls who never were mustered into the service.

Mr. RAY of New York. Your question was whether or not he was ever mustered into the service.

Mr. TALBERT. Yes.

Mr. RAY of New York. He was.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

GEORGE F. MILLER.

The next business on the Private Calendar was the bill (S. 1773) to amend the military record of George F. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to amend the record of George F. Miller, who enlisted under the name of George F. Young on the 10th day of May, 1861, in Company G, Seventy-first Regiment New York Volunteers, and that an honorable discharge be granted: *Provided*, That no pay, bounty, or other allowances shall become payable by reason of the passage of this act.

Mr. SULLIVAN. I ask for the reading of the report, Mr. Chairman.

The report (by Mr. BROWNLOW) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 1773) to amend the military record of George F. Miller, having had the same under consideration, report the same back to the House with the recommendation that it do pass.

The report of the Senate Committee on Military Affairs is hereby adopted and made a part of this report.

"The Committee on Military Affairs, to whom was referred the bill (S. 1773) to amend the military record of George F. Miller, after careful consideration report the same back with the recommendation that it do pass.

"It appears from the records of the War Department that this soldier, under the name of George F. Young, jr., enlisted at the age of 14, on the 9th day of May, 1861, as a private in Company G, Second Regiment Excelsior Brigade, subsequently designated Company G, Seventy-first New York Infantry Volunteers, and was mustered into service June 28, 1861, to serve three years.

"It appeared that he served faithfully until March 18, 1862, when he is reported deserted. From the evidence of comrades corroborating the statement, under oath of the applicant, it further appears that the said George F. Miller, while stationed with his regiment at Sandy Point, Maryland, in March, 1862, was placed on the sick list because of an injury or sprain to his ankle received while at drill in the line of duty, and so remained until May 2, 1862, when his regiment was ordered to the peninsula of Virginia. The said Miller was then sent home as unfit for duty, where he remained until the close of the war.

"The soldier further states that his furlough and discharge were to follow on his return home, but this never occurred. The testimony further shows that Miller was never fit for duty again at any time prior to the expiration of his term of enlistment; that, indeed, he has always been a sufferer more or less from the injury received, and is still at times forced to use a crutch or cane.

The committee believe that there is nothing in this soldier's record to show that he intended to desert, but that he was prevented from completing his term of enlistment by reason of disability contracted in the service. The extreme youth of the soldier alone, being a mere child of 14 years when he entered the military service, ought of itself to relieve him of the stigma resting on his name. His present reputation as a citizen is excellent.

The committee, in view of all the facts of this case, recommend the passage of the bill for his relief.

Mr. SULLIVAN. Is the gentleman who introduced this bill present?

Mr. BROWNLOW. It is a Senate bill and comes to the House, having been passed by the Senate.

Mr. GIBSON. Is there a provision that no pay, bounty, or allowance shall become payable—the usual provision?

Mr. BROWNLOW. There is.

The bill was laid aside to be reported to the House with a favorable recommendation.

JOHN PHELON.

The next business on the Private Calendar was the bill (H. R. 6616) to remove the charge of desertion against John Phelon, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now standing in the records against John Phelon, deceased, late a member of Company C, Third

Regiment of Massachusetts Volunteer Infantry, and of Company F, Second Battalion of the Fifteenth Regiment of United States Infantry, and to issue an honorable discharge from the last-named service.

Mr. TALBERT. I ask for the reading of the report.

The report (by Mr. BROWNLOW) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 6616) to correct the military record of John Phelon, deceased, submit the following report:

It is shown by the records of the War Department that John Phelon was enrolled September 18, 1862, and mustered into the service September 25, 1862, as a private in Company C, Third Massachusetts Infantry Volunteers, to serve nine months. He appears to have served faithfully to June 20, 1863, when he was mustered out with his company and honorably discharged the service. It is further shown that he reenlisted in Company F, Second Battalion, Fifteenth United States Infantry, August 2, 1863, and deserted August 31, 1866, at Vicksburg, Miss., and never returned to his command.

So far as it appears, this soldier's service was entirely honorable and faithful in the last-named organization until August 31, 1866, a period of over three years.

The affidavit of Mary A. Phelon shows that the soldier was granted a furlough in June, 1866, and that when he returned home he was sick with fever and ague and disease of the heart, and physically unable to return to his command.

John Connors, on March 11, 1898, testified as follows:

"That he was well and personally acquainted with the above-named John Phelon; he remembers well when the said soldier returned home on furlough in June, 1866; he was suffering from malarial fever and disease of the heart, and was a constant sufferer for over three years; he was confined to his bed for weeks at a time and unable to dress himself; if it had not been for good nursing and good care he would not have lived as long as he did; he can truthfully say that the said soldier was not able to return to his command, and was unfit to perform the duties of a soldier; he was a constant sufferer from the above-named disabilities from 1866 to the day of his death."

Catherine F. McDermott, on March 11, 1898, testified as follows:

"That the above-named soldier, John Phelon, returned home on furlough in June, 1866; he was troubled with malarial fever and disease of the heart; he was troubled with the same over three years after his return on said furlough; he was unable to return to his command, and unfit to perform the duties of a soldier; he was troubled with the above-named disabilities from June, 1866, to the time of his death."

Mary A. Phelon, on March 11, 1898, testified as follows:

"That she is the widow of the late John Phelon, who died in April, 1880. She is unable to furnish the testimony of the physician who treated her late husband, for the reason that he is dead."

This case seems to be one of very decided and exceptional merit. The records show faithful service for a period of nearly four years, covering the greater part of the war of the rebellion, and for a period of a year and three months after the close of the war. The alleged desertion, therefore, occurred after the hostilities had ceased, and as the evidence indicates that the absence of the soldier from his command and failure to return were due to serious disabilities from which he was suffering when granted a furlough, and which must have been contracted in service, and which condition continued until after the expiration of his term of enlistment, the committee recommend that the bill do pass with the following amendment:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JOHN WILLOUGHBY.

The next business on the Private Calendar was the bill (H. R. 3790) to remove the charge of desertion against John Willoughby.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing on the records of the War Department against John Willoughby, of Washington, Kans., late of Company C, Eighteenth United States Infantry, and grant him an honorable discharge in said company as of date of the end of his term of enlistment therein.

The amendment recommended by the committee was read, as follows:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. VINCENT. Mr. Chairman, it may save reading the report if I state a few facts in relation to this case. This man entered the Army in 1861, when he was only 17 years of age, and served faithfully for four or five years. The evidence shows clearly that he was taken sick while his regiment was on the march and he was unable to reach his regiment until after he was put down on the records as a deserter.

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WILLIAM P. BRASSINGTON.

The next business on the Private Calendar was the bill (H. R. 7561) to correct the military record of William P. Brassington.

The bill was read, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of William P. Brassington, late private in Company I, Fifth Regiment New York Volunteers, and grant him an honorable discharge.

The amendment recommended by the committee was read, as follows:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment proposed by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

JAMES A. STODDARD.

The next business on the Private Calendar was the bill (H. R. 3071) for the relief of James A. Stoddard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of James A. Stoddard, late corporal in Company B, Eighth Wisconsin Volunteer Infantry, by removing the charge of desertion therefrom and granting him an honorable discharge.

Mr. KNOWLES. Mr. Chairman, I ask for the reading of the report.

The report was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 3071) for the relief of James A. Stoddard, have carefully considered the same and beg leave to report as follows:

James A. Stoddard was enlisted June 1, 1861, and mustered into service October 11, 1861, as a private in Company B, Eighth Wisconsin Infantry, to serve three years. He reenlisted January 2, 1864, as a veteran, to serve three years, and appears to have served faithfully until February 3, 1865, when he is reported to have deserted.

The circumstances of his alleged desertion, as given by the testimony of some five of his comrades, and which circumstances are practically confirmed by the report from the War Department, are as follows: While his regiment was at Iuka, Miss., about February 1, 1865, he was detailed for duty with a foraging party, and at the request of members of his mess he "captured" some knives and forks from a citizen.

Complaint being made to the commanding general, that officer ordered an investigation, at the same time remarking that he "would make an example" of the guilty man if he could be found. This threat of the general being construed by Stoddard into a fear of being shot, he ran away in an effort, as he believed, to save his life. When the President's proclamation of March 11, 1865, regarding deserters was issued he was at home, sick in bed, and so continued until the war was over.

The testimony of Stoddard's comrades on file shows him to have been a most brave and gallant soldier, who had participated in every battle in which his regiment was engaged, and that up to the time of committing this petty misdemeanor he had never been under arrest. There is also the testimony of citizens and neighbors that since the war Mr. Stoddard has been a most excellent citizen, having filled many positions of honor and trust by the choice of his fellow-men.

Your committee therefore very much regret that this brave soldier and excellent citizen should for so many years have been compelled to rest under this stigma upon his excellent military and civil record, and therefore report the bill favorably and recommend that it do pass with the following amendment:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. SULLIVAN. Mr. Chairman, I would like to ask if the gentleman who introduced this bill is present?

Mr. KNOWLES. He is; I introduced it.

Mr. SULLIVAN. I would like to hear some explanation about it.

Mr. KNOWLES. About everything to be stated in regard to this bill is stated in the report. This is one of those cases that is not supported by ex parte testimony, but the records of the War Department show just what is given in this testimony. It is true that this man enlisted when he was a mere boy; that he served faithfully three years, and reenlisted as a veteran and served nearly another year; that he was one of the bravest men in the regiment and participated in every battle. It is true he did on a foraging expedition capture some knives and forks——

Mr. TALBERT. Did he capture them or just steal them or appropriate them?

Mr. KNOWLES. Yes; he appropriated them.

Mr. COLSON. Does anything about spoons or knives and forks appear in the report of the committee?

Mr. KNOWLES. Yes, sir.

Mr. SULLIVAN. That is precisely what was read in the report just now.

Mr. CLARDY. Were they silver spoons?

Mr. TALBERT. Does not the report show that this soldier took the spoons back?

Mr. KNOWLES. No; it does not. But it says that complaint was made, and that the officer in command said that he would make an example of this young soldier, who, being afraid that he was going to be shot, ran away in an effort, as he believed, to save his own life.

Mr. SULLIVAN. He ran away rather than restore the knives and forks.

Mr. KELLEY. Is the gentleman from South Dakota [Mr. KNOWLES] personally acquainted with the beneficiary in this case?

Mr. KNOWLES. I am.

Mr. RIDGELY. There is nothing in the report to show that he took the spoons back?

Mr. KNOWLES. No, sir.

Mr. COLSON. Will the gentleman who represents this bill say what metal these spoons were made of?

Mr. TALBERT. What was the age of this young soldier?

A MEMBER. You mean the age of the spoons?

Mr. TALBERT. No; the age of the soldier.

Mr. KNOWLES. I understand he was only 16 years old when he enlisted.

Mr. TALBERT. If he had taken a turkey or a chicken or a goose or a hog to satisfy his hunger, he would have been more excusable. But it seems to me he was scarcely pardonable in going out and taking forks and spoons—I do not believe he took any

spoons, did he?—I believe it was knives and forks. But although his action seems to me to be hardly excusable, I am willing to take into consideration his extreme youth and his tremendous appetite. And so I have nothing more to say.

Mr. BROWNLOW. The gentleman from South Carolina [Mr. TALBERT] complains of the fact that this soldier stole knives and forks, and did not steal chickens or hogs.

Mr. TALBERT. I suppose the gentleman from Tennessee would have taken a hog or two or a mule or two.

Mr. BROWNLOW. But I want to say that while this soldier stole the knives and forks, it is to be presumed that his comrades took the hogs and the chickens.

Mr. SULLIVAN. As I understand, the reason this soldier deserted was that his superior officer had threatened to require him to take back the knives and forks——

Mr. KNOWLES. No, sir; that is not true.

Mr. SULLIVAN. And rather than do that, he ran away.

Mr. KNOWLES. The officer threatened to shoot him.

Mr. SULLIVAN. No; the gentleman said a while ago, not that the superior officer threatened to shoot the soldier, but that the soldier imagined something of that kind would follow.

Mr. KNOWLES. The exact words of the officer to the soldier were that he "would make an example of him," which the soldier construed into a threat that he would be shot.

Mr. SULLIVAN. The officer did not threaten to shoot him, but was going to punish him in some way for taking or capturing or stealing (whatever you call it) the knives and forks; and on account of that threat the soldier ran away. And these being the circumstances of the case, his military record is to be amended so that he may be placed on the "roll of honor"—the pension roll, of which members are so proud.

The question being taken on the amendment reported by the committee, it was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

LAWRENCE P. RESSLER.

Mr. COX. The Clerk has passed over one bill—Calendar No., 578. It is a bill which was introduced by the gentleman from Pennsylvania [Mr. ERMENTROUT] who is not now present; but the gentleman from Tennessee [Mr. BROWNLOW] who reported the bill and is perfectly familiar with the facts is here. I understand the circumstances which called the gentleman from Pennsylvania away, and as a matter of kindness to him I would like to have the bill considered.

The CHAIRMAN. The gentleman from Tennessee [Mr. COX] asks unanimous consent that the Committee of the Whole shall consider, notwithstanding the rule heretofore adopted, House bill No. 5046.

There was no objection.

The bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence P. Ressler was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of Lawrence P. Ressler, formerly of Company C, One hundred and ninety-sixth Regiment Pennsylvania Volunteers, later a soldier in Company D of the Two hundred and thirtieth Regiment of Pennsylvania Volunteer Infantry, and to issue to said Ressler an honorable discharge from said last service.

The amendments reported by the committee were read, as follows:

Strike out the letter "P," occurring as the initial of the middle name in title of the bill and in line 5 of section 1 of said bill, and the letter "C," denoting the company, in line 6, and substitute the letter "I."

In line 8 strike out the word "thirtieth" and substitute the word "thirteenth."

At the end of line 10 insert the following:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Amend the title so as to read: "A bill to remove the charge of desertion from the military record of Lawrence Ressler."

Mr. TALBERT. I should like to hear the report read.

The report (by Mr. BROWNLOW) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 5046) to remove the charge of desertion from the military record of Lawrence P. Ressler, Company C, One hundred and ninety-six Pennsylvania Volunteers, and Company D, Two hundred and thirtieth Pennsylvania Infantry, recommend the passage of the bill with the following amendments:

Strike out the letter "P," occurring as the initial of the middle name in title of the bill and in line 5 of section 1 of said bill, and the letter "C," denoting the company, in line 6, and substitute the letter "I."

In line 8 strike out the word "thirtieth" and substitute the word "thirteenth."

At the end of line 10 insert the following:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The records show that Lawrence Ressler was enrolled July 6, 1864, and mustered into service July 20, 1864, as a private in Company I, One hundred and ninety-sixth Pennsylvania Infantry Volunteers, to serve one hundred days. He served faithfully until November 17, 1864, when he was mustered out with his company and honorably discharged.

February 22 he was enrolled, and mustered into service February 25, 1865, as a private in Company D, Two hundred and thirteenth Pennsylvania Infantry Volunteers, to serve for one year. He appears to have served faithfully until August 12, 1865, when it appears he left Camp Parole, Annapolis, Md., and was reported as a deserter. An unconditional pardon for desertion was granted him by the President April 22, 1879.

Ressler was born August 10, 1848; was consequently only 16 years of age at the time of first enrollment, and barely 17 years of age when he left the company of his second enlistment, in August, 1865, the war having ended the previous April.

Mr. TALBERT. Mr. Chairman, I move that that bill be laid aside to be reported to the House with an unfavorable recommendation.

Mr. COX. Mr. Chairman, I should hate very much to put the gentleman from Pennsylvania [Mr. ERMENTROUT] in that position, for I was trying to do him an act of kindness only, and I am sure that if the gentleman from South Carolina will hear the explanation of my colleague [Mr. BROWNLOW] he will not insist upon that motion.

Mr. TALBERT. Did not this man desert twice?

Mr. BROWNLOW. No; he had one honorable service.

Mr. TALBERT. These gentlemen around me were talking so much I could not hear.

Mr. BROWNLOW. This is a good case.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

ISAAC ALGER.

The next business on the Private Calendar was the bill (H. R. 4332) to correct the miltary record of Isaac Alger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he hereby is, authorized and directed to remove the charge of desertion standing against Isaac Alger, late a private in Company L, Tenth Regiment New York Heavy Artillery Volunteers, and to issue to him an honorable discharge as of date November 30, 1864.

The following amendment, recommended by the Committee on Military Affairs, was read:

Add at the end of the bill:

"*Provided*, That no pay, bounty, or other allowances shall become due or payable by reason of the passage of this act."

Mr. SULLIVAN. I ask for the reading of the report in that case.

The report (by Mr. BROWNLOW) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 4332) to correct the military record of Isaac Alger, having had the same under consideration, submit the following report thereon:

It appears by the War Department record that the soldier was enrolled August 11, 1862, to serve three years; deserted December 20, 1862; arrested April 15, 1863, and was restored to duty from this desertion by competent authority without trial, upon condition of making good the time lost and reimbursing to the Government the expenses incurred in his apprehension. He served faithfully thereafter until November 30, 1864, when he deserted from hospital furlough, and it does not appear that he ever came under military control subsequent to that date.

In applying for removal of the charge of desertion and an honorable discharge he declared, June, 1889, that he received a sick furlough from hospital in the fall of 1864 and was unable to return before his company was mustered out of service; that his attorney was informed on July 29, 1889, of the evidence required under the law, but the testimony called for has not been received at the War Department, and in its absence the Department is unable to determine whether or not the desired relief can be afforded under existing law.

The testimony presented to your committee shows that the soldier died on the 8th day of March, 1892. It appears from the affidavit of John Patton, of the town of Luddington, Eau Claire County, Wis., made September 29, 1897, that he was a member of Company C, Tenth Regiment New York Heavy Artillery, in which regiment the said Alger also served. Said Patton was well acquainted with said Alger prior to enlistment, and that said Alger was a well and rugged boy at the time of his enlistment.

Patton and Alger were together in Lincoln Hospital, near Washington, and were both furloughed home in October, 1864, and that said Alger went with Patton to the latter's home in Jefferson County, N. Y. Patton remained at home thirty days, being fifteen days after expiration of his furlough, and Alger did not return with him because he was not able to start, and remained in that condition at Patton's home until the latter was discharged from and with his regiment some time in June, 1865. Said Patton also states that when he reached home in June, 1865, he found Alger still at his home, and in a sickly and partly helpless condition and unable to hardly get around, and was being taken care of by said Patton's wife.

It appears from another affidavit, made on the same day by said Patton and his wife, Polly C. Patton, that they had been acquainted with said Alger from the time he was 9 years old up to the date of his death; he came home to their residence during the month of October, 1864; he was then an invalid on furlough from the United States service; he made his home at their place during the ten years following, and for the two years following his coming home on furlough (from 1864 until 1866) he was an invalid, and was treated and nursed by Mrs. Patton for more than a year; he was at no time able to return to his regiment from October, 1864, until 1866, on account of being sick with diarrhea and kidney troubles; he was treated by Mrs. Patton with roots and herbs from October, 1864, until the fall of 1866, and more or less after that; one Dr. Smith, who is now dead, also treated Alger for bleeding at his lungs and pain in his side; they were witnesses to Alger's bleeding at his lungs, and he was more or less troubled with bleeding of his lungs up to the date of his death.

The affidavits of E. L. Brockway, of Jackson County, Wis., made May 14, 1897; Joseph Popham, of Black River Falls, Wis., made June 1, 1897, and Dr. S. F. Wason, of the same place, made June 7, 1897, show that said Brockway and Popham became acquainted with said Alger in the year 1875, and that said Wason had known him for twenty-five years. These several affiants testify that during their acquaintance with said Alger he was an invalid and in poor health, and said Popham states, under oath, that Alger was a continuous sufferer from some malady of long standing which, in affiant's opinion, finally caused his death; Alger worked for affiant, and that he was often obliged to leave his work and go home to his bed; affiant knew a great deal about Alger's health on account of his working for him whenever he was able to do so during their acquaintance, and said Alger living in affiant's house at the time of and for years before his death in 1892.

The witness (Wason) also testifies that the soldier was in very poor health each and every year of witness's acquaintance with him; that the soldier was unable to stand exposure or to endure labor to any great extent, and that

said Alger continued to suffer from disease and was finally a physical wreck at the date of his death.

Your committee, upon due consideration of the testimony presented in this case, is of the opinion that the failure of the soldier to return to his regiment and serve out the full term of his enlistment was due to disability occasioned by ill health, and that the charge of desertion should consequently be removed from his record, and therefore recommend that the bill do pass with an amendment by adding, at the end of line 8, the following:

"*Provided*, That no pay or allowances shall become due or payable by reason of the passage of this act."

Mr. SULLIVAN. I should like to know whether the member who introduced this bill is present?

Mr. GRIFFIN. Mr. Chairman, for the benefit of the gentleman, I will say that I introduced that bill, and that I am here. The report, stating all the facts in the case, has been read, and I think it amply justifies favorable action.

The amendment proposed by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WILLIAM E. ANDERSON.

The Clerk read the title of the bill (S. 1329) granting an increase of pension to James H. Kile.

Mr. COX. Mr. Chairman, the last bill acted upon, as I understand, was the one to correct the military record of Isaac Alger. The next bill on the Calendar is for the relief of William E. Anderson.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that that comes within the prohibition of the rule which the committee have adopted.

Mr. COX. Mr. Chairman, I do not understand exactly what the rule is, but that is a case——

The CHAIRMAN. The gentleman from Tennessee was not present at the time of the adoption of the rule, as the Chair understands. The gentleman from South Carolina [Mr. TALBERT] asked unanimous consent of the committee that all bills relating to charges of desertion should be passed over without prejudice, in case the introducers of the bills were not present.

Mr. COX. Mr. Chairman, I do not wish to infringe upon any rule, but whenever I report a bill here to this House I propose to attend to it until it goes through. Now, here are the facts about this case: This is an old man who belonged to our service in the Mexican war. I do not know a thing on earth about him except that he looks like a good, clever old man. He does not live in my country, and I do not know in whose district he belongs. I do not care anything about that. I examined his case——

Mr. HAY. If the gentleman will permit me, I will ask unanimous consent that this bill be taken up, notwithstanding the rule.

Mr. COX. I am attending to the case as a matter of kindness.

A MEMBER. Where does this man live?

Mr. COX. I do not know where he lives. I never asked him.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] asks unanimous consent that the bill (H. R. 7673) be considered by the committee, notwithstanding the provision of the rule adopted heretofore. Is there objection?

There was no objection.

Mr. COX. To save reading the report I will give a history of this old man.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that the bill has not yet been read. The Clerk will report the bill.

The bill (H. R. 7673) for the relief of William E. Anderson was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to so amend the military history of William E. Anderson, Company H, Third United States Artillery, as to show him honorably discharged, to date June 18, 1847.

The following amendment, recommended by the Committee on Military Affairs, was read:

Add at the end of the bill:

"*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. COX. Now, Mr. Chairman, by permission of the committee, I can state all there is in this case. This old man went into our service in the Mexican war and went to Vera Cruz. It seems that he understood the Spanish language, and he was detailed in a printing office to assist in the Government printing of whatever they needed in that line.

While working there in that capacity his regiment was ordered on to the City of Mexico. After he got through with his detail work, he started to join his regiment, and in the effort to do so he was captured by the Mexican forces, put in prison, and kept for a considerable time. When he was discharged, he went to the City of Mexico to join his regiment, but found that while he had been detained his regiment had been discharged and sent home, because the war was over. That is the whole case.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

JAMES H. KILE.

The next business on the Private Calendar was the bill (S. 1829) granting an increase of pension to James H. Kile.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay James H. Kile, late first lieutenant Battery D, First Tennessee Light Artillery Volunteers, $24 per month, in lieu of $17 he is now receiving.

The Committee on Invalid Pensions recommended the following amendments:

In line 4, strike out "pay," and insert in lieu thereof "place the name of."

In line 5, after "Volunteers," insert "on the pension roll and pay him a pension of."

In line 6, strike out "$17," and insert in lieu thereof the word "that."

Mr. SULLIVAN. Mr. Chairman, I ask for the reading of the report.

Mr. RAY of New York. Mr. Chairman, if the gentleman will allow me, I will make a statement which will obviate the necessity of reading the report. The Pension Office has given this man $17 per month. We think, in view of his condition, that that amount is not sufficient, and we give him $24. At his medical examination he was found to be in the following condition:

General appearance feeble, complexion sallow, tongue red and fissured. Lungs normal, liver tender and enlarged. * * * Kidney tender. Rheumatism shown by anchylosis of right wrist, motion extremely limited, discoloration of skin at knees and on legs. Crepitation at kneejoints, ankles, elbows, and shoulders. Muscles atrophied, tendons contracted, back stiff. Hernia, left inguinal (complete) oblique. No evidence of venereal or vicious habits.

The report shows that he is totally incapacitated for manual labor. He can hardly do a thing. He is an old man, and we think in view of his condition that he is entitled to $24, instead of the $17, which they gave him at the Pension Office. Does not the gentleman think that with all these diseases he is entitled to it, his record being a good one?

Mr. SULLIVAN. Is his condition the result of disease or injuries contracted in the service?

Mr. RAY of New York. Disease contracted in the service.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

OLIVER P. SILVEY.

The next business on the Private Calendar was the bill (S. 637) granting an increase of pension to OliverP. Silvey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oliver P. Silvey, late of Company D, Forty-eighth Indiana Infantry, at the rate of $30 a month, in lieu of the pension he is now receiving.

The Committee on Invalid Pensions recommended the following amendment:

In line 7, after the word "Infantry," insert the following: "and pay him a pension."

Mr. SULLIVAN. I ask for the reading of the report.

The CHAIRMAN. The gentleman from Mississippi asks for the reading of the report.

The report (by Mr. KERR) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bills (S. 637 and H. R. 3069) granting an increase of pension to Oliver P. Silvey, have examined the same and the evidence relating thereto and respectfully report:

This bill proposes to increase from $12 to $30 per month the pension of Oliver P. Silvey, of Stevensville, Mont.

The Senate report (No. 254) states the facts, and is as follows:

"The Committee on Pensions, to whom was referred the bill (S. 637) granting an increase of pension to Oliver P. Silvey, have examined the same, and report:

"A similar bill was introduced in the Senate during the Fifty-fourth Congress, passed the Senate, and was reported favorably by the House.

"The Senate report was as follows, which your committee adopt, and recommend the passage of the bill:

"'The claimant was a musician in Company D, Forty-eighth Indiana Volunteers. He is at the present time drawing a pension at the rate of $12 per month for disease of the lungs, resulting from exposure at the siege of Vicksburg, June 13, 1863. An application for increase on account of aggravated condition of the lung trouble, for which pension was originally granted, and also rheumatism and disease of the left leg resulting from the service, was subsequently rejected by the Pension Bureau.

"'The record in the case discloses the fact that the claimant is in very bad physical condition. Affidavits on file with the committee, signed by six prominent citizens of Stevensville, Mont., who have known the claimant for five years or more, show conclusively that the claimant is not physically able to perform manual labor.

"'Under the circumstances, your committee believe that a pension of $30 per month will be commensurate with his disabilities, and accordingly recommend that the bill do pass with an amendment as follows:

"'Amend by striking out the word "twenty-four," in line 7, and inserting in lieu thereof the word "twenty."'"

As the claimant is so disabled by reason of army service that he can not do anything to support himself and is needy, your committee report the Senate bill with the recommendation that it pass when amended as follows:

In line 7, after the word "Infantry," insert the following: "and pay him a pension."

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MICHAEL MAHONEY.

The next business on the Private Calendar was the bill (H. R. 9642) granting an increase of pension to Michael Mahoney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Mahoney, late private, Company E, Twenty-second New York Volunteer Cavalry, and pay him a pension of fifty dollars per month in lieu of the pension he now receives.

Mr. RAY of New York. Mr. Chairman, since we reported that bill the beneficiary, Mr. Mahoney, has died. I therefore move that the bill be reported to the House with the recommendation that it lie upon the table.

The motion was agreed to.

LOUISE M. RICE.

The next business on the Private Calendar was the bill (S. 1476) granting an increase of pension to Louise M. Rice.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise M. Rice, widow of Brig. Gen. and Bvt. Maj. Gen. Samuel A. Rice, at the rate of $50 per month, in lieu of the pension of $30 per month she is now receiving.

The following amendments, recommended by the Committee on Invalid Pensions, were read:

In line 7, after the word "Rice," insert "and pay her a pension."

Amend the title so it will read: "An act granting an increase of pension to Louise M. Rice."

Mr. SULLIVAN. I ask for the reading of the report.

The CHAIRMAN. The Clerk will read the report in the time of the gentleman from Mississippi.

The report (by Mr. RAY of New York) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill S. 1476, and also the bill H. R. 2650, have examined the same and all the evidence, and respectfully report the Senate bill.

This bill proposes to increase, from $30 to $50 per month, the pension of Louise M. Rice, of Oskaloosa, Iowa.

This claimant is the widow of Brig. Gen. Samuel A. Rice, who was mustered into the service as colonel Thirty-third Iowa Volunteer Infantry October 1, 1862. He commanded brigades and divisions, participated in many important engagements, showed great capacity and bravery, and was wounded in battle April 30, 1864, from the direct effect of which wounds he died July 6, 1864. He was recommended for the brevet rank of major-general because of his meritorious services.

He was the only general officer from the State of Iowa whose death was directly caused by wounds received in battle.

His widow is now 67 years of age, in necessitous circumstances, in very poor health, and has no income except her pension of $30 per month, which she draws under the general law.

The case is most meritorious and as worthy as the cases of the widows of General Leggett and Commander Cushing, already reported from this committee and approved by the House.

The bill is therefore reported back with the recommendation that it pass when amended as follows:

In line 7, after the word "Rice," insert "and pay her a pension."

Amend the title so it will read: "An act granting an increase of pension to Louise M. Rice."

Mr. SULLIVAN. Mr. Chairman, as I understand, that bill proposes to increase the pension of this widow from $30 to $50 per month, and no reason is given except that she is in needy circumstances. Throughout this land there are plenty of widows and other people who need money, so far as that is concerned.

The $30 a month that is given there is certainly ample for one to live upon under ordinary circumstances. There is no claim that more than that is actually needed. The effort is now to raise the amount from thirty to fifty dollars. She is already upon the pension roll at the rate of $30 per month. I hope the gentleman will not insist upon the passage of such a bill as that. As far as I am concerned, I shall oppose it.

Mr. LACEY. I only want to say in behalf of this bill that General Rice was mortally wounded on April 30, 1864. He was brevetted major-general after his death. He was one of the most distinguished soldiers in the late war. The reason why this bill comes up in this form is this: He having been killed in battle, his widow was pensioned at the rate of $30 per month, which is the rate for a lieutenant-colonel or an officer of higher rank.

Every major-general or brigadier-general's widow almost has been uniformly pensioned at the rate of $50 per month by special acts until substantially, I think, every brigadier-general's widow from that State has been so pensioned excepting this woman. She is the only widow from that State whose husband being a general, was actually killed in battle. So that in fact an exception is made against her. She is 67 years of age, and has absolutely nothing to live on excepting this pension.

Mr. SULLIVAN. Will the gentleman state that $30 a month is not ample to live upon?

Mr. LACEY. I think not; but so far as that is concerned——

Mr. SULLIVAN. Is there anything here to disclose that that is not ample and that she is not amply provided for? Is there anything to show that those whose duty it would be to take care of her were not amply able to take care of her outside of her pension?

Mr. LACEY. Well, the understanding was simply this: That if other general officers' widows are pensioned at $50, especially where their husbands did not contract disease in the Army or were not killed in battle, this lady is really placed in a condition where she is discriminated against. And so far as this question of rank is concerned, that is one that has always been considered.

Now, the widow of Major-General Corse has been pensioned at the rate of $75 a month, the widow of General Trumbull at $50 a month, the widow of General Tuttle at $50 a month, and various widows in that way, under the rule that seems to have been adopted, and that has been laid down in this committee, that where the death was from army service a brigadier-general's widow should be pensioned at $50 a month, there being no rank above that of lieutenant-colonel recognized in the general law.

In this particular instance, while I have not favored these large pensions, I hesitated to introduce this bill until I felt that I should do so in justice to her. I was adjutant-general upon his staff, and took him from the battlefield; and I say that no braver or more distinguished soldier ever went from any State in the Union, and certainly not from Iowa. This is the anniversary of the day on which he was in a battle, the 15th of April, and the 30th day of April is the anniversary of his death wound.

My friend from Louisiana [Mr. OGDEN] was on the other side in the engagement in which he was killed. General Clark, formerly from Missouri and for years Clerk of this House, was also engaged on the other side in the same battle; and it certainly would be a recognition of this old lady in her declining years, when she has almost reached three score years and ten, to put her upon the same grade with other general officers' widows in the same position as she.

Mr. SULLIVAN. That is not the point. The point I made is that it does not appear that $30 a month, which this widow is now getting, under the general law, is not amply sufficient for her support. It does not anywhere appear that she needs an increased amount. We are dealing with matters that should address our sound judgment and common sense, and not be decided by any sentiment; and we should not grant an increased pension unless there is some good reason for it—a better reason than that somebody else is getting more than they ought to have. That is no reason for such action.

Mr. FARIS. Will the gentleman allow me to ask him a question?

Mr. SULLIVAN. Certainly.

Mr. FARIS. Does not the gentleman think that inasmuch as this widow's husband was killed in battle she should be accorded the same rate of pension that the widows of other generals have been given who were not killed in battle or from wounds received or diseases contracted in the service, from which they died?

Mr. SULLIVAN. I answer that question just this way. If the widows of other generals have received that which they were not properly entitled to receive it is no reason that this lady should receive more than the proper rate for her. If $30 a month is sufficient for her proper maintenance, then she should receive no more. The fact that we have been giving too much to others is no reason why we should give too much to this woman.

Mr. FARIS. Do you not think that to refuse it in this case would be a reflection on this general's widow?

Mr. SULLIVAN. I do not presume it would be a reflection upon this lady not to grant her this rate. When we are called upon to act upon questions of this kind our duty is to look at the particular facts, and there does not appear in this case to be any facts that justify raising the pension in this case from $30 to $50 a month; and the mere fanciful idea that she should receive more because others receive a greater amount does not weigh one single scintilla with me.

Mr. FARIS. Do you not think that when this widow is not receiving a rating equal to the widows of other generals of the same class whose husbands were not killed in battle we are discriminating against this widow who lost her husband in battle?

Mr. SULLIVAN. I do not think we are responsible for what others have done; and when the general law gives her $30 a month, I do not see that we are discriminating against her in not giving her $50 a month.

Mr. RAY of New York. I investigated this case most thoroughly, and held it in my hands for months. When the session first opened the gentleman from Iowa brought it to my attention, and grew very anxious because I did not report it earlier; but I held it until I had thoroughly investigated to see whether it was a case where we ought to grant an increase. The gentleman knows that I have fought here against granting extravagant pensions to widows of men of rank. He has heard that. I have had three or four battles, and I have won a good many curses because I took that position.

Heretofore it has been customary for this House to give pensions of $75, $100, or $150 a month, and sometimes more than that, to the widows of general officers who died because of disease contracted or wounds received in the service. I set my face, and the committee sustained me in it, that the committee would not give more

than $50 in the case of a widow whose husband was killed in battle; and we would not give above $30 where the husbands did not lose their lives on account of disease contracted or wounds received in the service; and in that the House has sustained us.

Now, we made another proposition, by which we strictly abided, which was that we would not grant a pension to any widow unless she needed it, and then the limit of the fifty-dollar rule was graded by their necessities. So in this case we insisted that evidence should be presented to us showing that this woman was in necessitous circumstances and needed this $50 per month.

When affidavits and letters came showing that by reason of her age, her physical infirmity, and necessitous circumstances—that covers age, weakness, and inability to do anything for herself—and her surroundings that she needed $50 a month, we then consented to report this bill. When I say necessitous circumstances, we mean that. Her physical condition is such that she needs a pension, that she needs care—she has no property of her own and that it takes $50 to give her not an extravagant living, but to give her a decent living. Now, that is what we say and what we mean, and it is what the proof shows.

Mr. SULLIVAN. The gentleman who just now asked the question did not put it on that ground, but he put it on the ground of necessity and on the ground of equalizing her with others; that there were other widows getting the same. There was nothing in the report except the general language, nothing to indicate that this sum was necessary, and I took it there was nothing there to show that this amount was necessary to her comfortable living. Then, again, if it is right to put all these people on a $50 basis, why do you not enact a general law and not bring them up here one by one?

I undertake to say that there are many people, many widows, as well as those of officers, equally deserving, and you are discriminating against them. You are giving the widows of officers a large sum and the others a small sum. It costs one just as much to live as the other; one has to be as comfortable as the other. The one would be satisfied certainly with $30 who is now only getting $15, and you keep on raising these up to $50. There is nothing to show that the difference between $30 and $50 is necessary.

Mr. RAY of New York. We have stated the necessitous circumstances and that this pensioner needs it. We do not put into the report everything about her surroundings. You take a widow in the country—on the farm that has been her place of residence—and she does not need so large a pension as the woman who lives in a large city or town, and so we make a difference. For instance, a woman brought up in a city and living there is entitled to live there.

We could not say, "You must move out into the country on a farm," where another widow, the wife of a farmer, lives. Neither do we say to the widow of a farmer, "You may move into the city and we will give you an increase that will enable you to live there." They are entitled to be cared for in the mode and manner in which they have been accustomed to live among their friends.

Mr. SIMS. Mr. Chairman, I want to say a few words with reference to this case. It looks to me as if a good many of the remarks of the gentleman from Mississippi [Mr. SULLIVAN] are pertinent. I do not blame the gentleman from Iowa for insisting on this bill, but what reason does he give for it? That every other widow of a brigadier-general in Iowa gets the same. He does not want any widows of brigadier-generals in Iowa discriminated against.

I appreciate that. I believe he said in his statement that some of them had been pensioned at $75 and some at $100. Now, then, on the same ground you ought to vote to increase from $50 all of those up to $100; bring them all up to the maximum rate. It seems to me this ought to be remedied by a general law if the Pension Committee makes it a rule to give to the widows of brigadier-generals $50. There ought not to be a special act in each case. Why not have a general law?

Mr. RAY of New York. We do not do it.

Mr. SIMS. I understood the gentleman from Iowa [Mr. LACEY] to make that statement.

Mr. LACEY. This committee has endeavored to proceed upon that line and fix $50 as the maximum rate where death was from disease or wound contracted in the service. They have adopted that as a rule, and this case comes up to the rule adopted by this committee.

Mr. SIMS. That is what I understood—that the committee had made such a rule.

Mr. RAY of New York. Let me tell you that with this committee no widow of a general officer can get an increase of her pension above the maximum rate fixed by the general law unless she shows that she is in necessitous circumstances and needs that increase.

The fact that she is the widow of a general officer does not entitle her with the committee to any increase, and she does not get it unless there is proof that she is in necessitous circumstances and needs the increase of pension. We have bills of that character that have been laid one side. When they get old and become poor and in necessitous circumstances, so that it would take $50 to give them a comfortable living, then we give it to them, but not before.

Mr. SIMS. If this widow were the widow of a captain, would you insist on giving her a pension of $50?

Mr. RAY of New York. No. Under some circumstances, if the death of her husband had occurred in the service, we might increase her pension to $30 or $35, the maximum for a captain being $20, if her condition and surroundings, her physical condition and financial condition, were such that it required $30 or $35 a month to give her a decent and respectable support.

Mr. SIMS. Then I understand the gentleman to imply that the necessities of a widow depend somewhat on the rank of her husband in the service?

Mr. RAY of New York. Not at all.

Mr. SIMS. Certainly that is the logical deduction from the gentleman's statement.

Mr. RAY of New York. To some extent that is the fact, because the widow's surroundings and mode of living are to be taken into consideration. Usually, not always, the widow of an officer of any considerable rank resides in a large town or city, where it costs more to live than out in the country. And we take that fact into consideration.

Mr. SULLIVAN. I understood the gentleman to say that this widow had been living in the country.

Mr. RAY of New York. No; I did not say that. We take into consideration the widow's actual physical and financial condition and necessities in determining the amount that will afford her a comfortable and respectable support.

Mr. SIMS. Now, let me put to the gentleman, seriously, this question: If a distinction is to be made in favor of widows who live in towns or cities, will not that fact encourage widows living in the country to emigrate into the towns or cities?

Mr. RAY of New York. If a widow emigrates for such a purpose, she will not get any increase.

Mr. SIMS. What is the difference whether a widow already resides in town or whether she goes there from the country?

Mr. RAY of New York. A widow has no business to go from the country to the town and then ask an increase in view of the additional expense of living.

Mr. SIMS. We can not question the motive which may prompt the change of residence. According to the gentleman's logic, a town widow is entitled to a larger pension than a country widow, because of the greater cost of living.

Mr. RAY of New York. Not at all. I say that when the widow of a soldier has been accustomed to live in a city—when her friends and acquaintances are all there—the committee would regard that as an element in fixing the increase that should be allowed her. In other words, we would not deny to a widow residing in a town or city an increase of pension because she could go out upon a farm somewhere, away from her friends, and live upon the pension she was already receiving. Is not my argument clear to the gentleman?

Mr. SIMS. I see the gentleman's point, but I differ with him for this reason: I think the patriotism and honorable service of the soldier to the Government should count for as much in favor of the country widow as the town widow, and I can not conscientiously vote to make any distinction between such cases.

Mr. RAY of New York. But the necessities of the widow in the two cases may not be the same. In order to bring this matter home to the gentleman, let me suppose that he has a sister, the widow of a general officer; that she has always lived in a city; that her friends and acquaintances and relatives are all there. We will suppose that she is old and poor and sick and bedridden; we will suppose that her friends or relatives are not able to take care of her; we will suppose that to care for her properly would require $50 a month, if she is to continue her previous residence.

At the same time it may be that if she would remove to a farmhouse in the country, away from her friends and acquaintances, $30 a month might suffice to support her. Will it be said that the committee should not allow her $50 a month that she may continue to live in town with her friends because by removing 50 miles into the country, away from her friends, she might live on $30 a month?

Mr. SIMS. Personally my feeling for my sister might prompt me to make a distinction in her favor. But when acting as a member on this floor, voting taxes, and paying pensions, I have no right to make a distinction in favor of a widow who wants to live in a city and walk on a pavement as against another widow of an officer of like rank who lives in the country and is obliged to walk in the mud.

Mr. TALBERT. Mr. Chairman, I have tried to follow the Committee on Invalid Pensions during this session, and I must say that the distinguished chairman of that committee has exercised a great deal of care and energy in the preparation of the bills which

have come before us. But it seems to me that, being of a fine disposition and a kind nature, he has in some of these cases been overpersuaded, has been induced to overleap the mark, and is beginning now to bring in bills which seem to be a little extravagant.

For instance, at the last night pension session we had up a pension of $50 per month for General Bingham, a man who was only in a certain kind of service for seven months, as judge-advocate-general, sitting as a judge in courts-martial, and at the same time a member of this House, drawing $5,000 a year and yet performing no service. About all he did was to hang Mrs. Surratt. Yet an attempt was made to give him a pension of $50 per month for it. I was constrained to oppose that measure.

Mr. LACEY. May I ask my friend a question?

Mr. TALBERT. Certainly.

Mr. LACEY. The bill before the committee now is one that we personally investigated in the last Congress, as you will no doubt remember, and earnestly favored at that time, but it was not reached on the Calendar.

Mr. TALBERT. We will come to that. I was opposed to General Bingham having anything, because I did not think he deserved it; but after failing to have the bill laid upon the table I moved to reduce the pension to $25 a month, and that was carried. I stood by that and made no further objection. Then the same night a pension bill was discussed here and passed, giving to General McMillan an increase of pension from $30 to $50 a month, when it appeared in the report that he was drawing $1,800 a year in the Pension Department. Yet he was not satisfied.

I think that was wrong and that that ought not to have been done. I was willing to leave him his $30 a month and to let him still continue to draw his salary of $1,800. Beyond that I thought we should not go. Then we pensioned here the widow of General Leggett and the widow of General Stevenson and several others at $30 a month. I recollect a few nights ago there was considerable discussion and an attempt to raise one of the other of those to $50 a month. That was finally voted down.

Now, here comes another pension for the widow of a brigadier-general, asking that she be given $50 a month or that she be given $20 per month in addition to what she is now getting. What are the reasons given why this increase of pension should be made? Simply because her husband wore the epaulets, because he was a general, because he was a big dog. For that reason his widow must be granted more than anybody else. That is one of the reasons given.

Another reason was because she wanted to live in the city; and some gentleman, I believe the chairman of the committee, said that one living in the country, on a farm, the widow of a farmer who was a soldier, could live on less, but that, living in the city, the pension of this woman ought to be run up to $50 a month.

Mr. KELLEY. Is it not true that if the same luxuries be provided they will cost more in the country than in the city?

Mr. TALBERT. Why, yes; because they will have to send in for them. Then the only reason that I can see that this widow must have $50 a month is because she is a widow of an officer and lives in the city. Therefore the taxpayers must pay her $50 a month, while the widow of a poor private, a true soldier who stood in the forefront of battle for four long years, who went into the red blaze of conflict every time he was commanded to go, and who finally fell and left his widow with nothing in the world except her labor—she must be content with eight or twelve dollars a month, and be discriminated against, while the officers, who were in bomb-proof positions possibly, or behind trees, saying, "Go ahead, boys," to these true-blue soldiers, are allowed $50.

I submit that it is not right. It is a wrong principle to actuate the minds of any of the members of this Congress. The whole tendency of this Government is against the interest of labor and the poor man and in the interest of the rich, in the interest of the aristocratic, in the interest of the officeholder, in the interest of the big dogs.

I think the time has come when the tide should turn and when the yeomanry of the country, the hoi polloi, as you may call them, the great mass of the people who bear the heat and burden of the day, should be taken into consideration as well as the élite of this country.

I am opposed to the passage of this bill and shall vote against it becoming a law.

The CHAIRMAN. The question is on the adoption of the amendments proposed by the committee.

The question was taken and the Chairman announced that the ayes appeared to have it.

Mr. SULLIVAN demanded a division.

Mr. RAY of New York. If the gentleman is going to do that, I will move that the committee rise and report the bills that have been laid aside, with a favorable recommendation, to the House.

The motion was agreed to.

The committee accordingly rose, and Mr. LACEY having resumed the chair as Speaker pro tempore, Mr. MOODY, chairman of the Committee of the Whole House on the Private Calendar, reported that that committee had had under consideration the bill (H. R. 9642) granting an increase of pension to Michael Mahoney, and had directed him to report the same to the House with the recommendation that it do lie upon the table; also, that they had had under consideration the bill (S. 1476) granting an increase of pension to Louise M. Rice, widow of Bvt. Maj. Gen. Samuel A. Rice, and had come to no conclusion thereon; also, that they had had under consideration the following bills:

H. R. 4651. For the relief of Jacob Shela, of Portsmouth, Ohio;

S. 116. Granting a pension to W. L. Faxon;

S. 467. Granting an increase of pension to Betsey B. Olin;

S. 1541. Granting a pension to "Ilewayaka" or "One-armed Jim;" and

S. 1773. To amend the military record of George F. Miller;

And had directed him to report the same to the House without amendment, favorably, and with the recommendation that they do pass; also, that they had had under consideration the following bills:

H. R. 2668. For the relief of William Henry Johnson;

H. R. 1607. To remove charge of desertion against Jacob M. Hamberger;

H. R. 3056. To correct the military record of Joseph Graham;

H. R. 1794. To remove the charge of desertion now standing against George Alcott on rolls of War Department;

H. R. 2646. For the relief of Edward C. Parsons;

H. R. 4239. To complete the military record of James Hicks, formerly captain Company M, Twelfth Regiment Ohio Cavalry Volunteers;

H. R. 3991. For the relief of Henry J. Fleming;

H. R. 4691. To increase the pension of Charles Hoffman;

H. R. 6785. Restoring Julia L. Roberts, late Julia L. Doty, to the pension roll;

H. R. 6388. Granting a pension to J. R. Mathers;

H. R. 6242. To restore the name of Dr. J. C. Kinkle to the pension roll;

H. R. 6616. To remove the charge of desertion against John Phelon, deceased;

H. R. 3790. To remove the charge of desertion against John Willoughby;

H. R. 7561. To correct the military record of William F. Brassington;

H. R. 3071. For the relief of James A. Stoddard;

H. R. 5046. To remove the charge of desertion from the military record of Lawrence P. Ressler;

H. R. 4332. To correct the the military record of Isaac Alger;

H. R. 7673. For the relief of William E. Anderson;

S. 1829. Granting an increase of pension to James H. Kile; and

S. 637. Granting an increase of pension to Oliver P. Silvey;

And had directed him to report the same with amendments, favorably, and that as amended the same do pass.

Also on H. R. 9642, granting an increase of pension to Michael Mahony, recommend that the bill lie on the table.

Also on S. 1476, granting an increase of pension to Louise M. Rice, widow of Bvt. Maj. Gen. Samuel A. Rice, had come to no resolution thereon.

And then, the hour of 10.30 o'clock having arrived, the House, under the rule, adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Edward G. W. Hall against The United States, was taken from the Speaker's table, referred to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DE ARMOND, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 3088) to amend "An act to provide the times and places for holding terms of the United States courts in the States of Idaho and Wyoming," approved July 5, 1892, as amended by the amendatory act approved November 3, 1893, reported the same without amendment, accompanied by a report (No. 1091); which said bill and report were referred to the House Calendar.

Mr. LITTLE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 9477) to amend section 8 of the act of Congress approved March 2, 1896, granting a right

of way to the Fort Smith and Western Coal Railroad Company through the Indian Territory, and for other purposes, reported the same without amendment, accompanied by a report (No. 1096); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1373) for the relief of Frances P. Trumbull, widow of Matthew M. Trumbull, reported the same with amendment, accompanied by a report (No. 1080); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Connecticut, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1858) for the relief of William Manley, reported the same with amendment, accompanied by a report (No. 1081); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4251) granting a pension to Margaret Thomas, reported the same with amendment, accompanied by a report (No. 1082); which said bill and report were referred to the Private Calendar.

Mr. BARBER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1271) granting a pension to Clara A. Short, reported the same with amendment, accompanied by a report (No. 1083); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4916) granting a pension to Virginia C. Fleanor, reported the same with amendment, accompanied by a report (No. 1084); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2357) granting an increase of pension to Merlin C. Harris, reported the same without amendment, accompanied by a report (No. 1085); which said bill and report were referred to the Private Calendar.

Mr. WARNER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 853) granting an increase of pension to George L. Durbin, reported the same with amendment, accompanied by a report (No. 1086); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2751) granting an increase of pension to Charles H. Johnson, reported the same with amendment, accompanied by a report (No. 1087); which said bill and report were referred to the Private Calendar.

Mr. BOTKIN, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1075) granting an increase of pension to Edward Stanley, reported the same with amendment, accompanied by a report (No. 1088); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 769) to increase the pension of Clark W. Harrington, reported the same with amendment, accompanied by a report (No. 1089); which said bill and report were referred to the Private Calendar.

Mr. BREWSTER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 408) to restore a pension to Harriet M. Knowlton, reported the same without amendment, accompanied by a report (No. 1090); which said bill and report were referred to the Private Calendar.

Mr. DE GRAFFENREID, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7841) granting an increase of pension to George S. Walton, reported the same with amendment, accompanied by a report (No. 1093); which said bill and report were referred to the Private Calendar.

Mr. COX, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3364) to correct the military record of Charles Dagenfield, reported the same with amendment, accompanied by a report (No. 1094); which said bill and report were referred to the Private Calendar.

Mr. STRODE of Nebraska, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5647) granting a pension to N. Miller, reported the same with amendment, accompanied by a report (No. 1095); which said bill and report were referred to the Private Calendar.

Mr. BELKNAP, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3537) to remove charge of desertion now standing against James Hennessy on rolls of the War Department, reported the same with amendment, accompanied by a report (No. 1097); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8336) to correct the military record of William D. Kurfiss, reported the same with amendment, accompanied by a report (No. 1098); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 638) for the relief of George W. Dunning, reported the same with amendment, accompanied by a report (No. 1099); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5758) to remove the charge of desertion from the record of James Geissinger, reported the same with amendment, accompanied by a report (No. 1100); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL: A bill (H. R. 9878) for the better organization of the line of the Army of the United States—to the Committee on Military Affairs.

By Mr. McCLEARY: A bill (H. R. 9879) to regulate the issuing of bonds of the United States—to the Committee on Ways and Means.

By Mr. BABCOCK: A bill (H. R. 9880) to extend the time for filing claims for additional bounty under act of June 28, 1866—to the Committee on War Claims.

Also, a bill (H. R. 9881) authorizing the attorney for the District of Columbia and his assistants to administer oaths and affirmations—to the Committee on the District of Columbia.

By Mr. FLEMING: A resolution (House Res. No. 287) directing the Secretary of the Navy to inform the House of Representatives if Senate Document No. 207 contains all the evidence embraced in the report of the naval court of inquiry—to the Committee on Naval Affairs.

By Mr. BULL: A resolution (House Res. No. 288) authorizing an investigation in regard to the construction of the Brooklyn Dry Dock No. 3—to the Committee on Rules.

By Mr. JONES of Virginia: A resolution (House Res. No. 290) requesting the Secretary of State to transmit certain correspondence between the State Department and the consul-general at Havana to the House of Representatives—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 9882) granting an increase of pension to Justus Freer—to the Committee on Invalid Pensions.

By Mr. BARHAM: A bill (H. R. 9883) for the relief of Albert Brown—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 9884) for the relief of Lizzie M. McDougal, daughter of private soldier who died as a prisoner of war—to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 9885) for the relief of sundry officers of the Ninety-sixth Regiment Pennsylvania Volunteers—to the Committee on War Claims.

By Mr. CAMPBELL: A bill (H. R. 9886) to remove the charge of desertion from the record of John H. Walters—to the Committee on Military Affairs.

Also, a bill (H. R. 9887) to increase the pension of William Luster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9888) granting a penson to George A. Coomer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9889) to increase the pension of Barney H. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9890) granting a pension to Napoleon B. Greathouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9891) to increase the pension of Charles H. Turner—to the Committee on Invalid Pensions.

By Mr. CURTIS of Kansas: A bill (H. R. 9892) for the relief of William T. Mahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9893) for the relief of Stephen Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9894) for the relief of E. J. Leppelman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9895) granting pension to Mary J. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9896) for the relief of Norman C. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9897) for the relief of Uriah Beech—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9898) to remove the charge of desertion from the military record of John H. Guernsey—to the Committee on Military Affairs.

By Mr. HARTMAN: A bill (H. R. 9899) for the relief of Ronald P. McDaniel—to the Committee on Invalid Pensions.

By Mr. HINRICHSEN: A bill (H. R. 9900) for the relief of Capt. Fletcher H. Chapman—to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 9901) for the relief of Theodore Ruggles Timby—to the Committee on Claims.

By Mr. MERCER: A bill (H. R. 9902) for the relief of Eliza Boyd Ewing, widow of George W. Ewing—to the Committee on War Claims.

By Mr. MOON: A bill (H. R. 9903) for relief of William R. Rogers, of James County, Tenn.—to the Committee on Military Affairs.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 9904) for the relief of John A. Sigur, of Acadia Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 9905) for the relief of Burlin Starns, of Livingston Parish, La.—to the Committee on Claims.

Also, a bill (H. R. 9906) for the relief of Widow Odile Felicite Deslonds, of Iberville Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 9907) for the relief of Louis Barron, of East Baton Rouge Parish, La.—to the Committee on War Claims.

By Mr. ROBBINS: A bill (H. R. 9908) granting an honorable discharge and a pension to W. Scott King—to the Committee on Military Affairs.

By Mr. SPARKMAN: A bill (H. R. 9909) to increase the pension of Sarah T. Hurst—to the Committee on Invalid Pensions.

By Mr. TONGUE: A bill (H. R. 9910) to provide pension to Ralph E. Summers, for services in the Oregon Indian wars—to the Committee on Pensions.

By Mr. BURTON: A bill (H. R. 9911) for the relief of David B. Lawrence—to the Committee on Naval Affairs.

Also, a bill (H. R. 9912) granting a pension to Aaron D. Morton—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BELKNAP: Petition of Lyon & Healy, of Chicago, Ill., for an appropriation for the maintenance of the levee system of the Mississippi River—to the Committee on Levees and Improvements of the Mississippi River.

Also, paper to accompany House bill No. 9843, granting a pension to Mrs. America Easton—to the Committee on Invalid Pensions.

By Mr. BRENNER of Ohio: Petition of 40 citizens of Camden, Ohio, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CASTLE: Petitions of the First Christian Church, First Baptist Church, First Methodist Episcopal Church, of Redlands, and citizens of San Diego County, Cal., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petitions of the First Christian Church, Methodist Episcopal Church, First Congregational Church, and First Baptist Church, of Redlands, Cal., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CURTIS of Kansas: Petition of citizens of Wakarusa, Richmond, Waverly, and vicinity, State of Kansas, asking for the passage of a bill to prevent the adulteration of flour—to the Committee on Ways and Means.

By Mr. FOOTE: Resolution of the Society of Colonial Wars of the State of New York, in favor of the purchase of Fort Ticonderoga by the Government—to the Committee on the Judiciary.

By Mr. GIBSON: Petition of citizens of Clinton, Tenn., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLET of New York: Petitions of the Methodist Episcopal Church of Vanetten, Epworth League of Wellsburg, and Woman's Christian Temperance Union of South Elmira, in the State of New York, praying for the enactment of legislation to forbid the transmission of lottery messages by telegraph, to further protect the first day of the week in the District of Columbia, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union of South Elmira, Epworth League of Wellsburg, and Methodist Episcopal Church of Vanetten, State of New York, to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GROUT: Petitions of the Woman's Christian Temperance Union of South Londonderry, Vt., Mrs. H. F. Forrest, presiding, for the passage of bills to prohibit the interstate transmission of gambling matter by telegraph and to protect State anti-cigarette laws—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of South Londonderry, Vt., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of the Woman's Christian Temperance Union of South Londonderry, Vt., remonstrating against the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HANDY: Petition of the Presbyterian Church of Dover, Del., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on the Judiciary.

By Mr. HURLEY: Petition of the National Association of Knit Goods Manufacturers of the United States in support of House bill No. 8036, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. JETT: Petition of D. Hentz, chief of fire department of Edwardsville, Ill., and 39 citizens, against the passage of Senate bill No. 2736, establishing a division in the Treasury Department for the regulation of insurance among the several States—to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of North Dakota: Petitions of the Woman's Christian Temperance unions of Grafton, Moselle, Knox, and Lisbon, First Presbyterian and First Methodist Episcopal churches of Lisbon, N. Dak., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the District of Columbia.

Also, petitions of the Methodist Episcopal Church of St. Thomas, citizens of Inkster, First Presbyterian and First Methodist Episcopal churches of Lisbon, and Woman's Christian Temperance unions of Lisbon and Moselle, N. Dak., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance unions of Grafton, Moselle, Knox, and Lisbon, and certain churches of Lisbon and Moselle, N. Dak., for the enactment of legislation to protect State anti-cigarette laws and to forbid the transmission of lottery messages by telegraph—to the Committee on Interstate and Foreign Commerce.

By Mr. McALEER: Petition of the executive officers of the Pennsylvania Pharmaceutical Association, favoring the passage of House bill No. 9154, to prevent the adulteration of drugs, etc.—to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Resolution of the Massachusetts Forestry Association, protesting against the suspension of forestry laws—to the Committee on Appropriations.

Also, petition of the Lexington (Mass.) Historical Association, indorsing the course of the President in the Cuban affairs—to the Committee on Foreign Affairs.

By Mr. McCLELLAN: Petition of the Chamber of Commerce of the State of New York, praying for an equitable treaty of reciprocity with the Dominion of Canada and the Crown colony of Newfoundland—to the Committee on Ways and Means.

By Mr. MAHON: Petition of citizens of Rouseville, Pa., favoring the passage of a law which will exclude from entrance into the United States undesirable immigrants of all classes—to the Committee on Immigration and Naturalization.

Also, petition of Dr. George G. Groff, president of the State Board of Health of Pennsylvania, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Young People's Christian Union of Mexico, Pa., to prohibit the sale of intoxicating liquors in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. NORTON of Ohio: Petition of the Woman's Christian Temperance Union of Vickery, Ohio, favoring the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of George Benham and 84 citizens of Fostoria, Ohio, asking for the passage of a bill for the relief of Sarah A.

Merchant, to accompany House bill No. 7526—to the Committee on Invalid Pensions.

Also, petitions of W. W. Brewer and 12 citizens of Tiffin, E. S. Stine and 6 citizens of Millersville, and S. M. Loose and 3 others, of Ballville, Ohio, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PACKER of Pennsylvania: Petitions of the Woman's Christian Temperance Union, Methodist Episcopal Church, Union Church, Baptist Church, Epworth League, and others, of Mansfield, Tioga County, Pa., and Methodist Episcopal Church of Picture Rocks, Lycoming County, Pa., favoring the passage of bills to raise the age of protection for girls to 18 years in the District of Columbia and the Territories, to protect State anti-cigarette laws, and to forbid interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

Also, petitions of the Methodist Episcopal Church of Picture Rocks, Pa., and of Woman's Christian Temperance Union, Methodist Episcopal, Union, and Baptist churches, Epworth League, and citizens, of Mansfield, Tioga County, Pa., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. PERKINS: Petition of 13 citizens of Correctionville, Iowa, in favor of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petitions of W. J. Gitton and 28 others, of McAfee, Ky.; Thomas H. Moore and 9 others, Gurney Junction, Ala.; J. J. Weatherby and 13 others, Milford, Ala.; D. J. Fleming and 20 others, Lawrence, Ala.; G. E. Burbank and 10 others, Cherokee, Ala.; J. T. May and 10 others, Montgomery, Ala.; V. T. Hudmon and 27 others, Opelika, Ala.; T. L. Moore and 30 others, Eufaula, Ala.; J. R. Porterfield and 30 others, Greenville, Ala.; Davenport, Morris & Co. and 15 others, Richmond, Va.; I. K. Taliofino and 25 others, Remington, Va.; S. C. Bargess and 16 others, Philadelphia, Tenn.; E. M. Muce and 8 others, Stewart, Miss.; J. R. McLelland and 30 others, Mooresville, N. C., and Judge O. F. Littlefield and 11 others, Jesup, Ga., in favor of the passage of House bill 7130 and Senate bill 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SPERRY: Petition of the Woman's Christian Temperance Union of East Haven, Conn., for the passage of a bill to forbid interstate transmission of lottery and other gambling matter by telegraph—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Woman's Christian Temperance Union of East Haven, Conn., in favor of the passage of the Broderick bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of East Haven, Conn., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. STURTEVANT: Petition of citizens of Meadville, Pa., protesting against the passage of Senate bill No. 2736, in relation to the regulation of insurance—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Fairview, Erie County, Pa., asking for the passage of a bill restricting railroad fares to 2 cents per mile for passengers—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union and 130 citizens of McLane, Pa., in favor of the passage of bills to forbid the interstate transmission of lottery messages by telegraph, to raise the age of protection for girls to 18 years, and to protect State anti-cigarette laws—to the Committee on the Judiciary.

Also, petition of citizens of McLane, Pa., against the sale of alcoholic liquors in Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. TONGUE: Petition of the Presbyterian Church of Ashland, Oreg.; also petition of citizens of the State of Oregon, for the passage of a bill forbidding the sale of liquor in all Government buildings—to the Committee on Public Buildings and Grounds.

By Mr. WARNER: Petition of 201 citizens of Monticello and Bennett, Piatt County, Ill., and of the Thirteenth Congressional district of Illinois, in favor of the repeal or radical modification of the civil-service law—to the Committee on Reform in the Civil Service.

Also, resolutions adopted by the fire departments of Clinton, Dewitt County, and Champaign, Champaign County, State of Illinois, in opposition to Senate bill No. 2736, to establish a division in the Treasury Department for the regulation of insurance, and for other purposes—to the Committee on Interstate and Foreign Commerce.

Also, petitions of 39 citizens of Monticello, 25 citizens of Gibson City, 62 citizens of Arcola, 40 citizens of Urbana, 40 citizens of Champaign, and Lodge No. 315, Locomotive Engineers' Division, of Clinton, Illinois, in favor of the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, five petitions of numerous citizens of Bloomington, Ill., in favor of legislation which will more effectually restrict immigration and prevent the admission of illiterate, pauper, and criminal classes to the United States—to the Committee on Immigration and Naturalization.

Also, petitions of citizens of Tuscola, Douglas County, Ill., in favor of bills to forbid the interstate transmission of lottery messages and to raise the age of protection for girls—to the Committee on the Judiciary.

Also, petitions of the Woman's Christian Temperance Union and 190 citizens of Tuscola, Ill., asking for the passage of a bill to forbid the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

SENATE.

SATURDAY, *April 16, 1898.*

The Senate met at 10 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. ALLEN, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

JOHN P. THOMAS.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 164) granting an increase of pension to John P. Thomas, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate further insist on its amendment and agree to the conference asked for by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. CANNON, and Mr. KENNEY were appointed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (H. R. 427) for the preservation and protection of public records and documents, and providing for the use of copies thereof as evidence;

A bill (H. R. 3963) to permit certain parties to intervene in the equity cause of The United States against Morris and others, pending in the supreme court of the District of Columbia;

A bill (H. R. 4099) to confer jurisdiction upon the circuit courts in certain cases;

A bill (H. R. 4104) relating to the jurisdiction of the United States courts, and regulating procedure concerning the same;

A bill (H. R. 5521) declaring the Federal jail at the city of Fort Smith, Ark., a national prison for certain purposes;

A bill (H. R. 6160) to amend section 4746 of the Revised Statutes of the United States; and

A bill (H. R. 6901) to prevent the abatement of certain actions.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 6468) authorizing the Supreme Lodge of the Knights of Pythias to erect and maintain a sanitarium and bath house on the Government reservation at the city of Hot Springs, Ark.; and

A bill (H. R. 8162) to authorize the Secretary of the Interior to rent or lease certain portions of forest reserve.

The following bill and joint resolution were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 7089) to amend section 3542 of the Revised Statutes, fixing the amount that may be allowed the coiner and melter and refiner of the coinage mints and assay office at New York for the wastage of gold and silver; and

A joint resolution (H. Res. 14) authorizing articles imported from foreign countries for the sole purpose of exhibition at the Texas State Fair and Dallas Exposition, to be held at Dallas, Tex., in 1898, to be imported free of duty, under regulations prescribed by the Secretary of the Treasury.

The bill (H. R. 3391) for the relief of W. H. Barnard and Robert Thomas was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 5511) granting to the Chattanooga Rapid Transit Company the right to cross with its track the Dry Valley road to the Chickamauga and Chattanooga National Park was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 8581) for the protection of the people of the Indian

Territory, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 9210) granting an increase of pension to George H. Baldwin was read twice by its title, and referred to the Committee on Pensions.

The joint resolution (H. Res. 24) relative to the medal of honor authorized by the act of December 21, 1861, and July 16, 1862, was read twice by its title, and referred to the Committee on Naval Affairs.

EXECUTIVE COMMUNICATIONS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Navy submitting an estimate of appropriation, $5,425, to be immediately available, for the purpose of repairing the marine barracks and officers' quarters at the navy-yard, Mare Island, Cal., recently damaged by the earthquake of March 30, 1898; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

The VICE-PRESIDENT laid before the Senate a communication from the Attorney-General, transmitting a report made by Examiner W. P. De Pue as to the advisability of a change in the present law governing the holding of terms of court at Bay City, in the northern division of the eastern district of Michigan, etc.; which, with the accompanying papers, was referred to the Committee on the Judiciary, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House agrees to the amendments of the Senate to the following bills:

A bill (H. R. 639) increasing the pension of Charles B. Eades, Hopkinsville, Ky.;

A bill (H. R. 2629) to grant a pension to John Thurston, of Island Pond, Vt.;

A bill (H. R. 3132) for the relief of P. P. Miner, Company B, Twelfth Indiana Infantry;

A bill (H. R. 5994) to grant a pension to Mrs. M. Louise Anderson; and

A bill (H. R. 7539) granting an increase of pension to Mrs. Martha M. McCall.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (H. R. 90) granting a pension to Eunice Taylor;

A bill (H. R. 92) granting a pension to Auguste Whitmer;

A bill (H. R. 239) granting a pension to Rosa Karger;

A bill (H. R. 298) granting an increase of pension to Charles McAllister;

A bill (H. R. 368) for the relief of Charlotte A. Walker;

A bill (H. R. 777) to increase the pension of David N. Thompson;

A bill (H. R. 1246) for the relief of C. B. Bryan & Co.;

A bill (H. R. 1322) granting a pension to Benjamin F. Howland;

A bill (H. R. 2015) granting a pension to Elisabeth Lane;

A bill (H. R. 2074) granting a pension to Jane H. Sandborn;

A bill (H. R. 2426) granting an increase of pension to Helen Larned;

A bill (H. R. 4206) granting an increase of pension to Jacob G. Frick;

A bill (H. R. 4247) granting a pension to Sarah A. Landram;

A bill (H. R. 4300) to increase the pension to John C. Wagoner;

A bill (H. R. 4314) to increase the pension of Moritz Tshoepe;

A bill (H. R. 4548) granting a pension to Mathew B. Nale;

A bill (H. R. 7536) granting a pension to Jane A. Wilkinson; and

A bill (H. R. 7943) to make Knoxville, Tenn., a port of delivery, and to create the office of surveyor of customs.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a memorial of sundry citizens of Silver City, N. Mex., remonstrating against the policy of peace at any price, and favoring the attitude of the President and Congress on the Cuban question; which was ordered to lie on the table.

Mr. FAIRBANKS presented a petition of the congregation of the Central Presbyterian Church, of Newburg, Ind., praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which was referred to the Committee on the Judiciary.

Mr. PROCTOR presented a petition of 364 members of the Protective Grange, of Brattleboro, Vt., praying for the enactment of legislation to further extend the free delivery of mail in rural sections, and also to discontinue the free distribution of seeds and documents by the Government; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. TURPIE presented sundry memorials of Christian organizations of Richmond, Ind., remonstrating against any action being taken to dispossess William Duncan and his tribe of Indians of Annette Island; which were referred to the Committee on Territories.

He also presented a petition of sundry citizens of Huntington, Ind., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. DAVIS presented resolutions adopted by the officers and heads of departments of the publishing house of Funk & Wagnalls, of New York, favoring the immediate and unanimous passage of the Senate resolutions in regard to intervention in Cuba; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 4400) granting an increase of pension to Joel Blackman, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4399) granting a pension to Sarah Jordan, reported it without amendment, and submitted a report thereon.

Mr. CLAY, from the Committee on Claims, to whom was referred the bill (H. R. 7818) for the relief of Frank Loyd, of Georgia, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. GALLINGER introduced a bill (S. 4416) granting a pension to May F. Hilliard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 4417) granting a pension to Julia A. Veazey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TURLEY introduced a bill (S. 4418) for the relief of Julia Moore Selden; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PLATT of Connecticut submitted an amendment authorizing the Secretary of the Interior to pay out of the interest of the money due the Cherokee Nation $7,500, with interest at 6 per cent, to Wilkinson Call, for services as attorney, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PETTUS submitted an amendment relative to the appointment of a dental pathologist for the Army Medical Museum, intended to be proposed by him to the sundry civil appropriation bill; which was ordered to lie on the table, and to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:

A bill (S. 310) granting a pension to Johnson Hays;

A bill (S. 603) granting a pension to Clarissa E. Hobbs;

A bill (S. 1345) granting an increase of pension to Sarah Brumm;

A bill (S. 1466) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry;

A bill (S. 1467) granting a pension to Adolphine Krez, widow of Conrad Krez, late colonel Twenty-seventh Wisconsin Infantry and brevet brigadier-general of volunteers; and

A bill (S. 1751) granting an increase of pension to Moses M. Crants.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 99) granting a pension to Ira Ingraham;

A bill (H. R. 584) granting a pension to Mary I. Valentine;

A bill (H. R. 772) granting an increase of pension to William Taylor;

A bill (H. R. 1288) for the relief of Samuel McKee;

A bill (H. R. 2318) for the relief of John T. Brewster;

A bill (H. R. 2497) to increase the pension of James E. Easton;

A bill (H. R. 2866) granting an increase of pension to Myntie L. Hamilton;

A bill (H. R. 4189) granting an increase of pension to Newton W. Cooper;

A bill (H. R. 4488) granting an increase of pension to Peter Castle;

A bill (H. R. 4961) granting an increase of pension to George W. Osborn;

A bill (H. R. 5776) granting an increase of pension to Sidney J. Hare;

A bill (H. R. 6411) granting an increase of pension to Henry K. Opp;

A bill (H. R. 7321) granting an increase of pension to Lauritz Olsen;

A bill (H. R. 7554) granting a pension to William Iott;
A bill (H. R. 7802) granting a pension to Emily A. Hausuer;
A bill (H. R. 8181) for the relief of John A. Bingham;
A bill (H. R. 8299) granting an increase of pension to Thomas S. Tefft;
A bill (H. R. 8680) granting an increase of pension to William Tompkins; and
A bill (H. R. 9043) granting an increase of pension to Ann M. Smith.

INTERVENTION IN CUBAN AFFAIRS.

Mr. DAVIS. I move that the Senate proceed to the consideration of Senate joint resolution 149.

The VICE-PRESIDENT. Is there objection to the motion of the Senator from Minnesota?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Mr. TELLER. I think we ought to have a quorum of the Senate present, and I suggest the lack of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested by the Senator from Colorado, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Deboe,	Mallory,	Proctor,
Bacon,	Fairbanks,	Mantle,	Rawlins,
Berry,	Foraker,	Mason,	Spooner,
Burrows,	Gallinger,	Mitchell,	Stewart,
Caffery,	Gear,	Money,	Teller,
Cannon,	Hale,	Nelson,	Turley,
Carter,	Heitfeld,	Pasco,	Turner,
Chandler,	Jones, Ark.	Perkins,	Turpie,
Clay,	Kenney,	Pettus,	White.
Cullom,	Kyle,	Platt, Conn.	
Davis,	Lodge,	Platt, N. Y.	

Mr. MONEY. I desire to state that my colleague, the senior Senator from Mississippi [Mr. WALTHALL], is absent on account of sickness.

Mr. JONES of Arkansas. I move that the Sergeant-at-Arms be directed to request the attendance of absent Senators.

Mr. PASCO. I suggest that it does not yet appear that there is not a quorum present. There has been no announcement of the result.

Mr. JONES of Arkansas. I thought there had been an announcement made.

The VICE-PRESIDENT. Forty-two Senators have answered to their names. The motion of the Senator from Arkansas is in order. Is there any objection to it? The Chair hears none, and the Sergeant-at-Arms is so directed.

Mr. PRITCHARD, Mr. QUAY, Mr. PETTIGREW, and Mr. ROACH entered the Chamber and answered to their names.

The VICE-PRESIDENT. Forty-six Senators have answered to their names. A quorum is now present.

Mr. BACON. I move that further proceedings under the call be dispensed with.

The motion was agreed to.

Mr. CANNON. Mr. President, I am for peace, for a holy peace, for an everlasting peace, for peace with Spain, and peace with all the world. And the surest road to that peace is through the brazen gate of war. There is but one other road by which it can be honorably reached by the United States, and if only one other way by which it can be honorably attained, only one possible road which the American people will traverse to reach it, and that is by the absolute recession of the Spanish monarchy from all its claims of sovereignty over the Island of Cuba.

Mr. President, I had intended to discuss the question of intervention and the particular form which it should take, but in the brief moments which under the agreement we are allowed I shall be able only to say that I am for a declaration of intervention so decisive and so direct, so removed from all possibility of Executive change, so removed from all possibility of doubt in the mind of Spain as to what the American people mean when they declare that the war in Cuba must stop, that if Spain shall commit a further act of aggression after the American Congress has spoken in the name of 75,000,000 of freemen, the end inevitably will be war.

Mr. President, it will be a fatal error if at this time we shall repeat the mistake of two years ago and one year ago. Every declaration by the United States officially made has been accepted by Spain and has been complied with. Our prudence has been carried into the domain of folly. We have not asked enough nor in time. I agree with those Senators who have spoken, I agree with the committee, I agree with the fact and with the sentiment of all the people of the United States in appreciation of that fact, that had we spoken two years ago, had we spoken one year ago, in recognition of the belligerency of Cuba, our women would not now be wailing for their dead, sunk in Havana Harbor. If we shall fail now to do the courageous thing, the outspoken thing, God knows what result may flow to us and the world.

It is not my purpose to criticise the President of the United States. It is far less from my purpose to defend him here. Passionate rhetoric has been expended in answering the indictment which he himself helped to bring. It has three counts in it. One is made by the Committee on Foreign Relations, in which it says that had belligerent rights been accorded to the Cubans, the trouble would have been settled without intervention by the United States, and that means without the loss of our battle ship and our sailors and without the danger of war. The two other counts are made by the President himself in his message, one in which he declares that "The long trial has proved that the object for which Spain has waged the war can not be attained," while at the same time he declares against the recognition of the Republic of Cuba, which has destroyed all hope of the attainment of Spain's cruel purpose. The other count is in the declaration that intervention "involves, however, hostile constraint upon both the parties to the contest, as well to enforce a truce as to guide the eventual settlement." No matter what accusation or innuendo may be directed against the President, no matter how much of the time of the Senate and the country may be consumed in defending him against a charge too well laid or it would not have needed such resentment, the case will go down to history and the people will judge whether the President of the United States in the year which has elapsed since his inauguration has been vacillating, without a purpose, without a policy, one thing to-day and another thing to-morrow, or whether he has been a man who throughout all the year was looking straight into the eye of infinite wisdom and gathering there strength for a course as resistless as the movement of the stars.

Mr. President, I am for the recognition of the existing government in Cuba because I believe in the logic of the report made by the committee. Every argument of that report is either in favor of the recognition of the existing republic or it is against any recognition of the Cuban people.

When we go to war to recognize the people of Cuba, when we go to war upon an issue which Spain has made before the world, we go to war to make Cuba free or we go to war for conquest. I care not how much the question may be obscured by long and adroit arguments upon international law, this fact remains. It is plain to every man who judges solely by the dictates of common sense. If we take possession of that island, no matter how holy our present intention to establish a stable government there, when we come as conquerors and after some time at least, Heaven alone knows now how long a time, the manipulators of political events in the world alone will then decree how long a time, we must hold possession of the island until some satisfactory government shall be established.

Mr. President, it has taken us three long years to come to the verge of recognition of a republic already there, a republic which has made the name of Gomez glorious throughout the world, a republic whose soldiers in the field have turned back the power of Spain. How long will it take us to recognize the next republic which will be established there? We who have had every vital interest, we who have had a commerce amounting to $100,000,000 a year with Cuba, we who have sympathy with the republic and with the aspiration for liberty, have failed to recognize that government in three years of warfare maintained heroically. How long will it take the governments of Europe to recognize the republic which we shall establish, when every vital interest which they have is against such recognition?

The President asks that we shall make a government capable of maintaining its international obligations. Judged by the record of the past three years, it would take a generation to make a republic there which could have international relations and obligations with Europe.

We have had one war of conquest, and only one, and the nation was sorely punished soon after. The historian may trace some connection between the war with Mexico and the war between the States, the most tremendous struggle recorded by history. Let us not make another.

Mr. President, the sensitiveness entertained here with regard to the prerogative of the Executive is, to my mind, misapplied and unnecessary. The Senate has by a majority vote on two occasions declared that recognition is a legislative right. It is a strange thing to me that always when we will to do a thing we can do it lawfully, with holy purpose, without intrusion into other rights, and when we will not to do it the argument is made so magnificently as to almost convince disbelievers that it is wrong. If we had the right to pass the belligerency resolutions which the Senate itself sent to the other body, then we have the right to pass the resolutions of the majority of the committee with the addition of the resolution of the minority of the committee.

It will be observed that the argument is now exactly the argument of two years ago and one year ago, an invocation of international law to restrain the people of the United States. It has been inquired here that if we should recognize the existing Republic of Cuba by what right would we enter Cuba? Upon whose invitation? Mr. President, upon whose invitation are we entering Cuba now? Upon the invitation of Spain, which, according to our own admission, is the lawful government? No; against the protest of Spain. Can we not enter Cuba against the protest, if it should be offered, of the insurgent government by the same right which dictates us now? It is above commercial interest, it is above partisanship, it is above international law. It is more than an invitation; it is a command. It was uttered from the Mount, "Blessed are the peacemakers;" and the United States, in obedience to that command, will enter Cuba against the protests of all the governments of the earth and make peace there forever.

Mr. President, let no man deceive himself with the thought that the contest is unworthy of our courage and our splendor. We enter war, if at all, with Spain, the jackal of nations, feasting upon a battlefield on the bodies of the dead slain there in heroic combat, and sending her midnight cry to the lion and the eagle of Europe to join her. We will emerge from that war after a contest Heaven knows of what length, and with foes. Every throne in Europe trembles at the breath of warfare. And that which drives Spain to external combat to avert internecine strife may possibly be sufficient to induce other nations to join her. Spain asks an alliance with Germany, with Austria-Hungary, with Russia, and also with England and France. Eliminating the two latter countries from consideration, the allied forces of Spain, Germany, Austria-Hungary, and Russia are now on a peace footing of more than 2,000,000 men, with a navy of nearly 700 vessels, backed by a population, outside of the colonies, of 235,000,000.

Some men who do not favor these resolutions have expressed a fear of the consequences to us from armed intervention or mediation by European countries, and other men who do not favor these resolutions have expressed a fear of it lest the United States shall be written coward for destroying Spain. If we keep our motive pure and our purpose high, we will be sustained by Providence. We will vindicate ourselves to our consciences, to the wisdom and honor of the world, and to the day of judgment; and when the war shall have ended the United States will be able, I trust, to write a story of the deed in this one sentence: "The hand of God moved this country to destroy in Cuba the divine right of kings and establish there the diviner right of the people."

Mr. ALLEN. Mr. President, I would not consume the time of the Senate this morning but for the fact that I think it highly important to direct attention to one or two matters that have been thus far overlooked. I am glad to see this hour come. I have been looking forward confidently for the last two years and a half to the time when the United States, in its majesty and its power, would declare that Spain must retire from this continent. But on the 7th of this month there took place in this capital city a scene that was never witnessed in the United States before, and I trust will never be witnessed again. On that day the minister of Austria, the ambassador of France, the ambassador of Germany, the ambassador of Great Britain, the chargé d'affaires of Italy, and the chargé d'affaires of Russia entered the White House, representing their respective Governments, without protest, and there presented to the people of the United States, through the President, this remarkable document:

The undersigned, representatives of Germany, Austria-Hungary, France, Great Britain, Italy, and Russia, duly authorized in that behalf, address, in the name of their respective governments, a pressing appeal to the feelings of humanity and moderation of the President and of the American people in their existing differences with Spain. They earnestly hope that further negotiations will lead to an agreement which, while securing the maintenance of peace, will afford all necessary guaranties for the reestablishment of order in Cuba.

The powers do not doubt that the humanitarian and purely disinterested character of this representation will be fully recognised and appreciated by the American nation.

To that the President responded in a short address, as follows:

The Government of the United States recognizes the good will which has prompted the friendly communication of the representatives of Germany, Austria-Hungary, France, Great Britain, Italy, and Russia, as set forth in the address of your excellencies, and shares the hope therein expressed that the outcome of the situation in Cuba may be the maintenance of peace between the United States and Spain by affording the necessary guaranties for the reestablishment of order in the island, so terminating the chronic condition of disturbance there which so deeply injures the interests and menaces the tranquillity of the American nation by the character and consequences of the struggle thus kept at our doors, besides shocking its sentiment of humanity.

The Government of the United States appreciates the humanitarian and disinterested character of the communication now made on behalf of the powers named, and for its part is confident that equal appreciation will be shown for its own earnest and unselfish endeavors to fulfill a duty to humanity by ending a situation the indefinite prolongation of which has become insufferable.

Mr. President, this was most remarkable. I have not been able to find its similitude or parallel in the history of this country, and I am informed by Senators who have served for many years that they have never known of an instance of the kind before.

I want to register my protest against the so-called powers of Europe entering the White House of the United States and telling the American people what they shall do respecting a policy to be pursued on this hemisphere. I can not understand, when the papers were alive with the story that this was to take place, why the President of the United States or some other person in authority did not indicate to the powers that the presentation of a paper of that kind would be a violation of the traditions and the doctrines of this country. They know we do not tolerate foreign interference in our affairs.

But, Mr. President, this was the first step taken, evidently with the consent of the Administration, looking to the breaking down entirely of the policy of this nation and of the Monroe doctrine. We are capable of caring for ourselves. We are not enjoying our liberty to-day because Europe or the powers desire us to enjoy it. They would destroy a republican form of government this moment if they had the power to do so. While I will not inveigh against them at this or at any other time, I want it to be distinctly understood, so far as my voice in the Senate is concerned, and so far as my influence as a citizen may go, I will be found registering an unalterable protest against the recurrence of such a scene; and we are informed further since this note was received that the powers are mustering themselves for another assault on the White House; they are to go again to register, in more emphatic language than is here contained, their protest against our course respecting the Island of Cuba. So much for that matter.

Then, Mr. President, we have had a great variety of international law quoted and referred to in this Chamber during this discussion. I am not much of an international lawyer—and, anticipating what some one may think, I will say that I am not much of a lawyer of any kind—but I would not believe a man who had all the wisdom of Solomon if he would declare to me on his solemn oath that a revolutionary government in Cuba, among her own people, that would overthrow the reigning dynasty there, and recognized by us, would not destroy every obligation of that island, so far as the world is concerned, of the territory occupied by it. Sir, when a people through revolution destroy the reigning government and set up one of their own different in form, they take their title to the territory they control free from the obligations of the preceding sovereignty. So it is that when one sovereignty invades the territory of another and overthrows the reigning government and itself sets up a sovereignty, it assumes and is liable for the obligations of the sovereignty overthrown.

There is the keynote to the situation in this discussion. If the resolution of the minority shall prevail, it will be impossible to make this Government responsible for the Spanish-Cuban debt. If we intervene without recognizing the existence of the Cuban Republic, it will not be twenty-four months until Europe will be inviting us to an international arbitration to determine the liability of the United States for the Spanish-Cuban indebtedness.

Mr. President, it is important that we should bear these distinctions in mind. If we adopt the majority resolution, let us not go to the people a year or two from now and say, "Well, we did not understand the force of the resolution." When the men who are hovering over this Capitol, as vultures over a carrion, come here to beseech Congress to assume responsibility for the Spanish-Cuban indebtedness, now amounting to $519,000,000, let us not say we were not aware of our liability. It is because we are liable, it is because the law of nations will hold us liable, that we find this fierce contest waged against the proposed amendment recognizing the existence of the present Republic of Cuba.

Mr. President, without consuming time, I ask to print as a part of my remarks an editorial from the New York Commercial of the 4th of this month, stating in detail an account of the Cuban indebtedness, its different forms and amounts.

The VICE-PRESIDENT. There being no objection, it will be so ordered.

The statement is as follows:

[New York Commercial, Monday, April 4, 1898.]

SPAIN'S CUBAN DEBT.

The possibility that the indebtedness contracted by Spain in its administration of Cuba may play a part in the ultimate outcome of the Cuban question renders a succinct statement of what the debt consists of, how it was contracted, and where it is held of more than ordinary interest at this juncture. It may be mentioned at the outset that for bookkeeping purposes the Cuban treasury has been kept separate from that of the peninsula. This is, of course, a mere fiction, since Cuba, in spite of the severe taxation imposed upon it, has long been unable to meet the heavy charges for interest and sinking funds, and even before the present revolution in the island began the guaranty of the Spanish treasury and of portions of the peninsula revenues were all that gave any value to the several issues of Spanish-Cuban bonds.

These borrowings on the part of Spain for the account of Cuba consist of three distinct loans and the floating debt of the insular treasury. The first loan was made in 1886, and was nominally for $124,000,000 at 6 per cent. There are $117,970,000 of the bonds outstanding, and the interest and sinking-fund charges per annum are $7,888,200. In 1890 a new 5 per cent Cuban loan, with the usual Spanish guaranty, was created, nominally to refund the old 6 per cent loan and pay off the floating debt, which consisted of advances from the Spanish treasury. The refunding part of the operation was never completed, and when the present war on the island broke out, the bonds thus reserved were, of course, used to defray Spain's war expenses. At present

there are about $171,000,000 of the loan of 1890 outstanding, involving interest and sinking-fund charges of $9,700,000 per annum. Both the loan of 1886 and that of 1890 are payable, principal and interest, in gold.

The next Cuban loan was created in 1896, and as the insular revenues were exhausted, the guaranty of the imperial treasury had to be supplemented by a positive lien upon the Spanish customs receipts. This loan, it is also to be noted, is payable not in gold, but in silver pesetas. It consists of $160,000,000 of 5 per cent bonds, which have been issued from time to time during the past three years, mainly by the method of obtaining advances upon them from the Bank of Spain, which institution, to use a colloquial phrase, has carried the bag through the whole of Spain's desperate effort to obtain possession of its revolted colony. The charges upon the loan of 1896-1898, which was to be redeemed or refunded in eight years, amount to $26,000,000 per annum. Besides this, the latest returns from Madrid on the condition of the Cuban treasury places its floating indebtedness, consisting in the main of overdue salaries, pay of troops, and other expenses, at some $70,000,000.

Thus the entire Spanish-Cuban debt is composed of the two gold loans, amounting to $289,000,000, and carrying annual charges of $17,500,000 gold, the silver loan of $160,000,000, with annual charges of $26,000,000, and the floating debt of $70,000,000. The total of the debt of $519,000,000, to which may be added the heavy expenditures made by the Spanish treasury since the beginning of the insurrection. Contrary to the general opinion, the bulk of the three Cuban loans are held in Spain, and not in Paris or London. It would, therefore, seem that the anxiety which the Paris market is said to feel, and which it has been suggested might lead to intervention by the French, is not wholly on account of French ownership of the Spanish-Cuban debt, but probably anxiety as to the effect of the conflict with Cuba and the further possible results of interference by the United States on the position of Spain itself and the solvency of its peninsular treasury.

Mr. ALLEN. That account shows that the total indebtedness, as I said, is, in round numbers, $519,000,000. Seventy million dollars of that is floating debt; the remainder is bonded indebtedness. The bonded indebtedness issued during hostilities is something like $175,000,000, diverted refunding bonds, and the remainder was issued long before hostilities began. The Spanish treasury keeps a distinct and separate account with the Island of Cuba.

Mr. President, these are all the propositions to which I desire to direct attention at this time. I want the people of the United States to know that Congress understands very distinctly and very well that, if we intervene in the affairs of Cuba without recognizing the political existence of the present republic or some hostile government there, we do so with the full knowledge that we will be called upon hereafter to pay the Spanish-Cuban debt; and I may be uncharitable enough—making no reference to what has been said in this Chamber—to believe that that is the fixed and settled policy in some quarters in this city.

So far as the course of the President of the United States is concerned, I want to say I have the utmost confidence in his good faith and good intentions. I would not suffer myself to question his patriotism. I do not agree with his message; I do not agree with the policy thus far manifested by him of shirking responsibility. I do not think he has the wisest advisers in the world, nor do I think that all his advisers are patriotic men, looking alone to the glory and the interest of the country in what they do.

But, Mr. President, much as I differ from the President respecting great national problems—and the time will never come in his life and mine when we will agree—if he will look this great question resolutely in the face from now on, turning neither to the right nor to the left, having constantly the glory and the honor of his country in view and refraining from a policy of procrastination, drive Spain from this continent, I will forget for the time being my partisanship and I will do all I can to support him in a patriotic and conscientious spirit. I will strengthen his arms. But, Mr. President, we want resolution, determination, at the head of the Government. When the President puts his hand to the plow he must not turn back, and I will be found at his side until the contest is at an end.

Some Senators on the other side of the Chamber have pictured to us the consequences of war. There are a few of us who know what war means. There are over twenty gentlemen in this Chamber who know what war means. Some of us, Mr. President, know what war means, and to carry a musket in the ranks as a private soldier, where the fighting is done and where the suffering takes place.

The VICE-PRESIDENT. The time of the Senator has expired.

Mr. ALLEN. I regret it, Mr. President.

Mr. MORGAN. We all do.

Mr. BURROWS. Mr. President, it is very difficult to compress an hour's argument into fifteen minutes, and therefore I ask leave of the Senate to insert in my remarks some references that I desire to make without reading them.

Mr. FRYE. What is the request of the Senator?

Mr. BURROWS. To insert in my remarks some references which I desire to make without reading them.

Mr. FRYE. I understood it to be a request to insert a speech in the RECORD without delivering it.

Mr. BURROWS. No; I wish I could do that and relieve the Senator from Maine of the annoyance of listening to me.

Mr. TELLER. I understand the Senator from Michigan only desires to submit certain quotations and citations to be printed in his remarks without reading.

Mr. CHANDLER. Simply to insert some references without reading them.

Mr. BURROWS. That is all.

Mr. FRYE. I simply misunderstood the Senator.

Mr. TELLER. There is no objection to the request of the Senator, and I also suggest that his time shall not begin to run until he commences to speak.

Mr. BURROWS. I simply wish to insert some quotations from authors without reading.

The VICE-PRESIDENT. Without objection, that order will be made.

Mr. BURROWS. Mr. President, after a half century of peace with all the nations of the world, we stand to-day at the threshold of a foreign war. The President of the United States, with exalted patriotism and unquestioned endeavor, has sought by every honorable means at his command to avert so dire a calamity. War with Spain, however, seems inevitable. The land and naval forces of the two nations are already marshaling for the conflict.

At such an hour we owe it to ourselves, to posterity, and to mankind to make known the reasons which force us to this final arbitrament of the sword. For what we do at this hour will be finally tried not in the hot heat of the passions of to-day, but in the cooler judgment of to-morrow.

Why, then, this war? The President in his message of April 11 has made answer so clear and comprehensive that it will stand in history as an indictment against Spain, for which she is justly called to the bar of public judgment.

By every principle of international law, to which all nations must yield implicit obedience or forfeit the considerate regard of the great family of civilized nations, the Kingdom of Spain was bound so long as she exercises sovereignty over the Island of Cuba and her people to so administer the affairs of government therein as not to jeopardize the interests or violate the rights of other states, nor, in the language of a great writer on international law, "permit an excess of injustice and cruelty which deeply wounds our customs and our civilization." Spain has failed to discharge her obligations in this regard.

In the language of the President—

> The present revolution is but the successor of other similar insurrections which have occurred in Cuba against the dominion of Spain, extending over a period of nearly half a century, each of which during its progress has subjected the United States to great effort and expense in enforcing its neutrality laws, caused great losses to American trade and commerce, produced irritation and annoyance and disturbance among our citizens, and by the exercise of cruel, barbarous, and uncivilized practices of warfare shocked the sensibilities and offended the humane sympathies of our people.

Epitomizing this indictment, the Island of Cuba, under Spanish domination, has been "ravaged by fire and sword; a prosperous community reduced to want; its commerce paralyzed; its productiveness diminished; its fields laid waste; its mills in ruin, and its people perishing by tens of thousands from hunger and destitution." Under our neutrality laws, which we have sought in good faith to enforce in observance of our international obligations, we have been put to the enormous expense of "policing our own waters." "Our trade has suffered," "the capital invested by our citizens has been largely lost, and a spirit of unrest created among our own citizens, which has diverted the attention of our people from the peaceful pursuits of life."

The peasantry have been driven into the towns, provisions interdicted, fields laid waste, dwellings unroofed and fired, mills destroyed, and the land made desolate and unfit for human habitation, while untold thousands of woman and children have been starved to death as the effect of the order of reconcentration, which, in the language of the President, "worked its predestined results." Well does President McKinley say in this connection: "This is not civilized warfare; it is extermination, and the only peace it will beget is that of the wilderness and the grave." And last, though not least of the counts in this fearful indictment, a majestic battle ship of the Republic while moored in the harbor of Havana and entitled to the protection of the Spanish authorities was hurled to destruction with its human cargo, if not by the direction of the Spanish Government, at least, it is believed, with the consent and connivance of her officials.

Such, Mr. President, is the deplorable and unquestioned condition of affairs in the Island of Cuba. Is it any wonder that the President of the United States, in reviewing this frightful record of maladministration and crime, should exclaim in the fullness of his soul:

> In the name of humanity, in the name of civilization, in behalf of endangered American interests, which give us the right and the duty to speak and to act, the war in Cuba must stop.

Since President McKinley assumed the duties of his great office he has sought by every honorable means in his power to bring about an amelioration of the condition of affairs in Cuba, restoring peace and order to that unhappy people, without resorting to the dire extremity of war. In this he has been unable to succeed, and while meeting with disappointments abroad he has been subjected to cruel, unjust criticism at home. I have no doubt that while carrying the great weight of responsibility in this awful

crisis, knowing he had the fate of 75,000,000 people in his hands, he has felt much as Abraham Lincoln did when visited by a delegation criticising his course, he exclaimed:

Gentlemen, suppose all the property you were worth was in gold and you had put it in the hands of Blondin to carry across the Niagara River on a rope. Would you shake the cable or keep shouting out to him: "Blondin, stand up a little straighter; Blondin, stoop a little more; go a little faster; lean a little more to the north; lean a little more to the south?"

No, you would hold your breath as well as your tongue, and keep your hands off until he was safe over. The Government are carrying an immense weight. Untold treasures are in their hands. They are doing the very best they can. Don't badger them. Keep silence, and we'll get you safe across.

Gentlemen would do well to imitate the patriotism of Benjamin Harrison, who, when asked in regard to the present emergency and as to whether he had read the President's message, replied:

Yes, I have read it; but I do not care to express an opinion on it. When a pilot is hired to steer a ship through the rapids it does more harm than good for persons to begin yelling at him and telling him how to steer.

We can confidently trust the *man*, his courage and patriotism, who as a *boy* braved the storm of battle for four years, won advancement from private to major, and of whom his commander, General Hayes, said:

The night was never too dark; the weather was never too cold; there was no sleet, or storm, or hail, or snow, or rain that was in the way of his prompt and efficient performance of duty.

He will do his duty now. His name and fame will endure when his traducers are forgotten. History will say of him, as Canning said of Washington, "He had the courage to be wise; he dared to be unpopular."

We agree with the President that this war must stop. But how to stop it has become the sole issue and the only point of contention. Shall it be by intervention or independence, or both? If war must come, it is of the highest moment that we plant ourselves upon ground so high and impregnable as to be secure from the assaults of adverse criticism and command the supporting judgment of the civilized nations of the world. This the President of the United States invites us to do by recommending armed intervention in the Island of Cuba, and his reasons therefor are so potent and comprehensive that I beg to insert them in my remarks:

The forcible intervention of the United States as a neutral to stop the war, according to the large dictates of humanity and following many historical precedents where neighboring states have interfered to check the hopeless sacrifices of life by internecine conflicts beyond their borders, is justifiable on rational grounds. It involves, however, hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

WHY WE SHOULD ACT.

The grounds for such intervention may be briefly summarized as follows:

First. In the cause of humanity and to put an end to the barbarities, bloodshed, starvation, and horrible miseries now existing there, and which the parties to the conflict are either unable or unwilling to stop or mitigate. It is no answer to say this is all in another country, belonging to another nation, and is therefore none of our business. It is specially our duty, for it is right at our door.

Second. We owe it to our citizens in Cuba to afford them that protection and indemnity for life and property, which no government there can or will afford, and to that end to terminate the conditions that deprive them of legal protection.

Third. The right to intervene may be justified by the very serious injury to the commerce, trade, and business of our people, and by the wanton destruction of property and devastation of the island.

Fourth. And which is of the utmost importance. The present condition of affairs in Cuba is a constant menace to our peace, and entails upon this Government an enormous expense. With such a conflict waged for years in an island so near us, and with which our people have such trade and business relations—when the lives and liberty of our citizens are in constant danger and their property destroyed and themselves ruined—where our trading vessels are liable to seizure and are seized at our very door by warships of a foreign nation, the expeditions of filibustering that we are powerless to prevent altogether, and the irritating questions and entanglements thus arising—all these and others that I need not mention, with the resulting strained relations, are a constant menace to our peace, and compel us to keep on a semi-war footing with a nation with which we are at peace.

The House of Representatives, if I may be permitted to speak of the coordinate branch of the Congress, has already approved of the remedy suggested by the President, with but 19 dissenting votes, and as far as the right of intervention is concerned, there is scarcely a dissenting voice in this Chamber, but there are those who hold to the belief that independence and intervention should go hand in hand.

Of course a bare declaration of independence, unaccompanied by any act on the part of the United States to enforce and secure such independence, would be an idle ceremony; hence those who advocate the recognition of the Cuban Republic as a sovereignty couple with it the armed intervention of the United States in the support of such sovereignty.

While I will go as "far as who goes farthest" to secure the independence of Cuba, yet I am anxious to avoid a declaration of policy which I am sure will not stand the test of reason or find support in the established precedents of nations. To recognize the Cuban insurgents as a sovereign and independent nationality requires a status which they do not, in my judgment, possess, and to give such recognition when unwarranted will weaken our cause in the public judgment.

I desire to quote from Mr. Pomeroy, a recognized authority on international law, in support of this contention.

After noting the various stages of a revolt from the parent state from the initial moment to the consummation of independence and the law applicable to each of such conditions, and that recognition is, after all, but a declaration or acknowledgment of an established fact, the author proceeds to note the several kinds of recognition applicable to the various stages of a revolution. He says:

Applying these principles, which are self-evident, we find that the international law adopts and describes three grades of recognition, as follows:

First. Recognition of belligerency, or mere recognition of the revolted people, as an aggregate of persons, who are carrying on a proper war, and are, therefore, in fact, clothed with belligerent rights and duties.

Second. Virtual or de facto recognition, which amounts to such an admission of the existence of the revolted community as a de facto state as is implied by the recognition of its commercial flag and the appointment of consuls in its commercial ports.

Third. Formal or absolute recognition, which, of course, implies a complete admission of the existence of a new state as one of the family of nations, entitled to send and receive ambassadors, enter into treaties, and the like.

The author then proceeds to discuss at length the conditions that would warrant the recognition of belligerency and also a "virtual recognition," and finally to lay down the law governing cases of recognition of the independence of a new sovereignty. As the pending resolution proposes to accord to the people of Cuba the character of a republic, and so recognize them as absolutely separated from and independent of the sovereignty of Spain, I will be pardoned for quoting at some length, not only from this author but also from other recognized authorities, for the purpose of showing the proposed action has no warrant in international law or the practice of nations.

Under the heading "Formal, absolute recognition of independence and sovereignty," Mr. Pomeroy says:

This is the final act which admits a community as an equal into the family of nations, with all the international rights which flow from the law. Of course this highest grade includes all the others and swallows them up by conferring all the special rights and privileges which they do.

When the parent state has itself ceased its attempts at coercion, and has recognized the independence and sovereignty of its revolted subjects, of course there is no difficulty as to the course of other powers. The country most interested having taken the final step, and having admitted the existence of the new state, having conceded to its former subjects not only de facto but de jure separate national existence, there is nothing left for other powers but to follow the example. At least such is the uniform practice of all states which profess to be guided by the rules of international law.

The important, delicate, and often difficult question will arise when the parent state has refused to recognize the independence of its revolted subjects and still asserts its de jure authority over them. Under such circumstances many other nations, disregarding the attitude of the parent state, take the final step and make a formal, absolute recognition of the independence, sovereignty, and equality of the new society, thus treating it, so far as they are concerned, as de jure as well as de facto a state. All writers upon international law answer this question in the affirmative, and assert that such recognition, when properly made, gives no just cause of offense to the parent state. The universal practice of civilized nations is in perfect accordance with these doctrines of the publicists.

Under what circumstances, then, is such a formal recognition justifiable? As we have seen, all grades of recognition are merely public admissions of the existence of a fact without any inquiry as to whether that fact ought to have existed. Thus, one grade admits a community existing capable of carrying on war; the second admits a community existing having commercial relations and capable of maintaining them for the time being; the third admits a society as existing which is, in fact, independent and sovereign. When this fact is patent, the recognition is not only justifiable, but should be given. On the contrary, until the independence has become actual, the recognition of it would be the mere assertion of an untruth and a grave moral injury to the parent state—a grave breach of international comity, at least.

This grade of recognition necessarily implies that, in the opinion of the nation recognizing, the revolted community has completely succeeded in establishing its actual independence and the parent state has completely failed in its attempt at coercion, and that all further attempts will be equally unsuccessful. There must, therefore, be a very different state of circumstances to warrant this grade of recognition than is sufficient to justify either of the lesser grades. The revolted province must have been able to maintain its integrity, its government, its exclusive control, over a definite country. It must have entirely repelled all attempts of the parent state to recover that country or to exercise jurisdiction therein. Further still, the parent state must have either virtually ceased to make any organized attempts to recover its hold and reassert its dominion, or it must be evident that these attempts will be fruitless. * * *

The effect of such recognition is to admit the new state into the family of nations and to clothe it with all international rights. As a consequence, its national and commercial flag will be recognized; treaties will be made with it; ambassadors sent to and by it; it would be able to wage proper war, etc.

The author then quotes the opinion of recognized authorities on international law in support of his views, and among them Phillimore, who, in summing up the discussion, says:

Speaking generally, two facts should occur before this grave step be taken:

First. The practical cessation of hostilities on the part of the old state, which may long precede the theoretical renunciation of her rights over the revolted member of her former dominions.

Second. There should occur the consolidation of the new state, so far, at least, as to be in a condition of maintaining international relations with other countries—an absolute, bona fide possession of independence as a separte kingdom, not the enjoyment of perfect and undisturbed internal tranquillity, a test too severe for many of the oldest kingdoms; but there should be the existence of a government acknowledged by the people over whom it is set, and ready and able to prove its responsibility for their conduct when they come in contact with foreign nations.

The author then cites approvingly the views of Mr. Dana, as follows:

But with reference to a final recognition by a general treaty, or by the establishing of full diplomatic intercourse, a more positive rule can be laid down. The only test required is that the new state shall be in fact what the recognizing state assumes it to be. * * * It is not necessary that the

parent state or the deposed dynasty should have ceased from all efforts to regain its power. On the other hand, it is necessary that the contest should have been virtually decided.

The author then closes his admirable lecture on the subject with the following reference to our own history and his view of the law applicable thereto:

This subject will be concluded by another reference to our late history. Would a formal recognition by a foreign power of the independence of the Confederate States have been in accordance with the rules of the international law as indicated by the practice of nations? I answer, most decidedly no. At any period of the contest, had a third country acknowledged the seceding States as independent, it would have done an act entirely without precedent in the history of the world.

The mere length of the contest may be unimportant; independence may be practically won in a short, decisive struggle of a few months, or it may be fought for through years of varying success; but all authorities are agreed that the independence must be virtually won. There was no time during our late war when the United States intermitted their efforts, no time when the Government and the people were not fully determined to press forward in their endeavors. Had a foreign power recognized the independence of the Confederacy, our Government would have had ample ground for breaking off at once all diplomatic intercourse with that power, even if the act would not have warranted graver measures of redress.

While all writers on international law recognize the right and duty of established nations to recognize a new sovereignty, I think the conditions upon which such recognition can take place and be justified were never more clearly and forcefully stated than by General Grant in 1875, when in a message to Congress he gave reasons for not recognizing the independence of the then insurgent forces in Cuba. Let me quote from that message:

INDEPENDENCE.

In contests of this nature, where a considerable body of people who have attempted to free themselves of the control of the superior government have reached such point in occupation of territory, in power, and in general organization as to constitute in fact a body politic, having a government in substance as well as in name, possessed of the elements of stability, and equipped with the machinery for the administration of internal policy and the execution of its laws, prepared and able to administer justice at home, as well as in its dealings with other powers, it is within the province of those other powers to recognize its existence as a new and independent nation. In such cases other nations simply deal with an actually existing condition of things and recognize as one of the powers of the earth that body politic which, possessing the necessary elements, has in fact become a new power. In a word, the creation of a new state is a fact.

To establish the condition of things essential to the recognition of this fact there must be a people occupying a known territory, united under some known and defined form of government, acknowledged by those subject thereto, in which the functions of government are administered by usual methods, competent to mete out justice to citizens and strangers, to afford remedies for public and for private wrongs, and able to assume the correlative international obligations, and capable of performing the corresponding international duties resulting from its acquisition of the rights of sovereignty. A power should exist complete in its organization, ready to take and able to maintain its place among the nations of the earth.

While conscious that the insurrection in Cuba has shown a strength and endurance which make it at least doubtful whether it be in the power of Spain to subdue it, it seems unquestionable that no such civil organization exists which may be recognized as an independent government capable of performing its international obligations and entitled to be treated as one of the powers of the earth. A recognition under such circumstances would be inconsistent with the facts, and would compel the power granting it soon to support by force the government to which it had really given its only claim of existence. In my judgment, the United States should adhere to the policy and the principles which have heretofore been its sure and safe guides in like contests between revolting colonies and their mother country, and, acting only upon the clearest evidence, should avoid any possibility of suspicion or of imputation.

In the light of this statement, which I believe to be the crystallization of the law on this subject, it remains only to inquire whether the present insurrection in Cuba has reached a condition of government which entitles it to assume a place among the nations of the earth as a new sovereignty. The Senator from Ohio says they have a president, a vice-president, and secretaries of state, a capital, and a constitution. Grant it; yet this does not constitute a sovereignty.

There must be something more than designated officials; there must be an active, living organism, capable of administrating justice at home, discharging the obligations of international life. Have the insurgents such a government? I have sought for information upon this subject outside the parties immediately interested to find, if possible, the exact status of what the insurgents are pleased to call their government. The last official information upon this subject I find in the report of Secretary Olney, of December 7, 1896, a little over a year ago. I beg to quote:

No prominent seaport has been attacked by the insurgents or even menaced beyond occasional raids upon the outskirts. A large part of the 2,200 miles of the irregular coast line of Cuba, comprising the comparatively unsettled stretches of its western extremity and the inhospitable mountain shores of its eastern part, is practically in the hands of the revolutionists.

The character of these shores, filled to the westward with shallow indentations inaccessible to any but light vessels of small tonnage, and to the eastward with rocky nooks dangerous to approach by night and affording insecure anchorage for larger craft, lends itself peculiarly to the guerrilla warfare of the interior, so that the insurgents, being relieved of the need of maintaining and garrisoning points upon the coast, are effectively able to utilize a considerable part of it as occasion offers to communicate with the outside world and to receive clandestine supplies of men, arms, and ammunition.

So far as our information shows, there is not only no effective local government by the insurgents in the territories they overrun, but there is not even a tangible pretense to established administration anywhere. Their organization, confined to the shifting exigencies of the military operations of the hour, is nomadic, without definite centers and lacking the most elementary features of municipal government. There nowhere appears the nucleus of statehood. The machinery for exercising the legitimate rights and powers of sovereignty and responding to the obligations which de facto sovereignty entails in the face of equal rights of other states, is conspicuously lacking. It is not possible to discern a homogeneous political entity, possessing and exercising the functions of administration and capable, if left to itself, of maintaining orderly government in its own territory and sustaining normal relations with the external family of governments.

To illustrate these conditions, the insurgent chiefs assert the military power to compel peaceable citizens of the United States within their reach to desist from planting or grinding cane, under the decreed penalty of death and of destruction of their crops and mills; but the measure is one of sheer force, without justification under public law. The wrongs so committed against the citizens of a foreign State are without an international forum of redress to which the Government of the United States may have recourse as regards its relation to the perpetrators. The acts are those of anarchy, and in default of the responsibilities of de facto statehood in the case, there remains only the territorial accountability of the titular sovereign within the limits of its competency to repress the wrongs complained of.

In opposition to the nomadic control of the interior and the undefended coast by the insurgents, the Spanish authority continues in the capital cities and the seaports. Its garrisons are there established; from them its naval operations are directed and executed. Most of its functions proceed as in time of peace. Its customs and municipal revenues are regularly collected, and with exception of the temporary restraints, alleged to be due to the admitted existence of a state of hostilities, foreign commerce with the island is kept up, although largely diminished by the natural contraction of the Cuban market of supply and demand. As to those parts of the island with which this country and its citizens maintain legitimately normal intercourse, the Spanish power is supreme, although often exercised in a vexatious and arbitrary way, calling for just remonstrance.

* * * * * * *

And on the other a nomadic association without the insignia of orderly government and strong only to wage harassing warfare in the interior.

* * * * * * *

The insurgent authority, as has been seen, finds no regular administrative expression; it is asserted only by the sporadic and irresponsible force of arms.

But why multiply authorities? The insurgents themselves in their constitution adopted only last October, but six months ago, acknowledge they were not in possession of a government, but that a free republic was only in anticipation.

I quote from that constitution:

We, the representatives of the Cuban people, freely meeting in constituent assembly, convoked by virtue of the mandate contained in the constitution of the 16th of September, 1895, ratify our firm and unshakable resolve *of obtaining the absolute and immediate independence of the island, in order to establish in it a Democratic republic*, and inspiring ourselves in the present necessities of the revolution; we decree the following:

CONSTITUTION OF THE REPUBLIC OF CUBA.

TITLE I.—*Of the territory and of citizenship.*

ARTICLE 1. The Republic of Cuba *will embrace all the territory occupied by the Island of Cuba and the adjacent islands and keys.* A law will determine the division of the territory.

Do we propose to declare that an established fact which the insurgents themselves in their fundamental law affirm to be only a hope yet to be realized?

Mr. President, I can not bring myself to believe, much as I would be delighted so to do, that the status of the insurgents in the Island of Cuba is such as would justify us, in the light of authority and precedent, in recognizing their independence, and I am apprehensive that to do so would weaken our cause among the nations of the earth and perhaps involve us in unforeseen complications. If we recognize the independence of the insurgents in Cuba before their independence is established as a matter of fact, may not the other nations of the earth having possessions in the Western Hemisphere see in this step a menace to their own colonial sovereignty and as a matter of self-protection ally themselves, in sympathy at least, with the Kingdom of Spain? If such should be the case, it would be most unfortunate. How much better, wiser, and safer to take a beaten track, illumined with the light of precedent and practice, than to enter upon any uncertain way beset with unseen danger and terminating, possibly, in disaster.

The VICE-PRESIDENT. The Senator's time has expired.

Mr. BURROWS. If the Senate will kindly give me one minute more, I shall conclude.

Mr. CHANDLER. I ask unanimous consent that the Senator may be permitted to finish his speech.

Mr. BURROWS. I shall not occupy probably more than a minute.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the Senator will proceed.

Mr. BURROWS. I am for intervention, therefore, and I agree with the President in his recommendation, because I believe that to be a step sanctioned by precedent and the practice of nations, and will bring to us the approving judgment of all the nations of Christendom. More than that, I believe in it because it is sure to accomplish independence for the people of Cuba—the great end desired by all—and establish for them a free and stable government.

Intervention, too, is a peaceful instrumentality. Its very name "intervention," "to come between," is the essence of peace. Such a step is not a hostile act, unless one of the parties to the contest shall see fit to so regard it. It is proposed to enter the Island of Cuba with the armed forces of the United States for the purpose of restoring order on the one hand, while ministering with the other the necessities of life to her starving people. If Spain should resist our efforts in this regard she herself would become the aggressor, and in such a conflict she would lose the sympathy and support of the Christian world.

It would, therefore, in case of intervention, be peace or war, as she might prefer. That she would resist our efforts is undoubtedly true, and the issue would then be made up between Spain and the United States and the military forces of the United States would be compelled, in the interest of peace, good government, and humanity, to prosecute the contest until Spain should yield her sovereignty in that island. This much accomplished, is it not plain that the way to independence for the Cuban people would be speedily opened.

Having expelled from the island one of the contending parties and restored peace, so far as that party is concerned, there would be nothing remaining for the United States to do but to say to the insurgents and the inhabitants of Cuba: "You, too, must keep the peace, restore order in this island, return to your farms, rebuild your homes under a government of your own choice," and when this shall be accomplished and the Republic of Cuba becomes a sovereignty in fact as well as in name, peace and order restored, the United States Government would withdraw her forces and welcome into the family of nations the Republic of Cuba.

We will have thus accomplished the desire of her people and escaped the criticism and secured the approving judgment of the world. With this end in view, I shall cheerfully vote for the recommendation of the President to be clothed with power to intervene in the Island of Cuba with the land and naval forces of the United States, to the end that a stable government may be formed within her borders by her own people, capable of establishing and maintaining peace at home and assuming the obligations of international life. To the consummation of this high purpose we ought to move with united effort. There should be no discordant notes.

As we opened our Treasury to feed the Cuban poor and without a dissenting vote expressed our confidence in the Executive by placing $50,000,000 in his hands to enable him to prepare for national defense, let us not now, when the supreme moment for action comes and we are ready, weaken our cause by divided council. Unity of action now is worth a hundred battle ships and unnumbered legions. Neither party spirit nor personal ambition should find a place in this high transaction. They belong to other times and other occasions. Let us sustain the Executive and the Army and Navy under his command as they move forward on land and sea to establish peace, order, and good government in the Island of Cuba and set her star in the galaxy of nations.

Mr. JONES of Arkansas. I rise to a question of order. There was a unanimous-consent agreement last night that debate should be limited to fifteen minutes to each Senator. The Senator from Nebraska [Mr. ALLEN] was cut off in the midst of a sentence, and there was no request made that he be permitted to finish it; and I shall object to any deviation from this rule for the balance of the day. Senators must cease at the end of the fifteen minutes, except in the case of the Senator from Connecticut [Mr. PLATT].

Mr. PLATT of Connecticut. Mr. President, what I have to say will be briefly said. The time for oratory and impassioned utterance has passed. The time has never been for hot words, for epithets, for intemperate speech. Oratory will not bombard Morro Castle. Stinging words, ungracious and unjust epithets may reach and wound the President of the United States, but they will not pierce the armor of Spanish battle ships.

I wish first to state my position and my conviction so clearly that I shall not be and can not be misinterpreted or misunderstood. I shall not pause to frame the indictment upon which we proceed to the arbitrament of war. The reasons why the present conditions in Cuba must cease are known to all mankind, and they are set forth clearly, forcibly, and patriotically in the message of the President of the United States. Those conditions have imperiled our peace, inflicted unbearable injuries upon us, are inconsistent with our commercial and national interests, outrage every sentiment of humanity, impede and make against civilization. They must end. With this conviction, and it is unalterable, I have hoped and until recently believed that the end might be accomplished without war, without the burdens and losses of war.

I believe to-day that what in common with all American citizens I thus desire might have been accomplished peacefully had it not been for the intemperate, inflammatory statements and misstatements of those who from the first have planned and desired to plunge this country into war. I have not been among those who desire war. I would, if possible, have averted it, never for a moment losing sight of the purposes to be accomplished; and I pray the All-wise and Almighty Disposer of events that there may be some way found to put an end to the conditions in Cuba without war. I have no apology to offer for this. When the hot blood of the present hour, when the unreasoning and unthinking sentiment for blood, shall have passed, the man who shall have sought peace with honor will find his indorsement in the hearts of the American people.

I have only unstinted praise to bestow upon and the heartiest thanks to give to the President of the United States that in the discharge of his great responsibility he has desired the attainment of the end in view through peace rather than through war. Mr. President, one who heard and regards what has been uttered in the Senate of the United States within the past few days might think that the desire to indict and discredit the President of the United States was as strong as the purpose to maintain the honor of the Government and to put an end to the conditions which exist in Cuba. I regret it. From the position taken by the President of the United States upon the failure of diplomatic negotiations to secure the emancipation of Cuba the United States can not recede and ought not to recede. In the language of the Executive—

> In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop—

And in that island there must be established—

> a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own.

The duty of putting an end to existing conditions is no more imperative and no higher than the duty of seeing that order shall be maintained there in the future and that a government shall be there established which shall give the United States and the world no more cause for complaint. If this, our determined purpose, results in war, it must come. We shall be false to ourselves, to humanity, and the world, recreant to duty, and cowardly if we hesitate or falter now.

But, Mr. President, there is conflict in the inauguration of this war, I am sorry to say. The President of the United States and the House of Representatives have declared our purpose in making war, if war it is to be. They have put that purpose on high and impregnable grounds. They have put it upon grounds which challenge the consent and admiration of mankind. They stand united as to the ground upon which this conflict shall commence. Against them in the Senate we are called upon to adopt another reason for the war. We are called to put it upon a lower ground, an infinitely lower ground, an untenable ground, upon a ground which the judgment of mankind can not and will not approve. That is the issue here. It is more than an issue of language, more than an issue of words, more than an issue of pride of opinion. It is an issue made in the Senate of the United States against the Executive and the House of Representatives. Mr. President, I regret it. It is unfortunate, it is deplorable, it is unpardonable.

The President of the United States says, and this language can not be too often repeated:

> In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

Those words are to become immortal in the history of the United States. The Committee on Foreign Relations, unanimous in its committee room, but divided in the Senate, says in effect, "in the name of Maximo Gomez, in the name of the Cuban junta in New York, Spain must withdraw from the Island of Cuba." There is the issue, clear and distinct. That can not be avoided.

I do not care whether the resolutions of the committee are adopted or the amendment proposed by the Senator from Indiana [Mr. TURPIE] be added, they mean the same thing; they mean, and mean only, that the United States is to engage in this great conflict, with all its results, with all its losses, and with all its burdens, with all its demoralization, with all its unforeseen and far-reaching consequences, only to establish and set up the mythical government of the miscalled Republic of Cuba.

What sacredness so encircles that mythical government that the United States must forget its high and lofty mission of humanity and duty to enlist under the banner and take orders from the insurgents in Cuba? If those people are independent they have a government there, and it does not need the amendment of the Senator from Indiana to say so. I do not go into the argument to prove they have no right to recognition. No man may presume to tread again the ground so thoroughly gone over by the distinguished Senator from Wisconsin [Mr. SPOONER], who has made it so clear that it scarcely can be contradicted or evaded that there is no condition of things in Cuba which justifies the United States in recognizing a government there.

Mr. President, to recognize that pretended government, which even Consul-General Lee does not believe to exist, except as a skeleton, would be to turn back upon every utterance of this country, upon every principle laid down by our Presidents and Secretaries of State in this country. Before we do that let us expunge the record. Let us blot out from our history what Monroe and Jackson and Grant and Hayes and Arthur and Harrison have written into it. Let us wipe out from our history what Adams and Seward and Evarts and Fish, our great Secretaries of State, have written into it. Let us eat our own words in the great contest of the civil war, when we claimed that the Confederate States were not entitled to recognition and our claim was acceded to. Nay, more, to do it we must give up the Monroe doctrine—the doctrine on which we planted ourselves, on which we stand to-day, on which, without bluster and rodomontade, we say we will defy the

world. What was that doctrine? It is to be found in two sentences:

> With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

It consists of two propositions. One proposition is that we will not interfere with existing colonies or dependencies of any European power, and the other is that when we have acknowledged the independence of a colony upon the Western Hemisphere we will not tolerate foreign interference. Are we to abandon half of the doctrine, to discredit half of the doctrine, and say before a colony has maintained its independence we will interfere and enable it to secure that independence? If we discredit and abandon half of the doctrine, how can we ask European nations to accede to the remainder?

But why not stand with the President? Why not meet upon its own ground the House of Representatives? Why not go to Cuba to do what we say we go there for—to put an end to the conditions which have become insufferable and intolerable?

The Senator from Nebraska [Mr. ALLEN] took occasion this morning to regret and to denounce the propositions which were made by the powers to our Government looking to the securing of peace. It has been the fashion in this debate, I am sorry to say, to peruse the message of the President of the United States with a magnifying glass of high power to see if some word can not be discovered in it from which the charge can be made that he is unpatriotic, vacillating, and dishonest in purpose. Oh, the shame of it, Mr. President; the shame of it for the present, and the insufferable shame of it for the future. It did not require a magnifying glass, if this whole interview had been read, to find the high, lofty, and unalterable purpose of the President of the United States. I will supply the omission. I will read the language in which he met the proposition of the great powers of the world:

> The Government of the United States appreciates the humanitarian and disinterested character of the communication now made on behalf of the powers named, and for its part is confident that equal appreciation will be shown for its own earnest and unselfish endeavors to fulfill a duty to humanity by ending a situation the indefinite prolongation of which has become insufferable.

I commend any man who still thinks it is his duty to attack, discredit, and malign the President to turn his magnifying glass upon those grand and noble words.

Mr. ALLEN. Will the Senator from Connecticut permit me? I did not criticise the language of the President of the United States. I criticised, and desired to criticise, simply the fact that the powers had the presumption to invade and the President not moral power enough to resist an invasion of the White House to submit the communication.

Mr. PLATT of Connecticut. I suppose, Mr. President, that if the people of the United States, in the exercise of their suffrages and their wisdom, should ever elect the honorable and distinguished Senator from Nebraska to the White House and the ambassadors of the nations of the earth came there for an interview he would direct the doorkeeper to turn them away.

Mr. ALLEN. They were refused by Mr. Seward thirty years ago.

Mr. PLATT of Connecticut. I have no time to answer interruptions. I say that we can not, without turning our back on every sentence which has been uttered or written by the Presidents of the United States and the Secretaries of State of the United States, recognize an independent government in Cuba.

What if we do? What if we lower the banner; what if we abandon the high and noble, Christian-like ground which has been taken by the President of the United States, and come down to the level of the men who desire the recognition of a government which has no real existence as much or more than they do the triumph of our arms in Cuba? If we recognize it on this floor, we must recognize it on the soil of Cuba. If we say in the joint resolution, in this solemn act of Congress, that the people of Cuba are free and independent, we mean that they are free and independent in the sense in which we are free and independent, and when we go to the Island of Cuba we must treat that people as a free and independent people.

We must march under their banner, not ours, or if we march under ours it must be subordinated to the flag of the Republic of Cuba, so called. General Miles, the commander of our Army, and the President of the United States, if he takes the field as the Commander in Chief of our Army, must take their orders from Maximo Gomez. The Senator from Kentucky [Mr. LINDSAY] saw the pinch of this, and therefore he introduced a resolution that when we go there we shall go by agreement; that our Army shall march under the command of our own general.

When we are through, when the last Spanish soldier shall have been driven from that soil, what then? Accede to the demands of Maximo Gomez that we leave at the same time. There is no escape from this. We go there with high and holy purpose to discharge the imperative duty of seeing that the government which shall exist in Cuba after the Spaniards leave shall be a stable government, one which can secure peace to its citizens, protect our citizens, and maintain and discharge every international obligation. But General Gomez will say, "No; you recognized our government; our government will take care of this. Get out!" What an ignominious ending for the campaign!

Mr. President, we ought to pass resolutions here which we can justify. We ought not to give our consent to resolutions unjustifiable in their character, for the reason that we desire to accomplish the great purpose in view. When Abraham Lincoln put his name to that immortal document which struck the shackles from the limbs of 4,000,000 people, after having suffered abuse, vituperation, vilification which the abuse heaped upon President McKinley does not parallel, he wrote these magnificent words: "And upon this act, sincerely believed to be an act of justice warranted by the Constitution upon military necessity, I invoke the deliberate judgment of mankind and the gracious favor of Almighty God." Mr. President, I implore, I adjure the Senate to pass no resolutions upon which it may not write in spirit, if not in fact, the words, "And upon this act we invoke the deliberate judgment of mankind and the gracious favor of Almighty God."

Mr. BACON. Mr. President, I request that the Chair will give me notice when I reach one minute of the expiration of my time.

I regret that within the limited time it will be necessary for me to speak rapidly, and that what I shall say must of necessity be somewhat disjointed and irregular. If I had, however, but one minute, I would wish to say this, to which I am moved particularly by what has fallen from the Senator from Wisconsin [Mr. SPOONER], the Senator from Michigan [Mr. BURROWS], and the Senator from Connecticut [Mr. PLATT]: I think it is the greatest injustice on the part of Senators to attribute to unfriendliness and a hostile spirit everything which may be said by Senators not in accordance with what may be recommended by the President of the United States. I desire for myself to disclaim any such design or any such spirit. The President of the United States has his prerogatives, and we have ours; he has his duties, and we have ours; and each is responsible for the proper discharge of the same.

Mr. President, I have not been one of those who desired war. I think it is very greatly to be deplored. I know that it means death to many of the present generation, and that it means a grievous burden of debt to the next generation. Therefore I have entirely sympathized with the efforts of the President to avert war, and if he had not come to Congress and said that his efforts were at an end, I would be willing, if he desired it, to give him still further opportunity to avert war. It is apparent, however, that war must come, and it only remains to shape the issue properly.

But, Mr. President, that does not relieve me from the necessity of passing upon the grave questions which are submitted to-day, in view of my constitutional obligation to decide upon the question as a member of the Senate whether there shall be war; and if war, in what manner it shall be waged. Unfortunately, I differ from the President of the United States in his recommendations. The President of the United States asks that Congress shall clothe him with the power to wage war at his discretion. I think it would be unconstitutional to grant him that power, and consequently I can not agree with him. The resolutions passed by the House of Representatives, in my opinion, practically propose to confer upon him this power. Therefore, under no circumstances could I, in view of my constitutional obligations, vote for those resolutions. But that is not hostility to the President.

In the same way I regard the recognition of the independence of the Cubans as an essential in case of intervention. The President of the United States thinks it should not be accorded to them. That difference does not constitute hostility on my part or on the part of those who agree with me.

In addition to a great many other reasons which I can not stop to go over, I think the question as to whether recognition either accompanies or precedes the act of intervention will have a most material bearing upon the possibility, to put it no stronger, of this Government being made liable for a part of the Spanish-Cuban bonds in the future; and I only remind gentlemen who discuss the legal question involved that that is a question not to be decided in courts, but it mayhap be decided at the cannon's mouth.

My colleague [Mr. CLAY] has already spoken upon this subject and will probably not again have an opportunity to address the Senate upon it. Therefore I take occasion to say for him that as to these positions which would make it impossible for me to vote for the House resolutions he agrees with me.

The Senator from Wisconsin [Mr. SPOONER] yesterday made a very long and elaborate and able argument on the subject as to where resides the prerogative of recognizing the independence of

a nation. I would have been glad, and had intended, to submit some remarks in reply. It is a subject upon which I have bestowed much labor in its investigation, and upon which I have very fixed opinions. But it is manifestly now impossible for me to do so.

I desire simply to say one thing, which is that the assumption that it is exclusively an Executive prerogative implies necessarily that the power is lodged in one man to decide with what people of the world this country will maintain or will not maintain diplomatic relations. I say, not to go into the argument, that that is a position which is absolutely abhorrent to the genius of our institutions, and absolutely inconsistent with the letter and spirit of our Constitution, and that it can only find proper place in monarchical and absolute governments, where the voice of the people and of their representatives is neither heard nor heeded. But, Mr. President, I can not go into it. However, I desire to submit one further reflection in this connection.

There are two ways in which a declaration of independence may be regarded; one where there is no dispute about the fact of independence, the other where there is a dispute about the fact. In the one case recognition is a formality; in the other case it is the highest act of governmental power. An illustration of the latter case is to be had in the declaration of our own independence. When we say that a people are free and independent we do not necessarily mean that there is no dispute over it or that there is no contest over it. We mean to say that thereafter sovereignty shall rest there in the new nation, and that we dispute that it rests, or that it shall thereafter rest, where it formerly rested.

When the people of the Colonies decided in 1776 and proclaimed that they were free, they did not pretend that there was no further dispute about that fact, but they simply meant that thenceforth they repudiated and denied the sovereignty of the government which had theretofore been over them. When France three years thereafter recognized the Government of the United States as free and independent, it did not mean to say that all doubt as to whether that independence had been established was removed, but it simply meant to say that thereafter France recognized the sovereignty of this people, and denied that thereafter there was or that thereafter there should be, in the recognition of France, any sovereignty in the British Government over this territory. Therefore, when we say to-day that we recognize the independence of the Cuban people, we mean to say that we deny that thereafter there is or shall be, in our recognition, any sovereignty of Spain in that island.

Mr. President, one word more on the subject of the rules with reference to what shall justify a government in recognizing the independence of a new government. All the rules with reference to what shall justify a government in recognizing the independence of another nation are made for the benefit of the parent nation from which the new government is to be sundered. It is to prevent injustice to that parent government; and therefore the care and particularity with which it is laid down that so long as there is a possibility, if you please, that that government can restore its authority, independence of the new government shall not be acknowledged.

Mr. President, one-half of the argument of the learned Senator from Wisconsin yesterday was devoted to that question. While I would gladly reply in detail, I think it can all be disposed of with one single comment, and that is that, applying as it does only to the question of maintaining the rights due to the parent nation, to see that no injustice is done to the sovereignty of the parent nation, it has no place in a consideration where we avow at the same time our purpose to strike down the power and sovereignty of that nation in that connection.

Mr. President, I would be glad if I could elaborate this subject, but it is manifest that I can not do so. I want to say one thing more. There never was a man who sat in the Presidential chair more zealous of the Executive prerogative than Andrew Jackson, and here is what he said about it in his message to Congress about Texas. I can not read all of it, only a part of it:

> It is to be presumed that on no future occasion will a dispute arise, as none has heretofore occurred, between the Executive and Legislature in the exercise of the power of recognition. It will always be considered consistent with the spirit of the Constitution, and most safe that it should be exercised, when probably leading to war, with a previous understanding with that body by whom war can alone be declared, and by whom all the provisions for sustaining its perils must be furnished. Its submission to Congress, which represents in one of its branches the States of this Union and in the other the people of the United States, where there may be reasonable ground to apprehend so grave a consequence, would certainly afford the fullest satisfaction to our own country and a perfect guaranty to all other nations of the justice and prudence of the measures which might be adopted.

And thereafter he sent a message, the last message he ever sent to Congress, in which he said he recognized the Republic of Texas in response to the resolution which had been passed by Congress, recognizing it, as he said, as a decision of the question. Utterances to the same effect are found in other state papers, and the doctrine has been repeatedly asserted by Congress, and in one or the other House thereof.

Mr. President, aside from the suggestions which have been so strongly urged, that it is to our personal interest to recognize the independence of the Cubans, the merest justice requires that we should do so.

There has never been a more heroic struggle for liberty than has been made by that people. There have never been greater sacrifices made by a people to obtain their liberty than have been made by them. They have not made the ordinary sacrifices that other contestants for liberty have made. Many of us in this Chamber have known what it was to face the dangers of battle, but no one here has ever faced a danger of battle such as the Cuban patriots through long years have faced. No man here has ever entered battle knowing that if he escaped the bullet and became a captive he would meet with death by execution. Yet that has been the case of the Cubans in their ten years' war, as well as in the present war.

I read from the American Cyclopædia, Volume V, page 555, as to the execution of Cuban soldiers in five years between 1868 and 1872, inclusive. I have not the records for the succeeding years of that war, or of the present war.

> According to official reports forwarded from Madrid by the United States minister, 13,600 Cubans had been killed in battle up to August, 1872, besides 43,500 prisoners whom the Spanish minister admitted to have been put to death.

My God, Mr. President, can we turn our backs upon men who have shown such heroism and such heroic sacrifice! For one I will not, either by my voice or by my vote.

The Senator from Connecticut [Mr. PLATT] who has just taken his seat, sneers at Gomez. Mr. President, if there is a certain fact, that fact is the independence of Cuba, and as certain as is the independence of Cuba, so certain will it be that in the future the name of this man Gomez will be found on the list of those immortal names that were not born to die. It will go down in history with the names of Washington and Bolivar, the great liberators of men from the bondage of tyranny and oppression.

Mr. President, in the histories of peoples a time comes for sacrifice. Such a time seems now at hand. I doubt not that the North is equally ready to make sacrifice with the South, but in the condition of things the sacrifice to be made in this war must be more serious in the South than in the North. The great volume of money which is to be spent in carrying on this war will be spent at the North and West and will quicken their industries.

We have few or none of the factories at the South which will make the munitions of war necessary to furnish the clothing and supplies for the armies, nor are we the large producers of the food crops which will be needed to supply them. On the contrary, our enterprises will be largely paralyzed by war, and our great product of cotton is to be put to a price that will not only not be remunerative, but be an absolute disaster to the man who produces it.

If communication with Cuba, through those who come and go, brings the yellow fever to our shores, the South will be the principal sufferer from this cause. The first hostile gun that is fired will find its echoes in our hills and valleys. If disaster should by possibility come, the seaports of the South will be those to be ravaged.

Nevertheless, Mr. President, our people will not be laggards in the struggle. But we do ask this: If we are to make this sacrifice, let it not be a sacrifice in the interests of the holders of the Spanish bonds, but let it be a sacrifice in the interest of humanity. If this sacrifice has to be made, let it not be for the purpose of invasion and conquest, but let it be because the great clock of the world has struck the morning hour when there shall be born to independence and freedom a new and heroic people.

The VICE-PRESIDENT. The Senator from Georgia has one minute left of his time.

Mr. BACON. Mr. President, I utilize that moment by asking that there may be read from the desk what I desire to have placed in the permanent records as a piece of evidence relative to the question whether the *Maine* was blown up by torpedoes furnished by the Spanish Government. I desire to call attention simply to the fact that what is to be read by the Secretary are extracts from two Spanish newspapers published in Madrid. One of them is an interview with the former minister of marine under the ministry of Canovas, which, of course, preceded by several months the time of the explosion of the *Maine*. The other is the comment of the Imparcial upon the publication of that interview, and expressing regret for it for the reason that it might give rise to the very use which I now make of it.

The VICE-PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

MADRID, *April 11, 1898.*

El Heraldo De Madrid publishes an interview with Admiral Beranger, former minister of marine, in the course of which he expressed his confidence in the ability of the Spanish navy to win in the event of a war with the United States.

"There is no fear," said Admiral Beranger, of our Cuban ports being exposed to a night attack, inasmuch as Havana, Cienfuegos, Nuevitas, and Santiago de Cuba are defended by electric and automatic torpedoes with a large radius of action.

"The late Señor Canovas del Castillo, who paid attention to these matters, decided in accord with myself to send to Cuba 100 torpedoes, which must have been placed in those harbors. Chacon, the well-known torpedo expert, undertook to convey and place these engines.

"I have already said that by sea we shall be victorious. I will give you my reasons. The first is the excellent discipline maintained on our ships; the second is that on board the American vessels as soon as firing is opened, a panic will set in, since it is common knowledge that their crews comprise men of every nationality. Pitted ship against ship, we have nothing to fear."

El Imparcial, commenting on this interview, says:

IMPARCIAL REGRETS THE CONFESSION.

"That those torpedoes should be sent in case war should break out is very natural; but that as much should be admitted at this moment constitutes a twofold imprudence; in the first place, because it warns the enemy, and the enemy being warned, it will do its best to cripple those defenses; and secondly, because the jingoes, availing themselves of the evidence afforded by the minister of marine of the late Señor Canovas, will assert that one of the torpedoes he describes caused the *Maine* explosion."

Mr. WELLINGTON. Mr. President, the Senate of the United States will be called upon by its vote upon the resolutions which have been placed before us by the Committee on Foregn Relations to decide between peace and war—to decide whether we shall further rest under the white wings of peace and enjoy its privileges and advantages, or whether we shall let loose the dogs of war and accept all the evils they may bring. It is, in my humble judgment, a most important hour in the history of our country, and each Senator here has a duty to perform for which he is responsible to himself, his constituency, his country, and his God.

I advance to this duty with great hesitancy. When I came to the Senate and was first called upon to evidence my opinion upon the difficulties and differences then existing as between our country and Spain, I held that there was no occasion for interference and favored peace. Since then I have carefully considered the questions confronting us, and have been unable to convince myself that there is anything in the situation which demands war at the hands of the American people. I act upon this occasion as my conscience dictates and reason decides, and I have asked the indulgence of the Senate to give the cause of this action.

No man has a higher esteem or a greater regard for the Committee on Foreign Relations of the Senate; no man has a stronger admiration for the ability, the wisdom, and the statesmanship of the distinguished chairman of that committee [Mr. DAVIS].

I have listened with interest and have endeavored to be convinced against the judgment I had formed by the many most interesting and able addresses I have heard during this debate. I have listened with eager attention to the magnificent speech and have heard with gratification the noble sentiments expressed by the senior Senator from Massachusetts [Mr. HOAR]. I agree with the sentiment of his speech, but am sorry to say that from the sentiments there expressed I can not make the same deduction or reach the same result. To his mind war was inevitable and war seemed necessary. I have not been able to reach that conclusion.

I heard the eloquent and impassioned appeal of the Senator from Ohio [Mr. FORAKER], for whom and for whose judgment I have the highest regard also. I heard his forcible presentation of the case, but can not agree that either intervention by force of arms or recognition of the Cuban Republic is expedient or justifiable. Permit me to say here and now that if armed intervention there is to be, in my opinion there would be less of danger, difficulty, and disaster surrounding and attending it if you entered upon it by the recognition of the Cuban Republic. But, sir, I am opposed to intervention either with or without recognition. Either of these plans means war. I am in favor of peace, and shall cast my vote against the resolutions offered by the whole committee and those by the minority.

Mr. President, why do I do this? I do so because to my mind there is no justification for a declaration of war or any resolution which will inevitably lead to war between the American people and the Kingdom of Spain. War can not be justified at any time by any nation unless there shall have been exhausted every effort of peace, unless diplomatic negotiations have been resorted to in vain. In my humble judgment this condition has not been reached as between the American Government and the Spanish Kingdom. After a careful reading of the President's message I can not find that he expresses any such idea. I may be wrong, but until I am convinced of my error I will stand for peace, vote against war. I can not do otherwise.

As I see the contention between the two countries it may be divided into two parts—it is a double question. The one affects us not directly or indirectly; it concerns the Kingdom of Spain and its rebellious dependency, the Island of Cuba. The other does concern us directly, and though it is an occurrence that grew out of the first, it should be considered alone and apart from the other. I refer to the destruction of the American battle ship *Maine* and the sending into eternity of the officers and sailors of that fated vessel.

Mr. President, so far as the first part of this contention is concerned it extends over many years. The Island of Cuba has been under Spanish rule since its discovery more than four centuries ago. I do not stand here as an apologist for Spanish policies. I believe that the colonial policy of the Kingdom of Spain in this latter part of the nineteenth century of the Christian era is the same colonial policy that it had in the sixteenth century. It has not advanced, and the same spirit animates it now that imbued it then. I believe that it has borne down the people who have rested under its shadow of corruption and maladministration. Under its baneful influence one dependency after another has passed from her control.

I believe that the people of the Island of Cuba had every reason for rebellion against the Kingdom of Spain, and I can not, if I would, defend such a policy. But, sir, we stand apart from that. We are not within its circle. It is a quarrel with which in its origin we have nothing to do, and in which, according to the law of nations, we have no right to intervene. It is a revolt by the Cubans against the system of government under which they have been living, and after an examination of all its environments I am forced to the conclusion that it is not only a protest against Spanish government, but, with some of the insurgents at least, a rebellion against any and all authority. I agree that they were driven to it by centuries of misgovernment, and that the culmination was reached when the last outbreak occurred. Three years have passed since the Cubans again took up arms against the domination of Spain. Three years with various mutations and changeful fortunes of war have backward rolled since then, and during the passage of this time the sympathy of the American people has naturally gone out to the struggling and suffering insurgents. It has gone out to them as it would go out, and does go out, to every people upon the face of God's earth who struggle for liberty, freedom, and self-government.

But, sir, while Spain may be chargeable with culpability, and while to a certain degree she is responsible for the condition which has been evolved, and which now exists, she is not alone to blame. The insurgents have themselves been much at fault. As we view the beginning of this struggle we shall see that the insurgents began such a system of war as can not be justified by the Christian civilization of this era. They did not begin their battle for independence as did the American people when they severed the bonds which bound them to the British people. The American revolutionists armed themselves and marched to attack the British troops. They fought in the open field; they fought according to the principles of modern warfare. Not so the Cubans. They began, as would outlaws and bandits, a system of guerrilla warfare, a series of bushwacking attacks.

It may have been and may be the only system which they could adopt. It may have been necessary for their cause to make war in this fashion, but, sir, it is also the system of war which of necessity and perforce did bring about the condition that exists in that island. The insurgent bands, by their incursions upon neutral territory and cultivated zones of the island, began the burning of houses, the destruction of plantations, the plunder of villages, and murder of inhabitants. By their sweeping with rapid movement from their retreats to attack places where they were least expected they gained advantages, but did so at the expense of their own country. Angered by this mode of attack, made resentful by this fashion of battle, the Spanish Government naturally sought means to subdue this rebellion and to pacify the provinces in revolt.

Campos was unsuccessful, and therefore the home Government determined to send General Weyler to attempt the difficult task. He began the execution of a plan which, in its effect, completed the destruction begun by the insurgents. Between the operations of the two contending forces the productive districts of Cuba, in at least a portion of the island, were destroyed, and where there had been cultivated fields and prosperous homes there began to be, and there is now, a wilderness in which nature runs wild and rank weeds have taken the place of those products which give sustenance to man. Both parties in this contest have transgressed the laws of God and of nations in such measure as can not be condoned. As the months and years of this struggle accumulated and as time went on the sympathies of the American people for the insurgents, their cause, and their suffering grew stronger and deeper and gradually colored the policy of the Administration. This sympathy began to manifest itself by protests against Spanish rule, by efforts to relieve the needs of the Cuban people.

In a Republic like ours, the sympathies of the people gradually direct the nation's will, and the Government usually formulates a policy that is in consonance with it. The American Government began to make suggestions to the Spanish Government, and through diplomatic channels expressed its opposition to the methods and means pursued in the attempt to put down the rebellion. However these diplomatic negotiations may have been begun and agreed to, the fact remains that the first demand which seems to have been made upon the Spanish power was that as the Government of Spain had caused the war by improper administration and by the imposition of such burdens as could no longer be borne, they should correct this state of affairs, remove the cause of the rebellion, and by the introduction of a government for the Cubans

in which they should themselves participate, thus remedy the matter. In response to these suggestions the liberal government of Sagasta determined to give autonomy to the island.

As I understand it, autonomy was given to the Cuban people because it was suggested by our Government and diplomatic negotiations had been conducted to that end. Now, sir, when we had suggested that the Spanish Government, by its Captain-General, should introduce autonomy, was it not our duty to give whatever moral influence we had in its favor and cause its acceptance by the Cubans?

Did the American people do that? In all fairness the answer must be, they did not. On the contrary they did, by their sympathy and by the action of the Senate of the United States in the passage of a resolution recognizing the belligerency of the insurgents, give encouragement to them to refuse autonomy, and this caused the failure of the movement.

The Spanish Government recalled General Weyler and in his stead sent the humane Blanco to introduce the new policy. When he arrived he began the difficult task but found opposition at every point. Part of the radical Spaniards stood sullenly aside. The insurgents refused submission, and in the meanwhile the condition of the reconcentrados became acute. The policy of General Weyler, in his attempt to subdue the insurgents, was to drive them to the necessity of open battle by depriving them of the means of subsistence, and in order to do this he removed the neutral people, those who had been engaged in production and cultivation and were still fortunate enough to exist, from their homes and habitations and concentrated them within the protection of the guns of the Spanish cities and there forced them to remain.

The people of the cities, themselves upon the verge of want, had little to give to the reconcentrados, and these defenseless people were rapidly brought to a state most pitiable, in which want and hunger brought starvation and every form of death. This order of concentration can not be justified. It was wrong when executed, and in the light of to-day, in the clear sunshine of the present, it seems a dread and terrible crime against humanity. But, sir, it was the logical result of the events begun by the insurgents, continued by the Spanish, and consummated by both.

We know that when war comes, even under the most favorable conditions, production is less and consumption grows more; but under the system of war existing in Cuba it was much worse than ordinarily. Production ceased almost entirely, agriculture was annihilated, and the cultivated districts reverted into natural disorder. The Captain-General sent to relieve Weyler found this condition. He saw the dread environments which surrounded these people. He attempted to give relief, and in this attempt was greatly aided by the charitable contributions of the American people.

But there was not enough, and at last the situation grew more dreadful and deplorable; and when the true state became known to our people, their outraged feeling against Spain caused a still further demand to be made upon that country. It was that the policy of concentration must be abrogated—the reconcentrados returned to their homes and maintained there until they could enter upon tilling the soil and producing the sustenance they required. To this demand the Spanish Government also acceded, and General Blanco received the order which he began to execute. In his endeavor to send back to their homes these unfortunate people there was also, in a great degree, a failure.

It is said that the Spanish Government was not intent upon carrying this policy into effect. It has been said in this, as in many other matters, that they were treacherous; but, sir, the failure is not chargeable as much to the Spaniard as it is to the fact that these people were so weak and helpless, composed of women, children, and old men emaciated by hunger, until they were in a starving condition and unable almost to travel, incapable of labor or of any effort of self-sustainment. Not only this, but when they arrived at their homes, or rather the place where their homes once were, they found nothing but ruin. They were shelterless and without food; but even in this condition, which could be relieved by American charity and Spanish aid, they were not allowed to rest in peace because of the attacks, not of the Spanish, but of the insurgent bands.

This is not a Spanish story, and I give it not upon my own authority, but refer you to the Senator from Massachusetts [Mr. HOAR], when he told you of the mission of love and benevolence which induced a noble American woman to leave a home of comfort in Massachusetts and devote herself to these suffering people. Who can doubt the statement of Clara Barton, whose name and fame will be the one bright page in this dread story of murder, plunder, rapine, starvation, and death?

Americans and Spaniards together worked to bring about an amelioration of these conditions, but our people felt there was but one remedy which could be successfully applied. War must cease and the Spanish Government depart from the island. Therefore a further demand was made upon Spain. The President asked that an armistice be granted and continued, and that the Spanish troops be removed and the Cubans given self-government. In due time a cessation of hostilities came and the Spanish Government granted the armistice. It is said that this result was attained not by American diplomacy but was given in answer to a request from another source.

I do not know how this may be. I have not been initiated into the maze of these diplomatic negotiations, but I do know that an armistice was granted by the Kingdom of Spain, and that General Blanco, the commander of forces and Captain-General of Cuba, was instructed to carry it into effect.

It has been asserted that Spain was not in earnest; it has been said that she would treacherously forego the obligation and merely make pretension of an armistice to gain an advantage for herself. But, sir, to my mind the sending of General Blanco, a man of high honor, of humane motives, of great intelligence, and, above all, of a generous heart, a man whose ideas are much akin to our own, would indicate that the Spanish Government did wish to better the conditions prevailing in Cuba and bring about a state of peace.

But, sir, the armistice has not been successful. The armistice has been a failure as well as the home sending of the reconcentrados; and, sir, who is responsible for the failure of the armistice? Not the Spanish Government, but the insurgents themselves, incited to their action by the American people. Upon the very day that the order was issued and transmitted to Cuba the President's message reached the Congress of the United States; and, sir, instead of carefully considering that message and acting upon the suggestion, which if not plainly stated was at least distinctively intimated, the Congress has so construed it as to mean an appeal to rush into immediate and indefensible war.

We can not expect success either for autonomy or for any movement inaugurated by an armistice when the moral force and power, not to speak of the armed forces, of the United States are against Spain and favorable to the insurgents and a continuance of their war.

I have attempted in a brief manner to follow step by step the demands of this Government and the concessions of Spain. I have shown that every suggestion made by this Government has been agreed to by the Spanish ministry, and that the situation upon the morning of the reception of the President's message to Congress was such as to lead the fair-minded and impartial critic to believe that every desire of the American people would in the end be accomplished by peaceful means. But, sir, the resolution now before the Senate would destroy every hope of further diplomacy, prevent the President from making further effort for a peaceful solution of the question, by bringing the country into immediate armed intervention.

Sir, I appeal to the Senate to pause for a moment and calmly consider whether we have reached the point where negotiations must cease and active war begin. I can not think so. I appeal for peace. I do not believe that the President of the United States is of the opinion that diplomacy has been a failure and that we should at the present engage in war. I have read his message; I have carefully, nay prayerfully, considered it. It has been read here before, but I wish again to emphasize and call the attention of the Senate to the President's expression at the close of his message, and there I think is the concentrated thought and desire of the Chief Magistrate. He says:

> In view of these facts and of these considerations, I ask Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

Sir, I see in this appeal of the President nothing more nor less than this, that he calls upon Congress to so place him that if he finds in the end that all negotiations and every effort of diplomacy to secure the demands of this country in the Cuban case have been in vain, he may then stretch out the strong arm of the American people and strike down the power of Spain by the mailed hand of war. But I contend that the President has not yet contemplated that condition. I contend that the President in his heart feels, as every patriotic and peace-loving American citizen must feel, that there is no necessity for any war so long as we can accomplish by pacific methods all that is desired.

What is it that we desire in this contention? The aspiration of the American people is that there may be a free government in Cuba and that the people of that island may enjoy the right of liberty, even as we are privileged to enjoy it. If this can be accomplished in peace, where is the argument that will justify war? If war comes, it will open a veritable Pandora's box of ills. Our foreign commerce will be paralyzed, our trade crippled, industries come to a standstill, the arm of labor will be lamed, taxes will increase, values become unsettled, the currency deranged, and the public debt augmented. If war comes, the thunder of guns, the whirling of swords, and the noise of battle will bring death and disaster to our men, sorrow to our homes, contaminating diseases to our shores.

What will we gain by war? Victory may crown our endeavors. That we doubt not; but to win every battle and bring disaster upon the foe at every point will still find us losers in the fight. What can we gain by war? Glory? Nay; there can be no glory in defeating a nation than whom we are stronger as 5 to 1. Conquest? Nay; we desire no acquisition of territory by that means. Revenge? Are we certain that we have sustained such wrong as to crave the blood of the innocent ones even of Spain? Freedom for the Cubans? Are we certain that it will not come by diplomacy and tranquil achievement? Until we are certain, the voice of the Master should be heard and the angry waves of national passion should be stilled.

To what does the present situation point? Let me read once again the closing sentences of the President's message. He says:

> Yesterday, and since the preparation of the foregoing message, official information was received by me that the latest decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not yet been communicated to me.

Now, Senators, let me impress upon you the last words of this message:

> This fact with every other pertinent consideration will, I am sure, have your just and careful attention in the solemn deliberation upon which you are about to enter. If this measure attains a successful result, then our aspirations as a Christian, peace-loving people will be realized. If it fails, it will be only another justification for our contemplated action.

The President here plainly indicates, though it may not be stated in direct language, that he yet believes negotiations will result in good, that he yet believes the issuance of this armistice will bring peace to Cuba. We have every reason to believe that it will bring peace and freedom to Cuba. For we have every reason to take for granted that the Spanish Government will be forced to withdraw its troops and independence for the Cuban people will eventually result.

There is a difficulty in the way of the Spanish Government agreeing to every point in the contention at the present moment. Senators here understand that the present Government of Spain stands upon precarious grounds. If the Spanish ministry were, without attempt at delay by diplomatic action, to consent to every demand made by the United States the Liberal Government would fall and we would be responsible for a reactionary movement by the rise and accession of the Carlists to power in Spain.

We talk of humanity. It is a splendid sentiment. But, sir, the march of humanity demands not only that Cuba shall have relief, her people be free and endowed with self-government, but it also demands that the Kingdom of Spain shall be thrown open to the spirit which pervades the American Republic, and that gradually there shall be a more liberal government, and perhaps after the passage of a short period of time there may be fraternal relations between the republic of Spain, which shall have arisen from the ashes of the ancient monarchy, and the United States of America. I pray to God that the day may come; but if you overthrow the present liberal Government and cause a reactionary movement you will place Spain in such a position that the movement of liberty may be retarded a hundred years.

Mr. President, I find I have spoken longer than I intended upon this branch of the subject. Now I wish to say a word or two upon the other.

Every Senator who has here spoken seems to have the sentiment, the idea, and the thought that the Spanish Government was responsible for the blowing up of our war ship. I can not think so. I have not seen in the report of the commission appointed to investigate that dread disaster, and I have not heard from any other source, anything that would lead me to that conclusion. If you would hold the Spanish Government liable for blowing up our vessel, then, sir, General Blanco, who commands in Havana, must be the responsible person. He is the representative of the Spanish Government, and from and through him responsibility must come.

What did Consul-General Lee say concerning that noble man? I speak of him as a noble man because, though he is a Spaniard, and though we have no great love for that nation, I say to you that "one touch of nature makes the whole world kin;" and a noble man who attempts to do his duty to his Government and humanity, even though he be a Spaniard, deserves the plaudits of Americans. I have not seen any evidence that would hold General Blanco responsible for the destruction of the *Maine*. What was his condition when he heard of this most lamentable occurrence? Tears were in his eyes, and he tremblingly expressed sorrow and contrition that such an event should have taken place. It has been said, when our vessel had been blown up and the souls of our sailors were sweeping into eternity, that Spanish officers regaled themselves with champagne and were in glee and high spirits over it. It may have been so, but I remember also that other Spanish officers and other Spanish men at the very risk of their lives went out into Havana Harbor to save American sailors.

Mr. GALLINGER. Will it interrupt the Senator for me to read just one or two passages from the testimony of General Lee on this point?

Mr. WELLINGTON. If the Senator will not take too long.

Mr. GALLINGER. No; just a moment. I appreciate the courtesy of the Senator. It appears that Senator FORAKER asked General Lee this question:

> Senator FORAKER. Have you any doubt but that it was put there by the Government?
>
> Consul-General LEE. I do not think it was put there by the Government. I think probably it was the act of four or five subordinate officers.
>
> Senator FORAKER. Spanish officers?
>
> Consul-General LEE. Spanish officers, who had knowledge of the location and probably were experts, and had that branch of the service to look after. I do not think General Blanco gave any order about it.

Mr. WELLINGTON. I thank the Senator for reading that passage from the report of the commission, because it brings to my mind a thought that may be of value in this connection. It may be true that some Spanish officer was responsible for the blowing up of the battle ship *Maine*, though there is no direct proof even of the fact that the explosion came from without; but, sir, may there not be those who say we are responsible for the defeat of autonomy in Cuba and, by that defeat, indirectly the cause of this disaster? When the Spanish Liberal Government gave autonomy to the Cubans, it disgruntled and caused to fall away from her certain radical Spaniards then in authority.

Some of them may still be in power, and those are the people who, perhaps, were guilty of this most treacherous and horrible act. I can not for a moment imagine that the Spanish Government, represented by General Blanco in the harbor of Havana, would be so utterly lost to every feeling of humanity as to be guilty of this high crime against all civil law and terrible sin against the command of God. And, sir, so long as there is no proof that such was the case, and so long as that is not present with us, so long will we not be justified in holding Spain accountable.

I desire to assert here and now with all the emphasis of which I am capable that if it were clear to my mind that the Spanish Government by its chief officer had been guilty of this crime, I would say that it must be war, swift and sure, now and without a moment's hesitation, because that would place us in such a position as to be beyond further deliberation and beyond arbitration. No remedy save and alone that of war could be had. I may again be in error, but until I am convinced, until Spanish responsibility has been made clear to me, I for one can not give my consent to declare war on this proposition.

Sir, war may come, and from the present temper of the American Congress I fear it will come. So far as I am concerned, I say now, as I said at the beginning, I favor peace, and being for peace I will vote for peace. I will not contend for one thing and vote for another. I have a solemn, firm, and fixed conviction, arrived at after calm deliberation, not in the forum of passion but before the judgment seat of reason, that to precipitate the American people into war with Spain at this time would be a crime against Christian civilization, justice, and right. I believe that my people, the people of the Commonwealth of Maryland, whom I in part represent upon the floor of this Senate, the conservative and thinking people, stand as I do upon this question. I shall therefore vote against the resolution declaring for or eventuating in war.

Our people are conservative; but, sir, if the United States of America by its Congress shall say that war must come, we will bow to the will of the majority of our countrymen. That majority must accept the responsibilty, and when war is upon us, then, sir, we will not take the advice of my friend the Senator from Ohio [Mr. FORAKER] and betake ourselves to the rear, but our people will be found in the very forefront of battle for the cause of the Union.

We are a conservative people; but, sir, Maryland has always been loyal and true to the best interests of the American Republic. When Massachusetts began the American Revolution and our militiamen for the first time met British regulars; when Concord and Lexington and Bunker Hill had been fought and the war which must end either in independence or submission of the Colonies had begun; when Massachusetts sent an appeal to her sister Colonies for aid in the great struggle that was upon her, the Colony of Maryland was the first to respond, and from my native mountains marched the first company of riflemen, who lingered not until they reached beleaguered Boston. Through the Revolutionary war Maryland troops more than once saved the day and snatched victory from defeat; more than once the Maryland line saved the American Army. In 1812, when English troops descended upon our coasts, razed our towns and cities, burned our houses, plundered our villages, not only Maryland men, but Maryland youths and children went out that they might defend the honor and integrity of the country.

In 1848, when American arms invaded Mexico, Marylanders performed deeds of valor. When the great civil war came, Maryland, though a Southern State, remained true to the Union. Sentiment was divided there. We were a narrow strip between the two great sections of our land. To the north of us was the one idea, to the south another, and the two great waves of opinion met upon the border land in contention. Our people were

divided. Some of our men donned the gray and marched with their Southern brethren under the Confederate banner. Others put on the blue and stood for the flag of the Union, and at Gettysburg, the bloodiest spot upon that ensanguined field except one, perhaps (and that will be remembered by the Senator from Minnesota), Marylander met Marylander and the men in blue struggled and contended with those in gray for mastery.

We love our country; we love its institutions; we love its flag; we are proud of its history; we look upon it as the banner which floated over Washington in the darkest hour of the American Revolution, when he was surrounded by ragged Continentals at Valley Forge—barefooted and hatless, tattered and torn, hungry and cold. And the flag waved proudly again over Maryland troops in the midsummer of his glory, when Washington received the sword of Cornwallis at Yorktown.

It was carried by Maryland volunteers in the second war with England; it was placed upon the topmost rampart of Montezuma's tower in Mexico; it was dragged in the dust at Bull Run; it was glorified and had final victory at Appomattox, but it has a greater glory, not in war, but in peace. As its silent folds are floating in this hour, they stand as an emblem of a reunited, peaceful, liberty-loving people, having but one aspiration, and that is that liberty, freedom, and self-government shall go out and become the heritage of all the peoples of the world.

So, if war must be, then Maryland will be found with you; but in this hour which must decide for the future, in this fateful hour, the vote of one of her Senators, at least, will be registered for peace.

Mr. CAFFERY obtained the floor.

Mr. TELLER. Will the Senator allow me to offer an amendment?

Mr. CAFFERY. I yield to the Senator.

Mr. TELLER. I desire to offer a substitute for the Senate resolution, which I simply ask to have printed.

Mr. ALLISON. I hope the Senator from Colorado will ask that his amendment be read.

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). The amendment proposed by the Senator from Colorado will be read.

The SECRETARY. It is proposed to strike out all after the resolving clause of the joint resolution and insert:

First. That the people of the Island of Cuba are, and of right ought to be, free and independent, and that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful Government of that island.

Second. That it is now apparent that Spain can not maintain her control of Cuba against the republican government of that island. The war now existing between the Government of Spain and the Republic of Cuba, as now conducted, is destructive of the interests of the people of Cuba and injurious to the interests of the United States, and has created a condition in that island that can no longer be endured.

The only hope of relief and repose from such a condition is the enforced pacification of Cuba by the withdrawal of the land and naval forces of Spain from that island; it is, therefore, the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once withdraw its land and naval forces from Cuba and Cuban waters. If Spain fails or refuses to accede to such demand, it will be the duty of the Government of the United States in defense of its interests and in the interest of humanity to take such measures as shall put an immediate stop to the war in Cuba, hereby disclaiming any disposition or intention to exercise jurisdiction or control over said island except for the pacification thereof and a determination when that is accomplished to leave the government and control of the island to the people thereof.

Resolved, That the President is hereby authorized and directed to take at once such steps as may be necessary to terminate hostilities in the Island of Cuba and to secure to the people of that island an independent republican government by the people thereof; and the President is authorized and directed to use, if necessary, the land and naval forces of the United States for the purpose of carrying this joint resolution into effect.

Mr. TELLER. I ask that the substitute resolution which I have offered may be printed.

The PRESIDING OFFICER. The substitute proposed by the Senator from Colorado will be printed, in the absence of objection.

Mr. TURPIE. In my first report in behalf of the minority of the Committee on Foreign Relations I find that the RECORD says that the word "offered" was used by me, but to make it clear I now offer the amendment.

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

The SECRETARY. It is proposed to insert, in line 4, after the word "independent," the following:

And that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

The PRESIDING OFFICER. The amendment will lie on the table subject to the motion of the Senator from Indiana.

Mr. CAFFERY. Mr. President, differing so radically with the majority of my colleagues on this side of the Chamber as to the questions involved in the pending resolution and amendments, I approach their discussion with a full sense of the fallibility of my own judgment and with deference to the contrary views of my colleagues. I have tried to view this question in every light that I could, so as to ascertain what position the United States could take that would be sustained by international law while being just and beneficial to both sides of the contestants now carrying on hostilities in the Island of Cuba. If my conclusions are wrong, it is my misfortune, not my fault.

Mr. President, I have stood once before on the brink of war. Though quite young, I counseled moderation and delay. I counseled due consideration of the disastrous consequences that might flow from war precipitately waged. My counsels were swept to the winds, and I was swept along with the balance of my people into the most colossal war that was ever waged between civilized nations. Sir, the hostile sections that engaged in that dreadful conflict were each a unit. It was North against South. If we, unhappily, must go to war with Spain, it will be waged on our part by a solid Union. There will be no North nor South nor East nor West. It will be the war of a great Republic with one of the oldest States of Christendom.

But, Mr. President, in emergencies of this sort, where popular passions become aroused, the motives of men not in entire accord with the enthusiastic populace seem to be questioned. Whoever dares to utter an opinion or give expression to a thought not in line with the prevailing current of popular opinion is gibbeted by a libelous press. I will send up to the desk and have read a clipping from the Washington Times of to-day's issue in regard to myself.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[From the Washington Times, April 16.]

A MARKED MAN.

The country has marked with surprise and indignation the extraordinary course pursued in the Senate for the last two days by a Southern Senator who appears anxious to constitute himself the head center of a small but compact body of persons whose effort is to help Spain as much as possible in the present crisis.

The underlying motive of such a service is somewhat problematical. It may be a desire to earn glory or it might be a political sin with a name not to be mentioned except upon the most damning evidence of its existence. But, be that as it may, the Senator in question needs careful watching. His gyrations yesterday suggest the propriety of observation if not of investigation. His former association with an institution of charity and learning known as the Louisiana State Lottery Company renders him all the more worthy to have the critical eyes of his colleagues and of all American patriots firmly fixed upon him.

Mr. CAFFERY. It is rarely that I ever notice newspaper articles, nor would I have seen this one but for the fact that a friend has just sent it in to me. There is nothing in the article about which I care to make any statement except the charge that I was ever an agent of the Louisiana State Lottery Company. The grotesqueness of the lie is the only thing that commends itself to my especial notice, for, Mr. President, if there is anything in my life for which I take pride it is in the efforts which I made to help break down the infamous institution of the Louisiana State Lottery Company.

I say this editorial applies to me, though I am not named, because I am the only Senator from Louisiana who took any part in the debate on the Cuban question during the last two days.

I point to the balance of that editorial as a commentary on the times. Sir, it is an epitome of the corruption of American journalism. It shows the extent and the depth to which libelous, corrupt newspapers will go in order to lash public men into following their arrogant dictation. Sir, when I can bring myself, as humble as I am, to take one line of action or one inspiration of thought from the libelous and slanderous journals that are now attempting to hound this country on to war, I hope that moment will be my last.

Mr. President, I differ, and I differ honestly, with the Committee on Foreign Relations in the view which it has taken of this matter. The joint resolution which it has reported is a declaration of war. Whatever action I favor, and I do favor intervention, is predicated upon it as a humane movement which may result in war, but which is justified under international law. If war comes of it, our hands are clean. If war does not come of it, then, conjointly with Spain and the insurgents, we will relieve Cuba of the terrible suffering and destitution and misery and death which now prevail there.

Intervention by a friendly power to put an end to hostilities that have culminated into barbarous cruelties, inhuman slaughter, more inhuman starvation, and universal ruin, waste, and destruction is justified by that code which prescribes the rule of conduct among civilized nations. Nearness to the scene of conflict is a controlling factor in prompting the intervention. Being justified by principle and practice among the nations, it can not be construed, necessarily, into an act of war. While nonintervention is the rule, intervention in such a case as that of Cuba forms a just exception. Spain has not been able to pacify the island nor subdue the insurgents. The work of death and destruction goes on with a fearfully increasing progress. Humanity stands aghast at the awful spectacle, and the President, following its noble dictates and sustained by the law of nations, which is likewise God's, asks of us the power to intervene to arrest carnage and death. I, Mr. President, stand ready to grant it.

Sir, the conflict in Cuba is but the culmination of a series of revolutions commencing fifty years ago. Last night the Senator from Texas [Mr. CHILTON] alluded to the insurrection headed by Lopez, in which the gallant Kentuckian, Crittenden, lost his life. The recollections of my earliest boyhood are associated with that insurrection, for from my native town went one of the most gallant men that God ever created and was slaughtered on Cuban soil for what he thought was Cuban liberty. From the expedition of Lopez till to-day there have been insurrections after insurrections to meet the same untimely fate, the same crushing disaster, as that of Lopez.

In vain has autonomy been offered by Spain. It has been rejected by the insurgents. In vain has an armistice been offered by Spain. It has likewise been rejected by the insurgents.

The fighting still goes on, and it must cease.

But the present revolution assumes a proportion and a scope of destructive power greater than any of the preceding ones. Its inevitable result is to make Cuba a charnel house of destruction and death. From the topographical condition of that country, from the character of the people who inhabit it, descended as they are from the Spaniards, a guerrilla war is the only war they would naturally fight. From the time that the Saracens invaded Spain and defeated the Spaniards at Gibraltar until the last Moor was driven out eight hundred years after there was a constant guerrilla hand-to-hand fight between the Spaniard and the Moor.

The guerrilla instinct has been inherited by all of Spanish blood from centuries of strife, and we see it developed in Cuba to the most extensive proportions. A handful of insurgents occupying the interior of the island bid defiance to the trained soldiery of Spain. The island is about 750 miles long and about 50 miles wide. It has a population of 1,600,000 people. The interior is occupied by mountains. The habitations are mostly upon the seaboard. The insurgents retire to the mountain fastnesses and from there they swoop down upon the Spanish soldiery.

Sir, it is manifest from the history of this revolution, the inability of 200,000 armed and equipped and disciplined Spanish troops to put down 30,000 insurgents, that the power of Spain is slowly dying in that island. It is manifest that the loss of her sovereignty is but a question of time. But it does not result, even if that island is a desert, that the roving bands of insurgents without a government of law, without the forces of a civilized government, are therefore a state; and we are called upon in the amendment to the resolution to recognize a state. What is recognition? It is merely certifying to the existence of a fact. It is perceiving the identity of some status and so declaring. You can not make it by words. You can not recognize a state which has no existence, and all the power of the great Congress of the United States can not create the smallest state in Christendom by statute or declaration.

Mr. President, how do civilized countries wage war or how do they recognize the existence of war? They wage war by state against state. It is not every individual of every state who is at war with every other individual of the opposing hostile state. Noncombatants are safe. That is one of the blessings—an unalloyed, a grand blessing—that the international code has bestowed upon civilization. In ancient times during war every man's hand was against his adversary. The Romans butchered and murdered and killed or enslaved every man whose state was hostile to Rome, whether with arms or whether without. The murder of prisoners was common. But modern civilization has erected another standard. War is carried on by state against state and with regularly drilled and equipped armies. It has become a science. It is the science of death, but still it is a science. It is not a pellmell, hurly-burly fight. So, therefore, when you recognize belligerency you must recognize a war which is carried on under the code of civilized nations.

It is immaterial to inquire, as to the existence of belligerency, whether the power of recognizing it belongs to the Executive or to the legislative branch of Government, or to both conjoined; but when you recognize belligerency you must perceive, identify, point out something which civilization calls, in the language of President Grant, the terrible and awful dignity of war; not roving, undisciplined bands, not men fighting here to-day and there to-morrow over a vast expanse of territory, which they do not hold permanently, or substantially so, but you must find an army. Is there such an army in Cuba as comes up to the requirements of the modern definition of "war?" Do you find such a government as comes up to the modern definition of a "government?" Has it exclusive power within any certain area of territory? Has it courts, and does it administer justice? All these questions must be answered in the affirmative, and answered not upon inference, not upon loose, disjointed facts, not upon a paper constitution and paper schoolhouses and levies of blackmail called taxes, but you must have your established government, your equipped institutions capable of exercising all the functions of civil government, and regular armies, carrying on war under civilized methods, and then you have belligerence.

Belligerence is nothing more, upon an investigation of the authorities, which I do not care to read to any extent, than temporary statehood. When statehood becomes permanent, then you recognize the State. When it is only temporary and there is a doubt of its permanence, as in the case of Texas when General Jackson forbore to recognize the independence of that State until such time as there would be no danger of Mexican subjugation, you recognize belligerence. The only marked essential distinction is as between a permanent and temporary statehood. With whom will this great Government deal in the matter of belligerence? It must be with some political entity that has the muniments of a state, something that is covered by statehood indicia, something that there can be no mistake about upon the part of the recognizing power. That is belligerence. It is not necessary that these requirements be of a permanent character. Temporary possession of them authorizes the recognition of belligerence.

Mr. President, at the expense of thrashing over some of the old straw perhaps, I will quote certain definitions of statehood, in order to see whether or not we can recognize the independence or belligerence of the insurgents under Maximo Gomez or anybody else.

Mr. Wheaton, page 33, in his definition of a state, says:

> A state is also distinguishable from an unsettled horde of wandering savages not yet formed into a civil society. The legal idea of a state necessarily implies that of the habitual obedience of its members to those persons in whom the superiority is vested and of a fixed abode and definite territory belonging to the people by whom it is occupied.

I will read another one of them, and ask that the other definitions which I have may be inserted in my remarks in the RECORD. Woolsey, section 36, says:

> A state is a community of persons living within certain limits of territory under a permanent organization, which aims to secure the prevalence of justice by self-imposed law.

Then I refer to Hall, section 1:

> The marks of an independent state are that the community constituting it is permanently established for a political end, that it possesses a defined territory, and that it is independent of external control.

Now, in regard to the proposition which I have advanced, that belligerence is temporary statehood, I cite Hall, section 5, page 34:

> It is no doubt incumbent upon a state to treat subjects who may have succeeded in establishing a temporary independence as belligerents and not as criminals, and if it is incumbent upon the state itself, it is still more so upon foreign governments, who deal only with external facts and who have no right to pass judgment upon the value, from a moral or a municipally legal point of view, of political occurrences taking place within other countries.

There is the recognition of the proposition as to belligerence which I advanced, as drawn from the definition of statehood itself. I think it needs no further corroboration. It is self-evident to my mind.

We are called upon to vote for that which will stultify us. We are called upon to acknowledge in our legislative capacity and as having jurisdiction over the matter that which does not exist; and, sir, if it exists at all, where is the scope of its influence; where is the extent of its existence? It is said that Havana is held by the Spaniards. There are 250,000 inhabitants of that island in the one city of Havana. A majority of the population of the island is in the cities on the seaboard, not a single one of which is held by the insurgents. Now, if independence is recognized, how can the recognition cover any other than the territory occupied exclusively by the insurgents? Who has informed us where that territory is? Who could possibly define its limits and give it a local habitation? What skillful guide could conduct an American minister to the mountain capital of Gomez? It has been admitted that twice that fancied capital has been changed, but that would amount to little if there had ever been one.

Every President from Grant to McKinley, having cognizance of all the facts surrounding the case, has refused to recognize the independence of Cuba or its belligerence; and, sir, they had sympathy—not mock sympathy, but real American sympathy—for real patriots struggling for real liberty. Were they unsympathetic with the struggle for human liberty? No, sir; and if there is one argument of a practical character stronger than another to convince me of the absolute inutility of the power of recognition belonging to the legislative branch, it is our inability to get the information upon which that decision must be founded. With all the evidence upon which belligerency can be based in the possession of the President, who but him can ascertain its existence?

Mr. MASON. Mr. President——

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. CAFFERY. I decline to be interrupted now.

Mr. MASON. Very well.

Mr. CAFFERY. Here we are, sir, meditating now this question of war between Spain and the United States. Here is the report of the Committee on Foreign Relations, a volume of 600 pages, purporting to be the evidence and papers concerning the existing relations between Spain and the United States, and we

have had three days to examine it in the midst of this exciting and absorbing debate, when we sit from 10 a. m. to late in the evening. I have not read that book. I have not had the time; and I am called on here, in this acute spasm of public indignation and wrath against the atrocities committed in Cuba, to decide upon this great question of war.

The Executive is charged, and charged solely, and charged exclusively, with the power of recognition. I have heard Senators say that because the Senate could make a commercial treaty or could make any other treaty, therefore there was a concurrent power and jurisdiction between the legislative branch and the executive branch in regard to recognition. It is not so, sir. Before you negotiate your treaty you must recognize the credentials of the representatives of powers with whom you deal, and who does that but the President? His recognition is all-sufficient and all-conclusive as to the existence of states when he recognizes their ministry as clothed with power to transact the treaty. It springs from the power to appoint and receive ministers and ambassadors. That gives a wide and exclusive operation for the executive exercise of authority in the premises.

The Executive is clothed with entire jurisdiction over our external affairs so far as diplomacy goes. Is there a man in the Senate who does not know that it largely rests within the discretion of a President whether to precipitate a war or not by acts or correspondence entirely under his control? He has charge of all the diplomatic negotiations looking to laying the foundation, both in deed and in word, for a state of affairs that may necessarily lead to war; and when we declare war, we do nothing more than act upon the findings of the Executive.

Mr. President, there can be no recognition of belligerency or independence in Cuba that will hold water under the canons of international law. We will stultify ourselves, we will violate the international law, if we do so. That law appears to be scoffed at, sneered at, as nonexistent. No civilized nation on the globe can dare fly in the face of the enlightened conscience of mankind. That law has for its sanction the rebuke of the nations of the world, and unless we want to be outlawed, unless we want to be outside of the pale of the family of nations, we can not knowingly and flagrantly violate any of the articles of the code that governs the conduct of nations toward each other.

The question of belligerency and the question of recognition have been so fully argued that I will simply content myself with the statement I have made of the general principles that I think bear upon the question.

I desire to take up the proposition advanced by the Senator from Ohio [Mr. FORAKER] in this connection. He stated that if we did recognize the independence of Cuba, and if there were anything lacking, if there were a missing link, we could make that up afterwards. In other words, that we could make independence and then recognize it.

You can not make a status of independence for another. You can only make your own. You may be an ally of another, but if you go outside of the confines of your own territory and dip into the affairs of another state and recognize that which does not exist, and set to work to make what you want to recognize, you have violated the international compact that binds states and civilized government. It does not make any difference in the case of Cuba whether the quotations that the Senator makes from President McKinley's message apply or not. If the sovereignty of Spain has ceased, it does not necessarily follow that the sovereignty of the insurgents rises and comes into existence.

We can only deal with the present state of facts. We can not predicate action on a contingent condition which, though likely, is not certain to happen. It would unsettle the relations of the world were the doctrine to obtain that, because a state may and of right ought to become independent, therefore we will proceed to recognize something nonexistent, and proceed by our aid to create the future existence of what we presently do not know to exist, or know not to exist.

Independence can not be made any other way by the people of Cuba than by clothing themselves with the muniments of statehood, and if they have not got them it makes no difference whether there is a Spaniard there or not. It may be that after the Spaniards leave the island the Cubans will proceed to get together after a while, with aid from the United States, and build up something that we can call a state, but before that happens we can not recognize it.

Mr. President, my deliberate opinion is that we stultify ourselves in voting for independence, and that the President of the United States would be bound to veto the resolution if we adopted it.

To show that the insurgents are as much to blame for the condition of affairs as the Spaniards, I will read some reports of our consuls laid before us on the 11th instant. I will turn over and read some of their reports and we will see the condition of affairs there. I have not time to read many of them. Here is a communication from Mr. Hyatt to Mr. Day of the 31st of January last. I will read only the last part of it, and ask that the whole of it be incorporated in my remarks.

Mr. Hyatt to Mr. Day.

No. 427.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, January 31, 1898.

SIR: I desire to inform the honorable Department of State that Captain-General Blanco arrived at this port on Friday night, the 28th instant, but remained on shipboard until the next morning.

The consular corps called soon after his arrival. Most of General Blanco's remarks were directed to the French and American consuls.

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Colonel Marsh, of General Blanco's staff, called upon and dined with me the same evening. He speaks fairly good English, and is a gentleman of rare social qualities. On leaving he said, "I shall be at all times most happy to use whatever influence I may have with General Blanco in securing a favorable resolution of any matters that you may desire to present to him."

I told him I was prepared to take advantage of his offer at once, as there had just arrived at the custom-house in this place a quantity of quinine which the collector of customs said he could not deliver duty free without instructions from Havana. The colonel promised to lay the matter at once before the Captain-General, and the quinine is released, and, as I understand, it is ordered that all future shipments are to be promptly delivered to me, if any shall come.

On Sunday morning the regular passenger train on the Sabanilla and Maroto Railroad, when 5 miles out of Santiago, was blown up by dynamite bombs, exploded by electric wires; two cars were shivered in atoms. Five passengers were killed outright and twenty-two badly wounded, some of whom have since died. It is thought by some that the insurgents believed that Captain-General Blanco was on the train; by others that they merely wanted to notify the general that they were around and attending to business.

I am, etc.,

PULASKI F. HYATT,
United States Consul.

Here is another extract showing how war is carried on in that island, the sort of highly civilized soldiers that we are to recognize, and the highly civilized conduct by which warfare is carried on. It is a letter from Mr. Hyatt again, and no one who reads these reports can accuse Mr. Hyatt of any partiality to the Spaniards. All his sympathies are with the insurgents. I read this to show how they treat autonomy:

Mr. Hyatt to Mr. Day.

No. 423.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, February 1, 1898.

SIR: The military conditions here upon the surface are not materially changed, but to one who watches the signs of the times and knows the character of the men who act the drama the situation is not without portent.

The era of good feeling is passing away, while bitter words and cruel acts are again coming to the front. Those engaged in works of mercy are denounced for keeping alive a tribe that ought to be dead. But it can not be said there is no excuse for harsh judgment. The stoppage of all agricultural pursuits and the blowing up of cars containing innocent people can not be justified even under the guise of war. Extremists of both sides seem able to dominate the sentiments of their respective parties, while a deep feeling of personal hatred pervades their breasts.

General Blanco's mild and humane policy meets with but a feeble response from his own followers, while the insurgents laugh at the old man who throws sods and grass instead of stones.

Autonomy is already a dead issue, while buying insurgent leaders thus far is not a marked success, the insurgent generals having already imprisoned several officers suspected of venality.

Colonel Marsh, of General Blanco's staff, said recently:

"Spain fails to comprehend that Cuba has, as it were, two mothers—a political one, which is Spain; a commercial one, which is the United States; and the political mother fails to see that the commercial mother has any rights, while the commercial mother can not shake off her responsibility, for God has made them next-door neighbors."

I do not believe that the Western Continent has ever witnessed death by starvation equal to that which now exists in eastern Cuba.

Very respectfully, etc.,

PULASKI F. HYATT,
United States Consul.

There is where the insurgents are blowing up passenger trains and killing passengers, private individuals, and where the consul states that autonomy is dead. I will read another extract from Mr. Hyatt to Mr. Day. Let us see how they treat Americans over there. I read from No. 421, and ask that the whole letter be incorporated in my remarks:

Mr. Hyatt to Mr. Day.

No. 421.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, January 12, 1898.

SIR: I deem it a duty to lay before the honorable Department of State the situation here as affecting American interests, and to inclose herewith an order issued by command of Gen. Maximo Gomez, and a translation of the same, forbidding the grinding of the sugar crop for the years 1897 and 1898.

In this part of Cuba, so far as I can learn, all idea of making a sugar crop is entirely abandoned.

I regret to say that the stoppage of industries, from present appearances, will not halt at the sugar crop, but coffee and other agricultural crops fall under the same ban.

I had hoped that after the reconcentration order was revoked, through the energetic action of the present administration, we would find no trouble in reinstating American industries; but it appears that all of the benefits that should have accrued to our citizens are thwarted by the action of the insurgents, who refuse to allow them to return to their sugar, coffee, and other estates. The Pompo manganese mines, owned by Americans, would at the present time be a very profitable investment if allowed to operate, are also being held up by the same power.

The three Revery brothers, who I informed you recently I was about to assist in returning to their coffee and fruit estates, got there only to find they could not go to work until permission was obtained from the insurgent commander, which permission seems doubtful, I myself, as I understand my duty, being inhibited from rendering them any assistance at this point.

These, with several sugar estates within my consular district, are held up and becoming more worthless than before.

* * * * * * *

It is beyond the power of my pen to describe the situation in eastern Cuba. Squalidity, starvation, sickness, and death meets one in all places. Beggars

throng our doors and stop us on the streets. The dead in large numbers remain over from day to day in the cemeteries unburied.

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Very respectfully, PULASKI F. HYATT,
United States Consul.

I have one or two more here. Here is one on page 33 that I will incorporate, the order of Calixto Garcia, who appears to be the insurgents' commander, ordering that any one who offered autonomy should be shot.

[Inclosure in No. 405.]

MILITARY DEPARTMENT OF THE EAST,
GENERAL HEADQUARTERS,
Baire, November 6, 1897. (Third of Independence.)

To the commanding generals of the first, second, and third army corps of eastern Cuba:

Duly informed through the press that the Spanish Government is offering autonomy with the intention by these means to subdue the revolution, or at least to bring about disturbances in our ranks and weaken our cause, this general headquarters reminds you that the spirit and letter of our constitution does not admit with Spain any treaty whatever that is not based upon the absolute independence of Cuba.

In accordance with this I will be inexorable, submitting to a summary trial and will consider as traitors all civil or military officers of whatever rank who receive messages, commissions, or have any intercourse with the enemy, as the supreme government of the republic is the only one authorized, and listen to any overtures that may be made, and even the government will only listen to proposals acknowledging the absolute independence of Cuba by the Spanish Government. All persons who come within our lines commissioned by the enemy with proposals to submit to Spain will be tried and punished as spies.

In order to avoid any ignorance being professed on this subject, you will circulate this communication among your subordinates, posting this order during eight days at your headquarters and have it read in the presence of the troops.

Country and liberty.

CALIXTO GARCIA.
Commander in Chief of the Department of the East.

(Baire is a small village lying about 54 miles from the city of Santiago.)

Then, again, on page 34, I will read the letter of Mr. Hyatt to Mr. Day, No. 410:

Mr. Hyatt to Mr. Day.

No. 410.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, December 5, 1897.

SIR: The situation in this part of Cuba is not destitute of activity; nevertheless, it seems to be one of expectancy, both sides posing and waiting to see what will happen in the United States.

There is a more secure feeling since the arrival of Governor-General Blanco; otherwise no perceptible change. The reconcentration order is relaxed, but not removed; but many people have reached a point where it is a matter of entire indifference to them whether it is removed or not, for they have lost all interest in the problem of existence.

A census of the island taken to-day, as compared with one taken three years ago, I feel confident would show that two-thirds of the residents are missing; and the Spanish army would make no better showing.

The rainy season is practically over, and cooler weather is apparent, the thermometer ranging from 70° to 88° F. through the twenty-four hours, in the shade.

His Excellency Enrique Capriles, a former governor of this province, has returned to this post of duty. His former record is a sufficient guaranty of an honorable administration.

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Mr. Rigney, an American sugar planter near Manzanillo, was preparing to grind during the coming season. A few nights since the insurgents fired seven cannon shots among his buildings, one ball passing through the roof of his house. Americans were hopeful that they would be allowed to make their crop, and several are making ready to do so; but the action of the insurgents toward Mr. Rigney gives the problem a doubtful aspect. It may have been a personal matter against Mr. Rigney.

The number of destitute Americans fed by this consulate decreased from 89 to 64, but is again on the increase. Since being fed, sickness among them has materially decreased and their appearance has greatly improved.

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Very respectfully, PULASKI F. HYATT,
United States Consul.

I will not read any more, but I will ask that the next one, No. 413, on page 35, be incorporated to show that the order of reconcentration was practically wiped out at the date of this letter, December 14, 1897.

The letter is as follows:

Mr. Hyatt to Mr. Day.

No. 413.] CONSULATE OF THE UNITED STATES,
Santiago de Cuba, December 14, 1897.

SIR: Since my last dispatch on the situation in Cuba several military engagements of more or less importance have occurred, and the insurgents are claiming to have had the best in the fight; but until an engagement shall take place of sufficient importance to have a controlling influence, I can safely leave the press to report on such matters.

I take it to be a matter of far greater importance that I shall watch the trend of public opinion and its effects on the political situation, for thus far battles have not been the most important factors in the Cuban problem.

Up to the present we have only garbled accounts as to the contents of the President's message, so it is too early to say what its effects will be. I shall, however, watch such results with much concern, as all parties have looked forward to it with deepest solicitation.

The order of reconcentration is now practically wiped out, and so far as the Spanish Government is concerned, men go about nearly as they please. The insurgents and their sympathizers will unquestionably take advantage of the revocation to get from the towns and cities what they need, and otherwise strengthen their cause.

The effect on agricultural pursuits will be disappointing, because the great majority of those who would or should take up the work joined the insurgent forces when compelled to leave their homes, and the portion which came within the lines of reconcentration are women, children, old and sickly people, most of whom seem to have little interest in the problem of life. * * * There is no one to take these people back to the fields and utilize their remaining strength. Their houses are destroyed, their fields are overgrown with weeds, they have no seed to plant, and if they had, they can not live sixty or eighty days until the crop matures, which, when grown, would more than likely be taken by one or the other of the contending parties.

Many of those who are attached to their families have them within the insurgent lines.

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Finally, I give it as my opinion, an opinion that I am sure is not biased in favor of Cuba, that Spain will be compelled to prosecute a far more vigorous war than has yet been done if she conquers peace in Cuba. I think I speak advisedly when I say that in this end of the island, at least, there are many thousand square miles where the foot of the Spanish soldier has never trod. Within this zone the insurgents have their families, corral their horses and cattle, and raise their crops. They reach the outside world by methods of their own.

Why Spain, with a large body of as obedient and brave soldiers as ever shouldered a gun, has not penetrated these grounds and scattered to the four winds the comparatively small body of men who are there is a question I will not attempt to answer.

As I write a man is dying on the street in front of my door, the third in a comparatively short time.

Very respectfully, PULASKI F. HYATT,
United States Consul.

Mr. CAFFERY. Mr. President, not only from these consular reports, but from the statements in General Grant's first message and the statements of every President who has written of Cuba since, have the wars between the insurgents and the Spanish Government been characterized, on either side, as of excessive atrocity, of unexampled fierceness, and of complete devastation and ruin to the country. It has been shown that the combatants on either side are guilty of excesses. The war first started with the firing of the cane fields in eastern Cuba. When Weyler, for whom I have no words but those of condemnation, saw that the insurgents were destroying the power of the sugar planters and others to make a living and pay taxes to the Spanish Government, he ordered the reconcentration of the pacificos, thought to be friendly to the insurgents. So between these two atrocious policies of destruction that island is a desert and a waste.

Both sides are responsible for it; the insurgents as well as the Spaniards. They are the same sort of people. There is no difference between them in respect to cruelty and a talent for destruction. They are mostly all of Spanish blood. They inherit all the virtues and all the vices of their parentage. They have shown as much cruelty in warfare, as much wanton waste and destruction of property, as the Spaniards themselves.

General Grant mentions in one of his messages the fearful tragedy of the murder by the insurgents of 600 Spanish prisoners at one swoop. It may or may not have been retaliation; but there was and is a war of absolute extermination going on there. That is the reason, and the only reason, why we can intervene. The only basis upon which you can put intervention, outside of the right of self-defense, is on the humane basis. That is a real, legal basis. It is a basis that is acknowledged by the humane code that governs the conduct of nations. It is a fearful responsibility for a state to undertake to judge of the circumstances that authorize an intervention for humane purposes.

The ground must be clear of doubt; the facts must be known with certainty. No mere sympathy for a people struggling for freedom is a proper or legal basis.

We seek no gain; we seek no conquest. If, to gain ends of peace, we must use the agency of war, the responsibility does not rest with us. We must discharge, in the face of difficulties both present and others looming up in the future, a solemn duty to humanity and to civilization.

The probability of some reconcentrados dying by reason of our intervention may come to pass, but it is better that some should die than all. It is better to save some than that all should perish.

But, sir, the exigency is on us. Impelled by the highest motive that can animate a nation, we are compelled to intervene; and for what? To stop a war of extermination and devastation; nothing more. If in order to restore peace, and permanently secure it, we may have to go farther and establish a government, we do that as incidental to the power to intervene—in order to carry out the beneficent purposes of the intervention.

Sir, that embarrassments and difficulties may grow out of this none will deny, but we can not foresee what the future may bring forth in the incidental duties that may devolve upon us. I regret that the hand of the President has been forced by the clamor for war. He and his predecessor have declared that affairs might get so bad as to compel the United States to intervene, and the time is at hand now to do so.

That is the basis upon which we can rest and defy civilization to point out one single flaw in our procedure. It is not only a right, but in our case it is a duty, a high Christian, civilized duty. It is useless to talk as to whether or not autonomy has been offered. It has been offered, but it has been rejected. The bearer of a flag of truce was murdered in cold blood who tendered on behalf of Spain the offer of autonomy and self-government to the islanders. There is an order in the consular reports from which I have read showing that it is death to speak of autonomy to an insurgent.

Sir, what kind of a cause is that? Even a whisper of peace is met by the murderous machete. Is that the sort of a republic that

we want to unduly launch upon the civilized world, created by our breath, where the bearer of a flag of truce and the conveyor of a message of peace has to be murdered?

Sir, we are justified under the international law and in the Christian conscience of civilization for intervention. It is said we have to recognize what does not exist in order to make that intervention good. Sir, we will then start with a fraud. We will start by passing a spurious counterfeit statehood upon the world. That is a start that the United States deliberately proposes to make in this contemplated proceeding. We can not do it and maintain our self-respect as one of the self-respecting nations of the globe. You can not make states like you make paper money. You can not make states like you enact a statute. They are something to be made by and on behalf of the people who reside in them, and no outsider can by statute make them. Any demand, therefore, for us to acknowledge the existence of a fraud, the existence of a counterfeit, ought to be spurned out of this Chamber.

Sir, the war feeling must be strong that would carry our people to the length of recognizing a falsehood and perpetrating a wrong and launching upon international life a counterfeit state, which would inevitably lead to war.

And whose war would it be, Mr. President? Ours? Is there a foot of American soil that has been invaded by the hostile tread of the invader? Is there a single citizen of the United States deprived of his life or liberty anywhere in the civilized world for which we ought to take up arms? Whose fight is it that we are plunging into? Not our fight. It is a fight between certain insurrectionary persons in the Island of Cuba and the Spanish Crown, and under ordinary circumstances we have nothing to do with it.

Sir, if there was one single legitimate cause of war to unite this people, 1,000,000 swords would leap from their scabbards to defend the honor and the power and the reputation of the United States without debating the question an instant. Why do we talk here? Because this resolution involves the consideration of a momentous question affecting the good name and the reputation of the United States. It affects us very nearly, very closely. It affects us in our judgment and in our conscience.

Sir, this is not a question to be decided by passionate appeal. This is not a question to be submitted to the arts of rhetoric. This question can not be decided by vilification of Spain; nor, sir, ought it to be decided with any reference to any small, political, contemptible, partisan advantage.

Sir, this country appears to be swept from its feet by a perfect cyclone of passion. Men of ordinary judgment appear to be lost in amazement when they contemplate the extent to which mixed sympathy and passion are driving us.

Sir, men get up here in this Chamber and tell us it is no time to talk, but to act. Act how? Are we going to act foolishly? Are we going to act without cause? Are we going to plunge these 70,000,000 people into the horrors of war? We are told to act, to turn loose the dogs of war and let them dip their bloody tongues in human gore. That is the cry heard everywhere. Any temperate counsel is spurned, and a man of moderation is talked of as I have been talked of in the editorial that I have placed upon the records this morning.

Mr. President, I will lay down my position thus: The United States of America, moved and inspired by the highest considerations of humanity and duty, do hereby declare that the war between Spain and her insurgent colony shall cease. This is the language, the noble language, of President McKinley. And that in order to make that declaration good he shall intervene there with all the power of this great Republic, and then and there, if necessary, establish such a government as will secure permanent peace. Whether Spain likes it or whether Spain does not, we have gone too far to consider.

It is idle, sir, to refer to all the concomitant and conspiring circumstances and incidents that tend to the terrible conclusion of war. This ground of pure, unalloyed humanity is sufficient for any Senator in this Chamber to stand on. It is an aggravation of it to bring in the finding in regard to the *Maine*. That is an aggravating cause, but no man can say that it is a controlling cause.

Why, sir, have we gone insane? Here is a board of inquiry constituted out of our own officers. Their finding is thrown to the winds. Another hearing is taken by a body of civilians and they find suspicion of foul play by Spain, which an able court of inquiry did not entertain or did not put down in their report.

Ah, sir, I commend that report of the naval court of inquiry and Captain Sigsbee's telegram preceding that report. It ought to have given the tone to the American conduct and to the American action in regard to this whole question between the United States and Spain. "Suspend your judgment," says that most admirable officer, suspend your judgment; do not go off too quick; do not lose your heads; we will investigate; we will try to find out how this occurred, and when it is found out, we will say so. In the meantime "suspend your judgment."

An admirable, excellent, noble telegram, and at the time that it was written calculated to allay what he must have known were the high-wrought feelings of a great-hearted people struck almost dumb at the news of the terrible catastrophe. Instead of following that example, every art of rhetoric, every device of the demagogue, is resorted to to help plunge this country into a precipitate war.

Sir, I do not contemplate an honorable war, a just war, with any other feeling than one of sorrow, but I do contemplate a war waged between the United States and another power without a just ground as the most fearful curse that could fall upon the devoted heads of our good, honest, patriotic citizens.

Sir, as showing the rash and ill-considered war clamor, the finding of the Navy board of inquiry and the action and stand of the President are set aside, and the incident of the *Maine* is taken as the firm ground of battle.

Our own court has found no casus belli. Our own President has founded no case on that incident.

No impartial man can find a case on what, though terrible and shocking, sending a thrill of horror throughout the globe, has not been traced to Spain or Spain's act. Until Spain's complicity is established her liability to war does not arise.

Mr. President, I had intended to elaborate the questions in this case at much greater length. I will only now state some conclusions that I think may flow from intervention.

I have no hesitancy in saying that the condition of affairs in Cuba may be such after intervention as to require other than a cast-iron line of procedure. We are but little acquainted with that people and their conditions. The honorable Senator from Vermont [Mr. PROCTOR] has given the clearest, the most succinct, and the most comprehensive statement that I have heard on the subject, and he does not satisfy me entirely. He could not have known the insurgents, the body of whom are to constitute the electorate. He did not see them; he was in the city of Havana mostly, and necessarily got his information secondhand.

Mr. HOAR and Mr. GRAY. Nor did he speak Spanish.

Mr. CAFFERY. Well, that is another drawback; but whether he spoke Spanish or not, he was not in the field, where he could discover precisely what kind of a government that people require. That ultimately some kind of a government of the people will be established there is without question; but, Mr. President, that is a most delicate operation, involving a practical acquaintance with the local conditions, involving a knowledge of who ought and who ought not to belong to the electorate, involving, in short, a complete inquiry as to the social and political conditions of that island.

Does not everybody know that after this war—you may say it is the culmination of the war of 1868—has lasted now thirteen years, with a break of seventeen years, the feelings of bitterness and hatred that have been engendered between the contestants must require of whoever goes in there to establish a government most cautious, most wise action?

The honorable Senator from Mississippi [Mr. MONEY] in a speech delivered in this body said that the insurgents had four centuries of wrongs to resent and injuries to avenge, and that the lex talionis would be applied. If that be so, Mr. President, is it not incumbent upon us to give the President of the United States the widest latitude of operation, the widest discretion? It seems to me so. It seems to me that the House resolution must be modified in some particulars so as to give him a full and plenary jurisdiction on the lines that he asks for in his message.

I must say, sir, that that message commends itself to me, to the world, to civilization, as one of the most sagacious, wise, humane, and statesmanlike documents that ever came from a civilized ruler. It will be a memorial hereafter to the wisdom and patience and patriotism of President McKinley. It will show, when the proper occasion arises, the man whom the American electorate selects for the Presidency will always rise up to its height, however high it may be, and the greater the occasion the greater his patriotism.

Mr. President, one thought more, and I will take my seat. I have no doubt in my own mind that in the future the Island of Cuba will be ours. I do not say that we ought, in a spirit of aggression or greed for additional territory, to take any steps to bring about that result; but I do say that the finger of destiny itself points to it. It is not in the condition of the Hawaiian Islands or some insignificant point in the Pacific or the Atlantic. It is necessary to round up, as Mr. Jefferson said in an early day, the full possessions of the American Republic. No man can sail past the Florida Keys into the Gulf of Mexico who does not see the vast importance of that island to the American Republic. It is a part, and an essential part, of the Monroe doctrine that that island shall belong to no other foreign country than Spain.

What is the significance of that doctrine, Mr. President? Some time in the course of events Spain will have to let go that island. Spain is poor. She is vexed with dynastic trouble. Her resources can not much longer stand the drain of keeping up a struggle in which the chances of success are desperate. There will be an

independent government in Cuba, even if we, the United States keep hands off now. Then Americans will flock there. They will finally get control of the government. Revolutions will, no doubt, break out at intervals, as they have in every Spanish-American country, but constant accessions of Americans will gradually cement their strength and importance. Loyalty to the Stars and Stripes will compel the erection of our national ensign as the governing flag in Cuba. I do not say, Mr. President, that I desire to see Cuba a State in the American Union. Certainly not until after a long tutelage of the population under Federal guardianship. That tutelage will be found necessary to fit the mass of the inhabitants there for the duties of citizenship as we understand them. But the destiny of Cuba is to be a part of a Republic to which, by situation and interests, she is and will be so closely bound.

With its nearness to this great Republic, right under the shadow of our institutions and influence, with the commercial intercourse between us and Cuba so large and constantly increasing, it is the part of wisdom to forecast the time when the lone star of the Cuban banner will glitter in the constellation on the blue field of our own star-spangled banner. But, ah, sir, that is not what the insurgents want now. They want independence. They have had the United States fighting their battles all the way along. The Cuban junta has directed operations from the city of New York. It does not stand them in hand to say that they have not sold or issued over a hundred thousand dollars of bonds. It is manifest that nobody will take them until the independence of that island is recognized; and to this end, they have bent every energy to force recognition by the United States.

Now, sir, when they get their independence, what then? Their bonds will, I am told, go to 40 cents in the dollar. They want, perhaps, to take the plantations that belong to the Spaniards as security for them. The Spaniards own nearly all the property. That appears to be the fact from the representations of the consuls. There are in Cuba about 300,000 Spaniards; there are about 800,000 Cubans; there are about 500,000 colored. That 800,000 will probably dominate the balance of the population, possibly tolerating the colored, until such time as they can be set aside. Such a heterogeneous population, animated by the hatreds of war, liable to clash from racial differences, naturally leads to revolution. A government recognized to-day may be extinct to-morrow, until finally the result of which I have spoken will come to pass—the incorporation of the island into the territory of this Republic.

Mr. President, I will leave the subject at this point. I have endeavored to look at this question as calmly and as dispassionately as I could. Whether or not I have struck the right line is for others to say. But whatever conclusion I have arrived at has at least been one attained after much reflection and after the best judgment I could give to the question.

Mr. HAWLEY. Mr. President, I rise to speak with much hesitation and much sadness. I can not help seeing before me, possibly, a great addition to that debt from which we thought we had happily recovered in a great measure. I see before me the possible sacrifice of many lives, the anxieties and sorrows of hundreds and thousands, an aggregate of centuries of suffering. But I have listened with the others to all, or very nearly all, of the debate, and to the decision and conclusion that honor and duty call upon us to declare war with Spain for the purpose of putting a forcible end to great wrongs.

Our position as a nation seems to command it. We are, we will say, seventy-five millions of people, surpassing all others in physical power and material resources of all descriptions. We claim to be at the head of the world in wisdom, freedom, law, the liberty of our Constitution, and our system in general.

Evidently, Mr. President, we can not expect that we should drift through the world, being thus crowded along, you may say, by Divine Providence, to this magnificent position, without taking some of the responsibilities that naturally fall upon such power and such a situation.

We shall be inexcusable if we see near by us a comparatively powerful and cruel people most grossly oppressing for generations, robbing, trampling upon—yes, under the forms of war—murdering people by the scores of thousands. The instinct that always pushes an honorable gentleman to interfere between a cowardly bully and a weak cripple demands that we interpose with the powerful mailed hand of the great Republic and say "Stop!" And notwithstanding the sad aspect of many things, I say we must go forward "to meet the shadowy future without fear and with a manly heart" and meet the situation.

But I have some criticisms to suggest—and that is chiefly my reason for rising—of the resolutions that are before us. I wish my constituents to understand that I can not pass them by without something of objection. The first point that occurs to me is that I am opposed to a declaration of the independence of the so-called Republic of Cuba. I think that is unnecessary. I think it is not justified by the facts. Heroic as have been the struggles of that people for a long series of years, thirteen years out of the last thirty years having been spent in fighting, I can not think that they have yet clearly and legally reached the position where they are entitled to be called an independent government.

I think that General Jackson stated this matter about as well as anyone, and, though it has been frequently quoted, I think it necessary to incorporate the substance of what he said in my remarks. He said, relating to acknowledging the independent existence of Texas in 1836:

> It has thus made known to the world that the uniform policy and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views or to the merits of the original controversy.
> * * * But on this, as on every other trying occasion, safety is to be found in a rigid adherence to principle.
> In the contest between Spain and the revolted colonies we stood aloof, and waited not only until the ability of the new states to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away—

That is not the present position at all—

> Then, and not until then, were they recognized.
> Such was our course in regard to Mexico herself. * * * It is true that with regard to Texas the civil authority of Mexico has been expelled—

He was speaking in view of the then existing situation—

> its invading army defeated, the chief of the Republic himself captured, and all present power to control the newly organized government of Texas annihilated within its confines—

That is far ahead of this situation—

> but, on the other hand, there is, in appearance at least, an immense disparity of physical force on the side of Texas. The Mexican Republic, under another Executive, is rallying its forces under a new leader and menacing a fresh invasion to recover its lost dominion.
> Upon the issue of this threatened invasion the independence of Texas may be considered as suspended.

And one of the most combative and gallant and vigorous military men we ever had in the country dared to stop there. The situation was far, very far, in advance of the situation of the relations between Cuba and Spain:

> Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government constituted by them.

That statement General Jackson did not make without abundant legal counsel of the highest authority, and I judge from what I have read and heard and the full, learned, and long speeches we have heard from various Senators that this position is justified by the ablest writers on international law and by the conduct of nations whose decisions are most entitled to respect. Therefore I can not vote to declare that Cuba is independent. I might say that of right she ought to be independent; but she is not independent, and why say it? It is not necessary to our entering honorably upon this contest. Besides—and it has been fully discussed among other topics—it may give rise to very dangerous complications.

We all know that a great jealousy is entertained among all the great powers of the world, a fear that we may be seeking to aggrandize ourselves and to enter upon that most reprehensible and, as nations go, I think, dishonorable practice in the extension of territory, which picks a quarrel and finally seizes the territory, which steps into a controversy and turns it to its own advantage, for evidence of which consult every page of history of the last one hundred years. We do not desire to be involved in these controversies. We do not wish other powers to say to us that we also have joined them in this selfish and cruel policy. We are not seeking conquest and annexation.

The Senate resolution then demands—

> That the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces.

I think that unnecessary. Why set that task? It would very probably be the result of the war we are anticipating; but why put in limitations or restrictions? Recite our provocation; recite the absolute justice of our case, and then declare war to right the wrongs, and leave the details to come up, as they will, in their due order hereafter. The lawyer who attempts to provide for every emergency by great particularity of precaution is laying the ground for lawsuits and only embarrassing himself.

The supervision of the war and the treaty, if one shall be made, and all the negotiations that doubtless will be going along sub rosa during the contest—all those are in charge of the President, because the Constitution puts our foreign relations in his hands, and no law we may pass here can take them out of his hands. He will be the captain-general of our armies and of our navies and the controller of our international relations in any event. Why not leave it so?

I vastly prefer the House resolution, which says:

> That the President is hereby authorized and directed to interfere at once to stop the war in Cuba—

I think that, however the American people may differ among themselves, they are all of them willing to say that—

> to the end and with the purpose of securing permanent peace and order

there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba.

That is democratic; that is American doctrine. Then follows the delegation of authority to the President, empowering him to use the land and naval forces of the United States to execute the purpose of the resolution. That is necessary. Those people have undergone terrible afflictions.

I speak of the thirteen years of war out of thirty; the desperate, vindictive, fierce, utterly unappeasable ferocity of that outraged people. Whatever you may say of inherited characteristics, no people could have so conducted themselves during such a number of years, with such very limited resources and such immense discouragements, unless there had been a foundation for their hatreds; and there is a foundation, the Lord knows, great enough. Their taxation, according to the latest figures I have seen, would bring, if a similar taxation were levied here, $1,120,000,000 a year—considerably more than twice what our taxation is; and that is upon a comparatively weak and poor people, nothing or next to nothing of which is returned in the way of the internal development of the island.

And there is a tax upon exports, even upon their tobacco, but nothing comparatively is done for the little railroads that might be run from the interior towns to the seaports, or any works that build up trade and commerce. Very little is done that we read or hear of in the improvement of the harbors; indeed the money is all taken to Spain under the most cruel conditions, with but a mere supposition of return. And since 1878 a very considerable portion of the revenue is devoted to paying interest upon the debt incurred in subduing after ten years of war.

Of course, fifteen minutes is a very short time to men accustomed to take their time in political campaigns; but I can not close these few observations without giving in defense, if I may call it such—no, that is not necessary—without saying some words in favor of the President and of a President, of any President of the United States; for every one of them, by the fact of his having been intrusted with the gigantic power of this nation, is entitled to our instant respect from the day he is declared to be nominated, and they have justified it.

Take them together, make out of the Presidents for one hundred and nine years one man who has been President, and he will be found to be a gentleman, a brave man, a patriot, and an honest man. Nor can it be supposed that any man will take that position without feeling "Now, this is all I can hope for in the way of earthly power or honor. What remains to me is to make a record such that posterity shall speak well of me." No President has been in the chair, and it is impossible that any shall be in the future, who will not think so of himself and of his duty. Nor is there a President of whom any gentleman ought even to insinuate that he has been impelled by selfish or corrupt motives in the discharge of his high duties.

The President of the United States is entitled to our sympathy. He is the loneliest man in the Republic. There is no man above him in power; no man equal to him in power. No man has the painful responsibilities that he bears. Therefore every American gentleman, whoever may be the President, should sympathize with him, extend to him a welcoming hand and a welcoming voice, and stand by him while he is right.

I am proud to say that I have endeavored to go with the President and have found myself justified in doing so. I would rather he had been a trifle in default in his delay, though I think he has not been, and in his love of peace and in his desire to avoid bloodshed and the waste of treasure, than to have seen him bloodthirsty, hasty, and revengeful in plunging into the horrors of war.

Mr. President, our President is a soldier, a gentleman, a statesman, and this supreme crisis will only serve to bring out the brightness of his character. Save only in exceptional cases that exhibit his worth by contrast, he has won the sympathy and respect of the world.

Mr. WHITE. Mr. President, I recognize the solemnity of this occasion, the most momentous that within my brief day has challenged the attention of the American people. To its solution there should be brought the best intellectual capacity of all who have the obligation or right to act, and the judgment rendered should be uninfluenced by aught else than the dictates of justice. The high duty which we are called to perform will test our qualifications for the trust committed to our keeping. It is disagreeable, to use an expression scarcely forcible enough to cover the occasion, to dissent from the common view—to antagonize a general but suddenly formed conclusion. It is pleasant to receive the plaudits of our fellow-men.

The approval that evidences the concurrence of the public inspires us all, adducing unfeigned delight that conscientious thought has permitted us to take action in accordance with the general view. Confronted by these considerations and thoroughly appreciative of the good will of those by whom I am surrounded, I can not avoid the fact that there stand on the other side suggestions of the most solemn obligations. These I must interpret for myself. There is for me nothing save to express those conclusions which my conception of right have caused me to form regardless of personal interest. I can less easily depart from the pathway thus demarked than sacrifice my most cherished and dearest surroundings.

Nay, Mr. President, the terrible responsibility which requires our attention is beyond all things merely personal or individual. We are here to do the right, no matter what ill shall attend us. We are here compelled to make history; not vainglorioustly to seek to transmit our names to posterity, but to write the record of a nation which we love beyond self, a record which we should so make that when we have passed away will shine bright and unchanging in the full radiance of the intellectuality and morality of enlightened men.

Mr. President, what are the questions here? We witness, but slightly removed, a scene of war. The intervening distance is hourly diminishing. I agree that the conditions are such that it is almost useless, perhaps absolutely so, to urge a pause or to attempt to retard the warlike tendency. But it will not be amiss in this moment of excitement, this hour of exaltation, this time of unreasoning patriotism, to delay an instant and to reflect upon the nature of the act about to be done and the consequences certain to follow.

The situation is of mighty import. It is no waste of time to portray it with impartiality and candor. The acts here done will live as long as freedom—as long as justice shall be administered among men. We must be warranted not by an excited populace, but by wise decrees of unimpassioned history. I regret that under these circumstances, either in the report of the Senate committee or upon this floor, expressions have been used indicating prejudice and savoring of revenge. I regret that the debates in this Chamber should refer to stale events transpiring under Spanish influences more than three hundred years ago, or that the committee should have spoken of "the duplicity, perfidy, and cruelty of the Spanish character, as they have always been."

Mr. President, the right to make such charges we have waived. We have accepted a seat with Spain in the family of nations. She has not been excluded from our sovereign society. We have thrown around her the arm of fraternal friendship and seized her hand in affectionate clasp. We have received her ministers, sent ours to her court, and in all respects declared to the world our friendship for her. During our great Exposition we invited her representatives to our shores. The Infanta Eulalia was received with almost unexampled honors—greater, perhaps, than were accorded to the envoys of other countries. We are estopped to seek a cause for estrangement in the wrongs of departed generations. The present difficulties must be determined in the light of actual conditions, without reference to the transgressions of antiquity. Any other treatment would be undignified and even puerile. Let us meet the momentous questions presented to us in the light of their peculiar and legitimate surroundings. As rational men we can afford to treat as immaterial and unfortunate the references to the Duke of Alva and the Inquisition. We will not, I presume, pretend to free Cuba or to attack Spain because of these iniquities.

Mr. President, no one doubts that Cuba has been misgoverned. No one doubts that many places and many peoples in this world have been misgoverned. No one doubts that this great Republic is potent enough to defend herself in any engagement. I cordially indorse the utterances of the Senator from Colorado [Mr. WOLCOTT] with reference to this topic. There is no glory to be gained by the United States in a war with Spain. Intrinsically and as far as war itself, disentangled from other propositions, is concerned, no fame will be won by us. Spain is weak. She no longer commands the sea or dominates the land. In the march of events—by forces beyond her control—her foreign dominions have been taken away. She has been shorn of the possessions which she acquired by her enterprise and her valor. She has lost nearly all these, until she stands to-day in the presence of her woes, the Niobe of nations. Her financial embarrassments, her shattered treasury, her army reduced by disease and hunger, her navy of indifferent strength, her resources lessening daily—she is, indeed, but a remnant of the Spain which wrested the Alhambra from the Moslem.

I do not fear her. No American fears her. There is no rational question of the outcome of the impending struggle. It must be victory for the American people. But, Mr. President, powerful as we are, with millions of freemen ready, whatever may be our personal views, to spring to arms and to give our every dollar and the last drop of blood to vindicate our nation's honor and defend our flag; with our fertile soil budding and blossoming with products of luxury and necessity over an almost limitless area; with all the gifts and blessings of nature about us in rich profusion—our possession and our heritage—we are great enough to do justice.

In the early days of this Republic, in the dawn of our nation's life, a great statesman said with truth that he knew of no spectacle more sublime than that of a powerful nation kneeling before the altar of justice and sacrificing there alike her passion and her pride.

Here we can rest an instant to look upon conditions as they actually exist, and to write in compliance with verity a record which in cooler moments will be scrutinized by our children, who will ask themselves whether we were right. There may be no recall for our error. There can be no excuse for a mistake easily detected or direful in result.

The President of the United States, charged by the Constitution with the conduct of our diplomatic affairs, has been earnestly and actively engaged in attempting to bring about order in Cuba, followed by the independence of that island. It is my opinion that if he is permitted to pursue the course he has marked out for himself, if we let him alone, Cuba will be free, the *Maine* incident will be justly and honorably settled, and not one drop of American or other blood will be shed as a result of present estrangements.

But we are to have war. Every Senator who has spoken declares so, and in the same breath deprecates such a consequence. In beautiful language, in phraseology I will not attempt to rival, Senators have depicted here the atrocities of warfare. Who knows them not? Who has read the story of man and has failed to sicken at the ghastly spectacle of the battlefield?

> Lo, the giant on the mountain stands,
> His blood-red tresses gleaming in the sun.

When did reason assign to brutal conflict the settlement of any dispute? What true Christian ever willingly consecrated to the arbitrament of brutality issues involving rectitude and honor? War is the last resort. If wantonly resorted to it is wholesale murder.

There are times when settlement is impossible, when every reasonable offer has been spurned, and when the welfare and honor of individual and people alike demand that the sword shall be drawn. But the cause must be evident and undeniable. All other solutions must have failed. The nation that rushes into war in hot haste has not drank of the fountain of wisdom. When I was a child but some 8 years of age, the horrors of internecine strife broke upon the United States. Shattered forms, some of them in this Chamber, ruined homes all over the land, men and women mourning for those holier to them than property or life, furnish proof even now before the world that—

> Elemental rage is tame to the wrath of man.

Nearly a million names upon our pension roll rehearse the story more graphically than human lips may depict it, and demonstrate how much of ill effect remains more than a third of a century after the storm has passed. This is but an instance. All history is thronged with examples and is pictured with the terrible experience. Senators conceding all this yet say that war must come, because our honor shall not be impugned, even though a desperate struggle may be forced upon humanity.

I agree that there are occasions where an appeal to arms alone remains. I repudiate the calumny that those who do not find a reason for extreme measures here are for "peace at any price." This slanderous charge emanates from the thoughtless or insincere. I am for war only when it can not be honorably and wisely avoided. I am against war where the desired legitimate results can be otherwise attained. I am opposed to precipitate action. In the presence of such a possibility those charged with grave responsibility should be patient as well as firm, just as well as courageous. A delay, even if compelled by an opponent without candor, is better than unnecessary hostilities.

I propose in a very general manner to examine the alleged grounds for the action we are asked to take by the Committee on Foreign Relations. We are told that the abhorrent conditions in Cuba have been a disgrace to civilization, and have culminated in the destruction of the *Maine* and 266 of her officers and crew, and that the conditions prevailing can not longer be endured, as has been set forth by the President in his message of April 11, 1898; and hence we are expected to declare that the people of Cuba are, and of right ought to be, free and independent; that this Government demand that Spain at once leave the island, and that this demand be enforced by the President. The Executive, in the message referred to, merely sought authority to take measures to stop hostilities, establish a stable government, and to use the Army and Navy, if needful, for these purposes. All concede that Spain will not yield to these demands.

Mr. President, a Senator has said that the *Maine* incident alone or the Cuban inhumanities alone might not be sufficient to precipitate war, but that conjointly they render this outcome unavoidable. Our people have never been so thrilled as when they learned that their great and beautiful ship in the harbor of Havana had been torn to pieces and that the bodies of loved ones had been driven into the mud and mire of an alleged peaceful haven. They were not and are not in a condition to take a judicial view. The public heart was fired, and the demand for vengeance echoed and echoes from every hill. It is borne from the shores of the Pacific far inland; it does not pause on the summit of the Sierras; nor does it lose its resonance upon the crest of the Rocky Mountains. From ocean to ocean it thunders, and on the stormy Atlantic tells in the language of a common kindred its uncompromising resolve.

Pause a minute, Senators, and ask yourselves: Is there, even under these circumstances, no possible solution except that of arms? I will not discuss the evidence as to the destruction of the *Maine*. I will not go over the reports of the American and Spanish boards. I may not entirely agree with everything which has been said concerning them, but I do not intend to make this an arena for such a disputation. I assume, as it is my duty to do in view of the position of my Government, that the report of the American board is correct. But shall the adverse party be absolutely prevented from questioning this conclusion? Senators say that Spain has virtually admitted the act. No such confession will ever be found by the impartial investigator. Spain denies that she either directly or indirectly did it. The President, declaring that the naval court of inquiry has the unqualified confidence of the Government, says of that report:

> It did not assume to place the responsibility. That remains to be fixed.

He then declares that the *Maine* incident discloses an intolerable state of things in Cuba, informs us that Spain assures us that she will do all that the highest honor requires, and that she proposes—

> That the facts be ascertained by an impartial investigation by experts, whose decision Spain accepts in advance.

To this communication no reply has been made. No ultimatum has been issued by us; no final demand regarding the *Maine*; no refusal to arbitrate. The President does not find any cause for war here. But it is said war alone will atone for the *Maine*. Neither the question of liability nor indemnity can, it is asserted, be considered. Assuming a crime was committed, who are the guilty persons?

General Lee says that he does not believe that General Blanco had anything to do with it or had any knowledge of it; that when Blanco heard of it he cried; he seemed to regret it as much as anyone. Well might Blanco regret it. He knew, as the world knows, that such an act upon the part of Spain would be madness. General Lee, who was on the ground and observed the tout ensemble of the situation, said he was confident of Blanco's sincerity in grief. But at all events it is vehemently averred that this was an external explosion; that it was the result of the act of a Spaniard, an officer of Spain, and the penalty of his deed, under the laws of nations and the dictates of justice, should be visited not only upon him but should likewise be inflicted upon Spain. And for this we must resort to war. No indemnity will suffice or be accepted.

Senators have said no indemnity can reach this case. What can reach it? A few years ago in an Asiatic empire there were several missionaries murdered. Three great nations demanded that the guilty should be punished. Ten or fifteen miserable wretches were seized, bound and placed side by side, and beheaded. Perhaps some of them were guilty. At all events, they were offered in atonement. One of the nations involved objected that there were still others who had been participants in the original crime, and the officer in charge of the province, desiring no foreign complication, ordered out other victims and beheaded them likewise, remarking to the insistent foreigners, "Is there anything else, gentlemen, that I can do for you?"

Are we, Senators, to solve the *Maine* issue upon this atonement theory?

Upon what principle are we to act? Is there any question as to how the dispute should be settled? If it was the deliberate act of an individual and by any process of investigation we could discover that individual, it would be our duty to follow him up and to demand that he should be delivered over to impartial justice. But we do not know the perpetrator. We can not identify him. We insist, however, that Spain shall be punished as a criminal and that barbaric methods shall be invoked.

Mr. President, in cases such as this there is no settlement worthy of the age save the imposition, if the facts be proven, of a liberal and commensurate indemnity and suitable admission of the propriety of our demands.

I would not waive indemnity. Such a waiver would be in the interest of Spain. Assuming that the *Maine* was lost under circumstances involving that Kingdom, a sum commensurate with the deed should be exacted. If you decline indemnity, what are you to do? Shall we train our guns on Morro Castle, upon the city of Havana, drop our shells upon the innocent, and send to eternal judgment men, women, and children who knew nothing in advance of the *Maine* disaster and are not guilty unless their mere presence in the island makes them so? Will you invade Spain? Will you carry the sword of conquest to her capital city and destroy her as would the conquerors of old? Surely such conduct would be antagonistic to the teachings of Christianity. But I am told, "As a penalty, free Cuba."

But, Mr. President, if you admit that there is to be a penalty at all susceptible of justification, you must concede that it should be exacted in accordance with the rules and laws of civilized peoples. You can not justly free Cuba except upon the merits of

her claims. If she is entitled to freedom, her argument must rest upon its own merits. The day for an eye for an eye and a tooth for a tooth, if it ever existed, has passed away. Such a doctrine can not be taught, save by a heretic, from the pulpit of civilization. Surely no human being in this enlightened age wishes to slay an innocent person because of the misconduct or crime of another. Shall we find consolation in the mangled forms and destroyed property which will follow our invasion? If this be true as to the injury we are to do the Spaniard, what shall we say of our own people? Who shall ever pay for the stalwart and brilliant American manhood to be sacrificed? For these no money can be paid or indemnity exacted. If our heroes must die, let it be in an unavoidable conflict, not in a case still under negotiation and where there is a difference of opinion as to the facts.

There are times and hours when such calamities must occur. Such times have been; they are not forgotten in the glorious records of human prowess. But the time is not now. Upon what do you rely to justify war, Senators? Who is the President of the United States? I am not of his party. I need not call attention to that fact. But he, as our Executive, charged with the duty of administering diplomatic affairs, in a state paper which will remain here as long as the archives of this Government endure, has stated your case. Before the world to-day, to-morrow, and after is and will be that statement, made within the Presidential jurisdiction—a statement emanating from the loftiest station known to our system.

What does he tell us? He informs us in appropriate and plain words that the *Maine* matter is the subject of diplomatic negotiation; that he has forwarded a note to Spain and that Spain has responded, declaring that she is willing to submit the matter to an impartial tribunal and to accept its verdict as final. To that proposition no reply, no demand, has been made. We have not officially insisted that Spain must do any particular thing in consequence of the *Maine* incident. She denies that she is guilty, and because she so denies we are told eo instanti arose a casus belli; that because she negatives the charge in the indictment she can not be heard before any tribunal save one of our own creation. Such is the proposition upon which you must act.

In the council halls of reason, in that tribunal where a single nation does not dominate, but where civilization asserts itself and justice and manhood prevail, it will be held that there has been no judicial investigation of this subject, and this will be the verdict of history, regardless of the report of the Committee on Foreign Relations. No man can judicially investigate the case of one he loves and honors, and who has died, according to common report, by perfidious hands. Can one so interested impartially try the accused? Our own jurisprudence is builded on other and more rational lines. Human nature is too weak, its infirmities too obvious, to permit under such conditions that impartiality which alone makes a judgment final in the opinion of the able and the just. No investigation has been conducted with "judicial thoroughness and deliberation," the Committee on Foreign Relations to the contrary. No such judicial thoroughness is being displayed here. We are rushing along at a rate to make familiarity with the record an impossibility, and are given less time to examine issues involving war than is ordinarily accorded to a litigant in an unimportant matter.

For a moment let us consider the other phase of this unhappy dispute—that which seeks to justify our invasion of Cuba because of the inhumanities which have been practiced there. The President feelingly and forcibly alludes to the barbarities which he hopes to terminate. He attributes the extraordinary suffering to Weyler's reconcentrado order, but at the same time there is transmitted to us correspondence from our consuls in Cuba showing not only that the reconcentrado order has been vacated, but that the insurgents have themselves interfered with the ability of the people to earn their bread. From these reports I make the following extracts:

On page 28, Mr. McGarr, at Cienfuegos, says:

Small predatory parties of insurgents make frequent attempts to fire the cane fields, and it requires constant and active vigilance to prevent their destruction.

On November 17, 1897, Mr. Brice, at Matanzas, reported (page 29):

A general order has been issued allowing reconcentrados to return to the country, but the restrictions placed in order are such as to practically prohibit. If they went, what can they do without money, food, or shelter? Only those who can obtain employment on sugar plantations can live. Insurgents say no one will be allowed to grind in Province of Matanzas.

The same consul, on December 17, 1897 (page 30), reported:

A few plantations are grinding cane. In every case they are heavily guarded by Spanish troops and have paid insurgents for so doing. Was shown a letter from insurgent chief to owner of a large plantation, in which price demanded for grinding was 2,000 centones ($10,000 United States gold). It was paid.

On page 33 of the same report there is a copy of an order issued by Calixto Garcia, of date November 6, 1897, in which it is stated:

All persons who come within our lines commissioned by the enemy with proposals to submit to Spain will be tried and punished as spies.

Mr. Hyatt, at Santiago de Cuba, reported on December 5, 1897 (page 34):

Mr. Rigney, an American sugar planter near Manzanillo, was preparing to grind during the coming season. A few nights since the insurgents fired seven cannon shots among his buildings, one ball passing through the roof of his house. Americans were hopeful that they would be allowed to make their crop, and several are making ready to do so; but the action of the insurgents toward Mr. Rigney gives the problem a doubtful aspect. It may have been a personal matter against Mr. Rigney.

The same consul, on December 14, 1897, reported (page 35):

The order of reconcentration is now practically wiped out, and, so far as the Spanish Government is concerned, men go about nearly as they please. The insurgents and their sympathizers will unquestionably take advantage of the revocation to get from the towns and cities what they need, and otherwise strengthen their cause.

On January 12, 1898, Mr. Hyatt reports (page 38):

I had hoped that after the reconcentration order was revoked, through the energetic action of the present Administration, we would find no trouble in reinstating American industries; but it appears that all of the benefits that should have accrued to our citizens are thwarted by the action of the insurgents, who refuse to allow them to return to their sugar, coffee, and other estates. The Pompo manganese mines, owned by Americans, which would at the present time be a very profitable investment if allowed to operate, are also being held up by the same power.

The three Revery brothers, who I informed you recently I was about to assist in returning to their coffee and fruit estates, got there only to find they could not go to work until permission was obtained from the insurgent commander, which permission seems doubtful, I myself, as I understand my duty, being inhibited from rendering them any assistance at this point.

Mr. Hyatt likewise reported on January 31, 1898 (page 40):

On Sunday morning the regular passenger train on the Sabanilla and Maroto Railroad, when 5 miles out of Santiago, was blown up by dynamite bombs, exploded by electric wires; two cars were shivered in atoms. Five passengers were killed outright and twenty-two badly wounded, some of whom have since died. It is thought by some that the insurgents believed that Captain-General Blanco was on the train; by others that they merely wanted to notify the General that they were around and attending to business.

This, it will be observed, is the condition of things prevailing after the reconcentrado order has been vacated.

On February 1, 1898, Mr. Hyatt again forwarded a report (page 41). He said:

General Blanco's mild and humane policy meets with but a feeble response from his own followers, while the insurgents laugh at the old man who throws sods and grass instead of stones.

Mr. Barker, at Sagua la Grande, on November 20, 1897 (page 46), reported as follows:

As to grinding the present crop, I have interviewed most of the largest planters in this consular district, who stated that unless assured of immunity from the insurgent chief—Gomez—they would not jeopardize their property by attempting to grind.

On December 15, 1897 (page 49), he further reported:

Thinking it may interest the Department, I have the honor to transmit herewith clippings from a leading Spanish journal published in Havana, * * * calling attention to the inability of the mills to grind in the Province of Santiago de Cuba, which is one of the obstacles to grinding in this (Santa Clara) province, were the planters able to pay tribute required by the insurgents.

Mr. Barker, on December 28, 1897 (page 50), states:

To grind this cane without interruption would be the means of saving the lives of thousands who, without this or outside aid within the next thirty to fifty days, must die of actual hunger. Over a month since the planters were officially advised of Spain's inability to provide protection in order to operate their mills. This leaves the sugar growers entirely in the hands of the Cubans in revolt, as to whether they will be allowed to grind without hindrance or fear of total destruction of their property. I know that strict orders have been given to subordinate commanders under no circumstances must mills be permitted to grind, under penalty of violation of the order destruction of property.

The people of Cuba have indeed had a hard time. Apart from personal perils, they have also been forced to pay onerous taxes and to submit to the most extravagant impositions—a state of things for which Spaniards and insurgents seem to be both responsible. I am informed by authority which I deem good that all the sugar mills in Pinar del Rio, Matanzas, and Havana were closed by the insurgents, each factory having some 500 men dependent upon it.

This was a measure of war. I am not challenging or discussing the propriety of it. War is not sympathy—it does not beget comfort or happiness. In our civil conflict we learned something of it. I have read in the records of that period, which our Government is publishing, letters from those who belonged to the respective armies giving accounts of fearful suffering too horrible to describe and incident to the remorseless business of carnage. Death amid the lurid fires of destruction has been, not only in Cuba but in many other lands, the common attendant of war.

It appears plainly enough from the President's message that there were two leading reasons for Cuba's suffering. One was the brutal order of Weyler and the other was the conduct of the insurgents in refusing to allow people to go abroad and produce or procure the necessaries of life, as shown by the reports which I have read.

Mr. President, I shall endeavor in a moment to show by the President's message that Spain, instead of ignoring, has been yielding to our demands and that we waited while the obnoxious orders of Weyler were in force, and are now demanding war when the spirit of concession seems to be abroad.

But I will digress a moment to consider the specific resolutions before us. The President, in the light of the facts alluded to in the consular reports, concluded that the condition of affairs in Cuba was such that there was no government which he could afford to recognize. The majority of the committee, in addition to the preamble, reported the following:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

The minority propose this:

The undersigned members of said committee cordially concur in the report made upon the Cuban resolutions, but we favor the immediate recognition of the Republic of Cuba, as organized in that island, as a free, independent, and sovereign power among the nations of the world.

If we concur with the general situation outlined by the President, if we accompany the majority of the committee, we can not escape the conclusion that the amendment of the minority is right, and that the Republic of Cuba, not the people of Cuba, are entitled to recognition. It must be understood that I am opposed either to a declaration of war or to resolutions which must bring war. I hold that there is nothing which we are legitimately entitled to seek which can not be obtained by diplomacy, and that Executive successes warrant this conclusion. But if we must acknowledge the independence of either "the people" or the "Republic" of Cuba, I favor the latter. If there is any governmental organization in Cuba, outside of that of Spain, it is that over which Masó presides. The report of the committee shows this, and if it does not establish that the insurgents have a government, it fails altogether. I might add that I cordially agree with the Senator from Wisconsin [Mr. SPOONER] that the power to recognize is an Executive function. I elaborately discussed that proposition upon another occasion. But the Senate it seems is determined to recognize one of two organizations, and we must all make our choice, whether we do or do not favor either.

I have no suspicion with reference to this subject. My conclusions may be wrong. I have been mistaken more than once. I accord that absolute concession of independent judgment to my neighbor that I demand for myself. But I fear that a grave error is threatened.

Assuming the position taken by the majority of the Senate, how can it be that the people of Cuba are free, but without a government? Is there a monarchy in Cuba, Mr. President? The majority's resolution denies it. If the people of Cuba are free, what is the character of their government? From the circumstances of the case, it must be a republic. If you mean that the people are free, you mean that Maximo Gomez and those who follow him have been successful. The people of Cuba are not free, certainly, disassociated from the Republic of Cuba. Who are the men who have struggled for their freedom—the men who have hidden in the swamps, sought refuge in the forests, passed through labor and travail to accomplish the existence of a nation? If Cuba is free—and you say so—it is the insurgents who have made it so, and their government, the republic, is the representative of the people. Then why not recognize the republic, if you insist upon some recognition?

What is the meaning of the word "people" as here used? In this sense the word means a nation. It is a political entity. It is not a nomadic band of disorganized adventurers or inhabitants without a head. There can not be a free people composed of scattering tribes or individuals with diverse objects waging local disputation, each contesting with his neighbor. If the word "people" is at all appropriate, it means the physical expression in governmental form of the concentrated power and will of those who inhabit the territory involved. Such an organization alone constitutes in diplomatic phrase a people. Why not, therefore, identify the government which you wish to recognize? Why should there be any question here—any doubt to perplex us in the future?

If you are determined to expel Spain from Cuba; if you are determined to contend that violation of the Monroe doctrine is desirable and that it is wise as well as just to invade Cuba; if you are willing to repudiate the precedents of our history and the teachings of the fathers, be nevertheless consistent. Do not go to Cuba without a declaration of what you intend to do. Do not go there without placing upon your banner in indelible and certain language the object you seek to attain. This looks like a war of conquest. For the first time in our history we are to engage in the avocation of either subduing a state or of making a government.

Every member of this body admits that war should come only as a dernier resort. Then do not invoke it, save only in the cause of that liberty to which every Senator here declares that he is willing to pledge his life; but do not compel it merely because Spain for so many months declined those concessions which she is now making. Even if she is slow, or, as is said, evasive, every hour brings us nearer to the end we all covet. She is gradually acceding to our suggestions. Is there any question as to the ultimate action of those who may seek to carry out the mandates of the majority resolutions?

I attribute no ulterior motives, but able and patriotic men here and elsewhere have construed these resolutions as meaning that something may occur not in accordance with the wishes of any of the American people. Those who approve of intervention do not consent that the insurgents shall be ignored or that we shall be foreign state makers. Let the language, if you must pass any resolution, be plain and simple. Let the words be such that they can not be misunderstood. Now, that attention is called to it, there is no excuse for ambiguity. And out of all this horrid work—if we are to plunge into bloody scenes—let us at least evolve something like a real republic. The President well says that forced annexation would be criminal aggression. Have a care that this does not result.

Oh, if it should happen, which I trust can not be, that after a conflict involving the taking of life, the weeping of widows and orphans, the deprivation of limb, and the sacrifice of the flower of our flock, it should appear that we had waged a war of conquest, and that the permeating motive was not patriotism, but sordid avarice, what a desecration, what a disgrace to the American name! Let us have no doubt about this. We all agree that improper motives are absent, but our phrases will be the subject of ruthless investigation, and the vast importance of the occasion suggests consummate prudence.

I agree, as I have said, with my friend from Wisconsin [Mr. SPOONER]. He and I have discussed the subject here before that the Executive has the power of recognizing independence. I concur with him in disapproval of language which directs the Executive—a coordinate branch of the Government. But I do not design to reopen that issue, so ably treated by that distinguished Senator. I repeat, if we are to have recognition at all—and I believe that subject should be left to the Executive—let it be the only recognition for which there is the slightest argument, that of the Republic of Cuba.

Mr. President, whatever we are to do, I repeat, let it be obviously definite, specific, positive, so that this work may not be worse than it must be.

The majority of the committee have stated as follows—I refer to the report, page 19—in speaking of the insurgents:

They have not been subdued. The autonomy proffered was specious and illusory. It has been rejected by the insurgents, not because it was specious and illusory, but because they will accept nothing short of complete national independence. The suggestion of a more complete autonomy has also been rejected by them. They declare to the United States and Spain alike that no terms short of independence which those powers may attempt to prescribe to them will be accepted. Spain refuses to grant independence.

Thus the committee notifies the world that the Cuban insurgents absolutely decline to accept anything short of independence, and that independence the committee does not intend shall be granted. They have placed the insurgents before us as men who will not voluntarily allow the intervention which this resolution professes to extend. The President asks for authority to establish a stable government. He makes no tender to the insurgents. He seems to recognize the peculiarity of such a course in the light of our nonintervention history.

Senators, you who believe in intervention as being warranted in the name of humanity, and who are satisfied of your jurisdiction and insist upon immediate invasion, study this platform upon which your country must stand with painstaking devotion. Declare not that a people are free, but give that people a name. Nowhere in the narrative of man's transactions can there be found recognition such as this—so threatened and so defended.

Mr. President, returning for a moment to the second point, as to the propriety of our interference upon grounds of humanity, let me call your attention to the diplomatic situation. Our attitude is shown more particularly by the Presidential message. The President of the United States has informed us that the order of reconcentration has been vacated. The consular reports cited are to the same purport. We learn that that order to which we attribute terrible suffering has been set aside. The consular reports advise us that the partial failure of this late humane act is largely due to the intervention of those who are contesting with Spain. There is now no order of reconcentration. In response to an intimation from the President, General Blanco has been required to suspend hostilities. The bloody mandates of Weyler are all merely history.

The demand of the Executive that they should be revoked and vacated has been affirmatively met. If the details are incomplete, the tendency of the present Spanish policy is toward a reversal of

her former plan of campaign. You are, therefore, before your fellowmen with the only grounds upon which you rely for intervention swept away from you in response to Executive and popular demand. The *Maine* incident, I have said, is not closed. It is a subject in dispute, with an offer from Spain to arbitrate, to which offer we have not responded; nor, indeed, have we made—as I have heretofore observed—any demand whatever with relation to that calamity. Here is our complaint, the basis of our international action, upon which we must justify an attack, met by concessions from Spain. There is not one syllable in the Presidential message to indicate that it is useless to go further. If any such inference could be drawn from the body of the document, it is expressly negatived by the postscript, which shows unmistakably that the matter is in fieri, that it is still in progress. That debate has not been terminated. The President's language is as follows:

> Yesterday, and since the preparation of the foregoing message, official information was received by me that the latest decree of the Queen Regent of Spain directs General Blanco, in order to prepare and facilitate peace, to proclaim a suspension of hostilities, the duration and details of which have not yet been communicated to me.
>
> This fact, with every other pertinent consideration, will, I am sure, have your just and careful attention in the solemn deliberations upon which you are about to enter. If this measure attains a successful result, then our aspirations as a Christian, peace-loving people will be realized. If it fails, it will be only another justification for our contemplated action.

But we must have war anyhow. Our people want it. It is necessary for us, and so it is to come. Such is the unreasoning language of not a few. But I trust that if we follow such advice we will not proceed upon any basis marked out in the resolutions which are before the Senate.

Years ago a man was appointed from England to a judicial position in India. He fulfilled the duties of his office ably. He was known as a great jurist. His practice was to enter judgment without comment. But he lost his head and filed an opinion. He was at once removed. The resolutions under discussion, thus hurriedly constructed I regret to say, must remain, not for a day, not as a private affair between litigants, who generally lose their individualities and seldom transmit the memory of their wrongs, but your decision will be here photographed as long as society and government continue to be. The reasons which you assign must be those which history will justify under the most rigid scrutiny. If you are determined to fight, if you think, considering the whole situation, there ought to be a war, why not make a naked declaration to that end and proceed without the assignment of reasons which, I fear, will in calmer moments be considered inadequate. We have heard in this debate able men eloquently attacking these resolutions. Their arguments will be more patiently examined hereafter.

Walk upon our streets. We find one man saying war ought to be declared upon one ground, and another who says it ought to be declared upon a different account. The situation must be dubious when the friends of action find it so hard to agree, so difficult to justify.

I repeat, that I fail to see in the light of a careful and painstaking investigation that the end has yet been reached and that argument must be supplanted by force. But for Heaven's sake, make this record clear upon its face at least. Do not so construct it as to disclose any inherent weakness unnecessarily.

Oh, I am told, we are powerful and unconquerable. True. We are mighty. From one end of this great Republic to the other there are in this exigency only united hearts, which argumentative differences can not sever. There is not one who will not aid in defending our common flag. Our resources are boundless; the courage of our people undenied. Granted that we might subjugate the world. There is something beyond that. This, we are proud and prone to claim, is the Republic of the ages. Here is realized the dream of the ancient philosophers who led the vanguard of progress; those mighty few who sought to solve at too early a day the intricacies incident to a free government organized so as to conserve and advance society. Are we to render a verdict justified only by an appeal to power? Shall ours be the barbarian's plea? No, I repeat, a thousand times no! I plead for a determination that will through all the years be approved by those who, knowing the truth, love it.

Mr. President, we have been told that other nations would not have submitted to the *Maine* and other experiences which have been ours. Without further discussion I will concede the assertion, though it might be questioned. Many of the powers of this world—alleged civilized nations—have violated every canon of rectitude and with gory sword have cut pathways for their armies through many opposing ranks and have raised the savage voice of triumph above the lamentations of suffering womanhood and childhood. They have erected their governments over the ashes of departed races. The corner stones of their institutions rest upon human pain and human sorrow. Shall we follow in the wake of such as these? Surely not.

I may be censured for my opinion. Slow in my judgment though I be, I will not involve my country in a controversy which does not meet the entire approval of my conscience. No blame, no condemnation, will ever force me to bring on a conflict which I deem unrequired by any demand of the highest honor or loftiest patriotism, and which I consider in every sense premature, contrary to foundation principles, and establishing a precedent upon which we may be seduced from those moorings where the ship of state has safely ridden since the days of her first illustrious captain. I do not care what other nations might do or may have done. I do not take advice from them. The higher mission of our Republic should beget higher resolves, and weak or great, we should apply the same rules to all.

Witness the face of nature as it illumines the loftier walks of civilization wherever on this earth the banner of Christianity and advancement has been borne. What language does it speak? It talks words of peace and good will. Men may violate the precepts of right, but the tide of progress will flow ever onward toward better things. Whenever this Republic, acting in the interests of justice, shall demand that a foreign government must acquiesce in that which we can properly demand, that decision I am willing to enforce. When an exaction is insisted upon, I am prepared to maintain our ultimatum at whatever cost. Otherwise the Government must finally fail.

But I will not continue. I might say much that is pertinent along the same lines. I love liberty; I aspire to witness the betterment of man everywhere. But I see plainly that in this instance our just ends could be achieved by peaceful methods. I care more for my own than for any other land. I will not voluntarily, without imperative circumstances, force new problems upon her or permit her to be allured from considerations of grave domestic concern.

Mr. President, those of us who dissent from the attitude of the majority here, and who think that the time has not arrived for the fierce arbitrament of the sword, entertain no doubt as to the issue. We know that our flag must triumph. We know that it must win on land and sea. There will be no dissenters in the camp. This is our council hall. In these Chambers, in connection with the Executive, are solved all questions of peace and war.

We have our opinions, deeply rooted, perhaps, and firmly set, but we are all Americans. The flag that floats above this Capitol is the flag of the whole people. The individual theory must, after our vote here, be subordinated to the judgment of the majority. When that judgment is rendered there is but one view that can prevail, there is but one course to pursue. Shoulder to shoulder, hand in hand, we march forward with equal step to vindicate the conduct and the action of that Government which we believe to be the best that Almighty God has permitted in all time.

Upon the morrow, when this fearful crisis shall be upon us, in evidence of faith and loyalty and union, let there float from every housetop in the United States the Stars and Stripes.

Mr. BATE obtained the floor.

Mr. HAWLEY. Will the Senator from Tennessee kindly yield to me for a moment?

Mr. BATE. Yes, sir.

PROHIBITION OF EXPORT OF COAL.

Mr. HAWLEY. I introduce a joint resolution and ask for its immediate consideration. I send it to the desk that it may be read for information.

The VICE-PRESIDENT. Immediate consideration is asked for a joint resolution, which will be read.

Mr. COCKRELL. Let it be read for information.

Mr. HAWLEY. The reasons for it appear in the morning newspapers.

The Secretary read the joint resolution, as follows:

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized, in his discretion, and with such limitations and exceptions as shall seem to him expedient, to prohibit the export of coal or other material used in war from any seaport of the United States until otherwise ordered by Congress.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. COCKRELL. One moment. Let us know what would be the effect of it.

Mr. HAWLEY. To authorize the President to stop the heavy export of coal that is going out.

Mr. HOAR For Spain.

Mr. HAWLEY. For Spain; and it is of more value to them than powder.

Mr. PETTUS. If the joint resolution ought to pass, and I am willing that it should, it ought to be an order. Congress can not give the President that sort of authority. If we desire to order that coal shall not be exported, it must be ordered by law. It can not be ordered at the will and pleasure of the President, as he sees fit.

Mr. COCKRELL. I think the Senator from Connecticut can modify the joint resolution so as to meet that point. I hope it may be done.

Mr. HOAR. We shall be obliged to commit to the President of the United States, in my opinion, a hundred times before this emergency is over, a like discretion. But in order to remove the scruple of a single Senator or of any number of Senators in regard to a matter so pressing, I move an amendment which the Secretary will please take down.

Mr. MILLS. Very well; move the amendment and then I will raise a point of order.

Mr. HOAR. Substitute an enacting clause and strike out all of the resolution and insert:

The export of coal or other material used in war from any seaport of the United States is hereby prohibited until otherwise ordered by Congress.

The VICE-PRESIDENT. The Secretary will read the bill as now proposed.

The bill (S. 4419) to prohibit the export of coal and other material used in war was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the export of coal or other material used in war from any seaport of the United States is hereby prohibited until otherwise ordered by Congress.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. QUAY. It seems to me there should be some provision for the exportation of coal when necessary by special license of the President. The bill makes an absolute prohibition.

Mr. GORMAN. Mr. President, I rise to a question of order. By unanimous consent the consideration of the matter before the Senate was to proceed to-day, and I shall object to anything being interposed at this time.

The VICE-PRESIDENT. Objection is made, and the bill lies over.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. H. L. OVERSTREET, one of its clerks, announced that the House had passed the bill (S. 3154) to amend an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the villages of Houghton and Hancock," approved March 3, 1891.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 504) granting an increase of pension to Mrs. Christine C. Barnard.

The message further announced that the House insists upon its amendment to the bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON managers at the conference on the part of the House.

The message also announced that the House had agreed to the concurrent resolution of the Senate to print 20,000 copies of the message of the President of April 11, 1898, together with Senate Report 885, being the report of the Committee on Foreign Relations relative to affairs in Cuba, etc.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 157) to increase the pension of Gen. James W. McMillan;

A bill (S. 487) granting a pension to Delia Gilman;

A bill (S. 499) granting a pension to Sarah R. Fray;

A bill (S. 668) granting a pension to Frances E. Pease;

A bill (S. 1450) granting a pension to Catharine Leary;

A bill (S. 3517) granting a pension to Rhoda A. Van Niman;

A bill (H. R. 639) increasing the pension of Charles B. Eades;

A bill (H. R. 2629) to grant a pension to John Thurston;

A bill (H. R. 3132) granting a pension to Plum P. Miner;

A bill (H. R. 5904) to grant a pension to M. Louise Anderson; and

A bill (H. R. 7539) granting an increase of pension to Martha M. McCall.

INTERVENTION IN CUBAN AFFAIRS.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Mr. BATE. Mr. President, I suppose, according to the arrangement of last night when I was not here, time was allotted to me of fifteen minutes without any request of mine. It is proper, however, upon an occasion of this kind, so momentus, so fateful, that every Senator who desires should be heard in regard to it and let his position be known to his constituents and the country. I feel much interest, as do my constituents, in this measure, and I would not be candid were I not to say I approach it with a degree of embarrassment.

I have no hesitation, however, in giving my voice and my vote for the independence of Cuba, and I am glad that my colleague and I agree upon this. I believe, in doing so, that we not only do that which is right, but reflect the will of our constituents, whatever they may think upon the subject of peace. I believe that the independence of Cuba should be acknowledged according to the minority resolution presented by the Senator from Indiana [Mr. TURPIE], and it is to that that I propose to speak. Under all the circumstances, I approve of it, and expect to cast my vote for that report known as the minority report, and principally for the reason that it acknowledges the independence of Cuba, and does it promptly and without equivocation.

Mr. President, for years and years you and I and all of us have been hearing of the troubles in the Island of Cuba. It is a part of the current history of the times. There was a time when the United States was solicitous to take Cuba as a part of her Government. But it seems not to be so now. But it has, however, become the sentiment of this country that Cuba should be cared for by the United States.

Her wrongs, her grievances, perpetrated by Spanish rule, have become more or less personal. She has had a war period of many years. But an angry and ominous one has hung over her, filled with wrath, for the last three years. The Government of Spain has so long held Cuba by the throat that she thinks her grip can not be loosed, and resists with violence every effort in that direction, and especially so of any effort by the Cubans themselves. Insurgents have sprung up and for the last three years held at bay Spanish power. I have no criticism upon them because they rebelled against the power of a tyrant.

Insurgents and rebels are synonymous terms, and they have my sympathies.

Mr. President, you may search history—sacred and profane, ancient and modern—and you will find that wherever the word "liberty" is found there are the words "rebel" and "insurgent" on the page in front of it. Rebels and insurgents are the forerunners of liberty, and history so writes it. I have no criticism to make upon the Cuban insurgents. They did the best they could under the circumstances. One of the best evidences of their patriotism consists in the fact that they fought those battles without money and held the territory without outside aid. They have sustained their cause and have governed the larger part of the beautiful Island of Cuba. Two of the states and three or four of the provinces are under the control of the insurgents and have been for three years.

But we are told in this Chamber that we can not recognize their independence before intervention for fear that when our forces go there General Gomez will take command of them and will govern the conduct of the war. Mr. President, that is not a patriotic idea. That is not the view for a man to take who wants to see Cuba free. It is not the view that Lafayette took when he brought his fortune and his men to America. He did not ask, "Shall I command?" or "Shall the French nation dictate the conduct of the war?" He asked no such question, but tendered his sword unconditional to Washington and took the part assigned him.

When, in the crowning act of our old Revolution, at Yorktown, the tricolor of France fluttered in front while Lafayette was with Washington in the rear of Cornwallis, neither D'Estaing nor Count De Grasse hesitated to cooperate with the American Army and report to an American general. No, Mr. President, should our troops go to Cuba there would be no friction as to commanders. That would soon be adjusted to perfect satisfaction. It is not one of those matters about which we need have apprehension.

The insurgents for the last three years maintained themselves. They have not had, in a strict sense, a government de jure, but it can not be questioned, in the face of the fact of the reports which have been made to us from official authorities, that there was and is a government de facto, one that we must recognize, and one which has been able to maintain its authority over the territory of that Government in defiance of the power of Spain, notwithstanding her 200,000 troops which were upon Cuban soil. The Cubans have held that territory until this day; they have defended it; they have kept up their little flag for three years in actual warfare against them. And why is it said they are not a power to treat with?

Why need we hesitate upon the ground that General Gomez may take charge of the troops that may be sent there? There is nothing in it other than mere suspicion, and I dismiss it.

History is not without precedents where, under similar circumstances, independence has been acknowledged and recognition given by the nations of the earth. I give a precedent in point from our own country.

Passing by the "Ostend manifesto," which pointed to intervention in Cuba, it must not be forgotten when Maximilian was Emperor of Mexico, possessed of the capital and at the head of a Government, Juarez was a fugitive in the mountains and his government as itinerant as that of Cuba at present. The United States maintained diplomatic relations with Juarez as far as was practicable with a government which, like that of Cuba at present, had neither local habitation nor abiding place.

This country did not stop to inquire where the capital was, nor what seaports were held by Juarez, nor whether his legislature was in session or otherwise, but, regarding Maximilian as a European potentate invading an American State, we gave our moral influence and were prepared to add physical force to the fugitive and peripatetic government of Juarez without drawing the fine distinctions of international law.

A great nation makes precedents and discovers principles suitable and applicable to its own conditions and necessities. The United States called into existence the Monroe doctrine, which, if not yet written in the books of international law, stands as unchangeable as the laws of the Medes and Persians.

This country, in the case of Maximilian, made Europe understand that no foreign prince shall ever sit permanently on an American throne, and the time has now come to further emphasize the fact that the despotism of a European State shall not continue on the Island of Cuba, almost in touch with our shores. The opportunity has offered to enforce this doctrine, and we should embrace it with promptness and vigor and let consequences take care of themselves.

This is an example, Mr. President, which is on all fours with the one now before us in the case of the insurgents of Cuba. But it is said that these Cuban insurgents and rebels are without ships and without forts. They needed no ships, and they could not use them if they had them, for the reason that the insurgent government has not been acknowledged by the world; but if their independence had been acknowledged by the United States or by other nations, Cuba could have provided herself with ships to carry her commerce and she could have had all the relations with the outer world necessary for an independent government.

Neither was it so in the South American republics. When Mr. Monroe recognized them they were without ships of war and had but little commerce, and yet, sir, in the name of liberty, President Monroe did acknowledge them; and if that means anything, it means recognition. The doctrine known as the Monroe doctrine, which, although I believe it is not known on the pages of books on international law, yet the Monroe doctrine is now known and recognized everywhere, and is as fixed and unchangeable as the laws of the Medes and Persians. The Senate so recognizes it.

Mr. President, the right to recognize the independence of a people struggling bravely for national existence appeals so strongly to the American people that the shadowy principles of international law will hardly counterbalance that sympathy which springs in the hearts of a people who won their independence despite the law of nations and the power of Great Britain. The wrongs against which the American colonies revolted were matters of political principle; those against which the Cubans have been in arms these many years have superadded to the same principles the horrors of a warfare hitherto unknown among civilized nations, involving the very existence of the people.

Recognition of independence is always a question of fact, the criterion suggested by publicists being whether the old government had recognized the independence of the new. But no such principle is recognized by this country. Our independence preceded by eight years England's recognition. France in recognizing the United States disregarded the principles of noninterference, and the practice of European governments has for a century been that of interference.

The nations of Europe in 1792 interfered in French affairs and attempted to set up another government for the people of France. The principle of interference to stop the effusion of blood, or to put an end to anarchy, such as that which has existed in Cuba, was, in 1827, justified by England, France, and Russia, when these nations intervened between the Sultan of Turkey and his rebellious subjects, the people of Greece.

The Porte rejected the overtures of the nations, as Spain does those of the United States, and the great naval victory of Navarino became the precedent which it is to be hoped will follow in Havana Harbor. In 1823 France intervened between the Government of Spain and her rebellious subjects, and the army of France marched to Madrid. Again, in 1839, England intervened between the Government of Spain and her rebellious subjects, the Carlists. In 1825 Mr. Canning intervened between Spain and her rebellious colonies in South America, and "called the New World into existence to redress the balance of the old."

The late abortive attempt at intervention of the nations of Europe between Turkey and Armenia recognized the principle of intervention, but it is to be hoped that the fiasco will not be repeated in our intervention between Spain and the Cubans. History is replete with examples and precedents which justify our action and intervention in Cuba, but on no page of history is recorded a parallel act of perfidy and treachery to that which sunk the *Maine* in the harbor of Havana.

A crime so recent, a horror so appalling, requires of me no repetition of its circumstances. It stands without a precedent and, happily for humanity, without a parallel among nations. Too gross in its iniquity for arbitration, too infamous in its character to be canceled by money, our people approve the Administration in its silence as to indemnity. The mangled forms of American sailors, the shattered wreck of our American battle ship, the dishonor of our flag, admit neither arbitration nor indemnity, but demand of this country prompt recognition of independence for Cuba and immediate active intervention, if necessary, to secure it.

I fully comprehend the responsibility that rests on those who appeal to war. I am familiar with its suffering, its cost, its horrors, but I fully agree with that sentiment expressed so epigrammatically by the Senator from Wisconsin [Mr. MITCHELL] that, "There is something worse than war; something better than money." I add to it by saying that dishonor is worse than war and liberty better than money. Intervention in Cuba and independence for the Cubans may be a matter for debate and discussion, but the crime which sunk the *Maine* cries aloud for punishment—swift, sure, and severe. My vote for those resolutions is given more because of the crime against our flag, our battle ship, and our gallant sailors, than for any other cause.

However much I may desire to see Cuba free and independent by her own efforts, my indignation over the perfidy which deliberately selected the best place in the Havana Harbor to destroy an American ship, and perpetrated a crime without a parallel, carries my judgment for certain, swift, and severe punishment. The ghastly sight "will not down at my bidding."

Go for a moment to the harbor of Havana and see the wreck of that vessel. You are Americans who are proud of your sailors and proud of the flag under which they were. Look there and see the misfortune that overcame them. I believe it was treachery. I do not charge the Spanish Government was a party to it, but I say they had placed those mines there. They knew that fact, and they should have given notice to any of the vessels of another friendly power coming within the purview of such a danger, just as a railroad engineer is required to blow his whistle at a crossing or as a flag is held up to indicate where there is a point of danger.

They knew the danger was there; they had placed the mines there for a purpose; they were silent as to their location, and the authorities certainly directed our battle ship *Maine* to be towed to that point and fastened to that buoy, without giving us notice that the danger was there. The captain of the *Maine* did not know the parts of the bay in which mines were located. He did not know they were there.

He did not have the least intimation that there was danger there; and I say that the death of those sailors of our country cries out in the face of all the civilized world for vengeance. I seek not vengeance; yet I say that under such circumstances we can not overlook what has occurred. No man who loves the flag of his country, no man who loves its honor, believes that that outrage can be wiped out by the payment of money. It is the trembling coward, the sordid huckster, who teaches such doctrine. Our people believe in maintaining the honor of this country, and they feel that this midnight assassination needs rebuke.

I have never thought since the sinking of that vessel that we could keep out of war. As I regard it, it is in itself a casus belli. In my judgment it was the duty of the United States Government to have promptly demanded satisfactory explanation, and, Mr. President, as so much has been said in this debate about Andrew Jackson in recognition of the independence of Texas, I venture to say that if he had been at the head of affairs, old Hickory, "by the eternal," would have let loose the dogs of war on Morro Castle in forty-eight hours after the destruction of the *Maine* and murder of our sailors, and perhaps would by this time have made peace with Spain with Cuba free.

The VICE-PRESIDENT. The Senator's time has expired.

Mr. CLARK. Mr. President, a vote on the pending resolution and amendments will be taken at the close of this day's legislative session. I wish it could come now. I have no pride that would cause me to address the Senate or country if by remaining silent the action of the Senate would be hastened by a single moment. Even if I had the graces of oratory of other Senators in this Chamber, if my silence would hasten final action by one time beat of the clock, iron bars could not unseal my lips; for I know, as every Senator here knows, that while we are talking in the Senate of the United States, men, women, and children are dying of starvation in Cuba, the victims of a warfare the most cruel, inhuman, and barbarous of modern times; but knowing as I do that my silence will have no effect to produce quicker action, and aware of the fact that my speaking to this resolution will be productive of no delay in action, I feel it my privilege and duty to give my views in general terms and in few words upon the pending proposition.

Mr. President, with due deference to the conservative warning

of the senior Senator from Connecticut, and with complete respect for the legal doubts of the Senator from California, I have still no fear or hesitation in regard to the vote which I shall give upon these resolutions, nor do I care much for the text of the resolution. Whatever form of expression is agreed upon, the result is the same—war, swift and sure, and war with the most diplomatic, the most deceitful, and the most cruel of all the Christian nations of the earth, a nation that for three hundred years, because of its deceit and cruelty, has seen its power fade and its possessions diminish, until from the time of the magnificent power of Charles and the cruel inhumanities of Alva it has been reduced to the feeble Government of the present and the savage barbarism of Weyler. Even in the face of the certainty of a contest with a nation that has accumulated only vices with its years, and from which we may expect in course of war to receive only deceit and treachery and the methods of war used by a nation of such characteristics, still, Mr. President, this Senate and this nation should not hesitate, nor will they.

The report of the Committee on Foreign Relations, prepared by the eminent chairman of that committee, replete with historical precedents and the legal learning for which he is so justly distinguished, and with its conclusions of fact drawn from indisputable evidence, is such a terrible arraignment of the Government of Spain as must cause every patriotic heart to throb with fervent heat at the indignities suffered by the United States and every Christian soul to stand appalled at the unprecedented cruelty and inhumanity of the long-continued, frantic, and futile efforts to subdue a liberty-loving people.

I had hoped, although almost against hope, that a peaceful solution might be had of all our difficulties. I believe the President, in the trying situation presented, has acted with a patriotism, a wisdom, a moderation, and a patience that will fully commend his course to the sober, candid, and honest judgment of the American people; but I felt in my heart, Mr. President, when our battle ship went down in Havana Harbor, that all hope of such an adjustment was at an end.

Mr. President, as the evidence accumulated, under careful and honest investigation, that the loss of our sailors was due to the direct criminal action of Spain or to her equally criminal negligence, the diplomacy of the world could have accomplished nothing. I most heartily indorse the President for his efforts to secure a peaceful solution. I as fully indorse and commend his course in remitting the whole matter to Congress when it became apparent that further diplomacy would be futile.

Mr. President, I have no wish nor time to discuss the Cuban question proper, nor to go into detail of the miserable condition of that most unhappy island. Others in this Chamber have drawn pictures from personal observation, from well-authenticated facts, and from undisputed conditions, that leads us to wonder if, after all, there is such a thing as Christian civilization on God's earth after two thousand years of Christian teaching; and, Mr. President, the half has not been told, and, as is stated in the report of the committee, even Turkey, "who, abominable and atrocious as her cruelty has been toward her subjects in Greece and in the northern part of her dominions in Europe, has not approached the eminence at which Spain stands in solitary and unapproachable infamy."

The Committee on Foreign Relations, in making up its judgment as set forth in the resolution and report, has very properly, it seems to me, seen fit to go over the entire ground of our relations with Cuba and Spain. Such a course I believe to be a wise one; and yet, Mr. President, in my judgment the insufferable conditions that have prevailed in Cuba for three years, without mention of the *Maine*, of which I desire to speak later, would justify Congress in the course which I believe it will take; and leaving out of the question all such statements of inhuman conditions as have not been fully proven, still a case of perfect justification is made that demands prompt and decisive action.

No matter whether the ground of broad humanity is taken or whether we look only to the rights of Americans and the outrages on American citizenship, our duty is equally clear. I hope, Mr. President, the time may come when our citizenship shall be as we now sometimes falsely boast it is—the perfect guaranty of personal and property security the world over. I believe the time is now opportune. I have no disposition, Mr. President, to give aught but praise to those efforts which have released the citizens of this nation from foreign dungeons.

Thank God for an Americanism that under conditions as they have existed could accomplish that much; may it be but a forerunner of a governmental firmness of policy that shall make the flag of our nation omnipotent to protect our citizenship the world over. But, Mr. President, though prison doors have opened, there are other wrongs to be righted. The eloquent, distinguished, and patriotic junior Senator from Indiana has said in this Chamber during this debate that "not an American citizen is to-day imprisoned on Spanish soil."

Mr. President, I thank God if such is the fact, but I can not lose sight of the other more potent fact that many an American citizen lies to-day imprisoned in Spanish soil, victims of national hate and official vindictiveness, rotted in dungeons or sentenced to death by star-chamber proceedings or drum-head courts-martial. All in all, such a violation of national rights is made up by the record as is seldom found in the history of the world, and all this without thought or word of excuse, regret or apology from Spain.

But, Mr. President, the crowning infamy of Spain was reached when, in the darkness of night, on the 15th of February, by her agencies, our noble ship was blown from the face of the seas and 266 of her officers and crew were ushered, unshriven and without a prayer or farewell, into the presence of their Maker. God pity the soul and the nation that could compass such a deed. Such an act can not be settled by diplomatic correspondence nor treated by any tribunal of arbitration, the learned and eloquent Senator from California to the contrary notwithstanding. There is but one remedy, and would to God that remedy could restore to our country and to their wives and sweethearts our naval heroes who so miserably perished. That remedy is justice, swift, sure, and complete.

There may be some who doubt the criminal responsibility of Spain. I am not one of them. Eminent lawyers on this floor say the guilt is not conclusively fixed. Mr. President, I would not assume to match my legal acquirements against some of nal tional reputation who have taken that position in this debate. a have been a lawyer only in a sort of a way. But I have been e prosecuting attorney, years ago, in a new country, upon the frontier, where crimes were then frequent and where juries wer inclined to fully obey the instructions of the court, to "give the defendant the benefit of all reasonable doubt;" and, Mr. President, in my judgment, upon the evidence of our court of inquiry, to which we are fully committed, and by which we must be bound, in connection with other evidence produced, which has not been and which can not be disputed, there is no impartial jury on the face of the earth that would not find a man guilty of murder in the first degree upon evidence of like character in an ordinary court of justice.

I believe the evidence shows not only guilt beyond all reasonable doubt, but guilt beyond all and any doubt. I can not go into the minute evidence of this transaction at the present time. It is unnecessary to do so, and a minute discussion would be both undesirable and unprofitable, even if time permitted. There are two things, Mr. President, that are said to reach nearly to infallibility, and these are the intuition of a good woman and the general opinion and conclusions of a great and a just nation, and the belief of this Republic to-day is that Spain destroyed the *Maine* and should be held responsible for the act, and, my word for it, if war shall come, the battle cry on sea and land will be "Remember the *Maine!*" This belief of the people is perfectly rational and is drawn from the well-known facts in the case.

Our ship, on a friendly visit in a Spanish harbor, was anchored by Spanish officials over a Spanish mine, placed there by Spanish authority; and the vessel and crew were destroyed either by Spanish authority direct or by Spanish negligence equally criminal. The conclusion is irresistible to the general mind, and in the general mind only, unaccustomed to specious nicety of hairsplitting as to conclusiveness of evidence, do we find the true conclusions.

Mr. President, in this connection I desire to read a portion of a letter received by me but a few days ago from a citizen of my own State, who lives 2,000 miles from the Atlantic seacoast and 6,000 feet above sea level, and who is not consequently hampered in his reasoning by the doubts and fears that seem to create so much disturbance in the minds of some who have their being nearer the tide water of New York Bay. This gentleman is a graduate of our Naval Academy, afterwards a lawyer of wide practice, and now one of the most efficient as well as one of the most conservative judges upon the trial bench of our intermountain courts, Judge Scott, of the district court of the first district of Wyoming. With only the testimony of our naval board of inquiry before him, he brings to the consideration of the question his technical knowledge acquired at our Naval Academy and the severe processes of his judicial mind and arrives at the conclusions expressed in his letter of April 8, a portion of which I desire to read. He says:

> I have read the evidence and studied the exhibits in the light of my early education and later training, and I confess that while the report is not as full and complete as I would wish, yet I am forced to but one conclusion, and that is that the Spanish Government is responsible in any view of the case. The evidence conclusively shows that the first blow received by the ship was from the outside and must have been from some very powerful agent to have forced the keel up through the ship, as shown by the exhibit, while the second explosion from the reserve magazine was the immediate cause of the destruction of so many lives. These facts being established, it seems to me to be an easy problem to solve.
>
> No one can say that the mine which caused the destruction of the ship could have been placed in that position without the knowledge of the agents or officers of the Spanish Government. It was a harbor over which that government had jurisdiction and absolute control, and a mine in that position could only be there for one lawful purpose, and that for the national defense.

It is apparent that time fuses could not be used with these engines of destruction. It must, therefore, have been exploded by wire properly connected with the mine and an electrical generator conveniently placed, and the connection of the circuit made by key when the *Maine* swung into position to receive the full force of the blow from the explosion of the mine.

The position of the *Maine* as she swung at her anchorage and the place of the mine at the time of the explosion, or rather its position with reference to the *Maine* at the time of the explosion, imparts a knowledge to the one who completed the circuit or manipulated the keyboard of the exact position, respectively, of the mine and the ship. That it was figured down to a mathematical certainty is evidenced from the fact that the full force of the explosion was received on the keel of the *Maine*. This was not the work of a novice. It was the work of an expert, thoroughly versed in that art of warfare. The mine and the mechanism for using it must have been Government property and under the control of the Government and its employees, for no one else could or would have been allowed to place it there, thus endangering the free navigation of the harbor by merchantmen and other ships frequenting the harbor, and, as stated above, it would have been unlawfully there for any other purpose than for the national defense.

If the mine was exploded by the officers in charge of the same, or if it was exploded by their consent, it was an act of the Spanish Government. On the other hand, if exploded by some one without their knowledge or consent, the Spanish Government is still liable on the principle that if I set a spring gun in my yard, whereby my neighbor is shot and killed, I am criminally liable. I think our citizens ought to be protected in every port on the face of the globe, and that whether they wear the uniform of a sailor or soldier or are in civilian's dress. The *Maine* was on a lawful mission, securely anchored in the harbor of a nation with whom we were at peace. That nation was in duty bound to so govern her citizens that the lives and property of our citizens would be safe. If it actively through its officers and agents assassinated our citizens, or tacitly consented to, or negligently permitted such assassination, it seems to me that no greater cause for war could ever be presented, and especially so in this case where the means of such assassination must have been in the very nature of things the property of Spain.

And, Mr. President, the conclusion of Judge Scott is the conclusion of the American people, and to that conclusion, formed not in haste but after a careful and honest consideration of all the well-known facts in the case, I believe this Senate, by the vote shortly to be taken, will give its full answer. Mr. President, the bond question is raised, but the time has long passed since I have considered this question from a money standpoint. We are warned by Senators, in private at least, that by our action we are possibly creating a national liability of our own for four hundred millions of Spanish bonds, to the payment of which the revenues of Cuba stand pledged, or an indefinite amount of Cuban bonds, which we might be held responsible for.

Mr. President, to me this question has passed beyond the matter of bonds into the broader and, as I think, more patriotic field of national honor. The question of responsibility or nonliability for bonds enters not my mind, nor does it disturb me in the least in the consideration of this question. The time for financial pettifogging is passed. It cost us a third of a century ago three thousand million dollars to preserve the integrity of the union of these States. I am willing now to devote, if necessary, three thousand millions to preserve the honor of the nation. It is a burden that may perchance rest upon the shoulders of our children and our children's children, but if American patriotism still lives, it is a burden they will gladly accept and honestly discharge; and in this statement I believe I voice the sentiment and the patriotism and rightly interpret the great heart of this Republic.

Mr. President, war is the court of last resort. Woe to that nation that has not a righteous cause. The great captain of Europe uttered an atrocious fallacy when he said, "God is on the side of the strongest battalions." All history disproves the utterance. God is ever on the side of the right, and in this coming contest we are in the right. We stand for freedom of peoples and for republican government, for free institutions and national honor, and in the trying days that are upon us the American people, having a just knowledge of their responsibility and a full appreciation of their duties, will have but one watchword: "Remember humanity; remember the *Maine*." And to this they will add the fervent and confident prayer, "May God speed the right."

Mr. PASCO. Mr. President, though I have participated but little in the debates in the Senate upon the different phases of the Cuban question as they have from time to time been presented here, I have been greatly interested in the uprising of the people there against the domination of Spain, and my earnest sympathy has constantly been with them in the brave struggle for independence and a republican form of government which they have thus far maintained against a powerful opponent, superior in numbers, in discipline and training, and in the resources of war. The Cubans are near neighbors to the people of Florida. We have desired and hoped for their success in this unequal contest; and in advocating the fullest measure of recognition that our people and our Government could give them, according to the usage and practice of civilized nations, I have always been in entire harmony with the best sentiment of the State which I have the honor in part to represent.

The two Houses of Congress were satisfied from the information that had reached them more than two years ago that the contest had advanced beyond a condition of temporary and lawless resistance to constituted authority, beyond a mere revolt or insurrection, and they solemnly and formally declared by a concurrent resolution that there was a state of war in Cuba with all that is signified by that expressive word. It meant that the Cubans were an organized force, that they were maintaining an army in the field, that they were capable of joining battle with Spain, and that in the opinion of the Senate and the House of Representatives of the United States the armed men sent into the field by this organized force were soldiers and not lawbreakers and criminals, and that they should be treated, whenever they fell into the hands of their enemies, according to the laws of civilized warfare. More than a year later, in May, 1897, the Senate made a like declaration in the form of a joint resolution, and it was sent to the House of Representatives, but it was never passed by that body. These findings and declarations have been fully justified by the subsequent history of the contest.

Spain, with all her vast resources, has failed to restore her civil authority over the island, force has been continually met by force, and a governmental organization with armed soldiers to sustain it has maintained itself in open defiance of the Spanish Government ever since our first declaration of the existence of actual war.

Notwithstanding this deliberate action of the Senate, twice repeated, and the terrible array of facts developed during the debates, there was no response to these resolutions by the Executive, and the conflict, whether war or not, has gone on till weeks have lengthened into months and months into years.

Meanwhile army after army has been sent by Spain to put down those who have been resisting her authority by force and arms. Sections of country have been desolated so that the inhabitants might have no opportunity to afford aid and comfort to the revolutionists. The people driven from their homes have been compelled to remain in towns and villages within the Spanish lines of defense, and the Senate and the country have recently been informed by members of this body who have gone to Cuba and witnessed the actual conditions there of the suffering and starvation and sacrifice of life that has been going on among these reconcentrados and still continues. The civilized world has been shocked by the sad and terrible revelations.

The time has at last come for some action on the part of Congress to settle our differences with Spain and to relieve her victims from the oppression and sufferings which they have long endured. Diplomacy has failed. The President has despaired of accomplishing any results by further negotiation and has turned over the issue to Congress. In doing this he says, "I have exhausted every effort to relieve the intolerable condition of affairs which is at our doors," and he is now awaiting our action.

Those who have had some experience in war are fully aware of its horrors, and would gladly see this as well as all our international differences settled by peaceful methods; but these methods have failed, and the committee to whom the President's message and the resolutions it evoked were referred have, after careful deliberation, reported their recommendations, some of which I propose briefly to discuss before the vote is taken.

The preamble and resolutions of the committee are as follows:

Joint resolution for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Whereas the abhorrent conditions which have existed for more than three years in the Island of Cuba, so near our own borders, have shocked the moral sense of the people of the United States, have been a disgrace to Christian civilization, culminating, as they have, in the destruction of a United States battle ship, with 266 of its officers and crew, while on a friendly visit in the harbor of Havana, and can not longer be endured, as has been set forth by the President of the United States in his message to Congress of April 11, 1898, upon which the action of Congress was invited: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

A minority of the committee offer the following amendment, proposing a recognition of the Republic of Cuba as the true and lawful government of that island, and I favor its adoption:

Insert in line 4, after the word "independent," the following: "and that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island."

This republic is an organization that has maintained itself for more than three years against the power of Spain. Nearly two years ago Consul-General Lee reported to President Cleveland that the Spaniards stood no chance of ever suppressing the insurrection, and during the present week he testified before the Committee on Foreign Affairs that he does not think there is the slightest possibility of their being conquered by Spain and that peace can not be restored to the island by that power.

In December, 1896, the Secretary of State in his annual report

showed the strength of the Cuban power at that time, and I make the following extract from this report:

Although statistics of their military strength are attainable with difficulty and are not always trustworthy when obtained, enough is certainly known to show that the revolutionists in the field greatly exceed in numbers any organization heretofore attempted; that with large accessions from the central and western districts of the island a better military discipline is added to increased strength; that instead of mainly drawing, as heretofore, upon the comparatively primitive population of eastern Cuba, the insurgent armies fairly represent the intelligent aspirations of a large proportion of the people of the whole island, and that they purpose to wage this contest, on these better grounds of vantage, to the end and to make the present struggle a supreme test of the capacity of the Cuban people to win for themselves and their children the heritage of self-government.

A notable feature of the actual situation is the tactical skill displayed by its leaders. When the disparity of numbers and the comparatively indefensible character of the central and western Vegs country are considered, the passage of a considerable force into Piñar del Rio, followed by its successful maintenance there for many months, must be regarded as a military success of a pronounced character.

So, too, the Spanish force, in the field, in garrison on the island, or on its way thither from the mother country, is largely beyond any military display yet called for by a Cuban rising, thus affording an independent measure of the strength of the insurrection.

From every accessible indication it is clear that the present rebellion is on a far more formidable scale as to numbers, intelligence, and representative features than any of the preceding revolts of this century; that the corresponding effort of Spain for its repression has been enormously augmented, and that, despite the constant influx of fresh armies and material of war from the metropolis, the rebellion, after nearly two years of successful resistance, appears to-day to be in a condition to indefinitely prolong the contest on its present lines.

There is a white population upon the island of 1,000,000 people, and 700,000 of these, according to the testimony before the Senate, are supporting or are in sympathy with this organized government. This government is an existing fact. It has a written constitution, adopted in October, 1895; the supreme power is vested in a President, Vice-President, and four secretaries of state; its authority is recognized over fully one-half of the territory of Cuba, which, the Committee on Foreign Affairs informs us, is held to the exclusion of Spain; its officers collect taxes and discharge other official functions, and have done so ever since the first few months of the war; it has in the field an army of more than 30,000 men, and represents a force strong and powerful enough to insure domestic tranquillity when the hand of war is withdrawn.

The President tells us in his recent message that "the long trial has proved that the object for which Spain has waged war can not be attained," and with this quotation I can leave this part of the subject.

I am not troubled by the suggestion that the proposed amendment trenches upon the prerogative of the Executive upon the theory that to him exclusively belongs the right to recognize a new member of the family of nations. Whether this is correct or not, when the recognition is a single act unaccompanied by no other proposition, is a question which Senators learned in the law have differed upon, but it is not a material question here. We are now called upon to act under a power granted exclusively to the Congress by the express terms of the Constitution, and the question of recognition is inseparably connected with it.

The President has realized that his powers are inadequate to deal with the subject. He has remitted it to the Congress. We are to reach a result that all admit requires the united action of two of the great departments of the Government, and the Executive stands back and says the legislative must take the lead. He will at the appropriate time act upon the pending resolution as a branch of the legislative department, and if passed with the proposed amendment and thus approved, I do not share in the doubt expressed by the Senator from Wisconsin [Mr. SPOONER], as to whether under such circumstances the recognition will be complete. What the legislative hand has signed the executive arm will surely execute.

The war is inevitable. I do not hesitate to say, in view of recent events, that it has begun. Spain struck the first blow when on the night of February 15 a Spanish submarine mine, without notice or warning, was sprung in Havana Harbor, and by the explosion the *Maine* was destroyed and hundreds of her officers, seamen, and marines were hurried into eternity.

This was practically recognized as an act of war on the 8th of March when, at the request of the President, the two Houses of Congress placed at his disposal $50,000,000, to be used in his discretion for the national defense and every purpose connected therewith. Since that time the Departments and bureaus have sounded the note of preparation, our vessels have been prepared as rapidly as possible for active service, new vessels and munitions of war have been purchased at home and abroad, our fortifications have been strengthened, and patriotic citizens in all parts of the Union have offered their services in defense of their country when the two nations confront one another in the inevitable conflict which is approaching, while in the meantime Spain has employed like diligence in warlike preparation. The resolutions we are now considering will soon be followed by the raising of armies and the invasion of Cuba. When our forces land there, I agree entirely with the Senator from Kentucky [Mr. LINDSAY], in the proposition contained in his recent resolution, that the contemplated military operations of our armies should be carried on in concert with the forces of the Cuban Republic, commanded by Gen. Maximo Gomez, under suitable and proper arrangements to be entered into between the military authorities of the two Governments and with our generals in chief command.

The resolution is as follows:

First. That the contemplated military operations against the Spanish armies on the Island of Cuba should be carried on in concert with the military forces under the command of Gen. Maximo Gomez, such concert to be secured through arrangements between this Government and the Cuban revolutionary authorities recognized by said Gomez, and that any offer looking to such arrangements that may be made by those authorities should be favorably considered, provided it shall concede to the commanding officer of the United States troops the right to control and direct all military operations.

Second. That all such military operations should be carried on to the end that the independence of the Cuban Republic may be secured.

The two nationalities have a common purpose in view in their determination to forever terminate Spanish domination upon the island. They are natural allies in this emergency. The Cuban soldiers are acclimated; they know the country well and thoroughly, and their cooperation with us must speedily result in the occupation of the cities and strongholds by the American and Cuban armies.

I do not accept the view presented by the President in his recent message of the 11th of April, when he says that our forcible intervention to stop the war involves "hostile constraint upon both the parties to the contest, as well to enforce a truce as to guide the eventual settlement." I shrink with abhorrence from any idea that the approaching conflict is likely to result, under any circumstances, in imposing hostile constraint upon the Cubans who are defending themselves against Spanish tyranny.

Many of these people who have sought our shores to avoid the hard conditions now existing in their own land have settled in Florida, and they are for the most part peaceable and well-disposed citizens. They supply the skill and labor which have made an important addition to our manufactures at Key West, at Tampa, and at other points, and they have added largely to our wealth and resources. They are a liberty-loving people, and have contributed freely of their means to aid their countrymen who have carried on this prolonged contest for freedom and independence. They are an intelligent, well-informed people, interested in the education and moral training of their children, eager for information and knowledge and self-advancement.

These people here and at home have been taught to believe that Americans are their friends and that our Government and our free institutions are worthy models for them to follow in building up a new republic in the Island of Cuba. There should be nothing in our action here to drive them from us or to give any grounds for apprehension that a time may come before the coming contest is brought to a termination when the flag of the United States will symbolize hostile constraint upon those of their countrymen who are in arms against Spain.

We can make no better beginning than by declaring at the outset that the republic is free and independent, and with this free and independent government as an ally our cause will have the good will of the lovers of human liberty the world over. Such a recognition will relieve us of any well-founded charge of aggression or self-aggrandizement if we thus make it clear that we propose to claim no power, when the victory has been won, to force upon an unwilling people unwelcome rulers or unreasonable burdens or harsh conditions.

We have hitherto labored under an embarrassment in our negotiations with Spain, because we have not recognized any right in the Cuban Government to be considered or heard with reference to subjects in which she has vital interests, and arrangements are proposed which can only be successfully carried out with her consent. An armistice was proposed, to continue until October next; but how vain an armistice must be unless the Cuban military force is a party to it. It is often said that it takes two to make a quarrel, but it is equally as true that one man can not maintain the peace when his neighbor continues his attack upon him.

The Cuban Republic, as a recognized Government, can agree with Spain, if a proposition for an armistice is offered or can authorize the United States to speak in her behalf, if we attempt to negotiate for her; but an unorganized population can agree to no armistice, and the pending resolution seems to contemplate only an unorganized population when it says "that the people of the Island of Cuba are, and of right ought to be, free and independent."

If the resolution of the committee is thus amended and our efforts are to be exerted in behalf of an independent republic and not to establish a government to be shaped under our dictation hereafter, I shall support the amended resolution. I may do so, though it will be with extreme reluctance, if the amendment should fail, in the hope and expectation that a recognition of the republic may be accomplished at a later day and that subsequent action may remove any unfavorable results that are apprehended from the passage of the resolution as it came from the committee.

Mr. President, the time at my disposal is limited, and I can not enter into the details of the subject as I should like, but we have passed the stage of prolonged debate. The time is at hand for action. I have the honor to represent in part a State that is peculiarly interested in this result; it is nearest the scene of action. During the continuance of the difficulties between Spain and the revolutionists there has been almost daily communication between the different ports of Cuba and our own harbors, and thousands of refugees have made their homes in our cities and towns. The sympathy that has been expressed and manifested for these unfortunate people has engendered the ill will of their enemies. We have a long line of coast around our State exposed at many important points to attack by an armed flotilla, and until recently there were no preparations for defensive warfare except at two points.

We may have to bear the brunt of the first shock of war, and our exposed position warns us that the danger of attack and invasion is imminent; but if war is necessary to defend the honor of our country, and to defend the young republic established almost within sight of our peninsula and the keys and islands around our coast, and to assist in making good the declaration of independence which its people have made, the people of Florida will accept the verdict which we will here render after a deliberate consideration of the situation as it has been presented, and will meet whatever results may follow calmly and courageously, and in the full confidence that the God of Battles will give to us the ultimate victory.

Mr. MALLORY. Mr. President, I have been among those who have deemed it their duty, while the matter of our controversy with Spain was pending in a diplomatic manner, to withhold any criticism of the President or any suggestion as to what course should be pursued by him. The matter was properly within his jurisdiction, and as long as it was confided to him by the Constitution and the law we deemed it but right and proper that the entire control of the subject should be left with him. But the Executive has informed us that he has ceased to undertake to carry on any further diplomatic negotiations. In his message recently sent to us he tells us:

> The issue is now with the Congress. It is a solemn responsibility. I have exhausted every effort to relieve the intolerable condition of affairs which is at our doors. Prepared to execute every obligation imposed upon me by the Constitution and the law, I await your action.

The Executive has informed Congress that he has exhausted his resources, and he has called upon Congress to take action at the point where he has been compelled to leave off. Upon us devolves that great responsibility. I admit, with those who have expressed themselves upon the floor, that this is a most serious responsibility. We all appreciate the accuracy of the pictures which have been limned before our eyes as to the horrors of war, and I take it there is none on this floor who is willing to rush into war if that calamity can possibly be averted.

Mr. President, I regret very much that the Executive felt impelled to cease efforts at negotiation. I believe it was possible under some circumstances to have avoided the issue which is here presented to us, and I must say that it is with great regret that I appreciate that the President has reached the conclusion that it was impossible for him to do anything further in the premises. I would not be understood as criticising the Executive harshly, but as a member of this body, as one who is called upon now to act at this most solemn and momentous moment, I feel that I am justified in expressing myself plainly, notwithstanding it may possibly involve a suggestion of disagreement with the Executive.

I shall not, in the brief time at my command, undertake to go over the various points of difference wherein I find that I can not agree with the views of the Executive. I will be just to him and say that I have ascribed to him nothing but the loftiest and most patriotic motives in the action which he has taken. We know his history. We know that he is the chosen of the 70,000,000 people in this country. We know that his record up to this time has been pure and patriotic, and I would be the last man to undertake to cast a reflection upon any conduct of his that was not fully justified by the facts.

But, Mr. President, in passing, only stopping for the purpose of asserting the fact that I do not agree with all the policy which has been pursued by the Executive, I would advert for a moment to a fact that was brought out this morning by the senior Senator from Nebraska [Mr. ALLEN] in reference to the application made to the President by the representatives of six great powers with a view to mediating between this Government and Spain. The Senator from Nebraska stated that he had inquired of many older Senators if there was any precedent for it, if there had been anything of the kind in the history of this country, and that he was informed there never had been.

I beg to call that Senator's attention to the fact that on an occasion on which this country was in far greater stress than it is at this moment, in the year 1861, a similar interposition on the part of foreign nations was attempted with regard to mediation between the United States and the people of the Confederate States. The effort was made by Great Britain and France, and a visit was paid to the then Secretary of State, Mr. Seward, for the purpose of conveying to him the sentiment of the two great powers represented by their ministers. These facts are given in a lecture delivered by Mr. Frederick W. Seward, the son of Secretary Seward, and I think they can be accepted as absolutely authentic. I will not undertake to read what was said by Mr. Seward, but I will ask unanimous consent that the extract from his lecture which I have here may be published as a part of my remarks:

> Early in the war it was learned through the legation at St. Petersburg that Great Britain and France had agreed to take one and the same course on the subject of the American war, including the possible recognition of the rebels. Later this understanding was distinctly avowed by M. Thouvenel, the French minister of foreign affairs. This alliance for joint action might dictate its own terms. From a joint announcement of neutrality it would be only a step to joint mediation or intervention; and it was hardly to be anticipated that the Washington Government, struggling with an insurrection which had rent the country asunder, would be willing to face also the combined power of the two great empires of western Europe.
>
> To the minds of French and English statesmen the project was even praiseworthy. It would "stop the effusion of blood" and increase the supply of cotton. It would leave the American Union permanently divided, but that was a consummation that European statesmen in general would not grieve over.
>
> On the morning of the 15th of June a scene occurred at the State Department which had more influence on the fortunes of the Union than even a pitched battle. The Secretary was sitting at his table reading dispatches when the messenger announced:
>
> "The British minister is here to see you, sir, and the French minister, also."
>
> "Which came first?"
>
> "Lord Lyons, sir; but they say they both want to see you together."
>
> Seward instinctively guessed the motive for so unusual a diplomatic proceeding. He paused a moment and then said:
>
> "Show them both into the Assistant Secretary's room, and I will come in presently."
>
> A few minutes later, as the two ministers were seated side by side on the sofa, the door opened and the Secretary entered. Smiling and shaking his head, he said:
>
> "No, no, no! This will never do. I can not see you in that way."
>
> The ministers rose to greet him.
>
> "True," said one, "it is unusual, but we are obeying our instructions."
>
> "And at least," said the other, "you will allow us to state the object of our visit?"
>
> "No," said Mr. Seward, "we must start right about it, whatever it is. M. Mercier, will you do me the favor to come and dine with me this evening? Then we can talk over your business at our leisure. And if Lord Lyons will step into my room with me now, we will discuss what he has to say to me."
>
> "If you refuse to see us together," began the French envoy, with a courteous smile and shrug.
>
> "Certainly, I do refuse to see you together, though I will see either of you separately with pleasure, here or elsewhere."
>
> So the interviews were held severally, not jointly, and the papers which they had been instructed to jointly present and formally read to him were left for his informal inspection. A very brief examination of them only was necessary to enable him to say courteously, but with decision, that he declined to hear them read or to receive official notice of them. Writing to the United States ministers at London and Paris, he said: "We shall insist in this case, as in all others, on dealing with each of these powers alone, and their agreement to act together will not at all affect the course we shall pursue. This Government is sensible of the importance of the step it takes in declining to receive the communication in question."
>
> The projected intervention, thus thwarted in the first year of the war, was again and again attempted in some different form during each succeeding year. At one time the plan was seriously discussed in the imperial councils at Paris of putting forward some small power, like Belgium, to pick a quarrel with the United States, and then the two great Empires, suddenly espousing that side of the controversy, would be able jointly to crush the American Government thus drawn into a trap.

The substance of it is that Mr. Seward had received information that he was to receive a visit from the two ambassadors or representatives of France and Great Britain for the purpose of expressing to him the wishes of their countries with regard to the war then existing between the United and Confederate States. The call was made. Mr. Seward was notified of their presence and went to them, and before they had an opportunity to express to him their purpose he informed them that, while he was perfectly willing and always glad to receive either of those ministers, he did not care to receive them officially together, and that he would not do so; that he would accept as unofficial the note which they wished to present; he would read it over, and he would let them know thereafter whether he would receive it officially.

The ministers departed. Mr. Seward read the note, and came to the conclusion that it involved an interposition on the part of those powers in our affairs on this side of the Atlantic, and immediately he resolved that he would then and there stop all pretensions on their part to express their wishes with regard to the conduct of affairs in the matter. Writing to the United States ministers at London and Paris, he said:

> We shall insist, in this case as in all others, on dealing with each of these powers alone, and their agreement to act together will not at all affect the course we shall pursue. This Government is sensible of the importance of the step it takes in declining to receive the communication in question.

There is a precedent—a precedent which it will be well for us to adhere to in this our day of unity and strength. It was established at a time when much depended upon it and when it would have been difficult, perhaps, for the United States, had it not been for the prescience, for the foresight of Mr. Seward, to have successfully met the effort of the European powers. I refer to this now, not in a spirit of criticism, but because I am satisfied that in the emergency which is before us now, possibly, probably, a similar effort

will be made, not by two powers, but, as was done the other day, by six powers, and I think, Mr. President, in view of the precedent established by Mr. Seward, that similar conduct on the part of this Government with regard to such a proposition should be observed.

Mr. President, I have said that I regretted that the Executive had come to the conclusion that negotiation was no longer possible between this Government and Spain, and as things stand now I concur with the opinion expressed by the great majority of those who have addressed the Senate in the belief that we are now so committed to war, that hostilities are so near at hand, that it does not lie in the power of any man or any set of men to avert that terrible calamity. The question is, then, what is best for us to do?

We are presented here with the consideration of three propositions—the majority report of the Foreign Relations Committee, the minority resolution, and the joint resolution passed by the House of Representatives. So far as the last is concerned, while I shall not say that under no circumstances will I vote for it, I regard it as a measure which is, if not unconstitutional, so close to it that it would require a great strain upon my sense of duty to justify me in voting for it. Anyone who looks at it will see that it practically confides to the President the war-making power, because, while it declares—

> That the President is hereby authorized and directed to intervene at once to stop the war in Cuba to the end, etc.—

when it comes to the point of providing the ways and means whereby he shall make that intervention good, it says:

> And the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

In other words, if the President choose to exercise the discretion there confided to him, of invoking the vast power of the armed forces of the United States, he is at liberty to do so, or if he prefers not to do so, there is no requirement that he shall. For that reason, in view of what has been said upon the subject of delegating our war-making power to the Executive, in view of the fact, and I do not think it will be disputed, that that is beyond our power, that we are recreant to our oaths if we undertake to commit to him so vast a power, I can not see how we can consistently support any such resolution.

The VICE-PRESIDENT. The time of the Senator from Florida has expired.

Mr. FAULKNER. Mr. President, I fully realized that after the full and elaborate discussion which has been had in the Senate on the subject now pending for our action, that little, if any, information could be added to that now in its possession. For weeks the grave responsibility which the present crisis has produced has commanded the best thought, the diligent investigation, and the most earnest patriotism of every member of this body. Each has determined for himself the course which he should pursue, inspired by the highest sense of duty to his country and with the full realization of the consequences which will follow from his action.

None who have been in touch with the intense and earnest sentiment of this body can hesitate or doubt as to the character of its utterance. If any doubt or anxiety exists, it is not as to what will be the action of the Senate, but how promptly and unitedly that action will be taken. The American people do not court the horrors of war, but they will not submit that their honor shall be imperiled, the lives of their citizens taken, and a fertile and populous island at their very doors rendered desolate and her population decimated by unrestrained and barbarous decrees issue by authority of an unfeeling and unforgiving nation.

The President has informed Congress that he has reached the end of diplomatic negotiations. Only one of two courses is left open for us to take. We must submit to the indignities, insults, and barbarous acts which have marked the course of Spain to this country and to the people of Cuba, or with clear, ringing, and distinct voice the American Congress must make such a declaration as will leave nothing for construction or inference, and declare to that Government and to the civilized world that after full and deliberate consideration, the course of honor and safety lies only for the protection of those rights and interests which have been invaded, indemnity for those lives which have been sacrificed so cruelly, and the removal of the barbarism which has existed in the Island of Cuba, by submitting its cause to the arbitrament of war.

The mailed hand of oppression must be lifted by this nation from the emaciated shoulders of the people of Cuba and the rights and lives of American citizens must be made inviolate by the lesson which will be taught, that secrecy and treachery will never be permitted to shield a national responsibility. But little difference exists in this body as to what should be the action of the Senate, but we have debated long and earnestly as to the method or form by which that result should be reached.

Though not in full accord with the views I entertain on this subject, I shall support the unanimous report of the Committee on Foreign Relations, to whose patriotism and ability, under the rules of the Senate, this question has been submitted for their recommendation and action.

I regret that I can not give my earnest support to the amendment which will be submitted by the minority of that committee. Upon this question I have the most decided view as to the law which should govern us and as to the policy which at this time should control our action. Had it not been for this difference of opinion with so many of those in whom I have the highest confidence as to their ability, learning, and patriotism, I should have remained silent and not delayed the final action of this body one moment by taking part in this debate; nor will I at this time attempt to go over the field which has been garnered so fully by those who have preceded me, but content myself with briefly stating the conclusions which will control my action in casting my vote against the amendments which will be submitted by the minority.

First. It is not such a government as under the well-known rules of the law of nations is entitled to be acknowledged as a new state in the sisterhood of states and sovereignties.

Second. The principles which have for over a hundred years governed this country, and which have been maintained through every Administration which has been called upon to act upon similar questions, would prohibit its recognition as a free and independent sovereignty.

Third. The advice of every official of this Government charged with the duty of ascertaining the real character, power, and function claimed to be exercised by the insurgent government in the Island of Cuba is adverse to its recognition as a state by the Government of the United States.

Fourth. The consequences which might follow such action upon the part of this Government, when it claims the sympathy and challenges the respect of civilized nations for its patience under great provocation and its strict adherence to those well-recognized rules of conduct approved by all enlightened nations, are too grave to permit a mere sentimental desire on our part to control the action of this Government under the facts presented for our consideration.

Fifth. The President of the United States, representing a coordinate branch of this Government, has informed Congress in an official communication that with the information in his possession, derived from those sources upon which he has the right to rely, in his judgment, under the principles of the law of nations and the position which this country has during its entire diplomatic history assumed on this question, the facts and circumstances bearing upon the existence of such a government did not warrant the Executive in recognizing the independence of the Cuban Republic.

Sixth. This being a joint resolution, it must be submitted to the President for either his approval or disapproval. He has announced to Congress his views on this question. He has officially declared that the facts did not justify the acknowledgment or recognition of the independence of that Government. Under these circumstances, in my humble judgment, it would be unwise in the legislative department, under the grave conditions surrounding our action, to force upon the Executive the alternative of violating his conscience or repudiating his declaration as to his official duty by asking him to approve the resolution or, if he could not yield to the views of Congress upon this question, to compel him to return with his disapproval a resolution which, in fact and in law, is a conditional declaration of war by the war-making power upon the ground that Congress has included in that declaration subjects which are not within its usual and ordinary primary jurisdiction, and upon which the Executive has formally announced that he differs with Congress.

Seventh. If the resolutions reported by the Committee on Foreign Relations of this body shall finally pass the Congress, it is a conditional declaration of war with the Kingdom of Spain. In entering upon so grave and vital a controversy in the name of the people of the United States it should be our object to crystallize all elements and agencies. Difference on nonessentials to the interests of the United States at least should be harmonized, that in the face of the world we may present a united front, not only in the legislative branch of the Government, but through the hearty concurrence in our official action of all branches of the Government charged with the inauguration and conduct of that war. Party interests, sectional differences, personal views which do not involve a sacrifice of constitutional principles or national interest, should be made subordinate to unity of purpose and effort. For these reasons I shall feel constrained to cast my vote against the amendment proposed to the Senate resolutions by the minority of the committee.

Mr. WILSON. Mr. President, I had hoped that the resolutions of the Committee on Foreign Relations might be adopted by the Senate without debate. It was my earnest desire again to witness that magnificent spectacle of the representatives of the people, without regard to party, voting to maintain the national honor

with the same calm dignity with which they voted fifty millions for the national defense.

Mr. President, the results of that act were worth all the cost. It said to all the world that the American people were united. It said that all sectionalism had been abolished. It said, "No North, no South, no East, no West, but one country, one flag, one people."

I had hoped for immediate action. I had hoped to see the Senate and House hold up the hands of the President, "even until the going down of the sun and until Amalek and his people should have been discomforted with the edge of the sword."

Mr. President, I regret, as this debate has progressed, that an apparent effort should have been made to obtain some partisan advantage from such a serious issue as that of war. "Our country first and party afterwards" is the motto that should guide all true patriots. In the last one hundred years no war has been declared or refrained from without criticism, usually unjust, upon those who have had the responsibility of waging it.

In 1870 France, with the cry "On to Berlin!" and without preparation, rushed headlong into war; and Alsace and Lorraine stand as monuments to her folly. But yesterday Greece clamored for war, and her Government was forced into it without adequate preparation and with an army and navy that had nothing to fight with but the remembrance of the glories of Salamis, Marathon, and Lepanto; and it took the combined force of Europe to maintain her integrity as a nation. Mr. President, what we needed was adequate preparation; less oratory and more powder; less rhetoric and more rams.

I am not versed in—nor do I care for—academic discussions of so-called international law. Divesting it of all subtleties and applying the principles of a sound common sense to this question, it must be acknowledged that the United States has grave ground of complaint against Spain. It is not that Spain has maintained a nuisance at our doors; it is not that we have been forced at an enormous expense to maintain our neutrality; it is not the fact of her centuries of misrule in Cuba, culminating in a barbarous and cruel war. It is all of these together that make the situation intolerable.

When the *Maine* went down in the harbor of Havana, she carried with her the last hope of Spanish sovereignty on the Western Hemisphere, and the silent and sunken wreck in that harbor is the harbinger of liberty and independence to the insurgents of Cuba.

Mr. President, I have heard much in this debate of the cost of war, and that this, though a powerful, was a peace-loving nation. No one has greater admiration for the marvelous development and growth of the American people than I. No one has greater admiration for their business acumen, activity, and enterprise, and no one more highly values their importance. The point is often made here and elsewhere that we must not disturb business, must not interfere with trade. There is more to deal with in the life of a nation than business or trade. There is patriotism, love of country, honor, and virtue—things that money can not make and money can not buy. What is it, as we go forth from this Chamber and see the flag floating above us, that causes our hearts to beat stronger? Is it because we have become rich and powerful under its folds? I think not. When I see it there, I see no dollar marks on its broad stripes. I do not see the motto of the epicure—"Let us eat, drink, and be merry, for to-morrow we die." When I look I see, if anything, the picture of Washington, marching from defeat at Long Island to victory at Trenton, going from misery and starvation at Valley Forge to glorious triumph at Yorktown. I see the triumphs of John Paul Jones, of Perry, and Decatur. I see the grave and patient face of Lincoln, surrounded by all that mighty host that went forth to battle for constitutional liberty and that men might be free.

Mr. President, it is respect and honor for our flag and the principles it stands for that has made this country one of the great nations of the earth.

The Constitution of the United States imposes upon Congress the right to declare war. And while I would not shift upon any man, no matter how high his station, the responsibilities in which I should share, speaking for myself alone, if I could have my way, I would lay aside all other resolutions and cast my vote for a direct declaration of war. And I would follow that declaration with a vote to give to the President of the United States the money to make it effective, that we might wipe out the foul insult to our flag in the harbor of Havana.

Since the night of that unfortunate tragedy, if Spain had denounced the act and hunted down the assassins, meting out to them punishment for their crime, some avenue might have been left open to maintain an honorable peace. But in place of investigation we have had a shameful and self-convicting farce. In the place of honorable amend, we are now brought face to face with a foul slander upon the dead and living heroes, and the Spanish prime minister, in his official capacity, posts the officers and men of the *Maine*, both living and dead, as cowards, poltroons, and tricksters. In the name of the American Navy and in the name of her heroes of the past and of to-day, I denounce the foul slander.

Mr. President, Spain reached the height of her glory during a past age. Unwise and wasteful in her day of power and prosperity, when her splendor dazzled the world, she stands to-day, without art, without literature, without science, and without hope, a bankrupt and ruined nation. There can be no glory in war over such a carcass. But we shall have war; not a war of conquest nor aggression, not war for territorial aggrandizement, but war on behalf of liberty and humanity.

Mr. President, the issue that confronts us is momentous. But I do not doubt but that the representatives of the people will meet it with calmness and dignity, and work out its solution with a high sense of justice and honor, and when history shall speak of that nation which is greatest among the nations of the earth, she will say:

> Each of the nations around you has fought for her country and line,
> But thou hast fought for a stranger, in hate of a wrong not thine.
> Happy are all free peoples, too strong to be dispossessed;
> But blessed is she among nations who dared to be strong for the rest.

Mr. PETTUS. Mr. President, in this solemn hour I have no thought of discussing the causes of war. I shall make a few remarks on this occasion, mainly to explain some plain principles of law that I think deserve the attention of the Senate.

First I will answer some remarks that have been made about the President of the United States. I have no thought of criticising that great citizen whom our people have put in place to rule over us according to the Constitution of the United States. In his line of duty, in his line of power, I have no word of criticism to make. He came to the position he occupies a distinguished citizen, of clean reputation, of much education and experience, and I believe myself that he is to-day as patriotic a citizen of the United States as there is in this Chamber. So I do not want to be understood as criticising the President.

But we are told that we ought to go with the President. Ah, Mr. President, that will not do. We ought to go with the President so far as he is discharging his constitutional functions. Evidently he understands that in the same light I do, or he would never have submitted to Congress what he ought to do under the circumstances.

When the President acts in his Presidential sphere, let us support his hands. Let us hold him up. Let us not say a word to his discredit. But when he turns over a subject to Congress which by the Constitution belongs to Congress, it is for the President to obey what Congress does in reference to war. It will not do for gentlemen to say that if we do not go along with the President in this matter we are not patriotic citizens, that we want to raise difficulty.

That will not do, Mr. President. It is the function of Congress to make war or to refuse to make war; the President has no power or just authority to criticise it, and I have no idea that the President ever had thought of doing so. A Senator said that we do not comprehend the difficulties that surround him, and he said a wise thing. We do not. We do not comprehend the difficulties that surround him and have surrounded him; and so far as he has protracted the negotiations for the purpose of putting the nation in the position it ought to occupy, every true man ought to applaud him.

Mr. President, he has his constitutional advisers chosen by law, and doubtless they are patriotic citizens. No one questions that. But it is a false idea to suppose that Senators are the advisers of the President. There is no foundation for it in the Constitution or laws of this country. Senators are not the Presidential advisers at all. His Presidential advisers are his Cabinet. The Senate is the Presidential adviser, and not the Senators. I have no doubt that the patriotic citizen who now occupies that chair has had a thousand temptations and a power to resist them that is almost miraculous. I will not go into these things. He has had more advisers than the law allows, and he has been able to meet the issue as against all of them.

Mr. President, I do not intend to discuss the general resolutions before us, but I say emphatically that the resolution passed by the other House, which is also before us for consideration, is unconstitutional and can not be supported by any argument in the world to sustain it. The preamble does not mean anything. It has no vitality, no force. It is the resolution that is to make the law. What does it say?—

> And with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba.

He is authorized and directed to do that. Well, I am not complaining of that part of the resolution at present; but the next clause is that wherein the Constitution is directly and palpably violated:

> That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end and with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba; and the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

Mr. President, Congress can not delegate to the President any power to declare war and bring it on when he sees fit. Notice the singular clearness with which the other House has drawn the distinction between an order and a mere authority:

The President is hereby authorized and directed to intervene.

He is authorized—using this same word—and empowered to make war when he sees fit. That is what is meant there.

Mr. President, the Constitution says that Congress alone can declare war. The first declaration is that all legislative power is vested in the Congress of the United States. That language has been uniformly construed to mean Congress alone, without any other authority. So, whatever may happen in reference to this resolution, if it is not amended so as to make a positive and unequivocal direction, it is bound to be unconstitutional in the eyes of that instrument as construed by our own Supreme Court.

I have another objection to this resolution. What war is this that the President is authorized to make? I know that Congress can declare a general war or a limited war; I know, also, it can declare a conditional war; but it can not vest that power in the President. If it is insisted that this is a declaration of war, whom is it against? The President is to stop the war in Cuba. That is the purpose. He is to intervene in Cuba to stop the war there. The Spanish Government is not named or even intimated in that paper. The Spanish Government and no part of the Spanish territory nor the high seas is covered by that declaration. He is to intervene and establish peace in the Island of Cuba. He is not authorized to make war on the Spanish Government anywhere else.

Even if we could give him such authority, we do not confer it by this resolution. The war is limited to the Island of Cuba; and without a declaration of war by this Congress, the President has no authority to make war on the high seas. We all know that if war comes, it is bound to be on the high seas and not in the Island of Cuba in the first instance. Before the American soldiers can get to the Island of Cuba it will be necessary for the American Navy to make a road into that island and to bridge it so that the soldiers can pass over it; and we will have to bridge it with such a force as will prevent any Spanish ships from destroying our convoys to that island. The fight will be on the high seas; and yet the President of the United States, if authorized to make war at all by this resolution, is to make it in the Island of Cuba and not against the Spanish nation.

I hope that whatever resolution the Senate passes will be in accordance with the Constitution of the United States, and not a disgrace to our people by putting them into a war without lawful authority.

Mr. McENERY. Mr. President, in stating the reasons why I shall vote for the amendment reported by the minority of the Committee on Foreign Relations, I wish to say that I do not deny the constitutional right of the President to recognize a government; but this case is exceptional. We have determined to intervene in a contest between two contending people. We can join one or the other, or oppose both. Necessarily when that question is submitted to us, it comes within the jurisdiction of Congress to say in what manner that intervention shall be exercised and whether we shall join one party or the other, or oppose both, or whether we shall make any exception.

If the Senate resolution had to be construed by its text, I would unhesitatingly vote for it; but, unfortunately, the clear import of that resolution has been denied. An interpretation has been placed upon it so as to make it mean that now no legal government exists among the Cuban people. That resolution says that the people are free and independent, but you can not conceive of an independent nation without its having an organized government. It is an organized community, a moral organism, and its government is but the assertion of its sovereignty. To deny this, to say that this resolution means anything else, is to say that in Cuba there exist fragments of wild, reckless, mad humanity warring upon an organized government. If that be the fact, then we have no right whatever to join in an organized mass in a war upon constituted and organized society.

These resolutions admit that the Cuban people have internal sovereignty, that they have the right to determine their political end, that they have the right to establish their own forms of government, that they have the right of exclusive legislation within their own domain, that they have the right of self-preservation, and that they have the right to maintain relations with the other nations of the earth. Therefore, I believe that this resolution should be relieved from ambiguity, and expression given in it that the people of Cuba have organized themselves into a Government, and that they are in full possession of all the essentials of internal sovereignty.

Why should they not be declared a free and independent people and why should it not be declared that a republican form of government exists among them? Their battles have been in no aimless contest. They have been engaged in an effort to maintain their unity and life and their self-preservation in the fulfillment of a righteous cause, the independence of their people as a nationality. They have passed through every conflict of effort and endeavor; they have passed through the gates of willing and holy sacrifice with the sacrament of the nation upon their lips; they have prayed in the litany of human hope and sorrow for the sympathy of the world. Their prayer has been responded to by the people of this country, who have been lashed into acute madness and sympathy, and the wave has come rolling on until it has gathered force and power, and it will dash against and crush and level to the sands of the sea any barrier that may be raised between Cuba and her freedom.

Mr. President, we stand upon the threshold of war. While there is gloom among the people of the United States as to the severing of the relations with a former friendly power; while there are dread and hope and fear as to our efforts on sea and land, as there are preceding every battle, as to the loss of dear ones and the wreck of homes and firesides, yet there is consolation among the people and joy, I may say, as it is remembered that all past differences have gone, that the dream of the gray and the blue has become realized, and that we stand as one people, under one flag, and knowing only one country. The rock which divided the waters has disappeared, and they are now united, rolling onward, happy in their embrace, singing the joyous song of a nation:

Liberty and Union, now and forever, one and inseparable.

Mr. GEAR. Mr. President, I shall take but a very short time to give my views on the pending resolution. I shall be glad to vote for the House resolution if I can have an opportunity to do so. I can not vote for the resolution reported by the Senator from Indiana [Mr. TURPIE], from the minority of the Committee on Foreign Relations, because I believe it to be unconstitutional. That resolution proposes to recognize the independence of Cuba. That is purely an executive act. The Constitution under which we live gives to the President of this country the exclusive right, in my judgment, to recognize any country. He could recognize Cuba to-day by accepting a minister from that country; he could have done so at any time; and I am inclined to think from my knowledge of the President of the United States that he would have done so had he been satisfied at any time in the past that the Cubans have a form of government which we could properly accept.

Who are the Cuban insurgents? The Senator from Ohio [Mr. FORAKER] tells us that they have a president in that country, a Mr. Masó, and a vice-president, both of whom are equal in point of ability to the President and Vice-President of the United States. I congratulate the distinguished Senator from Ohio that he has found that these men are so distinguished as he said they were. He is the first man to have discovered that. No man in this country ever heard or knew of the president and vice-president of the Cuban Republic in the sense in which the Senator spoke. We have in the report made by the Committee on Foreign Relations the evidence of a gentleman who lived in Cuba in 1878, a Mr. Guerra, who acts as treasurer of the Cuban Republic in this country. Who is Mr. Guerra? He keeps the treasury of the Cuban junta in a cigar store in the city of New York, where he has lived the last twenty years, and do Senators propose to recognize that kind of a government? If they do, I, for one, do not.

We are told that the insurgents have a president and a cabinet. That may be so, but it is probably a cabinet on paper; and I am satisfied that the government which has existed for the last three years in Cuba is purely a paper government.

The treasurer says he has collected $400,000 in taxes. How are those taxes collected? The insurgents go to a sugar planter in Cuba and they say to him, "If you do not pay this tax of 25 or 40 cents a bag on your sugar, we will burn your plantation." Of course, under such circumstances, the man pays. That is the kind of tax collection they have in Cuba, and that is the kind of a government our friends on the other side want to recognize.

The committee had before them a gentleman by the name of Quesada, I think. I am told Mr. Quesada's evidence is not in the report. He is reputed to be the chargé d'affaires from the Cuban Republic to this country. When I look back over the message of General Grant on the Cuban revolution of 1868 to 1878, I find there was a gentleman named Quesada, a General Quesada, who in one morning crucified 650 prisoners. I do not know whether this man Quesada, who appears as chargé d'affaires to this country from the Cuban Republic, is the same gentleman or not.

Mr. MORGAN. He is not the Mr. Quesada, who is a young man, only about 30 years old.

Mr. GALLINGER. If the Senator from Iowa will pardon me, it is not the same person. Mr. Quesada is a young man utterly incapable of countenancing anything of the kind.

Mr. GEAR. I do not say that he is the same gentleman, but I suppose he is a descendant of the man to whom I refer.

The Senator from Ohio says that the insurgents have a capital at Cubitas. I have a letter from a gentleman as well known to me as almost any man in this Senate. He was in Cubitas fifteen months ago, and he stated to me that Cubitas was a mere deserted hamlet, a deserted sugar plantation. That is where the government which our friends on the other side propose to recognize is

located. I am inclined to think that if you would hunt the map over, you would hardly be able to locate the capital of the Republic of Cuba.

Many of our friends on the other side of the Chamber were in the civil war. Gallant men they were, too, but the government for which they fought had an army; it had a president; it had a postal department; it had a congress; it had more than a million of men in arms against our Government; and they were enforcing all the laws of their so-called Confederacy among themselves, and with all those departments of government which they had established they endeavored to get European governments to recognize their independence. The United States Government replied and said to those powers, "You must not do it," and the Confederacy was unable to secure recognition, and yet we are asked now after that long contest, which cost the country so many valuable lives and millions of treasure, to recognize this Republic of Cuba and go back on our record of thirty years ago. Yes, our record of a hundred years.

Mr. President, I am on the Committee on Post-Offices and Post-Roads of the Senate, and my colleagues of that committee who are on the other side of the Chamber will bear me witness—and I shall not violate any secrets of the committee in making the statement—that when a colored man is nominated by the President of the United States it is with great difficulty that we are able to confirm him. I do not blame my Southern brethren for that. Born and brought up and educated as they were, I can understand their feelings in regard to the race question and their objection to being brought in contact with that class of people; but the men whom they are trying to recognize as a government are largely of that race and that color which they object to being placed in charge of any of the post-offices in their section of country.

Mr. CLAY. Will the Senator allow me to ask him a question?

Mr. GEAR. Certainly.

Mr. CLAY. Is it not true that less than 29 per cent of the insurgents are colored people?

Mr. GEAR. No, sir.

Mr. CLAY. That is correct, for I read it last night.

Mr. GEAR. The Senator may read almost anything in the press. I was in the presence of two gentlemen two weeks ago, one of whom has lived in Cuba for years, who has a million-dollar plantation there, whose name I will not mention. The other was Dr. Klopsch, the man who is administering the charities of the Christian people among the sufferers in Cuba. He said the Cuban army, so called, consisted of less than 10,000 men and that 70 per cent of them are colored men. I do not blame the colored men for belonging to that army, for the colored men in that country love liberty as they do in the United States; but my friends from the South, who are opposed to the confirmation of colored postmasters in the South, have turned around and are now ready to recognize a government more than half colored.

Mr. MILLS. I ask my friend if they have been appointing any negro postmasters in his section of the country?

Mr. GEAR. We have not, of course. We have no negroes there.

Mr. MILLS. Yes, you have.

Mr. GEAR. Very few. There is not 1 per cent of them composing the population of the State I live in.

Mr. KENNEY. How many negro postmasters were appointed there?

Mr. GEAR. Not any. None of the colored people in Iowa have applied.

General Lee, a Democrat of Democrats, a man whom every American citizen honors to-day as few men are honored, said in his evidence before the committee of which my friend the Senator from Minnesota [Mr. DAVIS] is chairman that the Government of Cuba is a "skeleton government," that they have no recognized government that he knows of, and yet——

Mr. LINDSAY. Mr. President, if the Senator will permit me, I ask him if General Lee did not say the insurgents had 30,000 troops?

Mr. MILLS. From 30,000 to 40,000.

Mr. LINDSAY. And that he had never seen a Cuban, white or black, who did not adhere to the revolutionary government?

Mr. GEAR. I do not doubt that that is true.

I think there is ground, Mr. President, for a declaration of war against the Spaniards, and that ground is the loss of the *Maine*. The people whom I represent in part in this Chamber feel very sore about the loss of the *Maine*. The bodies of Iowa men were buried in that iron casket in that great disaster. The State I represent here in part will do in a war with Spain as it did in the war of the rebellion thirty years ago. We had at that time 675,000 people, and we sent one man out of every eight and three-fourths of our population into that war.

Mr. CLAY. Will the Senator permit me?

Mr. GEAR. Certainly.

Mr. CLAY. I desire to call the Senator's attention to the report of the Committee on Foreign Relations, a committee in whom we all have confidence, and they certainly would not report a state of facts here that does not exist. I find in the report of that committee the following:

> The Spaniards charge, in order to belittle the insurrection, that it is a movement of negroes. It should be remembered that not more than one-third of the entire population are of the colored race. As a matter of fact, less than one-third of the army are of the colored race.

Mr. GEAR. I have no doubt about the truth as to the population of Cuba.

Mr. CLAY. Both as to population and as to the army.

Mr. GEAR. I doubt the fact as regards the report of the committee, in view of what was said to me in this city two weeks ago to-day—that of the insurgents, 70 per cent were colored men. I do not blame them for being in that army. They were glad to enlist in the Army of the United States during the late war when they had an opportunity.

But, as I said before, the State I represent in part had about 675,000 population, and one man out of every eight and three-fourths of that population enlisted to maintain the majesty of this Government when the hearts of the people beat as with one pulsation in favor of maintaining the integrity of the Union. And when it comes to war to maintain the majesty of the American flag, the people of Iowa will send as many men in proportion to her population, which is now 2,000,000, as they sent to the war of 1861–1865.

For the reasons which I have attempted to give in these few brief moments, I shall vote for the resolution reported by the majority of the committee, and I shall not vote for the resolution reported by the minority. I do not think that resolution should be adopted by this body. Its effect will be to tie the hands of the President. You know what terrible responsibilities have been placed upon his shoulders. He has exhausted, as we all know, all the arts of diplomacy, and has come to the naked fact that we can not submit to this thing any longer. He says in his message the war must stop. I believe in my heart of hearts that it must stop, and that the American people are ready to stand together as one man to stop it.

Mr. GALLINGER. Mr. President, after the utterances I made in this Chamber a few weeks ago in reference to the Cuban situation, it is perhaps unnecessary for me to add a single word. I certainly would not do so were it not for the fact that the character of the Cuban people and the Cuban Government has been called so sharply in question in this debate.

I remember, Mr. President, that the distinguished senior Senator from Massachusetts [Mr. HOAR] gave it as his opinion that the purpose of the revolutionists is to establish a black republic in Cuba. I think I do not misquote him when I say that he said that that was a proper aspiration and one that had his assent. To-day the Senator from Iowa [Mr. GEAR], for the purpose of prejudicing this case, and possibly changing some votes, has repeated the statement that the purpose of the Cuban insurgents is to establish a black republic, and that their army is largely composed of colored men.

Mr. GEAR. I beg the Senator's pardon. I said nothing of the kind. I simply said that their army was composed of 60 or 70 per cent of colored people. I did not say anything in relation to establishing a colored republic.

Mr. GALLINGER. I have no purpose of misrepresenting the Senator. The RECORD will show whether I have done so or not.

Mr. GEAR. Certainly.

Mr. GALLINGER. Mr. President, I have talked with a great many people who have knowledge on this question. I have talked with Cubans in the United States; I have talked with Cubans and with Spaniards in Havana, and I have found nothing to warrant the assertion either that the revolutionists purpose establishing a black republic or that their army is largely composed of colored men. I turn to the report which the Senator from Georgia [Mr. CLAY] read from a moment ago, and I want to read a little more from it than he read. It is a statement of General Palma, who represents the Cuban Government in this country, a gentleman of culture and of learning, a gentleman whose word every honest American will accept on matters relating to the Cuban insurrection. General Palma says:

> The Spaniards charge, in order to belittle the insurrection, that it is a movement of negroes. It should be remembered that not more than one-third of the entire population are of the colored race. As a matter of fact, less than one-third of the army are of the colored race. Take, for instance, the generals of corps, divisions, and brigades. There are but three of the colored race, namely, Antonio and José Maceo and Augustin Cebreco, and these are mulattoes whose deeds and victories have placed them far above the generals of those who pretend to despise them. None of the members of the constituent assembly or of the government are of the colored race. The Cubans and the colored race are as friendly in this war as they were in times of peace, and it would indeed be strange if the colored people were not so, as the whites fought for and with them in the last revolt, the only successful purpose of which was the freedom of the slaves.

Mr. President, it seems to me that that ought to settle the question of a colored republic, when they have established a government in Cuba and not one single colored man occupies a position

in that government, and only one-third of the Cuban army are of the colored race.

The question of the recognition of the Cuban government has been contested in this debate. I hesitate not to say that I am in favor of recognizing the brave men who have for three years carried the banner of liberty across the fields and over the mountains of Cuba, fighting as bravely as men ever fought in the history of the world. Listen to the utterances of General Gomez, the grand and patriotic commander of the Cuban forces. Two years ago the 28th of March I made some observations regarding Cuba in the Senate, and I quoted these words from General Gomez, who then as now was at the head of the Cuban army:

I admire and love the American Republic, but it is impossible for me to understand why we should not be recognized as belligerents. We suffer greater wrongs than did the early American colonists who threw off the yoke of Great Britain, and we have more troops in the field than were ever gathered together by the thirteen States; yet the American Government declines to share with the patriots now fighting the honor and glory of freeing Cuba. We have taken the words of Patrick Henry as our motto, and will have liberty or death.

Thus spoke Gomez nearly three years ago. They are brave words from a brave man—words of admiration for the people and the institutions of the United States.

Mr. President, there are two things the Cuban mother teaches her child when it gets old enough to prattle. The one is to abhor and despise the flag of Spain, and the other to revere the flag of the United States. Those are the people who are fighting for liberty in Cuba, and those are the people who are traduced in the Senate of the United States.

I wish I had time to read some further utterances of General Gomez. He is a brave old man. He is a patriot. He is a republican. He is a lover of liberty. I have on my desk a proclamation dated Headquarters of the Army of Liberation, Sancti Spiritus, November 11, 1895, in which General Gomez calls attention to the war that had been organized for liberty in the Island of Cuba. The declaration is as follows:

HEADQUARTERS OF THE ARMY OF LIBERATION,
Sancti Spiritus, November 11, 1895.

To honest men, victims of the torch:

The painful measure made necessary by the revolution of redemption drenched in innocent blood from Hatuey to our own times by cruel and merciless Spain will plunge you in misery. As general in chief of the army of liberation, it is my duty to lead it to victory without permitting myself to be restrained or terrified by any means necessary to place Cuba in the shortest time in possession of her dearest ideal. I therefore place the responsibility for so great a ruin on those who look on impassively and force us to those extreme measures which they then condemn like dolts and hypocrits that they are. After so many years of supplication, humiliations, contumely, banishment, and death, when this people, of its own will, has arisen in arms, there remains no other solution but to triumph, it matters not what means are employed to accomplish it.

This people can not hesitate between the wealth of Spain and the liberty of Cuba. Its greatest crime would be to stain the land with blood without effecting its purposes because of puerile scruples and fears which do not concur with the character of the men who are in the field, challenging the fury of an army which is one of the bravest in the world, but which in this war is without enthusiasm or faith, ill fed, and unpaid. The war did not begin February 24; it is about to begin now.

The war had to be organized. It was necessary to calm and lead into the proper channels the revolutionary spirit always exaggerated in the beginning by wild enthusiasm. The struggle ought to begin in obedience to a plan and method, more or less studied, as the result of the peculiarities of this war. This has already been done. Let Spain now send her soldiers to rivet the chains of her slaves. The children of this land are in the field, armed with the weapons of liberty. The struggle will be terrible, but success will crown the revolution and efforts of the oppressed.

MAXIMO GOMEZ, *General in Chief.*

What a grand and patriotic utterance that is. Mr. President, I wish I had time to quote many other utterances from this brave old man. Here is an order from the Headquarters of the Army of Liberation, dated August 1, 1895, in which this man whom Senators of the United States are afraid to trust at the head of the Cuban government gives direction to the forces under his command. It is as humane an order as was ever issued by any man in command of any army in the history of the world. There is not a sentence in it that does not breathe the spirit of humanity and love. He tells his generals and his soldiers how they shall act in the event of capturing soldiers of the Spanish army. He tells them to treat them well. He tells them to allow them to go on parole. I will insert it as a part of my remarks:

CIRCULAR OF THE GENERAL IN CHIEF.

GENERAL HEADQUARTERS OF THE ARMY OF LIBERATION,
Camaguey, August 1, 1895.

In order to establish in a clear and precise manner the mode of procedure toward the chiefs, officers, and soldiers of the Monarchy captured in action or operations, and toward those who voluntarily surrender to our columns or authorities, I have deemed it convenient to order as follows:

ART. 1. All prisoners captured in action or by the troops of the republic will be immediately liberated and returned to their ranks, unless they volunteer to join the army of liberation. The abandoned wounded will be gathered and attended to with all care, and the unburied dead interred.

ART. 2. All persons who shall be arrested, charged with committing the misdemeanors in the circular of July 1, by violating or disregarding the said order, will be summarily proceeded against.

ART. 3. Those of the prisoners who are chiefs or officers of the army of the monarchy will be respected and considered according to their rank and treated according to the valor with which they may have resisted, and will all be returned to their ranks if they so desire.

ART. 4. Those who volunteer to join the ranks of the republicans, and appear before our columns and authorities, will have their option in the mode of serving the cause of the republic, either in arms or by more peaceful occupations, civil or agricultural pursuits.

I communicate this to you for your instruction and for your rigid compliance. Country and liberty.

MAXIMO GOMEZ,
The General in Chief.

Mr. President, the man who is leading the insurgent forces in the Island of Cuba to-day has never uttered one single word during the past three years which can be contorted into anything except an utterance in behalf of human liberty and independence.

I have here on my desk some testimony of other men in the shape of autographic letters. I have a letter from a gentleman well known to at least one Senator of the United States, a major in the Cuban army, an American by birth. He wrote only a few weeks ago to an American citizen as follows:

It is with no little degree of delight that I write you from the camp of Gen. Maximo Gomez. He and his men are in the best spirits and he is as confident of success as he was at the beginning of the present struggle for liberty. There is a large contingent of insurgents in this part of the island, about 40 per cent being cavalry. The infantry, which is mostly operating in small groups, is almost naked and shoeless, while the cavalrymen are much better dressed.

Mr. President, this gentleman, speaking to a United States Senator in Cuba only a few weeks ago, told him that many of the men were shoeless and entirely naked above their waists and sleeping on the ground in the winter, with no covering but grass and twigs. Yet those brave men, suffering such privations, are carrying on a warfare against the great Kingdom of Spain in behalf of the principles that we as a nation enjoy, and the armies and navies of Spain are utterly powerless to crush them.

Again, I have a letter from the chief of the fourth corps of the Cuban army, likewise addressed to a citizen of this country. Let me read it:

MY MOST ESTEEMED AND RESPECTED SIR: I am induced to address you these lines in view of the attentions you dispense to the goodness of our cause, showing you the gratefulness of this people, worthy of a better fate, and consequently the independence it desires, for which it faithfully fights, to the great American people, of whom you are the illustrious representative.

I wish to avail of the opportunity offered by the bearer, to offer you my friendship, and with it all I am able to do as chief of the fourth army corps.

It is also an object of this letter, and please take it as the main one, to express through you to that great people my sorrow and that of those forces for the lamentable and painful catastrophe of the *Maine*.

I remain, with great respect and esteem, your friend and obedient servant,
FRANCISCO CARRILLO.

Mr. President, has anybody seen a letter from any commander of any army corps of the Spanish army expressing such profound regret over the catastrophe that befell our great battle ship in the harbor of Havana? Certainly I have not.

I have also an autographic letter from Gen. Maximo Gomez, dated March 9, 1898. I have had it translated. Here is the original in Spanish, with the signature attached to it [exhibiting]. This was not addressed to me, but to a citizen of the United States. Who can say that these are utterances less patriotic than fall from the lips of citizens of this Republic:

DEAR SIR AND FRIEND: It is very agreeable for me to answer your favor of 26th February ultimo, contents of which cause me great pleasure.

Spain's impotence to subdue this revolution either by military force or political action is well evidenced by the development of the events that have been taking place, and our determination and purpose too well proclaim and prove that I should require to demonstrate them here, much less to a person like your good self, who has formed a complete judgment by your own experience of the respective situation of both belligerent forces.

At the stage that things have reached every man understands that Spain's continuance of this war is iniquitous and inhuman, and even a menace to the peace of the world, as a just and noble end is no longer pursued, but to kill and destroy by a sense of vengence and hate.

The great American public is destined by many causes to intervene sooner or later in some way in the termination of the Cuban war, but her mediation may only be fruitful of a final peace if through it Cuba obtains her absolute independence.

This is the opinion and unanimous feeling among the Cuban people, and particularly of its army of liberation, which I have the honor to command.

With the highest esteem, consideration, and friendship, I am, yours, the commander in chief,

M. GOMEZ.

Mr. President, on a former occasion I called the attention of the Senate to the cruel and unjust exactions that the Cuban people are compelled to submit to in the matter of taxation. Here is a statement from high Cuban authority that epitomizes their grievances and explains why they are fighting for freedom and independence:

The Cubans would have been wanting not only in self-respect but even in the instincts of self-preservation if they could have endured such a degrading and destructive régime. Their grievances are of such a nature that no people, no human community capable of valuing its honor and of aspiring to better its condition, could bear them without degrading and condemning itself to utter nullity and annihilation.

Spain denies to the Cubans all effective powers in their own country.

Spain condemns the Cubans to a political inferiority in the land where they are born.

Spain confiscates the product of the Cubans' labor without giving them in return either safety, prosperity, or education.

Spain has shown itself utterly incapable of governing Cuba.

Spain exploits, impoverishes, and demoralizes Cuba.

To maintain by force of arms this monstrous régime, which brings ruin on a country rich by nature and degrades a vigorous and intelligent population, a population filled with noble aspirations, is what Spain calls to defend its

honor and preserve the prestige of its social functions as a civilizing power of America.

The Cubans, not in anger but in despair, have appealed to arms in order to defend their rights and to vindicate an eternal principle, a principle without which every community, however robust in appearance, is in danger—the principle of justice. Nobody has the right of oppression. Spain oppresses us. In rebelling against oppression we defend a right. In serving our own cause we serve the cause of mankind.

We have not counted the number of our enemies; we have not measured their strength. We have cast up the account of our grievances; we have weighed the mass of injustice that crushes us, and with uplifted hearts we have risen to seek redress and to uphold our rights. We may find ruin and death a few steps ahead. So be it. We do our duty. If the world is indifferent to our cause, so much the worse for all. A new iniquity shall have been consummated. The principle of human solidarity shall have suffered a defeat. The sum of good existing in the world, and which the world needs to purify its moral atmosphere, shall have been lessened.

The people of Cuba require only liberty and independence to become a factor of prosperity and progress in the community of civilized nations. At present Cuba is a factor of intranquillity, disturbance, and ruin. The fault lies entirely with Spain. Cuba is not the offender; it is the defender of its rights. Let America, let the world, decide where rest justice and right.

How much more time have I, Mr. President?

The VICE-PRESIDENT. Two minutes.

Mr. GALLINGER. I will occupy those two minutes in simply making one observation. Are not the men who have fought and suffered such privations, who amid all their sufferings have not been swerved from their purpose by the promise of autonomy, made, as they believe, to be broken as in 1878; who have spurned the bribes of Spain, her favorite weapon, entitled to some recognition?

Are not the people of Cuba, who have carried on this unequal contest for three years; is not the cause for which Gomez has fought, and for which Marti and Maceo fell, and which the God of battles has recognized, fairly entitled to some mention and recognition from the Senate and the Government of the United States?

Mr. President, I shall cheerfully give my vote for the resolution reported by the minority of the Committee on Foreign Relations, believing as I do that a majority of the Senate will be found in favor of a declaration of independence for these brave people who are fighting the same battle that our forefathers fought a hundred years ago.

Mr. ELKINS. Mr. President, war seems inevitable, and it is useless to discuss the question further. Closing the debate to-day indicates that the Senate wants war, and now. We are not willing to wait over Sunday to pass these resolutions. Is there fear that peace may be secured on the Island of Cuba before war can be declared? I wish more time had been given for the discussion of this serious and momentous question. I think we should have had more light on the difficult questions raised and it would have been better for all concerned. Speeches like those made yesterday on both sides would have been helpful and instructive to Senators and the country.

But I bow to the will of the majority in limiting debate and accept the time allotted to me. I desire to devote this time, as far as I can, mainly to a discussion of the question of the recognition of the independence of the Cuban insurgents. Apart from the minority report, I believe the first resolution reported by the majority of the committee, if it means anything, recognizes the independence of the insurgents. The resolution reads:

First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Leaving out the words "and of right ought to be," the resolution would read: "That the people of the Island of Cuba are free and independent." This is not a fact; it is not true. Now, the next resolution:

It is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish—

If the Cuban Government is independent on the Island of Cuba, it is the only government authorized to act in regard to the war between Cuba and Spain. We might become the ally of the Cuban people; but if Cuba is independent, she is the party authorized to act, and the United States is excluded from making any such demand.

I oppose the recognition of the independence of the insurgents in Cuba for a number of reasons. First, they have not won their independence as other nations seeking to be admitted into the family of nations have won theirs in their struggle for freedom. Second, according to their own constitution the government of the insurgents is only temporary and preparatory in its character, and on the conclusion of hostilities must be succeeded by a "democratic republic." An extract from the constitution of the government of the insurgents is as follows:

We, the representatives of the Cuban people, freely meeting in constituent assembly, convoked by virtue of the mandate contained in the constitution of the 16th of September, 1895, ratify our firm and unshakable resolve of obtaining the absolute and immediate independence of the island, in order to establish in it a democratic republic, and inspiring ourselves in the present necessities of the revolution; we decree the following:

Third. To recognize the independence of Cuba now would be contrary to international law and the American doctrine on the subject for a hundred years, besides being a dangerous precedent.

We will defeat Spain, and, in my judgment, easily and quickly. She can not fight so far from her base, 3,000 miles away. She has no coal in the Western Hemisphere and can not bring her supply from home. Coal is more important to Spain than powder. We know the result now. We can also pay the costs of this war; but, in my opinion, there are wrapped up in this doctrine of the recognition of the independence of the insurgents, if adhered to under present conditions, many wars, that may cost this nation thousands of millions of dollars and may again threaten the disintegration and destruction of this Republic.

Mr. President, Congress should follow the recommendations of the President, but refusing to do so, it should not embarrass him by sending him a resolution for his approval declaring that Cuba is free and independent when he explicitly declares in his recent message that it is not, and makes an argument to show that it is not and should not be recognized. Mr. Quesada, the chargé d'affaires of the insurgent government, as I understand, stated before a committee of the House that unaided it would take twelve years to establish the freedom and independence of Cuba. He is the authorized representative of this insurgent government, and, speaking to a committee of Congress on the subject, his word should be taken as conclusive.

We have also the evidence of Gen. Fitzhugh Lee, who has served as our consul-general at Havana, I think, for two or three years. It is his judgment and his advice, as I understand it, to the United States at this juncture not to recognize the independence of the insurgents. To my mind his advice should have great weight. I confess it has had much to do in forming my judgment outside of the precedents and international law.

The Committee on Foreign Relations, in its report on page 7, says:

Upon due consideration of all the relevant facts of the relations of this Government with Spain, including the destruction of the *Maine*, and of the history of the rebellion, it is the opinion of your committee that the United States ought at once to recognize the independence of the people of Cuba, and also ought to intervene to the end that the war and its unexampled atrocities shall cease, and that such independence shall become a settled political fact at the earliest possible moment.

Right in the face of this finding that independence is not a settled political fact the committee call on us to declare what? That Cuba is free and independent; to declare in the face of the world a fact which is not true. How can we possibly do this? We want to follow the Committee on Foreign Relations. We want to stand by it. We want to stand by the President also, who says it is not a fact, and he is the authorized power under the Constitution to determine the question. We want to be united in this matter, but how can we be? The Congress of the United States is asked by one of its great committees to declare solemnly something to be true that we all agree is not true, and that the insurgents themselves say is not true. How will such a transaction appear to the world? What answer can we make to such inconsistency? There is no foundation for this declaration. We admit there is none. The world knows it. If Cuba is independent, why does Spain occupy one-half of the territory on the island, all the seacoast towns and cities, and maintain this occupation by an army? Why do not other nations near by, almost as near as we are, recognize the independence of Cuba? Why are not Mexico and the South American States agitated over the subject of the independence of Cuba? If the Cuban insurgents are independent, why should not they, as the only authorized power in Cuba, have made this demand on Spain, to withdraw her land or naval forces? Now, as to the demand by the United States, besides ignoring the President, it is not proper in form, is unnecessarily harsh and abrupt, and bad in construction. Who is to execute this demand but the President? If this demand had been left to the Executive, as it should have been, I am sure he would have expressed it in better form and with better taste.

If the second resolution is to pass, it ought to be amended so as to authorize the President to speak to Spain for the Government, as he always does to foreign nations. There has never been any departure from this course. Congress has never spoken to foreign governments. It never can. It has no one to make the communication. The communication must be made by the Executive. He is the proper and only channel.

It seems to me that the joint resolution in the second paragraph studiously ignores the President. The third of course could not ignore him. It had to take him into account, because he is by the Constitution of the United States the Commander in Chief of the Army and Navy and must lead our forces in war, or execute any direction or order of Congress. In recognizing independence Congress usurps power belonging exclusively to the President. This is his function and can not be taken from him by Congress. Violating the Constitution by taking power from the Executive is worse and more dangerous than war. The report of the committee, so far as I have been able to read and understand it, seem to me to be illogical and contradictory, with some good law cited and some not so good.

Mr. President, up to this hour, although the war in Cuba has been waged three years, there has been no great battle, no conflict with the insurgents that has risen to the dignity of a battle. As I learn, not 200 men have been killed on either side in any given battle. In all movements for independence generally there have been great battles fought on the part of the insurgents before recognition was considered. This is true where there has been a struggle and where independence has not been brought about by the great powers, as in the case of Belgium and Greece.

According to the distinguished Senators who have visited the island and made reports, and especially the Senator from Vermont [Mr. PROCTOR], who has stirred this nation in a great speech as no other man rarely has, there are 60,000 Spanish soldiers and 30,000 insurgents. Now he asks us, according to his own testimony, to believe, while there are two Spanish soldiers to one insurgent soldier, and Spain is in possession of all the seacoast cities, that Cuba is free and independent; that this independence should be recognized, and we should go to war to make independence a fact.

But I will say to the Senator that I challenge his statement, if other reputable men, but not distinguished as he, can be believed. I do not think it is possible for the Senator or for other Senators to go through a foreign country, not speaking the language, when there is a state of rebellion and war and gather information sufficiently accurate to guide the Senate and to the extent of going to war.

Mr. PROCTOR. Will the Senator allow me?

Mr. ELKINS. Certainly.

Mr. PROCTOR. Will he take the evidence of our representatives there—our consuls? It agrees fully in regard to the respective numbers with my statement.

Mr. ELKINS. I would take that ordinarily. I would rather, however, take the statement of the Senator from Vermont a thousand times if I could; but, sir, there is a man from Boston, a reputable gentleman, who has lived on the island for nearly thirty years and who has a half a million dollars invested there, who tells the country the true state of affairs there. He says there are only five or six thousand insurgents in arms, and that 15,000 is the extreme number that can be assembled.

None of the Senators who went there spoke the language, as I am informed; and I submit, on so short a stay, they could have been imposed upon in many cases by insurgent sympathizers. It is impossible to learn all about an island in a state of war and about the insurgents in so short a time. I credit these Senators with sincerity, and know and feel that they are incapable of intentionally misleading anybody on any subject. They are high-minded and honorable men.

Mr. Atkins—and I state his name—says that Cubitas, where the Cuban capital and the secretaries of state, for war, navy, and the treasury are located, as stated by the Senator from Ohio [Mr. FORAKER], where they hold congress and where the government is located, is a deserted sugar mill. But this is not important if there is a government. I am not disputing these facts for the purpose of belittling the Cuban struggle for freedom, but I am stating them to see whether they and all others when assembled make a case that authorizes recognition. In response to the suggestion made to me by the Senator from Nebraska [Mr. ALLEN], I will say that I think we have $17,000,000 of claims against the Spanish Government.

Mr. MASON. Has not Mr. Atkins some claim?

Mr. ELKINS. I do not know whether he has or not. Likely he has. No American could live there ten or fifteen years without having claims against the Spanish Government, for there is want of protection to property on the island.

Mr. MASON. Does he not pay for protection?

Mr. ELKINS. He says that he defends his property against the insurgents with his own guard, and he has paid the insurgents first and last $90,000 for protection. That is the way to get protection there.

Mr. GALLINGER. Are not Spanish guards protecting his estate?

Mr. ELKINS. Yes, as I understand; helping. I am not defending the Spanish troops, nor am I attacking the insurgents; both are responsible for much of the disorder that goes on in the island. I am trying to get at the truth.

RECOGNITION NOT AUTHORIZED UNDER INTERNATIONAL LAW.

According to international law and precedents on the subject, from the standpoint of success on the part of the insurgents, battles fought, territory occupied, government established, courts held, jurisdiction exercised, having a capital and congress, the insurgents are not entitled to recognition. Under the American doctrine, always adhered to in our history, there is no warrant for recognizing the independence of Cuba.

In our civil war with the South the Confederates held possession of one-third of the Republic. The Confederate States exercised authority and jurisdiction over this large extent of territory. They had a capital that was known all over the world, a congress that held regular sessions, an organized government that issued money, carried on trade and commerce, had ships, had a navy, and armies commanded by great generals, and fought battles equal to any the world has ever seen. I know something about those armies. They were too much in evidence. They were everywhere in our front; we did not have to look far to find them. There was no dispute about the existence of that government. Notwithstanding all these facts and a struggle for independence such as no people in history ever made, the United States constantly resisted for four years any intervention or recognition of the Confederacy by Europe. When a Union soldier laid down at night under the stars, worn, and fatigued, he wondered, "Will I wake up in the morning and read about the recognition of the Southern Confederacy by Europe?" He felt that would end the struggle against the Union. But it never came, and the Union was saved.

Why depart from this doctrine now? It is the American doctrine, and has been adhered to by our Government for a century. It saved the Union during the civil war. If the doctrine of recognition now demanded had obtained in our civil war we would have had two governments in the United States to-day. The struggle of the Cubans presents no such example and no such claim as the South had for recognition. Take the case of the United States when we won our independence. France was our ally. She hated England. That is one reason why she helped us. We desired recognition by the nations of the world, but did not get it until Burgoyne and Cornwallis had surrendered and every British soldier on our soil was a prisoner.

The PRESIDING OFFICER (Mr. GORMAN in the chair). The time of the Senator from West Virginia has expired.

Mr. ELKINS. I had part of the time that belonged to the four-hour class. I am with that class, I am told.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia [Mr. CLAY].

Mr. CLAY. I am delighted with the argument of the Senator from West Virginia, and I yield.

Mr. ELKINS. I merely want ten minutes. I had half the time, I understood, or I would have hastened through.

Mr. GALLINGER. I wanted ten minutes very much, but I did not get it.

The PRESIDING OFFICER. The Chair will state that unless unanimous consent is given he can not extend the time of the Senator from West Virginia.

Mr. ELKINS. I have proceeded under a mistake, entirely.

Mr. GRAY. I understand the unanimous-consent agreement to be that those who represented that view of the question were entitled to four hours.

Mr. ELKINS. I proceeded on that theory, and my colleague the Senator from Maryland said I might have ten or fifteen minutes of his time.

The PRESIDING OFFICER. The Chair will submit the question to the Senate.

Mr. CHANDLER. I certainly understood when the agreement was reached that the Senator from West Virginia would have more than fifteen minutes.

Mr. GALLINGER. I was not present when the unanimous-consent agreement was made last evening, but of course I am bound by it. I made a request to-day of the Presiding Officer that I might transfer my fifteen minutes to the Senator from Texas, who desired more than fifteen minutes, and I very much desired to do so. I was informed that such transfer of time could not be made. Now, if the Senator from West Virginia is entitled under the agreement to more than fifteen minutes, I certainly shall not find any fault.

Mr. FORAKER. Whether the Senator from West Virginia is strictly entitled to it or not, I hope unanimous consent may be given that he may have ten minutes in addition.

Mr. FAULKNER. I think the Senator from West Virginia, if he attaches himself to the three Senators named, ought not to take it as a matter of unanimous consent, but that he is entitled to it——

Mr. ELKINS. I thought so.

Mr. FAULKNER. Because the four hours have not been exhausted.

Mr. BATE. I was to follow the Senator from West Virginia, and I applied to the Chair, and he told me that the Senator from West Virginia was within the four hours and could speak as long as he chose, so that he did not absorb more than four hours.

Mr. STEWART. Let the unanimous-consent agreement be reported, so that we may understand it.

Mr. BATE. He ought to be allowed to speak without any consent.

The PRESIDING OFFICER. The Chair will state that the agreement asked for by the Senator from Arkansas was that four

hours should be granted to the Senators who held views in opposition to all the resolutions. No names were given except by the Senator from California [Mr. WHITE], who said:

I presume this will except the Senator from Louisiana [Mr. CAFFERY], the Senator from Maryland [Mr. WELLINGTON], and myself, and thirty minutes given to the Senator from Connecticut.

The Chair does not feel authorized, although he would be delighted to do it, to extend that privilege beyond the Senators named in the agreement without the consent of the Senate.

Mr. FORAKER. I ask unanimous consent that the Senator from West Virginia be allowed to proceed.

The PRESIDING OFFICER. The Chair is also informed that by an agreement between the Senators themselves the Senator from West Virginia was allowed thirty minutes. There are forty minutes from the four hours' time still remaining unconsumed.

Mr. GALLINGER. I hope the Senator from West Virginia will be permitted to go on.

The PRESIDING OFFICER. Under the circumstances, how many minutes does the Senator from West Virginia desire? He is entitled to thirty minutes.

Mr. ELKINS. I shall not occupy so long a time.

Mr. GALLINGER. I hope that an arrangement will be made so that the time will be divided between the Senator from West Virginia and the Senator from Texas.

Mr. MILLS. I am not on that side. I do not come in that category.

The PRESIDING OFFICER. Is there objection to extending the time of the Senator from West Virginia for thirty minutes?

Mr. MILLS and others. No.

The PRESIDING OFFICER. The Chair hears no objection, and the Senator from West Virginia will proceed.

Mr. ELKINS. Now, Mr. President, how much time have I? I do not propose to be caught again.

The PRESIDING OFFICER. The Senator from West Virginia has thirty minutes.

Mr. ELKINS. Not thirty minutes from now?

The PRESIDING OFFICER. Yes; until a quarter past 6 o'clock.

Mr. ELKINS. Mr. President, in the case of the Republic of Texas, recognition was delayed ten years after it became an independent Republic, and when the United States recognized its independence there was not a Mexican soldier on its soil. Mexico did not get her independence until the Spanish forces were expelled from that territory. The Argentine Republic, or Buenos Ayres, fought and resisted Spanish power twenty-one years, and recognition did not come until fourteen years after the Spaniards had been expelled from that country. See how guarded in all these cases in this hemisphere or on this continent the United States and Europe have been in respect to the recognition of independence, and the admitting of a new state into the family of nations. It is an important transaction, and one in which the whole world has an interest. These are the American precedents that should guide and govern us. Other cases can be cited. Above all, we should heed the doctrine that we so zealously proclaimed and adhered to during our civil war, and have adhered to since we have been a nation.

General Grant, when President, in his message to Congress in December, 1875, stated the case clearly. I had the honor at that time of serving in the House with a number of members who are now Senators on this floor and remember what then transpired. The Cubans had struggled for seven years against Spanish authority on the Island of Cuba. Apart from the death by starvation in the present struggle, the facts are about the same as in the war that was waged in 1875. General Grant opposed both recognition of independence and belligerency, on the ground that the Cuban insurgents were not entitled to either. He said the struggle did not rise to the dignity of war. His sympathies were with the Cuban insurgents as ours are to-day, and he knew the United States had suffered loss of commerce and trade on the islands; but with all these things before him he could not reach the conclusion that the Cubans were entitled to belligerent rights or had won their independence.

I read the following extracts from President Grant's annual message dated December 7, 1875:

The past year has furnished no evidence of an approaching termination of the ruinous conflict which has been raging for seven years in the neighboring island of Cuba. The same disregard of the laws of civilized warfare and of the just demands of humanity which has heretofore called forth expressions of condemnation from the nations of Christendom has continued to blacken the sad scene.

Desolation, ruin, and pillage are pervading the rich fields of one of the most fertile and productive regions of the earth, and the incendiaries' torch, firing plantations and valuable factories and building, is the agent marking the alternate advance or retreat of contending parties.

I have hoped that Spain would be enabled to establish peace in her colony, to afford security to the property and the interests of our citizens, and allow legitimate scope to our trade and commerce and the natural products of the island. Because of this hope, and from an extreme reluctance to interfere in the most remote manner in the affairs of another and a friendly nation, especially of one whose sympathy and friendship in the struggling infancy of our own existence must ever be remembered with gratitude, I have patiently and anxiously waited the progress of events.

Our own civil conflict is too recent for us not to consider the difficulties which surround a government distracted by a dynastic rebellion at home at the same time that it has to cope with a separate insurrection in a distant colony. But whatever causes may have produced the situation which so grievously affects our interests, it exists with all its attendant evils operating directly upon this country and its people. Thus far all the efforts of Spain have proved abortive and time has marked no improvement in the situation. The armed bands of either side now occupy nearly the same ground as in the past, with the difference from time to time of more lives sacrificed, more property destroyed, and wider extents of fertile and productive fields and more and more of valuable property constantly, wantonly sacrificed to the incendiary's torch.

In contests of this nature, where a considerable body of people who have attempted to free themselves of the control of the superior government have reached such point in occupation of territory, in power, and in general organization as to constitute in fact a body politic, having a government in substance as well as in name, possessed of the elements of stability, and equipped with the machinery for the administration of internal policy and the execution of its laws, prepared and able to administer justice at home as well as in its dealings with other powers, it is within the province of those other powers to recognize its existence as a new and independent nation. In such cases other nations simply deal with an actually existing condition of things, and recognizes as one of the powers of the earth that body politic which, possessing the necessary elements, has in fact become a new power. In a word, the creation of a new state is a fact.

To establish the condition of things essential to the recognition of this fact there must be a people occupying a known territory, united under some known and defined form of government, acknowledged by those subject thereto, in which the functions of government are administered by usual methods, competent to mete out justice to citizens and strangers, to afford remedies for public and for private wrongs, and able to assume the correlative international obligations, and capable of performing the corresponding international duties resulting from its acquisition of the rights of sovereignty. A power should exist complete in its organization, ready to take and able to maintain its place among the nations of the earth.

While conscious that the insurrection in Cuba has shown a strength and endurance which made it at least doubtful whether it be in the power of Spain to subdue it, it seems unquestionable that no such civil organization exists which may be recognized as an independent government capable of performing its international obligations and entitled to be treated as one of the powers of the earth.

A recognition under such circumstances would be inconsistent with the facts, and would compel the power granting it soon to support by force the government to which it had really given its only claim of existence. In my judgment, the United States should adhere to the policy and the principles which have heretofore been its sure and safe guides in like contests between revolted colonies and their mother country, and, acting only upon the clearest evidence, should avoid any possibility of suspicion or of imputation.

Belligerence, too, is a fact. The mere existence of contending armed bodies and their occasional conflicts do not constitute war in the sense referred to. Applying to the existing condition of affairs in Cuba the tests recognized by publicists and writers on international law, and which have been observed by nations of dignity, honesty, and power, when free from sensitive or selfish and unworthy motives, I fail to find in the insurrection the existence of such a substantial political organization, real, palpable, and manifest to the world, having the forms and capable of the ordinary functions of government toward its own people and to other states, with courts for the administration of justice, with a local habitation, possessing such organization of force, such material, such occupation of territory, as to take the contest out of the category of a mere rebellious insurrection or occasional skirmishes and place it on the terrible footing of war, to which a recognition of belligerency would aim to elevate it.

The contest, moreover, is solely on land. The insurrection has not possessed itself of a single seaport whence it may send forth its flag, nor has it any means of communication with foreign powers except through the military lines of its adversaries. No apprehension of any of those sudden and difficult complications which a war upon the ocean is apt to precipitate upon the vessels, both commercial and national, and upon the consular officers of other powers, calls for the definition of their relations to the parties to the contest. Considered as a question of expediency, I regard the accordance of belligerent rights still to be as unwise and premature, as I regard it to be at present indefensible as a measure of right.

As I have stated, I was a member of the House when this message was sent to Congress. There was great excitement. We were not in the presence of war then, but there was intense interest and all the innuendoes, insinuations, and hints of sinister influences were afloat in the air, as now. Cuban sympathizers went so far as to declare that General Grant had lost his courage, that he was under the influence of New York, that the business men of the country had too much to do with the Administration, that he was ruled by his Secretary of State, something like the charges now made against the President and those who sustain him. But in the case of General Grant what has come to pass? The proudest monument ever raised to perpetuate the memory of any American stands over the grave of this great general, able and pure President; while all the people love and cherish his memory more and more as the years go by, his calumniators and vilifiers have passed into merited oblivion. The present case is nearly parallel, and I know that William McKinley will survive these attacks and the mad passion that pursues him as General Grant survived them. He can afford to wait. Time and posterity will vindicate his course and policy on the Cuban question.

There is no clear or certain rule laid down in international law that authorizes the recognition of Cuban independence. I know what Hall, quoted by the distinguished Senator from Ohio [Mr. FORAKER] says, but the Cuban insurgents do not even come within this rule.

Lawrence, in his Principles of International Law, page 87, states:

The community thus recognized must, of course, possess a fixed territory within which an organized government rules in civilized fashion, commanding the obedience of its citizens and speaking with authority on their behalf in its dealings with other states. The act of recognition is a normal act, quite

compatible with the maintenance of peaceful intercourse with the mother country, if it is not performed till the contest is either actually or virtually over in favor of the new community.

Woolsey, in his last edition on International Law, states, page 41:

It is almost needless to say that this rule can not have its application as long as there is evident doubt whether a government is a fact. If the question is still one of armed strife, as between a colony and a mother country, or between a state and a revolted portion of it, to take the part of the colony or of the revolted territory by recognition is an injury and may be a ground of war; but every nation must decide for itself whether an independent state be really established, and needs not to wait until the party opposing the revolutionary effort has accepted the new order of things. It is a safe rule in contests involving the violent separation of a state into parts that when the mother country, in the case of a colony, or the leading portion of a state, in the case of disruption, gives up active efforts to restore the old order of things by war other states may regard the revolution as perfected and a new state as having come into the world.

Hall's International Law, page 38, reads as follows:

When a sovereign State, from exhaustion or any other cause, has virtually and substantially abandoned the struggle for supremacy, it has no right to complain if a foreign State treat the independence of its former subjects as de facto established. When, on the other hand, the contest is not absolutely or permanently decided, a recognition of the inchoate independence of the insurgents by a foreign State is a hostile act towards the sovereign State, which the latter is entitled to resent as a breach of neutrality and friendship. It is to the facts of the case that foreign nations must look. The question with them ought to be, Is there a bona fide contest going on? If it has virtually ceased, the recognition of the insurgents is then at their discretion. It was upon this principle that England and the other powers acted in recognizing the independence of the South American Republics.

The action of some of the European powers toward Greece in 1827, and Belgium in 1830, was not a simple recognition of independence and does not come within the preceding rule. In both cases the powers intervened to settle the disputes, and without this assistance the insurgents would not have succeeded. In the case of Greece, the intervention was based on the ground of humanity and for the suppression of piracy and anarchy. In that of Belgium, the Powers, by their own act at the treaty of Vienna, had united that country to Holland; but finding the union incompatible, they intervened to dissolve it.

These citations from standard works lay down the rule on the subject of recognizing the independence of a state, and according to them the Cuban insurgents have no just and valid claims to be recognized.

I agree that the cruelties, horrors, inhumanities, and the starvation on the island, should stop, and that now is the time to settle the Cuban problem once and for all. President McKinley says they must be stopped, and now. The question arises, however, what is the best way to accomplish this. I have always said by peace, if possible but by war if necessary. Is the recognition of Cuban independence, and going to war to make this independence a fact, the best way to relieve the horrors of the war and starvation going on on the island of Cuba? Would war between Spain and the United States be the best means of relieving these starving people? War between the United States and Spain would, I fear, result in the continued starvation and death of the reconcentrados, numbering, it is said, 150,000, because in the event of war Spain could not relieve them. It has not the means at hand; and the United States, I fear, would not be able to do so. Before relief could reach these people the United States would have to take Cuba and then see that food and supplies reach them in ships guarded by our Navy. All this will take time; and according to the best estimates, these people can not live unless means are provided within ten days to relieve them of starvation.

If we have to go to war with Spain as we are, let us not put it on the ground of recognizing the independence of Cuba and fighting to make it a fact, but on the ground of our actual differences with Spain, growing out of our relations during the past thirty years with Cuba, the misgovernment of the island, or the want of government, the loss of property of American citizens, the burden of preserving neutrality between Spain and Cuba during the years that they have been at war, the starvation on the island, inability of Spain for a long number of years to insure protection to life and property, culminating in the *Maine* disaster; and after she refuses to comply with our demands, then declare war explicitly on these grounds.

It is clear that Cuba, according to the rules that govern such cases, has not won her independence, and the recognition of independence would not only be setting a bad precedent, but it would weaken our case at home and before the world. But this is not all. The recognition of the independence of Cuba would prevent at the conclusion of the war the United States taking and holding it in part payment of the expenses of the war. While I have always opposed annexation, yet in the event of the United States going to war she will not only take Cuba, Puerto Rico, and the Philippines, but all the territory and property of Spain in the Western Hemisphere, and, having taken this territory in war, we should hold it as a war indemnity and dispose of it as we please, because Spain is a bankrupt nation and this is the only way we can get indemnity.

If we recognize the independence of the insurgents and that they have established a government on the island and have one at the close of the war, what will be the situation? The United States will have driven Spain from Cuba, and then Cuba can invite the United States to leave the island in the hands and control of the government the United States has recognized. It will claim it is an independent nation among the nations of the earth, and the United States could take no part in making a stable government, preserving peace or exercising any jurisdiction on the island. Recognizing the independence of Cuba would not help us in case of our going to war against Spain.

I am clearly of opinion that if we have to go to war with Spain we should do so on grounds other than to secure the independence of Cuba. If we recognize the independence of Cuba and go to war to make it a fact, then we will have no claim on the Cuban Government to pay part of the expenses of the war. If we give Cuba to the insurgents now, as proposed, by recognizing independence, then at the conclusion of the war we will have no claim on the island or the insurgents to pay part of our war debt; whereas if we delay recognition we can decide, with all the facts before us, what is better to do and what best suits our interests. To my mind this is the safest and wisest course to pursue. If Cuba comes to us as the result of war on grounds I have stated, then all the debts and bonds of Spain secured by the revenues of Cuba will be extinguished and no obligations will rest upon the United States in case she takes Cuba or the insurgents in case of independence, except those the Cuban Government may wish to recognize.

Mr. President, in this debate the glories and advantages of war have been commended as being in the interest and to the advantage of nations. While not opposing war with Spain, I must say this is new and strange talk in the Senate of the United States in the closing decade of the nineteenth century. We have been taught for hundreds of years that war is a calamity at best. It brings with it devastation, destruction, want, woe, and tears. It brings mourning and sorrow into once happy homes, and leaves in its wake widows and orphans. It increases the pension list, the national debt, and taxation. Go ask the South if war is a good thing; ask Greece; ask the Armenians. Ask the victors and vanquished in every war. Read of the desolation and want that followed the Thirty Years' war, the Seven Years' war, and the Napoleonic wars. Poetry and painting have been invoked in all ages to portray the horrors, desolation, and destruction of war.

I admired the speech of the Senator from Nebraska [Mr. THURSTON]. I was held spellbound at his apostrophe to force and blood; but let me say to the distinguished Senator and orator who stirred the country so deeply by his splendid effort that the "Still, small voice" has wrought more than all the force and all the wars of the world.

War strikes down dynasties, changes sovereignty and boundaries of states, but thought and high ideas move peoples and influence the world. War points toward barbarism and savagery; peace to progress and a better civilization. Emerson says:

The soul of God is poured into the world through the thoughts of men. The world stands on ideas, and the source of all elements is moral force.

The United States has for twenty-five years, from Grant to McKinley, arraigned Spain for the cruelties, misdoings, and horrors which she has permitted and committed on the Island of Cuba. But no President until the present Chief Executive has said definitely and positively that war shall cease and peace reign on the Island of Cuba. During this period our Presidents have declared that there might arise an occasion when the United States should intervene to bring war to an end; but for the first time in thirty years of the agitation of the Cuban question the present Chief Executive has declared formally in a message that this war must stop, and Congress agrees with him.

But, Mr. President, he not only declares "this war must stop," but he says, "I want Congress to authorize me to use the Army and the Navy to stop it." This is reasonable. It might bring peace with honor and avert war. Why not comply with his request? Is it unfair? Is it unjust? Is it wrong? Let him send this ultimatum to Spain coupled with an expression of the feeling of the American people about the *Maine* disaster. Then, if it is refused, let Congress declare war. That would be the orderly, dignified way to proceed.

Now, Mr. President, what is the position of the President in these times of trouble that have fallen upon him? With the fortunes, destinies, honor, and flag of the great Republic in his keeping in this trying ordeal he has borne himself with great poise. This burden has rested upon him for months, and he has spoken. After assembling all the facts, he has reached a conclusion and embodied it in his message. I sustain his position with all my heart. In his message, on page 10, he says:

Nor from the standpoint of expediency do I think it would be wise or prudent for this Government to recognize, at the present time, the independence of the so-called Cuban Republic. Such recognition is not necessary in order to enable the United States to intervene and pacify the island. To commit this country now to the recognition of any particular government in Cuba might subject us to embarrassing conditions of international obligation toward the organization so recognized.

On page 13, he further declares:

The long trial has proved that the object for which Spain has waged the war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a

condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

In view of these facts and of these considerations, I ask the Congress to authorize and empower the President to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba, and to secure in the island the establishment of a stable government, capable of maintaining order and observing its international obligations, insuring peace and tranquillity and the security of its citizens as well as our own, and to use the military and naval forces of the United States as may be necessary for these purposes.

His position, in brief, is that the war must stop in the Island of Cuba and a government set up stable in form, one that can perform its international obligations. This means an independent government. It means a free government. It means a republican government, and that means the freedom of Cuba. If we had trusted the President, in my judgment, he would have accomplished all these things through peace, with honor to the country, and have averted war. I think we should have left the case in his hands. The most ardent Cuban sympathizers would have had the independence of Cuba in due season and in a proper way.

On so momentous a question we should go to the world united, not divided in Congress and opposed to the President. We can not afford to be divided. On the House resolution, for which I will vote, we would have a united Congress, all parties and the President together. What has the President done to forfeit our confidence? Why should he be attacked in the press and on this floor? In this, however, he is only suffering what has fallen to the lot of the most illustrious names in our history. Washington was attacked, Lincoln was attacked, Grant was abused, and McKinley can not hope to escape. Lincoln's emancipation proclamation was asked and demanded for two years, but it did not come a day too early nor a day too late. If we had left this case in the hands of the President, in my opinion Cuba would have gotten her independence not one day too late, and without war.

I have not time to reply to the speech of the distinguished Senator from Ohio, but it shows what a warm heart and heated imagination will do when fired by impassioned zeal in a cause that has him for an advocate. He has given the insurgents a government as good as any in the world, and hardly surpassed by Moore's Utopia. His legal proposition that war and change of sovereignty in the island would not extinguish all Spanish bonds, whether secured by the revenues of Cuba or not, is indefensible. All bonds and obligations would be burnt out in the hot flame of war. If the United States should take Cuba by war no Spanish collector would ever supervise the collection of revenues on the island, and all claims by Spain for the payment of such bonds would be resisted.

When the Senator's speech was being delivered a friend remarked, "That speech will make him President." I said, "Not now; we need him in the Senate." But what becomes of the claims of other members of the Committee on Foreign Relations? What becomes of the claims of my conservative, thoughtful, and judicial-minded friend from Illinois [Mr. MASON]? He has led the fight for Cuba and urged war from the beginning. But let me remind Senators, as I read history, the heroes of wars are made in the field and not in the Senate and House. I have no idea that a thought of the Presidency was in the mind of the Senator from Ohio. I want to acquit him of anything of the kind.

Now, Mr. President, one word about the freedom of Cuba. I have always desired the independence of the Cuban people. I so stated in the Senate a year ago, and I have believed that in the end they would obtain it, but I have opposed the United States going to war to establish this independence. Better a bold declaration of war on account of the *Maine* disaster and other differences with Spain than the entangling resolutions before the Senate. The *Maine* and thirty years of misrule on the Island of Cuba furnish a clean-cut case. It is the *Maine* that stirs the American people.

Under the resolutions difficult questions are raised as to what debts will be assumed in case of war, what are the actual conditions on the Island of Cuba, and many others. But above and beyond all this these resolutions commit us to recognizing the independence of Cuba at this time. Contrary to all precedent and the American doctrine, they make Congress declare that Cuba is free and independent when it is not true and all admit it is not. They go further and make Congress usurp the legislative functions and prerogatives of the Chief Executive in the matter of recognition of independence—a violation of the Constitution which we are sworn to obey. Better war, yes, many wars, than this, because when the violation of the Constitution begins the end of the Republic is near at hand.

Now, that we are about to have war, I am willing that the Senators from Ohio, Illinois, and Minnesota and other States may have the credit and responsibility of the agitation of the Cuban question against the President's plan, but from the moment war is declared it becomes the war of the American people, under the American flag, and I favor making it swift, decisive, and destructive, taking Cuba, Puerto Rico, and the Philippines, then on to Cadiz and Barcelona with our squadrons and on our banners inscribed the legend, "Remember the *Maine*." I desire the war to be a memorable and lasting example to the world of the power of the Great Republic on sea and land.

Mr. President, the message of the President may be disregarded and ignored by Congress. He may be abused and misrepresented in the press and on the floor of the Senate. But this can not take from him the affection, loyalty, and confidence of his countrymen. The message will go down the centuries as a living force and power. It will stand as the flower and fruit of the highest and broadest statesmanship, and be a mighty influence to direct future peoples and governments toward the haven of peace with honor, and, failing that, the making of war in the interest of humanity and liberty. President McKinley's place in history is made; it is secure beyond the reach of abuse and calumny. He will be remembered as a great American soldier, statesman, and President. He is enrolled among the list of those the country can not forget.

Mr. President, this is a time of serious concern—a supreme moment in the life and affairs of this nation. We are making history rapidly, but are we making it wisely? We are in danger not from foreign foes. These we can conquer. We are in danger from ourselves, from passion, from teaching a lesson, establishing a precedent, that may be used some day against us, and doing an act that will not have the approval of the national conscience nor the sanction of the civilized world. A great Republic can not afford to make such a record. Conscious of our great strength, we should be patient, temperate, just, and fair in all our dealings with the peoples and nations of the world. Varying the words of the rising poet, we should say, in the trials through which we are passing:

God of our fathers, guide us yet,
Lest we forget—lest we forget.

Mr. CLAY. Mr. President, it is not my purpose to attempt to make a speech, because I have occupied nearly an hour heretofore in giving the views that I entertain upon this subject. I simply ask a few minutes of the time of the Senate in order that I may explain the vote that I shall soon be called upon to cast.

I am one of those Senators, I believe I can truthfully say, who have been conservative and exceedingly anxious to see this trouble settled without a war. I have waited patiently and I have been anxious to see it adjusted without our going to war, for the people of the South know what war means. I believe to-day that a majority of the people of my State are opposed to war if it could honorably be avoided. But standing here, in part representing the State of Georgia, I have a duty to perform. I realize now that the adoption of either of these resolutions necessarily means war. There are three resolutions pending here, and I believe it to be my duty to vote for the one that in my judgment is direct and positive and that will meet the issue and use the most effective means to accomplish the desired result.

For one, Mr. President, I say that the President himself deserves credit for endeavoring to adjust this matter without war, if possible. I was anxious to give him my support, to see him adjust it without war. I do not agree with him, however, in the message that he has sent to us. It is not essential that I should say why I do not. I simply desire to read the three pending resolutions and give briefly the reasons that induce me to vote in favor of the minority report.

I want to say, Mr. President, that the President of the United States in his message has said that the war existing between Spain and Cuba must stop. The House of Representatives has said that the war must stop. Every Senator upon the floor of the Senate says the war must stop. The great heart of the American people says that the war must stop. Then, if the war must stop, it has been my observation that when a crisis comes, and you can not meet the crisis any other way than by a positive and effective remedy, it is our duty to use the one that will be the most effective and end the war between Spain and the Cuban people, and give to the people of Cuba a free government, one that will enable them to govern themselves.

Now, Mr. President, I want to read the first resolution which came from the House:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and directed to intervene at once to stop the war in Cuba, to the end and with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba—

Now, mark you, the President is directed to intervene and stop the war—

and the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

Now, my objection to the House resolution is simply this: It authorizes and empowers the President, in his discretion, to use the Army and Navy of the United States for the purpose of ending the war. In other words, it says that the President can act

as he sees fit and proper; that he can have war or he can stop it if he wants to, by using the Navy and Army, or he can let it alone. In my judgment that power ought not to be delegated to the President, and I shall vote against that resolution and could not give it my support.

There is another resolution pending before us—the majority resolution from the Committee on Foreign Affairs. I have before me the resolution from the Committee on Foreign Relations—that is, a majority of that committee. That resolution, or the part of it which I wish to read, is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

That is the resolution of the majority of the committee. When the resolution of the minority is adopted, that sentence will be completed as follows:

That the people of the Island of Cuba are, and of right ought to be, free and independent, and that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

In my judgment that is the most effective remedy that has been presented to the Senate. We are going to war with Spain. The circumstances and facts are such that the President of the nation has said we must have war; that the war there must stop. Now, what did he say? In his message he says:

The long trial has proved that the object for which Spain has waged the war can not be attained. The fire of insurrection may flame or may smolder with varying seasons, but it has not been and it is plain that it can not be extinguished by present methods. The only hope of relief and repose from a condition which can no longer be endured is the enforced pacification of Cuba. In the name of humanity, in the name of civilization, in behalf of endangered American interests which give us the right and the duty to speak and to act, the war in Cuba must stop.

The President has said that the war must stop. Then how ought we to stop it? In my judgment, the way to stop it is to resort to the means that will be most effective in driving the Spanish soldiers from Cuban soil. I say to-day that we need the assistance of the Cubans in this contest. They have fought for three years, and if we are determined to have war and to meet the crisis, in my judgment the only way to do it is to use every resource that we possibly can to meet the emergency.

I have been troubled in regard to the condition of affairs in Cuba on one point, and that was the government existing in Cuba. If an intelligent man will sit down and read the constitution framed by the Cuban insurgents and now in operation in Cuba, he will necessarily come to the conclusion that the hand of a statesman drafted that instrument. Mr. President, it shows that it represents an intelligent and thoughtful constituency. I have been fully satisfied from reading the document that they are capable of forming a government and that it is our duty to recognize them, and if we are going to have war, to cooperate with them in this struggle.

I ask permission to have inserted as a part of my remarks the constitution of the provisional government of Cuba. It commences on page 31 of the report of the Committee on Foreign Relations and embraces pages 31, 32, 33, 34, and part of page 35.

Mr. FAULKNER. The Senator from Georgia does not ask to have it read?

Mr. CLAY. I do not ask to have it read; I simply ask that it be inserted as a part of my remarks. [See Appendix.]

One word more and I am done. I simply say that in casting my vote in favor of the minority report I believe that an emergency has arisen that no longer can be met by vacillation or equivocation. I believe that a crisis is on us, and it will require brave as well as zealous, courageous action to meet it, and we ought to do it, and do it at once, and not delay any longer. If we are determined to have war, let us use the most effective means to accomplish our purposes.

APPENDIX.

CONSTITUTION OF THE PROVISIONAL GOVERNMENT OF CUBA.

The revolution for the independence and creation in Cuba of a democratic republic in its new period of war, initiated on February 24 last, solemnly declares the separation of Cuba from the Spanish monarchy, and its constitution as a free and independent state, with its own Government and supreme authority, under the name of the Republic of Cuba, and confirms its existence among the political divisions of the world.

The elected representatives of the revolution, in convention assembled, acting in its name and by the delegation which for that purpose has been conferred upon them by the Cubans in arms, and previously declaring before the country the purity of their thoughts, their freedom from violence, anger, or prejudice, and inspired only by the desire of interpreting the popular voice in favor of Cuba, have now formed a compact between Cuba and the world, pledging their honor for the fulfillment of said compact in the following articles of the constitution:

ARTICLE I. The supreme powers of the republic shall be vested in a government council composed of a president, vice-president, and four secretaries of state, for the dispatch of the business of war, of the interior, of foreign affairs, and of the treasury.

ART. II. Every secretary shall have a subsecretary of state, in order to supply any vacancies.

ART. III. The government council shall have the following powers:

1. To dictate all measures relative to the civil and political life of the revolution.

2. To impose and collect taxes, to contract public loans, to issue paper money, to invest the funds collected in the island, from whatever source, and also those which may be raised abroad by loan.

3. To arm vessels, to raise and maintain troops, to declare reprisals with respect to the enemy, and to ratify treaties.

4. To grant authority, when it is deemed convenient, to order the trial by the judicial power of the president or other members of the council, if he be accused.

5. To decide all matters, of whatsoever description, which may be brought before them by any citizen, except those judicial in character.

6. To approve the law of military organization and the ordinances of the army, which may be proposed by the general in chief.

7. To grant military commissions from that of colonel upward, previously hearing and considering the reports of the immediate superior officer and of the general in chief, and to designate the appointment of the latter and of the lieutenant-general in case of the vacancy of either.

8. To order the election of four representatives for each army corps whenever in conformity with this constitution it may be necessary to convene an assembly.

ART. IV. The Government council shall intervene in the direction of military operations only when in their judgment it shall be absolutely necessary to do so to realize high political ends.

ART. V. As a requisite for the validity of the decrees of the council, at least two-thirds of the members of the same must have taken part in the deliberations of the council, and the decrees must have been voted by the majority of those present.

ART. VI. The office of councilor is incompatible with any other of the republic, and requires the age of 25 years.

ART. VII. The executive power is vested in the president, and, in case of disability, in the vice-president.

ART. VIII. The resolutions of the government council shall be sanctioned and promulgated by the president, who shall take all necessary steps for their execution within ten days.

ART. IX. The president may enter into treaties with the ratification of the government council.

ART. X. The president shall receive all diplomatic representatives and issue the respective commissions to the public functionaries.

ART. XI. The treaty of peace with Spain, which must necessarily have for its basis the absolute independence of the Island of Cuba, must be ratified by the government council and by an assembly of representatives convened expressly for this purpose.

ART. XII. The vice-president shall substitute the president in the case of a vacancy.

ART. XIII. In case of the vacancy in the offices of both president and vice-president on account of resignation, deposition, or death of both, or from any other cause, an assembly of representatives for the election to the vacant offices shall be convened, the senior secretaries in the meanwhile occupying the positions.

ART. XIV. The secretaries shall have voice and vote in the deliberations of resolutions of whatever nature.

ART. XV. The secretaries shall have the right to appoint all the employees of their respective offices.

ART. XVI. The subsecretaries in cases of vacancy shall substitute the secretaries of state and shall then have voice and vote in the deliberations.

ART. XVII. All the armed forces of the republic and the direction of the military operations shall be under the control of the general in chief, who shall have under his orders as second in command a lieutenant-general, who will substitute him in case of vacancy.

ART. XVIII. All public functionaries of whatever class shall aid one another in the execution of the resolutions of the government council.

ART. XIX. All Cubans are bound to serve the revolution with their persons and interests, each one according to his ability.

ART. XX. The plantations and property of whatever description belonging to foreigners are subject to the payment of taxes for the revolution while their respective governments do not recognize the rights of belligerency of Cuba.

ART. XXI. All debts and obligations contracted since the beginning of the present period of war until the promulgation of this constitution by the chiefs of the army corps, for the benefit of the revolution, shall be valid as well as those which henceforth the government council may contract.

ART. XXII. A government council may depose any of its members for cause justifiable in the judgment of two-thirds of the councilors, and shall report to the first assembly convening.

ART. XXIII. The judicial power shall act with entire independence of all the others. Its organization and regulation will be provided for by the government council.

ART. XXIV. The present constitution shall be in force in Cuba for two years from the date of its promulgation, unless the war for independence shall terminate before. After the expiration of the two years an assembly of representatives shall be convened which may modify it, and will proceed to the election of a new government council, and which will pass upon the last council. So it has been agreed upon and resolved in the name of the Republic by the constituent assembly in Jimaguayu on the 18th day of September, 1895, and in witness thereof we, the representatives delegated by the Cuban people in arms, signed the present instrument. Salvador Cisneros, president; Rafael Manduley, vice-president; Pedro Pinan de Villegas, Lope Recio, Fermin Valdes Dominguez, Francisco Diaz Silveira, Dr. Santiago Garcia, Rafael Perez, F. Lopez Leyva, Enrique Cespedes, Marcos Padilla, Raimundo Sanchez, J. D. Castillo, Mariano Sanchez, Pedro Aguilera, Rafael M. Pontuondo, Orencio Nodarse, José Clemente Vivanco, Enrique Loynaz Del Castillo, Severo Pina.

ELECTION OF GOVERNMENT.

The constituent assembly met again on the 18th of the said month and year, all the said representatives being present. They proceeded to the election of members who are to occupy the offices of the Government council, the general in chief of the army of liberation, the lieutenant-general, and the diplomatic agent abroad. The secret voting commenced, each representative depositing his ballot in the urn placed on the chairman's table, after which the count was proceeded with, the following being the result:

President: Salvador Cisneros, 12; Bartolome Maso, 8.

Vice-president: Bartolome Maso, 12; Salvador Cisneros, 8.

Secretary of war: Carlos Roloff, 18; Lope Recio Loinaz, 1; Rafael Manduley, 1.

Secretary of the treasury: Severo Pina, 19; Rafael Manduley, 1.

Secretary of the interior: Dr. Santiago Garcia Canizares, 19; Carlos Dubois, 1.

Secretary of the foreign relations: Rafael Portuondo, 18; Armando Menocal, 1; blank, 1.

Subsecretary of war: Mario Menocal, 18; Francisco Diaz Silveira, 1; blank, 1.

Subsecretary of the treasury: Dr. Joaquin Castillo, 7; Francisco Diaz Silveira, 5; José C. Vivanco, 3; Armando Menocal, 3; Carlos Dubois, 1; blank, 1.

Subsecretary of the interior: Carlos Dubois, 13; Orencio Nodarse, 5; Armando Menocal, 1; blank, 1.

Subsecretary of foreign relations: Fermin Valdes Dominguez, 18; Rafael Manduley, 1; blank, 1.

Therefore, the following were elected by a majority of votes:

President, Salvador Cisneros; vice-president, Bartolome Maso; secretary of war, Carlos Roloff; secretary of the treasury, Severo Pina; secretary of the interior, Dr. Santiago Garcia Canizares; secretary of foreign relations, Rafael M. Portuondo; subsecretary of war, Mario Menocal; subsecretary of the treasury, Dr. Joaquin Castillo; subsecretary of the interior, Carlos Dubois; subsecretary of foreign relations, Dr. Fermin Valdes Dominguez.

The vice-president of the assembly immediately installed the president in the office of the government council that had been conferred upon him; the latter in turn installed those of the other members elected who were present, all entering on the full exercise of their functions after previously taking the oath.

On proceeding to the election of those who were to occupy the positions of general in chief of the army, lieutenant-general, and diplomatic agent abroad, the following citizens were unanimously elected by the assembly for the respective places: Major-General Maximo Gomez, Major-General Antonio Maceo, and Citizen Tomas Estrada Palma—all these appointments being recognized from that moment.

LAWS FOR THE CIVIL GOVERNMENT AND ADMINISTRATION OF THE REPUBLIC.

CHAPTER I.—TERRITORIAL DIVISION.

ARTICLE I. The Republic of Cuba comprises the territory occupied by the Island of Cuba from Cape San Antonio to Point Maisi and the adjacent islands and keys.

ART. II. This territory shall be divided into four portions, or states, which will be called Oriente, Camaguey, Las Villas or Cabanacan, and Occidente.

ART. III. The State of Oriente includes the territory from the Point Maisi to Port Manati and the river Jobabo in all its course.

ART. IV. The State of Camaguey includes all the territory from the boundary of Oriente to the line which starts in the north from Laguna Blanca through the Esteros to Moron, passing by Ciego de Avila, follows the military trocha to El Jucaro in the southern coast, it being understood that the towns of Moron and Ciego de Avila belong to this State.

ART. V. The State of Las Villas has for boundary on the east Camaguey, on the west the river Palmas, Palmillas, Santa Rosa, Rodas, the Hannabana River, and the bay of Cochinos.

ART. VI. The State of Occidente is bordered on the Las Villas, extending to the west to Cape San Antonio.

ART. VII. The islands and adjacent keys will form part of the states to which they geographically belong.

ART. VIII. The State of Oriente will be divided into ten districts, which shall be as follows: Baracoa, Guantanamo, Sagua de Tanamo, Mayari, Santiago, Jiguani, Manzanillo, Bayamo, and Tunas.

Camaguey comprises two—the eastern district and the western district.

Las Villas comprises seven—Sancti-Espiritus, Trinidad, Remedios, Santa Clara, Sagua, Cienfuegos, and Colon.

That of Occidente comprises sixteen—Cardenas, Matanzas, Union, Jaruco, Guines, Santa Maria del Rosario, Guanabacoa, Havana, Santiago de las Vegas, Bejucal, San Antonio, Bahia Honda, Pina del Rio, and Mantua.

ART. IX. Each of these districts will be divided into prefectures, and these in their turn into as many subprefectures as may be considered necessary.

ART. X. For the vigilance of the coasts there will be inspectors and watchmen appointed in each State according to the extent of the coasts and the number of ports, bays, gulfs, and salt works that there may be.

ART. XI. On establishing the limits of the districts and prefectures, the direction of the coast, rivers, and other natural boundaries shall be kept in mind.

CHAPTER II.—OF THE GOVERNMENT AND ITS ADMINISTRATION.

ART. XII. The civil government, the administration, and the service of communications devolve upon the department of the interior.

ART. XIII. The secretary of the interior is the head of the department; he will appoint the employees and will remove them whenever there will be justifiable cause, and will have a department chief to aid him in the work of the department.

ART. XIV. The department chief will keep the books of the department, take care of the archives, will be the manager of the office, and will furnish certifications when requested to do so.

ART. XV. The department of the interior will compile from the data collected by the civil governors the general statistics of the republic.

ART. XVI. The civil governor will inform the department of the interior as to the necessities of his state, will order the measures and instructions necessary for compliance with the general laws of the republic and the orders given by that department, will distribute to the lieutenant-governors the articles of prime necessity which will be delivered to them for that purpose, will communicate to his subordinates the necessary instructions for the compilation of statistics, and will have a subsecretary who will help him in the discharge of his functions.

ART. XVII. The lieutenant-governor will see that the orders of the governors are obeyed in the district, and will have the powers incident to his position as intermediary between the civil governors and the prefects. In case of absolute breach of communication with the civil governors, they will have the same powers as the latter.

ART. XVIII. The prefect shall see that the laws and regulations communicated to him by his superior authorities are complied with. All residents and travelers are under his authority, and, being the highest official in his territory, he in his turn is bound to prevent all abuses and crimes which may be committed.

He will inform the lieutenant-governor as to the necessities of the prefecture; will divide these into as many subprefectures as he may consider necessary for the good conduct of his administration; he will watch the conduct of the subprefects; he will distribute among them with equity the articles delivered to him, and he will have all the other powers incident to him in his character of intermediary between the lieutenant-governor and the subprefects.

ART. XIX. The prefect will also have the following duties: He will harass the enemy whenever possible for him to do so; will hear the preliminary information as to crimes and misdemeanors which may be committed in his territory, passing the said information to the nearest military chief, together with the accused and all that is necessary for the better understanding of the hearing. He will not proceed thus with spies, guides, couriers, and others who are declared by our laws as traitors and considered as such, for these, on account of the difficulty of confining them or conducting them with security, shall be tried as soon as captured by a court consisting of three persons, the most capable in his judgment in the prefecture, one acting as president and the others as members of the court. He will also appoint a prosecuting officer, and the accused may appoint some one to defend him at his pleasure.

After the court is assembled in this form, and after all the formalities are complied with, it will in private judge and give its sentence, which will be final and without appeal; but those who form the said court and who do not proceed according to our laws and to natural reason will be held responsible by the superior government. Nevertheless, if in the immediate territory there be any armed force, the accused shall be sent to it with the facts, in order that they shall be properly tried.

The prefects will take the statistics of his prefecture, setting down every person who is found therein, noting if he is the head of a family, the number of the same, his age, his nationality and occupation, if he is a farmer the nature of his farm, and if he has no occupation the prefect will indicate in what he should be employed. He will also keep a book of civil register in which he will set down the births, deaths, and marriages which may occur.

He will establish in the prefecture all the factories that he can or may consider necessary in order to well provide the army, as it is the primary obligation of all employees of the Republic to do all possible so that the hides shall not be lost, and organizing in the best manner, and as quickly as may be, tanneries, factories of shoes, rope, blankets, and carpenter and blacksmith shops.

He will not permit any individual of his district to be without occupation. He will see that everyone works, having the instruments of labor at hand in proportion to the inhabitants of his territory. He will protect and raise bees, he will take care of abandoned farms, and will extend as far as possible the zones of agriculture.

As soon as the prefect learns that the secretary of the interior or any delegate of this authority is in his district he will place himself under the latter's orders. This he will also do on the arrival of armed forces, presenting himself to their chief in order to facilitate the needed supplies and to serve him in every possible manner. He will have a bugle to warn the inhabitants of the enemy's approach; he will inform the nearest armed force when his territory is invaded. He will collect all horses and other animals suitable for the war and lead them to a secure place, so that when the army may need them or they may be required by the civil authorities to whom they may appertain.

He will provide the forces that may be in or pass through his territory with whatever they may need, which may be within his power, and especially shall he provide guides and beeves and vegetables which the chief may require to maintain the said forces. He will also deliver the articles manufactured in the shops under his immediate inspection, demanding always the proper receipts therefor.

He will also provide the necessary means for the maintenance of all the families of the territory, especially those of the soldiers of the army of liberation.

Until otherwise decreed he will celebrate civil marriages and other contracts entered into by the residents of his prefecture; he will act in cases of ordinary complaints and in the execution of powers and wills, registering the same in a clear and definite manner, and issuing to the interested parties the certificates which they may require.

ART. XX. The subprefects will see that the laws and orders communicated to him by his superior authorities are obeyed in territory under his command; he will inform the prefect as to the necessities of the subprefecture and will see to the security and order of the public, arresting and sending to the prefects those who may travel without safe-conduct, seeing that no violation of law whatsoever is perpetrated, and will demand the signed authority of the civil or military chief who has ordered a commission to be executed.

ART. XXI. The subprefects will compile a census in which the number of inhabitants of a subprefecture will be stated and their personal description; he will keep a book of the births and deaths which will occur in his territory, and of all this he will give account at the end of the year. He will invest the means provided by the prefect to pay the public charges, and if the said resources are insufficient he will collect the deficit from the inhabitants; he will not authorize the destruction of abandoned farms, whether they belong to friends or enemies of the republic, and he will inform the prefect of the farms which are thus abandoned.

ART. XXII. For the organization and better operation of the states' manufactories a chief of factories shall be appointed in each district, who will be authorized to establish such factories which he may deem convenient, employing all citizens who, on account of their abilities, can serve, and collecting in the prefectures of his district all the instruments he can utilize in his work. These chiefs will be careful to frequently inspect the factories, to report any defects which they may notice, and to provide the superintendents with whatever they may need, that the work may not be interrupted.

Together with the prefect he will send to the department of the interior the names of the individuals he considers most adapted to open new shops, and on the 1st day of each month he will send to that department a statement of the objects manufactured in each shop of his district, indicating the place of manufacture, what remains on deposit, what has been delivered, with the names of commanders of forces, civil authorities, or individuals to whom they were delivered.

ART. XXIII. The coast inspectors will have under their immediate orders an inspector, who will be his secretary, who will occupy his place in his absence or sickness, and as many auxiliaries as he may deem convenient. He may demand the aid of the prefects and armed forces whenever he may consider it necessary for the better exercise of his functions. The duties of the inspectors will be to watch the coasts and prevent the landing of the enemy, to be always ready to receive disembarkments and place in safety the expeditions which may come from abroad, to establish all the salt works possible, to capture the Spanish vessels which frequent the coasts on his guard, and to attend with special care to the punctual service of communications between his coast and foreign countries.

ART. XXIV. The coast guards will acknowledge the inspector as their superior, will watch the places designated to them, and will execute the orders given.

ART. XXV. The lieutenant-governors, as well as the inspectors of whatever class, will have their residence, wherever the necessity of their office does not prohibit it, in the general headquarters, so that they can move easily, furnish the necessary aid to the army, and carry out the orders of the military chief.

Country and liberty.

OCTOBER 17, 1895.

The secretary of the interior, Dr. Santiago Garcia Canizares, being satisfied with the preceding law, I sanction it in all respects.

Let it be promulgated in the legal form.

SALVADOR CISNEROS BETANCOURT,
The President.

OCTOBER 18, 1895.

Mr. PROCTOR. Mr. President, I should not have said a word on this matter except for the fact that the Senator from West Virginia [Mr. ELKINS] challenged my statement in regard to the strength of the insurgent army, and, unkindest cut of all, he challenged it on the strength of what Mr. Atkins, of Boston, said. In regard to Mr. Atkins, I will refer any Senators who wish to inquire as to him to the junior Senator from Massachusetts [Mr. LODGE], who knows him well.

My statement in regard to the strength of that army was derived from the reports of our consuls and from a great many other sources, and from the statement of certainly the first and I think two of the largest bankers in Havana, who have their correspondents in every town and city of the island, and who told me as near as they could judge of the strength of the two armies.

I went to Cienfuegos, near which Mr. Atkins's plantation is situated. I saw before I got there, and I learned from various sources after I reached that city, that Mr. Atkins had had special favors from the Spanish Government. It was evident, even in going along in the cars, that there was much larger force guarding his mills than those in other sections. His sugar mills, and others in his vicinity, were running, although all the way from there to Havana there was hardly one. He had had the opportunity to run his mills while others were destroyed. I learned also, to speak plainly, that Mr. Atkins had our consul, Mr. McGarr, at Cienfuegos, in his pocket.

Mr. McGarr was appointed from Tennessee, and I am confident that the senior Senator from Tennessee [Mr. BATE] will not object to anything I say in reference to him. I was told that Mr. Atkins was very generous with certain stimulating beverages which had a lubricating effect upon the consul's mind and tongue.

I wish now to state, Mr. President, precisely what conversation took place. I will state it in three minutes, though the conversation with our consul, Mr. McGarr, occupied an hour. The first inquiry I made was about Mr. Atkins. I told him that Mr. Atkins was from my own vicinity in New England.

Mr. McGarr told me that Mr. Atkins was the finest man in the world; he could not say too much for him. I then asked him about the condition of the reconcentrados and the deaths. He told me that the statements were greatly exaggerated, and he also said "this trouble would have been ended long ago if it had not been for the United States." Those were his exact words. I should say that Miss Clara Barton and Colonel Parker, of this city; Dr. Eagan, of Boston; and Mr. Elwell, of Kansas, were present.

We were sitting about a table in a restaurant. I asked him how many of the reconcentrados in the whole island he thought had died in consequence of the reconcentration order of Weyler's. I thought that his views would be very low, and I suggested a very low number, and asked if it was from five to ten thousand. "Oh, no," he said, "not near as many as that; from one to two thousand." Said I, "In the whole island?" "Yes; in the whole island."

He went on to say that they were in very bad condition when they were driven in. They had been out in the swamps and were half starved. I said to him, "I suppose they were fed by the municipalities and by citizens." "Oh, yes," said he; "they were well supplied when they came in." Said I, "I suppose that this munificent bounty was mainly from Spanish citizens." He said it was, certainly. Said I, "Is it not probable"—I admit I asked leading questions [laughter]—"is it not probable that, coming in in such a half-starved condition, this munificent bounty was the cause of killing a great many of them?" He said, "There is not a doubt of that." [Laughter.] I am willing to leave Mr. McGarr with that statement.

I trust, Mr. President, that the report of the majority of the committee will be adopted striking out the words "are and," in the first resolution; so that it will read:

That the people of the Island of Cuba of right ought to be free and independent.

I could personally vote for the resolution as it stands, because there is a very strange and peculiar condition there. Every house and every family in Cuba, so far as I could see—and I believe it is strictly true—is just as free and independent as we are here, except those who are within the range of a Spanish rifle and inside of a Spanish fortification, and are virtually prisoners of war.

But, Mr. President, it is important that our action be harmonious and prompt. It is not the time to divide, but to concentrate forces when preparing for battle. The effect of united action here will be good in every way; upon our own people, upon the Cubans, upon Spain, and upon European nations. The resolutions differ in policy more than in principle. I should be willing to vote for either the minority resolutions or those of the House, if it seemed the wisest and best policy, but believe the same end will be accomplished by the resolutions of the majority in a manner better for all parties.

And it is from that standpoint of agreement with the purpose of the minority report that I trust for the public good it will not be pressed. Cuba may well rest her case on the highest plane of patriotism—that the present government has no personal aim. It is the freedom of the people they ask. I believe they prefer, for the good of their cause, united agreement upon the majority report rather than divided action.

General Lee and Captain Barker, our consuls, also advise earnestly against formal recognition of the present government. Many prominent Cubans, unfitted for field service, have left the island. Some have been obliged to leave to gain a subsistence. Some have been sent away by the Spanish authorities. When peace is established these men will return, and should be allowed to take part in the formation of the government which the Cuban people will accept. There can be little doubt that it will be practically the government which they have acknowledged and sustained for three years.

And the other wing of this body, who have labored so assiduously for peace, must recognize that further effort in that direction or further delay is harmful to the cause they have at heart. The time for action has come. It is too late to talk or think of peace unless Spain yields. She will be more likely to do so if she sees a united front here. Other nations will be less ready to encourage her. Union of sentiment and celerity of action are of the utmost importance in war. A unanimous vote here to-day would probably be accepted by the other House, and may save thousands of lives and millions of money. The majority resolutions recognize no government, but leave us free to exercise our influence; and our aid in giving Cuba freedom will make this controlling.

If we aid the Cuban people to achieve their independence, we shall, of course, hold the fortifications of Havana, and any others, if it is for their good and ours that we should do so. Our vessels of war and commerce will be at home in their ports with no danger of being blown up. Americans will furnish them lines of transportation by land and water, will sell them their food and wares and merchandise, will rebuild their mills, restore and people the solitude Spain has made and called peace.

In short, full commercial annexation will come quickly. If political annexation ever comes, it should not be until the island is sufficiently Americanized to fully warrant it.

And in my opinion there will be such a development of American ideas and American interests as no part of our country has seen for many years, and in this I know I agree with our consuls and others who are best acquainted with the conditions and capabilities of that wonderful land.

Is it good policy, Mr. President, at the very first step to fail to offer some friendly expression to the men who will be our allies and fight shoulder to shoulder with us?

We know but little of their sacrifices and hardships, but we do know that they are without a parallel in any struggle for liberty in modern times.

I may say that the letter part of which was read by the Senator from New Hampshire [Mr. GALLINGER], was one written to me by a major in Gomez's army whom I met there. I rode over 200 miles with him and stayed over night one night at a hotel where he was. He was an American, a Southern man, and had lived some eight years there. He was engaged in most perilous service. He belonged to a Havana brigade in that province and was engaged in carrying reports from the western province to Gomez and transmitting orders.

All the time I was in the seat with him in the railroad car I thought at any place he might be taken out and shot. Of course it would have been according to the laws of war if he had been tried by a drumhead court-martial; but in Cuba they would have dispensed with that little formality. Of course he was liable to be shot as a spy because he was within the Spanish lines. General Lee and all our consuls knew him. He had been in this confidential service for a long time.

I have just about one minute more, Mr. President, I believe?

The PRESIDING OFFICER (Mr. GORMAN in the chair). The Senator has just a minute and a half more.

Mr. PROCTOR. The statement of this man in regard to the hardships suffered I have no doubt is absolutely accurate. He told me that many of the infantry were entirely naked above the waist, except for a straw hat, and had been sleeping on the ground all winter without blankets and only a covering of grass and twigs.

Either resolution, Mr. President, must accomplish the great result, but that of the majority is but simple justice to these people who have fought and suffered and seen their families starved and subjected to darker wrongs without weakening in their purpose to achieve their freedom. And, Mr. President, what better memorial can we give the sailors of the *Maine* than to see to it promptly that the flag of their murderers no longer floats over the water where they went down or over the soil in which they are buried? [Applause in the galleries.]

The PRESIDING OFFICER. Applause in the galleries is forbidden by the rules of the Senate, and can not be permitted.

Mr. PRITCHARD. Mr. President, it is impossible for me within the time allotted to speakers to intelligently discuss either one of the issues raised by the resolution and the various amendments which are intended to be proposed. While I have sympathized all the time with the Cubans in their struggle for liberty and home rule, I have remained quiet and listened to what others have had to say with respect to this great question, which, in my judgment, is the most important question that has confronted this country since 1860.

Inasmuch as I will not be able to submit an argument in support of the position I occupy, I shall content myself with the statement that I heartily concur in the views expressed by the Senators from Delaware and Wisconsin. They have presented in a

masterful manner what I conceive to be the policy which should be pursued by this body. We can not afford to establish a precedent on this occasion which is in flagrant violation of the principles enunciated by this Government during the late war, and which will in all probability return to plague us in the near future. I am greatly surprised to hear Senators on this floor criticise the conduct of the President, in view of the fact that he has acted in a fair, impartial, and patriotic manner in his treatment of this subject.

The American people are well acquainted with the life and character of William McKinley, and I feel sure that unfounded assertions and insinuations, prompted by a desire to make political capital, will not find successful lodgment in the minds of our people. The time for argument has passed and the hour for action is at hand. The people of this country are anxiously awaiting a final vote on the resolution under consideration.

The President stands ready and willing to obey the mandate of Congress. Let our action be such as to convince the world that we are the descendants of the men who led the American forces at Bunker Hill and Kings Mountain. While the people of the South realize the fact that a war will be detrimental to their interests, at the same time the State of North Carolina is ready and willing to contribute her full quota of brave men in the defense of humanity, and to maintain the dignity and honor of this nation.

Mr. NELSON. Mr. President, I had not intended to take any part in the debate on this question. The spirit to speak did not come upon me until last evening, when listening to the very able and interesting discussion of the question by the Senator from Wisconsin [Mr. SPOONER] and after listening to other Senators who followed in his wake.

Somehow it has been in the air on this side of the Chamber that we who intended to vote for the recognition of the independence of the Cuban Republic were not loyal to the President and were not the friends of the President. Mr. President, I repel any such idea or insinuation. I think that the best friends of the President of the United States at this juncture are the men who aim to keep him in harmony and in touch with the spirit and sympathy and affections of the American people. No one who is at all conversant with the sentiment of the American people, as it appears in the newspapers and as it appears in public meetings and elsewhere, will doubt for a moment that the heart of the American people is with the Cuban Republic. So, Mr. President, with all due respect to my colleagues on this side of the Chamber with whom I differ, I think we who aim to keep the President in touch with that sentiment are as good friends as those who seek to put him in an ice box and keep him away from the hearts of our people.

Mr. President, I listened with great interest to the able argument of the Senator from Wisconsin yesterday, and after listening to it I could not help but come to the conclusion that he did not discuss the real question at issue in this controversy. In order that I may not do any injustice to the position of the honorable Senator, I will briefly state the grounds of his contention.

The two propositions chiefly discussed by the Senator were, first, as to whether the recognition of Cuba was purely an Executive function, beyond the pale of the legislative department; and, second, as to whether, under the principles of international law, it was proper to recognize the Republic.

These propositions, though highly interesting, are not strictly relevant to the issue before us and the issue presented to us by the President—the question of intervention. The President has the right, independent of our authority, to intervene through diplomacy—to peaceably intervene. What he has asked of us, and the issue before us, is the right and power to intervene by force of arms. If the only question presented to us for consideration and determination were the recognition of the independence of the Republic of Cuba, the, nunder those conditions, the question would be one of international law; then it might be pertinent to discuss the question whether the President had the exclusive power of recognition, or whether the power was vested in the legislative department of the Government. And it would then also be pertinent to discuss the question as to whether the recognition of Cuba was justified by the principles of international law. But that is not the question of international law involved. The question of international law presented here to-day is the right and duty of forcible intervention.

Have we the right to intervene by force of arms and expel the Spaniards from Cuba, and to set up an independent government in place of the existing Spanish government? That is the true question of international law involved; that is the political question. If such a right of intervention exists under the principles of international law, if we are justified to intervene by force of arms, then it is not a question of international law whether we accept the republican government now existing in Cuba, or set up another in its place. In either event it will be an anti-Spanish government, a government of our own recognition. The right of forcible intervention being conceded, as it seems to be on all hands, the right to accept the existing republic, or to establish another, can in no wise be a matter of international law, for it is all merged in the greater question—the right and duty of forcible intervention.

Mr. President, if we have the right to forcibly intervene in Cuba, to drive the Spaniards out and set up another government, the question whether we take the republican government that is now existing and ready-made, so to speak, or set up a new one, is not in any sense a question of international law. The question of annexation might be, for that might be construed as bearing on the question of the balance of power; but we all disavow annexation, so that point is not material. If we have the right of forcible intervention, and the right to establish an independent government in Cuba, manifestly the right of the legislative department to take a ready-made republican government is as broad and well-grounded as the right to create such a government. If we have the right to create a republican form of government, we have a right to say that the government that is now existing is such a government. That is not a question of international law.

Forcible intervention and the expulsion of the Spaniards is war, inaugurated under the war-making power of Congress, and Congress, in resorting to war, in declaring war, has full jurisdiction of the entire subject until peace is restored; and in declaring and making such war Congress has the right to say that it will recognize and avail itself as an ally of the Republic of Cuba. And whether war shall come with the recognition of the existing government or the creation of another government is clearly within the war-making power, the power of peace and war, vested in Congress.

The Senator from Wisconsin will not contend that if we intervene by force of arms in Cuba and take possession of the country without a preliminary recognition of independence that the executive department has the exclusive right to set up a new government in Cuba and to determine the manner in which it shall be done, and the character of the same. That is manifestly a matter for the legislative department of the Government. The legislative department can say if it goes to war that it will do so with the Cuban Republic as an existing fact, as a friend and ally. To deny that is to curtail and abridge the war-making power of the legislative department of the Government. The executive department has no right to prescribe the conditions under which Congress shall make war. That is utterly foreign to our system of government.

In any aspect, then, waiving the mere technical, theoretical questions discussed by the Senator from Wisconsin, upon the facts of this case, Congress, under the war-making power, has full and ample jurisdiction of the whole subject-matter of intervention and of all subsidiary questions connected with it, including the recognition or establishment of a government in Cuba. The President has asked us to give him the right to make war to expel the Spaniards from Cuba. He has asked us to put that power in his hands; and when we are asked to grant that power—the highest power given under the Constitution—we have the right, the intrinsic right, vested in us by the Constitution, to say how and under what conditions and with what allies that war-making power shall be exercised.

Mr. President, Spanish rule in Cuba from its inception has been a rule of cruelty, tyranny, and oppression. Within fifty years after the island was first colonized the three or four hundred thousand natives were entirely exterminated. The people of that island, except those who are Spanish Government officials, have been treated as serfs and vassals, have been taxed with the most burdensome taxes, and have been held in a quasi military vassalage. There have been frequent rebellions. I can not enumerate them all; I will simply refer to the great rebellion from 1868 to 1878—the ten years' war. That ten years' war was terminated by a compromise, by which the Spanish Government agreed to give the people of Cuba the same liberty as the people had in Puerto Rico and in Spain; to treat them as Spanish citizens, to give to the slaves who had gone into the insurrection their freedom, and to protect them in all their rights and privileges as Spanish citizens. But what has been the result? That compromise was never carried out in good faith by Spain. Many of the men who surrendered were made captives and transported to distant prisons in distant islands; many of the men who surrendered were slaughtered and assassinated, and the poor people of Cuba, instead of being relieved of the burdens of taxation, instead of being accorded the rights of Spanish citizens, were oppressed worse than ever.

The result of this treachery and oppression was that in 1895 another uprising took place, another rebellion broke out, and this rebellion has been carried on by the insurgents for the last three years in a brave, patriotic, and heroic manner, such as to meet with the approval of all patriotic and good citizens.

No fair and unbiased minds can question the integrity of the Cuban Republic. The Cuban Republic has maintained its ground and has occupied, to the exclusion of the Spaniards, during all this period, the two eastern provinces, which constitute half of the

island. They have had exclusive control of that. There has been a good and orderly government. In the western part of the island—the four western provinces—the only government most of the time has been a military government, and the Spaniards have only occupied and held the seaports and larger towns, and have laid the balance of the country waste, and driven the people—chiefly women, children, and the old and feeble—into camps near the posts and towns held by the Spaniards, and there kept them in a state of cruel want and starvation.

Let me read the testimony of one who has visited Cuba, and speaks from knowledge and observation. I read from Flint, "Marching with Gomez," page 239:

Take it all in all, these two provinces of Camaguey and Oriente are peaceful.

These are the provinces generally called "Santiago de Cuba" and "Puerto Principe."

The small farms are fruitful and undisturbed. Smoke does not tinge the brilliant blueness of the tropical sky. The peasants live in their clearings on the mountain trails as if there were no such thing as war, making their cheese and honey—a contrast to the starving, homeless refugees of the western provinces.

As for traveling, the country is safe as it never was under the old rule; for the insurgents, as I wrote in another chapter, have systematically suppressed outlaws of every description. The prefects are in full sway, each in his district, under surveillance of the civil governors and lieutenant-governors, and in Oriente there are actually schools for the children. To these public schools each citizen is required by law to send his children, despite any notion he may have of his own for their private instruction.

I have before me a little blue-covered pamphlet, the very first primer of free Cuba. It was written by order of the government.

Mr. President, the insurgents have a more stable government, a bigger army, and a better organized administration than the government of the colonies had during the Revolutionary war. This is a matter of history. The only government the colonies had during the Revolutionary war was the Continental Congress, and this was helpless, unpopular, and well-nigh without any power. It was little more than a mere advisory body. In fact, the only substantial head of the government was George Washington and his personality. Gomez has had a bigger army and more of a government at his back than Washington had. There are better and stronger grounds for our recognizing the Cuban Republic than there was for recognizing the United States by France in 1778. To ignore Gomez and the Cuban Republic seems to me to be cold, icy heartlessness, unworthy a great nation and a great people.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The Senator's time has expired.

Mr. PERKINS. Mr. President, I am deeply impressed with the responsibility which rests upon me in casting my vote in what appears to be a crisis in the history of our country. I believe it to be a religious duty for every Senator to carefully consider and duly weigh the various issues which have been here presented, so that when he shall have cast his vote he will have the conscientious satisfaction of knowing that he has done so with a motive as pure as snow; that he has been influenced by no desires but those which will promote and advance the welfare and prosperity of our common country.

It is an individual responsibility which each Senator must take upon himself. He can not delegate it to another, and as he votes so his record must stand. There is not a Senator upon this floor that will probably live long enough to ever again be called upon to vote upon a question fraught with so much importance to the people of our common country!

The very able report which has been presented to us by the Committee on Foreign Relations, a report which for all time will be preserved in the archives of the nation as a memorial of the research of the statesmanship of that committee and reflects the highest credit upon its author, says, among other things, in the resolution, that the people of the Island of Cuba are and of right ought to be free and independent.

They make this declaration, and if they, the people of Cuba, are free and independent, ought we not to acknowledge it by our vote for the resolution which shall become a law upon our statute books? The three great political parties of this country, in its last Presidential campaign, in their respective conventions embodied in platforms the declaration that by right the people of the Island of Cuba should be free and independent and their independence acknowledged. This is not a party question. It is a great American, a great national question. But I only refer to it at this time to justify my course, for in voting as I do I not only carry out the wishes of the people as expressed by them in conventions, but I also certainly act in accordance with my own convictions of duty.

The people of Cuba ought to be free. For three years they have fought, they have sacrificed home and family, they have suffered privations and cruelties the like of which have never been known in the present generation in any country of the world. We ought to acknowledge their independence because Spain has done so by indirection in issuing the edict that hostilities shall be suspended and an armistice granted. If the Cubans are not in revolution, if they have not been making a fight for liberty, why should they grant them an armistice? We should acknowledge the independence of Cuba, because then we are divorced from the charge by any European power that we are influenced by motives of acquisition, of conquest, or other ulterior purposes. Our motive is a pure one. It is a true one. We do not want the island; but we want this savage war to cease. We want peace to reign there, and we want those people who have been fighting for all that is dear to them finally to reap the reward to which they are justly entitled.

I have received many telegrams and letters asking me well to consider before I vote for a measure that brings war upon the country. They ask me if I wish to give my boy, my friend, a sacrifice to the demon war. I might have answered them, Mr. President, if that spirit had prevailed with our Revolutionary fathers, we would have had no country; we would not have had the religious and civil liberties enjoyed by 70,000,000 people in a country where every man is equal before the law, where every man has open to him every avenue to fame, every avenue to honor, every avenue to the highest position in the land.

But I will answer them from my seat here in this august body, I am ready and willing to fight as I vote; that when I vote for this resolution I enroll my name among those who believe that our country is greater than any man or any combination of men; that our country is next to our Creator, and that my life is at the service of my country when she calls either in the field or upon the waters.

But I do not intend to boast, for I remember the Good Book says, "Let not him that girdeth on his harness boast himself as he that putteth it off."

I remember the story of a friend of mine who went to battle when it raged thick and fast. He was a nervous man. His companion was physically brave, physically strong; he knew no fear; and as the engagement was about to commence he looked at him and said: "You are afraid; you are frightened." He looked at him a moment and said: "Yes; I am afraid; I am frightened; and if you were half so frightened as I am you would run away." This was high moral courage. It is that spirit which should inspire us as we approach this great crisis.

I can not forget the *Maine*. I can not blot out from my memory the recollection of those 266 gallant American sailors, blown into eternity without warning, who were assassinated in their sleep, who went down on that night of terror without being awakened to say a prayer, to lisp a word asking their Maker's blessing. I can not forget that tragic event here at the close of the nineteenth century, which has so deeply impressed everyone with its awful solemnity. Who were those 266 men? Had they brothers? Had they fathers or mothers or children? If they had not, there are millions of American citizens who cry out that that murder shall be avenged.

Mr. President, that of itself, I believe, is sufficient warrant for us to go to war, sufficient warrant for us to say that the Spaniards are not capable of governing Cuba, and therefore they should leave the island. There was not a cartridge, not one pound of high explosive that Spain imported into that island for three years that was not under the surveillance, the espionage of the authorities of the island. The people knew that to possess such material meant death. One of those liberal laws made by that Spanish patriot, Weyler, was that if there was found in the possession of anyone without a government permit a pound of any high explosive the penalty was death.

Mr. President, Spain is responsible for that great catastrophe.

I do not wish to be placed in a position in voting for the independence of Cuba where it can be said that I am not voting to support the Administration. All honor to President McKinley. All honor to his name. When the history of this country shall be written not only will its pages be illuminated by his heroic acts, for he won his spurs and his epaulets upon the battlefield, but one of the brightest pages will recite that in this great pressure which has been brought to bear upon him, in this great hour of his trial, when a God-fearing and a God-loving people have been beseeching him to avert war, he has used every honorable means to do so. He has resisted the importunities of those who urged him to haste, he has waited prayerfully, patiently, hoping against hope. He has spared no effort. He has neglected nothing that he could do to give peace to this country. But in his message he says, "I have exhausted every effort, and I refer it now to Congress, the representatives of the people." So, acting upon those instructions, I shall vote in accordance with what I believe to be my duty, and what I believe he would do if he stood in my place.

On April 18, 1775, two lights hung out on the old church at South Boston, and when those lights were seen sparkling across

the water Paul Revere came to the front and rode from Lexington, through Concord, saying, "To arms! To arms! Liberty is assailed, and the foe is upon us!" He was carrying the signal for independence. I believe that on Monday next, the 18th of April, 1898, when the House of Representatives shall have concurred in the joint resolution which we shall pass to-night, some Paul Revere will leave Key West, or some other port on the Atlantic, in an American-built vessel, manned by an American crew, with the Stars and Stripes flying at its peak, while at its fore truck there will be two lights, one red and the other white—the red signifying we press forward with zeal and fortitude against oppression and cruelty, your cause is just; the white light signifying we are a messenger of peace, and the great heart, the great sympathies of the American people that have been with you all these years of struggle, all these dark hours of suffering, these long nights of pain and agony are now ended in fruition, and we have come as a messenger of peace to give you our right hand of fellowship and to declare that Cuba shall be a free and independent people.

Mr. THURSTON. Mr. President, I shall vote to recognize the independence of the Cuban Republic, and quietly and dispassionately, in the briefest possible time, I feel it my duty to present the principal reasons that guide my action.

I am a Republican and I have been urged by every consideration of the welfare of my party to vote against this resolution because it is alleged to be of Democratic origin. No man has ever questioned my Republicanism, and no man can, but in a case of this kind I am something better than a Republican, I am an American; and my duty as an American citizen places me above the clouds and the fogs of party discipline or party decision. I aim to stand in the clear sunlight of the duties and responsibilities of American citizenship.

No man upon this floor or elsewhere shall outdo me in eulogium of the President of the United States. I helped to raise the standard of William McKinley and I helped to carry it to success in convention and at the polls. I am ready to stand by him for the honor of my country, and I repudiate here the suggestions made to the public ear that the President of the United States and the Congress of the United States can be divided by any mere difference in the terms of resolutions that are to be adopted by the Senate and the House.

There is, there can be, there will be no division between the Congress and the President. He has advised us that he has exhausted his powers and responsibilities of diplomacy, and he has asked us to exercise our judgment, not his. For our judgment we answer to our own consciences, to our own high ideals of public duty.

Mr. President, in the message from the President of the United State he states clearly and specifically and rightfully the three alternative forms of intervention possible in the Island of Cuba. He says:

> There remain the alternative forms of intervention to end the war, either as an impartial neutral by imposing a rational compromise between the contestants or as the active ally of the one party or the other.

He is right. There are but three methods of intervention possible. As to the first he further properly and rightfully says:

> It involves, however, hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement.

Mr. President, I am opposed "to intervention as an impartial neutral by imposing a rational compromise between the contestants." We have declared that there is no compromise possible between Spain and the people of Cuba. We will declare in our resolutions that the people of that island have a right to be free, and the only action which we can sanction as a nation is the removal of the Spanish sovereignty from Cuba.

Mr. President, I am opposed to intervention which imposes "hostile constraint upon both the parties to the contest as well to enforce a truce as to guide the eventual settlement." The dispatches from foreign countries every morning bring to our ears the deliberate opinions of the people of those governments that through the intervention of the United States an end is to be put to the war and Cuba made free upon the condition of the guaranteeing or assumption in some form or another of the obligation of the Spanish debt. Mr. President, God forbid. When the deed of Cuban freedom is signed by the powers of the world, let there be no stain of blood money upon it, and let it not be sealed by a dollar mark.

Mr. President, when we intervene in Cuba we know it means war—war on the sea, war on the land. When we enter a Cuban port, when we raise our flag, when we establish a base of military movement and supply, I do not want the American youth to go down there by the hundreds and the thousands, to take the chances of fever and of disease and of bullets and of battle, unless it is absolutely necessary. If we recognize the Cuban Republic, if we intervene as the friend of that government, which already has an army, not one American youth will ever have to march by land upon Havana. The Cuban Republic has an army. Give it recognition, give it arms, give it munitions, give it a base of supply at a port held under the guns of American battle ships, and it will do the fighting. It will drive Spain into the sea.

Mr. President, I am done. When the Stars and Stripes go up on Cuban soil, I want our flag to share equally the free air of Cuba with another flag that bears a single star. Under the flags of two Republics, acknowledged before all the world, humanity and liberty will be safe and secure.

Mr. MORGAN. Mr. President, I suppose from the fact that the list of speakers is about exhausted, we are approaching the time when a vote is to be taken. The question before the Senate, as I understand, according to parliamentary law, is the motion of the Senator from Indiana [Mr. TURPIE] to amend the resolution brought in by the committee. The same language which the Senator proposes in his amendment was in the resolution when it was first offered in the Senate by the Senator from Ohio [Mr. FORAKER]. It was in the resolution as it was adopted by the committee on two or three distinct votes, and I voted for it, there being no question made about its propriety.

When, however, we came to the final vote to report the resolution to the Senate, a motion was made by some Senator—I forget who it was, and if I knew, I would not name him—to strike out that part of the resolution. I voted against striking out that part of the resolution. After it was stricken out, a roll call was had, and the resolution was adopted by the unanimous vote of the committee, each member in his place and voting on the roll call, some of them, however, saying that they would reserve the right to offer in the Senate that branch of the resolution which had just been stricken out. The resolution is therefore properly before the Senate with the understanding of the committee, and would be properly before the Senate without any such understanding, on the right of any Senator to propose it.

The views of the minority, as it is called, were drawn up by the honorable Senator from Indiana [Mr. TURPIE] in the following words:

> The undersigned members of the said committee cordially concur in the report made upon the Cuban resolutions—

That was after we had adopted them—

> The undersigned members of the said committee cordially concur in the report made upon the Cuban resolutions, but we favor the immediate recognition of the Republic of Cuba, as organized in that island, as a free, independent, and sovereign power among the nations of the world.

I declined to sign that report. That declaration, in my judgment, does not comport with the meaning of the part of the resolution stricken out, which is as follows:

> That the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

That part of the resolution which was stricken out, and which I have just read, did not say that we recognize "the Republic of Cuba as organized in that island as a free, independent, sovereign power among the nations of the world."

When I came to think over this subject I became alarmed at the idea that we were about to leave that part of the resolution in the body of it, and I will state my reasons for being alarmed at it. Before doing so, I will say, however, that I think I can appeal to the Senate of the United States, to the people of the United States, and more especially to the people of Cuba, that they have never had a firmer friend on this floor or anywhere else than I have been for quite three years, and they do not misunderstand me now, and they will never misunderstand a word I say. On the contrary, my views have been submitted to Mr. Estrada Palma, fully discussed, and he concurs in my views as being absolutely correct on this subject. So, sir, I am not taking any ground different from what I have always occupied upon this subject.

Why do I object to that? First of all, if my brother were the president of the Cuban Republic or the leader of the Cuban army, I would not trust him with the power that is conferred upon him by the amendment, especially by the declaration, which departs from the amendment really contained there, that he is the leader of the armies of a free, sovereign, and independent republic. Why would I not do that? Because I would not trust the welfare of my own people in the hands of any man who lives, the power to be exercised at his arbitrary discretion.

I have great admiration for General Gomez. I am not a man worshiper or a hero worshiper, but if there were a man whom I would pick, from my understanding and knowledge of men in the world, as a conspicuous example of high virtues, civic and military, as a man entitled to stand as the most majestic person in the eyes of the world, with the sword of liberty drawn in his hand, it is General Gomez. So in regard to President Masó, so in regard to his cabinet, and so in regard to the brave and splendid people they represent. I have an intense admiration and a warm, genuine, honest affection for every one of them, and I expect, old as I am, to live to see the day when the single star of the flag of Cuba

will float in triumph on the Castle Morro. I have not any doubt of it.

But, sir, from the beginning, in all my advocacy of belligerency, I have always said I was acting for the American people, for their interests, their honor, and their welfare, praying God that that action might redound to the advantage of the Cuban Republic. But, sir, on the floor of the Senate we act for nobody but the people of the United States. I have no commission to do anything myself.

We have but one example in history on this subject. It has been loosely referred to here on the floor of the Senate in such a manner as to inspire the belief that Senators have not read the history of their country. It has been said often here that France recognized the independence of the United States. Oh, what a blunder there is upon the facts!

Our independence was declared on the 4th day of July, 1776. We went on in that war unassisted by any foreign power, and almost without the recognition of our existence as a nation except by little Holland, until 1778. Then Franklin went to Paris for the purpose of negotiating for money to conduct the war, and he got it. In conducting that negotiation he made first a preliminary and secret agreement with the French Crown. Then he made the treaty, offensive and defensive, which we had so much trouble in getting rid of twenty years later, and had to resort to an act of Congress to repeal it. That treaty was signed by Gerard, Ben Franklin, Silas Deane, and Arthur Lee. Did that recognize our independence? Let me read the eighth article and see whether it did.

Neither of the two parties—

That is, the United States and France—

shall conclude either truce or peace with Great Britain without the formal consent of the other first obtained, and they mutually engage not to lay down their arms until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war.

That is the only precedent we have. That is what you call a declaration of independence. That bound us to fight the battles of France and it bound France to fight our battles. We were not independent enough to make a treaty of peace or a truce without the consent of France. That is what you call the independence recognized by France.

Mr. DANIEL. The treaty itself was a recognition of independence.

Mr. MORGAN. It might be so inferred.

Mr. GRAY. They did not dare do it without a stipulation.

Mr. MORGAN. They did not dare do it, as the Senator from Delaware suggests, without that stipulation. That is the only precedent we have. Why did our fathers require that of France? Because she might make a treaty with Great Britain and leave us in the lurch. Why did France, who had not then declared war against Great Britain, but was providing for it in that very treaty, require it of us? Because we might make a treaty with Great Britain, our mother, and leave her in the lurch.

If the people of the United States in the Revolutionary war were not willing to trust the French people, who had been lending them money to conduct their war, without a stipulation of this sort, I, sir, can not be willing to trust General Gomez or President Masó or any other of those noble and splendid men in Cuba without some arrangement at some time that they shall not go and make a treaty with Spain and leave us with the bag to hold.

Mr. DANIEL. Will my honorable friend let me ask him a question?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Virginia?

Mr. MORGAN. Yes.

Mr. DANIEL. I ask the Senator if he does not recognize that there is now a civil, established, republican government in Cuba?

Mr. MORGAN. Yes; in a part of it. Do you recognize that there is a civil government of a republic in Havana?

Mr. DANIEL. No, sir; I do not.

Mr. MORGAN. Very good. Sir, it is the treaty-making power that has got that to handle, not the Congress of the United States. We can not by a statute here make a treaty with them. It is not a power of Congress. When we make this declaration, it is a legislative declaration.

Mr. DANIEL. I will ask my honorable friend——

The PRESIDING OFFICER. Does the Senator from Alabama yield?

Mr. DANIEL. Will my honorable friend yield to another question?

Mr. MORGAN. I had better yield the floor, I find.

Mr. DANIEL. It is only by his permission, and it is for him to say whether he yields to a question or not.

Mr. MORGAN. I can not yield out of my time. I have a few words more to say.

The PRESIDING OFFICER. The Senator from Alabama declines to yield.

Mr. MORGAN. Mr. President, if my remarks raise suggestions in the mind of the Senator from Virginia it is because they are potent and need the attention of the Senate.

Mr. DANIEL. It is very nice for the Senator to answer me without permitting me to ask a question.

Mr. MORGAN. The Senator spoke here for three hours, or very nearly so, the other day, on this question, and I have abstained from saying one word in this great debate.

Mr. DANIEL. If the Senator will permit me, I will say that I spoke in advocacy in the main of the views for which he had spoken for three months.

Mr. MORGAN. I never in the Senate announced my purpose or wish to declare the independence of the Republic of Cuba.

Mr. DANIEL. But for the recognition of the republic.

Mr. MORGAN. No, sir.

The PRESIDING OFFICER. Senators are requested to address the Chair.

Mr. MORGAN. No, sir. The recognition of belligerent rights of the republic; that is all.

Mr. DANIEL. Yes; but we can not recognize belligerent rights without recognizing the republic.

The PRESIDING OFFICER. The Senator from Alabama is entitled to the floor.

Mr. MORGAN. When I have no liberty to ask the courtesy of the Senator from Virginia, I will insist upon my rights.

Now, I presented that. Let some of the gentlemen answer it who have more time than I have to do it. That is what alarmed me. Another thing alarmed me. We are laying down here a precedent of international law. We are recognizing a republic as a free, sovereign, and independent power amongst the nations of the earth. It is subject to the difficulty that it does not possess the control of the entire island, and yet we recognize it for the entire island and not for a part of it. They do not possess it. That is not true. No mere academic declaration can make it true. No declaration of ours can make it true in point of fact.

When we lay down in this very important, grave, and momentous case the doctrine that we will feel authorized as a great Republic to recognize a nation as being sovereign, free, and independent, and one of the powers of the earth, when there is no higher qualification for that honor and that power than the Republic of Cuba at this moment possesses, we will find that the powers of Europe necessarily will question our right to put such a feature in the international law, and they will make an application of it to us that will be extremely embarrassing, to say the least of it.

That will be this—that whenever an insurrection of any kind shall spring up in one of their colonies in or about the Western Hemisphere, all that we expect to do is that an insurrection shall be organized and have an army in the field, and although they have not accomplished the reduction of the country to the sway of their military or their civil power, and although they have never before had any such power to which they could recur as being restored by the revolution, we declare that they are entitled to our support with the Army and Navy of the United States, if they are fighting in what we esteem to be the cause of liberty. Mr. President, I do not wish to inscribe that upon the laws of nations as a precedent. It goes too far. It is extremely dangerous. That is all I will say about it.

The PRESIDING OFFICER rapped with his gavel.

Mr. MORGAN. Has my time expired?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KENNEY. Mr. President, it is not my purpose to delay the Senate in further debate upon this question. I desire only to refer to the vote which I shall cast upon the resolutions that are now before us.

I base my action wholly upon the remarks that I have made heretofore. I shall vote for the resolution that has been offered from the minority of the Committee on Foreign Relations by the Senator from Indiana [Mr. TURPIE] for the reason that it is my duty, as far as I am able, to prevent bloodshed of American citizens, and I believe if that resolution is adopted and the President acts in accordance therewith there will be in the Island of Cuba an army of insurgents able to make the fight for the complete liberty of the Cuban Government without the aid or the sacrifice of a soldier of this country. I shall therefore most heartily and earnestly support the amendment offered by the Senator from Indiana.

The VICE-PRESIDENT. The joint resolution is before the Senate as in Committee of the Whole and open to amendment.

Mr. DAVIS. I offer an amendment to come in as an additional section to the joint resolution.

The VICE-PRESIDENT. The Senator from Alabama has offered an amendment that has been pending in the afternoon.

Mr. MORGAN. My amendment is, I understand, in order now, unless the Senator from Indiana [Mr. TURPIE] chooses to press his amendment, he having a right, as I concede, to perfect the resolution of the committee before any substitute is offered.

The VICE-PRESIDENT. As the Chair understands the order of the amendments, the amendment proposed by the Senator from Indiana [Mr. TURPIE] should be first submitted, because it proposes to amend the text of the joint resolution that is before the Senate.

Mr. MORGAN. That is what I think is right.

Mr. TURPIE. I appeal to the Senator from Minnesota——

Mr. DAVIS. I withdraw the amendment I offered.

Mr. CHANDLER. I ask for the yeas and nays upon the amendment of the Senator from Indiana.

Mr. TURPIE. I appeal to the Senator from Minnesota to allow me to offer this amendment and have a vote upon it.

Mr. DAVIS. Certainly.

Mr. MORGAN. I thought it had been offered.

Mr. TURPIE. It has been offered.

The VICE-PRESIDENT. The Senator from Indiana offers an amendment, which the Secretary will read.

The SECRETARY. In line 4, after the word "independent,' insert:

And that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

Mr. DAVIS. I ask that a direct vote may be taken upon that amendment.

Mr. CHANDLER and Mr. MILLS called for the yeas and nays; and they were ordered.

Mr. HOAR. I desire that the resolution be read and the amendment pending to it, so that we may know exactly what we are to vote upon.

The VICE-PRESIDENT. The Secretary will read the original joint resolution reported from the Committee on Foreign Relations and then the amendment of the Senator from Indiana.

The joint resolution reported by the Committee on Foreign Relations is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

At the end of the first paragraph, after the word "independent," Mr. TURPIE moves to insert the words:

And that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

So that if amended the first paragraph would read:

First. That the people of the Island of Cuba are, and of right ought to be, free and independent, and that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful government of that island.

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the amendment of the Senator from Indiana [Mr. TURPIE].

The Secretary proceeded to call the roll.

Mr. SPOONER (when his name was called). I am paired with the Senator from Mississippi [Mr. WALTHALL]. He is absent from the Senate, seriously ill, and has been for some days. He sent to me a message by the Senator from Arkansas [Mr. BERRY] informing me that the matters pending upon this subject are of such consequence that under the circumstances he did not feel it to be fair that I should be precluded from voting because of the pair, and therefore releasing me from the pair. I ask unanimous consent to say what every Senator here knows, that this considerateness upon his part is altogether characteristic of him as we have all known him. I ask the Senator from Arkansas if I do not state correctly his message?

Mr. BERRY. The Senator from Wisconsin has stated the exact words of the Senator from Mississippi. He said that he did not think it was fair to the Senator from Wisconsin that that Senator should be deprived of his vote on these important questions and, therefore, as he was not able to be here, the Senator from Wisconsin was at entire liberty to vote as he saw proper. He so stated to me and requested me to communicate the message to the Senator from Wisconsin.

Mr. SPOONER. I vote "nay."

The roll call having been concluded, the result was announced—yeas 51, nays 37; as follows:

YEAS—51.

Allen,	Gallinger,	Mason,	Roach,
Bacon,	Harris,	Mills,	Smith,
Baker,	Heitfeld,	Mitchell,	Stewart,
Bate,	Jones, Ark.	Money,	Teller,
Berry,	Jones, Nev.	Murphy,	Thurston,
Butler,	Kenney,	Nelson,	Tillman,
Cannon,	Kyle,	Pasco,	Turley,
Chandler,	Lindsay,	Penrose,	Turner,
Chilton,	McEnery,	Perkins,	Turpie,
Clay,	McLaurin,	Pettigrew,	Vest,
Cockrell,	Mallory,	Pettus,	White,
Daniel,	Mantle,	Quay,	Wilson.
Foraker,	Martin,	Rawlins,	

NAYS—37.

Aldrich,	Fairbanks,	Hoar,	Sewell,
Allison,	Faulkner,	Lodge,	Shoup,
Burrows,	Frye,	McBride,	Spooner,
Caffery,	Gear,	McMillan,	Warren,
Carter,	Gorman,	Morgan,	Wellington,
Clark,	Gray,	Morrill,	Wetmore,
Cullom,	Hale,	Platt, Conn.	Wolcott.
Davis,	Hanna,	Platt, N. Y.	
Deboe,	Hansbrough,	Pritchard,	
Elkins,	Hawley,	Proctor,	

ABSENT—1.

Walthall.

So Mr. TURPIE's amendment was agreed to.

Mr. DAVIS. I offer an amendment to the pending joint resolution.

The VICE-PRESIDENT. The amendment submitted by the Senator from Minnesota [Mr. DAVIS] will be stated.

The SECRETARY. At the end of the joint resolution add the following paragraph:

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. DAVIS].

The amendment was agreed to.

Mr. FRYE. I move to strike out in line 1 of the joint resolution the words "are, and;" so that, if amended, the paragraph would read:

First. That the people of the Island of Cuba of right ought to be free and independent, etc.

Mr. DAVIS. I move to lay the amendment of the Senator from Maine [Mr. FRYE] upon the table.

Mr. ALDRICH. On that I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 55, nays 33; as follows:

YEAS—55.

Allen,	Faulkner,	Mallory,	Quay,
Bacon,	Foraker,	Mantle,	Rawlins,
Baker,	Gallinger,	Martin,	Roach,
Bate,	Hansbrough,	Mason,	Smith,
Berry,	Harris,	Mills,	Stewart,
Butler,	Heitfeld,	Mitchell,	Teller,
Cannon,	Jones, Ark.	Money,	Thurston,
Chandler,	Jones, Nev.	Murphy,	Tillman,
Chilton,	Kenney,	Nelson,	Turley,
Clark,	Kyle,	Pasco,	Turner,
Clay,	Lindsay,	Penrose,	Turpie,
Cockrell,	Lodge,	Perkins,	Vest,
Daniel,	McEnery,	Pettigrew,	Wolcott.
Davis,	McLaurin,	Pettus,	

NAYS—33.

Aldrich,	Frye,	McMillan,	Spooner,
Allison,	Gear,	Morgan,	Warren,
Burrows,	Gorman,	Morrill,	Wellington,
Caffery,	Gray,	Platt, Conn.	Wetmore,
Carter,	Hale,	Platt, N. Y.	White,
Cullom,	Hanna,	Pritchard,	Wilson.
Deboe,	Hawley,	Proctor,	
Elkins,	Hoar,	Sewell,	
Fairbanks,	McBride,	Shoup,	

ABSENT—1.

Walthall.

So Mr. FRYE'S amendment was laid on the table.

Mr. MORGAN. Mr. President, I call up the substitute offered by me, and I ask that it may be reported.

The VICE-PRESIDENT. The Secretary will report the substitute amendment offered by the Senator from Alabama.

The SECRETARY. It is proposed to strike out the preamble and all after the resolving clause of the joint resolution, and insert the following:

That the United States of America, without fault on their part, being involved in hostilities with Spain, on account of the war that is being waged by that power against the people of Cuba; the conduct of which is inhuman in its character; has long disturbed the peace of the United States; has greatly injured our commerce; has violated the rights of our people, guaranteed by treaties; has destroyed their lives by assassination and their property with the torch, and has culminated in the loss of the lives of our officers and sailors through the criminal destruction of the battle ship *Maine* while it was at anchor in the bay of Havana, on a visit of courtesy; and also for other well-known causes.

First. The Congress of the United States declares that a state of war exists between the Government of Spain and the Government and people of the United States.

Second. The foregoing declaration does not apply to the government of the Republic of Cuba or to the people who are included in its citizenship.

Third. The President of the United States is empowered and required to use the land and naval forces of the United States in executing and maintaining this declaration of war until an honorable peace is concluded and the future safety and welfare of the people of the United States and the independence of Cuba are secured by the expulsion of the armed forces and the dominion of the Spanish Government from the Island of Cuba.

The VICE-PRESIDENT. The amendment is before the Senate.

Mr. DAVIS. I move that the amendment lie upon the table.

Mr. MORGAN. I ask for the yeas and nays upon that motion.

The yeas and nays were ordered; and being taken, resulted—yeas 83, nays 5; as follows:

YEAS—83.

Aldrich,	Elkins,	Lodge,	Proctor,
Allen,	Fairbanks,	McBride,	Quay,
Allison,	Faulkner,	McEnery,	Rawlins,
Bacon,	Foraker,	McLaurin,	Roach,
Baker,	Frye,	McMillan,	Sewell,
Bate,	Gallinger,	Mallory,	Shoup,
Berry,	Gear,	Mantle,	Smith,
Burrows,	Gorman,	Martin,	Spooner,
Butler,	Gray,	Mills,	Stewart,
Caffery,	Hale,	Mitchell,	Teller,
Cannon,	Hanna,	Money,	Thurston,
Carter,	Hansbrough,	Morrill,	Tillman,
Chandler,	Harris,	Murphy,	Turley,
Chilton,	Hawley,	Nelson,	Turpie,
Clark,	Heitfeld,	Pasco,	Vest,
Clay,	Hoar,	Penrose,	Warren,
Cockrell,	Jones, Ark.	Perkins,	Wellington,
Cullom,	Jones, Nev.	Pettus,	Wetmore,
Daniel,	Kenney,	Platt, Conn.	White,
Davis,	Kyle,	Platt, N. Y.	Wolcott.
Deboe,	Lindsay,	Pritchard,	

NAYS—5.

Mason,	Pettigrew,	Turner,	Wilson.
Morgan,			

ABSENT—1.

Walthall.

So Mr. MORGAN'S amendment was laid on the table.

Mr. DAVIS. If there are no other amendments to the Senate joint resolution, I now move to take from the table House joint resolution 233 and lay the Senate resolution aside informally. I will state that I make this motion for the purpose of substituting the Senate resolution as now formulated for the House resolution.

The VICE-PRESIDENT. The Senate has heard the motion made by the Senator from Minnesota.

Mr. WHITE. Will the Chair kindly state the motion made by the Senator from Minnesota?

The VICE-PRESIDENT. The Chair understood the motion to be to take from the table House joint resolution No. 233, in order that a motion for the substitution of the Senate resolution may be made. Is there any objection? The Chair hears none, and the joint resolution (H. Res. 233) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein, is before the Senate, as in Committee of the Whole, and open to amendment.

Mr. DAVIS and Mr. PLATT of Connecticut. Let the joint resolution be reported.

The VICE-PRESIDENT. The Secretary will report the joint resolution.

The Secretary read the joint resolution (H. Res. 233), as follows:

Whereas the Government of Spain for three years past has been waging war on the Island of Cuba against a revolution by the inhabitants thereof without making any substantial progress toward the suppression of said revolution, and has conducted the warfare in a manner contrary to the laws of nations by methods inhuman and uncivilized, causing the death by starvation of more than 200,000 innocent noncombatants, the victims being for the most part helpless women and children, inflicting intolerable injury to the commercial interests of the United States, involving the destruction of the lives and property of many of our citizens, entailing the expenditure of millions of money in patrolling our coast and policing the high seas in order to maintain our neutrality; and

Whereas this long series of losses, injuries, and burdens for which Spain is responsible has culminated in the destruction of the United States battle ship *Maine* in the harbor of Havana and in the death of 200 of our seamen:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and directed to intervene at once to stop the war in Cuba to the end and with the purpose of securing permanent peace and order there and establishing by the free action of the people thereof a stable and independent government of their own in the Island of Cuba; and the President is hereby authorized and empowered to use the land and naval forces of the United States to execute the purpose of this resolution.

Mr. DAVIS. I move to strike out all after the resolving clause and to insert in lieu of what is stricken out the Senate joint resolution as it has been amended.

Mr. ALDRICH. Let the substitute be reported.

Mr. HALE and Mr. PETTUS addressed the Chair.

The VICE-PRESIDENT. The Chair will first recognize the Senator from Maine and afterwards recognize the Senator from Alabama.

Mr. HALE. Mr. President, the motion of the Senator from Minnesota, if carried, brings the Senate into deadlock with the House of Representatives and with the President of the United States.

We present to-day a remarkable spectacle——

Mr. WOLCOTT. Mr. President, if I may interrupt the Senator from Maine, as that is a most serious statement to Republicans, some of whom expect to vote for the resolution, I should like to ask the Senator from Maine if he is authorized by the President of the United States to say that those who vote for this resolution vote to establish a deadlock between Congress and the President of the United States?

Mr. HALE. I must select, Mr. President——

Mr. TELLER. I rise to a question of order.

Mr. TURPIE. Mr. President——

The VICE-PRESIDENT. The Senator from Colorado rose to a question of order, which he will state.

Mr. TELLER. I desire to submit to the Chair a question of order. It is out of order for the Senator from Maine or for any other Senator to refer to what may happen in the other House; it is also out of order to refer to what the Executive may do. It is a great breach of privilege to do that, as has been held many times.

Mr. TURPIE. Mr. President——

Mr. HALE. I hope this will not be taken out of my time.

Mr. PETTUS. I want to make another point of order.

The VICE-PRESIDENT. The Senator from Alabama will state his point of order.

Mr. PETTUS. We have unanimously agreed that there shall be no further discussion.

Several SENATORS. No, no!

The VICE-PRESIDENT. The Senator from Indiana [Mr. TURPIE] is recognized.

Mr. TURPIE. The Senator from Alabama has made the point I wished to make.

The VICE-PRESIDENT. The Chair does not understand that there has been any such agreement as that stated by the Senator from Alabama. He understands, after consulting the RECORD and the Senator who proposed the unanimous-consent agreement yesterday, that there were but two branches of the agreement; one was, that with the exception of the reservation of four hours to certain Senators, other speeches should be limited to fifteen minutes, and the other, that the final vote should be taken to-day. The Senator from Maine will proceed in order.

Mr. HALE. Mr. President——

Mr. TELLER. I should like to have the Chair decide my point of order.

The VICE-PRESIDENT. The Chair has asked the Senator from Maine to proceed in order.

Mr. HALE. And I hope, Mr. President, that my service in the Senate has not been such that I shall proceed to violate any rule of the body. I shall endeavor to show briefly, as I must, the ground for the statement with which I opened my remarks, and in doing so I do not pretend to speak as the organ of the President of the United States or to know in any contingency in the future what will be his action; but I repeat, if the motion of the Senator from Minnesota prevails, it brings the Senate into deadlock with the President of the United States, as shown by communications from him that are now before the Senate.

Mr. TELLER. Mr. President, I again raise the question of order, that the Senator is not proceeding in order; and I ask a decision of the Chair.

The VICE-PRESIDENT. The point made by the Senator from Colorado is quite new to the occupant of the chair; but by reference to page 94 of Jefferson's Manual, he finds it is stated that—

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

The Chair simply quotes that rule of procedure to the Senator from Maine, and asks him, if he will, to proceed in order.

Mr. HALE. I do not propose——

Mr. BURROWS. Will the Senator yield to me for a moment?

Mr. HALE. Certainly.

Mr. BURROWS. I think there is some misunderstanding as to what the pending motion is. My understanding is that the motion of the Senator from Minnesota is to strike out all after the resolving clause in the House joint resolution and substitute the resolution agreed to by the Senate.

The VICE-PRESIDENT. That is the understanding of the Chair.

Mr. BURROWS. There seems to be some misunderstanding about it.

Mr. HALE. I so understood, or I should not have stated that if the motion carries, and thereby substitutes an entirely different resolution from that which the other House has passed, it brings us into deadlock with them. I certainly should not have

made that statement if the motion of the Senator from Minnesota did not carry with it that inevitable conclusion.

Now, I hope, Mr. President, I may be permitted, in the fifteen minutes I have, to go on, and I promise to keep within the rules of the Senate, which I certainly have not thus far violated.

We present, Mr. President, a very remarkble spectacle. We are not asked to legislate upon ordinary matters, but upon the gravest of grave subjects—that which involves war between the United States and a hitherto friendly power. That war must be conducted by the President of the United States as the head of all the military forces of the Republic.

The policy under which that war shall be carried on must be controlled by him, and he has not left us in doubt as to what he believes should be the lines of policy upon which we should enter upon, if needs must be, war with Spain. He has told us in his message that he does not believe the conditions are such that the United States should recognize the Republic of Cuba as a government established and worthy of recognition.

In this message he has also marked out clearly and as plainly as man can do that the time has come—and I quote his words—"that the war in Cuba must stop." Nothing can be plainer than that he is convinced that intervention must be resorted to, and he asks that he be instructed to use the armies and navies of the United States to that end. It is in the line of what he said to the deputations representing the foreign governments the day before he sent in his message that the conditions upon the Island of Cuba had become intolerable.

And now here to-day, with this policy marked out by him, carrying with it every essential thing that all of us desire, the freedom of Cuba; carrying with it intervention, if need be, by force of arms; carrying with it, as it must, if it shall come, war, we are then confronted with the purpose apparently of the majority in this Chamber to define another policy, after he has told us what is his policy and what he desires, which covers every essential point of freedom to Cuba, and we are called upon to thrust in his face a resolution which he has declared that he does not believe in and that he does not need.

Mr. President, such a thing has never occurred here or elsewhere, that the President of the Republic, the nearest approach in this country to a ruler, representing all executive functions, shall be opposed, and another policy put in the place of that which he has enunciated, which carries with it, as I have said, everything essential.

Now, Mr. President, why is this? Some of us have seen remarkable things happen within the last ten days. We have seen melting away gradually here what I may call the conservative sentiment upon this subject. Senators who have been counted upon and reckoned as opposed to the immediate recognition of the insurgents in Cuba and in favor of armed intervention—instead of that, as a safer measure, as a more politic measure, as a wiser measure, we have seen those Senators day by day falling off and joining the ranks of those who propose to thrust in the President's face another policy in the place of his.

I have wondered why it is that this is so. I have found when I read the morning papers that the initiation of this matter took place at a banquet that was given the Hon. William J. Bryan Wednesday, April 13, and at that banquet Mr. Bryan, in the eloquent and impressive fashion of which he is master, said this:

> The Cubans have earned their right to be free. Our right to recognize the independence of the Cuban government can be defended upon the ground that our interests are involved, as well as upon the ground of humanity.

After his speech, the account of the banquet proceeds:

> Amid the din of applause that followed Mr. Bryan's closing remarks, Mr. DINSMORE, of Arkansas, secured the floor, and stated that while the banquet assemblage was not a deliberative body, it was a body representing 6,000,000 voters, who cast their ballots for William Jennings Bryan. Mr. DINSMORE therefore asked that the people present vote upon the resolutions he was about to offer, which were to the effect that the United States Government recognizes the independence of Cuba, and stands ready to enforce it with arms if necessary. Toastmaster JONES called for the ayes, and there was a mighty response. When the noes were called for there was not a sound. The Senator from Arkansas then declared the resolutions passed unanimously.

And we are told to-day that the animus not only of this intrusion upon the President of another policy—not better, but worse—but the epithets and the abuse which have been visited upon the President have their basis in a higher spirit of patriotism and love of liberty than have Senators upon this side of the Chamber or upon the other side who opposed the resolutions which have just been adopted.

Mr. President, the union which has come about, the almost solidification of the Democratic party on this question, had its origin, not in a Democratic caucus, but in a Democratic symposium given to the last candidate of the Democratic party for the Presidency, and presumably its next candidate.

Mr. LINDSAY. Will the Senator yield to me to ask a question?

Mr. HALE. I can not. I have only fifteen minutes, and I hope the Senator will not interrupt me.

Mr. LINDSAY. All right.

Mr. HALE. Mr. President, the whole country is going to know this. Republicans see it; Democrats see it; everybody sees it. It has been declared and repeated that there is no politics in this, but nothing can be plainer than that the present attitude in the Senate is a political movement. It will not succeed, Mr. President. If war must needs come, its conduct will not be in the hands of the Democratic party; if war must needs come, the country will not turn to the Democratic party for the conduct of that war; if war must needs come, it will not be by the Democratic party that the flag of the United States will be borne.

The war will be conducted—and, I hope and pray, to a speedy termination—by that great soldier and statesman, the President of the United States, and the people will rally to him. He will conduct the war and bring it to a successful end, and Senators, many of whom to-day have been free with their comments and criticisms of the President, when we are found in the situation that war is upon us, will be found opposing and impeding and obstructing the march of the President and the Republican party and of all good, conservative citizens in carrying on that war.

The VICE-PRESIDENT. The time of the Senator has expired.

Mr. GORMAN. Mr. President, I did not intend to enter into the discussion of this question or to consume a single moment of the time of the Senate, although I have very decided views upon this question. I have believed all along, as I believe now and as I have voted, that we ought to pursue a temperate but firm policy which would insure the freedom of the people of Cuba. I have believed, as the President states, that the time has arrived when this inhuman warfare should cease on that island, and I have been prepared to give the President of the United States all the power necessary to enforce that decree when made by the American Congress.

I have noted with regret that not only here, but elsewhere in this great crisis, in this hour when we ought to have calm deliberation, our Commander in Chief has been taunted and criticised. I regard denunciation of him at this time, when I believe we are on the verge of war, as injudicious and unwise. I say to the Senator from Maine that politics can not and ought not to enter into the determination of this question. I am confident that no such party advantage has been sought, and I do not believe that either of the great parties of the nation would tolerate a leader or leaders who on such an occasion as this would combine for purely partisan purposes, unmindful of the interests of our common country.

It is true, sir, that in every war we have had there has grown up a division of opinion, partly upon political lines, as to the mode and method of conducting war; but now we have reached a final stage. Personally I believe we have gone too far, but that is my personal opinion, and I bow to the will of the great majority of this body, who are as patriotic and as earnest and as honest as I am.

When the President's message was read at the desk, to me it had but one import. That was that the President, who had been anxious and careful—overcareful, if you please—had terminated his negotiations, and he sought aid and authorization of Congress to strike the blow in which every American will sustain him; and when it does come, every loyal Democrat will stand behind the President and support him, not as Democrats, but as Americans.

Mr. ALLEN. Populists, too.

Mr. GORMAN. I regret exceedingly, and I think the time will soon come when we all will regret, that in this crisis, in this hour of the nation's trouble, and for the first time in the history of the country, this great body should incorporate in a declaration of war, which I consider it, a power which has been disputed by every Executive from Washington down—the right of Congress by law to provide for the recognition of a state. By my vote and by my voice I protest against it. But the majority of this body think otherwise, and their wisdom is greater than mine.

From now on until the end of the controversy with Spain parties will be forgotten, and Populists, Silver Republicans, Republicans, and Democrats will be the loyal supporters of an American President, and all alike will share in the honor and triumph of their country.

Mr. President, I think it is a great misfortune that on an occasion so solemn as this we do not follow the precedents, and that both Houses of Congress on this, as they did upon the only other occasion when such a question was before them, resolve themselves into secret session and there discuss matters which affect our relations with a foreign nation. This exhibition of division as to method and the criticism of the man who commands our Army and Navy and presides over our destinies ought never to have been made in open session. It would be well if the record could be blotted out. It can only now be atoned for by the firm resolve of the people, as I pledge myself here, to forget that William McKinley was elected by the Republican party, to forget that he had a fault in conducting the negotiations, whatever they were, because I believe and know that he is the President of a united people and will bear his country's flag aloft, and no nation will receive

from him aught else but the manly, firm, and brave treatment of an American President.

Mr. STEWART. The Senator from Maine——

Mr. CULLOM. The Senator from Nevada has spoken, under the agreement.

Mr. STEWART. I have not spoken to-day. I desire to call attention to a mistake of the Senator from Maine [Mr. HALE] which does great injustice to everybody concerned, and which I think he will be very glad to——

Mr. JONES of Arkansas. I think the unanimous-consent agreement ought to be strictly observed. Each Senator was by the understanding to speak once, and the Senate remained in session to give the Senator from Nevada opportunity to speak last evening, without the limitation of the fifteen-minute rule.

Mr. TELLER. I do not think myself that it can be contended for a moment that the Senators who spoke last night are precluded from speaking to-night. There was no such understanding on the part of the Senate, certainly not on my part. I have refrained from speaking to-day simply because I did not choose to take up the time of the Senate, believing, however, that I had the right to speak, although I spoke last night. I am willing, and always have been, to live up to the rules. I insist that the rule does not include the Senator from Nevada.

Mr. STEWART. I will not occupy more than five minutes. I ask five minutes now——

The VICE-PRESIDENT. Unless the Senate shall direct otherwise, the Senator from Nevada will proceed.

Mr. HOAR. I rise to a question of order. I do not undertake to construe the agreement; I suppose it is as the Senator from Colorado has stated, but I wish to have it understood whether the Senator from Nevada is speaking in his right or is speaking by the indulgence of the Senate. Does the Chair rule that the Senator has a right to speak? I make no point on it. ["Vote!" "Vote!"]

The VICE-PRESIDENT. The question before the Senate is the motion to strike out all after the resolving clause of House resolution 233 and insert Senate joint resolution 149 as amended. Is the Senate ready for the question?

Mr. ALLISON. Mr. President, before the vote is taken, I desire to say a few words, and I shall not occupy the fifteen minutes assigned to me. I have not spoken to-day nor last night nor during the debate, although I have been interested deeply in the topics discussed.

I do not agree with the Senator from Maine [Mr. HALE] in all that he has said. I think the proposition now made by the Senator from Minnesota, the chairman of the Committee on Foreign Relations, is a proper one, although the statement made by the Senator from Maine can not be gainsaid, that the amendment as proposed by the Senator from Indiana, from the minority of the Committee on Foreign Relations, is in contravention of the well-settled principles and rules of international law, proposing and injecting the recognition of a state into a declaration here that the people of the United States will enter upon the grave question by force of arms if need be, using the Army and the Navy for the purpose of establishing an independent and a free government in Cuba by the people thereof.

I have heard but one argument in defense of the proposition that we should inaugurate proceedings by the immediate and present recognition of the Republic of Cuba by the Congress of the United States, which the Senator from Alabama [Mr. MORGAN] has shown so well is without precedent in our history. He has shown that the precedent so often cited here in debate is a precedent that does not apply at all, because in this way the recognition of the independence of the United Colonies was not made by France. There is no pretense or pretext here that there is a government in Cuba which is within the pale of international law, as exploited in all the books and as exploited by our own history from the beginning of our Government down to the present time.

Now, this amendment is forced into the joint resolution and made a part of it in face of the fact that the President of the United States has over and over again, especially when he was discharging his public duty as the President of the United States, in his last message, warned us against it; and there is no man on this floor who has had the opportunity to know the facts as the President has and has had.

I have information which I regard as without doubt correct that there is not a statement by an American consul, or a statement in any of our consular reports or by General Lee, who has been there all through, or nearly all, the Cuban revolution, in any paper, at any time or under any circumstances, that there is anything more than a skeleton government there. Yet, in the face of all that and in the face of the acknowledged facts and the opinions over and over again expressed by Senators on this floor, we find that within a few days it has come to be a reason and a primary reason, as stated by the Senator from Indiana, that there should be placed in the forefront of this resolution a recognition of the present government of Cuba.

I am glad to say, from the reading I have just heard of that resolution quoted by the Senator from Maine, that this great conclave passed a unanimous resolution for no such thing. They passed simply a resolution that the people of Cuba should be free; that there should be an independent government there. Every resolution lying upon our table, every amendment which has been offered here, falls to come up to the standard of the Senator from Indiana, declaring that this skeleton government shall have the control of the millions and hundreds of millions of dollars, and the Navy and Army of the United States, with our sons and our brothers, and that those who may take charge there shall do so under the Cuban government, which, as the Senator from Alabama has so pertinently said, may, by treaty at any time, make a new convention with the parent Government of Spain, or make a convention with any of the other European governments, against the policy and interests of the people of the United States. France took good care to make no such recognition. They bound by treaty the colonies of the United States to unite with them in an offensive and defensive war against a country with which they were at war at that time.

So, Mr. President, if we are to recognize this government, let us do it in an undisputed way, by the treaty-making power, that come who may or come what will hereafter, this government which we place in the constellation of national states shall have a treaty with us whereby we shall know our relations with it. But that has passed, a majority of the Senate having voted this amendment into the joint resolution.

The object of the Senator from Minnesota, as I understand it, is to bring these great powers of this Government into accord, if possible, not upon the extreme and radical policy or principle as laid down by the Senator from Indiana, but that we shall meet the House of Representatives, take up the joint resolution which they have sent to us, and amend it as in our judgment seems wise, and see whether or not the House of Representatives will agree to the declaration of extreme policy which was placed upon this resolution by the vote of the Senate a few moments ago. There is scarcely a Senator on this floor and there are few people in the United States who are not in favor of seeing Cuba free and independent, and of using the Army and Navy, if need be, to make it a free and independent state, establishing upon our borders a government that shall not only be republican in form and essence, but which shall be a stable and a permanent one, by the people thereof.

I yield to none in my sympathy for that soldier whose letter was read here to-day, but it is one thing to have sympathy with him and his followers, and it is another to violate international law, which we are bound to support, which the President of the United States is bound to execute under his oath of office, because international law has become a part of the great body of our laws which govern this civilized State as it governs other civilized states.

Therefore, Mr. President, I do not despair. I believe and hope, indeed I have no doubt but that elsewhere there will be better deliberation, if not more, and that in the end, when the joint resolution passes the two Houses, it will pass in accordance with the principles of international law as laid down and established for centuries, and that we are not now to engage in a new policy as applied to the little Republic of Cuba with a million and a half of people as against all the civilized nations of the world.

I have not heretofore spoken upon this subject. I did not believe, until the votes were counted at the desk, that it was possible for us to make this departure at the present time when we know that as soon as the government of Cuba is worthy of recognition, it will be recognized by that authority which can recognize it, and that our laws and resolutions here will be ineffectual until they are followed by that recognition which the Constitution prescribes—the Executive power—which alone can deal with this question in its final aspects.

The VICE-PRESIDENT. The time of the Senator from Iowa has expired.

Mr. ALDRICH. Mr. President, I regret extremely, and I am sure the regret is shared by a vast majority of the Senate, that we approach the final vote upon this momentous question with divided councils. With war inevitable, with our ships on the sea and our forces on the land simply waiting for the final word of command, it is more important that the American Senate and the American Congress should be unanimous in their action than that any particular form of resolution should be adopted.

Every member of the Senate, I am sure, approaches the solution of the question with devotion to the country paramount in his heart and with a patriotic spirit, and it is unfortunate that the vote soon to be taken will disclose such radical differences.

It is, however, fortunate that the vote soon to be recorded is not to be the final action of the Senate, although the Senate has incorporated in these resolutions a recognition of the so-called Republic of Cuba against the recommendation of the President of the United

States and against the judgment of the House of Representatives and of a large minority of the Senate.

I can not help believing, with the natural desire that all must feel, that Congress and the President should certainly act together in a declaration to the people of the world of our motives and purposes, that we shall within the next forty-eight hours be able to secure an agreement upon a resolution. I have too much confidence in the judgment of those who are associated with us in the great responsibilities of this hour to believe that any other result is possible. I feel very certain that in some manner and at some time we shall secure practical unanimity for the resolution which shall be finally adopted.

Speaking for myself, I can not vote for a resolution at this stage which contains a recognition of the Cuban Republic, as I believe such action would be very unwise, for reasons so forcibly stated by the Senator from Wisconsin [Mr. SPOONER] on yesterday. When I say this I do not mean to suggest that Senators who have arrived at a different conclusion are not controlled by patriotic motives.

I was very glad to hear the allusion of the Senator from Maryland [Mr. GORMAN] to the duty of Senators on both sides of this Chamber to support the President of the United States in this emergency. This does not mean, I assume, that any member of this body is bound to vote on matters clearly within the control of Congress according to the opinions or suggestions of the President. It is the will of the majority of Congress, properly expressed, upon such matters, including the concurrence of the President of the United States, that will fix the policy of this great nation in the present emergency.

Each man is entitled to his own opinion. But we have no right at such a time to exercise functions that belong to the Executive, or which are doubtful, and to force our views on the President. I believe that it is unwise to put into the pending joint resolutions a proposition upon a matter which the President of the United States, acting in accordance with his view of the Constitution, believes to be rightfully under his control and upon which he has reached a different conclusion. I hope that when the joint resolution comes back to us, as it will within a very short time, from the committee of conference, this objectionable feature will be eliminated, and that, Democrats and Republicans alike, we shall be able to vote unanimously for the resolution which will then be adopted.

Mr. JONES of Arkansas. Mr. President, the wish expressed by the Senator from Rhode Island [Mr. ALDRICH] a moment ago induces me to ask the Senate to listen for a moment to what occurs to me as being the facts in this case, which have been overlooked by some of the gentlemen on the other side.

For weeks the country and Congress have been expecting a declaration from the President, a declaration of policy as to what should be done in Cuba. One of three things was necessary to be done. Either the island was to be held by Spain on some sort of conditions, or it was to be attached to the United States, or it was to be recognized as an independent power.

On last Monday, after this matter had been discussed among Senators here and everywhere, and after a number of us had expressed the opinion that there should be a clear and distinct declaration on the part of Congress that we intended to establish an independent government in Cuba, that there was no intention either to restore the domination of Spain or to attach that island to this country, the President's message came in, and there was a sense of disappointment that the word "independent" was not mentioned in the recommendation made by the President, and that the only recommendation made by him about the establishment of a government in the island was that there should be a stable government. Stable seemed to imply that the Government of the United States should exercise the power of supervision there to prevent an overthrow, to maintain, to uphold, or sustain whatever government might be established in the island. That was precisely what many of us did not believe ought to be said.

I for one up to that time was willing to avoid any direct and positive expression as to absolute independence, but when the President of the United States recommended a policy which failed to say that we intended to maintain the independence there, it seemed to me then to become the duty of all of us who had no disposition to be induced to engage in a war of conquest, all of us who did not intend to have the Government of the United States used as an instrument by the Government of Spain to restore the domination of that country in the Island of Cuba, to express ourselves positively on this question and to insist on independence.

Hence I was ready to vote for it. Hence the vote cast in the House of Representatives on that question by a political party. Simply because a man happened to be a Democrat certainly was no reason why he should not be allowed to say by his vote that he wanted an independent government in Cuba and did not want to acquire the island by conquest. This vote was cast in the House before the meeting to which the Senator from Maine and the Senator from Iowa have seen fit to refer.

There had been an expression by Democrats in the House as a reply to the President's message that they were not willing to accept a proposition for a stable government without understanding what sort of a government it was to be that was to be made stable. They expressed themselves for an independent government, and that I believe is the wish of a large majority of both branches of Congress. We have a right to know what we are entering into this intervention for. We have a right to understand whether we are going to accomplish something which we approve or whether we are to intervene for the purpose of accomplishing something which we do not approve.

I beg the pardon of the Senate for interposing thus far, but I was not willing to allow the facts to go unstated, especially as the Senator from Maine, as it seems to me, was undertaking to make a little political capital out of a situation that could not be criticised at all.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. DAVIS] to strike out all after the enacting clause of House joint resolution 233 and insert Senate joint resolution 149 as amended.

Mr. ALLEN. On that I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted in—yeas 60, nays 28; as follows:

YEAS—60.

Allen,	Faulkner,	Mantle,	Quay,
Bacon,	Foraker,	Martin,	Rawlins,
Baker,	Gallinger,	Mason,	Roach,
Bate,	Hansbrough,	Mills,	Shoup,
Berry,	Harris,	Mitchell,	Smith,
Butler,	Heitfeld,	Money,	Stewart,
Cannon,	Jones, Ark.	Morgan,	Teller,
Chandler,	Jones, Nev.	Murphy,	Thurston,
Chilton,	Kenney,	Nelson,	Tillman,
Clark,	Kyle,	Pasco,	Turley,
Clay,	Lindsay,	Penrose,	Turner,
Cockrell,	Lodge,	Perkins,	Turpie,
Cullom,	McEnery,	Pettigrew,	Vest,
Daniel,	McLaurin,	Pettus,	White,
Davis,	Mallory,	Proctor,	Wolcott.

NAYS—28.

Aldrich,	Fairbanks,	Hawley,	Pritchard,
Allison,	Frye,	Hoar,	Sewell,
Burrows,	Gear,	McBride,	Spooner,
Caffery,	Gorman,	McMillan,	Warren,
Carter,	Gray,	Morrill,	Wellington,
Deboe,	Hale,	Platt, Conn.	Wetmore,
Elkins,	Hanna,	Platt, N. Y.	Wilson.

ABSENT—1.

Walthall.

So Mr. DAVIS's amendment was agreed to.

Mr. DAVIS. I now move to strike out the preamble of House joint resolution 233 and insert the preamble of Senate joint resolution 149 in lieu thereof.

Mr. HOAR. Is that in order until the joint resolution itself has passed? I understand that an amendment has been adopted as a substitute.

The VICE-PRESIDENT. The Chair thinks the point is well taken.

Mr. HOAR. The vote has not yet been taken on the joint resolution as amended.

Mr. BERRY. That is right.

Mr. HOAR. I desire to know whether it is the custom to amend the preamble before the vote is taken on the passage of a bill or resolution as amended or afterwards. I wish to address the Senate before the final passage of the joint resolution.

Mr. DAVIS. I withdraw for the present the motion to amend the preamble.

Mr. HOAR. Mr. President, I can not give my vote for this resolution upon its final passage for several reasons, which I desire to state.

First. It contains an affirmation contrary to the fact when it affirms that the Republic of Cuba is now free and independent in the face of what I conceive to be the fact, in the face of the declaration, as I understand it, of the person high in command in the troops of the insurgents, who has declared he could prolong the struggle to obtain that independence for twelve years.

Second. It undertakes to take from the Executive his constitutional power, a power affirmed by every Executive from the beginning, a power affirmed by our great authorities on constitutional law from Alexander Hamilton down to the senior Senator from Alabama [Mr. MORGAN], who within three years, and I think also within three hours, has strongly reaffirmed that that power belongs to the Executive and can not be constitutionally exercised by Congress.

Mr. MORGAN. The Senator from Massachusetts is mistaken in quoting me. I do not care about correcting it now, but at a later day in the session I will try to point out to the Senator, as I have done heretofore, that he mistakes my statement on the subject.

Mr. HOAR. Very well. I have read in the RECORD within a

short time a declaration of the Senator from Alabama which I so understand.

Mr. MORGAN. The Senator is still mistaken, no matter what he read.

Mr. HOAR. Well, whether I am mistaken in imputing this particular opinion to my honorable friend or not, I am not mistaken in saying that he is a high authority on constitutional law, and in coupling his name with that of Alexander Hamilton as entitled to the respect of his countrymen. I hope he will not rise to correct me again.

Mr. President, I can not vote for the joint resolution because it introduces, and I believe was meant to introduce, discord and divided counsels in what ought to be the act of a united country.

I can not vote for it because it undertakes to direct, contrary to all our legislative precedents, a coordinate branch of the Government, the Executive, ordering him to proceed at once when his constitutional and legal duties are defined by the Constitution, and not by the law-making power.

I can not vote for it because it is contrary to the courtesies which prevail between the legislative and Executive and undertakes to take from the discretion of the Executive what ought to belong to him under the Constitution itself.

I will not vote for it because if it pass and the government of Cuba be now free and independent, the forces of the Army of the United States on Cuban land and the Navy of the United States in Cuban waters must be under the command of the insurgent leader or their presence there is a war against him.

Gentlemen have tried by refined and deluding arguments to torture a sentence of the President of the United States, separated from its context, into a suggestion that possibly he might be expecting to make war upon these insurgents. And yet, and you can not escape from it, you are undertaking, in your eager passion, to do something which will be unpleasant to those of your associates who support the President. You are making an affirmation, I repeat, which will put the Army and the Navy of the United States under the command of Maximo Gomez the moment they get into Cuban waters or onto Cuban soil, or their presence there is war upon the recognized and established government of the country which you say is his.

Sixth. I will not vote for it because it violates international law, and thereby in this great transaction sets the sympathy of the nations of the world against us.

Mr. President, I am not alarmed or disturbed because in the vote I am about to give I am to encounter the dissent of an excited, inflated, and angered majority.

I am old enough to remember another transaction to which this is a parallel. In the beginning of the Mexican war—a war in regard to which the feeling of the people of the United States was deeply stirred—it was attempted to coerce the minority in the two Houses of Congress by putting into the law which provided for raising troops, and supplying them, a preamble, "Whereas war exists by the act of Mexico;" and some weak Whigs of that day, fearing that their action would be unpopular, bowed the knee and affirmed by their votes what they knew and believed to be an untruth. Fourteen members of the House of Representatives, with the approval of Henry Clay, voted against that lying preamble, and to his immortal honor be it said the great commoner, though he was ready and eager for the war, declared that he would rather have his tongue cleave to the roof of his mouth than to utter, by an affirmative vote, what he knew to be an untruth.

The men who yielded in that hour of weakness and of temptation returned to their constituents. One of the most eminent and brilliant citizens of my own State, who was afterwards Speaker of the House, went home to a doom of defeat and popular disapprobation. The men who recorded their votes on the side of truth in the face of that excited majority are known to-day in our political history as the immortal fourteen.

I am willing to trust myself, my reputation, my political character, with the people of Massachusetts when I stand up here and vote against what I know, or think I know, to be untrue.

The VICE-PRESIDENT. If there be no further amendment to be proposed to the joint resolution as in Committee of the Whole, it will be reported to the Senate.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

Mr. DAVIS. Let the joint resolution be read at length as amended.

The joint resolution was read the third time as amended, as follows:

A joint resolution (H. Res. 239) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, First. That the people of the Island of Cuba are, and of right ought to be, free and independent, and that the Government of the United States hereby recognizes the Republic of Cuba as the true and lawful Government of that island.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

The VICE-PRESIDENT. The question is, Shall the joint resolution pass?

Mr. HOAR. I ask for the yeas and nays on the passage of the joint resolution.

The yeas and nays were ordered; and being taken, resulted—yeas 67, nays 21; as follows:

YEAS—67.

Allen,	Faulkner,	McLaurin,	Quay,
Bacon,	Foraker,	Mallory,	Rawlins,
Baker,	Frye,	Mantle,	Roach,
Bate,	Gallinger,	Martin,	Shoup,
Berry,	Gear,	Mason,	Smith,
Butler,	Gorman,	Mills,	Stewart,
Cannon,	Gray,	Mitchell,	Teller,
Carter,	Hansbrough,	Money,	Thurston,
Chandler,	Harris,	Morgan,	Tillman,
Chilton,	Heitfeld,	Murphy,	Turley,
Clark,	Jones, Ark.	Nelson,	Turner,
Clay,	Jones, Nev.	Pasco,	Turpie,
Cockrell,	Kenney,	Penrose,	Vest,
Cullom,	Kyle,	Perkins,	Warren,
Daniel,	Lindsay,	Pettigrew,	Wilson,
Davis,	Lodge,	Pettus,	Wolcott.
Deboe,	McEnery,	Proctor.	

NAYS—21.

Aldrich,	Hale,	Morrill,	Wellington,
Allison,	Hanna,	Platt, Conn.	Wetmore,
Burrows,	Hawley,	Platt, N. Y.	White.
Caffery,	Hoar,	Pritchard,	
Elkins,	McBride,	Sewell,	
Fairbanks,	McMillan,	Spooner	

ABSENT—1.

Walthall.

So the joint resolution was passed.

Mr. DAVIS. I move to strike out from House joint resolution 233 its preamble and insert therein the preamble of Senate joint resolution 149.

The VICE-PRESIDENT. The question is on the motion of the Senator from Minnesota to strike out the preamble of House joint resolution 233 and insert the preamble of Senate joint resolution 149.

The motion was agreed to.

Mr. DAVIS. I move to amend the title by substituting for the title of House joint resolution 233 the title of the Senate joint resolution 149, with this amendment: Insert, after the word "people," in the first line of the title of the Senate joint resolution, the words "and Republic;" so as to read, "for the recognition of the independence of the people and Republic of Cuba."

The VICE-PRESIDENT. Is there objection?

There being no objection, the title was amended so as to read:

A joint resolution for the recognition of the independence of the people and Republic of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Mr. DAVIS. I move that the Senate insist upon its amendments and ask for a conference. ["No!" "No!"]

Mr. STEWART. I object.

Mr. JONES of Arkansas (to Mr. DAVIS). Do not do that.

Mr. DAVIS. I insist on the motion.

The VICE-PRESIDENT. The Senator from Minnesota moves that the Senate insist on its amendments made to the joint resolution.

Mr. FAULKNER. I do not think it is according to parliamentary usage for the Senate at this time to do that. The House has a right to concur in the amendments if it chooses to do so.

Mr. DAVIS. That is true; but nothing is more usual than for a motion of this kind to be made.

Mr. ALLEN. I shall insist upon following the rule of the Senate, and that is that the joint resolution as amended shall go to the House.

Mr. DAVIS. I withdraw the motion.

The VICE-PRESIDENT. The motion is withdrawn.

Mr. DAVIS. I move that the Senate adjourn.

The motion was agreed to; and (at 9 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, April 18, 1898, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 16, 1898.*

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

The Journal of yesterday's proceedings was read and approved.

EXPLANATION.

Mr. WHEELER of Alabama. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WHEELER of Alabama. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WHEELER of Alabama. The patriotic expressions which have come to me in numerous letters from the people of Alabama and other Southern States impelled me——

The SPEAKER. Will the gentleman state his question of personal privilege?

Mr. WHEELER of Alabama. I will state it. I felt it my duty to write a letter, which I hold in my hand——

The SPEAKER. The Chair has no doubt the House would indulge the gentleman in a personal explanation or statement, but we ought not to allow questions of personal privilege to be brought up when there are none.

Mr. WHEELER of Alabama. I ask ten minutes.

The SPEAKER. The Chair thinks the House will be quite willing to grant the gentleman permission to make a statement, but it ought not to be called a question of personal privilege.

Mr. WHEELER of Alabama. I ask unanimous consent that I may address the House for ten minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent for ten minutes to present a statement. Is there objection? [After a pause.] The Chair hears none.

Mr. WHEELER of Alabama. Mr. Speaker, on the 8th of this month, impelled by a sense of duty and admiration for the noble and chivalrous spirit which had been expressed to me by many citizens of Alabama, I addressed a letter to the governor of that State, which is in these words:

MY DEAR SIR: It looks very much as though we would now become involved in war with Spain, and it would not surprise me for the President to call for volunteers in a very short time.

I am convinced that the men who could most safely go to Cuba at this time would be those from the Gulf coast, and I have so stated to the Secretary of War.

I feel it the duty of every man who has had experience in military affairs to tender his services, and I want to say that I am at your service to perform any duty you may direct.

With very high regard, your obedient servant,

JOS. WHEELER.

His Excellency Hon. JOSEPH F. JOHNSTON,
Montgomery, Ala.

Two papers of that State, without my agency or knowledge, obtained and published the letter, and the articles they have published regarding it, unless refuted, will tend to place the people of Alabama and myself in a very wrong attitude.

It will be observed that my letter simply expresses an opinion that—

The men who could most safely go to Cuba at this time would be those from the Gulf coast.

This innocent paragraph is sought to be construed by the articles in these journals as a contention that Southern people would be expected to bear the brunt of the pending war.

One of the papers, the Birmingham Age-Herald, of April 14, published an article signed by a man named Ball, which contains expressions some of which I will read. It says:

But has General WHEELER a right to suggest to Governor Johnston or the Secretary of War that the fighting should be done by men from the Gulf States? Why should Southern men be expected to bear the brunt of the trouble?

The article also, in referring to Southern men, says:

Why should they be chosen as the only suitable men to furnish targets for the Spanish bullets and Spanish torpedoes? If there is one section of the country in which the masses of the people have taken little part in forcing this issue it is the South, and it appears the height of absurdity and injustice to have General Wheeler at Washington instructing the War Secretary as to the propriety of fighting the war.

The article then states:

Southern men stand ready to do their duty at all times and in all emergencies, but that should not furnish a reason to General Wheeler or any other Congressman to insist that they and they only should do all the fighting in a war they are entirely innocent of bringing about.

These and other expressions, none of which have any warrant whatever from my letter or anything else which I have said or done, are being construed by papers throughout the country as an indication that there exists a sentiment in Alabama which, to say the least, lacks an enthusiastic desire to engage in military service. Even with such a construction it does the brave and patriotic men of Alabama great injustice.

Letters which I received from Alabama this morning insist that the expressions contained in the Birmingham Age-Herald, and the other paper, the Montgomery Advertiser, only voiced the sentiments of the writers of these articles, and they utterly repudiate the effort on the part of the writers of the articles, who seem to desire to create an impression that such feelings are general in that State.

I know the editors of the Birmingham Age-Herald and the Montgomery Advertiser. They are chivalrous men, sons of chivalrous sires, and I am confident that these communications do not express their sentiments; not only that, but I feel certain that they will meet their hearty disapproval.

They feel as I do, that we must show to the world that American blood and American wealth will be poured forth freely in the defense of American honor.

I desire, in one word, to say that that noble State, with its healthy, salubrious, and delightful climate, its fertile soil, and its rich minerals, limitless in quantity, and the industry and enterprise of its people, have placed it in the front rank of progression; but these material blessings have not lessened the undaunted chivalry and noble patriotism and devotion to country of these people—a people who regard the maintenance of our honor and prestige of our country as far above material progress as the heavens are above the earth; and I am unwilling that they should rest for a single moment under the reflection which can be drawn and which has been drawn from the articles to which I refer.

I know the people of Alabama. I have seen their dauntless courage exhibited on hundreds of fields of battle. I am one of those who still hope and pray that we may have an honorable peace, but if war comes upon us, and I fear that it will, the question will not be, Who shall go? but it will be, Who shall be given this highest honor and greatest privilege to fight for our country, its safety and its honor? and I know that when the call to arms is sounded the brave men of Alabama will be in the front rank of the foremost volunteers to fight the battles of our great Republic.

During the last month my mail has been filled with evidences of their devotion to our country and our country's cause, and in speaking for the people of Alabama I will say that the chivalrous men who fought in that terrible conflict from 1861 to 1865, and their equally noble sons, inspired as they are by the fame earned by their sires, all stand ready to place their lives and treasure on the altar of duty. They are ready to meet any foe; they are ready to encounter the diseases of any clime, and in the defense of the honor, prestige, and safety of their country, they stand eager to lead where any dare to follow. [Applause.]

MRS. CHRISTINE C. BARNARD.

Mr. LOUDENSLAGER. Mr. Speaker, I present a conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill S. 504, "An act granting an increase of pension to Mrs. Christine C. Barnard, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives, and agree to the same.

H. C. LOUDENSLAGER,
J. F. STALLINGS,
J. R. HOWE,
Managers on the part of the House.

J. H. GALLINGER,
GEO. L. SHOUP,
JNO. L. MITCHELL,
Managers on the part of the Senate.

The statement of the House conferees was read, as follows:

Senate bill 504 granted a pension to Christine C. Barnard at the rate of $40 a month, which was amended by the House to $30. The adoption of the conference report herewith presented allows the bill to become a law as amended by the House.

Mr. LOUDENSLAGER. I move the adoption of the conference report.

The motion was agreed to.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

WASHINGTON AND GLEN ECHO RAILROAD COMPANY.

Mr. BABCOCK. Mr. Speaker, I desire to call up the bill (S. 924) on the Speaker's table.

The SPEAKER. The Clerk will report the title of the bill.

Mr. BABCOCK. This comes up as unfinished business. This bill has been read three or four times, and I ask that the further reading be dispensed with.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the consideration of the bill and that it be taken up in the House.

Mr. DOCKERY. What is it?

Mr. BABCOCK. It is a bill relating to a railroad company.

The Clerk read as follows:

A bill (S. 924) to authorize the Washington and Glen Echo Railroad Company to obtain a right of way and construct tracks into the District of Columbia 600 feet.

Mr. DOCKERY. What is the present parliamentary situation of the bill?

Mr. BABCOCK. It is unfinished business.

The SPEAKER. It is in Committee of the Whole House on the state of the Union.

Mr. DOCKERY. I do not know anything about the bill.

Mr. LOUD. We discussed it very thoroughly one whole day and did not touch it.

Mr. BARTLETT. Mr. Speaker, what is the bill?

The SPEAKER. It is a bill in which the Senate disagrees to the House amendments.

Mr. BARTLETT. I understood the gentleman from Wisconsin to make some request about it.

The SPEAKER. The gentleman requested that the Committee of the Whole House on the state of the Union may be discharged from the further consideration of the bill, and that the matter be now considered in the House. Is there objection? [After a pause.] The Chair hears none.

Mr. BABCOCK. Mr. Speaker, I move that the House insist on its amendments to the bill and agree to the conference requested.

The SPEAKER. The gentleman from Wisconsin moves that the House insist upon its amendments and agree to the conference asked.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. BABCOCK, Mr. CURTIS of Iowa, and Mr. RICHARDSON.

MARY J. DAY.

Mr. HICKS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6512) granting an extension of letters patent No. 20694 to Mary J. Day, inventor.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to grant an extension for seven years on letters patent No. 20694 to Mary J. Day, inventor, Orange County, N. Y.

Mr. HICKS. Mr. Speaker, the report accompanying the bill states the matter quite fully.

Mr. McMILLIN. Let the report be read, reserving the right to object after we see what the nature of it is.

The SPEAKER. All rights are reserved. The Chair desires to say that all these proceedings are by unanimous consent.

The report (by Mr. HICKS) was read, as follows:

The Committee on Patents, to whom was referred the bill (H. R. 6512) granting an extension of letters patent to Mrs. Mary J. Day, submit the following report:

Mrs. Mary J. Day, the beneficiary under this bill, obtained April 23, 1891, letters patent No. 20694, for a period of seven years, for a new and useful invention and design for a pressing board. She was led to believe at the time she filed her application that she could not obtain a patent for a longer term than the period designated. She now seeks by this bill to have her patent extended for the term to which she was entitled, under the statute, and which, except for mistake of the law and her adviser, she would have originally obtained. The patent is for an ironing or pressing board, and the petitioner for relief is a poor woman, who is just now beginning to reap the benefits of her skill and genius in her useful invention.

Your committee are satisfied of the merits of the claim, as well as its justice, and unanimously recommend that the bill do pass.

Mr. McMILLIN. Mr. Speaker, I would like to ask one or two questions of the gentleman in charge of the bill. If I understand the report correctly, it does not seek to extend this patent beyond the life of an ordinary patent?

Mr. HICKS. That is right.

Mr. McMILLIN. It seems there was an application for only seven years, which was granted, at that time under a misapprehension of her right to petition for a longer term?

Mr. HICKS. That is right.

Mr. McMILLIN. And this does not extend beyond the life of an ordinary patent?

Mr. HICKS. That is so.

Mr. McMILLIN. While I am opposed to an extension of a patent beyond seventeen years, I do not know that I have any objection to this bill.

A MEMBER. Does the Secretary of the Interior recommend this bill?

Mr. HICKS. Mr. ODELL, who introduced the bill, informed me that he had investigated the facts and that they were entirely satisfactory.

Mr. DOCKERY. Has the Commissioner of Patents or the Secretary of the Interior recommended the bill?

Mr. HICKS. I can not say about that. The device is a simple device, an ironing board, patented by a washerwoman. She was deceived at the time she made her application, and it was only made for seven years instead of the ordinary time for which it should have been made. Within the last few years she has just begun to realize on the patent.

Mr. DOCKERY. I did not know there was any law under which a patent could be secured for less than the ordinary term of years.

Mr. HICKS. I did not know it until this case disclosed it.

Mr. DOCKERY. Do I understand that the committee reported the bill without any opinion from the Secretary of the Interior or the Commissioner of Patents?

Mr. HICKS. The committee investigated the facts thoroughly and decided that it was a case of extraordinary merit, and unanimously voted to vote for an increase or extension of the length of time to which she would have been entitled under the law.

Mr. DOCKERY. My sympathies are very strongly with the washerwoman, the beneficiary of the patent, but they are equally strong in behalf of the people who are compelled to use the device patented. Of course the effect of the continuance of this patent is to increase the price of the article patented.

Mr. HICKS. I regret that I have not here a copy of the device in my possession, so that I might show it to my friend from Missouri.

Mr. DOCKERY. I do not believe the bill ought to pass, although I shall make no objection to it. I think the committee is subject to some censure and criticism for not taking the opinion of the proper officers.

Mr. HICKS. The committee is willing to submit to the censure if my friend from Missouri will not oppose the bill.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was read the third time, and passed.

On motion of Mr. HICKS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. DOCKERY. Mr. Speaker, the gentleman from Tennessee [Mr. RICHARDSON] has a report of the Committee on Printing which I would like to have him make.

BRIDGE ACROSS PORTAGE LAKE, MICHIGAN.

Mr. SHELDEN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 3154, to amend an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the villages of Houghton and Hancock," approved March 3, 1891.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the villages of Houghton and Hancock," approved March 3, 1891, be, and the same is hereby, amended by adding a new section, to stand as section 7, as follows:

"SEC. 7. That all railroad companies desiring to use that portion of said bridge constructed for railroad purposes shall have and be entitled to equal rights and privileges in the passing over the same, and in the use of the machinery and fixtures thereof and of the approaches thereto, for a reasonable compensation, to be paid to the owner or owners thereof; and if the owner or owners of said bridge and the several railroad companies, or either or any of them desiring such use, shall fail to agree upon the sum or sums to be paid under the rules and conditions to which each shall conform in using the same, all matters at issue between them shall be decided by the Secretary of War, upon a hearing of the allegations and proofs of the parties, of which hearing each party shall have due notice, and the determination of the Secretary of War thereof shall be binding upon the parties to such controversy."

Mr. SIMPSON. Mr. Speaker, reserving the right to object, I hope the report will be read. This is a very important measure.

The SPEAKER. Without objection, the Clerk will read the report.

The Clerk read the report (by Mr. CORLISS), as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 3154) amending an act entitled "An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the cities of Houghton and Hancock," approved March 3, 1891, report the same back, and recommend its passage.

This measure amends the original act by granting authority to permit the use of the bridge by such other railway companies as may desire the same, upon a just and fair compensation.

This measure is heartily indorsed by the Chief of Engineers, whose report thereon in herewith submitted and made a part hereof.

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, January 19, 1898.

SIR: I have the honor to return herewith a letter, dated the 14th instant, from the Committee on Commerce of the United States Senate, inclosing for the views of the War Department thereon S. 3154, Fifty-fifth Congress, second session, "A bill to amend an act entitled 'An act giving the consent of the United States to the erection of a bridge across Portage Lake, Houghton County, Mich., between the villages of Houghton and Hancock,' approved March 3, 1891."

The act of March 3, 1891, authorized the construction by the county of Houghton, Mich., of a free bridge, with roadways and footways, and it appears from a reading of the whole act that what is known as a wagon and foot bridge, and not a railroad bridge, was contemplated by Congress. The plans for this bridge were not submitted to the Secretary of War for his approval as required by the act, and it appears that the bridge was built as a wagon-road bridge overhead, with a railroad through bridge underneath. It is understood that the lower story of the bridge has been leased by the county of Houghton to a corporation known as the Mineral Range Railroad Company.

The object of the bill under consideration is to make it possible for any railroad company desiring to use the bridge for the passage of trains to do so upon payment of a reasonable compensation for such use. The effect of this would be to lessen the demand for other bridges across this important waterway, and in this way the navigation interests would be benefited.

I know of no objection, therefore, to the passage of the bill by Congress, so far as those interests are concerned.

Very respectfully, your obedient servant,

JOHN M. WILSON,
Brig. Gen., Chief of Engineers, United States Army.

Hon. R. A. ALGER,
Secretary of War.

Mr. SIMPSON. Mr. Speaker, I hope the gentleman in charge of the bill will inform the House whether the bridge is located on Portage Lake, where it will obstruct navigation. It is an important waterway and many vessels go up to the copper mines there, and I think it ought to be understood.

Mr. CORLISS. Mr. Speaker, in answer to the gentleman's inquiry, as I reported the bill to the House, I will state that this bridge was built twenty years ago by the county of Houghton and has been used a number of years both as a highway and a railroad bridge. The object of this bill is to prevent the construction of another railroad bridge across this lake and important navigable water. The object of the bill is to give the use of this bridge already built, at the option of the county, to other railroads as well as the one now using it. It is in the interest of navigation, and there can be no objection to it.

Mr. LOUD. Was the other bridge built under a statute?

Mr. SHELDEN. It was.

Mr. LOUD. Why, if it was built as the result of a statute, did it not conform to the usual requirements?

Mr. SHELDEN. It did.

Mr. LOUD. The report emphatically states that the plans of this bridge were never submitted to the Chief of Engineers. Now, may it not be possible that the bridge obstructs navigation and the effect of this subsequent legislation may be to validate it?

Mr. SHELDEN. No, sir.

Mr. CORLISS. Let me answer the gentleman from California [Mr. LOUD] by informing him that this bridge, though not originally constructed under an act of Congress, is now in operation in accordance with the requirements of the War Department and the needs of navigation.

Mr. LOUD. Does not the report of the committee state to the contrary?

Mr. CORLISS. It does not. It states that the bridge was originally constructed without the authority of Congress twenty-odd years ago, but that it complies with all the requirements of navigation and is maintained in accordance with the legal regulations with reference to navigable streams. The object of this bill is that people who might otherwise desire to build bridges may be induced to use this one instead of obstructing navigation further. The bill is heartily indorsed by the Department and the engineers.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. CORLISS, a motion to reconsider the last vote was laid on the table.

COMPILATION OF PARLIAMENTARY PRECEDENTS.

Mr. RICHARDSON. I ask for the consideration of the joint resolution which I send to the desk.

The Clerk read as follows:

Joint resolution (H. Res. 237) providing for the compilation and printing of parliamentary precedents of the House of Representatives.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be printed the usual number of copies of a compilation of parliamentary precedents of the United States House of Representatives, and that in addition to the said usual number there be printed and bound 500 copies, 1 copy for each member and each committee of the House, the residue to be deposited in the library of the House, said compilation to be made by Asher C. Hinds, clerk at the Speaker's table, under the supervision of the Committee on Rules, the said clerk to be paid on the completion of the work, out of any moneys in the Treasury not otherwise appropriated, $3,000, which sum is hereby appropriated, and is to be in full payment for said work, except the cost of printing and binding the same.

Mr. RICHARDSON. I ask that the report of the Committee on Printing, which very fully explains the purpose of this resolution, may be read.

The Clerk read as follows:

The Committee on Printing have considered House resolution 227, providing for the compilation and printing of parliamentary precedents of the House of Representatives, and direct me to report the same to the House of Representatives with the recommendation that it do pass, with an amendment as follows: After the word "work," in line 11, add the following words: "with a proper index."

This compilation has been made by Asher C. Hinds, the present clerk at the Speaker's table.

The estimated cost of printing and binding this document is $3,091.

The compilation was begun prior to the Fifty-fourth Congress for the purpose of facilitating the parliamentary work of the clerk at the Speaker's table by having in a classified and convenient form the rulings of the Speakers and the Chairmen of the Committees of the Whole. Scattered as they are through scores of volumes of RECORDS, Globes, and Journals, it is a matter of considerable trouble to get together the precedents bearing upon any particular point, especially if they are required during the transaction of the business of the House. It is the aim of the work to present each precedent in the light of the rules which governed the House at the time it was made, and for the statements of all the earlier precedents the Journals and the RECORDS of the debates have been compared. As much of the compilation as is completed has been in daily use in the House, and has been enlarged, corrected, and verified by the investigations that have gone on from time to time in regard to points of order arising in the House and in the Committee of the Whole.

It will be the aim of the work when completed to include all the precedents in use under the practice of the House. The collection at present amounts to 1,200 or 1,300. Before it is completed for publication it will probably amount to more than 1,600. It is impossible to give the number exactly, as about fifty years of the earlier history of the House have not been fully examined. The work will include precedents from the First Congress to and including the present session (second) of the Fifty-fifth. It is not expected that the work will contain all the precedents of the House, many of which are obsolete, but such as are in use and such as have been collected in the investigation of questions before the House. The rulings of the Speakers for the last eight years have been collected and classified with particular care. The rulings of Chairmen of Committees of the Whole, not heretofore collected and classified in large numbers, quite fully cover the principles involved in the proceedings of those committees.

The index of the work will aim to meet the wants of members examining particular as well as general features of the parliamentary practice of the House.

Mr. RICHARDSON. This joint resolution, as gentlemen have observed from the reading, provides for printing a compilation which has been prepared of parliamentary precedents of this House. Quite a number of gentlemen on both sides of the House have examined this compilation so far as it has proceeded, and they all think the work possesses great merit and should be printed for the use of the House.

This resolution was introduced by the gentleman from Missouri [Mr. DOCKERY], a very old and experienced member, as we all know; and it meets not only his approval, but that of every other gentleman on this as well as the other side of the House who has examined it. I trust there will be no objection to the passage of the joint resolution.

Mr. LOUD. Mr. Speaker, there is one portion of this resolution in which I heartily concur, and that is in the omission it makes. I approve of it because it does not include all of the decisions heretofore rendered. I suppose that omission refers to decisions in Committee of the Whole; for if some of these decisions were photographed, they would present most shining examples. [Laughter.] I heartily concur in that part of the resolution, therefore, that leaves out some of the decisions.

The SPEAKER. Without objection, the resolution will be considered, and the question is on agreeing to the amendment.

The amendment was read, as follows:

In line 11, after the word "work," insert the words "with a proper index."

Mr. MCCULLOCH. Is it proposed to embody this whole publication in one volume?

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. RICHARDSON, a motion to reconsider the last vote was laid on the table.

HARBOR OF SHEBOYGAN, WIS.

Mr. BARNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution I send to the desk.

The SPEAKER. The joint resolution will be read, subject to the right of objection.

The joint resolution was read, as follows:

Joint resolution (H. Res. 175) for the survey of the harbor of Sheboygan, Wis.

Resolved by the Senate and House of Representatives, etc., That the Secretary of War be, and he hereby is, requested and directed to cause a survey to be made of the harbor at Sheboygan, Wis., to ascertain the best method and expense of preventing the injurious effects of the northeast seas.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BAILEY. Reserving the right to object, Mr. Speaker, I desire some explanation of this matter.

The SPEAKER. There is an amendment proposed to the joint resolution which the Clerk will report.

The Clerk read as follows:

Add at the end of the resolution:

"And that the Secretary of War be, and is hereby, directed to report as to the advisability of the project."

Mr. BARNEY. I will explain to the gentleman from Texas the reason for making this request at this time.

This has been, I will state, unanimously reported from the Committee on Rivers and Harbors, and the circumstances which make necessary the application at this time are these: This is, in the first place, one of the most important harbors on Lake Michigan. Last fall an immense amount of damage was done to the shipping in that harbor, and to the docks, by a heavy northeast storm, and, in order to prevent the recurrence of such a disaster, it is desirable that we shall have an estimate for erecting this protecting work in the harbor. In fact, it should have been done very long ago; and this is only a request for a survey to determine as to the best plan in the future.

Of course, this work is preliminary, and it is anticipated that an appropriation will be asked for hereafter. But all we desire now

is information as to the best plan to protect the harbor, and for that reason we ask to have this survey made, if possible, this summer, by the engineers who are now employed by the Government there, so that the plans can be prepared and the matter brought to the attention of the Committee on Rivers and Harbors at the next session of Congress, or when a river and harbor appropriation bill shall be presented.

Mr. TALBERT. Let me ask the gentleman if this does not necessarily involve an appropriation?

Mr. BARNEY. No, sir.

Mr. TALBERT. But how can the work be done without money?

Mr. BARNEY. Well, there is a board of engineers there, employed by the Government.

Mr. TALBERT. And already paid?

Mr. BARNEY. Yes.

Mr. MINOR. Already employed by the Government.

Mr. SIMPSON. What is the purpose hereafter? To build a breakwater?

Mr. BARNEY. Yes.

Mr. SIMPSON. And that, of course, will involve an appropriation.

Mr. BARNEY. Of course it will involve an appropriation, but that will be a matter to be considered hereafter, when this survey is made. This harbor is, of course, entitled to its proper share in any river and harbor bill that may be passed.

Mr. SIMPSON. What makes the harbor of Sheboygan so important?

Mr. MINOR. It is one of the largest coal-distributing harbors on the lakes.

Mr. BARNEY. I will state to the gentleman from Kansas that this is a city of somewhere about 30,000 inhabitants, one of the largest and most important manufacturing towns in Wisconsin, and I believe is the largest coal-distributing point on the lakes, except, perhaps, Milwaukee. It has not only an immense trade in coal, but in other commodities as well.

Mr. SIMPSON. That is, coal shipped in there and distributed from that point?

Mr. BARNEY. Yes; shipped there by water and sent by rail from there to all portions of the Northwest.

Mr. SIMPSON. Have you any knowledge as to the number of tons shipped per annum?

Mr. BARNEY. I have not personally, but my friend who sits on my left [Mr. STEVENS] assures me that it amounts to about 2,000,000 tons; and I can state to the gentleman that the States of Minnesota and Dakota and other parts of the Northwest are supplied almost entirely with coal from Sheboygan.

Mr. LOUD. About how long has this been a considerable shipping point?

Mr. MINOR. For twenty years.

Mr. SIMPSON. Oh, yes; for thirty-five years.

Mr. BARNEY. As the gentleman says, for a great many years; but it has grown to very great importance within the last ten or twelve years.

Mr. LOUD. I would like to ask the gentleman for information if there is anybody on the River and Harbor Committee who is familiar with this matter and can tell about how many of these bills have been thus far passed? I would like to ask also about how much money is involved in the various bills that have been passed? It seems to me that we have new surveys enough now to make a river and harbor bill aggregating sixty, seventy, or even a hundred millions of dollars, without including the old works.

Mr. BARNEY. The question here is whether we have or have not, under the circumstances, a right to ask this. This harbor is one of the most important ones, as I have said, and we are certainly entitled to some consideration. This is a reasonable request; it asks for no appropriation until the matter has been determined by the engineers of the Government, when an effort will be made to secure a proper appropriation in the next river and harbor bill, if the work is reported upon favorably; and it is particularly desirable, in view of the disaster that recently happened there, that some steps should be taken to secure this particular improvement.

Mr. LOUD. You have waited twenty or thirty years. Can you not wait the same as all the rest of us have to wait now?

Mr. BARNEY. We have had from year to year some appropriations for this harbor, and this is a particular kind of improvement which I should like to have investigated, so that the River and Harbor Committee at its next session can act advisedly and with proper information before it.

Mr. SIMPSON. Is it not a fact that this is desirable now on account of the very large increase in the larger vessels over what we have had heretofore—vessels having a much greater draft of water?

Mr. BARNEY. I am not an expert in such matters, but I am told that the fact that it is a deep-water harbor has perhaps made a difference in the damage which these northeast storms have done. It is on account of its being a deep-water harbor that it is such a large coal-shipping port.

Mr. SIMPSON. Owing to the fact that in the last twenty-five years the size of vessels has increased. Of course, before that time a vessel drawing 12 feet was the average, and now they draw 20 feet. Therefore is it not desirable that this harbor should be deepened?

Mr. BARNEY. That is not the purpose of this resolution. I think it now has a depth of 18 feet, and a survey has been already made to secure a depth of 21 feet.

Mr. MINOR. About that depth, but really that is involved.

Mr. BARNEY. That may be involved hereafter, but it is desired to have this breakwater to prevent the great damage to the vessels in the harbor and at the dock and to the works already constructed by the city and the Government.

Mr. MINOR. Is it not a fact that it did become necessary to widen the entrance to the Sheboygan River, and that the city purchased a strip of land in order to give it more width, and straightened that channel, and that it ceded that land to the Government, and the Government has built a new pier and dredged out the channel so that it makes a straight course for the sea to roll in, and that is what causes the destruction of the shipping in the river?

Mr. BARNEY. That is the fact, that the Government, by widening the channel and building the pier in the way it has, has made a straight course for the northeast seas to sweep in and do this damage. And it is also a fact that the city of Sheboygan has heretofore ceded to the Government a large amount of very valuable property, as stated.

Mr. LOUD. Now, I should like to suggest the position that I myself occupy in this matter. My associate counsel [Mr. CANNON] gave notice here the other day that he should object to the next one of these cases that came up. That was his statement, made after consultation with me, with the understanding that I was to bear one-half of the odium. Now, I made my statement public the other day. I wish the gentleman would allow this to go over until Monday or Tuesday. Then I can have an opportunity to consult with my associate [laughter] until we can determine who shall take the responsibility of objecting to the first case.

Mr. PERKINS. One-half of the odium will not count.

Mr. BARNEY. I have already consulted with the gentleman's associate and laid this matter before him, and he thought that it was peculiar in its circumstances, and he also took into consideration the fact that it did not involve any appropriation at the present time. The Government employees are there, and the information is necessary to lay before the River and Harbor Committee at the next session of this body, when it is expected that that committee will act. They ought to have this information before them, and the gentleman from Illinois [Mr. CANNON] I feel sure thought there was no reason why they should not have it.

Mr. LOUD. I am very sorry my associate is not here. I wish somebody would look him up. [Laughter.]

Mr. DOCKERY. Let me suggest to the gentleman from California——

Mr. BARNEY. I would not be at all afraid to have him here, for the reasons already given.

Mr. LOUD. I think he is around the House somewhere. Perhaps he has been induced to quit.

Mr. SIMPSON. Perhaps it would be as well for the gentleman from California to go out and hunt him up. [Laughter.]

Mr. LOUD. I think that would be the best thing I could do.

Mr. DOCKERY. I desire to suggest to the gentleman from California that I am sure he could not rely with safety upon his associate in this case in the event the gentleman from California desires to object to the bill, because the gentleman who now offers the bill [Mr. BARNEY] is an exceedingly efficient member of the Committee on Appropriations, over which his associate [Mr. CANNON] presides as chairman.

Mr. LOUD. I understand that, but the next case that is coming up, I understand, is in charge of an associate of mine on my committee. [Laughter.]

Mr. STEELE. Leave that to me. I will attend to that.

Mr. LOUD. Perhaps I had better determine this.

Mr. SIMPSON. You had better pair them. [Laughter.]

Mr. LOUD. I hope the House can see the condition to which we have arrived. You have opened the doors to unanimous consent to the passage of bills of this kind, and there can be no possible end to that until somebody shall make himself obnoxious enough to stop further inroads upon the public Treasury. It is true you do not propose to put your arms into the Treasury today, but by this act you propose to get four years nearer to it than you would by pursuing the proper, legitimate, and lawful course. That is all.

Mr. SIMPSON. What has that course to be?

Mr. LOUD. Why, first, to apply for a preliminary examination is required of all men, I suppose, who have a sense of modesty, which takes two years; then a survey, which takes two more years.

Mr. DALZELL. Who told you that?

Mr. LOUD. Why, I have had that experience, permit me to say.
Mr. RICHARDSON. In other men's cases?
Mr. LOUD. As I said the other day, with that experience going over six years, until I had succeeded in getting some work probably as necessary as that at Sheboygan, or wherever it is, Wisconsin or Michigan——
Mr. BARNEY. Wisconsin.
Mr. LOUD. Ready for an appropriation; when lo and behold, the House determined that they will pass no river and harbor bill; and my successor will probably derive great credit for having secured a very large appropriation for the improvement of the harbor of San Francisco, which harbor, by the way, has never had any money out of the Government, and we are particularly modest over there. Perhaps you might not think so by the action of some members from that State on this floor; but we proceed in a regular, orderly manner, a manner which was broken into at the last session of Congress the first time, I believe, it had ever been broken into since we had river and harbor bills. Well, one session more, perhaps, and you will have reports singly upon cases of this kind for the improvement of harbors——
Mr. SIMPSON. And in the meantime all these improvements will be destroyed, because all the work that has been done there had to wait these six years before further improvement could be made.
Mr. LOUD. What work has gone on there?
Mr. SIMPSON. What advantage will it be to the Government?
Mr. LOUD. What work has been done there?
Mr. BARNEY. They have had a full survey for general improvements, and this asks for a survey where a further improvement is needed.
Mr. LOUD. Something more than you have already obtained. You have not got enough.
Mr. BARNEY. Because the improvement already made has not turned out as expected, and this asks for it in only one particular place, which will be the breakwater of the mouth of the river and prevent inroads from the northeast sea.
Mr. LOUD. I can not object to this, because I see a colleague of the gentleman from Wisconsin looking anxiously if not angrily at me.
Mr. MINOR. You do not refer to me?
Mr. LOUD. No; it is a colleague of yours who brought up a bill here four or five years ago, to which I objected, and I do not think he has forgotten it; and when I consider both gentlemen I shall not object.
Mr. SIMPSON. The gentleman asks what work the Government has done at Sheboygan Harbor. They have built a pier, and the waves are now destroying it for want of new work.
Mr. LOUD. That is simply the understanding of the gentleman.
Mr. SIMPSON. No; the gentleman so stated.
Mr. HILL. I should like to ask the gentleman from California a single question.
Mr. LOUD. It is not my bill.
Mr. HILL. The gentleman has spoken about his partner or associate. I would like to understand if any Democratic member has entered into this partnership by which unanimous consents are to be objected to.
Mr. LOUD. My associate is the gentleman from Illinois [Mr. CANNON].
Mr. HILL. I have noticed that three or four bills have been brought up by the Democratic side to which no objection has been made, and I would like to have an understanding so as to know on what line to proceed.
Mr. LOUD. If the gentleman had been here he would not have put himself in the ridiculous position that he has before this House. I am a Republican member—as good a Republican as he is.
Mr. HILL. I do not raise any question about the gentleman's Republicanism. I simply ask if there is any Democratic partner in this partnership of which he has spoken. I make no criticism of the gentleman's Republicanism and do not accept any criticism upon mine either. [Laughter.]
The SPEAKER. Is there objection?
Mr. SIMS. Now, I have a river already surveyed and I want to get the good results that are to accrue from its improvement.
Mr. RICHARDSON. Why should this river require another survey?
Mr. SIMS. And we can not get any river and harbor bill, but we may get all the benefits of a river and harbor bill in particular localities by following up these cases, and if that is done I do not suppose we will ever have another bill.
Mr. BARNEY. This is preliminary to the river and harbor bill.
Mr. SIMS. My preliminaries are all gone through and we are ready for the bill.
Mr. BARNEY. If we get enough preliminaries we may have a bill this session; but we will certainly get it at the next session of this House.
The SPEAKER. Is there objection?
Mr. GRIGGS. I object, Mr. Speaker.
The SPEAKER. Objection is made.
Mr. PERKINS. Mr. Speaker, I present a privileged report.
Mr. LOUD. Now the pressure begins. I object to the pressure.
Mr. GRIGGS. I withdraw my objection.
The SPEAKER. Is there further objection? Does the gentleman from Iowa withdraw his proposition?
Mr. PERKINS. I withhold my proposition.
The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the consideration of a joint resolution, the title of which the Clerk will report.

A joint resolution (H. Res. 175) for the survey of the harbor of Sheboygan, Wis.

Mr. SIMS. Now, I object unless we can get a new partnership by which we can get through several of these bills.
The SPEAKER. Is there objection?
Mr. SIMS. I do object positively for the present.

PRINTING OF PRESIDENT'S MESSAGE OF APRIL 11, 1898.

Mr. PERKINS. Mr. Speaker, I ask consideration for a privileged report from the Committee on Printing.
The SPEAKER. The Clerk will report.
The Clerk read as follows:

Senate concurrent resolution No. 33.

Resolved by the Senate (the House of Representatives concurring), That there be printed 20,000 copies of the message of the President of April 11, 1898, together with Senate Report 885, being the report of the Committee on Foreign Relations relative to affairs in Cuba, 6,500 for the use of the Senate and 13,500 for the use of the House of Representatives.

The report (by Mr. PERKINS) was read, as follows:

Your Committee on Printing, having had under consideration Senate concurrent resolution No. 33, to print 20,000 copies of the message of the President of April 11, 1898, together with Senate Report 885, being the report of the Committee on Foreign Relations relative to affairs in Cuba, recommend that the same be agreed to.

The Public Printer estimates the cost of printing under this resolution at $6,165.

The resolution was agreed to.

HARBOR OF SHEBOYGAN, WIS.

Mr. BARNEY. Mr. Speaker, the gentleman from Tennessee [Mr. SIMS] will withdraw the objection that he just made.
Mr. SIMS. Mr. Speaker, I have been assured that I will meet with the same kind of treatment in support of a similar measure, and I now withdraw my objection.
The SPEAKER. The House will be in order. Where two objections are made, the Chair desires to have the House take the responsibility of this matter. The Clerk will report the title again of the act for which unanimous request for consideration is made.
The Clerk again read the title.
The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.
Mr. DOCKERY. Now, Mr. Speaker——
The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Missouri?
Mr. BARNEY. I yield, Mr. Speaker.
Mr. DOCKERY. I do not object to this bill, but I avail myself of the present occasion to say that under the present method of disposing of these matters coming from the River and Harbor Committee it seems to me that the next river and harbor bill will reach tremendous proportions. If these measures continue to be approved by the House, it does seem to me that there should be some sort of classification made by the Committee on Rivers and Harbors. We have such a classification in relation to light-houses. They are classed in the estimates under three heads—"indispensable," "necessary," and "desirable."
Now, I beg to suggest to the Committee on Rivers and Harbors, or the members of that committee who may be present, that some classification similar to the one that has heretofore obtained in respect to light-houses should be applied to these works reported from the committee day by day.
Mr. LOUD. They are all indispensable.
Mr. DOCKERY. They may be from certain standpoints, but I am speaking, if the gentleman from California will understand me, from the standpoint only of the public interest and the public service.
Mr. LOUD. I think I have got some indispensable to my representation in Congress.
Mr. DOCKERY. That may be; it may involve your right to a seat on the floor; but, in all seriousness, it does seem to me that if we are to continue daily to repeal the existing statutes by special provisions for surveys, so as to secure recognition in the next river and harbor bill, that bill, instead of carrying liabilities of about seventy-eight millions, as the last one did in direct appropriations and contract liabilities, will considerably surpass the stupendous total of one hundred millions.
I again suggest to the committee the propriety of classifying

the works, so that when the Secretary of War submits estimates to the next Congress it shall be not only on the question of the desirability of certain works, but he shall also submit reports grouping the works, so that Congress may provide, first, for those classed as "indispensable;" second, those classed as "necessary," and last, those classed as "desirable."

Mr. GROSVENOR. Before the gentleman takes his seat, I want to say that I agree with him in the importance of his suggestion; but I want to suggest to him that there is an inherent difficulty in this whole business—one that makes it impossible to carry it out.

Mr. DOCKERY. I think I catch the gentleman's idea from the language of the withdrawal of a certain objection made a moment since. I do not wish to be understood as objecting to this particular measure.

The SPEAKER. There is an amendment, which the Clerk will report.

The Clerk read as follows:

And that the Secretary of War be, and he is hereby, directed to report as to the advisability of the project.

The amendment was agreed to.

Mr. LOUD. Now, Mr. Speaker, I would like to ask, if any member of the River and Harbor Committee is present to answer, why they have reported every bill for a survey, so far as my memory serves me, without this provision?

Mr. BARNEY. The gentleman from Ohio is here, and can answer that question.

Mr. BURTON. I will say that the law provides that the report of the Secretary of War or the Chief of Engineers shall state the facts with reference to the project and report as to the desirability.

Mr. LOUD. Does the law require him to report to Congress regarding the desirability after you have directed him to make a survey and estimate the cost?

Mr. BURTON. What is the amendment you propose to make? I did not hear it.

Mr. LOUD. The usual amendment, whether in the opinion of the Secretary of War the improvement is desirable or necessary. Here you go on and direct the Secretary of War to make a survey, to estimate the cost; and do you say, representing the committee, that the engineer making the survey must report to Congress as to the desirability of the project that you have directed him to submit an estimate of cost upon?

Mr. BURTON. An estimate is made of the cost and a report is made as to whether the work is a desirable improvement or not. I concede, most decidedly, that it is best such a provision should be inserted.

Mr. LOUD. If there is a general provision of law on the subject, that would, of course, apply in the first instance to the preliminary examination, and there would necessarily be a report upon the desirability of the work. But when we direct the Secretary of War to make a survey and submit to Congress an estimate of the cost of the proposed improvement, does the gentleman undertake to say that the Secretary of War must report upon the desirability of the work?

Mr. BURTON. The gentleman from California will discover on examination of these resolutions that in general—there may possibly be exceptions—they pertain to improvements already reported upon and reported to be desirable. In this case, for instance, the harbor has been improved already; the lines of improvement suggested here have been completed in part; so that we may regard the desirability of the improvement as a matter already settled. I believe that in practically all these instances (though, as I have stated, there may be exceptions) that state of affairs will be found to appear.

Mr. LOUD. I do not think the assumption of the gentleman is correct, because I believe some of the reports here have referred to absolutely new work. But, as an illustration, suppose that a portion of a harbor had been surveyed, does the gentleman assume that that survey, that preliminary examination, could be accepted as applying to another portion of the harbor, an entirely different character of work?

Mr. BURTON. No; not an entirely different project.

Mr. LOUD. I can not understand, then, why a committee that has not had any great amount of work to do during this Congress should flood this House with resolutions ordering surveys, but not including this precautionary provision which appears to be very necessary.

Mr. DOCKERY. The gentleman from California will allow me to suggest that the amendment usually adopted in these cases was born of a certain fact or condition, and that was that the last river and harbor appropriation bill carried appropriations or liabilities amounting in round numbers to $10,696,000, upon which neither the Chief of Engineers nor the Secretary of War had expressed an opinion.

Mr. BURTON. I think the gentleman is mistaken in that statement.

Mr. DOCKERY. Oh, no; I have made that statement over and over again, and it is as true as Holy Writ.

Mr. LOUD. The gentleman does not assume that the statement is true because he has made it "over and over again?"

Mr. DOCKERY. That statement, which I have repeated here frequently, can not be successfully challenged. It was made upon official information. That is the reason this amendment has been added to all the other bills; and I am glad the gentleman from California has now invited the attention of my friend from Ohio to the necessity of the amendment, so that in reporting bills of this character hereafter, if such bills are to be reported, the amendment may come from the committee.

I repeat the statement that the necessity for such an amendment arose from a condition of affairs which upon information from official reports was found to exist—that the last river and harbor appropriation bill recognized projects amounting to more than $10,000,000 where neither the Chief of Engineers (I am not speaking of the local engineer) nor the Secretary of War had passed upon the propriety of the works. I do not say that they were improper projects; I want gentlemen to understand me in that respect. They may have been worthy objects for all that I know. But I simply say they did not have the sanction of either the Chief of Engineers or the Secretary of War.

Mr. LOUD. And under those circumstances you will not give them your indorsement?

Mr. DOCKERY. I do not want to give an impromptu indorsement.

Mr. BURTON. I am satisfied the gentleman from Missouri is mistaken in the statement he has just made, just as President Cleveland was mistaken in many statements contained in his veto message. At any rate, this House should not abdicate to the War Department its right to determine what harbors should or should not be improved. If we are going to do that, we might just as well appropriate a lump sum and leave its disposition entirely in the hands of that Department.

Mr. LOUD. When we are passing these propositions by unanimous consent, would it not be best to have an opinion from the War Department as to whether the proposed improvement is advisable or not?

Mr. BURTON. Precisely; and we have had such an opinion in each case where the committee has acted favorably.

The joint resolution was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. BARNEY, a motion to reconsider the last vote was laid on the table.

IMPROVEMENT OF ARANSAS PASS HARBOR, TEXAS.

Mr. KLEBERG. I ask unanimous consent for the consideration of House concurrent resolution No. 27, which I send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the Secretary of War be, and he is hereby, authorized and directed to prepare and submit plans, specifications, and estimates, and to direct and make a survey, if deemed necessary, for the improvement of Aransas Pass Harbor, State of Texas, and especially to make plans and estimates for the removal of the sand bar at Aransas Pass and the deepening of the channel across said bar to a depth of at least 20 feet and a width of at least 150 feet at the bottom, so as to furnish an inlet for the passage of vessels from the Gulf of Mexico into Aransas Harbor; and in preparing said plans, specifications, and estimates the Secretary of War, or such Government engineers as he may designate to do the work, may consider the feasibility of utilizing such breakwaters now at said pass, constructed by the Aransas Pass Harbor Company, or the utilizing of any part of the same, and the value such use of such breakwater or material may be to the United States in deepening said channel; and in the estimate of such valuation any permanent damage which, in the opinion of the Government engineers, may have occurred by reason of the construction of said breakwater to said harbor or pass, or additional expense to the United States made necessary by reason of said attempted improvements in future improvements of said harbor or pass, shall also be considered by said engineers and reported by them.

That the Secretary of War is further directed to report to Congress at its next session; and the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expense of such plans, specifications, estimates, or survey.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. Mr. Speaker——

Mr. HENDERSON. I hope the gentleman from California will not object until he hears an explanation from the gentleman from Texas.

Mr. LOUD. I would like to enter into a little controversy with my friend here from Texas. After that the gentleman from Iowa can object if he desires to do so.

I would like to hear, before consent is given, a most thorough and comprehensive explanation of this bill. I have a grave suspicion that there is something about this Aransas Pass matter that has been here before, and therefore I would like to have an accurate explanation, which of course the gentleman from Texas can and will give. There is more in this proposition, it seems, or something that goes at least beyond what has been done heretofore with reference to this improvement, and I should be very glad

to know from him the exact facts to determine whether I am justified in making the objection that I have heretofore thought proper to make on nearly all of these matters.

Mr. KLEBERG. I will be very glad to respond fully to the request of the gentleman from California.

In 1890 the Congress of the United States authorized the Aransas Pass Harbor Company to improve the harbor of Aransas Pass at its own private expense, under certain conditions specified in the granting act. That company has proceeded and attempted to construct certain breakwaters at the pass. It has been at work for some length of time, and then for a considerable period of time the work lapsed, the company doing no work whatever upon the breakwater. The act has been extended from time to time, and under the law will terminate in January next. At that time the right of the company expires.

There is nothing in the act itself which compels, either morally or legally, the Government to assume these breakwaters and pay the expense of their construction—nothing whatever. And there is nothing in it that will authorize the company to have a monopoly there, either, in case it shall complete the work.

Now, Mr. Chairman, I wish to proceed with an explanation of this matter. This company has been at work for a considerable period, I say, whether in good faith or not I do not know, to construct the breakwater. It has failed and virtually given up the work at the pass.

In the Fifty-fourth Congress a board of engineers was authorized, by an act then passed, to ascertain the amount of the work done by the company and the cost of the same to them, as well as the value of the work for the improvement of the harbor to the Government. That board consisted of three army engineers—an entirely impartial board. They were sent down by the Secretary of War, and they made a thorough examination of the breakwater, and also a thorough examination of the harbor and its requirements.

They have been there, I believe, two or three times in connection with that work, and made a report to this Congress, in which they stated that the breakwater is absolutely worthless to the Government and that it is of no value. They say at the same time that this harbor—the importance of which the Government can not ignore—should be improved, and that the Government should improve it, and speak of the necessity for the work being done promptly.

Mr. LOUD. Not to interrupt the gentleman, I would like to ask how far Aransas Pass is from Sabine Pass or Galveston?

Mr. KLEBERG. About 150 or 200 miles from Galveston, and I suppose 300 or 350 miles from Sabine Pass.

The importance of this harbor is conceded, Mr. Speaker, and the necessity for its improvement will not be questioned. This is especially emphasized by the report of the engineers, who say that the Government should not ignore this harbor, that the work is indispensable, while that done by the private company is worthless and worse than worthless, because of the fact that it will possibly involve an expenditure on the part of the Government to remove what they have done.

Mr. LOUD. Then why ask the Government to acquire the right to this work if it is worthless?

Mr. KLEBERG. Let me continue, and I think I will fully answer the gentleman's question. The gentleman asked a full explanation, and I wish to make it.

Now, upon that report I introduced the bill for the improvement of the harbor by the Government, and in that bill I provided that this company should not receive one single cent pay for the work they have done, and that the Government should not proceed until they have filed a perfect and complete release or until some court of justice has recognized their claim and which shall determine how much they are entitled to. Or, in other words, if they do not release their claim, that they must go to court on condemnation proceedings.

Now, when the bill came before the Committee on Rivers and Harbors, the question necessarily arose as to the value of the work done by this company, and whether they are not entitled to some compensation, and if entitled to pay, how much? I say, frankly, I do not think they are entitled to anything. The issue between myself and the company is made up. I will say that the Government ought not to have to pay a single solitary cent. They claim something, and are insisting upon it before the committee. When we were before the committee it was suggested that nothing could be done until plans and estimates were made of the cost required for the improvement of the harbor, and also the extent of the breakwater placed there by this company and the cost of it, and all of the facts whatever, with reference to which appropriations should be made.

It was then ascertained that the Secretary of War could make this estimate. In fact, the same engineers who have made this other report can make it without any survey and can make it without any expense, so that an intelligent basis can be arrived at if there should be any disposition on the part of this Congress or of the Committee on Rivers and Harbors to report a river and harbor bill, so that this harbor will stand on an equal footing with other harbors and can receive an appropriation.

Now, all that is required here is simply an estimate of what the harbor will cost and an estimate of the cost of these breakwaters. Now, the gentleman will perceive that in that estimate I want this same board of engineers, or the Secretary of War, to see what damage, if any, has been inflicted upon the Government in the construction of these breakwaters by this private company, or what additional expense may be required, so that if they should report that this company's breakwater is entitled to some consideration and should place any estimate upon it, that then we can have an estimate of the damage, if any, that has been done to that harbor. That would give us a correct estimate of the cost of the improvement of that harbor.

Mr. LOUD. But the gentleman says that this bill will permit us to be put in possession of information as to how much this company have damaged the harbor.

Mr. KLEBERG. If they have damaged it at all.

Mr. LOUD. What good will that information be to us?

Mr. KLEBERG. It would simply form an intelligent basis of the cost of the opening and improvement of that harbor.

Mr. LOUD. I can not see the connection between the two.

Mr. KLEBERG. I think I can state it.

Mr. HENDERSON. Let me ask the gentleman if this is also in the mind of the framer of the resolution: That if it is found that the breakwater built by this company is of any value, and that they have damaged the harbor, there may be a set-off between the two?

Mr. KLEBERG. Exactly; that is the position I take, and I say we can not arrive at any intelligent estimate until we find the damage, if any, that has been done.

Mr. TALBERT. Does this bill carry any appropriation?

Mr. KLEBERG. None at all.

Mr. HENDERSON. That is stricken out, is it?

Mr. KLEBERG. Yes.

Mr. NORTHWAY. Now, let me ask the gentleman a question. If the engineers should report no damage to the Government, but should report in favor of paying the company for their breakwater, then the Government would be liable, would it not?

Mr. KLEBERG. No; they do not sit as a jury at all. They will report the facts. They have already reported that the work is worse than worthless and is of no value to the Government.

Mr. NORTHWAY. It is really expected that the company will be paid for their property, is it not?

Mr. KLEBERG. It is not my expectation, and I shall stand here and oppose it.

Mr. HENDERSON. This resolution does not settle anything, except to get the information?

Mr. KLEBERG. That is all. It simply gets the facts.

Mr. HENDERSON. It does not bind the Government in any way?

Mr. KLEBERG. Not at all.

Mr. TALBERT. Is not this one of those bills that are coming in from the fact that we are to have no river and harbor appropriation bill?

Mr. KLEBERG. I am not here to criticise the River and Harbor Committee at all.

Mr. TALBERT. But I ask if this and other similar bills are not brought in here because we are to have no river and harbor bill?

Mr. KLEBERG. I think not. This is one of those measures that can be passed without expense to the Government.

Mr. LOUD. It is going to cost money to make the survey. It will either come out of an independent appropriation or out of the $250,000. What is the use of trying to fool ourselves? The making of a survey costs money.

Mr. BALL. The survey has already been made, but these are facts that the report of the engineers fails to give, and the Secretary of War says that without any additional survey or any additional expense this information can be furnished.

Mr. NORTHWAY. Will the gentleman permit me? This proceeding is one that could be attached to a regular river and harbor bill, is it not?

Mr. BALL. It could be.

Mr. NORTHWAY. Then why make haste in this case and leave everybody else out in the cold?

Mr. KLEBERG. This is just like the bill that was passed here a little while ago.

Mr. BALL. Gentlemen will understand that there is a difference between new projects and projects that have already been surveyed. This survey has been made. The board of engineers have reported it.

Mr. NORTHWAY. Then why not leave it for the regular river and harbor bill, and not hasten it?

Mr. BALL. Because they did not give us possession of certain information that we should have in order to obtain a settlement

with this company. Now, I am satisfied that the specific information called for by this bill will show that there will not be one dollar coming to the company, and I will further state to the gentleman from Ohio [Mr. NORTHWAY] that the parties in interest have expressed themselves as being willing, in case the report of the engineers or of the Secretary of War shows that they are not entitled to receive anything—that they will quitclaim it to the Government and not ask any compensation. So that, to say the least, we do not commit Congress to the payment of one dollar, but we possibly avoid the expense of condemnation proceedings.

Mr. RIDGELY. Can you give us the name of this private company?

Mr. KLEBERG. Certainly. The Aransas Pass Harbor Company.

Mr. RIDGELY. Is this legislation being pressed for them?

Mr. KLEBERG. No. If it is passed, of course they are anxious to have their claims settled also, and in that light it is pressed by them; but it is pressed by the people from my whole district. I represent that entire country, and it rests upon me. I am not representing that company. I am opposing it.

Mr. RIDGELY. Our whole State of Kansas is interested in promoting facilities for shipment.

Mr. SLAYDEN. I want to say in that connection that this harbor is of vast importance to the whole of the district I represent.

Mr. LOUD. How much of a city have you there?

Mr. SLAYDEN. There is no town at the pass; it is about 15 miles out from the shore line, being a narrow strait between two islands, and there is no town there of any kind.

Mr. LOUD. And you want to make it a town?

Mr. SLAYDEN. There is no expectation of that kind.

Mr. LOUD. How much commerce is there?

Mr. SLAYDEN. I was about to explain to you. The city of Corpus Christi, which is about 15 miles away, has a population of about 6,000 people, if I recollect aright. Rockport, another town, has a population of 1,500 to 2,000; but both are some distance away, and neither one figures in this matter with me as to any improvement or as to being specially interested in the matter. But it is an outlet. It makes an outlet for the great grazing districts of west and northwestern Texas. No part of my district runs within 150 miles of this place. It is recognized as a port of importance to all the commerce of that section. There are two railroad lines. One is the line to the City of Mexico, via Laredo, and another, known as the San Antonio and Aransas Pass Railroad, runs to——

Mr. LOUD. Is there a center of business there?

Mr. SLAYDEN. Both of them terminate near the pass.

Mr. LOUD. What do they terminate there for, when there is no town?

Mr. SLAYDEN. There is one. Both terminate at Corpus Christi, 15 miles away from the pass which we hope to have improved.

Mr. LOUD. Do you expect that you are going to improve up to Corpus Christi?

Mr. SLAYDEN. This is not in the interest of Corpus Christi, or Rockport, or of any town-lot scheme, or anything of that sort. This is a measure in which the people of that section have shown their interest by donating property estimated, I believe, at $600,000.

Mr. KLEBERG. Between $200,000 and $300,000.

Mr. SLAYDEN. They have absolutely given $200,000 toward the benefit of that port. The engineers say it is easily feasible to make an important port there.

Mr. LOUD. How much would the improvement cost?

Mr. SLAYDEN. Ultimately to make a port? Well, it has been estimated all the way by optimists from $150,000 to $200,000 and up to a million and a half by practical men.

Mr. LOUD. I understand the gentleman to say that a survey has been made?

Mr. SLAYDEN. One has recently been made of Aransas Pass. The company which undertook the work and abandoned it for lack of funds—and I have never had any communication with any person connected with that particular company—only expects in the event that the stone in the breakwater is used that the Government will pay them the value of it.

Mr. LOUD. I want to say, Mr. Speaker, that if this were a plain survey, the same as the rest of them, I do not know that I would have any objection to it. Neither will I object to a plain survey; but I shall object to any reference in the bill to the work done by this company. The bill is really suspicious——

Mr. SLAYDEN. I will explain to the gentleman from California that neither my colleague [Mr. KLEBERG] nor myself will object to your objection in that respect.

Mr. KLEBERG. You can not object too much for me in that regard.

Mr. SLAYDEN. We have both been recognized as rather in antagonism to that company, although both are merely inspired by a desire to see a port created at Aransas Pass.

Mr. KLEBERG. What does the gentleman wish expunged?

Mr. LOUD. I shall not object to an ordinary survey, although you have no harbor, no city, nor anything else; but I shall object to all this reference to this work which has been done by this private company.

Mr. KLEBERG. I can explain that. A survey has been made of that harbor. The harbor has been surveyed several times, and Major Ernst has placed an estimate of one million and six hundred and some odd thousand dollars upon it.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LOUD. I shall have to object to the present bill.

Mr. KLEBERG. What is the gentleman's objection?

The SPEAKER. Objection is made.

LIFE-SAVING STATION AT GLOUCESTER, MASS.

Mr. MOODY. I ask for the present consideration of the bill H. R. 8881.

The bill was read, as follows:

A bill (H. R. 8881) to establish a life-saving station on the westerly side of the harbor of Gloucester, Mass.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish a life-saving station on the westerly side of the harbor of Gloucester, Mass., at such a point as the General Superintendent of the Life-Saving Service may recommend.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BAILEY. I demand the regular order.

The SPEAKER. The regular order is demanded. The regular order is the call of committees.

Mr. MOODY. I trust the gentleman will permit me to explain that bill. Will the gentleman from Texas permit me to explain that bill?

The SPEAKER. The gentleman from Texas demands the regular order.

Mr. MOODY. Will the gentleman permit me to explain this bill? It is a very simple and an easy one and will take no time.

The SPEAKER. The gentleman from Texas has demanded the regular order.

Mr. MOODY. The gentleman from Texas might at least have given me his attention when I addressed to him a courteous question.

Mr. DINGLEY. I move that the House do now adjourn.

Mr. BAILEY. A parliamentary inquiry. Pending that motion to adjourn, is it in order to move that the House take a recess until 8 o'clock to-night?

The SPEAKER. The Chair thinks a recess is not privileged; but if the House declines to adjourn, then that may be done.

Mr. DINGLEY. I make the suggestion to the gentleman from Texas with reference to taking a recess to 8 o'clock that I understand by inquiry at the Senate that it would be no object for the House to take a recess until 8 o'clock this evening, or even 10 o'clock, so far as that goes.

Mr. BAILEY. They have, I understand, arrived at no agreement as to the time at which a vote will be taken, but they have arrived at an agreement for closing what we would call general debate, and it is perhaps closed at this time, or, if not at this time, will be within the next hour, and then such debate as occurs upon the resolution after that will be under the fifteen-minute rule.

Mr. DINGLEY. My information is that there is no prospect of anything reaching the House at 8 o'clock or 10 o'clock to-night. If there was, I should have no objection to taking a recess until some time this evening. It hardly seems worth while to detain the House with that information, unless the gentleman has some other information.

Mr. DOCKERY. I thought there was an understanding that we should take a recess until Monday morning at 10 o'clock.

Mr. HENDERSON. I suggest that we take a recess until 10 o'clock Monday morning.

Mr. DINGLEY. I am perfectly willing to accede to that. That will meet with my wishes.

Mr. BAILEY. Mr. Speaker, I myself have little idea that the Senate would be ready to send us any matter earlier than 8 or 10 o'clock this evening, and, upon the statement that it will not probably be ready at that time, I am perfectly willing to take a recess until 10 o'clock Monday.

Mr. DINGLEY. I am told that we are not likely to get anything this evening, and not even up to midnight. I will withdraw my motion to adjourn, and ask unanimous consent that the House take a recess until 10 o'clock on Monday morning.

Mr. WHEELER of Alabama. Will not the gentleman modify his request and take a recess until some time this evening?

The Senate will vote to-day, and it would certainly be a good plan to take a recess until, say, 10 o'clock to-night, when we could receive the message from the Senate and appoint conferees.

The SPEAKER. The gentleman from Maine asks unanimous

consent that the House take a recess until Monday morning at 10 o'clock. Is there objection?

There was no objection.

ENROLLED BILLS SIGNED.

Pending the announcement, the Committee on Enrolled bills made the following report:

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 3132. An act granting a pension to Plum P. Miner;

H. R. 639. An act increasing the pension of Charles B. Eades;

H. R. 7539. An act granting an increase of pension to Martha M. McCall;

H. R. 5994. An act to grant a pension to M. Louise Anderson; and

H. R. 2629. An act to grant a pension to John Thurston.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3517. An act granting a pension to Rhoda A. Van Niman;

S. 1450. An act granting a pension to Catharine Leary;

S. 668. An act granting a pension to Frances E. Pease;

S. 499. An act granting a pension to Sarah R. Frary;

S. 487. An act granting a pension to Delia Gilman; and

S. 157. An act to increase the pension of Gen. James W. McMillan.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. POWERS, for ten days, on account of important business.

The SPEAKER. The Chair desires to announce to the members of the House that, in accordance with the permission given by the House, the Chair will reinstate the rule of the House, temporarily adopted, for tickets for Monday morning.

The House is now in recess until 10 o'clock on Monday morning.

The recess having expired, the House, at 10 a. m., Monday, April 18, resumed its session.

Mr. DINGLEY. Mr. Speaker, in view of the fact that no message can be received from the Senate until both Houses are in session, I move that the House do now adjourn.

Mr. BAILEY. Mr. Speaker, a parliamentary inquiry. I desire to inquire if it be true that no message can be received from the Senate unless both Houses are in session?

The SPEAKER. That is the rule.

Mr. BAILEY. I know that is the general legislative practice; and believing it to be a good one, I shall interpose no objection.

Mr. JOHNSON of Indiana. Mr. Speaker, I ask the gentleman from Maine to withhold his motion until I can present a request to the House.

The SPEAKER. The gentleman from Maine moves that the House do now adjourn.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. BROMWELL. Division, Mr. Speaker.

Mr. PAYNE. Oh, do not do that——

Mr. DALZELL. Nothing can be done until 12 o'clock.

Mr. BROMWELL. I withdraw the demand for a division, Mr. Speaker.

The motion of Mr. DINGLEY was agreed to.

Accordingly (at 10 o'clock and 5 minutes a. m.) the House adjourned until 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Attorney-General, transmitting a copy of a report made by Examiner W. B. De Pue as to the advisability of a change in the law governing the holding of terms of court at Bay City, Mich.—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of deficiency in the appropriation "Contingent, Bureau of Equipment"—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. MAHANY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6149) to authorize the Secretary of War to exercise a discretion in certain cases, reported the same with amendment, accompanied by a report (No. 1106); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 486) granting a pension to Mary M. Macauley, widow of the late Brig. Gen. Daniel Macauley, United States Volunteers, reported the same with amendment, accompanied by a report (No. 1101); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1119) granting a pension to Cassius M. Clay, sr., a citizen of Kentucky and a major-general in the Army of the United States in the war of the rebellion, reported the same with amendment, accompanied by a report (No. 1102); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4283) for the relief of William B. Murray, of South Pittsburg, Marion County, Tenn., reported the same with amendment, accompanied by a report (No. 1103); which said bill and report were referred to the Private Calendar.

Mr. STURTEVANT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5385) granting a pension to A. C. Litchfield, reported the same with amendment, accompanied by a report (No. 1104); which said bill and report were referred to the Private Calendar.

Mr. BROWNLOW, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4607) granting an honorable discharge to Charles Miller, reported the same with amendment, accompanied by a report (No. 1105); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 6453) granting a pension to Eliza Clark—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9899) for the relief of Ronald P. McDaniel—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SULLIVAN: A bill (H. R. 9913) to increase the pensions of widows of the Mexican war soldiers and sailors to $16 per month—to the Committee on Pensions.

By Mr. WHEELER of Alabama: A bill (H. R. 9914) to provide for the organization of volunteer reserves to the land and naval forces of the United States of America—to the Committee on the Militia.

By Mr. MAHANY: A resolution (House Res. No. 291) requesting certain information from the Secretary of State—to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CAMPBELL: A bill (H. R. 9915) for the relief of John W. Watterson—to the Committee on Claims.

By Mr. KELLEY: A bill (H. R. 9916) for the relief of David Misener, of Goodwin, S. Dak.—to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 9917) for the relief of Volney H. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9918) for the relief of Elizabeth Craine—to the Committee on Invalid Pensions.

By Mr. MAHANY: A bill (H. R. 9919) to correct the naval record of Thomas Walpole—to the Committee on Naval Affairs.

Also, a bill H. R. 9920) to pension Martha E. Moeller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9921) to correct the military record of John W. T. Briggs—to the Committee on Military Affairs.

Also, a bill (H. R. 9922) to grant an honorable discharge to William H. Bapst—to the Committee on Naval Affairs.

Also, a bill (H. R. 9923) to correct the military record of D. C. Van Brocklin—to the Committee on Military Affairs.

By Mr. MOODY: A bill (H. R. 9924) granting a pension to Lydia Woodman—to the Committee on Invalid Pensions.

By Mr. STRODE of Nebraska: A bill (H. R. 9925) granting a pension to William H. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9926) for the relief of Mrs. Ruth Hall—to the Committee on War Claims.

By Mr. WANGER: A bill (H. R. 9927) for the relief of the owner or owners of the barge *Charlie*—to the Committee on War Claims.

Also, a joint resolution (H. Res. 235) for the relief of ex-Naval Cadet S. A. W. Patterson—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWN: Petitions of the Woman's Christian Temperance unions of Clarksville, Greenfield, and Yellow Springs, Presbyterian and Methodist Episcopal churches of Yellow Springs, Friends' Church of Clarksville, and citizens of Coshocton, in the State of Ohio, urging the passage of a bill to prohibit the sale of liquors in Government buildings—to the Committee on Public Buildings and Grounds.

Also, petitions of the Woman's Christian Temperance unions of Greenfield, Clarksville, and Yellow Springs, Presbyterian and Methodist Episcopal churches of Yellow Springs, and Friends' Church of Clarksville, Ohio, favoring bills to raise the age of protection for girls, to forbid the interstate transmission of lottery messages by telegraph, and to protect State anticigarette laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Athens, Ohio, asking for the passage of the bill to raise the age of protection for girls to 18 years in the District of Columbia—to the Committee on the Judiciary.

By Mr. BULL: Resolution of the Board of Trade of Baltimore, Md., indorsing the Bull bill to provide for the enrollment and organization of Naval Reserve forces—to the Committee on Naval Affairs.

By Mr. CAMPBELL: Papers to accompany House bill No. 2490, for the relief of A. U. Whiffen—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 5612, to increase the pension of Leroy S. Gordon—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 6110, granting a pension to John D. Craig—to the Committee on Invalid Pensions.

Also, papers in support of House bill No. 7775, granting a pension to Albert R. Kiser—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 6109, granting an increase of pension to Christian J. Lidaker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 7774, granting an increase of pension to Frank Podon—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 5599, granting a pension to Thomas J. Windsor—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 5598, granting a pension to Michael Doyle—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 2536, granting a pension to Florence Tate—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 5604, granting an increase of pension to Elkana M. Hill—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 5603, relating to the claim of Albert Griffith—to the Committee on War Claims.

Also, papers to accompany House bill No. 5605, to remove the charge of desertion against Thomas D. Wagnon—to the Committee on Military Affairs.

Also, papers to accompany House bill No. 2488, bearing upon the claim of William H. Blades—to the Committee on Military Affairs.

By Mr. GRIFFITH: Petition of Bachman Post, No. 26, Grand Army of the Republic, of Indiana, and Green Clay Smith Camp, No. 3, Department of Indiana, Union Veterans' Union, in support of House bill No. 6593, to remove the charge of desertion against John Dickson—to the Committee on Military Affairs.

By Mr. HENDERSON: Petition of James Lunbuck and other citizens of Dyersville, Iowa, favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HOWE: Resolution of the National Association of Knit Goods Manufacturers of the United States, in support of House bill No. 8066, relating to appropriations to aid in the holding of a national exposition of American products and manufactures in Philadelphia—to the Committee on Interstate and Foreign Commerce.

By Mr. KLEBERG: Petition of E. D. Linn and 28 other citizens of Victoria, Tex., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. KULP: Resolutions passed by the Chamber of Commerce of the State of New York, in favor of a treaty of reciprocity with Canada and Newfoundland—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the General Society of Colonial Wars, in favor of Government ownership of Fort Ticonderoga—to the Committee on Military Affairs.

Also, resolutions passed by the Massachusetts Forestry Association, against House bill No. 8428, in reference to Executive order of February 22, 1897—to the Committee on Appropriations.

Also, resolutions of the Chamber of Commerce of the State of New York, in reference to Senate bill No. 3354, to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof—to the Committee on Interstate and Foreign Commerce.

Also, letters of protest by Col. T. F. Hoffman, of Shamokin, Pa., against the passage of House bill No. 9253, relating to the organization of the line of the Army of the United States, known as the Hull bill—to the Committee on Military Affairs.

By Mr. LENTZ: Resolutions of John A. Spellmar Post, No. 321, Department of Ohio, Grand Army of the Republic, in favor of the establishment of a national park at Vicksburg, Miss.—to the Committee on Military Affairs.

Also, petition of the Olivet Presbyterian Church, of Columbus, Ohio, to prohibit the sale of intoxicating beverages in all Government buildings—to the Committee on Public Buildings and Grounds.

Also, petition of the Olivet Presbyterian Church, of Columbus, Ohio, for the passage of a bill to forbid the interstate transmission of lottery messages by telegraph—to the Committee on the Judiciary.

By Mr. McCLEARY: Resolutions of the St. Paul (Minn.) Chamber of Commerce, favoring the passage of House bill No. 8066, relating to appropriations for a national exposition at the city of Philadelphia—to the Committee on Interstate and Foreign Commerce.

Also, protests of the St. Paul (Minn.) Fire Department Relief Association; New Ulm (Minn.) Associated Fire Companies, W. E. Koch, president, William Brust, secretary, and Messrs. Asa P. Pixley, A. G. Schendel, and G. A. Cory, in behalf of the Fairmont (Minn.) Fire Department, against the passage of Senate bill No. 2736, in relation to the regulation of insurance among the several States, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. MANN: Petition of hotel proprietors in the city of Chicago, Ill., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

Also, petitions of the Woman's Christian Temperance Union of Evanston, Ill., and the Marie Chapel Woman's Christian Temperance Union, of Chicago, Ill., for the passage of a bill to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Evanston, Ill., asking for the passage of a bill to raise the age of protection for girls to 18 years in the District of Columbia and the Territories—to the Committee on the Judiciary.

By Mr. OVERSTREET: Resolutions of the Board of Trade of Indianapolis, Ind., relating to Cuba—to the Committee on Foreign Affairs.

By Mr. SHERMAN: Petitions of William S. Eden, proprietor of Great Northern Hotel, and proprietors of 25 other hotels in Chicago, Ill.; Chattanooga (Tenn.) Chamber of Commerce; George H. Tardy and 39 others, Ocean Springs, Miss.; Jacob Romer and 89 others, New Orleans, La.; Richard L. Hand and 17 others, Elizabethtown, N. Y.; Eugene Leavitt and 4 others, Pottersville, N. Y., and Harry Upton and 6 others, Scotia, N. Y., favoring the passage of House bill No. 7130, and Senate bill No. 1575, relating to ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. SLAYDEN: Petition of C. S. Murphy and 23 other citizens of Marfa, Tex., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE: Petition of T. R. Jones and 13 other citizens of North Grove, Ind., favoring the passage of the anti-scalping bill—to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *April 18, 1898.*

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on motion of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

REPAIR OF LIGHT VESSEL.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, asking, at the instance of the Light-House Board, that an item of $15,000 to repair light vessel No. 69, to be made immediately available, be inserted in the current sundry civil appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

FINES FOR VIOLATION OF NAVIGATION LAWS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, a statement of the amount of fines on vessels paid into the Treasury for violation of our navigation laws during each year for the last five years, and also a statement of the number and amount of fines remitted during the same period for such violations, setting forth upon the recommendation of what persons or owners of vessels such fines were so remitted; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 99) granting a pension to Ira Ingraham;

A bill (H. R. 584) granting a pension to Mary I. Valentine;

A bill (H. R. 772) granting an increase of pension to William Taylor;

A bill (H. R. 2318) for the relief of John T. Brewster;

A bill (H. R. 2497) to increase the pension of James E. Easton;

A bill (H. R. 2866) granting an increase of pension to Myntie L. Hamilton;

A bill (H. R. 4189) granting an increase of pension to Newton W. Cooper;

A bill (H. R. 4486) granting an increase of pension to Peter Castle;

A bill (H. R. 4961) granting an increase of pension to George W. Osborn;

A bill (H. R. 5776) granting an increase of pension to Sidney J. Hare;

A bill (H. R. 6411) granting an increase of pension to Henry K. Opp;

A bill (H. R. 7321) granting an increase of pension to Lauritz Olsen;

A bill (H. R. 7554) granting a pension to William Iott;

A bill (H. R. 7802) granting a pension to Emily A. Hausuer;

A bill (H. R. 8181) for the relief of John A. Bingham;

A bill (H. R. 8299) granting an increase of pension to Thomas S. Tefft;

A bill (H. R. 8680) granting an increase of pension to William Tompkins; and

A bill (H. R. 9043) granting an increase of pension to Ann M. Smith.

The bill (H. R. 1288) for the relief of Samuel McKee, was read twice by its title and referred to the Committee on Claims.

JOHNSON HAYS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 310) granting a pension to Johnson Hays, which was to amend the title so as to read: "An act for the relief of Johnson Hays."

Mr. GALLINGER. I move that the amendment be concurred in.

The motion was agreed to.

CLARISSA E. HOBBS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 603) granting a pension to Clarissa E. Hobbs, which was, in line 5, after the word "her," to insert the words "a pension."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

SARAH BRUMM.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1345) granting an increase of pension to Sarah Brumm, which was, in line 7, after the word "Volunteers," to insert the words "and pay her a pension."

Mr. GALLINGER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

RANSOM S. ANGELL.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1466) granting an increase of pension to Ransom S. Angell, late private of Company G, First Regiment Wisconsin Cavalry.

The amendments were, in line 6, after the word "pension," to insert "at the rate;" and to amend the title so as to read: "An act granting an increase of pension to Ransom S. Angell."

Mr. GALLINGER. I move concurrence in the amendments of the House of Representatives.

The amendments were concurred in.

ADOLPHINE KREZ.

The VICE-PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1467) granting a pension to Adolphine Krez, widow of Conrad Krez, late colonel Twenty-seventh Wisconsin Infantry and brevet brigadier-general of volunteers.

The amendments were, in line 8, after the word "pension," to insert "at the rate," and to amend the title so as to read: "An act granting a pension to Adolphine Krez."

Mr. MITCHELL. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

MOSES M. CRANTS.

The VICE-PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1751) granting an increase of pension to Moses M. Crants: which was, in line 7, after the word "Infantry," to insert "and pay him a pension."

Mr. GALLINGER. I move that the amendment be concurred in.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. HANSBROUGH presented the petition of John A. Haing and sundry other citizens of Devils Lake, N. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. CULLOM presented the memorial of H. J. Rogers, mayor, and sundry other citizens of Waverly, Ill., and the memorial of J. O. Moon and 24 other citizens of Colchester, Ill., remonstrating against the enactment of legislation to establish in the Treasury Department a division to regulate insurance companies; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Ministers' Associations of Peotone, Ill., and the petition of S. Smith and 78 other citizens of Mansfield, Ohio, praying for the passage of the so-called anti-scalping ticket bill; which were ordered to lie on the table.

He also presented petitions of the Southeastern New Mexico Stock Growers' Association; of the Produce Exchange of Buffalo, N. Y., and of the Strawberry Growers' Union of San Antonio, Fla., praying for the passage of the bill to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof; which were referred to the Committee on Interstate Commerce.

Mr. ALLEN presented a petition of the board of education of Lincoln, Nebr., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

Mr. PERKINS presented a petition of the congregation of the Presbyterian Church of Eureka, Cal., and a petition of the Anti-Saloon League of Hydesville, Cal., praying for the enactment of legislation to raise the age of protection for girls to 18 years in the District of Columbia and the Territories; which were ordered to lie on the table.

He also presented a petition of the Board of Trade of San Francisco, Cal., and of the Chamber of Commerce of Portland, Oreg., praying for the restriction of transportation over foreign railway lines within the United States; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Woman's Christian Temperance unions of Mendocino City, Suisun City, Oroville, Olinda, Brooks, Magalia, Fresno City, Florin, West Oakland, Benicia, Napa, Lakeport, Lodi, and Yolo County: of the congregations of the Methodist Episcopal Church of Florin, the Church of Christ, of Brooks, the Methodist Episcopal Church of Fairview, the First Congregational Church of Oroville, the Christian Church of Oroville, the Congregational Church of Saratoga, the Methodist Episcopal Church of Elkgrove, the Methodist Episcopal Church of Paso Robles, the First Methodist Episcopal Church of Redlands, the First Congregational Church of Redlands, the Christian Church of Redlands, the First Baptist Church of Redlands, and

the First Congregational Church of San Francisco; of the Young People's Union of Humboldt County, of the Epworth League of the Methodist Episcopal Church of Elkgrove, of the Young People's Society of Christian Endeavor of Saratoga, of the Christian Endeavor Society of Templeton, of the Christian Endeavor Society of Ceres, of sundry citizens of Easton, and of sundry citizens of Tustin City, all in the State of California, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Woman's Christian Temperance unions of Lodi, Mendocino City, Suisun City, Oroville, Olinda, Magalia, Fresno City, Florin, West Oakland, Napa, Turlock, Lake County, and Benicia; of the congregations of the Methodist Episcopal Church of Florin, the Methodist Episcopal Church of Fairview, the First Congregational Church of Oroville, the Christian Church of Oroville, the Christian Endeavor Society of Ceres, the Congregational Church of Saratoga, the Methodist Episcopal Church of Elkgrove, the Methodist Episcopal Church of Oak Park, the Church of Christ, of Eureka, the Church of Christ, of Capay, the Centella Methodist Episcopal Church of San Jose, the Young People's Union of Humboldt County, the Epworth League of the Methodist Episcopal Church of Elkgrove, the executive board of Yolo County, of sundry citizens of Easton, and of the teachers' association of San Luis, all in the State of California, praying for the enactment of legislation to prohibit the interstate transmission of lottery messages and other gambling matter by telegraph; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance unions of Lodi, Mendocino City, Suisun City, Oroville, Perry Lake, Contra Costa County, Olinda, Brooks, Fresno City, Benicia, Napa, Redding, and Yolo County; of the congregations of the Church of Christ, of Brooks, of the Methodist Episcopal Church of Fairview, the First Congregational Church of Oroville, the Christian Church of Oroville, the Congregational Church of Saratoga, the Methodist Episcopal Church of Lake Grove, the First Congregational Church of Redlands, the Christian Church of Redlands, the First Methodist Episcopal Church of Modesto, the Presbyterian Church of Ureka, the Santa Clara County Methodist Preachers' Association, of San Jose; the Epworth League of Lake Grove, the Young People's Society of Northern San Luis, and of sundry citizens of Easton, all in the State of California, praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. VEST presented the petition of S. S. Davis and sundry other citizens of Kahoka, Mo., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Sedalia, Mo., and a petition of the District Prayer Meeting, of St. Louis, Mo., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which were referred to the Committee on Interstate Commerce.

Mr. MILLS presented a petition of sundry citizens of Marfa, Tex., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. WILSON presented a petition of sundry citizens of Spokane, Wash., praying for the passage of the so-called anti-scalping ticket bill; which was ordered to lie on the table.

Mr. PENROSE presented a petition of 58 citizens of Warren, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Capitol and all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. HAWLEY presented a petition of the congregation of the Baptist Church of South Woodstock, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of members of the Second Baptist Sunday school of South Woodstock, Conn., praying for the enactment of legislation to protect State anti-cigarette laws by providing that cigarettes imported in original packages on entering any State shall become subject to its laws; which was referred to the Committee on Interstate Commerce.

HOMING PIGEONS.

Mr. HALE. I present a statement of F. H. S. Morrison, president of the American Homing Pigeon Fanciers, of Elizabeth, N. J., relating to the use of homing pigeons in the Navy Department, which is provided for by law. I move that the statement be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. HANNA, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 843) granting a pension to Henry L. Flint; and

A bill (S. 3519) granting an increase of pension to Joshua R. Gouldy.

Mr. HANNA, from the Committee on Pensions, to whom was referred the bill (S. 3298) granting a pension to Caroline C. Townsend, reported it with amendments, and submitted a report thereon.

Mr. MASON, from the Committee on Claims, to whom was referred the bill (S. 1313) for the relief of Robert Smalls, reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 8569) providing for the construction of a bridge across the Yalobusha River, between Leflore and Carroll counties, in the State of Mississippi, reported it without amendment.

PRINTING OF ARMY REGULATIONS.

Mr. LODGE, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 1,000 copies of the Army Regulations.

PRINTING OF ARMY REGISTER.

Mr. LODGE, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate 1,000 copies of the Army Register for the year 1898.

MILITARY PUBLICATIONS OF THE WAR DEPARTMENT.

Mr. LODGE introduced a joint resolution (S. R. 150) authorizing the printing of extra copies of the military publications of the War Department; which was read the first time by its title, and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to print, in excess of the 1,000 copies authorized by the act of January 12, 1895, such extra number of copies of the military publications of the War Department as may be necessary for the instruction of the National Guard of the various States.

Resolved, That there be printed, for immediate distribution by the Secretary of War to the National Guard of the various States, the following manuals, regulations, and drill books:

Five thousand copies of Infantry Drill Regulations.
One thousand copies of Cavalry Drill Regulations.
Two thousand copies of Light Artillery Drill Regulations.
One thousand copies of Manual of Drill for the Hospital Corps.
Five thousand copies of Manual of Arms, Infantry Drill.
Five thousand copies of Army Regulations.
Five hundred copies of Regulations Pertaining to Uniforms.
Five hundred copies of Military Laws of the United States.
Five thousand copies of Manual for Army Cooks.
One thousand copies of Handbook of Subsistence Stores.
One thousand copies of Manual for Subsistence Department.
One thousand copies of Manual for Medical Department.
One thousand copies of Manual for Quartermaster's Department.
Five hundred copies of Paymaster's Manual.
Two hundred copies of Manual of Photography.

Mr. LODGE. I ask for the present consideration of the joint resolution. I also ask that letters from the War Department, which I have sent to the desk, be read in connection with the joint resolution.

Mr. COCKRELL. Is there a report with it?

Mr. LODGE. I have sent up letters from the War Department, which I ask to have read.

The Secretary read as follows:

WAR DEPARTMENT, *Washington, April 11, 1898.*

SIR: I have the honor to transmit herewith a letter from the Chief Signal Officer, with draft of a joint resolution to authorize the Secretary of War to print in excess of the 1,000 copies authorized by the act of January 12, 1895, such extra number of copies of the military publications of the War Department as may be necessary for the instruction of the National Guard of the various States. A schedule showing the number of extra copies of publications urgently needed for immediate distribution is made a part of the proposed resolution. The matter is earnestly recommended as meriting the early favorable consideration of Congress.

Very respectfully,

G. D. MEIKLEJOHN,
Assistant Secretary of War.

Hon. FRANCIS E. WARREN,
United States Senate.

WAR DEPARTMENT LIBRARY,
Washington, April 5, 1898.

SIR: The War Department is receiving hundreds of applications from Senators, Representatives, and officers and men of the National Guard of the various States for Army Regulations and the various drill regulations. These publications can not be furnished by the War Department, which prints them from the fund especially appropriated for this Department, nor has the Public Printer these valuable publications on sale.

You were pleased to incorporate in your annual report of this year (page 50) my recommendation that the militia law be amended so that the National Guard could be furnished with the military publications of the War Department. I have the honor to suggest that you forward, with favorable recommendation, the inclosed resolution to the chairman of the Committee on

Military Affairs, House of Representatives, which will provide the National Guard with military publications necessary for their proper instruction.

Very respectfully,

A. W. GREELY,
Brigadier-General and Chief Signal Officer,
In Charge Distribution War Department Documents.

The SECRETARY OF WAR.

Mr. COCKRELL. Let me hear the first part of the joint resolution read. As I heard the joint resolution read it does not provide any copies for Congress at all.

The Secretary read as follows:

Resolved, etc., That the Secretary of War be authorized to print, in excess of the 1,000 copies authorized by the act of January 12, 1895, such extra number of copies of the military publications of the War Department as may be necessary for the instruction of the National Guard of the various States.

Resolved, That there be printed for immediate distribution by the Secretary of War to the National Guard of the various States the following manuals, regulations, and drill books.

Mr. COCKRELL. Let the joint resolution lie over for a few moments until I can have an opportunity to examine it. I shall desire to move an amendment to it.

The VICE-PRESIDENT. The joint resolution will lie over.

SUPPLEMENT TO REVISED STATUTES.

Mr. LODGE, from the Committee on Printing, reported a bill (S. 4420) providing for the publication and distribution of a Supplement to the Revised Statutes; which was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That a sufficient number of copies of Supplement to the Revised Statutes of the United States, volume 2, parts 1 to 7, containing the permanent and general legislation of the Fifty-second, Fifty-third, and Fifty-fourth Congresses, with notes, references, and a general index, be printed and bound, using the present plates, for distribution, and to be distributed to members of Congress, for themselves and for distribution by them to the Departments, libraries, public officers, and others, the same number to each as heretofore provided by Congress for the distribution of the Revised Statutes of the United States, and such additional copies on the order of the Secretary of State as may be necessary from time to time to supply deficiencies and offices newly created, and for keeping for sale as required to be kept for sale by law.

SEC. 2. That the publication herein authorized shall be known as volume 2 of the Supplement to the Revised Statutes of the United States, and shall be taken as prima facie evidence of the laws therein contained, but shall not change or alter any existing law, nor preclude reference to nor control in case of any discrepancy the effect of any original act passed by Congress.

Mr. LODGE. I ask that the accompanying letter from the Secretary of State be read.

The Secretary read as follows:

DEPARTMENT OF STATE,
Washington, April 16, 1898.

DEAR SIR: I submit for your consideration draft of a bill authorizing the printing of a second volume of supplements to the Revised Statutes. The public demand requires the publication of additional supplements and I deem it economy and in the interest of all concerned that all of the parts that have been printed of the supplements to the Revised Statutes should be embodied in one volume and printed as volume 2. I recommend that this be done.

Very respectfully, yours,

JOHN SHERMAN.

Hon. HENRY CABOT LODGE,
Chairman Committee on Printing, United States Senate.

Mr. LODGE. I ask for the present consideration of the bill.

Mr. COCKRELL. That is literally to print a supplement. There has been a pretense of a supplement printed now for a year or two, and we have half a dozen numbers of different kinds. Nobody can tell from the title that is handed to us from the folding room what it is. It is not like the first volume of the supplement. I am opposed to printing anything else until we get something that is in a decent form and shape. If this is to be a bound volume and is to contain all that has been published since the last supplement, it is all right; but if it is proposed that we shall have a supplement that contains only the laws of one or two Congresses and nothing else, I am opposed to it. I think it is time we should have a republication of a revision of the statutes of the United States.

Mr. LODGE. It is the intention of this draft of a bill, which came from the State Department, to take in all the separate copies of statutes to make a supplement, including parts 1 to 7, containing the permanent and general legislation of the Fifty-second, Fifty-third, and Fifty-fourth Congresses, so as to have the compilation up to this Congress complete. That is the very purpose of the bill, as I understand it.

Mr. COCKRELL. It would be nearly as easy to have a publication of a revised edition of the statutes, would it not?

Mr. LODGE. The Secretary of State, Mr. Sherman, says:

The public demand requires the publication of additional supplements, and I deem it economy and in the interest of all concerned that all of the parts that have been printed of the supplements to the Revised Statutes should be embodied in one volume and printed as volume 2.

Mr. COCKRELL. As a matter of course. There is no question about that.

Mr. LODGE. The Secretary of State adds:

I recommend that this be done.

It is the purpose to get all the scattered supplements into one volume.

Mr. COCKRELL. That ought to be done, but ought we not to get a revised edition complete of the statutes of the United States?

Mr. HALE. Let me ask the Senator a question. Would not that be a work of such great magnitude that it ought to be carefully undertaken by the Committee on the Revision of the Laws, which conducted the last revision? It is a work which takes place only in fifteen or twenty years, and it needs the labor of very good and careful lawyers. As I think the Senator will see, that is entirely outside of the scope of this bill. It merely proposes to gather together, as I understand it, for convenient reference all the statutes of three Congresses. Anybody can do that. A clerk can do it, and I presume that the call in this case comes from some clerk who wants to do it.

Mr. COCKRELL. Oh, no, we have been paying a man a thousand dollars a session for it.

Mr. HALE. But the revision of the laws once in twenty years or so, with us as in the States, is a very important matter. Great lawyers participate in that work, and it is a work that has to be scrutinized. The Senator will remember that the last revision, which I think was under the direction in the Senate of the former Senator from New York, was discussed here for days by the lawyers of the body, provision by provision, and many things were found after the report that needed to be altered. At that time I know I was a member of the other House, and the revision was conducted under the charge of Judge Poland, then a member from Vermont, and a very good lawyer. But that is a great work. That work will take up a great deal of the time of Congress. I agree with the Senator that it is about time that it ought to be done, and that we should have a new revision of the laws of the United States in one volume so that we may know what is the law. I hope the Senator will move in that direction at some no distant day and set the Committee on the Revision of the Laws at work on the subject.

Mr. WHITE. I desire to ask the Senator from Missouri a question to see if I understand this subject. It is true that the collation and preparation and the subsequent epitomizing of the laws of the United States is quite a large work, but as I understand the present proposition it is merely to add another supplement to the statutes. It seems to me that without going into the scrutinizing labor involved in making a new edition of the entire work we at least might have all the supplements put in one work. It would not involve any more than a mere compilation, which could be done by an ordinary, intelligent man, such as is employed in many of the offices of the city, at quite a moderate salary. I do not think it would involve any such examination as was necessary to go through and compile the statutes in 1878. That was a great work. All of the original statutes of the United States had to be gone over, and it required, as the Senator from Maine has well said, a vast amount of erudition.

But I am not altogether satisfied. Why could we not take the statutes of 1878 and have them brought down to date and include the proceedings of this Congress, so that they might be published in a year and bring all the matter into a convenient compass? It is twenty years since that work was gotten out, and it is time that all of the statutes should be put together. I would rather see this matter deferred so that the work might be thoroughly done and brought up to the end of this Congress, extending the statutes of 1878, or rather revising them and issuing a new edition, so as to cover the entire subject. I think that would be more satisfactory than to parcel out the work at this date.

Mr. LODGE. I have no doubt the work ought to be done as the Senator from California suggests, but this will not delay that work in the least. This is simply to bring together the existing supplements which are now scattered volumes and put them into one volume, to be known as volume 2, using the existing plates. It will not delay nor add to the expense of a general revision such as we ought to have.

Mr. WHITE. Is it intended to reindex the work and have one index to the whole of the statutes?

Mr. LODGE. It is so stated in the bill. Notes, references, and everything are to come in, and the work done on that will not interfere with the work of revision. On the contrary, it would help the reviser. The Secretary of State states that the volumes are very much needed for distribution; that there is a constant demand for them.

Mr. WHITE. I have no objection to the bill. I merely offered a suggestion.

Mr. COCKRELL. The revision was made up to 1874. In 1878 we published a revised edition. Then in 1881 or 1883 we published a supplement of the Revised Statutes, and a second edition of that, I believe, was published to come up to a later date. I understand it is now proposed to take the little annual or sessional digests or compilations and put them all into one volume.

Mr. LODGE. To be known as volume 2.

Mr. COCKRELL. Would it be much additional expense to bind it with volume 1?

Mr. LODGE. It would make a volume too large and bulky.

Mr. COCKRELL. If the volume is to include all those publications, I hope the bill will be passed, although I think it is a work

that ought to be superseded immediately by a revision of all the laws, bringing the work up to date.

Mr. LODGE. I agree with that.

Mr. COCKRELL. I hope some member of the Committee on Revision of the Laws will take the matter in hand.

Mr. LODGE. I ask that the bill be put on its passage.

The VICE-PRESIDENT. There being no objection, the bill is before the Senate as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 4421) authorizing the appointment of Benjamin Wright ensign in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. GALLINGER introduced a bill (S. 4422) granting an increase of pension to George W. Gould; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KYLE (by request) introduced a bill (S. 4424) providing prison labor for the convicts of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BAKER (by request) introduced a bill (S. 4425) to amend the charter of the Brightwood Railway Company, of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PENROSE introduced a bill (S. 4426) to correct the military record of Harrison Defibaugh; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. BUTLER introduced a bill (S. 4427) to authorize needed repairs of the graveled or macadamized road from the city of Newbern, N. C., to the national cemetery near said city; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MASON introduced a bill (S. 4428) granting the Santa Fe and Grand Canyon Railroad Company right of way for railroad purposes through the Grand Canyon Forest Reserve in northern Arizona; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CANNON introduced a bill (S. 4429) granting a pension to Jennie P. Stover; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 4430) to remove the charge of desertion from the military record of Thomas Lee; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ELKINS introduced a bill (S. 4431) to define and prescribe the duties of the officers of the Inspector-General's Department of the Army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a joint resolution (S. R. 151) providing for the removal of the remains of the late Maj. Gen. John A. Rawlins from the Congressional Cemetery to the national cemetery at Arlington, Va., together with the base and granite shaft now marking the spot; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MASON introduced a joint resolution (S. R. 152) relative to rights of way for railroads through forest reserves; which was read twice by its title, and referred to the Committee on Public Lands.

BERING SEA AWARDS.

Mr. LODGE. I introduce a bill which I ask may be read at length.

The bill (S. 4423) to pay the Bering Sea awards was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That the sum of $473,151.26 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, and placed under the direction of the President of the United States, with which to pay to the Government of Her Britannic Majesty the amount awarded by the commissioners appointed pursuant to the stipulations of the convention of February 8, 1896, between the United States and Great Britain, providing for the settlement of the claims presented by the latter against the former in virtue of the convention of February 29, 1892.

Mr. LODGE. I desire to say, on the question of the reference of the bill, that the message of the President of the United States communicating the report of the commissioners came to the Senate on the 14th of January, 1898. In the pressure of the great question which has been before the country the matter I suppose has been lost sight of. The bill simply embodies an appropriation to pay the award of the Bering Sea Commissioners, and that award was unanimous, our commissioner and the British commissioner agreeing in the report. Under our convention we are of course absolutely bound by the award. It is a debt of honor and good faith.

I merely say this much because I wish to bring the matter to the attention of the Senate. The immediate payment of the award has, I know, the approval of the Committee on Foreign Relations, who are, of course, responsible for reporting the convention which was ratified by the Senate. I desire to call the bill to the attention of the Committee on Appropriations, to whom, of course, it will be referred, and I venture to express the hope that that committee will report it at an early day and put it upon its passage.

Mr. HALE. I wish to ask the Senator from Massachusetts a question. I did not quite understand him. This matter being somewhat or perhaps entirely in the domain of our relations with a foreign power, as I understand the Senator it has the approval and indorsement of the Committee on Foreign Relations.

Mr. LODGE. The President's message was not referred to the Committee on Foreign Relations; it was referred to the Committee on Appropriations; but I know that it is the desire of every member of the Committee on Foreign Relations that this award shall be paid. There may be some changes necessary in the terms of the bill which I have introduced. That, of course, can be provided for by the Committee on Appropriations. But that the award, to which we are absolutely bound by our treaty and action, should be immediately paid is, I know, the wish of the Committee on Foreign Relations.

Mr. HALE. I agree fully with the Senator from Massachusetts that the award ought to be paid, and paid forthwith. We are undoubtedly bound in honor as a business arrangement by the award, and it ought not to stand longer. If the measure goes upon the deficiency appropriation bill, I hope there will be no objection to it when it comes up.

Mr. MORGAN. Before this matter passes away from the attention of the Senate, I wish to say a word about it. I understood that the Committee on Appropriations had put a provision in the pending appropriation bill for the payment of the award. Is that correct? Is there not a provision in the sundry civil appropriation bill for the payment of this award in favor of Great Britain?

Mr. ALLISON. There is not such a provision. I will say to the Senator from Alabama, that being for a past transaction it would be more germane to the general deficiency appropriation bill.

Mr. MORGAN. Well, it makes no difference——

Mr. ALLISON. The failure to embody it in the sundry civil bill was not on account of any hostility whatever.

Mr. MORGAN. It makes no difference when it comes up. The proper place for it is on the appropriation bill. At the instance of the chairman of the Committee on Appropriations I drew a formula for the appropriation in which there is saved to us two questions, which it is very important we should reserve as against the principles announced in the award of the arbitrators. As to the sum awarded there is no objection whatever, but the arbitrators have expressly incorporated two principles of award in their findings, to which I think the Government of the United States ought not to accede as declarations of principle. I desire that there shall be no committal by the appropriation to all the principles that are stated in the award; that is the whole of it. I drew up a memorandum and handed it to the chairman of the Committee on Appropriations with a view of making that statement. Is the bill to be referred to the Committee on Appropriations?

The VICE-PRESIDENT. It will be referred to the Committee on Appropriations.

Mr. HALE. And also the message communicating the subject-matter was referred to the Committee on Appropriations.

Mr. MORGAN. As a member of the Committee on Foreign Relations, which is supposed to be acceding to this bill, I desire to state for myself that I will expect to offer amendments to it unless the Committee on Appropriations shall see proper to adopt those that I have already suggested.

Mr. ALLISON. I will say to the Senator from Alabama that the amendment proposed by him will be fully considered in the Committee on Appropriations.

Mr. MORGAN. That is all I desire.

The VICE-PRESIDENT. The bill will be referred to the Committee on Appropriations.

AMENDMENT TO GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HANSBROUGH submitted an amendment relative to the location of an elevator in the northeast corner of the Senate wing of the Capitol, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

WORK OF THE PENSION BUREAU.

Mr. GALLINGER. I have here an article which was taken from the Evening Star, of this city, of April 15, in reference to the work being accomplished in the Pension Bureau.

I will state that as chairman of the Committee on Pensions I am in receipt of a great many letters from all parts of the country complaining of the administration of the Pension Bureau, saying that under its present Commissioner the old soldiers are being discriminated against and are being very badly treated. My own

knowledge leads me to an entirely different conclusion, and as this article gives a great many important facts in connection with that matter, showing the work the Bureau is accomplishing, I desire to ask unanimous consent that it be printed as a document, so that it may in certain cases be sent to those men who are uttering complaints against the administration of that great office.

The VICE-PRESIDENT. Is there objection to the request to print as a public document the matter sent to the desk?

Mr. WHITE. I desire to inquire of the Senator from New Hampshire whether it is simply a statement of work done or whether it is in any sense a political article of any kind. I have not seen it.

Mr. GALLINGER. It simply shows how much money is being expended by the Bureau and how many cases have been adjudicated and are being adjudicated. It is a fair statement of the situation.

The VICE-PRESIDENT. The Chair hears no objection, and the order is made.

DESTRUCTION OF THE BATTLE SHIP MAINE.

Mr. QUAY submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That there be printed 20,000 copies of the message of the President of the United States, dated March 28, 1898, together with the report of the naval court of inquiry upon the destruction of the United States battle ship *Maine* in Havana Harbor, February 15, 1898, and the testimony taken before the court, 6,500 copies for the use of the Senate and 13,500 for the use of the House of Representatives.

CAPT. CHARLES D. SIGSBEE.

Mr. MASON submitted the following concurrent resolution; which was referred to the Committee on Naval Affairs:

Resolved by the Senate of the United States (the House of Representatives concurring therein). That the thanks of Congress are hereby extended to Capt. Charles D. Sigsbee for the courage, heroism, and devotion displayed by him upon the occasion of the terrible calamity which befell his command in the destruction of the United States battle ship *Maine*.

THE COMMITTEE ON APPROPRIATIONS.

Mr. ALLISON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations be, and is hereby, authorized to employ a stenographer from time to time as may be necessary to report such testimony as may be taken by the committee or its subcommittees in connection with appropriation bills, and to have the same printed for its use, or the use of the Senate, and that such stenographer be paid out of the contingent fund of the Senate.

HON. WILKINSON CALL.

Mr. CHANDLER. On the 14th of April I asked for an order to print a memorial to the Senate from Hon. Wilkinson Call, late a Senator from Florida. I found the memorial in the committee room of the Committee on Privileges and Elections, it having been referred to the committee when it was presented. I also found with it and laid before the committee a document entitled "A letter of Wilkinson Call to the people of Florida," which I included in the request for printing. My attention has been called to Mr. Call's letter as not being a document which could be properly printed and circulated by the Senate. I do not think I ought to have included it in the request to print. I therefore ask that Document No. 236 may be withdrawn from circulation and that the memorial may be printed separately for the use of the Senate.

The VICE-PRESIDENT. The Senate has heard the request of the Senator from New Hampshire as to reprinting the public document which he has requested, leaving out the letter mentioned. Is there any objection?

Mr. GORMAN. I trust the request of the Senator from New Hampshire will be granted, and I also trust (because this is not the only instance where documents have been asked to be printed that contained matter that ought not to be in a public document) that hereafter the chairman of the Committee on Printing will see to it that all such requests for printing shall go to the Committee on Printing for examination. This is only one of many cases where requests of this sort have been made and matters entered into a document that should have no place in the public records. I think the only safe way when a request of this kind is made hereafter is that it shall be submitted to the Committee on Printing, so that it may be seen that no political matter whatever shall be included in the document. So far as I can I shall object hereafter to any printing unless it has had that supervision.

Mr. GALLINGER. On that point I desire also to add a word.

Mr. GORMAN. I suggest to the Senator from New Hampshire that he ought at this time to include in the order that the document be withdrawn from the files.

Mr. CHANDLER. That is practically the request I made.

Mr. GORMAN. I beg pardon of the Senator. I did not hear it.

Mr. CHANDLER. I have no objection to its being put in that form, that the present document be withdrawn from the files and that the memorial alone be printed as a separate document. That I understand to be substantially the order which the Vice-President has directed to be made.

The VICE-PRESIDENT. Is there any objection to the request in the form in which it is put by the Senator from New Hampshire?

Mr. GALLINGER. On a former occasion I said a word in opposition to the practice of printing documents indiscriminately by Congress at the public expense. During the present session of Congress several documents have been ordered printed which reflect very seriously and unjustly upon a committee of the Senate. I think it is high time that there shall be some revision of the documents we print and circulate over the country at the expense of the taxpayers of the country. We certainly ought not at public expense to print documents that reflect upon the integrity of committees of the body which is ordering them printed. I concur very heartily in the suggestion made by the Senator from Maryland, that it might be a very good plan to refer these matters to the Committee on Printing for their consideration before they are ordered printed by Congress without any knowledge as to their contents.

The VICE-PRESIDENT. The request made by the Senator from New Hampshire is to withdraw the document as now printed and that the memorial be reprinted. The Chair hears no objection, and the order is made.

MRS. CHRISTINE C. BARNARD.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 504) granting an increase of pension to Mrs. Christine C. Barnard having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House of Representatives and agree to the same.

J. H. GALLINGER,
GEORGE L. SHOUP,
JOHN L. MITCHELL,
Managers on the part of the Senate.

H. C. LOUDENSLAGER,
J. F. STALLINGS,
J. R. HOWE,
Managers on the part of the House.

The report was concurred in.

ARKANSAS STATE CLAIMS.

Mr. BERRY. If the morning business is concluded, I ask the Chair to lay before the Senate the action of the House of Representatives upon Senate bill No. 3.

The VICE-PRESIDENT laid before the Senate the action of the House of Representatives on the bill (S. 3) to approve a compromise and settlement between the United States and the State of Arkansas; which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
April 14, 1898.

Resolved, That the bill from the Senate (S. 3) entitled "An act to approve a compromise and settlement between the United States and State of Arkansas" do pass with the following amendment:

Page 2, line 16, after "law," insert: "upon the declarations and conditions hereinafter provided

"SEC. 2. That the amount of $362,971.35, with which the State is credited in said compromise and settlement for 132,594.27 acres of indemnity land, at the price of $5 an acre, be, and the same is hereby, reduced to the amount of $331,485.63, the value of said indemnity land at $2.50 an acre, the double minimum price of Government land; and the State of Arkansas is hereby credited with the sum of $331,485.68 for 265,188.54 acres of additional selected unadjusted swamp land, at $1.25 per acre, the minimum price of Government land, leaving the balance to be paid by the State of Arkansas to the United States under said compromise and settlement $160,572.

"SEC. 3. That the title of all persons who have purchased from the State of Arkansas any unconfirmed swamp land and hold deeds for the same be, and the same is hereby, confirmed and made valid as against any claim or right of the United States, and without the payment by said persons, their heirs or assigns, of any sum whatever to the United States or to the State of Arkansas.

"SEC. 4. That the State of Arkansas does hereby relinquish and quitclaim to the United States all lands heretofore confirmed, certified, or patented to the State which have been entered under the public land laws; and does hereby cede, relinquish, and quitclaim to the United States all right, title, and interest under the acts of September 28, 1850, March 2, 1855, and March 3, 1857, in and to all lands in the State which have been heretofore granted, confirmed, certified, or patented by the United States under any other acts, and the title to such lands is hereby confirmed in the grantees, their heirs, successors, or assigns, anything in this act or any other act to the contrary notwithstanding: *Provided*, That this act shall be of no force or effect until the State of Arkansas shall have accepted and approved the conditions, limitations, and provisions herein contained by an act of the general assembly or by an instrument in writing duly executed by the governor under the authority conferred upon him by the legislature of said State and filed with the Secretary of the Treasury and the Secretary of the Interior within one year from the approval of this act: *Provided further*, That whereas the general assembly of the State of Arkansas did, on the 10th day of March, 1897, accept and approve the conditions, limitations, and provisions herein contained before the passage of this act, making the same effective and conclusive, therefore this act shall be in full force and effect from and after its passage."

Resolved, That the House request a conference with the Senate on the amendment of the House.

Ordered, That Mr. LACEY, Mr. BARNEY, and Mr. SHAFROTH be the managers of the conference on the part of the House.

Mr. BERRY. Mr. President, I would greatly have preferred that the House of Representatives should have passed the Senate bill without amendment; but the effort was made both in the last

Congress and in this to pass the Senate bill, and I have become firmly convinced that it is absolutely impossible to have the Senate bill even considered by the House of Representatives and to have it passed there without amendment. The delegation from the State have made every possible effort to pass the bill without the amendment, and they agree with me that we must take the amendment or have no bill. And they agree with me, also, that it is best for the State that this controversy should be settled.

I want to state further that the amendment which has been proposed by the House of Representatives was during the winter of 1897 presented to the legislature of the State of Arkansas. After a contest a majority of that legislature agreed to accept the amendment which is now proposed by the House of Representatives.

In view of the fact that the legislature of Arkansas has agreed to accept the amendment, and thereby, in effect, instructed the delegation to vote for it, and in view of the further fact that I believe, notwithstanding the amendment, that the State will be largely the gainer by the settlement, I am going to agree to the House amendment.

The controversy has existed for fifty years. This settlement will quiet the title of thousands of our citizens to their homes. It relieves the State from a debt amounting, principal and interest if you count the interest to this date, of about $2,800,000, and relieves the Government from a claim of the State for several thousand acres of land. I am therefore instructed by a unanimous vote of the Committee on Public Lands to move to concur in the House amendment.

Mr. JONES of Arkansas. Mr. President, I wish to say that I cordially concur in all that has been said by my colleague; and I hope the Senate will concur in the amendment of the House of Representatives.

The VICE-PRESIDENT. The question is on the motion of the Senator from Arkansas [Mr. BERRY], that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

Mr. RAWLINS. Mr. President, the pivotal question in the existing situation in our relations with Spain and Cuba seems to be involved in the claim made that the power and right to decide the question of national independence rest exclusively with the President of the United States, and that no such power exists in the conjoint action of the President, the Senate, and the House of Representatives, or that, if by such joint action national independence may be recognized, it is a power which ought not now to be exercised.

As I may at this time without taxing the patience of the country or delaying action which may be regarded as urgent, I desire to discuss that question in the light of the provisions of the Constitution of the United States.

Mr. President, the power to recognize national independence is not conferred in express terms either upon the President or upon any other department of the Government. It necessarily, therefore, exists as an incidental or implied authority. It is claimed to exist in the President as an incident to his power to make treaties.

The power to make treaties is expressly vested by the Constitution in the Executive, "to be exercised by and with the advice and consent of the Senate," two-thirds of the Senate concurring. The Supreme Court of the United States has defined a treaty in the case of Edye *vs.* Robertson, reported in 112 United States Reports, where this subject was under consideration and the opinion was rendered by that eminent jurist, Mr. Justice Miller. On page 598 he says:

> A treaty is primarily a compact between independent nations. It depends for the enforcement of its provisions on the interest and the honor of the governments which are parties to it.

As a treaty is a compact between independent nations, whenever it is proposed to enter into a treaty the question necessarily arises as to whether the party proposing to become bound by it is an independent nation. The President, therefore, before he enters into the consideration of the subject-matter of a treaty necessarily must make inquiries as to whether the other party is a national sovereignty and has an independent existence.

So, whenever such question is presented to the President as incidental to the exercise of the treaty-making power, the President must determine that question of national independence, which involves the competency of the party proposing to enter into the contract; but when he has decided that question and enters into the treaty, it must be submitted to the Senate for its concurrence, as provided in the Constitution. The Senate of the United States must necessarily pass in review all the elements which are primarily to be considered by the Executive whenever the making of a treaty is involved, and among those elements is the question as to the competency of one of the parties to the contract.

The Senate must, therefore, make inquiry, in the exercise of its undoubted authority as an incident to its power to advise the President in respect to the making of a treaty, whether the opposite party is an independent nation competent to enter into the contract.

Mr. President, the Senate may differ with the President in his determination that the party proposing the treaty is an independent nation. It may decide that it is not possessed of national sovereignty, and upon that ground may refuse to concur in the treaty which has been sent to it by the President. Therefore, the Senate, in the exercise of that incidental authority, may decide for or may decide against national independence, notwithstanding the President himself has previously passed upon that question, because if the Senate decides that the party proposing the treaty is not an independent nation and not competent to make a contract, or to comply with its provisions if made, it is the end of controversy, and the decision first made by the President is overruled in effect by the power in whom the Constitution has vested the authority to concur or refuse to concur in a treaty.

Mr. President, suppose the President has decided in favor of national independence and the Senate has concurred in that decision by ratifying or confirming the treaty. Is that final? Is that a conclusive determination of the question of national independence which is thus exercised as an implied or incidental authority? I will endeavor to show that it is not conclusive; that there is another authority provided by the Constitution competent to review this action and this determination both of the Executive and of the Senate, and which may overrule that determination decisively and finally. That such is the case is no longer the subject of controversy or dispute if we are to follow the decisions of the highest tribunal in this nation.

The Supreme Court, in the case to which I have just referred, after setting forth that a treaty is primarily a compact between independent nations, decided that whenever this Government enters into such a compact, it necessarily recognizes the independent existence of the other party to the contract; but the Congress of the United States, by the conjoint action of the President, of the Senate, and of the House of Representatives, may modify or repeal that treaty; may wipe it out of existence by revocation; and when it is so repealed or revoked, it falls to the ground with all its implications, including that of the recognition of the competence of one of the parties to the contract, namely, its national independence.

The Supreme Court of the United States has in a number of cases decided that the treaty may be modified or may be revoked by the action of Congress. This question directly arose in the case to which I have referred, where Mr. Justice Miller used this language:

> We are of the opinion that, so far as the provisions in that act may be found to be in conflict with any treaty with a foreign nation, they must prevail in all the judicial courts of this country. We had supposed that the question here raised was set at rest in this court by the decision in the case of The Cherokee Tobacco, 11 Wall., 616.

Further on the court say:

> The precise question involved here, namely, a supposed conflict between an act of Congress imposing a customs duty and a treaty with Russia on that subject, in force when the act was passed, came before the circuit court for the district of Massachusetts in 1885.

After referring to that decision, which held that the act of Congress necessarily repealed pro tanto the treaty made by the Executive with the concurrence of the Senate, the court proceeds to decide in this case that this power of Congress is unquestioned. But I read further as bearing upon this same question, and the reasoning herein employed, it seems to me, is decisive of this entire question:

> A treaty is made by the President and the Senate. Statutes are made by the President, the Senate, and the House of Representatives. The addition of the latter body to the other two in making a law certainly does not render it less entitled to respect in the matter of its repeal or modification than a treaty made by the other two. If there be any difference in this regard, it would seem to be in favor of an act in which all three of the bodies participate. And such is, in fact, the case in a declaration of war, which must be made by Congress, and which, when made, usually suspends or destroys existing treaties between the nations thus at war.
>
> In short, we are of the opinion that, so far as a treaty made by the United States with any foreign nation can become the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal.

It must follow, therefore, that in so far as the President and Senate have incidental authority to recognize national independence in the exercise of the treaty-making power, which is expressly conferred by the Constitution, such recognition may be wiped out and obliterated by the conjoint action of the President and the Senate and the House of Representatives in the exercise of legislative authority. It must follow, then, clearly, that in so far as the President is claimed to have authority to recognize the independence of a nation in the exercise of this treaty-making power his decision of that question is subject to review, first, by the Senate, which may nonconcur, which renders ineffectual his recognition; but if the Senate concur, there is still another ultimate tribunal by whom the question may be decided, namely, the Congress of the United States; and the language of the Supreme Court is not inapt when it says:

> If there be any difference in this regard, it would seem to be in favor of an act in which all three of the bodies participate.

Next, it is claimed, as I understand the argument of those opposed to the view of the question which has been entertained by the majority of the Senate, that the President has the authority to recognize national independence as an incident to his authority to receive foreign ambassadors or diplomatic representatives.

Mr. President, the power to receive ambassadors, as already pointed out, is not conferred upon the President in express terms anywhere in the Constitution. The Constitution in defining the jurisdiction of the courts makes reference to ambassadors. In the controversies relating to ambassadors, the Supreme Court of the United States is vested with original jurisdiction; and when a case comes up, and any question of ambassadorship arises in the court, the question as to whether the party claiming any privilege or right in virtue of that character which must be decided' Is the individual a foreign ambassador? The determination of that question is necessary in order to decide, first, whether the Supreme Court of the United States has original jurisdiction of the controversy. It may be necessary to decide it in order to determine whether the person is entitled to the privilege which pertains only to a foreign ambassador.

How is the court to decide that question? The Constitution has made no provision as to how it shall be determined. We can, therefore, not look to any express provision in order to determine that question. Who is to decide that fact? Mutuality and reciprocity are essential to the exercise of the power both to send and receive ambassadors. If some foreign government should send a diplomatic representative to the United States, and he should address himself to the President, undoubtedly the power of the President informally to receive him would be unquestioned, as he may receive any individual, irrespective of the official character of that individual.

Naturally, as has been frequently suggested, the President will, in the first instance, pass upon the question as to whether any particular individual presenting credentials from an alleged independent nation is entitled to be received; and in passing upon the question as to whether he shall be extended that official courtesy the President would undoubtedly be called upon to pass upon the question as to whether the authority undertaking to accredit him was possessed of national independence or sovereignty.

I readily concede, Mr. President, that here incidentally the President is called upon to determine whether or not national independence exists in respect of the power undertaking to accredit an ambassador to the United States, but the important question is whether his determination in such a case as that is final and conclusive and binding upon all the other departments of the Government, or binding upon him in his future action in respect to that Government.

A few considerations, it seems to me, will make it perfectly clear and conclusive that where the President thus incidentally passes upon the question as to whether a given power is an independent nation is not conclusive, because, before we can have complete relations with any foreign government, we must not only receive, but we must undertake to send diplomatic representatives from this Government to represent it in the matters pertaining to the power which it is proposed to recognize. It is a reciprocal duty. To receive the representative of a foreign government and to refuse to send one is an anomaly in the affairs of nations. The President undoubtedly, in the first instance, may receive, but he has no power to send a representative. He can not create the office of ambassador, he can not provide his salary, he can not determine his grade, unless some express authority be conferred upon him to that effect by the Congress of the United States.

Unquestionably the power is vested in Congress to determine whether or not we will send any representatives and what the grade and pay of its representatives shall be, and when Congress has so acted, the President, under his oath, in the execution of the power vested in him by the Constitution, must recognize that action of Congress as his exclusive guide in such matters. Then, although the President may incidentally determine that the nation is in existence to the extent necessary to enable him to extend the official courtesy of receiving its representatives, he has no power to determine as to whether the foreign relations with that government shall be made complete by the sending of a representative from this country.

Hence we find in this case that, while the President may be called upon to act, and may properly act, his action is subject to review by the Congress of the United States, by the conjoint action of the President, the representatives of the States, and the representatives of the people in the two branches of Congress, and the united action, the conjoint consent and direction, of these three departments of our Government, so to speak, are of far more efficacy and power than the determination of the President incidentally in undertaking to receive a diplomatic representative from abroad.

The Congress may overrule the action of the President and wipe it out, and not only that, but I next call attention to a power vested in Congress whose exercise may be destructive absolutely of diplomatic relations with foreign governments, and which can not by any possibility be questioned. The power to declare war is vested exclusively in the Congress of the United States, and the moment such a declaration is made by Congress the President has no authority to receive any diplomatic representative from the power or nation against whom the declaration of war is made. The language which is employed by the Supreme Court of the United States in direct application to the power of Congress in respect to treaties is equally applicable to the question of the exercise of the power of the President to receive ambassadors from foreign governments. This language is used:

> Such is, in fact, the case in a declaration of war, which must be made by Congress and which, when made, usually suspends or destroys existing treaties between the nations thus at war.

Usually, I believe universally, the diplomatic relations existing between the nations thus at war are destroyed by a declaration of war, and though the President may have decided to receive an ambassador from some foreign country, that power is wiped away. Although the President in the first instance has that power, Congress can take away that power by a simple declaration of war. It can wipe it out absolutely and eternally, and what it can do thus completely it can do in part if it see proper to do it.

Therefore the two grounds upon which it is claimed that the President of the United States alone can recognize the national independence of another power, government, or people and that such determination is finally conclusive, as it is claimed to relate to the power to make treaties, are destroyed, because the Supreme Court of the nation has decided that Congress may revoke, repeal, or wipe out treaties as it sees proper; and as to the power claimed to exist in the President by virtue of his right to receive foreign ambassadors, Congress can take away effectually that power. There is no ground, no foundation anywhere to be found in the Constitution, either in express authority or implied authority, by which it can be successfuly maintained that the President has the exclusive authority finally to determine the question of national existence.

Mr. President, it would seem to follow that, while the President has incidental authority in certain cases to recognize the independence of foreign governments, in the case of treaties his determination of it may be reviewed and overruled by the Senate of the United States. Where it is determined both by the President and the Senate, it may be overruled by the action of the Congress of the United States, composed of the President, Senate, and House. It also follows that, while the President incidentally may decide that a given government is a national sovereignty, in order that he may receive its accredited representatives, that may be reviewed and overthrown by the action of the Congress of the United States, and no provision of the Constitution and no other authority has been pointed out to which the authority of the President to recognize national independence can be claimed as an incident. It must follow that no such exclusive power exists in the President, and that in every case it is subject to be reviewed and overthrown by the conjoint action of the President, the Senate, and the House of Representatives.

Having come to the conclusion, therefore, that this is a power which rests finally for the determination of the Congress of the United States whose action must receive the concurrence of the President in the method provided in the Constitution, so that in that case we have the conjoint action of the three departments passing upon the question, the next question which arises is whether under the existing circumstances in the present situation the Congress of the United States ought to recognize the independence of the Republic of Cuba.

In this connection, before proceeding to the discussion of the question of expediency, I desire to allude for a moment to a claim made by the distinguished and learned Senator from Alabama [Mr. MORGAN]. It had been asserted that France recognized the independence of the colonies when the situation in regard to actual independence, national sovereignty, and ability to carry into effect provisions of treaties and perform international duties and obligations was less tenable than that which pertains to the Republic of Cuba. I understood the Senator from Alabama to deny that any such recognition had taken place, and he read from a treaty entered into between France and the colonies, whereby it was provided that neither should enter into any agreement for a cessation of hostilities with Great Britain without the consent of the other. When the Senator, as it seems to me, read from that treaty, he overthrew the very proposition which I understood him to seek to maintain; because when that treaty was made with France, France necessarily determined and decided that the other party to the treaty or contract was an independent nation. I read from the definitions as given by Mr. Justice Miller as to what a treaty is. He says:

> A treaty is a contract between independent nations.

And that is necessarily true. Hence, when France entered into a treaty with the colonies she entered into a compact or contract

with an independent nation. When she entered into a contract with that independent nation, she recognized the existence of the colonies as an independent nation, a people occupying an equal station, possessed of sovereignty among the nations of the world. It is a shining example and an apt illustration of the duty of the people of the United States in relation to the Republic of Cuba.

Is it wise or is it expedient for Congress to recognize the independence of the Republic of Cuba? In the course of the very able discussion of the different phases of this question during the last week some Senator deprecated with great earnestness that anyone in this body, that any member of either branch of Congress, should lack confidence in the President of the United States. If we had good reason to believe at this time that the President of the United States was in fact favorable to the independence of the Republic of Cuba, I for one would be disposed to leave the question of recognition of that independence to his determination, having full confidence that such recognition would take place within such time as would prevent any evil consequences arising which have been depicted as likely to result from a failure to recognize the independence of the island or its emancipation from the authority of Spain.

The President of the United States in all his representations to the Kingdom of Spain has never caused any suggestion to be made to that Government in favor of the absolute and complete independence of the Island of Cuba. In the two communications which he has made to the Congress of the United States relating to that subject we do not find any suggestion, any recommendation, to the Congress of the United States that the ultimate end in this case is the establishment of the independence of the Island of Cuba and its emancipation from Spanish authority. It is not a question of lack of confidence in the Executive.

There are Senators upon this floor with whom I differ in respect to questions of public policy in whom I have the utmost confidence, but for the reason that I am compelled to differ with those Senators in respect to some matter of public policy I must, so far as I am able, bring their purposes to naught. Every man who believes that the people of Cuba, who have during the past three years struggled to establish their independence and emancipate themselves from the tyranny of Spain, have established it, will do and must do, if he is true to his convictions, do legitimately, whatever he thinks is necessary in order to bring about that result.

If we find ourselves upon that question in opposition to the expressed desires of the President of the United States, and if we seek to bring to naught the purpose which he seems to have in view, which does not mean the complete independence of that island, it is not because we lack confidence in the personal integrity and honesty of the President, but it is because we believe in a policy and a purpose which essentially, and maybe radically, differs from that which he maintains; and if we would be true to our convictions, we must seek to defeat the purposes and policy of the President.

It is not necessary that we distrust the President. If I have read the purpose of the President as expressed in his message, if I may judge of it by his previous conduct in relation to this question, if we are to judge as to what may take place in the future by what has taken place in the past, we necessarily come to the conclusion that the end which the President seeks is peace in the Island of Cuba and some kind of stable government there, perhaps an autonomous government in which the sovereignty of Spain over the island remains, but in which there is tranquillity, in which we may proceed in peace to carry on our international commerce and perform our international relations and duties without the incidental disturbance and outrages which the conduct in respect to that island has entailed in the times which have passed. But that does not reach the end which, in my judgment, is desired by the American people. It is not the purpose entertained by a vast majority of the members of the Senate, and I do not believe it is entertained elsewhere. Our duty, then, in this emergency is, if we can, to carry into effect the purposes which a majority of the Senate entertains upon this question.

Mr. President, suppose we content ourselves with the direction to the President to intervene in the affairs of Cuba. Suppose we declare in connection with that that the people of Cuba ought to be a free and independent nation. Suppose we authorize and direct the President of the United States to employ the Army and Navy for the purpose of bringing about some result which we do not plainly and unequivocally declare in the resolution which we enact. We turn over to the Executive the Army and the Navy of the United States to be employed at his discretion.

We have confidence in the President. Judging by the past, we have reason to believe what his action is likely to be in the future. What will he do? It is not a question of personal integrity. It is not a question of Americanism. It is not a question of the respect which every citizen of the United States owes to the Chief Magistrate of the nation. What will he do with the Army and the Navy? To what end will he employ it? is the question which concerns the American people and the American Congress.

We should all be delighted if we had an explicit and direct assurance of the President that he would employ the Army and Navy decisively for the purpose of giving complete independence to the people of Cuba, but the misfortune of the situation is that the President has in no way intimated, either in terms or by act or conduct, that he would drive the Spaniards away from Cuba and leave the people of that island in a complete state of emancipation.

The Senator from Delaware [Mr. GRAY] held up his hand and with great earnestness and eloquence declared that he was not a partisan in respect to this question, but was an American, and I doubt not that the sentiment which he thus expressed is entertained perhaps by every member of the Senate. I agree with him fully when he declares that the question of national honor, the question of safety, the question of freedom, the question of public policy as it relates to that moral control which this Government has sought to maintain of affairs upon this continent rises far above partisan consideration. The sentiment which he thus expressed, while advocating the view that Congress ought to yield to the suggestions of the President on this occasion, is entertained, I believe, by everyone who entertains the opposite view and thinks that in order that the purpose which the majority of the Senate has in view may be carried into effect we are unable to conform to the suggestions of the President.

The difference between the Executive and the people and the Senate is not one of inexpediency. It is not a mere question of administration.

The President in his communication to the Senate has claimed not only that the Republic of Cuba ought not to be recognized, but the supporters of the President here have informed us that his contention is that he alone may exercise the power to determine whether any nation is independent or otherwise, and that his determination is final and exclusive—that there is no authority in this Government to pass in review and modify or repeal the determination which he thus makes.

In connection with that claim on his part it is also claimed that the conditions in Cuba are not such as to warrant any recognition of the organized government existing there and which has had control of the operations against Spain. If those conditions do not now exist there, I ask is there any reasonable probability that in the future any change in the condition is likely to take place which will convince the President, in the exercise of what he claims is his exclusive province and authority, that there should be a recognition of the independence of the people upon that island?

I will never consent by any vote which I shall cast to concede to the President of the United States that he can determine finally and without review by Congress whether any nation is free or independent or otherwise. See what that involves. The President of the United States might decide that Japan is not an independent nation; he might refuse to receive diplomatic representatives from that Government; he might undertake to intercept supplies sought to be delivered to that Government on the ground that it was under subjection to some other foreign government, such as Russia or Great Britain or some other power, as a mere dependency and not as an independent sovereignty.

The rights and duties of neutrality necessarily depend upon national sovereignty and national existence. It is only necessary to proceed further in order to see that the question of national independence may mean peace or war.

To abdicate the power which thus belongs to Congress to recognize the independence of a nation, to declare war, to prescribe the conditions upon which war may be carried on, to do those things which may be necessary to wage that war to success—to abdicate all this power to the President is too much for the President to ask and too much for any friend of the President to seek upon the mere pretense that every Senator owes it as a duty as a patriot to support every recommendation which the President may make.

I think the Senate ought to adhere to the position which it has taken and only concur in any action whereby the Republic of Cuba may be recognized as a separate and independent nation, that its forces may be utilized in conjunction with those of the United States, in order that the war which seems now to be impending against Spain may be waged to a successful conclusion, in order that by the precedent which we now establish in this great and critical emergency the question may be finally and forever settled. While the President has incidental authority, primarily, to recognize national independence in connection with the power to make treaties and receive ambassadors, the exercise of that power is always subject to revision, modification, or review by the Congress of the United States.

I believe there never has arisen any duty more important than the one which now devolves upon both branches of Congress upon

this great question. For myself, I am unwilling to surrender it. I am unwilling to make any concession which implies its surrender. I am unwilling for a moment to concede to the present Executive or any other Executive that power which belongs, in my judgment, finally to the representatives of the States and of the people in the two branches of Congress. It is the power of peace or war, that power which is clearly and unequivocally vested here and not anywhere else.

FRANK LOYD.

Mr. CLAY. I ask that the bill (H. R. 7318) for the relief of Frank Loyd, of Georgia, be taken up and placed on its passage.

Mr. ALLISON. I do not rise to object, but only to give notice that after this bill shall be disposed of I shall be glad to call up the sundry civil appropriation bill.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill indicated by the Senator from Georgia?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT ON AFFAIRS IN CUBA.

Mr. PETTIGREW. I submit a resolution, and ask for its present consideration.

Mr. ALLISON. I yield to the Senator from South Dakota for that purpose.

The resolution was read, as follows:

Resolved, That there be printed for the immediate use of the Senate 30,000 copies of the report of the Senate Committee on Foreign Relations relative to affairs in Cuba, omitting the message of the President of the United States, the correspondence and the testimony.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. COCKRELL. The last clause I did not hear distinctly.

The Secretary read as follows:

Omitting the message of the President of the United States, the correspondence, and the testimony.

Mr. GRAY. What is to be printed?

Mr. COCKRELL. Simply the report of the committee.

Mr. PETTIGREW. Just the report; the written report of the committee.

Mr. COCKRELL. Why not have it all?

Mr. PETTIGREW. Because, in the first place, it would require a concurrent resolution, as it would exceed the limit of authority to print. The cost would exceed $500 and this will not; and there is a great demand for the report.

Mr. COCKRELL. I know there is a great demand for the report. We ought to have the report printed.

Mr. PETTIGREW. That could be covered by a concurrent resolution. I think at least 100,000 copies ought to be printed.

Mr. COCKRELL. How much will this printing cost?

Mr. PETTIGREW. It will come within the limit of $500. Thirty thousand copies will cost about $250, I think, as near as it could be estimated.

Mr. COCKRELL. Why not add the message of the President to it?

Mr. PETTIGREW. That has been printed separately. There are plenty of copies of the message.

The VICE-PRESIDENT. The Chair hears no objection, and the resolution is before the Senate.

Mr. GRAY. I hope the Senator from South Dakota will agree to make it a concurrent resolution and let us have the whole volume reprinted which we have had on our desks. There is a great demand for it. It is a very useful publication.

Mr. PETTIGREW. I should like very much to have it, but——

Mr. GRAY. That volume gives the consular reports; it gives the report of the committee and the President's message. It also gives the result of the testimony taken by our board of inquiry and by the Spanish board of inquiry. It gives just the information that intelligent people want. The American people want everything.

Mr. LINDSAY. There is a very extensive demand for it.

Mr. GRAY. A very extensive demand.

Mr. PETTIGREW. I shall be glad to introduce another resolution covering the testimony and correspondence in connection with the report, but I am afraid that that would cause such delay as is hardly warranted. In view of the fact that this printing will cost only about $250, I hope the Senator will not object. I will state that I introduced the resolution at the request of the chairman of the Committee on Foreign Relations, and in this form because of the immediate demand.

Mr. COCKRELL. Let it go, then.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. PETTIGREW subsequently submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 100,000 copies of the report of the Committee on Foreign Relations of the United States Senate relative to affairs in Cuba, including the message of the President of the United States, the correspondence, and the testimony, and reports of consuls, 40,000 for the use of the Senate and 60,000 for the use of the House of Representatives.

Mr. MILLS subsequently said: I desire to submit my individual views as my own report on the Cuban resolutions which were reported from the Committee on Foreign Relations, and I ask that they may be printed.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Texas?

Mr. ALLISON. Certainly I think that request ought to be granted; but we have just ordered a hundred thousand copies of the report of the committee, and it seems to me that we ought to have the benefit of the Senator's views also.

Mr. MILLS. Does the Senator propose that the views which I submit shall be printed with the report of the committee?

Mr. ALLISON. Yes; I think that ought to be done. I have no doubt it will be a valuable contribution; and I ask that the order be made to print the views of the Senator from Texas with the report of the committee.

Mr. MILLS. All right.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and that order will be made.

GEORGE PEYTON.

Mr. TURPIE. I ask the Senate to take up for present consideration the bill (H. R. 2768) for the relief of George Peyton from the charge of desertion and to grant him an honorable discharge.

The VICE-PRESIDENT. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. ALLISON. I yield in order to ascertain what the bill is. If it gives rise to debate, I hope the Senator will not press it now.

Mr. TURPIE. It is an unobjected House bill on the Private Calendar.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill (H. R. 2768) for the relief of George Peyton from the charge of desertion and to grant him an honorable discharge?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments; in line 8, after the word "War," to strike out "or other proper officials," and in line 7, after the word "and," to strike out the following:

And that the records be so amended as to show the said George Peyton to have been honorably discharged from the military service of the United States at the date of the discharge of the other members of his said company, and to grant him an honorable discharge as of said date; and no pay or emoluments shall be allowed by reason of the passage of this act.

And to insert in lieu thereof:

Substitute therefor "absented himself on June 16, 1865, without proper authority, went to his home and remained so absent when his company was mustered out on August 5, 1865," and to issue to him a certificate accordingly: *Provided*, That no pay, bounty, allowance, or pension shall be granted or accrue to said Peyton by reason of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to remove the charge of desertion standing against George Peyton, late a private of Company I, One hundred and forty-fourth Regiment of Indiana Infantry Volunteers, and substitute therefor "absented himself on June 6, 1865, without proper authority, went to his home and remained so absent when his company was mustered out on August 5, 1865," and to issue to him a certificate accordingly: *Provided*, That no pay, bounty, allowance, or pension shall be granted or accrue to said Peyton by reason of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of George Peyton from the charge of desertion."

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask the Senate to proceed to the consideration of the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8438) making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

The VICE-PRESIDENT. The pending question is on the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

Mr. COCKRELL. Before that is taken up, I ask that the amendment beginning at the bottom of page 105, in italics, be taken from that clause and put at the end of line 7, page 106. It is wholly out of place there. It was a clerical error in putting it where it is.

Mr. ALLISON. It is simply at the wrong place.

Mr. COCKRELL. Yes; and it should be transposed.

Mr. ALLISON. Let amendment 23 be transferred from page 105 to page 106 after line 7.

The VICE-PRESIDENT. The Chair hears no objection, and the correction is made.

Mr. GALLINGER. I ask that the pending amendment be read, so that the Senate may understand what is before it.

The SECRETARY. In line 12, page 27, after the word "retired," insert the following additional proviso:

Provided further, That no portion of the sum authorized to be used for plate printing shall be used for any printing of notes, bonds, checks, or internal-revenue stamps other than for printing from hand-roller presses.

Mr. GALLINGER. Mr. President, I would not occupy a further moment of the Senate in discussing this amendment were it not that during the preceding debate, unintentionally beyond a question, certain statements were made that are inaccurate, as I understand the matter; and as this may not be the end of the discussion, I feel it incumbent upon me to put in the RECORD what I conceive to be the precise facts connected with this contention, which commenced in the Forty-third Congress and which we supposed had ended ten years ago, but it is revived. For the purpose of having this matter in such shape that it may hereafter be referred to in conjunction with the views expressed by other Senators on this question, I have taken the trouble to put what I shall say to-day in writing, so that it will not be possibly full of the errors that sometimes creep into our remarks when we make them without having given them careful consideration.

In the course of the debate on the 11th instant relative to the use of hand or steam plate-printing presses in the Bureau of Engraving and Printing several statements were made to which I desire to call brief attention. The Senator from Iowa [Mr. ALLISON], the distinguished chairman of the Committee on Appropriations, stated that the patentees submitted to the payment of $500 as royalty and the rate of 1 cent per thousand sheets provided by the appropriation bill for the year ending June 30, 1890, and "so the matter went on and the old presses gradually wore out and the Bureau ceased to use them."

This statement is surely not accurate. The patentees declined to accept the provisions hedging in the use of their presses, and it was, in fact, a foregone conclusion when the appropriation bill was passed that they could not and would not accept the conditions attached by Congress, and these conditions were attached with a thorough understanding by Congress that the legislation inaugurated prevented absolutely, for the then coming year at any rate, the use of the steam presses in the Bureau. The use of the presses which were then employed for internal-revenue work and the backs of notes was absolutely discontinued on June 30, 1889, as appears from a letter from Director Johnson dated March 31, and forming part of the speech of the Senator from Iowa. So it appears from the very authority invoked by the Senator from Iowa that the presses were discontinued, not because they were worn out, but because of the policy inaugurated by Congress.

In Mr. Johnson's letter of the date referred to he states that the adoption of the amendment above given would necessitate the execution of postage stamps on hand-roller presses. This statement is on its very face impossible, for the proviso suggested does not include stamps, and specifically designates the classes of plate printing to which it refers.

It is absolutely impossible to reconcile in any manner the various statements made by Mr. Johnson. In the letter in question he says that—

The necessity for the recent discharge of thirty plate printers from the Bureau is explained by the fact that the Commissioner of Internal Revenue recently very largely reduced his orders, and as the Bureau is dependent upon the orders of the officers having charge of the work for authority to print the securities and stamps, it was necessary to reduce the force.

In his memorandum attached to the second letter to the Senator from Iowa he says that the purchase of the presses—

will also enable the Bureau to accumulate a stock of finished work, thus making deliveries of seasoned in place of green printing, which never lasts as well as when it is seasoned. This it has never been able to do because of its want of printing capacity.

If there were a need for increasing the supply of notes so as to provide the Government with a seasoned stock, the men who were discharged because of a lack of internal-revenue work might readily have been employed on the production of United States notes. We may, therefore, fairly infer from the facts in the case that there is nothing whatever in the suggestion that a stock of seasoned notes is necessary, and nothing in the further suggestion that a change of policy has taken place involving more rapid destruction of currency, and therefore the need of greater ability to produce currency within a limited time. Some motive other than the one assigned must be looked to for the reason for the making of the change.

Mr. Johnson further says that Congress expects that the work will be executed "at the lowest possible cost, attaining at the same time the highest quality of work." Neither Mr. Johnson nor anybody else has ever professed to believe that the best work was performed or could be performed upon the steam presses. In a recent interview in the Washington Post Mr. Johnson has stated that "the latticework on the back can be done more evenly by steam than by hand;" but an investigation of the recent issues, particularly of the silver certificates, will show that the so-called "latticework" is a feature of minor importance, and an unessential detail of the engraving, the protective and at the same time the artistic features being contained in the vignettes and other specimens of ornamental engraving. It is contended on behalf of the plate printers that printing of this kind can not be done by steam presses, and this contention has never been opposed by anybody.

Mr. Johnson's present position is entirely inconsistent with his position and statements in times past, as may readily be observed by reference to his prior reports. In his report of October 1, 1894 (House Executive Document No. 2, Fifty-third Congress, third session, page 722), he says:

I consider the artistic beauty of the design for a bank note to be as essential against counterfeiting as the manner in which either the engraving or printing is executed. In fact, they must all be of the highest standard of excellence to afford perfect protection. To attain this standard of excellence I have secured the services of some of the best engravers and printers, and have received aid from some of the most talented artists of the country in preparing designs for the new issue of silver certificates, and the result, in my opinion, will be not only a creditable work from an artistic standpoint, but a series of notes which it will be beyond the skill of counterfeiters to imitate in a way which will be at all dangerous to commerce.

He now proposes to change the system of engraving on the back of notes to latticework, which may be done, as he says, more evenly by steam, and which is, because of its very uniformity, readily reproduced by photographic methods of counterfeiting. He proposes differing from his former conclusion, to discard that which, according to his own statement, "is a creditable work from an artistic standpoint," and to create, so far as the backs of the currency are concerned, a series of notes which may be readily counterfeited.

But Mr. Johnson now states that—

The claim made by the plate printers that increased danger from counterfeiting will result from the use of steam presses for the printing of the backs of bank notes is raised by them simply by way of argument, without any substantial ground whatever to stand upon.

That this is incorrect on its face the plate printers have shown, and I particularly direct attention to the testimony of Mr. J. W. Osborne, a very competent authority. The even and shallow lines produced by the steam presses are infinitely more readily counterfeited than the product of the hand presses.

But Mr. Johnson is inconsistent with himself. In his report made October 1, 1896 (House Document No. 8, Fifty-fourth Congress, second session, page 564), he says:

I am of opinion that the standard established by the recent issues should be maintained. They have been produced by the employment of the best artistic talent in the country, the best engravers, the use of the best materials, and the most careful printing that can be done. All of these factors go to make up the greatest difficulties in the production of notes, even in this Bureau, where every facility for the work is furnished. Therefore if there should be an attempt to counterfeit these notes, the difficulties of the production of a successful counterfeit would be increased tenfold as compared with the regular set forms heretofore used by the Government. I most heartily recommend that in all new issues of the Government this policy be continued.

In 1896, about eighteen months ago, Mr. Johnson thought that the most careful hand printing was none too good for the Government issues. He now proposes to employ a method denounced by everyone familiar with the subject as inferior, and to meet the requirements of this inferior method he is now engaged upon engraving new plates, using more extensively than before mechanical lathe work, which is in itself expressionless and inartistic.

He is departing also from the policy indicated by his report of date October 28, 1895 (House Document No. 8, Fifty-fourth Congress, first session, page 494), wherein he used the following language:

With your approval, it has been my policy to employ the best talent and furnish the best materials in all branches of the service, having at all times a due regard for judicious economy. This policy has been productive of the best results, and it is asserted by those who are familiar with the service that more engraved dies have been added to the stock of the Bureau during the year than in twenty preceding years.

And, Mr. President, it will be understood that during the time this testimony was given by this gentleman at the head of the Bureau of Engraving and Printing no hand work was being done in the great Bureau over which he presides.

Mr. Johnson has also cruelly attacked the personnel of those under his direction. I regret exceedingly that this policy has been resorted to. Such course is not only demoralizing to his employees and destructive to the best interests of the Government, but it is not borne out by former communications addressed by him to the Secretary of the Treasury. Mr. Johnson says in the memorandum attached to a letter addressed to the Senator from Iowa [Mr. ALLISON] of date April 2, 1898:

We now have over 300 plate printers upon our rolls. Out of their number there are at least 50 men who can not or do not do good work, who will remain absent without leave, thus causing the Bureau the loss of the product of their

presses, and who each pay day, if they report for duty, show evidence of excessive drinking and nervousness that virtually incapacitates them for good work.

To get rid, therefore, of the alleged incapable or dissipated men to whom he has chosen to give employment in the past, he recommends the use of steam presses.

Mr. President, I hesitate not to assert that the above assertion of Mr. Johnson is an entirely gratuitous libel upon the men under him, and a statement not justified by the fact, not justified by his former reports, and which, if true, would reflect upon his own competency as a director. Only six months previous to the writing of this letter, on October 1, 1897, in House Document No. 8, Fifty-fifth Congress, second session, he reported to the Secretary of the Treasury that—

In conclusion it seems proper for me to say that the Bureau is in better working order and is more capable of furnishing all the branches of the Government with the securities desired than it has ever been. The officers and employees of the Bureau seem anxious to maintain and improve the standard of the work, rendering at all times proper cooperation with this office. With this condition prevailing and the continuance of your confidence, the honor of which I fully appreciate, I see no reason why the Bureau of Engraving and Printing should not continue to be classed as the most perfect manufacturing establishment in this country.

Mr. HAWLEY. Mr. President, I beg for order in the Chamber. I wish to hear the very interesting statements which are being made, and I wish that other Senators could hear them; but there is a continual loud conversation all along the outer walls of this Chamber, so that it is practically impossible to conduct the public business properly.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair hopes order will be preserved in the Chamber, that Senators will be seated and suspend audible conversation. [A pause.] The Senator from New Hampshire will proceed.

Mr. GALLINGER. Mr. President, I did not flatter myself that in the statement I am making, which is, of course, dry and uninteresting, I would have the attention of very many members of the Senate. I will appreciate, however, the order that comes from Senators retiring from the Chamber when they desire to engage in audible conversation. I do not, of course, ask them to listen to me.

I am therefore forced to the conclusion that in attacking the personnel of his office Mr. Johnson has vainly endeavored to discover some argument which will justify his present action. If he was pleased with the personnel in October, 1897, surely there has been no material deterioration since and no reason for the change of opinion.

Certainly, Mr. President, there can not be any valid reason for Mr. Johnson putting on record a statement that fifty of the employees of that Bureau are men who indulge in habits of intoxication and who are unworthy to be retained in the Bureau in which they have long been at work, and concerning whom six months ago Mr. Johnson himself gave the testimony which I have read.

If in October, 1897, the Bureau of Engraving and Printing was "more capable of furnishing all the branches of the Government with the securities desired than it had ever been," surely out of his own mouth he has proven the absence of necessity or excuse for the employment of steam presses, and it can not now be true as he states in his memorandum, that "the physical force of this Bureau is becoming inadequate to meet the requirements of the Government."

But Mr. Johnson says:

The available space in the building is also becoming inadequate to meet the gradual increase of the work.

And to prove this he refers to the fact that his office has—

recommended year after year during my administration, as well as that of my predecessor, and even prior to his incumbency, an appropriation for additional buildings in which to place our ink mill, rag laundry, storeroom, etc., with the expectation that the main building would be relieved, so that more space might be made in that way, but without avail.

In this statement Mr. Johnson has been to the highest degree disingenuous. It is true that in his reports made in 1896 and 1897 he asked for an appropriation for buildings in which to operate the machinery of the laundry and the ink mill with safety and to proper advantage, and in his report for 1896 he contended that the frame buildings in use for that purpose were entirely insufficient in size for the end desired, and were dangerous because of dilapidation. He did not in his report intimate that the main building was too crowded for the purpose for which it was intended, or ask more room for the business carried on therein. He would now have Congress believe that the space in the main building is inadequate. If this were true, why did he not in October, 1897, ask for an increase in its size? He made no such request, and the only request made in his report is for a building in which to operate the machinery of the laundry and ink mill with safety and to proper advantage. He said:

The further use of the present wooden sheds is not only disadvantageous to the service, but very dangerous to the surrounding property. They contain combustible material which is liable to fire, and in the case of the laundry, which has already been injured to a considerable extent by fire, it is becoming so decayed as to be dangerous to the lives of the men working therein. I most earnestly request your assistance in securing from Congress a sufficient appropriation to construct such buildings as are needed to make this branch of the service creditable and safe.

The operations for which he asked a new building were not and are not carried on in the main building; it is safe, therefore, to assume that the crowding of the building had nothing whatever to do with the employment of steam presses—not simply because of the fact that such crowding was never discovered until Mr. Johnson's proposed use of the steam presses was challenged, but also because of the fact that any saving of space by the employment of the dozen steam presses he desires would be entirely immaterial. Each steam press takes up the space of between two and three hand presses, while doing the work of, at the outside, not more than four hand pressmen. The saving, therefore, to result from the difference between the space occupied by 12 steam presses and 48 hand presses is too immaterial to justify argument.

As to the quality of our currency and the necessity for exercising the greatest possible care to make counterfeiting as difficult as possible, I call attention to the fact that Mr. Brooks, who was Chief of the Secret Service for nearly a quarter of a century and who was an expert of experts in detecting counterfeit money, gave testimony in favor of hand work, as did also Mr. Bell, who succeeded him. They both gave positive and explicit testimony before the House committee against the use of steam presses, and they readily picked out from the samples the steam-printed ones.

The Senator from Iowa [Mr. ALLISON] made a suggestion on another point which is worthy of some consideration. As I remember the matter, he called the attention of the Senate to the fact that we were on the verge of a war; that very likely we were to have war with the Kingdom of Spain. He suggested that in that emergency it might be very important that we should have facilities in the Bureau of Engraving and Printing for turning out more currency and internal-revenue stamps than can be done by hand presses. Well, Mr. President, that suggestion is entitled to consideration, and I presume it influenced to a certain extent the minds of Senators who heard the statement from the lips of the distinguished chairman of the Committee on Appropriations. But I have made some inquiry concerning that matter, and I think that that is a danger which we need not apprehend.

In 1861 a steam press such as for a time was used in that Bureau, and which it is now proposed to reintroduce, was unknown; it had not been invented. We went through the great war from 1861 to 1865, and I take it we printed more paper money than we shall print in the little war of a week, or two, or three, or four, or five, or six weeks that we are going to have with Spain. I take it we printed then more internal-revenue stamps than we are going to be called on to print if we conclude to increase the tax on beer or on some other of the luxuries in which the American people indulge. I say I take it for granted that we printed infinitely more of paper money and of internal-revenue stamps from 1861 to 1865 than we shall be called upon to print during the coming war, if war shall come to this country; and yet, Mr. President, the hand presses were adequate to do the work during the four years of that terrible conflict, and the hand presses will be adequate to do the work in any emergency, in my judgment, that may come upon the people of this country. I have no apprehension on that point.

There are hundreds of hand pressmen out of work to-day in the United States, men who have given long years to learn that intricate and difficult trade, who will be glad of employment by the Government of the United States if the necessity arises to ask for their employment. So I think, Mr. President, that that suggestion on the part of the Senator from Iowa, made in good faith, while it is entitled to serious consideration, need not influence the vote of a single member of the Senate of the United States.

Mr. President, we all admire art; we all like a real picture instead of a counterfeit picture; we all like real money instead of counterfeit money; we all like our currency, which goes into our pockets and into those of our families and our friends, to be money which the counterfeiter will find it difficult to imitate rather than easy to imitate.

I wish that every member of the Senate had had the opportunity that I have sought to examine the difference between hand plate printing and steam printing, so far as the securities and the currency of this Government are concerned. I have here, Mr. President [exhibiting], a calendar issued by the New England Mutual Life Insurance Company, of Boston, Mass. This company did not economize in printing the calendars which they sent out to their patrons; they did not put them on steam presses that would have printed them, very likely, for one-quarter of what they paid for this beautiful specimen of hand printing.

I wish every Senator would take this calendar in his hands; I wish he would run his eye over it and see how beautifully those figures and those letters are raised. While a steam press would print an even impression, it would have none of the beautiful features which this calendar has. I submit, when we can have such work as that done upon our currency, that it is an absurdity, on the ground of economy or for any other reason, for this great

Government of ours to save a few dollars in printing $100,000 worth of money which is to go into the pockets of our people, and which is to be examined by every counterfeiter in the entire world.

Let us be wise in this matter; let us remember that there is a species of economy that is the rankest extravagance; let us see to it by our votes to-day that we ask and insist that the currency which is given to the people of this country shall be the best currency that can be turned out in the Bureau of Engraving and Printing.

Mr. HAWLEY. Mr. President, I would not say one word to-day if I did not think it a duty. I do not like to talk against Niagara.

In the line of what my friend from New Hampshire [Mr. GALLINGER] was saying a few minutes ago, I have statements from men who know what they are talking about.

It is asserted that by the use of the hand-roller press the work will be too slow for the task that may be set us. I am assured that ten men in thirty days can run out $100,000,000 of bonds. There is no difficulty about paying debts by printing, if that is to become the fashion in war times—not the slightest difficulty in the world of doing all the work by hand. Hand-roller printing is a little slower than the machine work, but it is far more excellent; sufficiently so to pay for the slight addition of time and expense.

The United States has had a very high reputation in all this matter. Much paper money has been printed for other countries, and likewise bonds, and it has been the best work done in the world. It is done in the only way that good work can be done. I explained, at quite sufficient length, the other day the matter of hand printing and the extreme care and delicate manipulation that there inevitably must be in adjusting the right of quantity of ink to each part of the picture, and especially to the more delicate parts. The light lines want but little ink in them, and the others will require more, because they are deep.

The only way on earth to do that is by the rubbing of a rag, held in the hands of a man who has learned his trade, and also, as I explained, by rubbing the ball of his hand over the plate to give the delicate touch, which can not be given in any other way. You can not find a man who is a judge of art or fine work outside of the Government, a dealer in elegant engravings, who will say we ought to think of doing this work by the new steam press. Suppose a plate passes along very rapidly and the rag is guided by the machine; it will take the ink, but it may take it all out of the part where the lines are very light. There is danger of taking the ink out of those delicate parts, and the face of the note may become daubed where there are deep cuts in the plate.

They have done some work by steam presses which they profess is very good indeed, but how do you think it is done? In some cases it is done in this way. They sacrifice the rapidity of execution. They stop each plate and let a plate printer take the rag in his hands and delicately distribute the ink. They go over each plate in the hand-roller way and say that is steam-press printing.

This subject has been investigated very thoroughly here over and over again. A very thorough investigation took place ten years ago, when, after laborious investigation, a committee of the House of Representatives reported as follows:

> But the committee can not agree that the mere question of economy in printing the obligations and securities of the Government merits consideration in this connection. In their opinion there is but one point in issue in considering this bill, and that is the duty of the Government to afford the citizen the greatest attainable security against counterfeit notes; and being satisfied that this security can be obtained in greater degree by using the hand-roller press exclusively, they are unanimously of the opinion that the steam presses should be discarded.

I wish also to quote a little bit from men who are recognized authorities in this matter. Mr. Logan C. Murray, president of the National Bankers' Association of America, said:

> Referring to a conversation had with you in Washington, I would say that at all times the bankers of the country will not be satisfied unless the methods of printing, numbering, and issuing securities of the United States will approach the nearest to absolute security against error and fraud, even though such methods be more expensive, and Congress should make such appropriation as will secure this end.

I read now from Mr. Lorenzo J. Hatch, formerly a prominent engraver of the Bureau of Engraving and Printing, afterwards an employee of the Western Bank-Note Company, of Chicago, Ill. I do not know whether or not he is living now. He was considered an expert and a judge.

> In answer to your request for my opinion of steam-power plate printing, I would say that steam presses, such as are now in use, can have no proper place in the production of Government securities if it is the policy of the Government to depend upon excellence of work for its protection. The high standard of work which the United States Government has demanded in the past has developed the professions of engraving, transferring, and printing bank notes to a perfection that has attracted repeated orders and millions of dollars from other countries. If the standard is lowered, the professions must follow, just as surely as they rose to meet the high demand.
>
> While realizing that steam printing, if the work could be done properly, would be an advantage to engravers, inasmuch as it would, by reducing the cost, open a larger field for the adaptation of the art, I do not believe that machines ever can do the work equally well, if hand printing were done under the best conditions possible, and I can not but feel disheartened at the growing tendency to substitute poorer methods of giving expression to so noble an art, and that the feeling of "good enough" should be creeping into a business that has earned this country a world-wide reputation.

There was very careful evidence given in that same investigation by Mr. Bartas P. Newman, an engraver and plate printer, who was in business outside of the Government office. He was asked:

> Q. Can plate printing be properly done by steam presses?
> A. In my opinion it can not. Plate printing, from the nature of the work, can not be adapted to steam process and produce good results.
> Q. Do you think a machine can fill in a plate properly?
> A. No; for the reason that upon the proper distribution of the ink upon the roller depends the proper filling in of the plate.
> Q. Is it necessary to fill in some parts heavy and other parts light?
> A. If the above question refers to filling in the plate with ink, I would say it is indispensable that the plate should be evenly covered with ink, the amount of ink to be regulated by the depth of the work to be printed.
> Q. Can any machine handle a rag properly and wipe certain parts full and other parts light, according to the nature of the engraving?
> A. No machine can fill the conditions named in the above question. The wiping of a machine must be of a hard scraping character, thinning out the line, effacing the fine turning work of a plate, that makes up the finish of an engraving, and makes it a protection against counterfeiting.

I heard a remark made when this debate began some days ago about the walking delegate. The walking delegate has nothing to do with this question. I am not talking for him. I am not talking because I desire any particular number of plate printers to be employed. I am speaking for the credit of the art of the country and for its protection against easy counterfeiting. That is what I am speaking for; and I sincerely hope the amendment may pass.

A single word as to what can be done in the Bureau of Engraving and Printing, and how much can be printed there. They can get out in an emergency, such as may come upon us now, whatever work may be required. There are recorded at the Bureau to-day the names of some 70 or 80 of the best plate printers in the United States, who have so recorded their names there because they think that under the circumstances there may be a chance of their getting employment. The work can be done well—excellently well; there are plenty of men, and there is nothing in the world in the way except the false notions of economy, which can no more produce good currency than a chromo maker can produce a work of ancient or modern high art in painting.

Go to the loan exhibition in the old Corcoran Art Gallery, and see if you suppose a machine running along like the presses which run daily issues of our newspapers can produce a fine painting or anything more than a machine chromo performance. Go to a fine gallery of engravings and etchings, and see whether you think a machine can do such work as that. No, sir. It will be degrading to the character of our Government, running a risk of counterfeiting, and doing injustice to ourselves in every respect if we fail to pass this amendment.

The VICE-PRESIDENT. The question is on the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

Mr. ALLISON. I only desire to say a word, Mr. President, on this question. I agree substantially with everything the Senator from Connecticut [Mr. HAWLEY] and the Senator from New Hampshire [Mr. GALLINGER] have said. Certainly, our paper money, our postage stamps, and our internal-revenue stamps should be printed in the best style of the art of printing, but the difficulty with me is that I do not think the Senate of the United States and the other House should by direction say how this work shall be done. To force a particular policy or a particular method upon an executive officer of the Government is to distrust that officer as to his ability to execute the powers assigned to him. It is for the executive power to deal with such questions.

I can not conceive that any Secretary of the Treasury would be willing that any of the notes or bonds or even postage stamps executed under his direction should be imperfectly executed. Here is a proposed statutory limitation on our part to deal with this question. That is my chief objection to the amendment. To suppose that he will use steam presses in order to throw upon the public imperfect currency, currency which can easily be counterfeited, seems to me impossible.

The Senator from New Hampshire took occasion to make an observation upon the remarks I made a few days ago respecting what is very likely to occur within a day or two, and he cited the experience of 1861 to 1865. Mr. President, in 1861–1865, take the simple item of postage stamps, and there was not, in my belief, one postage stamp used then where there are a hundred used now.

Mr. GALLINGER. This does not touch that.

Mr. ALLISON. I understand, but I am speaking of this question generally. I remember when I first entered this Chamber I was placed upon the Committee on Appropriations, where I was assigned to the Post-Office appropriation bill. In 1873 the total revenues of the Post-Office Department for the prior year were $22,000,000, of which, if I remember aright, only about three-fifths was for postage stamps, at three cents each; yet last year there was realized from the sale of postage stamps alone more than $65,000,000, if my memory serves me correctly. So with beer stamps, so with all the stamps we have issued, and that we

are to issue. We have increased the number very largely year by year.

My criticism is only that we have not now enough force to print a sufficient amount of currency and stamps to meet the present needs of the Government, and yet we propose to restrict the Secretary of the Treasury when it is possible that this work will soon be largely increased. That is all I mean to say.

I have no personal wish about this matter at all. I think it is bad policy for us legislatively to say that we shall not use good machines in the work of the Government if we have good machines; and to suppose that the Secretary of the Treasury would use bad machines for the execution of any work of this kind, it seems to me, can not be possible.

Mr. HAWLEY. Does the Senator think, in view of the statements which I have read from the printed testimony and the letters, that Secretaries of the Treasury and Superintendents of the Bureau of Engraving and Printing can be relied upon not to make mistakes?

Mr. ALLISON. I had not quite finished, I will say to the Senator.

Mr. HAWLEY. I beg pardon. I thought the Senator had concluded his remarks.

Mr. ALLISON. I had not. I had not quite finished; but, in reply to the Senator, I may say I know that executive officers will make mistakes; we all make them; but the criticism I make is that we are legislatively undertaking to correct any mistakes which those officers may make. I think it is not probable that the Secretary of the Treasury is likely to throw out upon the public imperfect money which can be easily counterfeited. That is all I maintain. I have no personal care about the subject one way or the other. If it is desired to restrict the Secretary of the Treasury or any of the Departments of this Government by legislation as to how they shall do their work, that is for the Senate to say.

Mr. HAWLEY. I say we have a right to instruct executive officers as to any part of their work, particularly when we find that they have been introducing deficient processes. Although the Senator says they will not do that, they have done it, and they are now proposing to do more of it. Hence this amendment.

The Secretary of the Treasury is not always a man capable of judging how work should be done in all of the branches under him. Perhaps he has not studied this matter as thoroughly as the artists have, or as much as some other people in the world have, or as much as the Senator from New Hampshire [Mr. GALLINGER] has, or as much even as I have. I doubt if the Secretary of the Treasury has paid anything like the amount of attention to it that I have.

The present Chief of the Bureau of Engraving and Printing was not brought up to this business, and when you go outside and select the head of one of these offices for political reasons, no matter how worthy he may be as an active and practical business man, it does not follow that he becomes immediately a master of the finer parts of what ought to be very good artistic work.

When the order was given to the Bureau of Engraving and Printing for $50,000,000 in 4 per cent bonds, Mr. Johnson gave instructions to the chief of the engraving division to get up new designs for the back and tint of the thousand-dollar coupon bond, saying at the same time that he wanted to produce the most artistic bond that had ever been turned out by the Government.

That is laudable ambition. I do not think he can surpass some produced there long ago. The plates were engraved according to his directions and issued to the printers with instructions to print them in the most careful manner. When the bonds were nearly ready to be issued, Mr. Johnson discovered he had made an error in giving the order for new designs of the back and tint. He at once issued an order that the printing of the bonds should cease, because the backs of the former issue were printed by the typographic process and by putting them on the hand presses it would change the nature of the bonds.

When the order was given to cease printing the bonds from hand-roller presses, there were from eighty to one hundred thousand impressions printed, which was a great loss to the Government, as they were very expensive. The back paid $30 a thousand for the printing; the tint, $32 a thousand; the face, $35 a thousand. There were about 50,000 backs, from thirty to forty thousand tints, and at least 10,000 faces printed. After stopping the printing of the bonds Mr. Johnson gave orders to have the backs of the whole issue reprinted from typographic presses, as stated in his letter.

This enormous loss is not for printing alone and does not include engraving of plates or material, such as paper, inks, and labor to prepare the same.

This vast number of bonds that were printed by mistake were kept in the vaults of the Bureau for several months and finally destroyed.

There is the capable manager of the Bureau of Engraving and Printing. We desire simply to bar out a very bad style of printing in what should be our best, because he is about to introduce these very presses that are spoken of.

Mr. GALLINGER. The Senator from Iowa lays great stress upon the fact that we use a great many more postage stamps now than we did in 1861, and on that point there is no difference of opinion. But as I remarked the other day, postage stamps cost so little and it is so utterly impossible for any citizen in this country to carry around postage stamps that have been counterfeited and find parties who will purchase them—detection being absolutely sure—that no question has been raised as to the continuance of printing those stamps on the steam presses. That cuts no figure in the controversy.

Mr. HAWLEY. Will my colleague allow me to suggest on this point that postage stamps do not pass for years through the hands of the people of the country.

Mr. GALLINGER. That is true.

Mr. HAWLEY. They are put on envelopes and that is the end of them.

Mr. GALLINGER. That is an added reason. We make no contention on that point. Postage stamps are being printed on the steam press and they will continue to be printed on steam presses, so that it cuts no figure in this controversy.

The present Chief of the Bureau of Engraving and Printing, as the Senator from Connecticut has stated, was not educated in this business. I presume he has learned a great deal since he took his place. At any rate, he has learned enough to make a claim that he is under the civil service, and he has been kept in the Bureau as a relic of the last Administration. I care, however, nothing particularly about that, except that I would dispose of him as I would dispose of a great many other men if I had my way in getting rid of this bogus, so-called civil-service reform.

The Senator from Iowa says we are short of help in the Bureau of Engraving and Printing. If that be true, it is a remarkable circumstance that somewhere from 30 to 50 skilled engravers were recently dismissed. The fact is, as I stated a moment ago, that there are hundreds of these men out of employment in the country—skilled men who have given a great many years to learn this business and who would be glad of employment by the Government if the Government needs their services.

That is all I care to say about it. I have no personal interest in this question, but, having studied it a good many years ago and having reached conclusions which have not been changed by anything that has occurred since, I do most sincerely trust that the amendment will be adopted.

Mr. COCKRELL. Mr. President, I sympathize with these skilled mechanics; but I do not see how it is possible for me to vote for a proposition to prohibit the use of machinery by Government officers.

Mr. HAWLEY. In certain things only; it is limited.

Mr. COCKRELL. I do not see how I can vote for an amendment that prohibits the use of machinery which the Secretary of the Treasury and the Superintendent of the Bureau of Engraving and Printing say will do the work or certain parts of it just as well as hand work, and that it is of better use and enables them to do more business, and that it is in the interest of the public service.

I shall vote against the amendment. If there is anything wrong about the system, the Secretary of the Treasury and the Superintendent of the Bureau of Engraving and Printing will be responsible. I am willing to trust them. The Government can not afford at this late day to prohibit the use of machinery.

Mr. HAWLEY. The Senator ought not to say "prohibit the use of machinery," for everybody knows that a large body of work will be done by the machines. I merely say there are some things in this world that can not be done by machinery.

Mr. WHITE. I know nothing of this subject except what has been suggested in the course of the debate, and I am very much interested. I should like to inquire of the Senator from Iowa whether there is any dispute that the work done by the hand process is better than other work? Is there any dispute as to that proposition?

Mr. ALLISON. Certain work, of course, can only be done by the hand press, and that work is done by the hand press. Certain other work may be done just as well, and perhaps better, by the steam press.

Mr. HAWLEY. Never better.

Mr. ALLISON. Perhaps never better, but quite as well.

Mr. HAWLEY. There are only a few things limited here.

The PRESIDING OFFICER. The Senator from Connecticut will suspend to enable the Senate to receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 110) authorizing the National Reunion

Monument Association to erect a monument in the city of Washington to the Union soldiers, sailors, and marines of the war of the rebellion.

The message also announced that the House had passed the following bill and joint resolutions; in which it requested the concurrence of the Senate:

A bill (H. R. 6512) granting an extension of letters patent No. 20694 to Mary J. Day, inventor;

A joint resolution (H. Res. 175) for a survey of the harbor at Sheboygan, Wis.; and

A joint resolution (H. Res. 227) providing for the compilation and printing of parliamentary precedents of the House of Representatives.

The message further announced that the House had agreed with amendments to the amendments of the Senate to the joint resolution (H. Res. 233) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein; in which it requested the concurrence of the Senate.

Mr. HAWLEY. Mr. President——

Mr. CHANDLER. I suggest the absence of a quorum.

Mr. HAWLEY. I wish to finish my sentence. It is not intended by this amendment——

The PRESIDING OFFICER. The Senator from Connecticut will suspend for a moment. The Senator from New Hampshire suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll; and the following Senators answered to their names:

Aldrich,	Faulkner,	McLaurin,	Rawlins,
Allison,	Foraker,	McMillan,	Roach,
Bacon,	Frye,	Mallory,	Shoup,
Bate,	Gallinger,	Mantle,	Spooner,
Berry,	Gear,	Martin,	Stewart,
Butler,	Gorman,	Mason,	Teller,
Caffery,	Gray,	Mills,	Tillman,
Cannon,	Hale,	Mitchell,	Turley,
Carter,	Hansbrough,	Morgan,	Turner,
Chandler,	Harris,	Morrill,	Turpie,
Clark,	Hawley,	Nelson,	Vest,
Clay,	Heitfeld,	Pasco,	Warren,
Cockrell,	Hoar,	Penrose,	Wetmore,
Cullom,	Jones, Ark.	Perkins,	White,
Daniel,	Jones, Nev.	Pettigrew,	Wilson,
Davis,	Kenney,	Pettus,	Wolcott.
Debee,	Kyle,	Platt, Conn.	
Elkins,	Lindsay,	Pritchard,	
Fairbanks,	Lodge,	Quay,	

The VICE-PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present.

INTERVENTION IN CUBAN AFFAIRS.

Mr. DAVIS. I ask the Chair to lay before the Senate the message from the House of Representatives in relation to House joint resolution No. 233.

The VICE-PRESIDENT. The Chair lays before the Senate the message from the House of Representatives, which will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
April 18, 1898.

Resolved, That the House agrees to the amendments of the Senate to the joint resolution (H. Res. 233) entitled "Joint resolution authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein," with the following amendments:

Line 1, strike out "are, and."

Line 2, strike out all after "independent" down to and including "Island," in line 4.

Amend title so as to read: "For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry this resolution into effect."

Mr. DAVIS. Mr. President, in my anxiety to secure the speediest possible action upon this great question I have refrained from taking any part in the debate until the present time, and now desire to say a few words.

The joint resolution as it comes from the House and is now before us adopts precisely, with the exceptions which I will notice in a moment, the joint resolution which was reported from the Senate Committee on Foreign Relations, with the addition of the amendment prepared by the Senator from Colorado and proposed by me. The exceptions are striking out the words "are, and" in the joint resolution as reported from the Senate committee, and in striking out what is known as the Turpie amendment, recognizing the present independence of the Republic of Cuba.

Mr. President, this whole question has been subject to much debate, to much controversy, and to several ultimatums. In the meantime the indignity inflicted upon this nation by the destruction of the *Maine* has remained unchastised; in the meantime many lives have passed away, while we have been debating over this question; in the meantime a perilous and distressing conflict of opinion as to the powers of this Government has arisen respecting the powers of the President and the powers of the Congress. We have now arrived at a time when it is most important to have the utmost conciliation of views and temperateness of feeling; we have arrived at a time when in twenty minutes we can settle this entire question and relieve the situation of the exasperating suspense which it has imposed upon the American people.

In regard to the question of the recognition of the independence of Cuba, I think no man doubts, I think no man has any right to doubt, that, as the result of the intervention of this Government, the independence of that republic will follow immediately and that (for its existence must be conceded to be a historical and also a present fact) such recognition will be of the present government, inasmuch as it is well known that 80 per cent of the inhabitants of the Island of Cuba are in its favor.

But, now, Mr. President, appealing to that desire which we all have that the action of this great Government shall be no longer delayed, that we shall not pause to embarrass ourselves and this great controversy in perilous contradictions of the various powers of the executive and legislative departments of the Government, realizing perfectly well that the desire which everybody entertains that the question of recognition shall be settled at the earliest possible moment, and that it can be settled to-morrow or the next day, or in a week from now, or whenever necessary, I move that the Senate concur in the amendments proposed by the House of Representatives.

Mr. STEWART. Mr. President, it is true that this question might be settled speedily, but it is quite as important that it should be settled rightly. The hostility of the Administration and the former Administration to the patriots of Cuba is clearly marked out by the report of the Committee on Foreign Relations. They there declare unanimously that we have not been neutral, but that we have given aid and comfort to Spain all the time, which is a new departure in the history of this Government. Whatever may be the relative powers of Congress and of the Executive in this matter, whatever obiter dicta there may be, one thing is certain. In every case, when the President has been dealing with such a matter, he has submitted the question to Congress and refused to himself any arbitrary power. It would be interesting to know how Mr. Monroe treated a question like this, and contrast it with the way we are treating it. I will be excused for reading a passage or two from his first annual message to Congress in 1817, when he used the following significant words:

It was anticipated at an early stage that the contest between Spain and the colonies would become highly interesting to the United States. It was natural that our citizens should sympathize in events which affected their neighbors. It seemed probable also that the prosecution of the conflict along our coast and in contiguous countries would occasionally interrupt our commerce and otherwise affect the persons and property of our citizens. These anticipations have been realized. Such injuries have been received from persons acting under authority of both the parties, and for which redress has in most instances been withheld.

This is the important part:

Through every stage of the conflict the United States have maintained an impartial neutrality, giving aid to neither of the parties in men, money, ships, or munitions of war. They have regarded the contest, not in the light of an ordinary insurrection or rebellion, but as a civil war between parties nearly equal, having as to neutral powers equal rights. Our ports have been open to both, and every article the fruit of our soil or of the industry of our citizens which either was permitted to take has been equally free to the other. Should the colonies establish their independence, it is proper now to state that this Government neither seeks nor would accept from them any advantage in commerce or otherwise which will not be equally open to all other nations.

This was in 1817. In his third annual message he used the following language:

In the civil war existing between Spain and the Spanish provinces in this hemisphere the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have continued to be equally open to both parties and on the same conditions, and our citizens have been equally restrained from interfering in favor of either to the prejudice of the other.

Mr. TELLER. I think there is a general feeling here that we should like to vote on this question, and I appeal to the Senator from Nevada to allow us to take a vote, if it can be taken without further debate.

Mr. STEWART. If it can be taken without further debate I will yield the floor.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Minnesota that the Senate concur in the amendments of the House of Representatives to House joint resolution No. 233.

Mr. CHANDLER. On that I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Texas [Mr. CHILTON]. If he were present, I should vote "yea."

Mr. GEAR (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. SMITH]. He is detained at home by sickness in his family. If he were present, I should vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. PASCO. The senior Senator from New York [Mr. MURPHY] is necessarily absent, and stands paired with his colleague [Mr. PLATT].

Mr. MONEY. My colleague [Mr. WALTHALL] is absent, sick.

Mr. BUTLER (after having voted in the negative). I have a general pair with the junior Senator from Maryland [Mr. WELLINGTON], but I transfer my pair to the Senator from Louisiana [Mr. MCENERY], and allow my vote to stand.

Mr. GEAR. I have a general pair with the senior Senator from New Jersey [Mr. SMITH], as I have stated. I transfer my pair to the Senator from Oregon [Mr. MCBRIDE], and will vote. I vote "yea."

The result was announced—yeas 32, nays 46; as follows:

YEAS—32.

Aldrich,	Fairbanks,	Hansbrough,	Pritchard,
Allison,	Faulkner,	Hawley,	Proctor,
Burrows,	Frye,	Hoar,	Shoup,
Carter,	Gear,	Lodge,	Spooner,
Clark,	Gorman,	McMillan,	Warren,
Cullom,	Gray,	Morgan,	Wetmore,
Deboe,	Hale,	Morrill,	Wilson,
Elkins,	Hanna,	Platt, Conn.	Wolcott.

NAYS—46.

Allen,	Foraker,	Martin,	Roach,
Bacon,	Gallinger,	Mason,	Stewart,
Baker,	Harris,	Mills,	Teller,
Bate,	Heitfeld,	Money,	Thurston,
Berry,	Jones, Ark.	Nelson,	Tillman,
Butler,	Jones, Nev.	Pasco,	Turley,
Caffery,	Kenney,	Penrose,	Turner,
Cannon,	Kyle,	Perkins,	Turpie,
Chandler,	Lindsay,	Pettigrew,	Vest,
Clay,	McLaurin,	Pettus,	White.
Cockrell,	Mallory,	Quay,	
Daniel,	Mantle,	Rawlins,	

NOT VOTING—11

Chilton,	McEnery,	Platt, N. Y.	Walthall,
Davis,	Mitchell,	Sewell,	Wellington.
McBride,	Murphy,	Smith.	

So the motion was rejected.

Mr. DAVIS. I move that the Senate insist upon its amendments to the joint resolution, as passed by it, and ask for a conference on the disagreeing votes of the two Houses, the conferees to be appointed by the President of the Senate.

Mr. DANIEL. Let the question be divided.

The VICE-PRESIDENT. The Senator from Virginia has a right to have the question divided. The Senator from Minnesota moves that the Senate insist on its amendments to the joint resolution as sent to the House of Representatives.

The motion was agreed to.

The VICE-PRESIDENT. The Senator from Minnesota moves that the Senate request a conference on the disagreeing votes of the two Houses. Is that the motion of the Senator from Minnesota?

Mr. DAVIS. And that the conferees be appointed by the President of the Senate.

Mr. CHANDLER. I ask for the yeas and nays on that motion.

Mr. TELLER. I understand the parliamentary situation to be that now the joint resolution goes back to the House. I suppose we may request a conference if we may see fit, but the usual customary vote after insistence is that the bill goes back to the House, and the House can pass on it.

Mr. JONES of Arkansas. That is right.

The VICE-PRESIDENT. The Senator from Colorado is right.

Mr. TELLER. But I suppose we might do otherwise.

Mr. HALE. Mr. President, I have never known in my experience a case where when the two Houses are at odds and a question of concurrence has been voted upon, thus disclosing the antagonism of the two Houses, that the body where the antagonism has been disclosed, as it has come from the other House, has insisted upon its position, and has further in the interest of a fair and speedy solution of the difficulty appointed conferees, but to assemble together in careful, considerate, and, it may be, solemn conference, in order to adjust the difficulties.

The whole process of conferees to act for the two bodies is in the interest of final harmony. It is to prevent deadlocks. It is each saying to the other, under the condition of developed antagonism and contrariety of opinion, the wise thing is not to have inflammatory discussion, not for either body to stand square and decline to yield, but that each House intrusts to competent conferees, appointed under rules and precedents, to consider the subject-matter and as speedily as possible emerge from the condition of antagonism.

I have never known in my experience where this has not been done. When the second body to whom the question comes has voted not to concur with the amendment put on by the other body, conferees have always been appointed. Nay, Mr. President, it has frequently been the case in this body that when an amendment is put on for the first time, as in the case of the action of the Senate on Saturday last, conferees have been appointed. But when the Senator from Minnesota, the chairman of the Committee on Foreign Relations, proposed then to appoint conferees, it was objected to, because it was said on the other side that we want to give the House a chance to agree to our amendment.

No man here at that time thought for a moment, when that objection was made, that if our measure went to the House and the House did not agree to it and sent it back with an amendment, it would then be insisted that there should be no conference. There is but one aim in this, Mr. President, and that is that there shall not be any body created out of which harmonious action shall be taken and the two bodies allowed to agree.

Mr. COCKRELL. Will it not be harmonious if the House agrees to the Senate amendments?

Mr. HALE. There is a determination on the part of the temporary majority here to stand up squarely and dragoon everybody else into their proposition, no matter what the delay, no matter that we have propositions coming over from the other House that contain every elemental part that everybody is desirous of securing in this matter, that contain in them propositions for immediate action, for intervention, for freedom to Cuba. No matter if that is so, when we are asked to accede to the House of Representatives, that is voted down, and then we are asked not to allow a conference to be appointed. Of course, as the Senator from Massachusetts [Mr. HOAR] suggests to me, it is indirectly an attack upon the almost solid majority of the Committee on Foreign Relations.

Mr. President, there is but one speedy way out of this. I have never been in favor of precipitating war. I recognize its calamities. I recognize its losses and horrors. I can see that the situation has arrived where, unless there is an absolute recession and abandonment of Cuba by the Spaniards, there must come the stern arbitrament of war. And, Mr. President, the sooner it is settled the better.

Mr. President, there may be here a temporary majority, but, sir, the country will see, and see speedily, that here is not now simply the disposition to aid in the freedom of Cuba, but a determination to thrust before the Executive a process and a procedure of which he is not in favor, of obliging him to conduct this matter not in the interest of speedy intervention and freedom for Cuba, but to insist upon the one thing, the recognition of the insurgent as an actual government, a question that the great parliamentarians and lawyers of this body, including my friend from Alabama [Mr. MORGAN], have made so clear and plain that no man ought to doubt. Is it worth the while, Mr. President; is it worth the while, Senators, in this great question which involves the freedom of Cuba—is it worth the while at every time and every turn to insist upon such conduct as keeps putting us in array against the House of Representatives and in array against the propositions of the President?

The people of the country will soon learn what this means. We, sir, are in favor of immediate action. We want this customary method of a committee of conference between the two Houses that shall report to each House. I have never known of a controversy, even where the question of a pension of $12 a month has to be settled, when the two Houses are at deadlock, that was not settled by a committee of conference. ["Vote!" "Vote!"]

Mr. TELLER. What is the pending question?

The VICE-PRESIDENT. The motion is that the Senate ask a conference on the disagreeing votes of the two Houses, and that the conferees be appointed by the Chair.

Mr. CHANDLER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALDRICH. Mr. President, during my service in the Senate I have never known the course suggested by the gentlemen on the other side of the Chamber to be followed in any case of a bill of importance or of no importance. I think the Senators who make this proposition, in justice to themselves and to the Senate, ought to give us some reasons why this unusual course should be followed to-day. Do they desire that there shall be no composure of the differences between the two Houses? Do they desire that no action shall be taken upon this proposition at any time?

Mr. JONES of Arkansas. Will the Senator allow me to make a suggestion?

Mr. ALDRICH. Certainly.

Mr. JONES of Arkansas. The House of Representatives has asked for no conference, and it seems to me there is no reason, after the Senate has insisted on its amendments, to state to the House and to the world that we are not in earnest in insisting on the amendments, but that we shall have a conference. The House has asked for no conference.

Mr. HALE. Does not the Senator know that the body which puts on the amendment does not customarily ask for a conference? The measure goes to the other body, and the body that disagrees to the amendment invariably asks for the conference.

Mr. ALDRICH. Mr. President——

Mr. GALLINGER. I think the Senator from Maine is wrong about that.

Mr. HALE. I certainly am not wrong.

Mr. GALLINGER. You certainly are. I made a conference report this morning, and the procedure was directly opposite to what you state.

Mr. HALE. We have sometimes gone on and appointed the conferees first, but I have never known when there came over from the House a disagreement to an amendment that the Senate did not ask for a conference. ["Vote!" "Vote!"]

Mr. ALDRICH. It is very evident that the Senators who are in favor of this extraordinary procedure do not desire or intend to explain their motives in voting. I have had eighteen years' experience in the Senate, and I have never known a bill at this stage to pass either House with insistence upon amendments without a conference being asked for. There must be some reason somewhere for this very unusual procedure.

Mr. MILLS and others. Vote! Vote!

The VICE-PRESIDENT. The Secretary will call the roll on agreeing to the motion of the Senator from Minnesota [Mr. DAVIS] that the Senate request a conference on the disagreeing votes of the two Houses.

The Secretary proceeded to call the roll.

Mr. DAVIS (when his name was called). I am paired with the Senator from Texas [Mr. CHILTON]. If he were present, I should vote "yea."

Mr. GEAR (when his name was called). I am paired with the Senator from New Jersey [Mr. SMITH]. I transfer that pair to the Senator from Oregon [Mr. MCBRIDE], and I vote "yea."

Mr. MITCHELL (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. BUTLER (after having voted in the negative). Upon the announcement made on a previous ballot of the transfer of my pair with the Senator from Maryland [Mr. WELLINGTON] to the junior Senator from Louisiana [Mr. MCENERY], I allow my vote to stand.

Mr. PASCO. I again wish to announce the pair of the senior Senator from New York [Mr. MURPHY] with his colleague [Mr. PLATT], and to announce that if the senior Senator from New York were present, he would vote "nay."

The result was announced—yeas 34, nays 43; as follows:

YEAS—34.

Aldrich,	Fairbanks,	Hoar,	Shoup,
Allison,	Frye,	Lodge,	Spooner,
Burrows,	Gear,	McMillan,	Warren,
Caffery,	Gorman,	Morgan,	Wetmore,
Carter,	Gray,	Morrill,	White,
Clark,	Hale,	Perkins,	Wilson,
Cullom,	Hanna,	Platt, Conn.	Wolcott.
Deboe,	Hansbrough,	Pritchard,	
Elkins,	Hawley,	Proctor,	

NAYS—43.

Allen,	Foraker,	Mantle,	Rawlins,
Bacon,	Gallinger,	Martin,	Roach,
Baker,	Harris,	Mason,	Stewart,
Bate,	Heitfeld,	Mills,	Teller,
Berry,	Jones, Ark.	Money,	Thurston,
Butler,	Jones, Nev.	Nelson,	Tillman,
Cannon,	Kenney,	Pasco,	Turley,
Chandler,	Kyle,	Penrose,	Turner,
Clay,	Lindsay,	Pettigrew,	Turpie,
Cockrell,	McLaurin,	Pettus,	Vest.
Daniel,	Mallory,	Quay,	

NOT VOTING—13.

Chilton,	McBride,	Murphy,	Smith,
Davis,	McEnery,	Platt, N. Y.	Walthall,
Faulkner,	Mitchell,	Sewell,	Wellington.

So the motion was rejected.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON. I ask that the consideration of the sundry civil appropriation bill may be resumed, the other matter, I understand, having been disposed of for the present.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8428) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1899, and for other purposes.

The VICE-PRESIDENT. The Senator from Connecticut [Mr. HAWLEY] is entitled to the floor.

Mr. HAWLEY. I propose only to finish the sentence that I was uttering when the message from the House came in. I call the attention of gentlemen who did not fairly consider this matter to the fact that there are only four classes of work for which we insist or try to insist on having hand-roller printing, "notes, bonds, checks, or internal-revenue stamps." Notes, bonds, and checks ought to be printed on hand presses, because they pass from hand to hand everywhere for a long series of years and they ought to be printed in that style which it is the least easy to counterfeit. Notes, bonds, checks, or internal-revenue stamps are to be printed on hand presses. Let the Bureau proceed to spoil as much paper as they choose with other kinds of printing.

The VICE-PRESIDENT. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER].

Mr. GORMAN. I ask that the amendment may be read.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. Insert after the word "retired," in line 12, page 27, the following additional proviso:

Provided further, That no portion of the sum authorized to be used for plate printing shall be used for any printing of notes, bonds, checks, or internal-revenue stamps other than for printing from hand-roller presses.

Mr. GORMAN. Mr. President, I wish to say only one word in regard to the amendment. I think as a general rule the proposition is a right one. No part of the general appropriation for the support of any of the Departments ought to be used in the purchase of new machinery when Congress has heretofore practically determined the question, without having the matter brought up for consideration by the committee, and after an investigation.

The question was discussed and examined into by Congress some years ago. There has remained from that day to this the question as to whether the steam machines are equal to the hand work. I do not believe that the Treasury Department, under the circumstances, after the discussion had over it and the determination of Congress, ought to use any part of this appropriation for the purchase of the class of machines that were practically prohibited by both Houses of Congress. I do not want to delay the bill one moment, and I am not going into the question whether the work is as well done with machines as by hand. That is a very grave question. The Senator from Connecticut [Mr. HAWLEY] shakes his head. It may be one way or the other. The superintendent claims that steam presswork is equally as good; but, be that as it may, the point I make is that, Congress having once determined the question, no part of the general appropriation ought to be used for the purchase of those machines. I shall therefore support the amendment offered by the Senator from New Hampshire.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. GALLINGER].

The amendment was agreed to.

Mr. GALLINGER. I have an amendment to offer that I feel very confident the Senator in charge of the bill will accept. I will state that it has been reported favorably by the Committee on Public Health and National Quarantine.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. Insert after the word "dollars," in line 12, page 7, the following proviso:

Provided, That in time of war the President is authorized to use the United States marine hospitals and the hospitals and barracks at the United States quarantine stations for the care of the sick and wounded soldiers and sailors of the Army and Navy, and the medical officers of the United States Marine-Hospital Service shall cooperate with the medical officers of the United States Army and Navy in the care of the sick and wounded admitted to said hospital and quarantine stations; and whenever, under these circumstances, medical officers of the Marine-Hospital Service are serving with medical officers of the Army and Navy they shall take rank during such service in their respective grades with the medical officers of the Army and Navy in accordance with the dates of their present commissions.

Mr. GALLINGER. Mr. President, I will simply say that there are twenty-two marine hospitals and eleven quarantine stations in the United States. The capacity of the marine hospitals is 3,680, as shown by a document which I ask shall be printed as part of my remarks.

The VICE-PRESIDENT. In the absence of objection, that order will be made.

The document referred to is as follows:

LIST OF MARINE HOSPITALS AND QUARANTINE STATIONS IN THE UNITED STATES.

There are in the United States 22 marine hospitals and 11 United States quarantine stations. The marine hospitals are located as follows:

Location.	Capacity of hospital.	Location.	Capacity of hospital.
Baltimore, Md	100	Mobile, Ala	40
Boston, Mass	150	New Orleans, La	100
Cairo, Ill	65	New York, N. Y	200
Chicago, Ill	200	Portland, Me	50
Cincinnati, Ohio	75	Port Townsend, Wash	60
Cleveland, Ohio	50	San Francisco, Cal	140
Detroit, Mich	75	St. Louis, Mo	100
Evansville, Ind	50	Vineyard Haven, Mass	40
Key West, Fla	50	Wilmington, N. C	20
Louisville, Ky	50	Hospital and barracks at Cape Charles Quarantine.	1,000
Hospital and barracks at Delaware Breakwater	1,000		
Memphis, Tenn	65	Total	3,680

The United States quarantine stations are located as follows:
Reedy Island Quarantine, via Port Penn, Del.
Delaware Breakwater Quarantine, Lewes, Del.
Cape Charles Quarantine, Fort Monroe, Va.
Cape Fear Quarantine, Southport, N. C.

South Atlantic Quarantine, via Inverness, Ga.
Brunswick Quarantine, Brunswick, Ga.
Tortugas Quarantine, via Key West, Fla.
Gulf Quarantine, via Biloxi, Miss.
San Diego Quarantine, San Diego, Cal.
San Francisco Quarantine, Angel Island, Cal.
Port Townsend Quarantine, Port Townsend, Wash.

These Government hospitals are all in commission, having a full complement of officers and attendants and equipped with the best ward furniture, modern aseptic outfit for operating rooms, ambulances, etc. The nurses are trained, and the hospital discipline is similar to that in army and navy hospitals. The commissioned corps of medical officers comprises 16 surgeons, 32 passed assistant surgeons, and 22 assistant surgeons.

In case war was declared the restrictions which would be placed upon the merchant marine of the United States would greatly reduce the number of patients from merchant vessels eligible to relief in United States marine hospitals and permit of the reception of a large number of sick or wounded soldiers or sailors from the Army and Navy.

If necessary, temporary ward extensions could be made to many of the Southern hospitals with little expense, which would increase the hospital capacity. Temporary hospitals could also be erected upon some of the quarantine reservations, so isolated as to render them safe to troops who might be sent there. Patients suffering from protracted malarial diseases could be sent to the hospitals North, where the climate would benefit them, and those suffering from acute diseases or injuries requiring immediate attention could be provided for in the hospitals located upon the Gulf and South Atlantic coast. In case troops are landed in Cuba or sent South during the summer, there will be many who will become disabled from fevers incident to climate and exposure who will require hospital treatment.

If the United States marine hospitals are to be used for the reception of soldiers and naval sailors, there must be a law authorizing this to be done, and determining the relative rank of commissioned officers of the Marine-Hospital Service with that of the medical officers of the Army and Navy with whom they serve, to promote the proper administration of hospitals while they are thus used. Officers of the Marine-Hospital Service are now detailed upon United States revenue cutters, which, in times of war, are auxiliary to the naval force, and the United States statutes provide for the relative rank of the commissioned officers of the Revenue-Cutter Service with officers of the Navy while serving with them as an auxiliary to the naval force.

Mr. GALLINGER. The object of this amendment is simply to prevent any friction between the medical officers of the Army and Navy and the medical officers of these hospitals and quarantine stations. I think there can be no objection to the amendment.

Mr. ALLISON. I have not been able to scrutinize thoroughly the phraseology used by the Senator from New Hampshire respecting the rank of these officers and the effect it will have upon the army and navy officers, but I think the general proposition suggested by the Senator is a wise one, and therefore I will allow it to go into the bill. If we find there is any difficulty regarding it, it can be afterwards arranged.

Mr. GALLINGER. The amendment can be changed in conference if it shall be necessary.

Mr. SPOONER. I ask that the amendment be again read.

The VICE-PRESIDENT. The Secretary will read the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

The Secretary again read the amendment.

Mr. SPOONER. I should like to inquire of the Senator from New Hampshire if this amendment is at all necessary in order to render available the marine-hospital facilities for the care of the wounded of the Army and the Navy?

Mr. GALLINGER. I will frankly say that I think in time of war the United States Government could undoubtedly take possession of the marine hospitals.

Mr. SPOONER. Then what is the necessity for the amendment?

Mr. GALLINGER. If the Senator will permit me, it is very evident that there might be some degree of friction between the medical officers of the Army and Navy and the gentlemen who are in charge of the quarantine stations of marine hospitals. This amendment confers no special benefit upon the medical officers of the Marine-Hospital Service beyond the fact of giving them a relative rank during the time they serve with the medical officers of the Army and the Navy, and beyond question it will prevent any friction which might otherwise arise. The amendment is not intended to permanently confer any additional authority or power upon these gentlemen.

Mr. SPOONER. I should like to inquire of the chairman of the Committee on Military Affairs if his committee has considered this amendment?

Mr. HAWLEY. It has not.

Mr. GALLINGER. I would say that the amendment has been before the Committee on Public Health and National Quarantine, which I think is the proper committee beyond question, and was unanimously reported back from that committee by myself.

Mr. SPOONER. I beg leave to doubt somewhat whether that is the proper committee for determining the rank of medical officers in the Army or in the Navy.

Mr. GALLINGER. It does not determine the rank.

Mr. SPOONER. It looks to me like an attempt to foist a little bit further and more firmly this marine-hospital outfit upon the country, although I acquit the Senator from New Hampshire of any such purpose. I should like to ask the chairman of the Committee on Appropriations if he understands that the amendment is in order?

Mr. ALLISON. I do not remember whether the Senator from New Hampshire, for the committee which he represents, had the amendment referred to the Committee on Appropriations or not.

Mr. GALLINGER. I will say that I had it so referred, and I did so at the suggestion of the Senator from Iowa himself.

Mr. ALLISON. I asked the Senator whether that was true or not. I take it for granted the amendment is in order.

Mr. SPOONER. Did the Senator from Iowa report it favorably from the Committee on Appropriations?

Mr. ALLISON. I did not.

Mr. SPOONER. I make the point of order on the amendment as being new legislation.

Mr. GALLINGER. On the point of order I desire simply to say that this amendment was referred to the Committee on Public Health and National Quarantine, and by that committee unanimously reported back and referred to the Committee on Appropriations. If that does not make it in order under the rules of the Senate, then I confess that I have been laboring under a very grave misapprehension as to what those rules are.

Mr. SPOONER. I do not understand that that makes the amendment in order if it is new legislation.

Mr. GORMAN. And it changes existing law.

Mr. SPOONER. Yes; it changes existing law.

Mr. COCKRELL. It does not change existing law. That is the very point I want to make. It simply gives a certain class of men a status.

Mr. GALLINGER. That is all.

Mr. COCKRELL. That is all it does. It does not change any law.

Mr. SPOONER. If it gives certain men a status which they have not now, it changes existing law.

Mr. COCKRELL. Not at all.

Mr. SPOONER. Yes; it does. You can not change the status of a man under existing law without changing the law. If they have that status now, there is no necessity for the amendment.

Mr. HAWLEY. If this amendment had been referred to the Military Committee, the very first step would have been to have consulted the War Department, and incidentally the Navy Department; and it could have been put in no safer hands than those of General Sternberg and General Van Reypen. They ought to have been consulted about it. I think the amendment should have gone to the Committee on Military Affairs; but I am not stubborn about it.

Mr. COCKRELL. It does not relate to military affairs. It does not affect army officers a particle. What has the Military Committee got to do with a question of that kind? It simply affects the marine-hospital surgeons; that is all.

Mr. SPOONER. But it proposes to give them rank which they have not now.

Mr. COCKRELL. That does not affect it at all.

Mr. ALLISON. As I understand the amendment, it simply authorizes the officers in charge of the marine hospitals to admit to them soldiers and officers of the Army of the United States during a period of war. Then there is a sort of shade of legislation which provides that during such period the officers in charge shall take rank according to seniority of commission.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. ALLISON. Yes.

Mr. SPOONER. Does this amendment change existing law?

Mr. ALLISON. Well, Mr. President——

Mr. SPOONER. Will the Senator be kind enough to answer my question?

Mr. ALLISON. I will be kind enough to answer the question, and I was about to answer it. As I understand it, the surgeons of the Marine-Hospital Service have no rank at this time.

Mr. COCKRELL. But would not they by virtue of existing law be in absolute control of all the marine hospitals, and would an army surgeon or a navy surgeon have any right there at all, unless there was such a law passed?

Mr. ALLISON. Not at all.

Mr. HAWLEY. The commanding officer could put a United States hospital wherever he pleased.

Mr. COCKRELL. He would have no legal right to do so.

Mr. HAWLEY. During the war I seized half a dozen churches for hospital uses.

Mr. COCKRELL. You may have done so, but you did not have a legal right to do it. You had a military right.

Mr. HAWLEY. I did it.

Mr. COCKRELL. Of course you did it. That is the right of might.

Mr. ALLISON. This is a dispute which has been in existence for some time; and it is easy to see how that dispute can be transferred to the Senate. I am myself perfectly willing that we shall

by proper legislation authorize in time of war the marine hospitals to be used for our soldiers.

Mr. SPOONER. May they not be now?

Mr. ALLISON. I doubt whether they can be so used now, except through the orders of the Secretary of the Treasury. Of course the marine hospitals are all under the direction of the Secretary of the Treasury; and if he sees proper to open them, I have no doubt he could open them to anybody who desired to enter them.

Mr. CARTER. The Secretary of the Treasury is under the control of the President, I presume.

Mr. ALLISON. I suppose so.

Mr. SPOONER. I suppose the Senator from Iowa has no doubt that in a time of war, if the public interest required it, these United States hospitals could be used for the benefit of the Army and the Navy, and that the authority for using them would be very promptly forthcoming?

Mr. ALLISON. I think it would.

Mr. SPOONER. What I want to know is whether the amendment does not change existing law?

Mr. ALLISON. The Senator from Wisconsin asked me that question a moment ago.

Mr. SPOONER. And you did not answer it.

Mr. ALLISON. I explained to him that the only point in the amendment, so far as I can see, is that we direct who shall be at the head of these hospitals during a time of war, if they are used for our soldiers, and that the officers in charge shall take rank in accordance with the date of their commissions.

Mr. SPOONER. Is there any law now providing for that?

Mr. ALLISON. Not that I know of.

Mr. SPOONER. Then the amendment changes existing law, does it not?

Mr. ALLISON. Here is the Senator from Wisconsin [Mr. SPOONER], who is a fine lawyer and a member of the Judiciary Committee, who has heard the amendment read, and I should rather go to him for an opinion than for him to come to me for an opinion on such a question. I think, if the Senator wants my view about it, however, that in the sense in which he speaks the amendment proposes to enact a statute as to rank which is not now on the statute books.

Mr. SPOONER. It does not take a member of the Judiciary Committee to determine the proposition that any change of law is a change of law.

Mr. ALLISON. It would seem not; neither would it seem necessary to make much inquiry about that by a member of any committee.

Mr. SPOONER. I never heard of the amendment until a moment ago, and I was only asking the chairman of the Committee on Appropriations to explain the proposition.

Mr. ALLISON. I have endeavored to do that.

Mr. SPOONER. I make the point of order against the amendment that it changes existing law.

Mr. GALLINGER. I have but a single word to say. I regret exceedingly, Mr. President, that in the present emergency every mention of the Marine-Hospital Service seems to excite certain members of this body. I am not here to defend the Marine-Hospital Service. It needs no defense from me or from any member of this body.

We have, if I may be permitted to say so on this question, a bill before this body in reference to national quarantine that is being antagonized very bitterly by the Senator from Wisconsin, who has a perfect right to antagonize it, and the officers of the Marine-Hospital Service are under fire in certain directions, as I believe, very unjustly. As I said, I am not here to defend those gentlemen. Their acts speak for them more eloquently than any words of mine possibly can.

I can say that I consulted the chairman of the Committee on Appropriations about this matter. He was very courteous to me about it, and himself suggested to me when it was reported back from the committee, to which I think it was properly referred—certainly it was referred to that committee by the Senate—that it should be sent to the Committee on Appropriations. It did not reach the Committee on Appropriations until after the appropriation bill had been reported to the Senate.

I said to the chairman of that committee that I trusted he would permit the amendment to go on the bill without any opposition, and then in conference consider the matter; that if it was not desirable to retain it, to drop it out, and if it was desirable to amend it in any way, to amend it. I have no pride in the matter whatever. I believe it will be well to avoid the friction that may possibly arise between medical officers of the Army and Navy and officers of the Marine-Hospital Service, who will be able to take care of 3,680 sick and wounded soldiers, if we can do so. If we can not do so, I have no objection to any action the Senate may take.

Mr. CARTER. Mr. President, if I understand the proposed amendment, it contemplates making a provision of law to cover a subject-matter amply covered by the present law, with the exception of the extent to which it would give military rank to persons who do not now possess it. I believe that fully two-thirds of the bills referred to the Committee on Military Affairs, and by the chairman referred to the respective members of that committee as subcommittees, contemplate in some manner or form the gratification of the ambition of some individual to be given military rank in this country. We are now confronted with petitions from the clerical gentlemen all over the country to have the chaplains in the Army designated as captains, if you please. I doubt not that the character of the Christianity will not be thereby improved, but the pay of the chaplains will be improved.

The effort of persons who served during the war of the rebellion in one capacity to be now recognized, after the lapse of thirty-odd years, as having been of another rank, character, or capacity in that struggle, continuously surcharges the files of the committee with the personal desires of gentlemen to get that to which they are not legitimately entitled in many of the cases.

Mr. President, the natural tendency of legislation in this direction is to cheapen the military character and standing in the Army, which men in a legitimate way only acquire by honest and faithful, brave and courageous service in the ranks. To hand about military titles here and there to persons who happen to be for the time being in marine hospitals in this place or that place is to cheapen the very premium that the soldier most highly cherishes as the proper reward for meritorious and courageous service. That is the kernel in this proposed amendment. It is desired to give military rank to persons who are not entitled to it.

Mr. GALLINGER. In answer to the Senator on that point, I will say that I do not think it is going to cheapen military titles very much. If a man has been at the head of the marine hospital possibly for twenty years, who has gone through epidemics of smallpox, of yellow fever, and of every other infectious disease, and is promoted to the extent of giving him the same rank as that of a young man who perhaps graduated a month ago and got into the Army as an assistant surgeon, I do not think it has a cheapening tendency.

I believe many of the men who have given this Government their services, have endangered their lives time and time again—they are experts in the service of the Government, and to have these men displaced by a lot of young physicians who chance to get into the Army under a civil-service examination, and who never had a patient in their lives, whose first surgical operation will be an experiment, and perhaps their twenty-first an experiment. I submit it has no tendency whatever to cheapen titles, but is an act of simple and exact justice.

Mr. CARTER. The contention here made shows that the purpose of this amendment is to interfere with the regular line of promotion in the Army, and I insist that it should go to the Committee on Military Affairs.

Mr. GALLINGER. I disclaim that as being the purpose of the amendment.

Mr. COCKRELL. It does not affect the rank of one of the officers or give them any permanent rank.

Mr. GALLINGER. Not at all.

Mr. COCKRELL. Not one particle, and the Senator from Montana has not read the amendment or he would not make such a bold assertion.

Mr. CARTER. The contention of the Senator from New Hampshire and his own construction of his amendment constitute an admission of the very thing for which I contend.

Mr. GALLINGER. The Senator from New Hampshire disclaims that. I made no such assertion.

Mr. CARTER. The Senator's words speak for themselves. My construction, I take it, is fair.

Mr. President, the marine hospitals are under the jurisdiction of the United States. It is a branch of the service under the control, for the time being, or regularly, of the Secretary of the Treasury; but the Commander in Chief of the Army and the Navy of the United States, if you please, the President, may, in time of war, use these marine hospitals for any purpose he pleases—for barracks, for hospitals, for quarters of any kind—or he may direct every one of them to be torn down and utterly annihilated. What is the use, therefore, of legislating that he may do this when no one questions his right?

Mr. SPOONER. Does not the Senator from Montana understand what the use is? It is another manifestation of this eternal and never-failing and almost always successful grasp of a bureau, when it has once been created under this Government, to reach out and gain strength and power and perpetuate itself and fasten its grip on the people of the country.

Mr. CARTER. There is no doubt about that.

Mr. COCKRELL. Let me say that I am sorry that the nightmare seems to have gotten hold of the distinguished Senators from Montana and from Wisconsin on this question. Let me read the amendment. Let us understand what the amendment is.

Mr. SPOONER. I want to relieve my friend from Missouri—for he is a very warm friend of mine—from any anxiety on account of my health. I have not the nightmare.

Mr. COCKRELL. You show all the symptoms of it. There is no question about the symptoms.

Mr. SPOONER. If I had it, I would not go to a marine hospital for the cure of it.

Mr. COCKRELL. Let me read the amendment. It says:

And the medical officers of the United States Marine-Hospital Service shall cooperate with the medical officers of the United States Army and Navy in the care of the sick and wounded admitted to said hospitals and quarantine stations, and whenever under these circumstances medical officers of the Marine-Hospital Service are serving with medical officers of the Army and Navy, they shall take rank during such service in their respective grades with the medical officers of the Army and Navy in accordance with the dates of their present commissions.

Only while they are all in the hospitals together, as between themselves, they have a certain relative rank and grade; but the moment they leave the hospitals, that moment the rank and the grade leave them, and there is no permanency about it.

Mr. SPOONER. Will the Senator from Missouri allow me to ask him a question?

Mr. COCKRELL. Certainly.

Mr. SPOONER. Do they have any rank now if they serve as surgeons of the Army and the Navy?

Mr. COCKRELL. It is a question as to whether they would or would not. That they would have absolute control over the marine hospitals there is no question, but to prevent friction we simply give them that rank.

Mr. CAFFERY. Mr. President, I do not see anything in this amendment that gives the surgeons of the Marine-Hospital Service while in this temporary employment of the Government any different grade from the one they have now.

Mr. SPOONER. What, then, is the object of the amendment?

Mr. CAFFERY. The object, as I understand it, is to prevent any clash between the surgeons of the Army and the Navy and the surgeons of the Marine-Hospital Service. That is all; and that is proper. They are to serve in their respective grades each just as they do now. The Marine-Hospital Service is a branch of the civil service, or a branch of the medical board devoted to civil cases, a branch of the Treasury Department. When the Marine-Hospital Service at quarantine stations is taken control of by the United States for temporary purposes of war—and I do hope they will not have any such use of the marine-hospital stations—then this amendment only provides that the army surgeons shall not overslaugh the surgeons of the Marine-Hospital Service; that each, retaining their own grades, shall serve in their respective capacities. That is what I understand the amendment to be. Is not that the understanding of the Senator from Missouri?

Mr. COCKRELL. Unquestionably.

Mr. CAFFERY. There is no new law; there is no assignment to different service by surgical work; no increase of pay; and how does the Senator from Wisconsin say that here is the ingrafting of a new law by means of this amendment? I do not think that this is any aggression of the Marine-Hospital Service to promote itself. I think it is a proper amendment to prevent unnecessary clash between these different sets of surgeons, the Army and the Navy surgeons on one side and the Marine-Hospital surgeons on the other. That is all I can see in it. There is no additional rank. They are to serve with the same rank and with no additional pay. The only thing is to keep each within their respective classes, so that one can not overslaugh the other.

I think the Senator from Wisconsin has seen spooks in this business. I do not say he has the nightmare, as the Senator from Missouri charges, but he sees the specter of some great Cæsar grasping at awful authority here. I do not see it.

Mr. SPOONER. That is perhaps because you can not see a spook.

Mr. CAFFERY. I can see through a mud hole as far as the Senator.

Mr. HAWLEY. I wish I knew more about the present status of the Marine-Hospital surgeons. I do not know whether they are analogous to the surgeons in the Army and the Navy. If they are, we ought to know who they are. We have majors among the surgeons, and first lieutenants and second lieutenants. I do not know whether these officers of the Marine-Hospital Service call themselves generals, colonels, lieutenant-colonels, majors, or what not. I see just as much embarrassment in one direction as in the other, spoken of by the Senator from New Hampshire [Mr. GALLINGER].

Mr. ALLISON. They have no rank at all.

Mr. HAWLEY. The Senator says they have no rank now at all. I understand they have not what is called assimilated rank or anything of that kind; that they are civilian employees. Now, if war comes along, some young medical officer who, for aught I know, may happen to be called a major or lieutenant-colonel, may take rank over a veteran surgeon in the Navy or in the Army. I think this matter ought to go to the Committee on Military Affairs. I am distinctly convinced of it, and I insist upon the point of order that the amendment proposes new legislation. I believe that after finding out that it added something new to the statute book, the Senator from Wisconsin [Mr. SPOONER] and the Senator from Iowa [Mr. ALLISON] agreed that it must be something new.

Mr. GALLINGER. I am ready that the point of order shall be decided. I simply want to say that the Senator from Connecticut is wrong in his fear that some young officer of the Marine-Hospital Service will come along and take rank over a veteran in the military or naval service. The fact is that it is the military or naval gentleman who comes to the Marine-Hospital Service, the young fellow in the military service, who is quite likely to take rank over the surgeons of the Marine-Hospital Service.

Mr. HAWLEY. I do not care anything about that point. The Senator began it. I did not.

Mr. GALLINGER. I am not very particular about it. I ask for a decision of the Chair on the question.

The PRESIDING OFFICER (Mr. CARTER in the chair). The Chair feels disinclined to pass upon the point of order, having expressed an opinion upon it upon the floor of the Senate, and therefore submits the question to the Senate. Is the amendment in order?

Mr. GALLINGER. I ask for the yeas and nays, so that Senators may be in their seats.

The yeas and nays were ordered.

Mr. CLAY. What are we voting on, Mr. President?

The PRESIDING OFFICER. The question is on the point of order presented by the Senator from Wisconsin [Mr. SPOONER] on the proposed amendment of the Senator from New Hampshire [Mr. GALLINGER], which the Secretary will read for the information of the Senate.

Mr. HAWLEY. The question is, Is the amendment in order? The point is made that it is new legislation.

Mr. TELLER. Let the amendment be read.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. After line 12, on page 7, it is proposed to insert:

That in time of war the President is authorized to use the United States marine hospitals and the hospitals and barracks of the United States quarantine stations for the care of the sick and wounded soldiers and sailors of the Army and Navy; and the medical officers of the United States Marine-Hospital Service shall cooperate with the medical officers of the United States Army and Navy in the care of the sick and wounded admitted to said hospitals and quarantine stations, and whenever under these circumstances medical officers of the Marine-Hospital Service are serving with medical officers of the Army and Navy, they shall take rank during such service in their respective grades with the medical officers of the Army and Navy in accordance with the dates of their present commissions.

Mr. ALLISON. Mr. President, I do not know that it is in order, but I should be glad if the Senator from New Hampshire would modify his amendment by striking out all after the words "quarantine stations," in line 10. Then, I think, there will be no objection to the amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment, in line 10, after the word "stations," by striking out—

and whenever under these circumstances medical officers of the Marine-Hospital Service are serving with medical officers of the Army and Navy, they shall take rank during such service in their respective grades with the medical officers of the Army and Navy in accordance with the dates of their present commissions.

Mr. SPOONER. Now, I want to ask the Senator from Iowa if the clause which he proposes to strike out is not all there is of the proposition?

Mr. ALLISON. If that is true, then the whole provision will be struck out; but it still authorizes by law the use of the marine hospitals.

Mr. SPOONER. Is not such use now authorized by law?

Mr. COCKRELL. No; they are just as absolutely under the control of the Treasury Department as this building is under the control of Congress. Every one of these officers is under the Secretary of the Treasury just as much as the post-office is under the control of the Post-Office Department, just as part of the War Department building is under the control of the War Department; the Secretary of the Treasury can not encroach upon it; and an appropriation for the support of these places is made, by specific legislation, under the Secretary of the Treasury.

The Secretary of the Navy and the Secretary of War can not interfere with that appropriation or expend the money. This simply authorizes them to use them. Otherwise it would be comity, as a matter of course. The Secretary of the Treasury could permit any of these officers to use it, but he could not expend any of the money that is appropriated for the preservation or care unless the law authorizes it specifically. Now, this authorizes them, and either one of them can expend the money they have for the care of the wounded, in caring for them in those hospitals, and in hiring nurses and employees, and all that.

Mr. GALLINGER. Responding to the suggestion of the Senator from Iowa, I will say that I do not feel like modifying the amendment. I prefer that it shall either go in or out as it stands.

The PRESIDING OFFICER. The question is, Is the amendment in order? on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GEAR (when his name was called). I am paired with the senior Senator from New Jersey [Mr. SMITH], and therefore withhold my vote.

Mr. MITCHELL (when his name was called). I am paired with the Senator from New Jersey [Mr. SEWELL]. If he were present, I should vote "yea."

Mr. PRITCHARD (when his name was called). I am paired with the junior Senator from South Carolina [Mr. MCLAURIN], and withhold my vote.

The roll call was concluded.

Mr. SPOONER (after having voted in the negative). I voted, but I am paired with the Senator from Mississippi [Mr. WALTHALL], who is absent. I do not know how he would vote. I therefore ask leave to withdraw my vote.

Mr. BURROWS. I am paired with the senior Senator from Louisiana [Mr. CAFFERY].

Mr. BUTLER. I am paired with the Senator from Maryland [Mr. WELLINGTON].

Mr. MORRILL. I desire to inquire whether the senior Senator from Indiana [Mr. TURPIE] has voted.

The PRESIDING OFFICER. The Chair is advised that he has not voted.

Mr. MORRILL. Then I withhold my vote.

Mr. BACON (after having voted in the negative). I desire to inquire whether the junior Senator from Rhode Island [Mr. WETMORE] has voted.

The PRESIDING OFFICER. He has not voted.

Mr. BACON. Then I withdraw my vote.

Mr. LINDSAY (after having voted in the negative). I desire to inquire whether the senior Senator from Michigan [Mr. MCMILLAN] has voted.

The PRESIDING OFFICER. He has not voted.

Mr. LINDSAY. I withdraw my vote, being paired with that Senator.

Mr. GALLINGER. I will take the liberty to suggest to Senators, if I may be permitted to do so, that this is not a political question, and I trust they will vote. It will be agreeable to me to have them do so.

Mr. BACON. Under the arrangement I have with the junior Senator from Rhode Island, in cases not political we are at liberty to vote, or when it is necessary to make a quorum. I will vote. I vote "nay."

Mr. WHITE. I am paired with the Senator from Idaho [Mr. SHOUP], but when I recollect that there are but few marine hospitals in that part of the United States, and feeling sure, therefore, that he will not raise any party question in the matter, I will venture to vote. I vote "nay."

Mr. LINDSAY. I will take the liberty to vote in order to make a quorum. I vote "nay."

The result was announced—yeas 23, nays 29; as follows:

YEAS—23.

Allen,	Davis,	McEnery,	Proctor,
Caffery,	Gallinger,	Mills,	Roach,
Cannon,	Harris,	Money,	Teller,
Chandler,	Heitfeld,	Morgan,	Turley,
Cockrell,	Jones, Ark.	Perkins,	Vest.
Cullom,	Kenney,	Pettus,	

NAYS—29.

Aldrich,	Clay,	Jones, Nev.	Platt, Conn.
Allison,	Fairbanks,	Lindsay,	Stewart,
Bacon,	Foraker,	Mallory,	Tillman,
Bate,	Fryo,	Mantle,	Warren,
Berry,	Gorman,	Martin,	White.
Carter,	Hanna,	Pasco,	
Chilton,	Hansbrough,	Penrose,	
Clark,	Hawley,	Pettigrew,	

NOT VOTING—37.

Baker,	Hoar,	Nelson,	Turner,
Burrows,	Kyle,	Platt, N. Y.	Turpie,
Butler,	Lodge,	Pritchard,	Walthall,
Daniel,	McBride,	Quay,	Wellington,
Deboe,	McLaurin,	Rawlins,	Wetmore.
Elkins,	McMillan,	Sewell,	Wilson,
Faulkner,	Mason,	Shoup,	Wolcott.
Gear,	Mitchell,	Smith,	
Gray,	Morrill,	Spooner,	
Hale,	Murphy.	Thurston,	

So the Senate decided that the amendment was not in order.

Mr. GALLINGER. I submit another amendment, which has had the indorsement of the Committee on the District of Columbia and which was referred to the Committee on Appropriations.

Mr. ALLEN. Will the Senator from New Hampshire yield to me to submit a brief statement not lasting over two or three minutes? I desire to make it at this time.

Mr. GALLINGER. Certainly.

Mr. ALLEN. Mr. President, during the discussion of the Cuban question Saturday evening, and just before the vote was taken——

Mr. GALLINGER. If the Senator from Nebraska will permit me, I will withdraw the amendment which I sent to the desk.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. ALLEN. During the discussion of the Cuban question Saturday evening, and just before the final vote was taken on the joint resolution then pending before the Senate, the senior Senator from Maine [Mr. HALE] took occasion to say in substance that the united action in this Chamber on the part of Democrats, Populists, and Silver Republicans was due to the recent presence of the Hon. William J. Bryan in this city.

I desire to say that the senior Senator from Maine was mistaken in that statement. I do not wish to enter into a discussion of the question, but will be content with submitting as a part of my remarks and placing in the RECORD two interviews with Mr. Bryan, which I am assured are substantially authentic. I ask to have them read in the order of their dates.

The PRESIDING OFFICER. There being no objection, the Secretary will read as requested.

The Secretary read as follows:

[Extract from Washington Post of March 10, 1898.]

SHOULD ALL STAND AS ONE—W. J. BRYAN HEARTILY APPROVES THE SUPPORT GIVEN THE ADMINISTRATION.

ATLANTA, GA., *March 9, 1898.*

Hon. W. J. Bryan was at Atlanta to-day, en route for Macon, where he speaks to-night. When asked his opinion of the appropriation of $50,000,000 for national defense, he said:

"I am glad the House acted promptly and unanimously. In fact, it might have been better to have made it $100,000,000, to show the world that Congress and the American people without regard to political differences are ready to support the Administration in any action necessary for the honor of the nation. This appropriation will not necessarily lead to war. Instead, a prompt liberality at this time may lessen the probability of war and in the end prove a wise economy. I never believed that the recognition of belligerency would result in war, but in the present crisis it is useless to discuss what might have been. When quiet is restored the people can consider the past more calmly, but in the face of danger our people should stand as one in the nation's defense."

Mr. Bryan took occasion to compliment General Lee, saying that he had performed his duty with great ability, courage, and discretion, under trying circumstances.

[Extract from Washington Post of April 1, 1898.]

TIME TO INTERVENE—W. J. BRYAN SAYS IT IS THE DUTY OF THE UNITED STATES.

LINCOLN, NEBR., *March 31, 1898.*

Hon. W. J. Bryan made the following statement in answer to the question whether, in his judgment, the time had arrived for the United States to intervene in the behalf of Cuba and bring the war to an end:

"Yes, the time for intervention has arrived. Humanity demands that we shall act. Cuba lies almost within sight of our shores and the sufferings of her people can not be ignored unless we, as a nation, have become so engrossed in money making as to be indifferent to distress. Intervention may be accompanied by danger and expense, but existence can not be separated from responsibility, and responsibility sometimes leads a nation, as well as an individual, into danger. A neighbor must sometimes incur danger for a neighbor, and a friend for a friend. War is a terrible thing and can not be defended except as a means to an end, and yet it is sometimes the only means by which a necessary end can be secured. The State punishes its own citizens by imprisonment, or even death, when counsel and persuasion fail. War is the final arbiter between nations, when reason and diplomacy are of no avail.

"Spain might not resist intervention; it is to be hoped that she would recognize the right of the United States to act, and immediately withdraw from Cuba; but whether she resents intervention or not, the United States must perform a plain duty.

"Spain has only herself to blame for the condition of affairs in Cuba. If she denies to her former subjects the rights of war and calls the Cuban army a mob, let her remember the words of Victor Hugo, 'The mob is the human race in misery.' No nation can afford to make its people miserable.

"If the Cubans prefer death to Spanish rule, it must be because Spanish rule has robbed life of joy and hope. If a nation sows the wind, it must reap the whirlwind."

Mr. BACON. If the Senator from Iowa will permit me, I desire to ask his attention to a very small matter. On page 49 of the bill there is an appropriation of $15,000 for the purpose of establishing and constructing a fish hatchery in Georgia. This appropriation is made in pursuance of a provision in the act last year which appropriated a small sum of money to have the necessary investigations made, the selection of a site, preparation of plans, etc.

The point to which I want to ask the attention of the Senator from Iowa is this. By reason of that prior action everything is now ready; the site has been selected; the consent to the conveyance, without charge to the Government, has already been given; nothing is to be done but to execute the title. The plans have been drawn, as I understand it; the engineer has been down there, and I simply wish to ask if the Senator from Iowa will consent that this appropriation be now made immediately available? It would really not interfere in any manner with anything, and it will enable work to be immediately proceeded with, all the arrangements having been made.

Mr. ALLISON. I have no objection to the amendment.

Mr. BACON. Will the Senator suggest the language?

Mr. ALLISON. After the word "dollars," in line 6, insert "to be immediately available."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 6, page 49, insert the words "to be immediately available."

Mr. MORGAN. Read the paragraph as it will read when amended.

The Secretary read as follows:

For the establishment of a fish-cultural station at Cold Spring, Meriwether County, in the State of Georgia, construction of buildings and ponds, and equipment of the same, $15,000, to be immediately available: *Provided*, That the site for the same, to be selected by the Commissioner of Fish and Fisheries, consisting of about 16 acres, shall be donated to the Government for the purpose of the said station before any expenditure hereunder.

Mr. MORGAN. Mr. President, I want to ask the chairman of the Committee on Appropriations, before the amendment is adopted, whether or not this provision in favor of the Georgia fish hatchery is a war measure? My reason for making the inquiry is this: When my colleague and I brought before the Senate the other day an amendment for the improvement of Mobile Harbor, which is a war measure, and which would bring down the cost of coal in the Bay of Mobile for our war ships to $1.25 a ton, the Senator from Iowa found that it was necessary for him to make objection to it, at which I felt at the time a good deal of chagrin and mortification, because it was imputed to my colleague and myself that our purpose was to sneak into this bill under the pretense of a war measure an amendment which was really intended for the improvement of the harbor of Mobile.

I understood afterwards that the honorable committee had very wisely adopted that course because of the fact that we now need all the money we can possibly raise for the supposed war about to take place between Spain and the United States, and that being true, we can not afford to trench upon the revenues of the United States in any respect at all for any purpose that is not absolutely and essentially at present a war measure. Now, we go into the Treasury of the United States, in advance of the time when this bill provides for the expenditure as a general thing, and we say in regard to the Georgia fish hatchery that it is a necessary proceeding, doubtless, and it shall come out of the Treasury at the present time, at once, not waiting until the end of the fiscal year.

Mr. President, there is such a thing as fair play and fair treatment on this floor, and I have not received it, nor has my colleague in regard to this matter. I am not going to forget it, either, because I feel that there has been a great injustice done to us as Senators and to our State and to our motives in regard to this business. I intend to vote for the amendment of the Senator from Georgia, let him have the money, but I now call up the question and present it to the Senator from Iowa, whether or not he is content now to allow this measure to be adopted which will take the money out of the Treasury to-day, instead of waiting until the war with Spain we hope will be over, when we shall not have so much necessity for actual cash on hand as we have now.

I merely desire to call attention to it, and I shall continue to do so whenever occasion presents. I am not going to forget the treatment we have had on this floor, or the motives of it, either. I am not going to forget it until justice is done to the State of Alabama. What we wanted to do, sir, and all we wanted to do, was to furnish the supplies which our State affords so abundantly to the Navy and Army of the United States for the supply of immediate necessity. At the time we were speaking this channel which has been dug through the bay of Mobile by the Government of the United States was obstructed by an English ship that came in there in a time of storm, got into the center of the channel at the turning point, cast her anchor on the wrong side of the ship by mistake, the wind blew it around and obstructed the channel and kept it obstructed for days, and they had to go and dredge that ship out of the channel. Now, notwithstanding that, the Government of the United States, it is announced, has ordered a large body of troops to Mobile. What for? How are you going to get them out of the bay of Mobile, or how could you get them out, under such circumstances?

The Secretary of War knew about this. He knew the importance of the channel. He knew the necessity for it as a war measure. He knew that that ship had been pulled at by four tugs and could not be got straight in the channel any more, and they had to take a dredge and dredge the British ship out. He understood perfectly well that the same thing might occur again, and occur at a moment of time when it would be disastrous to the arms of the United States, when it would be impossible to find access from the camp of the soldiers at Mobile out to the bay, in order to get across to Cuba. He know it perfectly well.

Yet there was some interest here that everywhere assails this proposition, and I found out at last that it was because the Committee on Appropriations believed it was not proper that any money should be used out of the Treasury of the United States except for immediate necessity of war. I do not understand that the encouragement of a fish hatchery in Georgia is an immediate necessity of war. I merely wanted to call attention to the fact.

Mr. ALLISON. At the rate we are considering the pending bill the war will be over, whatever it may be, before the bill passes.

Mr. MORGAN. That is the first complaint I have heard on that subject.

Mr. ALLISON. But in any event, this small appropriation for a fish hatchery, if it is made immediately available, will probably not be made available for expenditure more than two or three weeks before the beginning of the next fiscal year.

Mr. MORGAN. I am going to vote for it.

Mr. ALLISON. I am very glad to give the Senator from Georgia the little benefit of two or three weeks in respect to the appropriation.

The PRESIDING OFFICER. The question is on agreeing to the amendment presented by the Senator from Georgia.

The amendment was agreed to.

Mr. MONEY. I desire to offer an amendment.

The SECRETARY. On page 144, line 7, after the word "Paris," it is proposed to insert:

Not more than two of the three executive officers, and not more than one-half of the other appointees under this paragraph, shall be selected from the same political party.

Mr. MONEY. I ask the Senator in charge of the bill if he will not accept the amendment, which is the usual thing, I believe. It has been heretofore. It is in relation to the officers of the Government at the Paris Exposition. As the bill reads, there is no provision made that they shall not be of one party, while it is usual to have such a provision. I desire to call attention to the bill reported from the special committee of which the Senator from Nebraska [Mr. THURSTON] is chairman, which passed the Senate July 15. In this bill it was provided that not more than three of the commission of five should be of the same party. It is obviously the right thing to do, and I hope that the honorable Senator from Iowa in charge of the bill will agree to the amendment. It involves no money or appropriation, of course.

Mr. ALLISON. So far as the first portion of the amendment is concerned, I have no fault to find with it. I certainly think this matter ought not to be regarded in any sense as a party matter; and I have no doubt that the President will take that view. But I think it is not wise to interfere with the twelve experts who are mentioned here. Indeed, they ought to be gentlemen practically without any party alliance in this position. They ought to be familiar with the business that they will have in hand, and they ought to be selected without reference to their party views. They are to be men of special scientific fitness for the work in hand.

Mr. MONEY. If the Senator from Iowa will except the first, I will let the other part of the provision go.

Mr. ALLISON. Very well; I will make no objection to the first, because those are officers in some sense.

The SECRETARY. It is proposed to modify the amendment so as to read:

Not more than two of the three executive officers under this paragraph shall be selected from the same political party.

The PRESIDING OFFICER. In the absence of objection, the amendment as modified is agreed to.

Mr. ALLISON. On page 23, at the end of line 5, I move to insert:

And the building authorized to be erected at the Trans-Mississippi and International Exposition, Omaha, Nebr., by joint resolution approved December 18, 1897, for an exhibit of the United States Life-Saving Service.

Mr. COCKRELL. What is that amendment?

Mr. ALLISON. It is to make provision for the Life-Saving Service at the Omaha Exposition.

Mr. GORMAN. I should like to have an explanation of the amendment.

Mr. ALLISON. It is proposed in order that the Life-Saving Service may without difficulty assign the necessary employees to the Omaha Exposition during the period of the exposition. It is thought there may be some question about it. I have a letter here from the Superintendent of the Life-Saving Service stating that there is question as to whether they could be so assigned unless provision is made for them.

Mr. GALLINGER. Of course that must change existing law, but I will not make the point of order.

Mr. ALLISON. I am much obliged to the Senator from New Hampshire.

Mr. COCKRELL. Where is the amendment to be inserted?

The PRESIDING OFFICER. The amendment is to come in on page 23, at the end of line 5.

Mr. COCKRELL. Now, let the whole clause be read as it will read when the amendment is inserted.

The Secretary read as follows:

For pay of crews of surfmen employed at the life-saving and life-boat stations, including the old Chicago station, and the building authorized to be erected at the Trans-Mississippi and International Exposition, Omaha, Nebr., by joint resolution approved December 18, 1897, for an exhibit of the United States Life-Saving Service during the period of actual employment.

Mr. COCKRELL. That is right.

The amendment was agreed to.

Mr. MANTLE. I offer an amendment, and, before the amendment which I have sent to the desk is read, I desire to say that it was referred to the Committee on Public Buildings and Grounds and by them favorably reported and referred to the Committee on Appropriations. However, the amendment is of such a character that I prefer to ask unanimous consent rather than take advantage of the fact that it is in order. I ask that the amendment be read.

The SECRETARY. On page 6, after line 12, insert:

To enable the Secretary of the Treasury to select, designate, and procure, by purchase or otherwise, a suitable site for a public building in the city of Butte, Mont., there is hereby appropriated, out of any moneys not otherwise appropriated, the sum of $50,000. Said site shall contain at least 16,000 square feet of ground, and shall leave an open space around the building to be erected thereon, including streets and alleys, of at least 40 feet. The appropriation herein made shall be available during this fiscal year for the purchase of said site.

Mr. MANTLE. In asking unanimous consent I desire to say that the bill to which this amendment relates has already passed the Senate twice, that it has been favorably recommended by the House Committee on Public Buildings and Grounds, and that a similar amendment to this was attached to the sundry civil appropriation bill during the last session. I may also say that the Committee on Appropriations, I think, were favorably impressed with the presentation of the facts relating to the amendment, but did not feel that they could attach it to the bill without showing a favoritism which the circumstances did not warrant. For that reason I have asked unanimous consent.

Mr. GORMAN. It is all right.

Mr. ALLISON. I desire to say, as respects the proposed public building at Butte, Mont., that the item was put in the sundry civil appropriation bill two years ago and passed, as the Senator from Montana now states. It being at an important point in that State, and being exceptional in its character, I shall not make the point of order respecting it; but I will make it as respects every other public-building item that is presented.

The PRESIDING OFFICER. Is there objection to the request for unanimous consent presented by the Senator from Montana? The Chair hears none, and the amendment is agreed to by unanimous consent.

Mr. PERKINS. I offer an amendment. On page 104, after line 10, I move to insert:

That the provisions of the river and harbor acts of August 18, 1894, and June 3, 1896, making appropriations for improving the harbor at Coos Bay, Oregon, by deepening the harbor and removing obstructions therefrom are hereby so amended as to authorize the Secretary of War, in his discretion, to expend any or all of the funds so appropriated in carrying on the required dredging and other work by contract or in any manner that in his judgment may be most economical and advantageous to the Government.

Mr. GORMAN. I should like very much to have some explanation of that amendment. What is it?

Mr. PERKINS. I will state that in the river and harbor acts of 1894 and 1896, $27,390 was appropriated for dredging out the harbor in front of Marshfield, Coos Bay, Oregon. That provided for the purchase of a dredger and two barges. There is not money enough to build a dredger and two barges and do the work. There is a party ready to do the work for less than the appropriation. There is no possible objection to the amendment. It has been passed upon. The bill has passed the Senate twice, and I offer the amendment now at the request of the Senator from Oregon [Mr. MCBRIDE].

The PRESIDING OFFICER. The question is on concurring in the amendment presented by the Senator from California.

The amendment was agreed to.

Mr. ALLISON. On page 53 I move to strike out from line 20 down to and including line 4, on page 54, and insert what I send to the desk. I will make a brief explanation. If anyone objects to the amendment I will withdraw it.

Mr. COCKRELL. What is the amendment?

Mr. ALLISON. If the Senator will listen to the reading, he will learn what it is. It is the provision relating to recoinage, reissue, and transportation of minor coins.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. After line 19, page 53, strike out all of the bill down to and including line 4, on page 54, and insert the following:

Transportation of minor coin: For transportation of minor coin, $20,000; and in expending this sum the Secretary of the Treasury is authorized and directed to transport from the Treasury or subtreasuries, free of charge, minor coin when requested to do so: *Provided*, That an equal amount of coin or currency shall have been deposited in the Treasury or such subtreasuries by the applicant or applicants; and the Secretary of the Treasury shall report to Congress the cost arising under this appropriation.

Mr. ALLISON. I will explain the amendment briefly, and I hope Senators who are interested in this question will give me their attention. The present method of distributing minor coin is through the mint at Philadelphia. All the minor coins are sent from the mint, and all the requests for minor coins are sent to the mint. If I or anyone in my State desires a given quantity of minor coin, the currency or a draft must be sent to the superintendent of the mint at Philadelphia, and the coin is shipped from there. The proposed amendment authorizes these minor coins to be kept at the different subtreasuries in the United States and distributed from that point without charge to those asking for the coins.

Mr. TURPIE. Will the Senator from Iowa allow me to ask him a question?

Mr. ALLISON. Certainly.

Mr. TURPIE. In the phrase "minor coin" does the Senator include subsidiary silver, nickel, and copper coin?

Mr. ALLISON. It includes only the nickel and copper coins. The amendment is offered upon the recommendation of the new Director of the Mint, and his letter is here, as is also the letter of the Secretary of the Treasury recommending it. I have read those letters carefully and I think that it is a wise provision to substitute. It might go at least into conference. It is certainly much easier to distribute these minor coin, and I think they will be distributed much more largely from the subtreasuries than from the mint of the United States at Philadelphia. That is the only mint from which the distribution is made under the existing law.

Mr. COCKRELL. Does the amendment authorize recoining?

Mr. ALLISON. It does not authorize recoining, because there is an ample amount of coin, if it can only be distributed. The Senator means the recoinage of old minor coins.

Mr. COCKRELL. The provision here says:

And the Secretary of the Treasury is also authorized to recoin any and all of the uncurrent minor coins now in the Treasury.

Does the Senator propose to strike out that part or leave it in?

Mr. ALLISON. The Director of the Mint requests that the whole of it may be stricken out. I think the amount expended for the recoinage of this minor coin is a very small part of the expenditure. I have offered the amendment in the phraseology recommended by the Secretary of the Treasury, striking out the whole paragraph and inserting what has been read at the desk.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

Mr. ALLISON. On page 88, line 11, I ask that the comma may be stricken out after the word "buildings" at the end of the line, so as to read:

Springfield Arsenal, Springfield, Mass.: For general care, repair of quarters, of buildings and machinery not used for manufacturing purposes, $10,000.

The VICE-PRESIDENT. Without objection, the amendment is agreed to.

Mr. ALLISON. I ask the clerks to turn to page 96. I will ask the Secretary if, in line 15, the word "fifty" has been stricken out and "sixty" inserted?

The VICE-PRESIDENT. It has not.

Mr. ALLISON. Then I move to strike out "fifty" and insert "sixty" in line 15.

The SECRETARY. In line 15, page 96, before the word "thousand," strike out "fifty" and insert "sixty."

Mr. ALLISON. And in line 16, strike out the word "five."

Mr. COCKRELL. And insert what?

Mr. ALLISON. I call the attention of the Senator from Missouri to a proposed change respecting military posts, which is to increase, in line 15, the $50,000 limitation to $60,000, and diminish it, in line 16, from $25,000 to $20,000.

The SECRETARY. In line 16, page 96, it is proposed to strike out "five," before the word "thousand;" so as to read:

Twenty thousand dollars for each additional battery.

Mr. ALLISON. I have a letter from the Secretary of War calling attention to the phraseology.

The amendment was agreed to.

Mr. ALLISON. On page 96, in lieu of lines 23 and 24, which are inserted in italics, I ask that the words I send to the desk may be inserted.

The VICE-PRESIDENT. The amendment will be read.

The SECRETARY. On page 96 strike out lines 23 and 24 and insert in lieu thereof:

Toward the construction of buildings of brick or stone for a military post of Fort Meade, S. Dak., $60,000.

The amendment was agreed to.

Mr. ALLISON. On page 134, line 12, after the word "dollars," I move to insert:

The printing of said volume to be done in accordance with the provisions of section 383 of the Revised Statutes.

The amendment was agreed to.

Mr. ALLISON. I will ask the Chair to inform me where the Nicaragua Canal amendment is inserted?

The VICE-PRESIDENT. After line 24, page 141.

Mr. ALLISON. I ask that the whole of that provision may be stricken out and what I send to the desk substituted. Senators will see what is proposed by it.

The SECRETARY. Strike out the amendment after line 24, on page 141, and insert in lieu thereof the following——

Mr. COCKRELL. Read the amendment to be stricken out and then we will get at the whole question.

Mr. ALLISON. I ask the Secretary to read what is proposed to be stricken out.

The VICE-PRESIDENT. The Secretary will read as requested.

The SECRETARY. It is proposed to strike out the following amendment:

Nicaragua Canal Commission: The engineer member of the Nicaragua Canal Commission, appointed from the Corps of Engineers of the United States Army, as authorized by the sundry civil act approved June 4, 1897, shall be entitled to receive compensation in addition to his regular Army pay and allowances equal to the difference between such annual Army pay and allowances and the compensation of the other two members of the commission.

And to insert the following in lieu thereof:

Nicaragua Canal Commission: Each member of the Nicaragua Canal Commission shall receive such compensation and allowance for mileage and expenses as the Secretary of State, with the approval of the President, may deem proper; and the engineer member appointed from the Corps of Engineers shall be entitled to receive compensation in addition to his regular Army pay and allowances equal to the difference between such annual Army pay and allowances and the compensation of the other two members of the commission.

Mr. ALLISON. In brief, I will state that the Comptroller of the Treasury has decided that these officers can draw no money for compensation under existing statutes because these persons were appointed by the President, by and with the advice and consent of the Senate, and therefore became officers of the Government, and could not draw any pay without some provision being made by law for it. So none of the commissioners, I understand, have drawn any pay.

Mr. COCKRELL. Was there not an appropriation to pay the salaries?

Mr. ALLISON. The appropriation was a lump appropriation to pay the compensation of these people.

Mr. COCKRELL. And the Comptroller decides that the President can not distribute the appropriation and say what shall be paid?

Mr. ALLISON. Not until there is some authority to fix the amount which they shall be paid. The Secretary of State fixes their compensation and their mileage, or their daily compensation in lieu of mileage.

Mr. SEWELL. Will the Senator from Iowa allow me to interject a remark?

Mr. ALLISON. Certainly.

Mr. SEWELL. The commission is composed of a retired officer of the Army, a civilian engineer, and one officer of the Army in active service. The President fixed the pay. The retired officer of the Army is allowed to get his pay, and the civilian engineer gets his pay, but the active officer of the Army can not receive more pay without an act of Congress. That is the position.

Mr. ALLISON. Not only is that true, but it is also true that none of them can receive any pay and have their accounts allowed until some such provision as is proposed here shall be made.

Mr. COCKRELL. What is the amount that is to be paid them?

Mr. ALLISON. I think the amount is $7,500 each, without reference to the time employed. That was fixed by the Secretary of State, with the approval of the President.

Mr. COCKRELL. What else will this allow those officers?

Mr. ALLISON. It allows their traveling expenses in addition; that is all, I think.

Mr. COCKRELL. Let the amendment be read again.

The Secretary again read the amendment.

Mr. COCKRELL. Why should there not be a provision about the officers of the Navy? If what the Senator from New Jersey says is correct, if there is a naval officer there, why should there not be such a provision?

Mr. SEWELL. The naval officer is a retired officer.

Mr. COCKRELL. He can not draw anything but his retired pay.

Mr. SEWELL. As I understand it, he can. It has been customary to give retired officers additional pay for additional service; but the army officer is in active service and can not draw any more pay.

Mr. COCKRELL. Does the Comptroller hold that the retired officers can draw extra pay?

Mr. SEWELL. So I am informed.

The VICE-PRESIDENT. The question is on the adoption of the amendment.

The amendment was agreed to.

Mr. WILSON. I offer the amendment which I send to the desk, to come in after line 13, on page 136.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. After line 13, on page 136, it is proposed to insert:

Provided, That hereafter the clerks of the United States district and circuit courts in the districts of South Dakota, Montana, and Washington shall receive the same fees and compensation for services performed by them as are provided by law to similar officers performing like services in the districts of Idaho, North Dakota, and Oregon.

The amendment was agreed to.

Mr. WARREN. I ask the adoption of the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. In line 11, on page 71, after the word "ninety," it is proposed to insert:

And such other acts as provide for land grants to the several States, except railroad land grants and such indemnity lands as the several States may be entitled to in lieu of lands granted them for educational and other purposes, which may have been sold or included in some reservation, or otherwise disposed of.

The amendment was agreed to.

Mr. SPOONER. I offer an amendment to come in on page 137, line 2, after the word "dollars."

The SECRETARY. After the word "dollars," in line 2, on page 137, it is proposed to insert:

The commissioners appointed by the President to revise and codify the criminal and penal laws of the United States shall, in the execution of their work, act jointly as a commission, and the expenses of the commissioners heretofore appropriated, including compensation of assistants and necessary office rent, shall be paid by the disbursing clerk of the Department of Justice, on vouchers certified by the chairman of said commission and approved by the Attorney-General. With the consent of the presiding officers of the two Houses of Congress unoccupied rooms in the Capitol may be assigned, under the direction of the Architect of the Capitol, for the use of the commission.

The said commissioners shall prepare, as a part of their work, a brief code of criminal procedure of the United States circuit and district courts, the same to be submitted to Congress for final action thereon.

The work of said commission shall, under the direction of the chairman thereof, be printed at the Government Printing Office, and when completed shall, together with the stereotyped plates, be the property of the United States.

Mr. GORMAN. Mr. President, I could not hear very well the reading of the amendment, but I infer from what I understood of the reading that rooms are to be assigned in this Capitol Building for some commission.

Mr. SPOONER. Mr. President, a year ago Congress in an appropriation act provided for the appointment of three commissioners to codify the criminal laws of the United States. They were appointed. Judge Culberson, of Texas, was one, Governor Botkin, of Montana, was another, and, I think, Mr. Thompson, of Ohio, was another. The Comptroller of the Treasury held that it was not a commission, and that they must discharge their duties separately, which, of course, is absurd. They could not without constant consultation codify the laws of the United States.

This amendment in the form of a bill was introduced, it was reported by the Committee on the Judiciary, and passed the Senate, and has been favorably reported in the other House, but has not yet been considered by the House.

Mr. GORMAN. I suggest to the Senator to insert the words "in the new Library Building," instead of "in the Capitol." There is only one part of this building that can be assigned, and that is the old Library rooms, and there is a controversy between the two Houses as to them.

Mr. ALLISON. I hope the Senator from Wisconsin, in behalf of the Committee on the Judiciary, will strike that particular provision out of the amendment.

Mr. SPOONER. I have no objection whatever to doing so.

Mr. COCKRELL. The Senator does not think that is legislation, does he?

Mr. SPOONER. No, sir; it is not legislation. It is clearly—and any lawyer would say so—to carry out an existing law which has been misconstrued beyond any possible question.

Mr. COCKRELL. The amendment changes existing law.

Mr. SPOONER. No; it does not.

The VICE-PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the amendment after the word "Attorney-General," in line 9, by striking out:

With the consent of the presiding officers of the two Houses of Congress, unoccupied rooms in the Capitol may be assigned, under the direction of the Architect of the Capitol, for the use of the commission.

Mr. GALLINGER. Before that motion is put I desire—and it will be the last time I will do so—to call attention to the fact that we are constantly putting new legislation on appropriation bills. This is beyond question new legislation, and I presume obnoxious to the rules of the Senate. I think we ought to be extremely careful about that matter.

I notice that there was a good deal of talk about a little matter that I offered, which possibly was in the nature of new legislation, and it was ruled out of order. The frequency with which this thing is done and the persistency with which it is done certainly encourage those of us who have had less service in this body to feel that we might be permitted now and then to do what the older members of the Senate are constantly doing in this regard.

Mr. SPOONER. This is not a case in which my friend from New Hampshire can draw upon me the lex talionis, because this is not a new provision of law. The Judiciary Committee is of the

opinion that it simply carries out the existing law and nothing else.

Mr. GALLINGER. I submit that the general law does not give these gentlemen quarters in the Capitol Building.

Mr. SPOONER. That has been stricken out.

Mr. GALLINGER. I beg pardon. Then I accept the statement made by the Senator from Wisconsin, and am delighted to know that the older Senators see the propriety of not putting new legislation on an appropriation bill. [Laughter.]

The VICE-PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ALLISON. I ask that the bill may be reported to the Senate.

The VICE-PRESIDENT. The bill is still in the Committee of the Whole and open to amendment.

INTERVENTION IN CUBAN AFFAIRS.

Mr. PETTUS. I call the attention of the President to the fact that a messenger from the House of Representatives is waiting at the door.

The VICE-PRESIDENT. The Senate will receive a message from the House of Representatives.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insists upon its amendments to the amendments of the Senate to the joint resolution (H. Res. 233) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ADAMS, Mr. HEATWOLE, and Mr. DINSMORE managers at the conference on the part of the House.

Mr. DAVIS. Mr. President, I move that the Senate accede to the request of the House of Representatives for a conference, and that the resolution be committed to a committee of conference, to be appointed by the Chair.

Mr. ALLEN. Let the message be laid before the Senate.

The VICE-PRESIDENT. If there be no objection, the Chair will lay before the Senate a message from the House of Representatives. The Chair hears no objection, and the message will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
April 18, 1898.

Resolved, That the House insists upon its amendments to the amendments of the Senate to the joint resolution (H. Res. 233) authorizing and directing the President of the United States to intervene to stop the war in Cuba, and for the purpose of establishing a stable and independent government of the people therein, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. ADAMS, Mr. HEATWOLE, and Mr. DINSMORE be managers of the conference on the part of the House.

Mr. ALLEN. I ask for a division of the question on the motion made by the Senator from Minnesota [Mr. DAVIS].

The VICE-PRESIDENT. The Senator has the right to have the question divided.

Mr. ALLEN. I ask for a division of the question on the motion of the Senator from Minnesota.

Mr. DAVIS. I now move that the Senate disagree to the amendment proposed by the House, accede to the request for a conference, and that the resolution be committed to a committee of conference.

Mr. BACON. It has been impossible for any of us on this side of the Chamber to hear what the Senator said.

The VICE-PRESIDENT. The motion, as the Chair understands it, is that the Senate disagree to the amendment proposed by the House of Representatives, accede to the conference asked for by the House, and that the committee of conference be appointed by the Chair.

Mr. PASCO. That is not the motion. The motion is that the Senate disagree to the amendment and accede to the conference asked by the House.

Mr. FAULKNER. And that the Chair appoint the conferees.

The VICE-PRESIDENT. The Chair will put the motion as he understood it to have been made by the Senator from Minnesota.

Mr. ALLEN. I call for a division of the motion.

The VICE-PRESIDENT. The Chair understands the Senator——

Mr. ALLEN. The rule of the Senate requires the Senate itself to appoint the conferees. That is the question I want to submit now for their action.

Mr. TELLER. I should like to have stated the motion we are to vote upon. I do not understand exactly the way the Senator wants us to vote on the proposition.

Mr. DAVIS. Mr. President, the motion is that the Senate disagree to the amendment of the House of Representatives and accede to the request for a conference, and that the committee of conference be appointed by the Chair.

Mr. ALLEN. If I heard the Senator from Minnesota aright, he repeats his motion that the Senate agree to the conference, and that the Chair appoint the conferees. Now, I call for a division of that question.

The VICE-PRESIDENT. The Chair understands the motion to be that the Senate still further insist on its disagreement to the amendment of the House, and accede to the request of the House for a conference committee.

Mr. ALLEN. That is the first proposition.

Mr. ALLISON. That is right.

The VICE-PRESIDENT. That proposition is before the Senate. The Senator has the right to have it divided. The question is on that branch of the motion.

The motion was agreed to.

Mr. DAVIS. Now I move that the conferees be appointed by the Chair.

Mr. ALLEN. Mr. President, as to the appointment of conferees, I call attention to the rule of the Senate and object to the request of the Senator from Minnesota; and on that I desire to be heard just for a moment.

Mr. WILSON. I rise to a question of order. This is a very important matter, and it is impossible on this side to hear a single word that the Senator from Nebraska is saying. I shall either be compelled to ask to have order or that the Senator from Nebraska strengthen his voice.

Mr. ALLEN. I will try and overcome that difficulty.

The VICE-PRESIDENT. The Senate will be in order.

Mr. ALLEN. I desire to say that I want it distinctly understood that I do not object, individually, to the Vice-President making the appointment on the supposition that there will be anything unfair in the selection of the conferees; but this is a very important matter, and I think it is one of those questions where we should adhere strictly to the rule. The only rule we have on the subject is Rule XXIV, which is in the following language:

In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed by ballot to appoint severally the chairman of each committee——

Mr. HAWLEY. I again renew the request made by the Senator from Washington [Mr. WILSON]. We are well acquainted with the Senator from Nebraska, and know that he can be heard not only within but without the building, if he desires, and we can not hear him now.

Mr. ALLEN. I can not even hear the Senator from Connecticut. I know he is saying something, but I can not tell what it is.

Mr. HAWLEY. I will try to make the Senator hear. I say that he can not be heard; that we can not hear him.

Mr. ALLEN. If the Senator from Connecticut and the Senate will give me their attention, which I think I am entitled to, I will read the rule:

1. In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed by ballot to appoint severally the chairman of each committee, and then, by one ballot, the other members necessary to complete the same. A majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee, but a plurality of votes shall elect the other members thereof.

Now I call attention to this sentence:

All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint.

That is the only rule upon the subject of the appointment of committees.

Mr. HOAR. Mr. President, I agree with the Senator from Nebraska that the rule for the guidance of the Senate is clear. There is a provision for the appointment of standing committees, and then the rule provides:

All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint.

It has been, I suppose, the custom of the Senate, unbroken from a period long preceding the recollection of the oldest of us, to intrust to the Chair the appointment of its conferees. In that case the Senate otherwise orders, and this motion is a motion for such an order, and therefore is in order. The proper mode to get at it, if the Senate refuses to pursue its unbroken custom, is to adopt the motion. If the Senate chooses to trust its presiding officer with this function, which, whatever may have been his political opinions, he and his predecessors have always exercised, in accordance with a usage of the Senate, also unbroken, to select the members of the committees of conference from the committee having the subject in charge, dividing them between the majority and the minority in the Chamber, then they will vote down this motion to proceed to elect by ballot.

Mr. STEWART. I think that there should be a qualification made in connection with that statement of the rule by the Senator from Massachusetts. I remember that until quite recently in making selection of conferees, the Chair always has in view the

idea of representing the majority of the Senate upon that particular question where there is a difference, and those constituting the majority in favor of the measure are entitled to have a majority of the committee to represent their views. That has been the rule; and I have never known an exception to it until 1899.

It was stated frequently by the older members thirty years ago that that was binding in all cases. I have heard it discussed two or three times. The view was that the majority on the particular question should be represented by a majority of the committee of conference. That has been the rule; but so far as this matter is concerned, I do not think it makes much difference.

Mr. TELLER. Mr. President, the modern rule has been as stated by the Senator from Massachusetts, that the presiding officer, at the suggestion of the chairman of the committee which has the matter in charge, makes the selection of members of the conference committee on the part of the Senate.

As a rule, the chairman of the committee is first taken and the next highest member on the committee takes a place with him; then the leading member of the opposition is put on the committee, thus making the three. That has been the custom. True, it has been the custom to allow the Chair to appoint the conferees, on the theory that these motions usually pass nemine contradicente without any controversy, and the Chair is allowed to appoint on the ground of unanimous consent, which sets aside the rule. It is not, however, always done in that way.

Occasionally the majority in the Chamber find themselves in a position that if that rule should be carried out they would be without any representative on a conference committee. We found ourselves in that position on the bankrupt bill, and the Senator from Minnesota [Mr. NELSON], who had presented an amendment to the bill reported by the committee, which finally became the bill as adopted by the Senate, was by some means—I do not know just how, for I was not here when it was done—was appointed as a member of that committee of conference with two others who had been opposed to the bill as the Senate had passed it.

The Senator from Massachusetts [Mr. HOAR] stated here, and stated to us of the committee who were disposed to raise the question whether we ought not to have two members of the committee, or a majority of it, that the universal custom had been when a committee of conference was appointed that they should stand for the Senate view of the case. He made a very strong presentation on that line, saying that the majority of the committee, although their personal views were against the bill adopted by the Senate, would feel themselves bound to stand by the Senate view until the Senate should practically release them. I think I state the case correctly. I will ask the Senator from Massachusetts if I do not?

Mr. HOAR. I think I stated it in a form somewhat different, but I do not want to make any discussion with the Senator as to the particular phrases he has used. The substance of his statement is undoubtedly correct. As the Senator states, the conferees are persons commissioned by the Senate to carry out its views.

Mr. TELLER. That is undoubtedly true; but, as stated by the Senator from Nevada [Mr. STEWART], formerly, at least, it was not an unusual thing for a change to be made. There is no rule that requires the chairman of the committee which originally had a particular subject in charge to go on a conference committee, and there is no rule that the Senator who stands next to him on the committee having charge of the subject should go on the conference committee, or that the Senator who stands at the head of the opposition should go upon it. That is simply a method which has grown up here without any rule of the Senate to justify it.

It does not imply any doubt of the presiding officer to say that that is not satisfactory to the Senate, because it is understood that in the absence of a direction from the Senate the presiding officer will proceed in that way. He will first name the chairman of the committee having the subject in charge as the chairman of the conference committee, then he will take a member of the political party on that committee who stands next to the chairman, and then he will take the leading Democrat on the committee.

Mr. JONES of Arkansas. Will the Senator allow me a moment?

Mr. TELLER. Yes.

Mr. JONES of Arkansas. Is it not a fact which is known to every member of the Senate that the Vice-President does not really make the selection at all, but that the Senator who makes the motion for the conference really makes the suggestion of the names of the Senators to go upon the conference committee, and makes it in the order suggested by the Senator from Colorado?

Mr. TELLER. I would say that the almost universal rule has been for the chairman of the committee to pass up to the presiding officer the names of those whom he wants on the committee. I do not know that that has been waived in the slightest degree. I have always seen it done. He makes a memorandum and hands it to the presiding officer, and the presiding officer makes the appointment; and he makes it as a rule in the direction I have stated, unless there is some good reason why it should be changed.

Mr. CULLOM. Invariably.

Mr. TELLER. I do not know what the Senator's motion is.

Mr. ALLEN. I had not reached the point of making a motion. I had just reached this question——

Mr. TELLER. I suppose as the question now stands it is whether we shall order the selection by ballot.

Mr. ALLEN. I desire at this point, if the Senator will permit me——

Mr. TELLER. Certainly.

Mr. ALLEN. I submit, as a substitute for the motion of the Senator from Minnesota, that we proceed to the selection of the conferees by ballot.

Mr. President, without consuming the time of the Senate in discussing this matter, I propose to put myself upon record from start to finish on this subject on one side of it, and to leave nothing undone that I can do to make the Senate amendment recognizing the existence of the Republic of Cuba an accomplished fact.

I am not seeking a point to surrender. I shall not surrender. It was not and is not in any spirit of distrust of or disrespect to the Presiding Officer that I make this motion. I make it because it is a rule of the Senate, because as a Senator I have a right to have a vote whether we will proceed under the rule or waive it. I do not agree with the Senator from Massachusetts [Mr. HOAR], but that is a habit of mine. I know of but few questions in which he and I concur.

Mr. HOAR. Will the Senator pardon me? There is one question on which he and I concur, I think.

Mr. ALLEN. I had forgotten it.

Mr. HOAR. I have great respect for that Senator and I know he has.

Mr. ALLEN. I did not hear that remark, but I will——

Mr. GRAY. The Senator will not agree to it.

Mr. ALLEN. I agree to it. Let me quote this language just once more:

All other committees—

That embraces conference committees—

shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint.

Now, the Senator from Massachusetts holds that under this rule the Senate can abdicate its power to select the committeemen. That is not a proper construction of the rule at all. The rule reserves to the Senate itself the power to appoint the committee, and says the Senate can appoint by ballot or in some other manner. That does not authorize the Senate to abandon its function or power of appointment. That is the difference between the Senator from Massachusetts and me. The rule vests plenary and exclusive jurisdiction in the Senate to appoint the conferees. The Senate can not select some agent who is not a member of its organization to appoint the conferees. The Vice-President is simply a presiding officer here, with a right to cast a vote in case of tie, and with no other power than to preserve order.

While individually I would as lief trust the Vice-President and Presiding Officer of this body in the selection of the conferees as to trust myself, having the highest confidence in his fairness, this is a great question, in which all the people of the country are interested, and if we abdicate our power here it will be claimed that it was in surrender of the position we have taken within the last week or more. I am not prepared to put myself in an attitude where any gentleman can justly charge me with surrendering.

I make this motion, and I am prepared to vote.

Mr. PASCO. Mr. President, we find ourselves here in a contention with the House of Representatives, the Senate time after time voting for one proposition and the House of Representatives voting time after time for a different proposition. We propose to settle this difference by a conference between the two Houses. The House has already appointed its conferees, and a majority of the conferees are favorable to the proposition which the House sustains. It is proper here, in my judgment, that the members of the conference committee on the part of the Senate should be composed in the same way. The majority of the committee have failed to sustain their proposition before the Senate, and they are not entitled to a majority of the conferees. The proposition of the Senate should be in the hands of its friends and not in the hands of its enemies.

Mr. ALLEN. That is right.

Mr. PASCO. But it has been the practice in the Senate, as has been already stated, to have the conferees appointed by the Vice-President. He has these appointments, nominally at least, in his hands. He has generally been guided by the suggestions of the chairman of the committee which has control of the bill under consideration. But in a great crisis and an important case like this, I take it that the Vice-President will act himself and be fair and wise and just, and that he will not, as a matter of course, accept the suggestions of the chairman of the committee; in this case the responsibility does not belong to the majority of the committee, because it is not in sympathy with the majority of the

Senate, and the Vice-President should feel entirely at liberty to act entirely upon his own judgment and do what he thinks is right and fair and just.

During the year and more that he has presided over our councils he has acted invariably in that way, and for one I shall not vote to take away the power of appointment from him now. I shall be in favor of his exercising that power, and exercising it in accordance with his views of what is right and just and proper in this great emergency.

Mr. CHANDLER. Mr. President, the Senate has by two votes, 14 majority each time, decided that it is the sense of the Senate that the United States should recognize the Cuban government at the head of whose military forces is Maximo Gomez, rebel, as France recognized the independence of the colonies of the Confederacy at the head of whose military forces was G. Washington, rebel.

Now, there are Senators upon this floor who are unwilling to keep the two Houses of Congress from acting to-day and within an hour by insisting upon the recognition of the present Cuban Republic. Mr. President, they are capable of making those sacrifices. The Spanish Cortes meets on Wednesday, and it is important that there should go to the Cortes if possible the unanimous voice of the American Congress in favor of Cuban freedom. I am capable of making that sacrifice, but I do ask that we may be spared the necessity of violating every principle of parliamentary law in order to accomplish this desired result.

The Senator from Indiana [Mr. TURPIE] was the author of the clause for which the Senate has pronounced by these two votes of 14 majority, the Senator from Ohio [Mr. FORAKER] was the only Republican advocate of that clause, and now it is gravely proposed in the Senate that a conference committee shall be appointed upon which is neither of these Senators, a conference committee of three Senators every one of whom is against the proposition for which the Senate has twice voted.

Mr. THURSTON. And Senators who voted against it on the last vote.

Mr. CHANDLER. It seems to me that the enemies of Cuban freedom, who have taken charge of the movement for Cuban freedom and do not mean that it shall go forward unless it goes forward under their auspices and with their consent, ought at least to allow the decencies of parliamentary law to be observed. [Applause in the galleries.]

Mr. STEWART. Mr. President, I think this is a case where our conferees ought to have some instructions, and I desire to move, before the conferees are appointed, that they shall be instructed as follows:

The conferees on the part of the Senate are hereby instructed to consent to no report which does not recognize the republican government of Cuba.

Several SENATORS. Vote! vote!

Mr. STEWART. This is too essential to say, "Vote! vote!" I must say a few words.

In this case the issue is as between bonds and human freedom. Our State Department is filled with letters and demands in favor of our citizens against governments which have acquired territory upon which they had claims. When Chili took a part of Peru, it was held by our State Department, and held by all Europe, that the bonds issued by Peru, secured by nitrate beds, and all the obligations on the guana beds pertained to the land. There is no better-settled proposition than that where a lien is fixed upon property and it is taken by conquest the lien remains.

There are several hundred millions, alleged to be $400,000,000, of bonds and other securities secured by the Cuban revenue. If it is taken by conquest, there is no doubt about the preservation of the lien. There is no exception among the authorities. It is admitted by every one. There is but one way of freeing the Cuban people from this enormous debt incurred to deprive them of liberty. The principal animus, the cause of this war, is the enormous taxation to pay interest on the obligations fastened upon the revenues of Cuba. It was intolerable. That is what they have been fighting for. They have been fighting for liberty.

All the authorities say that a people are not bound, when they secure their liberty by fighting, to pay for the money used to attempt to suppress them. If we go upon that island denying that there is any government there, and if we, after this discussion, adopt the House resolution and go there at all, it will be said that we have considered that question. It will be asserted, and can not be denied, that we considered that question and found that there was no government there. The very resolution says we are going there to establish a government. If we go there to establish a government, the patriots do not win it and do not win their freedom. They are opposed to any intervention which does not recognize what they have won.

When the President of the United States tells us that Spain has lost Cuba and can never regain it, in the same sentence he tells us that it has been gained by the Cubans by their blood and treasure and heroism. We go forward and say, after they have obtained that right, that we will rob them of it by armed intervention, restrain them, and give them a government that shall be liable. The issue is between bonds and human rights and human liberty. That is the proposition, and to appoint a conference committee without any further discussion is mock justice. No man can challenge what I say. There is only one way to win freedom of debt and freedom of slavery, and that is by winning victories, which they have done. They never have asked us to do more than keep our hands off.

I read a little while ago from President Monroe. When he came into office in 1817, he called attention to the existing Republics of Mexico and South America. There had been revolutions in every one of them, and he stated to Congress year after year in his messages that the United States had been entirely neutral, and had given the same privileges to the insurgents that they had to Spain. That was also practiced in the case of Texas—neutrality—but in the case of Cuba your committee reports that we have not been neutral; that we have spent millions of dollars patrolling the seas; that we have refused to allow Cubans to buy in our markets; that our influence has been with the oppressors. Hostility to the insurgents has been exhibited by the Executive during the whole of this war. It is perfectly heartless. All the Cubans ask is that we acknowledge their belligerent rights and let them free themselves and not to fasten this debt upon them.

Several SENATORS. Vote! Vote!

Mr. STEWART. I have the right to stand here and plead for human liberty one moment. Every convention that has met of all parties has declared for human liberty. They have expressed the sympathy of the country. We have had admiration from every tongue for these struggling Cubans, and the President tells us that they have won their liberty. He says Spain has lost the island. All the Cubans want is a chance to proceed unmolested. If they can have the privilege accorded them which every other Spanish-American country has had, they do not ask for any further recognition.

If you acknowledge their belligerent rights, in six months they will be free; but to put a debt of four or five hundred million dollars on them will Egyptianize the country and deprive them of all the fruits of their heroism and their sacrifices. It is very well to speak of these people having committed sacrifices and having displayed heroism without parallel in modern history. It is very well to admire and sympathize with them, but it was a new departure when we refused them the same belligerent rights we accorded to Spain, when we denied them the right to trade in our markets.

The President had power to do it. He has the precedent. This is an exception. He will not accord any rights to them because the right of the Cubans is the expense of the bondholders. I do not suppose that that is his reason, but that is the reason of his advisers, no doubt. If the Cubans have rights and liberty, the bondholders have no right to sell them into slavery. I know that four or five hundred million dollars of bonds, the franchises, and the plunder of that rich island constitute a temptation to greedy speculators. I do not charge anybody connected with Congress, but Congress is influenced by papers, by bankers, by rich men, and money lenders. Before we yield to their demands and destroy these people, turn them over into bonded slavery much more degrading and horrible than the Spanish rule under which they groan, let us deliberate a little.

Do nothing and you will do better than to destroy that government whose citizens have sacrificed so much—a third of the population decimated by the barbarities of Spain. In the face of all that, can filthy lucre demand the pound of flesh just now? I suppose the members who vote for this have not studied the law; do not know the situation; do not know that if we go there denying the establishment of that Government, it is conquest; do not know that it is robbery of those people. There can be no conference here that gives away the recognition of independence that does not give away the liberties of the Cubans and make them slaves. They have not asked for it. If you will give them their belligerent rights, as you have given them to every other republic on the hemisphere, it is all they ask.

If I had time I could read to you page after page showing the treatment of Monroe and Jackson. Senators talk about this being a Presidential question. This is what the precedent is: Mr. Hamilton, when he wanted to have the Constitution adopted, belittled it. He said it was a mere matter of form. Afterwards he concluded that it involved a great many other powers. Indeed, almost the war power.

Mr. Madison answered him and showed what he had said before the Constitution was adopted. It was a mere academic discussion. When all the South American republics were up for consideration, all these cases were considered, and Mr. Monroe, after he had given them belligerent rights and they had gone on for years, finally, when he thought proper, submitted the whole question to Congress, and said he would be governed by their views; that if they concurred with him that they ought to have recognition, he

suggested to them to make a proper appropriation for sending diplomatic agents there and the result would be accomplished. It was referred to the committee and was discussed here for days. The committee reported it, and I have the report here. The committee reported a resolution recommending the recognition of all those republics and making an appropriation of $100,000 to carry it into effect. Thus they were recognized as sovereign states.

The next was Texas, which was the last of the new governments recognized, and I want to tell you what General Jackson said. His name has been used in this debate in connection with the admission of States. In December, 1836, he sent a message to Congress in regard to Texas. He stated in that message that he thought it was premature to recognize Texas at that time, but he said it was a delicate question that we should receive the State at that time; that where it involved a mere question of fact he was inclined to do it, but in almost all cases it involves legislation, and frequently war, and in those cases it was improper for the President to act alone, but he should have the advice of Congress. He submitted it to them. He said that he would not do it, and he did not do it.

Then in March following Congress passed an appropriation to send a diplomatic agent or consul to Texas and the Senate passed a resolution recommending the admission of the State. He took those up and discussed them, and he said that that amounted to the approbation of Congress and upon that he recognized Texas. He said it would be very improper to have any controversy about it; that there were many cases where the President could not go it alone, or words to that effect. That is the position. The President can only do it alone where it involves no consequences but is a mere formality.

But the idea here is that the President shall recognize Cuba alone. He can recognize the belligerent rights alone, and it requires no legislation; but to recognize the independence, as Jackson said, might involve war, and the President has no right to take steps that might involve the country in war. Consequently he could not recognize Cuba. Now, because Spain is threatening war, he has no such power. It is legislative and executive power combined, and this resolution is the only method by which the Republic of Cuba can be recognized. If he is jealous of his prerogative, let him recognize it now, and not rob those people of the fruits of their dear-bought victory. That is cruel. I will stop now. When the report of the conference committee comes in, if independence is not recognized by the conferees, I will then go on with my speech.

Mr. WHITE. Mr. President, the motion of the Senator from Missouri is, I understand, in accordance with all of the precedents of this body as far as the practice is concerned for many years. It is now propcsed to sharply deviate from that practice because of the presence of an alleged exigency. There is an exigency here, but it is an exigency that requires careful, candid, deliberate treatment, and it is not an exigency that should be solved in a whirlwind of passion. I suggest that this is about the last occasion where the rules of the Senate should be departed from.

When Senators say that because it may be that two distinguished members of the Committee on Foreign Relations, who are the heads of their respective parties on that committee, can not be trusted, it makes me think how little after all is service or fame; for if there are two men upon the Committee on Foreign Relations who have striven in season and out of season, and to my mind sometimes beyond the limits they ought to have trodden—I speak of this only as a matter of judgment—those two men are the Senator from Alabama [Mr. MORGAN] and the Senator from Maine [Mr. FRYE]. If the report of the committee of conference is not in accordance with the wishes of the Senate, the Senate can render a judgment annulling that report. Let us proceed therefore in accordance with our precedents, and act when the report comes here in accordance with the jurisdiction which we have under our well-adopted rules.

Mr. THURSTON. Mr. President, I have occupied only eight minutes of the time of the Senate since the resolution was first reported from the committee. I realize that the time has come for the appointment of a conference committee. I propose for my part to trust to the honor of a committee that will be practically selected by the chairman of the Committee on Foreign Relations. The Senate knows how the vote was on the last test this afternoon. If that committee sees fit to select three members, all of whom voted against the wish of the Senate, well and good. I do not believe it ought to be done.

I think that the rules of parliamentary procedure and precedent require that a reasonable division of the membership of the conference committee should be made, for it is not only that the members appointed here will stand as far as they think proper in support of the Senate, but there ought to be some Senator on that committee who is prepared from his heart to argue the majority position of the Senate. But, sir, if that committee can afford to go before the country with a conference committee composed of those whose last votes were all recorded against the majority of the Senate, well and good. I shall vote to permit them to exercise their best judgment upon their honor in this case.

Mr. FORAKER. Mr. President, it so happens that I am the only Republican member of the Committee on Foreign Relations who supported in the committee and on the floor of the Senate the proposition to recognize the Republic of Cuba. It is probably in the minds of some of the Senators, in view of this fact, to take such action here as would place me on the conference committee. I want to say in answer to that suggestion, for it has been made to me, that I am perfectly satisfied to have the Chair appoint the conference committee, and I am not only satisfied to have the Chair make the appointment, but I very greatly prefer that the Chair should make the appointment. If we had more time I might say more in view of the circumstances attending us this afternoon upon the subject, but in view of the fact that I have some anxiety to hear the guns, I quit the matter with that remark.

Mr. FRYE. I suppose, Mr. President, that it is not an assumption on my part to think that perhaps the Vice-President in making the appointments might name me as one of the conferees—I being the oldest in service on the committee.

Mr. President, I am against the present recognition of the alleged republican government in Cuba. I believe that that recognition belongs to the President of the United States and not to Congress. In my judgment, in my place as conferee there should be appointed some Senator on the committee who holds views diametrically opposite to mine. The Senator from Ohio [Mr. FORAKER] is the real father of the proposition to recognize the Cuban Republic now. He was persistent in committee, has been persistent since, and if I were Presiding Officer of the Senate, I would appoint Senator FORAKER as one of the conferees on that committee. I trust that the Presiding Officer of this body will do so and will not appoint me.

Mr. STEWART. I should like to ask the Senator from Maine a question. Would you be opposed to omitting all language which would imply that there is no republican government there?

Mr. FRYE. I voted for language which implies it. I have been on a great many conferences in the Senate. Undoubtedly in a matter of this kind, whatever conferees are appointed by the Chair are in honor bound to maintain as long as they reasonably can the votes and opinions of the majority of the Senate.

Mr. GRAY. No matter what——

Mr. FRYE. They are not bound to be obstinate and willful and refuse to make any sort of a compromise. If they were, then there would be nothing like a free conference.

Mr. ALLEN. Does the Senator think it would be fair to appoint on the part of the Senate the known and open enemies of this measure?

Mr. BERRY. The Senator from Maine has just said to the contrary.

Mr. FRYE. I have just said that I prefer very much indeed that some one shall take my place on the conference. I do not wish to be compelled to go into conference, and in that conference against my own judgment undertake to hold up against the House of Representatives.

Mr. LINDSAY. Mr. President——

Mr. ALLEN. It is a surrender upon the part of the Senate the moment it appoints the enemies of this measure.

Mr. FRYE. That is not true.

Mr. ALLEN. Mr. President——

The VICE-PRESIDENT. The Senator from Kentucky was recognized by the Chair.

Mr. ALLEN. I thought I had the floor, but I will yield to the Senator from Kentucky.

Mr. LINDSAY. Mr. President, I desire to ask the Senator from Maine a question. It was for that reason I tried to get the floor, and I now take the liberty, with his permission, of asking him this question. He stated that he believed it was the constitutional prerogative of the President of the United States, and, I take it, the exclusive prerogative, to recognize the independence of a new state. I wish to ask him whether he believes it is the exclusive prerogative of the President of the United States to recognize the belligerency of a revolutionary power?

Mr. FRYE. Mr. President, I have been silent all through this discussion, almost the only Senator who has not said one word, and that silence has been because I wanted action. I say, for God's sake let us do something for the people in Cuba. We claim to have been impelled to action because they were dying by the thousands, and now here we are confronted by this: There is the island, our neighbor, hundreds of thousands hungry to-day, no kindly hand to give them food, the Red Cross gone to the north, Clara Barton gone to her home, every American consul left; and every hour that we waste in discussion or in any other way is freighted with the death of some woman dying of starvation or some child perishing from hunger.

Mr. President, I wish, above all things, there may be, and I believe that within ten days, if Congress will do its duty, there will

be peace in the Island of Cuba; there will be food; there will be kindly hands there to distribute it, or our cannon will be thundering at Morro Castle.

Mr. LINDSAY. Mr. President, I admire the Senator from Maine, and I join with him in his sympathy for the Cuban people, but he did not answer nor pretend to answer the question I put to him.

Mr. QUAY and others. Vote!

Mr. LINDSAY. I propose to be heard. I have a right to be heard.

Mr. President, the resolution as it comes back from the House provides what? That the people of Cuba ought to be free and independent; that it is the duty of the Government of the United States to demand that Spain shall withdraw from Cuba her army and her navy and semblance of authority. Now, then, we are not to recognize that there is a Cuban government, provisional or permanent, and to demand that the only government we do recognize—the Government of Spain—shall be withdrawn and the people of Cuba left in a state of absolute anarchy. We provide in the third resolution that if Spain declines to withdraw, then we shall use the Army and the Navy to compel her withdrawal, and thereby leave those people without the shadow of government.

We have a fourth resolution, which disclaims any intention on our part to exercise sovereignty of power over the Island of Cuba except for its pacification. Who are we to pacify? We refuse to recognize the republican government; we are to break down the Spanish government; we are to leave the people without any government at all; and then we propose to pacify the people who are thus left absolutely in a state of nature.

Pacify them how? Pacify them through our Army, pacify them by military reconstruction, pacify them by setting up an American government which those people shall accept or remain without government? I ask the Senator whether he believes it is the exclusive prerogative of the President of the United States to recognize belligerency? That is a proper question, because when the conferees go out they will consider whether in the event they yield the acknowledgment of the recognition of independence they will recognize upon the recognition of belligerency.

Two years ago, when we had another President of the United States, many Senators who now think that the exclusive right to perform certain functions is in the Executive thought then that Congress might recognize a state of belligerency. A year ago these gentlemen thought that Congress might recognize a condition of belligerency. Why is it now, when we propose to destroy absolutely the preexisting government of the Island of Cuba, that we become so sensitive?

Mr. President, if the Republic of Cuba is not a free and independent government, it is certainly a belligerent power. It controls absolutely one-half of the island. The adhesion of two-thirds of the people, leaving out Havana, is given to that republic. Why, then, not acknowledge its belligerency, if we do nothing more, so that when the Spaniards yield to our demand and withdraw their army and navy and civil authorities there shall be an organized government in the island capable of bringing the people together for the formation of a permanent republican government?

These are the questions with which we have to deal. I insist that if the republic was a belligerent two years ago, when Grover Cleveland was President, it is a belligerent power to-day, now that William McKinley is President.

Mr. TELLER. Mr. President, everybody in the Senate, with the exception, perhaps, of half a dozen, has declared on various occasions his anxiety to do something for the struggling Cubans. We have now reached a point where we are ready to complete the final act. We have differed from the other branch of Congress, and many of us who differ with the Administration have acted in conjunction with quite a large number of those who support the Administration in all its policies excepting this. I understand they are not willing to act longer with us.

Mr. President, it is therefore apparent to me that if the vote of the Senate is taken now on that question we shall reverse the action of last Saturday. Is it not good policy; is it not good business; is it not the proper thing to do; is it not in the interest of the Cubans that we should settle that question here to-night? Why should we go through the form of putting the resolution into a conference committee and wait for a conference report if the thing is already practically settled that many Republicans who voted with us think they have voted with us long enough. The Senator from Nebraska [Mr. ALLEN] assures me that he is prepared, in the interest of haste, to withdraw his amendment if it be necessary.

Mr. President, we might as well meet the question to-night as to meet it to-morrow or next day, after the conference committee has been in session and controverted this point one way and then another. If there is a majority here that wants now to accept the House amendment, we might just as well try that, and settle the question now. The Senator who has the resolution in charge can readily, by moving a reconsideration—and it will be given without any objection, I suppose—put the question where we can vote on it.

I speak only for myself. I do not speak for anybody else; but if any Senator thinks this is not a proper thing I do not want to press it on the Senate.

Mr. FORAKER. Will the Senator allow me?

Mr. TELLER. Yes.

Mr. FORAKER. The Senator from Colorado is probably not aware that the conferees appointed by the House are now in waiting to confer with the conferees to be appointed by the Senate, if any are to be appointed. I happen to know that in regard to the situation, which causes me to believe that if we could have our conferees appointed, in a very short time we could have a report from the conference committee before we adjourn, and the House has agreed to remain in session until they do hear that report. I for my part would prefer that.

The House has taken a recess until 8 o'clock, I understand They will be here at that time, and certainly by 8 o'clock—it is now quarter after 6—if the conferees are now appointed they should be ready to make a report; and I believe this whole matter could at 8 o'clock be promptly disposed of, and in a way that will be more satisfactory to many of us than it is at present.

Mr. TELLER. If I can learn that there is to be any modification of the House amendments—I have been told that there would not be; I have been told that the Republicans who voted with us would not sustain us any longer—but if there can be any modification that will help the matter, I am not opposed to the conference committee being appointed.

Mr. FORAKER. I understand that there is a good chance that if the committee be appointed a conclusion can be reached that will be far more satisfactory to many of us than are the amendments of the House of Representatives.

Mr. ALLEN. Will the Senator from Colorado yield to me a moment?

Mr. TELLER. Yes.

Mr. ALLEN. In view of the statement of the Senator from Ohio [Mr. FORAKER], that the conference report will show an amendment more satisfactory than the House amendment, I will withdraw my proposed amendment.

Mr. FORAKER. I state that as my opinion, based on information that has been given to me. I believe that is the case.

Mr. TELLER. I am not going to object under those circumstances to the appointment of the conference committee. If anything can be gained by the conference committee, I am for it; but I was told a few moments ago, by what seemed to me proper authority, that there would be no change in the attitude of the House, and we would be compelled to take what has been proposed, or else to delay indefinitely and improperly this question. If there can be a modification, I do not object. If the other House has taken a recess, I will take a moment to say a word or two on this subject. I will not detain the Senate more than a very few moments.

Mr. President, I have been anxious for action. I have not delayed the Senate more than fifteen minutes for the last two months on this subject. I have had a great deal I should like to have said; I have had a great many things on my mind; I have not been satisfied with everything that has been done, but I determined in the outset that, so far as I was concerned, there should be no partisanship in this contest—there should be no attempt on my part to make political capital out of it.

Mr. President, when on Saturday night we were charged in the most offensive way by the Senator from Maine and the Senator from Massachusetts with having attempted to bring in here divided counsels, I refrained then from speaking, when I might, under the rules of the Senate, have done so, because I wanted a vote; but, Mr. President, I want to say now that when this matter is disposed of, I propose to express my opinion on the floor of this Senate as to the treatment some of us have received from the friends of the Administration—treatment that we did not deserve; treatment, it seems to me, that no high-minded party would have attempted to bestow upon us. I say that so that the Senate need not be surprised if I make a speech dealing with this question on an appropriation bill or on a pension bill or on anything else.

I have refrained from speaking because I wanted action, because I believed, as the Senator from Maine [Mr. FRYE] says, we need action at once. I think action has been too long delayed, and if I have any criticism to make it is that we have dallied with this question too much. I want this ultimatum that we have provided for put to Spain, and I want Spain to answer it, and if she does not answer it in the affirmative, and say she will withdraw her troops from the Island of Cuba, and disclaim any sovereignty over that island, then I want to answer with the shotted guns of the American Army and the American Navy.

Mr. TILLMAN. Mr. President, before we proceed to vote on this proposition I want to ask a question, and if there is anybody here who chooses to answer it I shall be glad to hear the answer.

The President of the United States has had able and eloquent defenders here who have spurned the thought, the idea, the accusation, or the insinuation that he would lend himself to any scheme of foisting the Spanish debt on the Cubans. Now I want to ask Mr. SPOONER, who so eloquently defended the President, and who told me Friday that there would be no carpetbaggers, whether he, upon his honor as a man, can give to the Senate his pledge that there will be no scheme of that sort that will be backed by the President of the United States? Will the Senator answer?

Mr. SPOONER. Mr. President, I challenge the propriety of putting to me such an interrogatory by my name. I had the honor to submit some observations to the Senate which were entirely sincere. I did not submit them as the representative of the President. I submitted them on my own account. I answered, or I endeavored to answer, politely every interrogatory which was addressed to me. I can only pledge my own opinion, and that I did without hesitation the other day.

Mr. TILLMAN. As to the carpetbaggers?

Mr. SPOONER. I said it was not to be thought of, in my opinion.

Mr. TILLMAN. Do you say that in regard to the bonds?

Mr. SPOONER. Of course, I expressed my opinion about the bonds.

But I want to say now, Mr. President—only expressing my own opinion—that the suggestion to be sent out from the Senate Chamber in an exigency like this, that the President of the United States, or any man in either House who stands by him, is influenced, or could be influenced, in acting upon this subject, by any purpose commercial or financial in its character, or any attempt or wish to put upon the people of Cuba the burden of debt, is little else than an attack upon the Executive and an unfair and unjust impeachment of men who sit on this floor and are elsewhere in public life and have occasion to deal with this subject. That is my opinion.

Mr. TILLMAN. Mr. President, I am thick-skinned, and therefore the question of the impropriety of my utterances does not deter me in the least if I can accomplish the purpose for which I have fought here, and that is to prevent this Senate and this Government by its action leaving the door open so that by any possibility this outrageous debt can be fastened upon those people. If I have made it so odious that men stand here and say that I am acting improperly because I am trying to make it odious, I am willing to bear the odium, provided no such infamy is ever perpetrated.

The VICE-PRESIDENT. The question before the Senate is, Shall the conference committee be appointed by the Chair? [Putting the question.] The motion is agreed to. The Chair appoints as the conference committee the Senator from Minnesota [Mr. DAVIS], the Senator from Ohio [Mr. FORAKER], and the Senator from Alabama [Mr. MORGAN].

Mr. MASON. I move that the Senate take a recess until 8 o'clock.

Mr. HAWLEY. The House has taken a recess until 8 o'clock, and will not be ready by that time.

The VICE-PRESIDENT. The Senator from Illinois moves that the Senate take a recess until 8 o'clock to-night.

Mr. GORMAN. I suggest to the Senator from Illinois to make it half past 8 o'clock. The House has taken a recess until 8 o'clock.

The VICE-PRESIDENT. Does the Senator from Illinois accept the amendment of his motion?

Mr. MASON. I accept the amendment.

Mr. ALLISON. Mr. President, I desire——

Mr. HOAR. I rise to a question of order. I demand that before any further propositions are made, Senators take their seats and the Senate be in order.

The VICE-PRESIDENT. Will Senators be kind enough to take their seats?

Mr. MASON. I accept the amendment proposed by the Senator from Maryland [Mr. GORMAN] to my motion.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois as amended, that the Senate take a recess until half past 8 o'clock to-night. The Senator from Iowa was recognized for some observations.

Mr. ALLISON. Mr. President, it is the rule, as I understand it, of the House——

Mr. HOAR. I insist on my point of order, Mr. President. I ask the Chair to enforce the rules.

The VICE-PRESIDENT. The Chair will attempt to do so.

Mr. HOAR. More than two-thirds of the persons in this room are standing at this moment.

The VICE-PRESIDENT. Senators will be in order. The Chair recognizes the Senator from Iowa.

Mr. ALLISON. Mr. President, it is my understanding of the rules of the two Houses that where a communication is sent to one House by the other, in order to be received by that House, the two Houses must be in session; and if this conference is to begin at 8 o'clock, the Senate should be in session, formally, at least, in order that it may be in session when the House receives our message. So I hope there will be no suggestion to take a recess until a later hour than 8 o'clock.

Mr. COCKRELL. The conference report has to be made to the Senate first.

Mr. MASON. Then I renew my motion that we take a recess until 8 o'clock this evening.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois.

Mr. CHANDLER. I wish to make the inquiry whether if we take a recess the effect will be to prevent the conference committee from meeting during the recess?

Mr. COCKRELL. Oh, no.

The VICE-PRESIDENT. In the opinion of the Chair it will not.

Mr. CHANDLER. I want to be sure of that, Mr. President.

Mr. ALDRICH. Oh, no; they can meet informally.

The VICE-PRESIDENT. The question is on the motion of the Senator from Illinois.

The motion was agreed to; and (at 6 o'clock and 28 minutes p. m.) the Senate took a recess until 8 o'clock.

EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

Mr. CHANDLER. Mr. President, I suggest the lack of a quorum.

The VICE-PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allen,	Deboe,	Mallory,	Quay,
Bacon,	Fairbanks,	Mantle,	Rawlins,
Baker,	Faulkner,	Martin,	Roach,
Bate,	Foraker,	Mason,	Sewell,
Berry,	Gallinger,	Mills,	Shoup,
Cannon,	Gear,	Mitchell,	Spooner,
Carter,	Hansbrough,	Money,	Stewart,
Chandler,	Heitfeld,	Morgan,	Teller,
Chilton,	Jones, Ark.	Nelson,	Thurston,
Clay,	Kyle,	Perkins,	Turley,
Cockrell,	Lindsay,	Pettus,	Turpie,
Daniel,	McEnery,	Pritchard,	Warren.
Davis,	McLaurin,	Proctor,	

The VICE-PRESIDENT. Fifty-one Senators have answered to their names. A quorum is present.

MILITARY PUBLICATIONS OF THE WAR DEPARTMENT.

Mr. WARREN. I ask leave to take up the Senate joint resolution No. 150, which was temporarily laid aside for correction this morning. The chairman of the Committee on Printing, the Senator from Massachusetts [Mr. LODGE], has authorized a substitute for the resolution, and I ask that it be put on its passage.

The VICE-PRESIDENT. Is there objection to the present consideration of the joint resolution reported by the Committee on Printing and laid over this morning?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. R. 150) authorizing the printing of extra copies of military publications of the War Department.

The VICE-PRESIDENT. The substitute proposed by the Senator from Wyoming [Mr. WARREN] will be read.

The SECRETARY. Strike out all after the resolving clause and insert:

That the Secretary of War be authorized to print, in excess of the 1,000 copies authorized by the act of January 12, 1895, such extra number of copies of the military publications of the War Department as may be necessary for the instruction of the National Guard of the various States.

Resolved, That there be printed for immediate distribution by the Secretary of War to the National Guard of the various States the following manuals, regulations, and drill books:

Three thousand copies of Infantry Drill Regulations.
One thousand copies of Cavalry Drill Regulations.
One thousand five hundred copies of Light Artillery Drill Regulations.
One thousand copies of Manual of Drill for the Hospital Corps.
Three thousand copies of Manual of Arms, Infantry Drill.
Three thousand copies of Army Regulations.
Five hundred copies of Regulations Pertaining to Uniforms.
Five hundred copies of Military Laws of the United States.
Five thousand copies of Manual for Army Cooks.
One thousand copies of Handbook of Subsistence Stores.
One thousand copies of Manual for Subsistence Department.
One thousand copies of Manual for Medical Department.
One thousand copies of Manual for Quartermaster's Department.
Five hundred copies of Paymaster's Manual.
Two hundred copies of Manual of Photography.

Also, that there be printed the following:

Three thousand copies of Infantry Drill Regulations, of which 1,000 shall be for the use of the Senate and 2,000 for the use of the House of Representatives.

Six hundred copies of Cavalry Drill Regulations, of which 200 shall be for the use of the Senate and 400 for the use of the House of Representatives.

One thousand five hundred copies of Light Artillery Drill Regulations, of which 500 shall be for the use of the Senate and 1,000 for the use of the House of Representatives.

Two thousand copies of Manual of Arms, Infantry Drill, of which 650 shall be for the use of the Senate and 1,350 for the use of the House of Representatives.